

Waimakariri District Council
215 High Street
Private Bag 1005
Rangiora 7440, New Zealand
Phone 0800 965 468

DEVELOPMENT PLANNING UNIT

Submission on Variation 1: Housing Intensification

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

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

E DAVEY

Email address: Davey
edavey776@hotmail.com

Please select one of the two options below:

- ☒ I **could not** gain an advantage in trade competition through this submission (*please 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 (objectives, policy and rules) of the proposal that my submission relates to are as follows:
(please give details)

As per attached pages

My submission is that: Please indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons
(include additional pages as necessary).

As per attached Pages

I/we have included: 5 additional pages

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

As per attached Pages.

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 Plan Change/Variation process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officer's 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: Submission
Waimakariri District Council, Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz
Subject line: Submission Variation 1: Housing Intensification

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one of 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 9 September 2022

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

Variation (1)

Our submission relates to medium density Re: standards (schedule 3A of the Amendment Act)

Building Height 11 meters plus 1 meter for pitched roof

Height in relation to boundary 4 meters plus 60 degree recession plain

Setbacks Rear yard 1 meter

We **object** to the MDRS being applied to a portion of lots of proposed subdivision RC205197, Silverstream East, Stage 7, as addressed in RC215144 and RC 215145. This Application was granted consent on 9th December 2021 subject to Conditions outlined in the Commissioners decision.

These conditions relate to Lots 107 – 116 and 128 to 130, 134 and 135.

We seek these conditions to be a new Qualifying Matter.

RC 215144 and RC 215145

With regards to the 9th of December 2021 hearing and decision by the Commissioner.

Applicant: Lime Developments Limited

The key issues considered by the Commissioner relate to the proposed departure from the ODP, and related interface and integration issues between the existing Kaiapoi residential development and the new development resulting from this proposal. The interface/integration issues raised by submitters, and addressed by the Planners in their advice, stem largely from the bulk earthworks fill that will raise ground levels (i.e., the building platforms for the new dwellings) above that of the adjoining existing residential properties located to the east of the application site. Related issues of concern were also raised regarding the form of fencing on lots 128- 130, 134 and 135, building setbacks, building height and access arrangements. It is these matters that submitters identified as their main areas of concern, and are the matters that this decision primarily focus on.

The commissioner's conclusion stated that any adverse effects associated with the proposed activity would be acceptable, subject to a range of conditions applied to Land Use and Subdivision Consents given in the decision.

We have supplied a copy of Plan 330 issue F to indicate the Lots relating to the Subdivision Consent.

The Qualifying Matter sought encapsulates Lots 107-116 and 128-130,134 and 135. We feel that the effect of the Qualifying Matter will be minor to the implementation of the MDRS given that there are only 15 Lots involved. The commissioner's Decision addresses the interface between the proposed Silverstream development and the existing residence to the east to mitigate the affect on existing residents.

Our submission is seeking a Qualifying Matter for the Silver Stream Subdivision Stage 7, so that restrictions and consent notices applied to the said development will remain in place. This encapsulates Lots 107 – 116 and 128 to 130, 134 and 135. This is shown in the WDC approved application RC215144/RC215145. This requires that these conditions be registered on the Records of the Title of the above Lots.

Some of the main conditions are:

Subdivision RC215144

Appendix one : Grant of Consents and Condition

Condition 14.15

Lots 128 to 130, 134 and 135 shall have no vehicle access to Road 8

Condition 14.16

Pursuant to Section 221 of the Resource Management Act 1991, Condition 14.15 shall be subject to a consent notice which shall be registered on the Records of Title for Lots 128 to 130 and 134 and 135.

Condition 28.1 and 28.2

Any building s to be single storey only with a height no greater than 6.5m and windows facing existing properties not to be above 3m in height.

Note: This was also outlined in the Introduction of the Commissioners report 36b, where both conditions 28.1 and 28.2, would be secured by consent notices on the titles. Within this context, I am satisfied that adverse amenity effects resulting from the development on the aforementioned lots will be less than minor. My view on this matter is influenced by the separation distance that will be achieved between the “new” dwellings and the existing dwellings.

Condition 28.3

Pursuant to section 221 of the resource management act 1991, Conditions 28.1 and 28.2 shall be subject to a consent notice which shall be registered on the record of the title for lots 107 – 116, 128-130, 134 and 135

Condition 29.4

No structure or dwellinghouse on Lot 128 shall be constructed within easement A1 as shown on approved plan, stamped RC 215144 and RC 215145

Condition 29.5

Pursuant to section 221 of the Resource Management Act 1991, Condition 29.4 shall be subject to a consent notice which shall be registered on the Records of Title for Lot 128

Condition 30.3

Area B Allotments – Dwellings erected on Lots 107 to 116, 128 to 130, 134 and 135 shall have conditions as set out in the Commissioners Report.

Condition 30.4

Pursuant to Section 221 of the Resource Management Act 1991, Condition 30.3 shall be subject to a consent notice which shall be registered on the Records of Title for Lots 107 to 116, 128 to 130, 134 and 135.

Land Use RC215145

9. Dwellinghouses

9.1 Any buildings to be constructed at any time on Lots 107 to 116, 128 to 130 and 134 and 135, shall be single storey only with a height no greater than 6.5m measured from finished ground level.

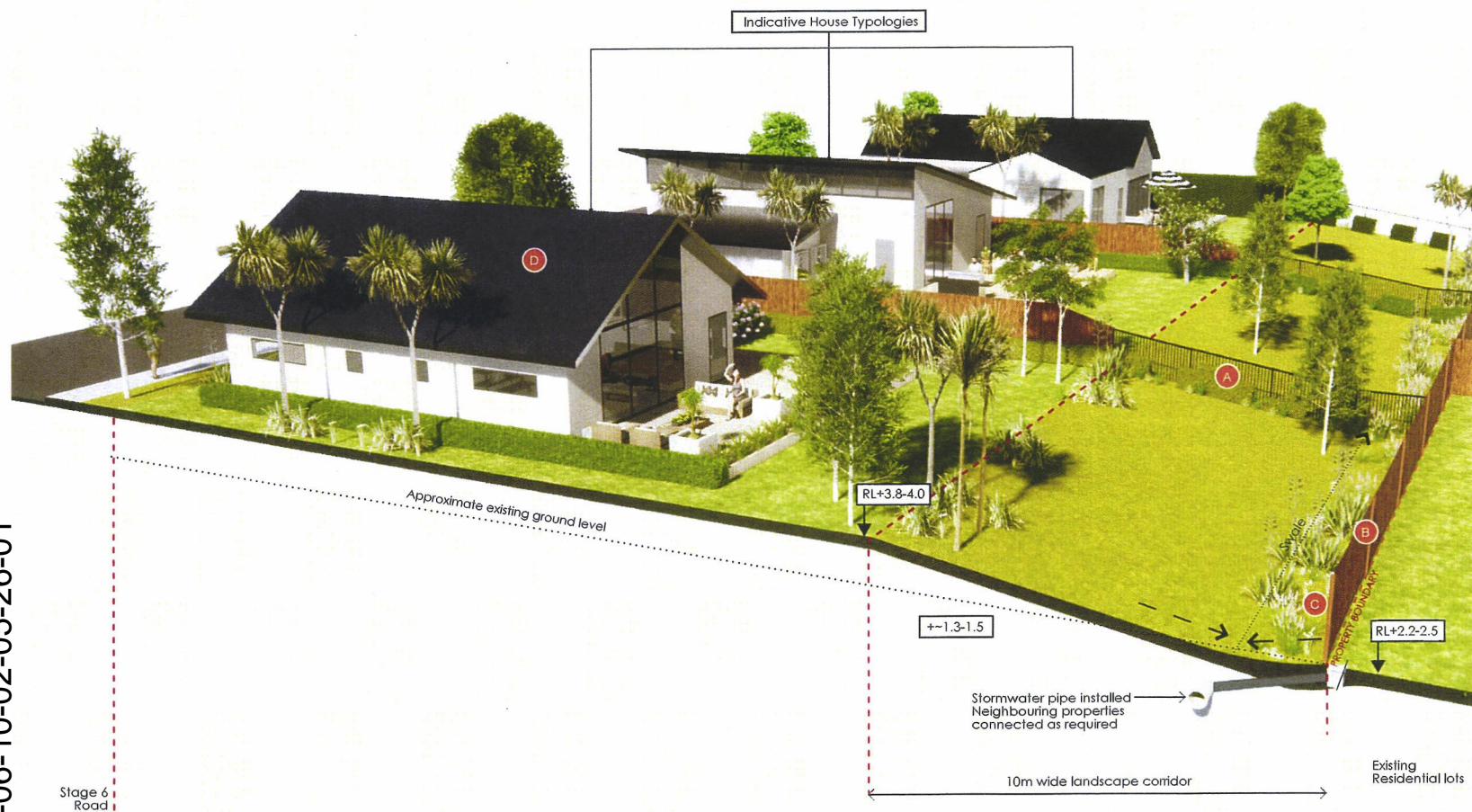
9.2 Any dwellinghouse constructed on Lots 107 to 116, 128 to 130, 134 and 135 shall not have any windows above 3m height, facing towards Kynnersley Street, 8, 10, 11 and 12 Murray Place and 31 and 35 Adderley Terrace.

10. Setbacks

10.1 No structure or dwellinghouse on Lot 128 shall be constructed within the 10m of the Eastern Boundary.

10.2 No structure or dwellinghouse on Lot 128 shall be constructed within easement A1 as shown on approved plan stamped RC215144/RC215145

10.3 No dwellinghouse on Lots 107 to 116 shall be constructed within 11.5m of the eastern boundary



A. SECTION-ELEVATION SHOWING RELATIONSHIP BETWEEN THE PROPOSED DEVELOPMENT AND EXISTING HOUSING

WAIMAKARIRI DISTRICT COUNCIL
- APPROVED APPLICATION -
RC215144 / RC215145
APPROVED on behalf of Hearings
Commissioner 9/12/2021

LEGEND

- A** Removable 1.2m high pool fencing dividing properties. The panels can be removed if servicing of the stormwater pipe is ever required but allow for the adjacent property owner to utilise, and more importantly, maintain.
- B** 1.8m high close board timber fence on top. Total height 1.8m above existing ground level.
- C** Landscape planting (1.5m wide) to consist of a mix of native and exotic plant species.
- D** Future residential development positioned to the front of sites to remove any potential visual dominance issues.

C. PLANTING PALETTE



PITOSPORUM EUGENIOIDES
Lemonwood, Taraia 1.0L pot
Hedge
Plant at 1500mm centres



CORDYLINE AUSTRALIS
Cabbage tree, Ti kouka
1.0L pot, Specimen
Plant at 6-12000mm centres



PRUNUS LUSITANICA
Portuguese laurel, 1.0L pot
Hedge
Plant at 1500mm centres



GRISELINIA LITTORALIS
Broadleaf, 1.0L pot
Hedge
Plant at 1000mm centres



CORTADERIA RICHARDII
St Toetoe, 1.0L pot
Plant at 1500mm centres



PHORMIUM TENAX
NZ Flax, 1.0L pot
Plant at 1500mm centres

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contractor to locate all existing services & verify all dimensions before commencing work

Lot 1000 (RC205197)
RT: N/A (not yet issued)
Owners: N/A (not yet issued)
Area: 0.7122ha more or less

Lot 1001 (RC205197)
RT: N/A (not yet issued)
Owners: N/A (not yet issued)
Area: 0.7864ha more or less

Section 1 (RC205197)
RT: N/A (not yet issued)
Owners: N/A (not yet issued)
Area: 0.0514ha more or less

Section 2 (RC205197)
RT: N/A (not yet issued)
Owners: N/A (not yet issued)
Area: 0.1710ha more or less

Areas, dimensions and boundaries are subject to final survey.

A full assessment of easements will be undertaken after any engineering is completed. This may result in additional easements.

Easements AB and AC are to be cancelled.

MEMORANDUM OF EASEMENTS		
NATURE	SERVIENT TENEMENT (BURDENED LAND) (LOT NO SHOWN)	DOMINANT TENEMENT (BENEFITED LAND)
RIGHT OF WAY (RIGHT TO DRIVE) (RIGHT TO CONVEY WATER, ELECTRICITY & TELECOMMUNICATIONS)	124 N 125-131	124-125, 127-131
RIGHT TO CONVEY TELECOMMUNICATIONS (IN GROSS)	125 P 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	126 R 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	127 Q 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	128 S 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	129 U 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	130 V 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	131 W 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	132 X 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	133 Y 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	134 Z 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	135 AA 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	136 AB 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	137 AC 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	138 AD 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	139 AE 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	140 AF 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	141 AG 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	142 AH 124-125, 127-131	124-125, 127-131
RIGHT TO CONVEY WATER (IN GROSS) AND DRAINAGE (IN GROSS)	143 AI 124-125, 127-131	124-125, 127-131

AMALGAMATION CONDITIONS
Lot 700 hereon is to be amalgamated with Lot 1 DP 540719 and one Record of Title be issued.

Legend:
Road to be cancelled
Easements to be cancelled

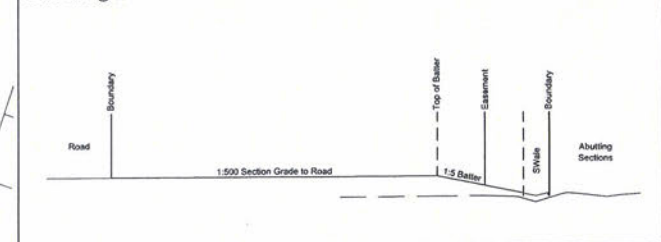
WAIMAKARIRI DISTRICT COUNCIL
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Commissioner 9/12/2021

CAD ref: 33021 - Scheme Plan - Stage 7 (330) (210803).dwg

Proposed Subdivision of Lots 1001 and 1002 and Sections 1 and 2 (RC205197) Silverstream East - Stage 7

**Lots seeking a
Qualifying Matter/
residents affected
by Stage 7**

Diagram A - Typical Cross Section
Scaled 1:200@A1



F	08/21	Lot 126 ROW Added	RB
/ Issue	/ date	/ reason	/ approved
/ design	/ drawn	/ QA check	/ dwg
BvB/BL	BL	RB	330
/ scale @A1	/ date	/ file	/ issue
1:600	02/21	38021	F

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