



## SUBMISSION – KĀPITI COAST DISTRICT COUNCIL PROPOSED PLAN CHANGE 2

### WAIKANAЕ NORTH Waikanae

**Client:** W North Limited  
September 2022



## SUBMISSION ON BEHALF OF: W North Limited

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**Prepared by:**



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**Tom Bland**  
Senior Planner

**Reviewed by:**



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**Bryce S Holmes**  
Principal Planner and Director

**Date:**

SEPTEMBER 2022

**Version:**

**FINAL**

**Job Ref:**

565

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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			
Company/Organisation <i>if applicable</i>	W North Limited		
Contact Person <i>if different</i>	c/- Tom Bland, Land Matters Limited		
Email Address for Service	<a href="mailto:tom@landmatters.nz">tom@landmatters.nz</a>		
Address	20 Addington Road		
	City Ōtaki	Postcode 5581	
Address for Service <i>if different</i>	Postal Address		Courier Address
Phone	Mobile 021 877 894	Home	Work

2. This is a **submission** on the **Proposed Plan Change 2 to the District Plan** for Kāpiti.

3. I **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. 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 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. I **wish to be heard** in support of my submission.

6. I **will not** consider presenting a joint case with other submitters, who make a similar submission, at a hearing.

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

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



## 1. BACKGROUND AND INTRODUCTION

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Kāpiti Coast District Council (KCDC) has notified Plan Change 2 (PC2) to the Operative District Plan. As well as incorporating the Medium Density Residential Standards (MDRS) into the District Plan, PC2 also rezones some areas to *General Residential Zone*. Proposed PC2 was notified on 18 August 2022 and is open for submissions until 15 September 2022. This document is a submission on Proposed PC2.

W North Limited (**the Submitter**) owns land within the Waikanae North Development Area (WNDA) on the northern edge of Waikanae town. They have subdivision and land use consent for a 162-residential lot development over part of that land and are considering development options for the remainder of the land.

The land is currently within the WNDA which is covered by the provisions of the Waikanae North Structure Plan.

This document describes the land and sets out the general parts of the Proposed PC2 that W North Limited seek to have amended, together with reasons for the suggested amendments.

W North Limited made a submission on the draft version of PC2 released by KCDC prior to notification. A copy of the submission is provided at **Appendix 1** to this submission.

The KCDC response to the Submitter's submission to the draft PC2, and rationale for not including the W North land in the General Residential Zone was as follows:

- The MDRS are required to be incorporated into relevant residential zones in the District Plan. The Waikanae North Development Area does not meet the definition of a relevant residential zone, because it is not a residential zone listed and described in standard 8 of the National Planning Standards.*
- The provisions of the MDRS are likely to be more enabling than the existing provisions associated with the Development Area.*
- 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.*
- The Waikanae North Development Area is subject to a structure plan, and a detailed and integrated set of bespoke provisions (including design guides) to carefully manage development in the area. Rezoning of all or parts of the Waikanae North Development Area 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.*

## 2. THE LAND

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The land is located on the northern edge of Waikanae town. The property details are:

Address	Land off Waipunahau Road, Waikanae
Area (ha)	38.1

### 3. SUBMISSION AND CHANGES SOUGHT

W North Limited generally opposes the following parts of the Proposed PC2:

1. Retention of the Waikanae North Structure Plan; and
2. Failure to rezone the land as part of the General Residential Zone (**GRZ**) and part as Residential Intensification Precinct.

W North Limited **seek** the following general amendments to PC2 to better achieve the Purpose of the RMA:

- A. **Amendments to the planning maps** to identify part of the subject land as General Residential Zone (**GRZ**) and the part currently within Precincts 45 and 46 (Multi Unit Residential and Mixed Use Precincts) as Residential Intensification Precinct.

#### Reasons

Paragraph 5.2.3 of the Section 32 report supporting Proposed PC2 sets out the criteria for identifying land for rezoning to GRZ, as follows:

- *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.*

Consideration of the WNDA against the above criteria is provided below:

Criteria	Consideration
Located next to an urban area that is connected to infrastructure services.	The WNDA is on the northern edge of Waikanae town and includes existing urban infrastructure including public road and three waters servicing.  It is inside the identified northern urban fence for Waikanae.  The WNDA clearly meets this criterion.
Relatively low degree of constraints (and any existing constraints can be managed through existing District Plan rules).	The WNDA does not contain any greater degree of constraints than the entire urban area of Kāpiti.  Existing development proposals within the development area have demonstrated how engineering solutions can be provided to address flood risk and liquefaction risk.  Existing flood risk and liquefaction risk rules are capable of managing the relevant risks, as with the rest of the General Residential Zone.  The WNDA meets this criterion.
Not sufficiently large or complex enough to require a “structure planned” approach.	The majority of the WNDA has already been developed or is consented for residential development. The part of the development area currently unconsented is neither large nor complex enough to warrant a structure plan approach.  For reasons detailed elsewhere in this submission, the existing structure plan provisions no longer work for the area.

	The WNDA meets this criterion.
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.	<p>Rezoning the WNDA would both make a significant contribution to plan-enabled housing supply and would regularise and rationalise the zoning pattern of the surrounding area.</p> <p>As detailed above, the WNDA is on the northern edge of Waikanae town and includes existing urban infrastructure including public road and three waters servicing. It is also inside the identified northern urban fence for Waikanae.</p> <p>Surrounding land (within the urban area of Waikanae) is zoned for General Residential.</p> <p>The WNDA meets this criterion.</p>

Consideration of the KCDC response to the submission on the draft PC2 is provided below.

Reason	Response
The MDRS are required to be incorporated into relevant residential zones in the District Plan. The Waikanae North Development Area does not meet the definition of a relevant residential zone, because it is not a residential zone listed and described in standard 8 of the National Planning Standards.	<p>This is also the case for:</p> <ul style="list-style-type: none"> <li>• 234 &amp; 254 Rangiora Road, Ōtaki</li> <li>• 17 Jean Hing Place, Ōtaki</li> <li>• 18 Huiawa Street, Waikanae Beach</li> <li>• 1-3 Karu Crescent, Waikanae</li> <li>• 106-188 Milne Drive, Paraparaumu</li> <li>• Part of 58 Ruahine Street, Paraparaumu</li> <li>• Part of 59-69 Raumati Road &amp; part of 58 Kiwi Road, Raumati Beach</li> <li>• 160-222 Main Road, 39 Rongomau Lane, &amp; 99-105 Poplar Avenue, Raumati South, Paraparaumu</li> </ul> <p>Some of these land areas are currently zoned rural or open space, much less akin to a residential zone than the WNDA. All of the above are proposed to be rezoned to General Residential Zone.</p> <p>Using this rationale to preclude the WNDA from rezoning is inconsistent with the approach proposed for the above sites. This inconsistency is particularly the case when considering the WNDA is serviced with public road connections and three waters infrastructure.</p> <p>The July 2022 Boffa Miskell report included with the Section 32 report to PC2 (<i>Kāpiti Coast Urban Development Greenfield Assessment</i>) includes the WNDA in the “Areas zoned for residential development”.</p> <p>It is not clear what the land is currently zoned as. The Operative District ePlan shows the land as <i>Waikanae North Development Area</i>. This is not a zone listed in standard 8 of the National Planning Standards. What is clear is that the majority of the area is more akin to a General Residential Zone than any other zone.</p>
The provisions of the MDRS are likely to be more enabling than the existing provisions associated with the Development Area.	<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>This is not a consistent approach and the WNDA 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 the WNDA 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 the WNDA is inconsistent with the approach taken elsewhere in PC2 where land currently zoned rural or low-density residential is proposed to be zoned General Residential.</p> <p>The WNDA is serviced and within an existing urban area. It is appropriate for General Residential Zoning.</p>
<p>The Waikanae North Development Area is subject to a structure plan, and a detailed and integrated set of bespoke provisions (including design guides) to carefully manage development in the area. Rezoning of all or parts of the Waikanae North Development Area 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. For example, the Pekawau Precinct Structure Plan Area (<b>PPSPA</b>) is proposed to be rezoned to General Residential Zone. This structure plan area is also subject to a <i>“detailed and integrated set of bespoke provisions...to carefully manage development in the area”</i>.</p> <p>Furthermore the PPSPA is unserviced by council infrastructure and currently lower density than the WNDA. It is also covered by no further subdivision restrictions and specific bulk and location standards.</p> <p>The WNDA is a better fit for General Residential zoning given it is serviced and already identified for urban development, including some high density areas.</p> <p>Land tenure, existing consents, previous development within the WNDA and changes to the concept masterplan for Waikanae North within the District Plan have all affected the detail and integrity of the structure plan.</p> <p>Previous changes in ownership within the area, including to the Ministry of Education and to a retirement accommodation provider, resulted in wholesale changes to the structure plan with little regard to the integrity of the overall structure plan as shown by the blanket coverage of grey and red areas in the current structure plan document in the District Plan below.</p>





Resource consents and residential development over the land in the north and west of the structure plan area have also altered the form and layout of the land away from that envisaged by the highly detailed structure plan document.

The submitter's previous experience with WNDAs is that with the changes to the area over time (including in tenure and layout of services), coupled with the highly specific standards and provisions of the WNDAs, it is no longer possible to implement the detailed and integrated set of bespoke provisions (including design guides) of the Waikanae North Development Area.

Rezoning the land to General Residential Zone (and the part currently within Precincts 45 and 46 (Multi Unit Residential and Mixed Use Precincts) as Residential Intensification Precinct) would be consistent with the approach taken with other structure planned residential areas and with the surrounding area. 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.

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 and the existing structure plan provisions are no longer working for the WNDA as a result of previous land tenure changes and development within the area. Given the underlying intent for higher density development in the part of the WNDA currently within Precincts 45 and 46 (Multi Unit Residential and Mixed Use Precincts), it is also appropriate to include that part of the WNDA in the Residential Intensification Precinct area.

The land is more suitable for rezoning to General Residential (and part within Residential Intensification Precinct) than many of the other areas identified for rezoning in the notified version of PC2. Supporting documents in the Section 32 report confirm that the WNDA is “*zoned for residential development*” and is therefore suitable for rezoning and application of the MDRS.

There is potential to use the consented subdivision scheme plan for part of the land as a zoning outline should KCDC see the need to protect areas to be vested as reserve as Open Space Zone.

The purpose of the RMA would be better achieved by rezoning the land to General Residential (and part within Residential Intensification Precinct).

**From:** [Tom Bland](#)  
**To:** [Abbey Morris](#)  
**Cc:** [Mailbox - District Planning](#)  
**Subject:** RE: [#Land Matters - 980] Submission on Plan Change 2 to the District Plan - W North Limited  
**Date:** Thursday, 15 September 2022 10:15:08 am  
**Attachments:** [980-W North PC2 submission v2.pdf](#)

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Hi Abbey,

The submission on behalf of W North Limited has been updated slightly. Please can you replace the previously submitted version with the Version 2 document attached?

Many thanks,  
Tom

**Tom Bland**  
Tel: [021877894](tel:021877894)

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**From:** Abbey Morris <[Abbey.Morris@kapiticoast.govt.nz](mailto:Abbey.Morris@kapiticoast.govt.nz)> **On Behalf Of** Mailbox - District Planning  
**Sent:** 12 September 2022 15:55  
**To:** Tom Bland <[Tom@landmatters.nz](mailto:Tom@landmatters.nz)>; Mailbox - District Planning <[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)>  
**Subject:** RE: [#Land Matters - 980] Submission on Plan Change 2 to the District Plan - W North Limited

Hi Tom

Thank you for submitting on Plan Change 2: Intensification on behalf of W North Limited.  
Acknowledging that the submission has been received.

Kind regards,

**Abbey Morris**  
Planning Technical Support Officer

Kāpiti Coast District Council  
Tel 04 296 4725  
Mobile 027 3037 312

[www.kapiticoast.govt.nz](http://www.kapiticoast.govt.nz)

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**From:** Tom Bland <[Tom@landmatters.nz](mailto:Tom@landmatters.nz)>  
**Sent:** Monday, 12 September 2022 2:50 pm  
**To:** Mailbox - District Planning <[District.Planning@kapiticoast.govt.nz](mailto:District.Planning@kapiticoast.govt.nz)>  
**Subject:** [#Land Matters - 980] Submission on Plan Change 2 to the District Plan - W North Limited

Hi,

On behalf of W North Limited, please find attached a submission on Plan Change 2 to the Kāpiti Coast District Plan. Please let us know if you require any further information.

We look forward to hearing from you.

Kind regards,  
Tom

**Tom Bland**  
Senior Resource Management Consultant  
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