

## 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: ☒ [REDACTED] MACDONALD.

Email address: ☒ rsmacd09@gmail.com.

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)*

PLEASE REFER TO THE ATTACHED  
DOCUMENTATION

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)*

PLEASE REFER TO THE ATTACHED  
DOCUMENTATION

I/we have included: \_\_\_\_\_ additional pages

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

PLEASE REFER TO THE ATTACHED  
DOCUMENTATION

### 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](http://waimakariri.govt.nz) for further updates

Submission Details  
Revision: 2  
Date: 25 November 2021

<i>Provision to which our submission relates:</i>	<i>Our position on this provision is:</i>	<i>The reasons for our submission are:</i>	<i>The Decision we want Council to make:</i>
DEV-MILL-R1 Development Area Outline Development plan	Oppose	We disagree that development should be in accordance with the Mill Road Outline Development Plan in so far as a <u>new</u> Public Road is to extend off Mill Road in the locality shown in the event that Kintyre Lane is <u>not</u> formed as a Public Road. The reasons for this are as detailed in the <i>attached documentation</i> .	<p>Leave the wording of the Rule as presently shown, however</p> <ul style="list-style-type: none"> <li>• Amend the Mill Road Outline Development Plan DEV-MILL-APP1 to remove the potential Character Street with Landscaping and Planting provisions if Kintyre Lane is not formed as a Public Road.</li> <li>• Further amend the Mill Road Outline Development Plan DEV-MILL-APP1 to remove the potential Primary Pedestrian and Cycle Route if Kintyre Lane is not formed as a Public Road.</li> </ul> <p>Amend the activity status for not complying with the rule to NC.</p>
DEV-MILL-APP1 Mill Road Ohoka Outline Development Plan	Oppose in part	We oppose the illustration of a new Public Road extending off Mill Road in the locality shown in the event that Kintyre Lane is not formed as a Public Road.	<p>Amend the Mill Road Outline Development Plan DEV-MILL-APP1 to remove the potential Character Street with Landscaping and Planting provisions if Kintyre Lane is not formed as a Public Road.</p> <p>Further amend the Mill Road Outline Development Plan DEV-MILL-APP1 to remove the potential Primary Pedestrian and Cycle</p>

			Route if Kintyre Lane is not formed as a Public Road.
DEV-MILL-BFS2 Specific Access Provisions	Support in part and oppose in part.	<p>We support the standard in so far as there shall be <u>no</u> increase in the number of allotments with vehicle access to Kintyre Lane until it is vested as a Public Road. We further support the standard that provides for a maximum of only one Public Road connecting to Mill Road. We further submit that the one Public Road must be Kintyre Lane.</p> <p>We oppose the standard in so far as it requires a road connection to the lands to the north in the location identified on DEV-MILL-APP1. The reasons for this are as detailed in the <i>attached documentation</i>.</p>	BFS item 3 is to be amended to require provision for a Road connection to the lands to the north in the location identified on DEV-MILL-APP1 <i>only in the event that Kintyre Lane is formed as a Public Road.</i>

Attached Documentation (referred to in the above Schedule)

We are the landowner and occupier of Lot 11 DP 371714 and with the address as 416 Mill Road.

We oppose the potential future development of a Public Road in the position shown on DEV-MILL-APP1 if Kintyre Lane is not formed as a Public Road. The reasons for this are as follows.

### Background

1. We purchased and developed our property as a residential lifestyle block surrounded by other similar properties.
2. Subsequent to the establishment of our property we became aware of Plan Change 17 (PC17); promoted as a residential growth and development proposal to enable higher residential density of the original cluster of lifestyle blocks. From recall 80 or thereabouts allotments were being considered within the PC17 area.
3. The development of the PC17 area was originally promoted on the basis that Kintyre Lane would become a Public Road via a legalisation exercise in the event of any future growth and development. We considered this was a practical and sensible scenario in so far as it would provide certainty about the broad layout of the area, and importantly the way that the transport network would provide for access to allotments and be expanded as further growth and development occurred.
4. We understand that the PC17 exercise exposed the difficulty in enabling Kintyre Lane to become a Public Road due to the multiple ownership of the same. In short, the exercise to enable Kintyre Lane to become a Public Road requires ALL land owners of the Lane to agree and cooperate with the legalisation exercise.
5. We further understand that late in the PC17 process it was clear that the PC17 landowners were not in full agreement to provide for the legalisation. Hence the view was expressed that in order to enable a successful outcome it was necessary to provide a mechanism to enable an alternate Public Road if necessary. This was then confirmed in the Plan Change exercise and the appropriate rules and standards were adopted.

6. Please note that we were not aware of these late developments until we became involved in the PC17 Appeal process via an unrelated matter. We were concerned with the introduction of the alternate Public Road as an appeal matter however understood that we could not comment on it within the scope of our particular appeal matter. We therefore took the view that common sense would prevail and Kintyre Lane together with the northern extension from it would eventually provide the alignment and locality of the future Public Road.

### Our Submission

7. Under this District Plan Review process, the Draft District Plan effectively retains the present Rule to enable the alternate Public Road in the locality shown.
8. Our property adjoins the lands intended as the alternate Public Road. We feel strongly that in the event of the development of the alternate Public Road the same will have a significant adverse effect on our use and enjoyment of our property. We therefore request that it be deleted from the Outline Development Plan, and the associated Rules and Built Form Standards be amended to account for the deletion. Further, we request that Kintyre Lane is the location of the Public Road in the event that further growth and development occurs within the PC17 area.
9. Our main perspective is that Kintyre Lane should be the main transport route within and through the PC17 area; as was originally intended. It is in a sensible location and aligns well with the present extent of development. It has already been substantially formed as a transport route and appears to provide adequate access to the allotments. It has also already been designed and developed to have adequate room to be a Character street with Landscaping & Planting Provisions and also to be a Primary Pedestrian & Cycle Route. We consider it will also provide adequate access to the area in the event of future growth and development.
10. Our view is that the provision for an alternate Public Road was simply a response to the differing views between the various landowners regarding the future upgrade of Kintyre Lane in the event of future growth and development. It somewhat sidestepped the sensible and practical outcome of upgrading and legalising Kintyre Lane etc and instead introduced the alternate Public Road scenario as a means to allow some to achieve growth and development without having to resolve the above differing views.
11. In doing so it potentially renders a good portion of the present Kintyre Lane as redundant land; that is wasteful and not achieving the outcomes for the Large Lot Residential zone.

12. In doing so, it also introduces a potential scenario that we believe will have a significant and adverse effect on our property and our use and enjoyment of it.
13. Our property was never designed and configured to have a Public Road in close proximity. The significant traffic activity will be annoying and distracting to us. There will be significant noise effects from traffic as the area is fully developed that we were not anticipating when we moved onto the property. We built the house and associated buildings sufficiently distanced from Mill Road (> 95m) to mitigate the impact of traffic on Mill Road, particularly noise. A new intersection with Mill Road would cause additional noise as vehicles accelerate away from, or decelerate towards Mill Road. The amenity areas around both the house and the out buildings have been designed to enjoy the peace and quietness of a lifestyle block and would be compromised by the noise of a public road. Had we known a Public Road was to be located on our eastern boundary we would have redesigned and relocated the house, sheds and their amenity areas.
14. Having a Public Road right on our boundary compromises our security by providing an opportunity for people to easily observe our daily activities and view our amenity areas and equipment. A Public Road on our boundary would provide easy access to our property, buildings and equipment.
15. On our property there are hedges and buildings (<10m) that will not align with the District Plan Built Form Standards if the Public Road is developed. In addition the Public Road would restrict and complicate the ability to trim and maintain the hedge on its eastern side.
16. We note the intention for the development lands to the north of the PC17 area to have roading that “connects” to the alternate Public Road. This will add further traffic to the above and will exacerbate the effects on us.
17. We also note that there will be an eventual “through road linkage” between Mill Road and Bradleys Road. Our concern is this linkage will become a convenient “shortcut” route avoiding the Ohoka Village area and this will lead to even more traffic and associated adverse effects.



19. from the neighbouring development to the north, and further traffic flows due to the convenient “shortcut” that will result from the linkage. These traffic flows should be along Kintyre Lane as was originally contemplated. Further, we consider that the eventual linking of the road network, if it is to occur, should only occur if Kintyre Lane becomes a Public Road. This again refers to our view that Kintyre Lane was always intended as the transport network within the PC17 area and development of the allotments has continued with this in mind.
20. As a further comment, we are aware of recent development activities on the property to the east of our property where a subdivision that has been completed. A feature of that subdivision is the provision of a 16m wide access-leg adjoining our property that aligns with the potential alternate Public Road.
21. We consider that this access-leg somewhat pre-empts the width of the potential alternate Public Road if it should eventuate. We note that it is unlikely to provide for the “character street with landscaping and planting provisions”, as well as “providing primary pedestrian and cycle amenities” as intended by the present District Plan and draft District Plan. It therefore seems that the alternate Public Road, if it eventuates, will become anything but that which is required, and will not provide any meaningful level of amenity and character that may then mitigate adverse effects on our property.