

DISTRICT PLAN REVIEW

Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: M █████ Hanrahan

Email address: malcolm@misura.nz

Please select one of the two options below:

- ☒ I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)
- ☐ I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

- ☐ 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 effect of trade competition.
- ☒ 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 effect of trade competition.

Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

See attached

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

see attached

I/we have included: 3 additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

See attached

Submission at the Hearing

- ☒ I/we wish to speak in support of my/our submission
- ☐ I/we do not wish to speak in support of my/our submission
- ☐ If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

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.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 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.

Send your submission to: Proposed District Plan Submission
Waimakariri District Council
Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one our service centres:

Rangiora Service Centre: 215 High Street, Rangiora

Kaiapoi Service Centre: Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

Oxford Service Centre: 34 Main Street, Oxford

Submissions close 5pm, Friday 26 November 2021

Please refer to the Council website waimakariri.govt.nz for further updates

Under Clause 6 of the First Schedule, Resource Management Act 1991

To: Waimakariri District Council

Submitter: Malcolm Hanrahan

Postal address: 15 Hartley Avenue Christchurch 8052

Email: malcolm@misura.nz

- 1 This is a submission on the Proposed Waimakariri District Plan Submission
- 2 My background. I'm a Registered Professional Surveyor with over 35 years professional experience. I'm currently a Director and sole owner of Misura, a survey consultancy company. My working career has predominantly been associated with subdivisions in the Waimakariri District.
- 2 I have concerns over the looseness of the rules relating to matters around subdivisions. In a number of instances, the plan comes across that insufficient consideration has been given towards how the rules will work in specific situations on subdivisions.
- 3 For example under the Subdivision Standards SUB-S1 Table SUB-1 requires in the General Residential Zone a frontage (excluding rear lots) of 15m
 - There is no definition in the plan for what constitutes a rear lot.
 - How would these requirements work at a cul-de-sac head – take a typical example of a cul-de-sac head – Robinia Mews in Rangiora.



- How would the frontage rules work here?
 - For the lots not serviced by an accessway, are these front or rear lots? What determines the frontage of a rear lot?
 - Providing a 15m frontage in these situations does not work.
4. SUB-1 requires, “*Commercial and Mixed Use Zones, Industrial Zones and Residential Zones shall be the net site area*”. Therefore, rural lots are excluded from net site areas, which I consider is appropriate.
 5. However, the reference to “net site area” is included in several rules relating to rural allotments. For example, Rural GRUZ-R3 permits a residential unit on a site with a minimum net site area of 20ha. This brings in a difference (and an issue) from the requirements of SUB-1
 6. Council should reflect on a proposed Plan Change introduced circa 2008, which tried to introduce net site areas in the rural zone. The plan change proved to be troublesome and was discarded.
 7. If one works through specific and the various situations of net site areas in the rural zones, the concept falls apart. This is more so when there is no strong definition of what constitutes a rear allotment.
 8. The reference to net site area has been used for the exemptions provided to existing, or recently approved rural lots, in the General Rural Zone. GRUZ-R3 permits a residential unit on a site with a net site area of 4ha, in certain circumstances. There are plenty of existing allotments in this zone that are 4ha in area, but are not 4ha if you consider the net site area.
 9. Rule GRUZ-R3 provides, as a permitted activity, a residential unit on a site less than 20ha, if a number of requirements are met, namely the lot is existing or was approved by subdivision prior to notification of the plan.
 10. Rule GRUZ-41(1) states that a residential unit located on a site less than 20ha is a non complying activity. There is no reference to the exemptions provided by GRUZ-R3 in GRUZ-41. Rules GRUZ-R3 and GRUZ-41 appear to directly conflict each other.

DECISIONS SOUGHT

11. I would like Council to further consider and amend, as required, the following aspects
 - Further consider how the subdivision rules work in specific situations
 - Providing a definition for rear allotments
 - Consider changing frontage requirements to allow allotments to be better designed around cul-de-sac heads
 - Removing all references to net site areas in the rural allotments
 - Consider if GRUZ-3 and GRUZ-41 conflict each other.

PRESENTING SUBMISSION

I have ticked the box that I wish to be heard in support of my submission. I'm happy to present and clarify my comments, along with answering any questions at a hearing, but only if the Hearings Panel considers doing so will assist the panel and the overall process.

GENERAL COMMENT

Council should note, in the past when notification of a District Plan took full immediate legal effect, users of the plan started working with the plan from notification. That provided some opportunity, prior to close of submissions, to understand how the plan worked in specific situations. For the current proposed plan, that has not occurred anywhere near to the extent it may have in the past.

Furthermore, virtually all consultant users of the plan are currently experiencing significantly high workloads. Even if they want to, they simply do not have the time to review the proposed plan in detail.

From my personal perspective, I have not had the opportunity to use, review or put the time in to gain a good understanding of the plan. More through time pressures I almost did not put this submission in, but thought it was important enough to find some time to do so. It has been done quickly and is not ideally how I would like to have presented this.

Overall, my point is Council should not put as much reliance on submission feedback to highlight working issues with specific rules, as they may have done so in the past.