

## Submission on Proposed Waimakariri District Plan

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

To: Waimakariri District Council  
By email: developmentplanning@wmk.govt.nz

Submitter: Macrae Land Company Limited (**MLC**)  
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- 1 This is a submission on the Proposed Waimakariri District Plan (**the PWDP**).
- 2 MLC could not gain a trade competition advantage through this submission.
- 3 This submission relates to all provisions applying to the Mill Road Development Area.

### Background

- 4 MLC owns land located at Mill Road, Ohoka (the **Property**), shown below, and legally identified as:
  - (a) Lot 4 DP 380990 (5.23 hectares);
  - (b) Lot 12 DP 380990 (4.94 hectares);
  - (c) Lot 200 DP 558754 (2.05 hectares).



- 5 The PWDP proposes that the Property is within the Mill Road Development Area and is zoned Large Lot Residential Zone. The Mill Road Development Area provisions include an Outline Development Plan (**ODP**) and a number of site specific activity rules and built form standards.
- 6 The proposed zoning and Mill Road Development Area provisions largely roll over previous operative Waimakariri District Plan provisions for the Mill Road ODP area.

- 7 The Mill Road ODP area was originally introduced through a private plan change. This resulted in a detailed ODP and a number of site specific zone rules. Of relevance to this submission, those provisions included:
- (a) Two different density areas, with minimum lot sizes of 4,000sqm or 1 hectare, together with a requirement for an average lot size of 5,000sqm and a maximum of 81 lots within the ODP area;
  - (b) A requirement for a single road connection to Mill Road, to be provided at one of two alternative locations. The first option was Kintyre Lane, which is an existing formed lane but has ownership and property rights issues which currently create an impediment to it becoming a legal road. The alternative was a new connection, to the west of Kintyre Lane;
  - (c) ODP notations identifying "character streets with landscaping and planting provisions". The landscaping and planting provisions were originally guided by more detailed ODP layers, however these layers were not adopted (and expressly rejected) by the decision on the plan change request. As a result, there is no guidance in the operative District Plan as to the requirements for the "character streets with landscaping and planting provisions" notations on the ODP.
  - (d) Requirements for 10m building setbacks and tree planting within the setbacks, generally located along the Mill Road, and on parts of the north and east boundaries with adjacent rural zoned land.
- 8 Following approval of the plan change, development within the Mill Road ODP area has been impeded by challenges in confirming and providing a single road connecting to Mill Road, particularly as the Kintyre Lane alternative has not been available. Ambiguity in the plan provisions has created additional challenges to further development within the ODP area.

## Submission

- 9 MLC seeks amendments to the PWDP provisions applying to the Mill Road Development Area to enable the efficient development of this area, including by ensuring there is clarity in the applicable provisions.
- 10 Since the plan change was approved there have been a number of changes in the Ohoka area, with an increase in residential development in a traditionally rural area. As such, a number of the provisions rolled over for the Mill Road Development Area create constraints or additional costs to development which are no longer being necessary or appropriate to manage effects.
- 11 MLC seeks that a number of the MILL provisions be amended. The amendments sought, and the reasons for those amendments, are as follows:

| Changes sought  | Reasons  |
|---|--|
| Amend the built form standards for site density (DEV-MILL-BFS1) and the ODP to provide that the Area A minimum lot size is 5,000m <sup>2</sup> and the Area B minimum lot size is 2,500m <sup>2</sup> . | <p>There is no reason to distinguish the lot sizes within the Mill Road Development Area from the rest of the LLRZ (as provided for in SUB-1). Similar minimum lot sizes are provided for across Ohoka, including within the adjacent Bradleys Road Development Area.</p> <p>The submission does not seek to amend the average lot size of 5,000m<sup>2</sup> or the maximum</p> |

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|   | of 81 allotments across the Mill Road Development Area. Accordingly, the change will not increase overall density across the Development Area.   |
| Amend the ODP to remove the Area A density area in the centre of the Mill Road Development Area, and replace this with the Area B density area. | Retention of Area A density in the centre of the site results in the inefficient use of land and is not necessary to manage the effects of rural residential development.  |
| Delete reference to "character street with landscaping and planting" on the ODP   | <p>There is no direction in the ODP or PWDP as to what is required by this notation. The notation is considered unnecessary and it is noted that there is no similar requirement in the adjacent Bradleys Road Development Area.</p> <p>The submission does not propose amendments to the requirement for building setbacks or tree planting along identified boundaries, including Mill Road, so the Development Area will continue to present a landscaped frontage.</p> |
| Amend the proposed ODP to provide a road access from the Mill Road Development Area to Threlkelds Road, and/or to any other surrounding roads.  | This would provide an alternative to the Mill Road connection and would better enable development throughout the Mill Road Development Area.   |

- 12 In addition, MLC submits that the current drafting of the PWDP lacks clarity as to the dual application of the LLRZ and MILL provisions, and does not contain confirmation that the MILL provisions prevail in the event that the provisions are inconsistent (for example, in relation to site density). MLC seeks such amendments as necessary to confirm that the LLRZ provisions apply, except where inconsistent with the MILL provisions.
- 13 In addition to the reasons provided above, the proposed changes will also:
- (a) assist the Council in carrying out its statutory duties under the Resource Management Act 1991 (RMA) including the integrated management of the effects of the use, development, or protection of land;
  - (b) give effect to the National Policy Statement for Urban Development;
  - (c) give effect to the Canterbury Regional Policy Statement;
  - (d) meet the requirements of section 32 of the RMA; and
  - (e) promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA, and in particular the efficient use of natural and physical resources.

### Decision Sought

14 MLC seek the following decision from the Waimakariri District Council:

- (a) that the provisions in the PWDP be amended as set out in paragraphs 11 and 12 of this submission; and
- (b) such other relief as may be required to give effect to this submission, including alternative, further or consequential amendments to objectives, policies, rules and definitions of the PWDP that address the matters raised by MLC.

15 MLC wish to be heard in support of its submission, and will consider presenting a joint case with others presenting similar submissions.



Macrae Land Company Limited  
Signed by its duly authorised agents  
Anderson Lloyd  
Per: **Sarah Eveleigh / Sarah Schulte**