

APPENDIX 3 APPROPRIATENESS FOR FAST-TRACK APPROVALS PROCESS

PART A

Application form section 2.6.2.1: *Explain how referring the project to the FTA process... Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes:*

1. The Project is an ideal candidate for the fast-track consenting process. It presents as a logical urban extension to Kaiapoi because it:
 - is contiguous with the established urban environment;
 - is located within an area identified for future urban development in the Proposed Waimakariri District Plan (**Proposed Plan**) (**Figure 8** of **Appendix 2**), the Canterbury Regional Policy Statement (**CRPS**) (**Figure 9** of **Appendix 2**) and the Greater Christchurch Spatial Plan (**GCSP**) (refer **Figure 10** of **Appendix 2**);
 - can be readily serviced with minimal infrastructure upgrades; and
 - it is highly accessible to central Kaiapoi with strong transportation connections to Rangiora (via Lineside Road) and Christchurch City (via northern motorway).
2. The Site is currently zoned Rural under the Operative Waimakariri District Plan (**Operative Plan**) and Rural Lifestyle under the Proposed Plan.
3. Momentum has lodged submissions on the Proposed Plan and Variation 1: Housing Intensification to the Proposed Plan (**Variation 1**) seeking the site be rezoned to Medium Density Residential with an associated ODP. The Waimakariri District Council reporting officer has recommended rezoning of the Site as sought by Momentum's submissions. Momentum is awaiting the final recommendations of the Hearing Panel and notification of the Council's decision on the Proposed Plan, which is not due for release until July 2025.
4. Momentum has been trying to enable residential development of the Site and provide additional housing in Kaiapoi through the normal RMA processes since 2021/2022. This has involved trying to progress a land use consent application for a retirement village on the South Block with the Waimakariri District Council (currently on hold), and actively participating in the Waimakariri District Plan Review process, as noted above.
5. Assuming the Council's decision on the Proposed Plan is to accept Momentum's request to rezone the Site, the rezoning will not become operative until all appeals on the Proposed Plan have been determined. Given the likely opposition from Christchurch International Airport (**CIAL**) (discussed below), this process could easily take another three years, and possibly longer.
6. Once the Proposed Plan is operative, Momentum would need to apply to the Waimakariri District Council, Environment Canterbury, Heritage New Zealand Pouhere Taonga and the Department of Conservation for all the necessary statutory approvals to allow for the subdivision and development of the Site. This approval process could potentially take another two years to complete.

7. In summary, under the normal RMA process, it is not unrealistic to assume it would take Momentum 3-5 years to secure all the required regulatory approvals for the Project.

Air noise contour issue – CIAL opposition to proposed rezoning

8. All of the South Block and part of the North Block lies within the 50 dBA air noise contour, as is the majority of the established area of Kaiapoi. Historically, CIAL has been very successful in convincing local authorities in Greater Christchurch¹ that residential development on private land within the 50 dBA contour must be “avoided” to protect the airport from noise complaints. This resulted in very restrictive planning controls which effectively prevented any residential development on private land within the 50 dBA contour. Refer **Figure 12** of **Appendix 2** which shows the 50 dBA contour in the context of the Site.
9. There is a portion of the North Block coloured green on **Figure 13** of **Appendix 2** and marked “Greenfield Priority Area” in Map A of the CRPS, which is not affected by the 50 dBA noise contour because it falls within the so-called ‘Kaiapoi exemption’ at Policy 6.3.5(4) CRPS.
10. However, Momentum (and others) have, in recent RMA hearings, argued that there is a strong legal, planning, and evidential case in support of residential development within the 50 dBA and 55 dBA contour.² Put simply, aircraft noise at 50-55 dBA is not sufficiently loud to generate complaints that might affect operation of Christchurch Airport. This is why no other major airports in New Zealand use 50 dBA air noise controls; instead they use 55 dBA or higher as the threshold for regulating land use activities within the contour. The same is true for the vast majority of major airports overseas. In the USA, for example, land use regulation typically starts at the 65 dBA air noise contour.
11. This approach to land use planning is being adopted by local authorities in Greater Christchurch – they have recently reversed their position and now recognise that development within the 50 dBA and 55 dBA contour is acceptable.³
12. The problem is that CIAL is refusing to accept this approach. At recent hearings on the Proposed Plan CIAL maintained its view that Christchurch Airport must be protected from noise complaints with the 50 dBA contour and presented a full case in support of this approach.⁴
13. CIAL has a track record over many years of strongly opposing residential development on private land within the 50 dBA air noise contour surrounding Christchurch Airport.⁵ It seems inevitable that CIAL will contest this issue on appeal to the Environment Court and the High Court.

¹ Greater Christchurch includes all of Christchurch and large parts of the Selwyn District and Waimakariri District closest to Christchurch

² For example, Professor John-Paul Clarke, an internationally recognised aeronautical acoustic expert, from the University of Texas at Austin USA, presented evidence in person at hearings on the Proposed Plan on behalf of Momentum and others in support of the rezoning proposal.

³ Refer to the new Future Development Strategy: Greater Christchurch Spatial Plan – instead of “avoid” it says “carefully manage” residential development between the 50 dBA and 55 dBA contour (approved in 2024); decisions on Plan Change 14 to the Christchurch District Plan enable growth beneath the 50 dBA contour (issued in 2024); and the Proposed Waimakariri District Plan (as notified) enables growth beneath the 50 dBA contour

⁴ CIAL presented fulsome legal submissions and called evidence from various technical experts

⁵ See for example *BD Gargiulo v Christchurch CC*, C 137/2000; *DJ & AP Foster v Selwyn District Council*, C 138/2007; *Robinsons Bay Trust v Christchurch CC* 60/2004; *National Investment Trust v Christchurch CC*, C 41/2005

14. This will delay the Project until all appeals are determined (approx. 3-4 years, and possibly longer). The Waimakariri Council will be required to participate as the Respondent Council in any appeals arising from decisions on the Proposed Plan. Most importantly, the appeal litigation will stall housing opportunities, urban growth and economic vitality of the Kaiapoi township due to the lack of available greenfield land supply for development.

PART B

Application form section 2.6.2.5: *Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020). If yes, explain how the project will achieve this.*

1. Based on the nature, density and form of development proposed, and considering the technical assessments undertaken to date, the Project makes a significant contribution to the provision of sufficient and feasible development capacity that is aligned with market demand. It takes advantage of the Site's shape and location to contribute to a compact, consolidated settlement pattern in a location that will readily integrate with its surroundings, contributing to a well-functioning urban environment.
2. With reference to the components of a "well-functioning urban environment" as outlined in Policy 1, NPS-UD:

The Project will increase the supply of housing:

3. The Waimakariri District is a desirable place to live and has therefore experienced strong population growth in recent years. This is projected to continue well into the foreseeable future, which is causing strong and sustained growth in demand for additional housing.
4. Beachgrove is by far the major supplier of housing in Kaiapoi. By early 2026, when the remaining lots are sold, there will be very little greenfield land available for development in Kaiapoi. New urban areas like the Site need to be enabled as soon as possible to keep pace with demand for new dwellings well into the long term.
5. If accepted under the fast-track process, the Project will help respond to this forecast shortage of available residential land by enabling the development of up to 900 residential properties in a range of sizes and typologies, and a 300-unit retirement village. Together with complementary commercial, recreation and transport provision, the Project will contribute to a comprehensively planned urban environment that meet the needs of different households (Policy 1(a) and (b)).
6. In short, the Project helps plug the looming gap in feasible capacity by providing quality, master-planned housing that is in step with market demand.

The Project will address housing needs:

7. There is an identified shortfall in available greenfield land in Kaiapoi with a consequential impact on affordability and efficient land use.
8. The Project responds to local housing needs, helping to better meet the needs of an evolving population by enabling smaller homes to be built on more compact sections and offering a range of

housing options to the growing elderly population. The Housing Development will deliver smaller section sizes than have previously been provided in Kaiapoi over the previous 10 years reflecting that Kaiapoi locals are typically older (and less likely to live with a partner) or first home buyers, increasing demand for smaller, more affordable dwellings than that previously provided for. The smaller section sizes, as provided by the Project, represents a significant step in the right direction towards higher density, affordable housing development at Kaiapoi that is appropriately located in proximity to the Kaiapoi Town Centre.

9. An Economic Assessment (Insight Economics) in support of a resource consent application for a retirement village on the South Block⁶ identifies that the District's population has grown rapidly in recent years, with this rapid growth set to continue well into the foreseeable future. In particular, the number of people aged 70-plus is anticipated to increase by 170% over the next 30 years, to become more than a quarter of the District's population. As such, there is a pressing need to provide new housing options that cater directly to the unique needs of this rapidly growing demographic. Doing so will enable the 70-plus demographic to leave their homes if they choose to, which will provide extra housing capacity for younger people / families.

The project will contribute to a well-functioning urban environment:

10. The Site is approximately 1km northeast of the Kaiapoi town centre and an established range of services and facilities commensurate with a well-connected, integrated and accessible urban environment. It is in a location well served by multi modal transport options (Policy 1(c)).
11. The Project provides for approximately 0.5 hectares of neighbourhood commercial centre in the south-eastern quadrant of the North Block, as indicated in the ODP (**Figure 2 of Appendix 2**). The neighbourhood centre is positioned to service Beachgrove to the south as well as future dwellings enabled by the Project. The centre will be tenanted by a mix of convenience retailers (such as dairies, takeaways, pharmacy etc.) and commercial services (hairdressers, laundromat, gyms etc).
12. The NPS-UD requires high growth areas, like the Waimakariri District, to not only provide at least sufficient capacity to meet future demand overall, but to also provide a range of housing choices to meet a wide range of needs and preferences (Policy 1(a)). The Project helps give effect to this directive by providing for a range of lot sizes, which will enable the development of a variety of dwellings over time.
13. For these reasons, the Project's significant contribution to additional housing capacity will support the competitive land market (Policy 1(d)).
14. A quantitative comparison of the baseline lifecycle greenhouse gas (GHG) emissions of a similar average development elsewhere in the District against the projected lifecycle GHG emissions of the Project has demonstrated that the Project supports reductions in GHG emissions through initiatives that reduce the direct upfront carbon impact of the infrastructure works, facilitate lower carbon forms of transport and lower overall vehicle kilometres travelled, and the restoration of a 6ha ecological area with associated carbon sink impacts (Policy 1(e), NPS-UD).

⁶ This application, lodged in December 2022, was for the same activity and is currently on hold pending resolution of Momentum's submissions to the PWDP and Variation 1 seeking rezoning of the Site and due to anticipated opposition from CIAL because the site lies beneath the 50 dBA air noise contour. Should the Project be referred under the Fast Track Approvals Act, Momentum may need to withdraw the current resource consent application lodged for the same activity.

15. Climate change-induced natural hazards can be readily managed and mitigated through engineering design. Flood modelling analysis demonstrates the proposed flooding mitigation and stormwater management will avoid high flood hazards and minimise the risk of flooding (accounting for climate change allowance) to an acceptable level, such that people, property, infrastructure and the environment are not adversely affected (Policy 1(f)).