



SUBMISSION – KĀPITI COAST DISTRICT COUNCIL PROPOSED PLAN CHANGE 2

For: Submission of Landowners of 'Waikanae East'
Date: 15 September 2021



SUBMISSION ON BEHALF OF: Landowners of Waikanae East

Prepared by:

Anna Carter

Anna Carter
Senior Planner

Reviewed by:



Bryce S Holmes
Principal Planner and Director

Date:

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FINAL

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J864

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RMA FORM 5

Submission on publicly notified

Proposed Plan Change 2 to the Kāpiti Coast District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Kāpiti Coast District Council

1. Submitter details:

Full Name	<p>Submissions are being made on PC2 by the following landowners/entities in respect of their individual land; and in respect of the wider area of land represented by all the submitters:</p> <ul style="list-style-type: none"> i. Goodman Holdings Ltd: 6 Anne Street ii. Stan Goodman and Stuart Trustees Ltd: 32 Elizabeth Street iii. Helen Goodman and Stuart Trustees Ltd: 32A Elizabeth Street iv. Mele Batty and Terry Moonen: 48 Elizabeth Street v. Robert Byron: 52 Elizabeth Street vi. Cowley Group Ltd: 102 Elizabeth Street vii. John Turner: 104 Elizabeth Street viii. Christopher and Wendy Ward: 106 Elizabeth Street ix. Nicholas Humphries: 108 Elizabeth Street x. Davide and Amanda Rutten: 2 Reikorangi Road xi. BC Lette Trustees Ltd: 4 Reikorangi Road xii. Kohatu Holdings Ltd: 12 Reikorangi Road 	
Contact Person <i>if different</i>	<p>Please send correspondence to Anna Carter of Land Matters Limited who represent the landowners (i) – (xi) above; and Nicola Todd of Cuttriss Consultants who represent submitter (xii) Kohatu Holdings Ltd</p>	
Email Address for Service	<p>anna@landmatters.nz and nicola@cuttriss.co.nz</p>	
Address	<p>c/- Land Matters 20 Addington Road, Ōtaki 5581</p>	
	Postal Address	Courier Address
Phone	Mobile	021 1704 787

2. This is a **submission** on the **Proposed Plan Change 2 to the District Plan** for Kāpiti by a 12 landowners/entities ("" submitters).
3. None of the submitters **could not** gain an advantage in trade competition through this submission.
If you could gain an advantage in trade competition through this submission please complete point four below:
4. Each submitter is **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 effects of trade competition.

Note:

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.

5. Each submitter **wishes to be heard** in support of their submission.
6. Each submitter **would** consider presenting a joint case with other submitters, who make a similar submission in relation to the same location, at a hearing.

Please complete section below (insert additional boxes per provision you are submitting on):

The specific provision of the proposal that my submission relates to:
See part 3
Do you: Support? Oppose? Amend?
See part 3
What decision are you seeking from Council?
What action would you like: Retain? Amend? Add? Delete?
Reasons:
See part 4.

1. BACKGROUND AND INTRODUCTION

In December 2021 the Kapiti Coast District Council adopted its Growth Strategy titled, *Growing Well: Our proposed approach for enabling sustainable growth in Kapiti*” (**Growth Strategy**). This work was in response to the Council’s obligations to give effect to the objectives and policies of the National Policy Statement on Urban Development 2020 (**NPS-UD**) and which looked to intensify residential development around transport nodes and commercial areas in Tier 1 Councils including the Kapiti Coast District.

The Growth Strategy identified a *Proposed Approach for Growth* that looks to “provide for growth by enabling different types of housing, business and community facilities through a mix of intensification in our urban areas – “grow up” and new developments (green fields) – grow out” and looked to achieve growth across urban environment of the Kapiti Coast including in the following areas:

- **Railway Stations by enabling up to six storeys within an 800m walkable catchment of Waikanae railway station; and**
- **Town Centres by enabling up to six storeys within town centre areas and four storeys within a 400m walkable catchment to the Waikanae town centre; and**
- **Suburban Areas by enabling up to 2 – 3 storeys of infill and low to medium density development**

The land at Waikanae East was identified in the Growth Strategy as a high priority for urban development that could support up to 480 dwellings as it could meet demand in all three areas identified above.

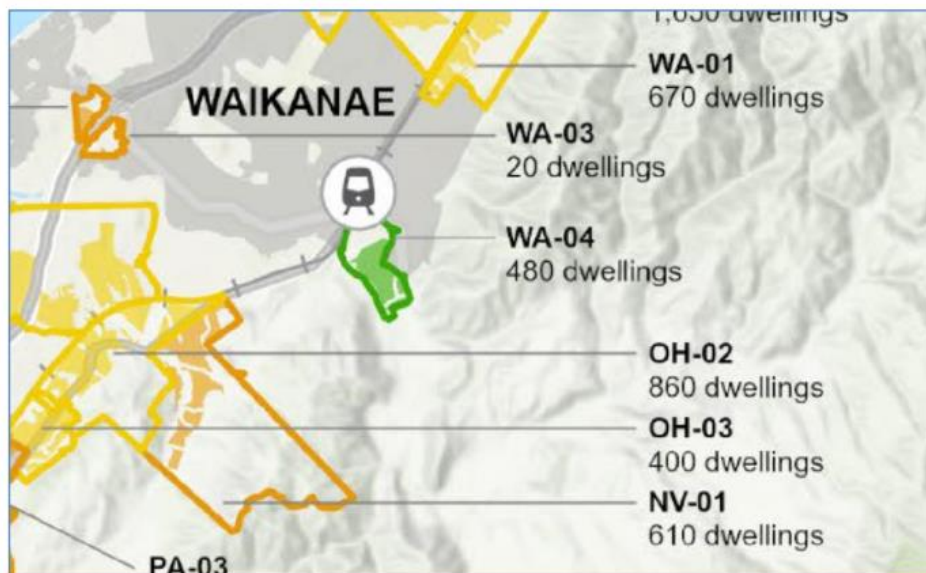


Figure 1: Priority 1 Greenfield Redevelopment showing Waikanae East (WA-04)
(source: Boffa Miskell, Kapiti Coast Urban Development Greenfield Areas Report, October 2021. Pg 6)

Kāpiti Coast District Council (**KCDC**) notified Plan Change 2 (**PC2**) to the Operative District Plan on 18 August 2022 and submissions close on Thursday 15 September 2022. This document is a submission on Proposed PC2 by the landowners located within Waikanae East (with the exception of the land containing the Waikanae Water Treatment Plant and the rural zoned land to the north of that).

2. EXTENT OF SUBMISSION FOR LANDOWNERS WITHIN WAIKANAЕ EAST

“Waikanae East” is the term used in this submission to describe the landholdings held by all the submitters listed in this submission. It is currently General Rural zoned land and is within Precinct 49 being the Rural Plains Precinct. It is located between the Waikanae River and Elizabeth Street and extends from the NZNI railway line in the west to the start of the Reikorangi Road in the east. It incorporates an area of land that is approximately 40 hectares in area. It adjoins the right bank of the Waikanae River upstream of the old State Highway 1 bridge.

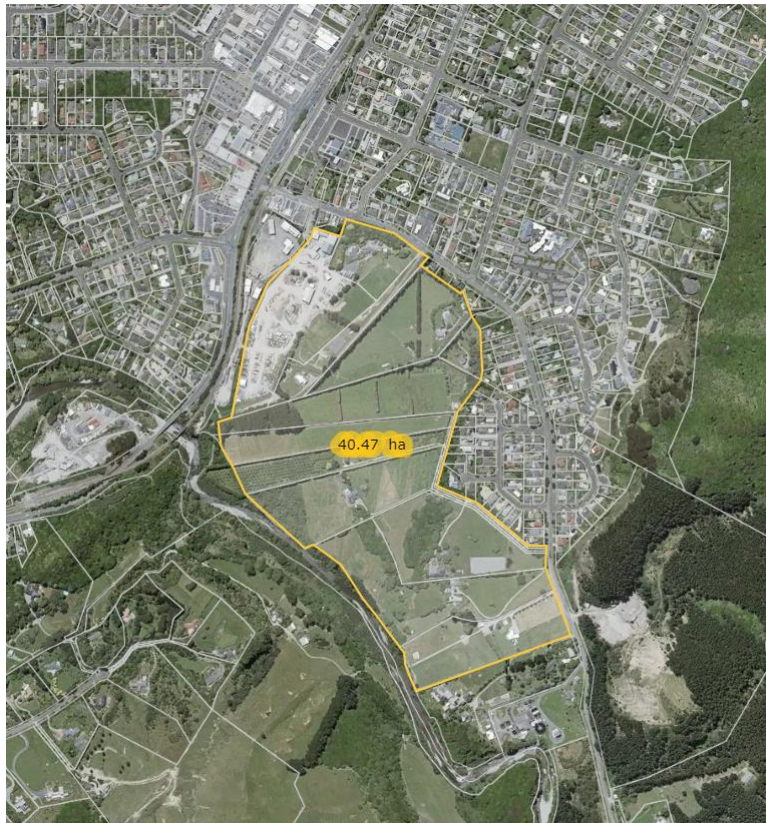


Figure 2: Extent of Waikanae East land that is the subject of this submission outlined in yellow (source: GRIP)

Submissions are being made on PC2 by each of the submitters in respect of their individual land holdings; and in respect of the wider area of land represented by all the submitters as shown by the area of land depicted by the yellow outline in Figure 2 above.

The landowners and entities represented by this submission have requested that Land Matters prepare this submission to represent their common interests in PC2. The submitters reserve their right to represent themselves individually or collectively through further submissions and/or at a hearing.

Cuttriss Consultants Ltd, who also represent Kohutu Holdings Ltd (the owners of the land at 12 Reikorangi Road) have prepared an additional submission which is attached at **Appendix 2**.

3. SUBMISSION AND CHANGES SOUGHT

The Submitters oppose Proposed PC2 in its current format. The Submitters **seek the following amendments:**

1. Rezoning of Waikanae East, being the land shown inside the yellow boundary in **Figure 2** above, **from General Rural Zone (Alluvial Plains Precinct) to General Residential Zone;** and
2. To include over that land requested to be rezoned General Residential identified as “Waikanae East”, the precinct area PRECx1 – Residential Intensification Precinct A in accordance with the methodology applied to other General Residential Zoned land; and
3. That provision is made within the District Plan maps to include a new route within the *Network Hierarchy* map in the KCDC ePlan to provide for new connections into Waikanae East from Anne Street, Elizabeth Street and/or Reikorangi Road.

4. REASONS FOR SUBMISSION POINTS

Paragraph 5.2.3 of the KCDC’s Section 32 report prepared by Council Officers in support of Proposed PC2 sets out the criteria for identifying land suitable for rezoning to General Residential Zone, as follows:

*As part of incorporating the MDRS into the General Residential Zone, the Council is authorised under s77G(4) of the RMA to **create new residential zones**. A number of areas within the district are proposed to be rezoned as General Residential Zone. These areas have been identified on the basis that:*

- *they are located next to an urban area that is connected to infrastructure services;*
- *they have a relatively low degree of constraints (and any existing constraints can be managed through existing District Plan rules);*
- *they are not sufficiently large **or** complex enough to require a “structure planned” approach;*
- *they would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is appropriate to regularise the area into the surrounding zoning pattern.*

This means that these areas can be re-zoned as General Residential Zone (which incorporates the MDRS), without the need for any consequential or supporting amendments to other provisions in order to manage site-specific issues.

Consideration of the Waikanae East land against the above criteria is provided below:

Criteria	Consideration
Located next to an urban area that is connected to infrastructure services.	The land can be serviced by the Three Waters infrastructure. Reticulated water and sewer are located along Anne and Elizabeth Streets. Access for these services can be via new roads servicing the land. Provision of new wastewater pump station(s) can be required as a condition of resource consent. Access into the site can be via Anne Street or a number of locations along Elizabeth Street and Reikorangi Road. The Waikanae East land meets this criterion.

<p>Relatively low degree of constraints (and any existing constraints can be managed through existing District Plan rules).</p>	<p>Waikanae East does not contain any greater degree of constraints than any other urban area of Kāpiti.</p> <p>Existing development proposals within the development area have demonstrated how engineering solutions can be provided to address flood risk and liquefaction risk.</p> <p>Existing flood risk and liquefaction risk rules are capable of managing the relevant risks, as with the rest of the General Residential Zone.</p> <p>Waikanae East meets this criterion.</p>
<p>Not sufficiently large or complex enough to require a “structure planned” approach.</p>	<p>Land development does not require a structure plan to give effect to well designed urban outcomes.</p> <p>Access into and out of the site will be constrained to a few locations where land adjoins existing roads – Anne Street, Elizabeth Street and Reikorangi Road. <i>Updating the roading hierarchy map in the District Plan will provide for any new roading connections necessary to service development of this land.</i> Access as a matter of discretion will ensure that provision of suitable roading infrastructure is in place as part of any future development proposal.</p> <p>Compliance with Water Sensitive Urban Design provisions and Council’s Land Development Minimum Requirements (LDMR) are provided for within the rule framework and as a matter of discretion within the rule framework. This will ensure that hydraulic neutrality and treatment of stormwater can be achieved within each site.</p> <p>Similarly, provision of reticulated services for potable water, water for fire-fighting supplies and sanitary sewer are all existing qualifying requirements for development. Servicing requirements will be no different to other greenfield developments recently approved which require modelling of the reticulated network to determine servicing requirements (e.g. Lindale & Sunlands).</p> <p>If the rezoning of this land is to be delayed (as proposed by Council’s District Plan team) to enable a structure planned process to be followed, delays for realising development are likely to be between seven to ten years. In that time, there is a risk that the land will become fragmented through further rural subdivision. Furthermore, it is considered that structure planning is an ineffective tool in achieving development of land. The development of other greenfield landholdings in the District that have been the subject of structure plans – Waikanae North and Ngarara for example; have occurred outside the intended design specified in those structure plans. This often requires complex ‘consenting out’ processes and where those ‘consented out’ provisions have had to be registered on individual certificates of titles.</p> <p>Waikanae East does not require; and would be limited by a structure planning process. Instead, we recommend that this plan change adopt a roading hierarchy within Waikanae East from which urban development can be based around. All existing provisions in the District Plan will ensure development can be adequately serviced and any constraints appropriately managed.</p>
<p>Would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is</p>	<p>Rezoning Waikanae East would both make a significant contribution to plan-enabled housing supply on the Kapiti Coast. The Council’s growth strategy has identified it in October of last year as being able</p>

<p>appropriate to regularise the area into the surrounding zoning pattern.</p>	<p>to accommodate at least 480 dwellings making it a notable contribution to plan-enabled housing supply for the Kapiti Coast.</p> <p>As detailed above, Waikanae East is on the northern edge of Waikanae town and includes existing urban infrastructure including access to public roads and three waters servicing. The majority of the land is within an 800m walkable catchment of the Waikanae Railway Station. It is also located inside the identified northern urban fence for Waikanae.</p> <p>Adjoining and adjacent land to the west, north and north-east (within the urban area of Waikanae) is zoned for General Residential and the new zoning would regularise the area into the surrounding zoning pattern with the Waikanae River to the south acting as the southern urban fence.</p> <p>Rezoning Waikanae East into General Residential zoning as part of PC2 is an effective and efficient method to contribute land for urban development to meet short term demand where it is within a walkable catchment of a transport hub and commercial centre.</p> <p>The positive support from all landowners in this area to rezone the land, indicates that urban development is both <i>feasible</i> and <i>realistic</i> in the short term, as required by the NPS-UD.</p>
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The table below considers other reasons that may be given to as to new greenfield areas have not been included in PC2.

Reason	Response
<p>The Medium Density Residential Standards (MDRS) are required to be incorporated into relevant residential zones in the District Plan.</p>	<p>This is also the case for the greenfield sites that have been included in PC 2 including:</p> <ul style="list-style-type: none"> • 234 & 254 Rangiuru Road, Ōtaki (2.36ha) • 17 Jean Hing Place, Ōtaki • 269 – 289 Ngarara Road, Waikanae (10.18ha) • 174-211 Ngarara Road, Waikanae (19.63ha) • 18 Huiawa Street, Waikanae Beach • 1-3 Karu Crescent, Waikanae • 106-188 Milne Drive, Paraparaumu • Part of 58 Ruahine Street, Paraparaumu • Part of 59-69 Raumati Road & part of 58 Kiwi Road, Raumati Beach • 160-222 Main Road, 39 Rongomau Lane, & 99-105 Poplar Avenue, Raumati South, Paraparaumu (22.24ha) <p>All of the above are proposed to be rezoned to General Residential Zone.</p> <p>There are currently 12 land parcels within Waikanae East (excludes the Waikanae Water Treatment Plant land and the rural zoned block to the north of that). If Waikanae East was to be rezoned General Residential then each of those 12 lots would be able to construct up to three dwellings on them as a permitted activity but they would be subject to compliance with all relevant standards, including any qualifying criteria. This could occur prior to new roads being constructed. However, any further development and/or subdivision</p>

	<p>of these land parcels would require roading and appropriate access which would require a joined-up approach between the landowners.</p>
<p>The provisions of the MDRS are likely to be more enabling than the existing provisions associated with the Development Area.</p>	<p>Agree. This is also the case in the whole of the existing General Residential Zone and is the entire reason for the enabling legislation for the MDRS.</p> <p>Using this as a reason not to rezone the land to General Residential Zone would preclude any rezoning as part of this process yet KCDC has chosen to rezone other areas, including areas currently unserviced and/or currently in the Rural Zone.</p> <p>Waikanae East is significantly better placed to provide urban growth in terms of servicing and connection to existing urban areas than many other areas identified for rezoning.</p>
<p>While the Development Area may be considered an urban environment, based on the operative District Plan no changes are required in order to give effect to policy 3 of the NPS-UD in the area.</p>	<p>This statement is no more true for Waikanae East than it is for any other area of land proposed to be rezoned as part of PC2.</p> <p>Using this rationale to preclude zoning within Waikanae East is inconsistent with the approach taken elsewhere in PC2 where land is currently zoned rural or low-density residential and is proposed to be zoned General Residential.</p> <p>Waikanae East can be serviced and is within an existing urban area. A large area of Waikanae East is also within walking distance of a major transport hub and the Waikanae Township. It is appropriate for General Residential Zoning in the short term through PC2.</p>
<p>Waikanae East is not subject to a structure plan, and requires a detailed and integrated set of bespoke provisions (including design guides) to carefully manage development in the area. Rezoning of all or parts of Waikanae East would require careful consideration in order to ensure the integrated management approach for the Development Area is maintained in a manner that is consistent with the requirements of the MDRS. Evidence would be required to identify how this could be achieved. It would be more appropriate to undertake this through a future plan change designed to achieve this purpose.</p>	<p>This rationale is being inconsistently applied elsewhere in PC2. Similar sized landholdings in Ngarara Road and in Raumati South are not the subject of a structure plan and yet are being rezoned General Residential. Yet Waikanae East land is a better fit for General Residential zoning than these sites given it is able to be readily serviced with access into the site being easily achieved; and supports walkability.</p> <p>To delay the rezoning in Waikanae East to allow for a future plan change could result in further fragmentation of landholdings in this important area.</p> <p>The consultant's previous experience with structure plans is that with the changes to areas over time (including in tenure and layout of services), coupled with the highly specific standards and provisions of structure plans, it is no longer possible to implement the detailed and integrated set of bespoke provisions (including design guides) and development often consents out of structure plans.</p> <p>Rezoning the land to General Residential Zone would be consistent with the approach taken with other greenfield land considered suitable for rezoning. Existing qualifying matters enshrined in the subdivision rules for flood risk, liquefaction and infrastructure will ensure these matters can be adequately managed and provided for.</p>

In summary, there is no barrier to rezoning the land to General Residential as part of PC2. The land meets the criteria set for rezoning in the Section 32 report. Waiting on a future plan change will just delay the introduction of suitable urban land in Waikanae that can feasibly and realistically be developed.

The land has been identified as a priority for rezoning to General Residential over other areas identified for rezoning in the notified version of PC2. The Council's Growth Strategy has confirmed that Waikanae East is suitable for rezoning as a priority and could achieve up to 480 dwellings; but with that number likely to double or more under the MDRS provisions and Precinct Cx1 provisions of PC2.

Suitable roading connections can be achieved through incorporating new road connections in the District Plan roading hierarchy maps through PC2. All other matters such as servicing of the site by Three Waters; provision of treatment of stormwater; provision of esplanade reserves and other reserves and open space can all be achieved through the rules and matters of discretion already contained within PC2 and the Operative District Plan.

The purpose of the RMA would be better achieved by rezoning Waikanae East to General Residential under this plan change process.

Appendix 1: Submission of Cuttriss Consultants in respect of Kohatu Holdings Ltd, owners of 12 Reikorangi Road

ref: Thornton/20681

13th September 2022

Kapiti Coast District Council
Private Bag 60601
Paraparaumu

Via Proposed District Plan submissions

Dear Kapiti Coast District Council

SUBMISSION TO PROPOSED KAPITI COAST DISTRICT PLAN

This is a submission on behalf of our client Kohatu Holdings Ltd (the applicant) generally in support of Proposed Plan Change 2 (PC2) however they oppose not rezoning their land at 12 Reikorangi Road to General Residential Zone.

On behalf of the applicant, we are seeking to have their property at 12 Reikorangi Road, rezoned to General Residential. We have offered reasoning for your consideration below:

National Policy Statement on Urban Development 2020

This site is part of a larger block of land that sits between the current General Residential boundary of the southern side of Waikanae and the water treatment plant (26 Reikorangi Road). We consider it appropriate to rezone this entire block of land to General Residential, as enabled by the section 77G(4) of the Resource Management Act 1991 (the Act) to give effect to policy 2 of the **National Policy Statement on Urban Development 2020** (NPS-UD) requiring the Kāpiti Coast District Council, as a tier 1 Council, to enable sufficient development capacity to meet expected demand for housing over the short and medium term.

To meet the definition of sufficient, the development capacity must be plan enabled, infrastructure ready, feasible and reasonably expected to be realised, and meet the expected demand plus appropriate competitiveness margin.

Plan-enabled

As per clause 3.2(2)(a) of the NPS-UD, Kāpiti Coast District Council must provide sufficient development capacity that is plan-enabled. Under clause 3.4(1) of the NPS-UD, plan enabled means land identified for growth in the medium term is zoned for housing in the PDP. The **Kapiti Coast District Council Te Tupu Pai – The Growing Well Strategy** indicated this block of land should be a high priority growth area which is a clear indication that Council have already identified the land as being appropriate for urban development. To meet policy 2 of the NPS-UD the land should be rezoned General Residential as part of PC2 in order to meet clause 3.4(1)(b) of the NPS-UD.

Not rezoning the land as now would otherwise likely result in further fragmentation of the land into lifestyle blocks, similar to what has already started to occur as shown in Figure 1 below, which will limit the ability to provide more cohesive future urban development and limit the potential of this land meet the demand for housing. Based on the current Rural Production zoning (Rural plains precinct), the standards specify a minimum lot size of 1 ha and an average area requirement of 6 ha across any subdivision, which will limit the ability the land to accommodate urban growth in the future.

Infrastructure-ready

As per clause 3.2(2)(b) of the NPS-UD, Kāpiti Coast District Council must provide sufficient development capacity that is infrastructure-ready. The site already meets the definition of being infrastructure-ready under clause 3.4(3) of the NPS-UD in that there is already adequate existing development infrastructure. This includes:

- **Network infrastructure** including power, telecommunications, wastewater and water services are already located at the southern end of Elizabeth Street; and
- **Transportation infrastructure** with roads abutting two sides of the block of land, access to the site and connectivity through the property can be easily achieved.

Feasible and reasonably expected to be realised

As per clause 3.2(2)(c) of the NPS-UD, Kāpiti Coast District Council must provide sufficient development capacity that is feasible and reasonably expected to be realised. Given the demand for housing, availability of infrastructure and surrounding context being already zoned General Residential, there is no indication that development of the site for residential would not be feasible or reasonably expected to be realised.

In addition to the matters raised above, the ground conditions for development of the larger block of land is suitable for development comprising primarily of river gravels. In addition, this block of land is largely flood free as shown in Figure 2 below with the river corridor running adjacent to the site.

Meet expected demand plus appropriate competitive margin

As per clause 3.2(2)(d) of the NPS-UD, Kāpiti Coast District Council must provide sufficient development capacity that to meet expected demand plus appropriate competitive margin. As already mentioned, the site has been identified by Council as a medium priority grown area suggested that there is likely to be sufficient need for housing. Clause 3.22 of the NPS-UD requires that in addition to expected demand, a 20% margin be applied to provide for competition.

Qualifying Matters

Having regard to section 770 of the Act, there are no qualifying matters that would preclude the rezoning of the above land to General Residential Zone.

Summary

This block of land including the land the applicant's site at 12 Reikorangi Road is some of the most desirable development land available on the Kapiti Coast. Comprising of river gravels, infrastructure readily available, largely flood free and access available it is a logical block of land to rezone.

Rezoning this land is consistent with the NPS-UD as it will add to the development capacity, satisfying Councils requirements to provide or realise development capacity along with enabling enhanced competitiveness which will assist with housing affordability.

Yours faithfully

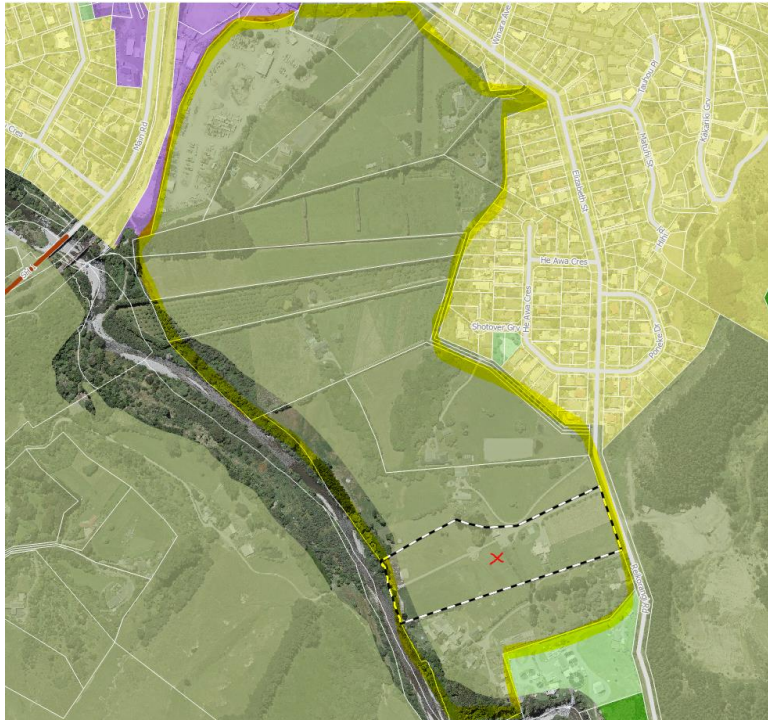


Figure 1: Rural Production Zone at the southern side of Waikanae (site marked in red)

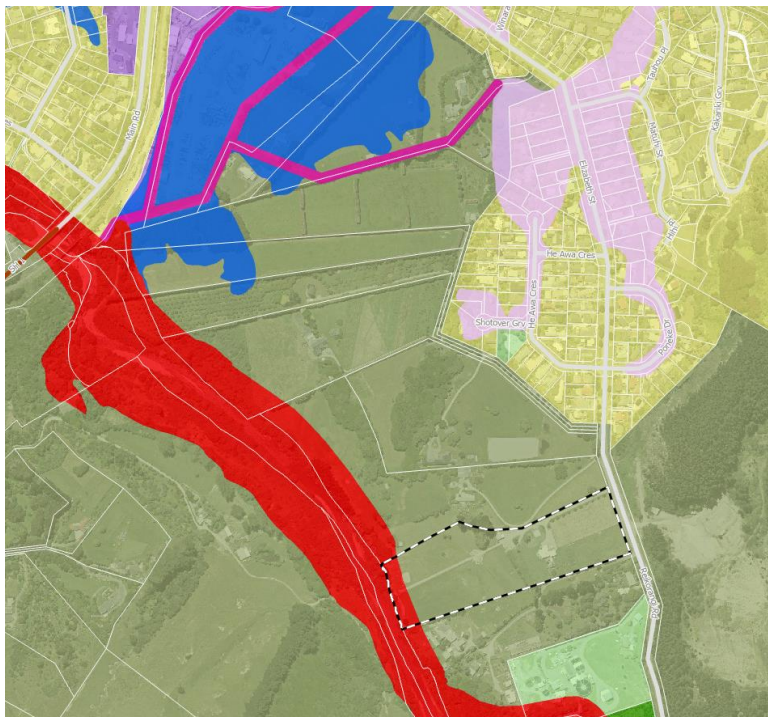


Figure 2 Flood hazards – Ponding (blue) and River Corridor (red)

From: [Anna Carter](#)
To: [Mailbox - District Planning](#)
Cc: [Nicola Todd](#)
Subject: Submission on PC2 by Landowners of Waikanae East
Date: Thursday, 15 September 2022 11:31:21 am
Attachments: [Submission on KCDC PC2 by Waikanae East Landowners \(15-9-22\).pdf](#)

Please find attached a copy of a submission KCDC PC2 by Waikanae East Landowners.

Can you please confirm that you have received a copy of the submission attached to this email.

Kind regards, Anna

Anna Carter

Senior Resource Management Consultant

Tel: [0211704787](tel:0211704787)

Anna@landmatters.nz

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