

Submission on notified proposal for plan change



About preparing a submission on a proposed plan change

You must use the prescribed form

- [Clause 6](#), Schedule 1 of the Resource Management Act 1991 (RMA) requires submissions to be on the prescribed form.
- The prescribed form is set out in [Form 5](#), Schedule 1 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- This template is based on Form 5. While you do not have to use this template, your submission must be in accordance with Form 5.

Your submission and contact details will be made publicly available

- In accordance with [clause 7](#) of Schedule 1 of the RMA, the Council will make a summary of your submission publicly available. The contact details you provide will also be made publicly available, because under [clause 8A](#) of Schedule 1 of the RMA any further submission supporting or opposing your submission must be forwarded to you by the submitter (as well as being sent to Council).
- [Section 352](#) of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.

Reasons why a submission may be struck out

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one 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.

To Kāpiti Coast District Council

Submission on Proposed Plan Change 2 to the Operative Kapiti Coast District Plan 2021

Submitter details

Full name of submitter: Classic Developments NZ Limited

Contact person (name and designation, if applicable): Bryce Holmes

Postal address (or alternative method of service under section 352 of the RMA):

20 Addington Road, Otaki

Telephone: 021 877 157

Electronic address for service of submitter (i.e. email): bryce@landmatters.nz

I would like my address for service to be my email *[select box if applicable]*



I have selected email as my address for service, and I would also like my postal address withheld from being publicly available *[select box if applicable]*



Scope of submission

The specific provisions of the proposed plan change that my submission relates to are:
[give details]

Please refer to attached submission.

Continue on a separate sheet if necessary

Submission

My submission is: *[include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]*

Continue on a separate sheet if necessary

I seek the following decision from the Kāpiti Coast District Council: *[give precise details]*

Please refer to attached submission

Continue on a separate sheet if necessary

Hearing Submissions [select appropriate box]

I wish to be heard in support of my submission.	<input checked="" type="checkbox"/>
I do not wish to be heard in support of my submission.	<input type="checkbox"/>
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	<input type="checkbox"/>
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	<input checked="" type="checkbox"/>



27/09/2022

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

A signature is not required if you make your submission by electronic means.

Trade Competition [select the appropriate wording]

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.

I could ☐ / 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 the following:

I am ☒ / 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 effects of trade competition.

Email your submission to district.planning@kapiticoast.govt.nz or post/deliver to:

Attn: District Planning Team
Kāpiti Coast District Council
175 Rimu Road
Paraparaumu 5032

For office use only

Submission No:

205





SUBMISSION – KĀPITI COAST DISTRICT COUNCIL PROPOSED PLAN CHANGE 2

Poplar Avenue/ Matai Road
Raumati South

Client: Classic Developments NZ Ltd
September 2022

SUBMISSION ON BEHALF OF: Classic Developments NZ Limited

Prepared by:



Bryce S Holmes
Principal Planner and Director

Date:

SEPTEMBER 2022

Version:

FINAL

Job Ref:

829

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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>	Classic Developments NZ Ltd		
Contact Person <i>if different</i>	c/- Bryce Holmes, Land Matters Limited		
Email Address for Service	bryce@landmatters.nz		
Address	20 Addington Road		
	City Ōtaki	Postcode 5581	
Address for Service <i>if different</i>	Postal Address		Courier Address
Phone	Mobile 021 877 143	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):

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 3.

1. BACKGROUND AND INTRODUCTION

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 was open for submissions until 15 September 2022 and has since been extended to 27 September 2022. This document is a submission on Proposed PC2.

Classic Developments NZ Ltd (“CDNZL” and “the Submitter”) on behalf of Kaha Ake Limited Partnership and Hapai Property that has an interest in the land within the south-western edge of Paraparaumu.

The area was identified in the District Growth Strategy as an area for future urban growth with areas of the land identified as a new proposed General Residential Zone.

This document describes the land interest and sets out the general parts of the Proposed PC2 that Classic Developments NZ Ltd seek to have amended, together with reasons for the suggested amendments.

2. THE LAND

The land interest is located on the south-western edge of Paraparaumu. The property details are:

Address	Matai Road	Matai Road	Matai Road	29 Harry Shaw Way
Legal Description	Section 2 SO 508397	Sections 1 & 2 SO 537569	Sections 29-30 & 36 SO 505426	Section 37 SO 505426
Record of Title (RT)	798191	905967 and 905968	840307	843525
Area (ha)	5.0509ha	17.675ha more or less	12.0730ha more or less	3.0665ha

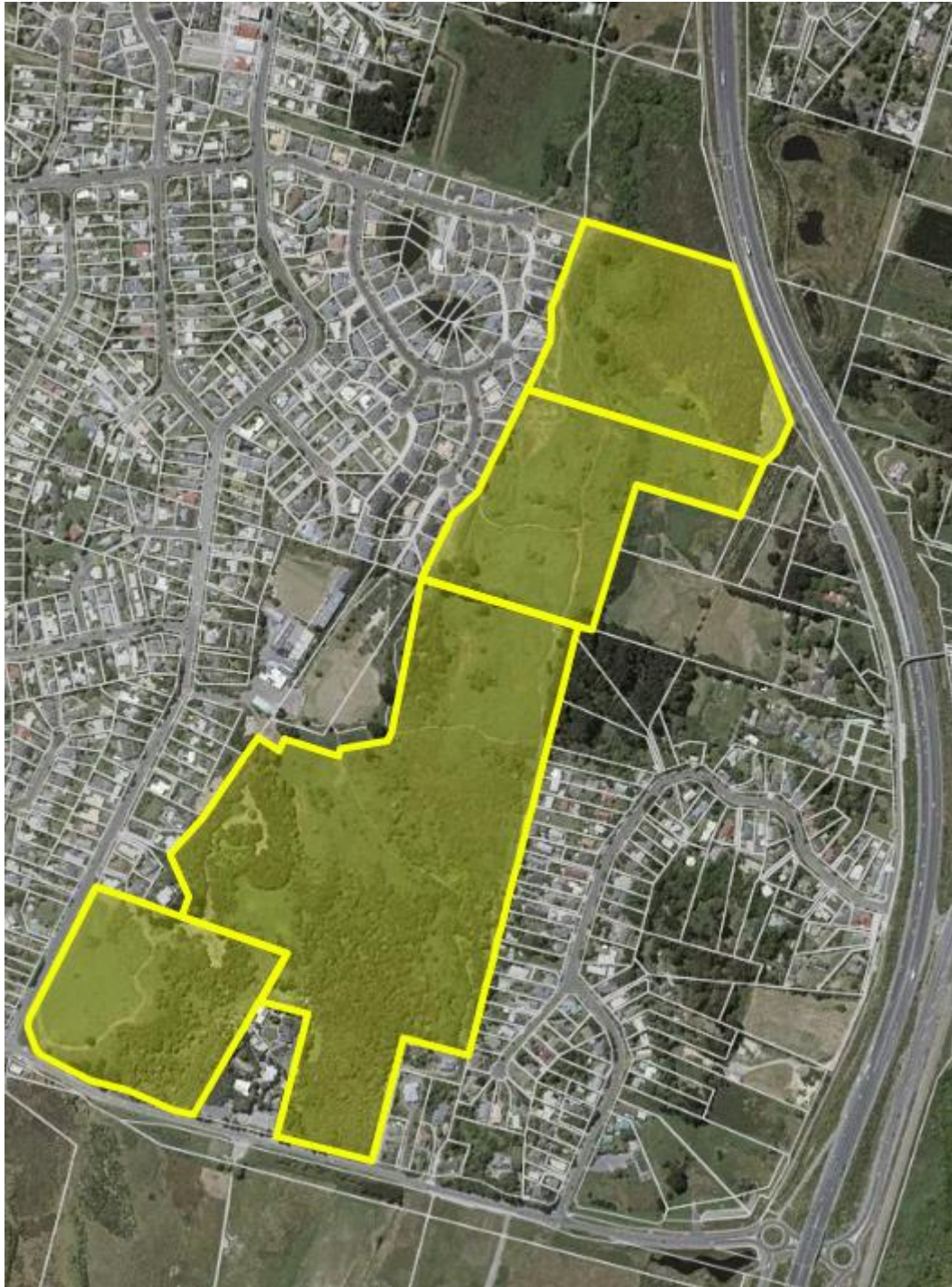


Figure 1: The Submitters land interest is highlighted in yellow.

3. SUBMISSION AND CHANGES SOUGHT

Classic Developments Ltd generally opposes the following parts of the Proposed PC2:

1. Failure to rezone the land as part of the General Residential Zone (**GRZ**).

Classic Developments Ltd seek the following general amendments to PC2 to better achieve the Purpose of the RMA:

- A. **Amendments to the planning maps** to extend the existing General Residential Zone over the land to the expressway and identify the subject land as General Residential Zone (**GRZ**).

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 submitters land interest against the above criteria is provided below:

Criteria	Consideration
Located next to an urban area that is connected to infrastructure services.	<p>The submitters land interest is located on the on south-western edge of Paraparaumu and includes existing urban infrastructure including public road and three waters servicing.</p> <p>Parts of the Submitters land interest are partially zoned General Residential. The northern most section of Section 2 SO 537569 and the south-eastern portion of Sections 30 and 36 SO 505426 have been identified under PC2 as New General Residential Zones.</p> <p>The Submitters land interest clearly meets this criterion.</p>
Relatively low degree of constraints (and any existing constraints can be managed through existing District Plan rules).	<p>The Submitters land interest does not contain any greater degree of constraints than the entire urban area of Kāpiti.</p>

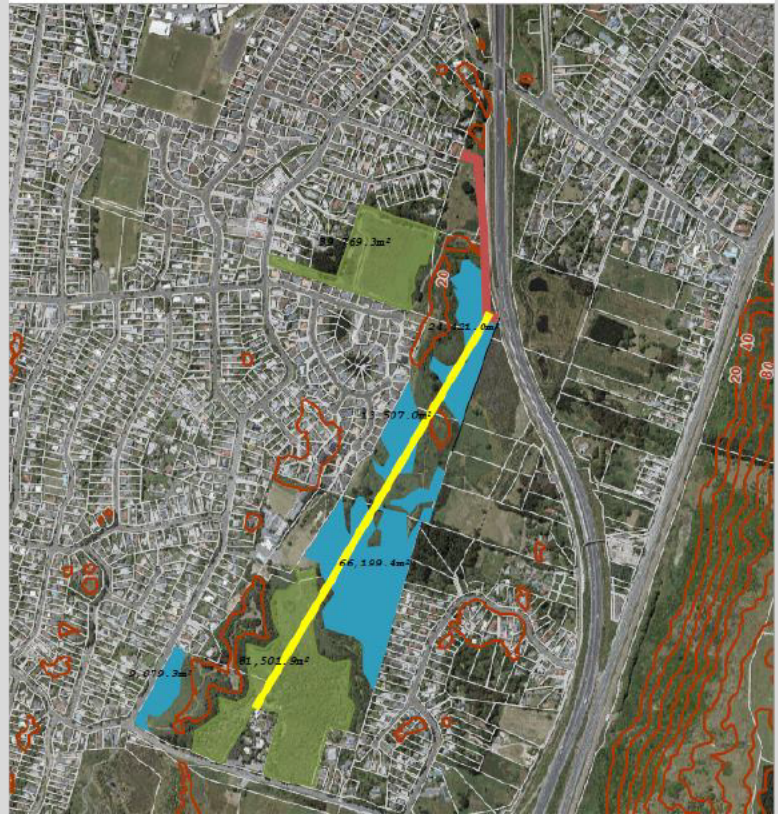


Figure 2: Overview of potential land use of application site.

As shown at figure 2, the Submitter intends to retain and protect the majority of the areas shown as green (i.e., approx. 81,502m²) in conjunction with the areas identified as blue (land below RL10), for multiple land uses including ecological enhancements, stormwater control, and more appropriate land uses.

Existing ecological protection, flood risk and liquefaction risk rules are capable of managing the relevant risks, as with the rest of the General Residential Zone.

The Submitters land interest meets this criterion.

Not sufficiently large or complex enough to require a “structure planned” approach.

The majority of the Submitters land interest has already been considered for residential development by way of existing and proposed General Residential Zoning. As outlined in Appendix V of PC2, ... *“the presence of the Expressway and the restrictions that this places on creating new access means that there would be little benefit to structure planning the areas either side of the Expressway...”*.

It is appropriate to rezone these areas without a structure plan.

Furthermore, the majority of the land interest adjoins or is adjacent to residentially zoned land.

The part of the development area currently not residentially zoned, while large, is not complex enough to warrant a structure plan approach.

The Submitters land interest 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.

Rezoning the Submitters land interest would both make a significant contribution to plan-enabled housing supply and would regularise and rationalise the zoning pattern of the surrounding area.

As detailed above, the Submitters land interest is located on the south-western edge of Paraparaumu and includes existing urban infrastructure including public road and three waters servicing.

Surrounding land (within the urban area of Raumati South) is zoned for General Residential.

The Submitters land interest meets this criterion.

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

In summary, there is no barrier to rezoning the land interest to General Residential as part of PC2. The land meets the criteria set for rezoning in the Section 32 report.

The land is more suitable for rezoning to General Residential 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 Submitters land interest is “*zoned for residential development*” and is therefore suitable for rezoning and application of the MDRS.

The purpose of the RMA would be better achieved by rezoning the land to General Residential Zone.

From: [Bryce Holmes](#)
To: [Mailbox - District Planning](#)
Subject: Submission - Proposed Plan Change 2
Date: Tuesday, 27 September 2022 4:41:37 pm
Attachments: [829- PC2 Submission.pdf](#)

Dear Council

Please find attached a copy of a submission on behalf of our client on Proposed Plan Change 2.

Kind Regards

Bryce Holmes

Director

Tel: [021877143](tel:021877143)

bryce@landmatters.nz

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