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The Ministry for the Environment
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By Email

Attention: Fast Track Application Team

**BEACHGROVE KAIAPOI EXPANSION PROJECT REFERRAL APPLICATION – CHRISTCHURCH
INTERNATIONAL AIRPORT LIMITED APPEAL ON REZONING DECISION**

1. We act for Momentum Land Limited (**Momentum**). On 19 June 2025 Momentum lodged an application for referral (**Application**) regarding for the Beachgrove Kaiapoi Expansion Project (**Project**) under the Fast-track Approvals Act 2024 (**FTAA**).
2. The purpose of this letter is to draw your attention to a recent appeal by Christchurch International Airport Limited (**CIAL**) against the decision of the Waimakariri District Council (**Council**) on the Waimakariri Proposed District Plan (**WPDP**) to rezone the Project site to Medium Density Residential Zone (**MDRZ**).
3. The Application referred to the risk of an appeal by CIAL against MDRZ zoning of the Project Site and the significant implication such an appeal would have for the Project and the wider Kaiapoi community.¹
4. The CIAL appeal is a significant impediment to Momentum's ability to deliver the Project and the regionally significant benefits it will provide. In light of this, we consider the additional information detailed below is highly relevant to the assessment of the Application.

CONTEXT

5. As referenced in the Application, Momentum lodged submissions on the WPDP and Variation 1: Housing Intensification seeking that the site of the Project be rezoned to MDRZ with an associated Outline Development Plan.²
6. In its decision released 12 June 2025, the Council accepted Momentum's submission and rezoned the Applicant's site MDRZ. However, that decision has recently been opposed by CIAL through an appeal to the Environment Court dated 22 August 2025 (**CIAL appeal**).
7. The high likelihood of CIAL appealing the Council decision to rezone the Project Site is the key reason why Momentum considered it appropriate to file an Application under the FTAA.

RELEVANCE TO ASSESSMENT OF THE APPLICATION

8. Section 22 of the FTAA sets out the criteria for assessing a referral application. Section 22(1)(b)(i) provides that: (emphasis added)

¹ Beachgrove Kaiapoi Expansion Project Referral Application Form: Section 2.6.2.1 - Appendix 3 – Appropriateness for Fast-Track Approvals Process - Part A at [5].

² Beachgrove Kaiapoi Expansion Project Referral Application Form: Section 2.6.2.1 - Appendix 3 - Appropriateness for Fast-Track Approvals Process - Part A at [3].

(1) *The Criteria for accepting a referral application are that –*

(a) ...

(b) *referring the project to the fast-track approvals process –*

(i) *would facilitate the project, **including by enabling it to be processed in a more timely and cost-effective way than under normal processes**; and*

(ii) ...

9. The Applicant's response to the s 22(1)(b)(i) referral criteria, is referred to at section 2.6.2.1 of the Application and contained within Appendix 3, Appropriateness for Fast-Track Approvals Process, Part A. The relevant paragraphs from Appendix 3 Part A are set out below³ (emphasis added):

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 Christchurch 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.

...

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. 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.

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.

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.

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. It seems inevitable that CIAL will contest this issue on appeal to the Environment Court and the High Court.

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.

³ Beachgrove Kaiapoi Expansion Project Referral Application Form: Section 2.6.2.1 - Appendix 3 - Appropriateness for Fast-Track Approvals Process - Part A at [8]-[14].

10. Following the CIAL appeal, the Project now faces significant delays of approximately 3-4 years or longer. This is of major concern as 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.
11. In this regard, we understand that the existing Beachgrove development at Kaiapoi is now 90% completed and currently employs circa 200 full time workers across a range of companies involved in designing and building the subdivision and housing construction within the development.
12. Referring the Project into the fast-track approval process would provide a critical opportunity to enable the Project to be processed in a more timely and cost-effective way than under normal processes and therefore enable the provision of housing and retirement units in an area experiencing significant demand and a scarcity of available land.⁴
13. We consider it appropriate to draw your attention to the information detailed above and request that this be taken into consideration during assessment of the Application

Yours faithfully

SAUNDERS & CO



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⁴ Refer Section 2.6.1 of the Application