

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: Ohoka Meadows Limited

Email address: nick@netherfield.co.nz

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Postal Address: 5977 SH2 RD1 Paeroa 3671 Post Code: _____

Physical address: _____ Post Code: _____
(if different from above)

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 attached submission.

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 attached submission.

I/we have included: 9 additional pages

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

Please refer attached submission

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

Signature

Of submitters or person authorised to sign on behalf of submitter(s)

Signature _____

Date 26/11/2021

(If you are making your submission electronically, a signature is not required)

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

**SUBMISSION ON THE WAIMAKARIRI PROPOSED DISTRICT PLAN 2021 BY OHOKA MEADOWS
LIMITED**

TO: Waimakariri District Council

Private Bag 1005

RANGIORA 7440

Submission sent via email to: developmentplanning@wmk.govt.nz

Introduction

Ohoka Meadows Limited ("Ohoka Meadows") at the address for service set out below makes the following submission on the Proposed Waimakariri District Plan 2021 ("PDP") of the Waimakariri District Council ("the Council").

Ohoka Meadows does not consider it can gain an advantage in trade competition through this submission. In any event, Ohoka Meadows is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition, or the effects of trade competition.

This submission letter provides an overview of the matters of interest to Ohoka Meadows with **Attachment 1** providing the substantive detail of the submission matters and decisions sought.

Background

1. Ohoka Meadows comprises approximately 95.793ha of land at 715 Mill Road and 22 Ashens Road, legally described as Lot 1 DP 309544, Lot 2 DP 309544, and Lot 2 DP 81198.
2. Ohoka Meadows is located to the south of the Mill Road and Ashworth Road intersection, and is bound by Mill Road to the northeast, Ashworth Road to the northwest, Ashens Road to the west, and rural land to the east and south. Ohoka village is located 1.5km to the southeast of Ohoka Meadows, and Swannanoa village is located 2.5km to the southwest. The location and outline of Ohoka Meadows is shown at **Figure 1**.
3. The surrounding area is comprised of land utilised for farming activities such as dairy farming, dry stock farming, equine, poultry, and cropping as well as large-lot rural residential development. The rural-residential lifestyle allotment density ranges in size from approximately 1.5Ha to 4Ha.

4. The land comprising Ohoka Meadows is currently farmed for dairy purposes and comprises two dwellings, a dairy shed (34-aside herringbone shed) and several rural utility buildings. The Ohoka Stream traverses the site, as well as a number of other natural water features and drains.



Figure 1: Plan showing location of Ohoka Meadows (identified by the black and white dash).

5. Ohoka Meadows submission has focussed on those provisions of the PDP that, in the view of Ohoka Meadows, require amendment to ensure:
 - (a) The efficient and effective use of rural residential land; and
 - (b) A consistent and cohesive pattern of rural residential land use is enabled while protecting natural features and avoiding hazards.
6. This submission has had regard to the National Policy Statement on Urban Development ("NPS-UD") – which provides direction around where growth should be located (i.e. within proximity to centres, jobs, education, amenities and services). The NPS-UD seeks to ensure the local authorities enable development capacity for housing and business through their land-use planning and infrastructure.

7. This submission is also informed by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill ("the Bill") which seeks to increase the housing supply in the five largest urban areas of New Zealand. Waimakariri District Council is part of Greater Christchurch, which is a tier 1 urban environment identified in the Bill.
8. From Ohoka Meadow's perspective, the objectives and policies of the PDP as notified by the Council, have the potential to provide for effective and efficient use of rural residential land, but does not sufficiently follow through in terms of planning methods.
9. If Ohoka Meadow's submission on the PDP is adopted, then the current constraints applied by the zoning and the provisions of the PDP in its notified form would be reduced, and more efficient and effective use of rural residential land would be provided for in the rural residential environment of the District.

Scope of the Submission

10. The submission relates to the PDP as a whole.

The submission is:

11. Ohoka Meadows opposes the PDP, for the reasons set out below and in **Attachment 1**.
12. Provided that the relief sought below and attached is granted:
 - (a) The PDP will be in accordance with the purpose and principles of the Resource Management Act 1991 ("the Act") and will be appropriate in terms of section 32 of the Act; and
 - (b) The potential adverse effects that might arise from activities allowed by the PDP will have been addressed appropriately.
13. In the absence of the relief sought, the PDP:
 - (a) is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
 - (b) will impact adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing; and
 - (c) does not provide a framework to enable the delivery of sustainable residential development or productive rural land.
14. In particular, but without limiting the generality of the above:
15. Ohoka Meadows recognises the importance of the PDP in setting the strategic framework for enabling and managing future development as well as achieving sustainable development of the district's natural and physical resources.

16. Due to the location of Ohoka Meadows between two rural villages and adjacency to rural residential land, its interest is broad and relates to the PDP provisions proposed to be amended by the PDP, including (but not limited to) those relating to growth, rural residential development, subdivision, natural hazards, and ecological matters in the PDP.
17. Ohoka Meadows generally supports the Rural Lifestyle zoning of the land subject to this submission, provided the changes at **Attachment 1** are adopted.
18. There has been a noticeable change in the objectives sought for rural residential land in the District by the PDP including a recognition of rural residential character and more intensive rural residential development density and activity.
19. However the PDP as notified has not translated those rural residential development outcomes into methods and consequently the PDP will result in the same outcomes as the Operative District Plan despite having markedly different objectives for these parts of the District.
20. Ohoka Meadows supports efficient and effective use of rural residential land and for concentrating growth in and around existing settlements. Therefore while it supports provisions in the PDP which seek to prevent urban sprawl and expansion into rural productive lands, it considers that the PDP does not go far enough in enabling a complimentary approach to intensification of existing rural residential land and identified rural residential areas. In this regard, Ohoka Meadows considers that "lifestyle block"-sized rural residential land is not efficient for either productive rural purposes nor for rural residential activities and in this regard the methods do not give effect to the objectives and policies of the Whaitua Taiwhenua - Rural Zones.
21. In summary and in addition to the matters set out in the appendix, Ohoka Meadow's submission is that while the PDP generally includes provisions aimed at promoting the sustainable management of natural and physical resources in the Waimakariri District, primarily through management of growth and by managing the effects of land-use on the environment, there are a number of areas where Ohoka Meadows considers that amendments to the methods of the PDP are required.
22. Further, having regard to the notified PDP and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill ("the Bill"), the methods of the PDP will be modified as they relate to the development standards and subdivision rules of two urban residential zones, being the Medium Density Residential Zone and the General Residential Zone.
23. Ohoka Meadows considers that the Council needs to revisit the methods of the PDP in light of the Bill and in particular amend the consequential disconnect between the urban residential

and rural residential environments. In particular Ohoka Meadows considers that land adjacent to existing rural centres should provide for increased housing supply to meet the purposes of the Bill. Furthermore the Council needs to consider the impacts on the built environment, character, and housing choice in the urban environments of the District, and how a more appropriate transition can be provided between the urban areas and the General Rural zoned land.

24. Ohoka Meadows seeks a number of amendments to PDP which are set out in further detail in the table set out in **Attachment 1**. This attachment identifies the specific provisions and chapters of the PDP which Ohoka Meadows either supports, seeks amendment to, or opposes.
25. Ohoka Meadows seeks the following decision from Waimakariri District Council on the PDP:
 - (a) That the proposed provisions of the PDP be deleted or amended, to address the matters raised in this submission and its attachments so as to provide for the sustainable management of the District's natural and physical resources and thereby achieve the purpose of the Act; and
 - (b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.
26. Ohoka Meadows does not consider it can gain an advantage in trade competition through this submission.
27. Ohoka Meadows wishes to be heard in support of this submission.
28. If others make a similar submission, Ohoka Meadows would be willing to consider presenting a joint case with them at a hearing.

Dated this 26th day of November 2021

OHOKA MEADOWS LIMITED by



Nick Hoogeveen

ADDRESS FOR SERVICE:

5977 SH2

RD1 Paeroa 3671

	Issue / Provision	Position (Support / Oppose / Amend)	Reason for the Submission	Relief Sought:
	<i>Part 2: Wāwāhia Whenua, Subdivision</i>			
1	SUB-P2	Amend	Not all land in the rural zones (being the Rural Lifestyle Zone and the General Rural Zone) are anticipated by the PDP to be used for primary production activities only. For example, the purpose of the Rural Lifestyle Zone is to provide for smaller rural sites than the General Rural Zone and as such these lots are generally used for residential purposes primarily, with rural activity ancillary to the residential unit. Recognition of this should be made in this policy, per the relief sought.	<p>Allotment layout, size and dimension</p> <p>Ensure that allotment layout, size and dimensions:</p> <ol style="list-style-type: none"> 1. in Residential Zones: <ol style="list-style-type: none"> a. enables a variety of allotment sizes to cater for different housing types and densities to meet housing needs; b. supports the achievement of high quality urban design principles for multi-unit residential development; 2. in Rural Zones: <ol style="list-style-type: none"> a. retains the ability for rural land to be used for primary production activities; b. <u>provides for rural residential development</u>; and 3. in Open Space and Recreation Zones: <ol style="list-style-type: none"> a. provides a variety of types and sizes of open space and recreation areas to meet

				current and future recreation needs.
2	SUB-P6	Oppose in part, and amend	<p>The criteria for ODP's is supported, however this subdivision policy should include provision for new outline development plans ("ODP's") in the Rural Lifestyle Zone. There are currently ODP's in the Rural Lifestyle Zone, and this PDP will span the next 10 years. There is the likelihood that some land zoned for Rural Lifestyle purposes now, will be required for more intensive housing development in the future, and this ODP method should be recognised in the PDP subdivision policies and consequential methods.</p>	<p>Provide for provision of new ODP's in the Rural Lifestyle zone.</p> <p>Alternative relief: "Residential Development Area" (as referred to in this policy) should also be defined in the PDP (Part 1: Interpretation / Definitions chapter). This may then apply to any zone that provides for residential purposes and would be an acceptable alternate relief.</p>
3	SUB-R4	Oppose and amend	<p>Flooding areas are constantly changing and cannot be stagnant on a planning map. Much of the District contains land that is subject to flooding at times. The PDP acknowledges this through the use of a Flood Assessment Certificate. Subdivision of land that is subject to flooding is therefore anticipated by the PDP and the activity status when compliance with SUB-R4 should be Discretionary, not Non-Complying.</p>	<p>Amend activity status to Discretionary when SUB-R4 (1-3) cannot be complied with.</p>

4	SUB-S1	Oppose and amend	<p>4Ha is not considered an efficient use of land for either residential purposes or for rural activities. The purpose of the Rural Lifestyle zone is to provide for residential activities within an environment that is rural in character. An allotment size of 2ha is considered more appropriate to retain rural residential character, provide for housing in a Tier 1 area, provide a better transition between urban residential areas and rural land, and to ensure positive development design to avoid poor infill housing outcomes in the future.</p>	<p>Amend the minimum allotment size in the Rural Lifestyle Zone from 4ha to 2ha.</p> <p>Alternative relief: Provide for the provision of ODP's in the Rural Lifestyle Zone to reduce the allotment size from 4ha to 2ha.</p>
5	SUB-S3	Amend	<p>If ODP's were applied to Rural Lifestyle zones, this rule wouldn't be applicable as the density is much greater than anticipated in the urban residential zones. This rule should be amended to acknowledge the Rural Lifestyle zone and a proposed density of 1 unit per 2Ha per the relief sought above for SUB-S1.</p> <p>The activity status when this rule is not met should also be amended to Discretionary as the rule provides for "demonstrated constraints" which are effectively a discretionary matter.</p>	<p>ODP's in the Rural Lifestyle Zone should have a minimum net density of 1 household per 2ha.</p> <p>Amend Non-Complying status when not met, to Discretionary.</p>
<i>Part 3: Whaitua Taiwhenua, Rural Zones</i>				
6	RLZ-O1	Support	<p>This objective provides for smaller allotment sizes than the General Rural Zone.</p>	<p>Retain objective.</p>

7	RLZ-P1	Support	This policy recognises the envisaged character of the Rural Lifestyle zone.	Retain policy.
8	RLZ-P2	Oppose and amend	This policy should be amended to refer to 2ha allotments. It is considered that this is a more appropriate allotment size to provide for rural lifestyle activities and is a more efficient use of rural land where more intensive residential use of rural land is anticipated. This is consistent with the relief sought for the subdivision chapter as it relates to the Rural Lifestyle zone.	<p>Activities in the Rural Lifestyle Zone</p> <p>Retain opportunities for land within the zone to be used for primary production activities while maintaining the predominant character of small rural lots by avoiding new sites being created, or residential units being erected on sites, that are less than 4ha 2ha, unless:</p> <p>...</p>
9	RLZ-R3	Oppose and amend	This residential unit rule should be amended to be consistent with the subdivision rules sought by this submission.	<p>Residential Unit</p> <p>Where:</p> <ol style="list-style-type: none"> 1. a residential unit shall be located on a site with a minimum net site area of 4ha 2ha per residential unit, except where provided for in (3), (4) and (5) below; <p>...</p>