

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: Richard Shaun Evans as Director of the Evans Corporate Trustee Limited as trustee for the Evans No 4 Trust

Email address: rse@evanscorp.net.nz

Phone (Mobile): 0272742863

Phone (Landline): _____

Postal Address: P.O. Box 859 Rangiora, 7440, Canterbury

Post Code: 7440

Physical address: 66 Vicenza Drive, Ohoka, 7292, RD2, Canterbury
(if different from above)

Post Code: 7692

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.

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

The proposed zoning changes under the proposed district plan which have an impact on my property by excluding my property from the proposed zoning changes

Oppose Zoning of 66 Vicenza Drive, Mandeville as Rural Lifestyle Zone Oppose Zoning of San Dona Subdivision as Rural Lifestyle Zone Oppose application of planning maps, rules, objectives and policies for the above as Rural Lifestyle Zone

Support general principle of two rural zones where the land use is rural. Submission is that 66 Vicenza Drive (and wider San Dona subdivision) be rezoned Large Lot Residential Zone (LLRZ) with Urban Flood Hazard Overlay the same as the rest of Mandeville on the appropriate planning maps. Both Support of and Opposition of related Objectives, Policies and Rules as per the attached District Plan Assessment.

Please see 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)*

I wish the council to make amendments to the proposed changes to the District Plan that allow for rezoning of my property to Residential Large Lot

I/we have included: 11 additional pages

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

Council to change proposed planning maps to rezone 66 Vicenza Drive, Mandeville from Rural Lifestyle Zone to Residential Large Lot Zone with an associated Urban Flood Assessment Overlay. Further consequential amendments to the District Plan to support subdivision, use and development

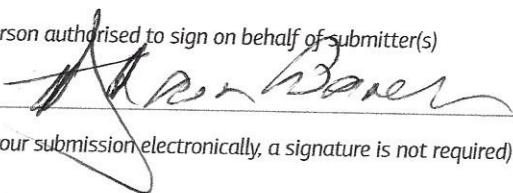
Submission at the hearing

- ☒ 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

Signatures

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

Signature



Date

22nd Nov 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





Residential:
66 Vicenza Drive
Ohoka, 7692
Canterbury
New Zealand

Postal:
Box 859
Rangiora 7440
Canterbury
New Zealand

Mobile: +64 0272 74 2863
Email: shaun.evanscorp.net.nz

24 November 2021

Email your form to developmentplanning@wmk.govt.nz

To:
Waimakariri District Council,
215 High Street,
Private Bag 1005
Rangiora 7440,
New Zealand

Addendum - Submission from Richard Shaun Evans re District Plan Review

I am making a submission under the proposed Waimakariri District Plan of 18th September 2021.
<https://waimakariri.isoplan.co.nz/draft/>.

My submission is to request the council to expand the proposed Rural Lifestyle Zone to Large Lot Residential Lot for the San Dona area which includes my property at 66 Vicenza Drive, Ohoka.

The San Dona subdivision, north of Tram Road at Mandeville, was established in the 1990s, comprising small lots for olive production. Today, San Dona comprises around 115 households, and is similar to rural residential in nature and scale with lot sizes ranging from approximately 1.2 hectares to 2.2 hectares.

Let's now turn to the government's housing policy. "We're making it easier to build new houses" "We're delivering on our promise to repeal and replace the RMA to fix our planning laws. This reform will help us tackle our housing crisis by simplifying and accelerating planning processes, reducing the number of resource management plans from over 100 documents to approximately 14, and introducing standardised planning rules" Refer footnote 1

By extending the rezoning to a large lot residential zone for the San Dona subdivision it would enable WDC to be more in congruence with the government's objective of making it easier to build more houses. It appears that WDC's proposed district plan is at odds in not allowing for smaller lot sizes with the government's objective. Let's face it an average lot size of 5,000m under the Large Lot Residential Zoning is still significantly bigger than the government's newly announced initiative of 3 houses on one lot up to three storeys high.

In the words of our Mayor as per his comments in the proposed WDC plan, "We're one of the fastest growing areas in New Zealand. By 2050 our population will be nearing 100,000 and we will require an additional 15,000 houses together with business, infrastructure and public facilities to accommodate this growth". So surely rather than restrict housing growth the council should be doing all within its powers to look at all avenues and options to allow for further housing growth in its district plan.

We have 115 lots in the San Dona subdivision. Under the existing district plan each lot owner is permitted to build up to two residences on each lot but can't legally subdivide. As the average size of the San Dona lots are approx 1.2-2.2 ha this means a number of lots would only be able to achieve two subdivided lots and others will achieve three and a few possibly four.

What I am submitting the council do is to allow for Large Lot Residential zoning in San Dona. This would allow most lot owners to break their existing lot into a maximum of 2-4 lots. It is unlikely that there will be any more dwellings built under the existing operative district plan compared to the proposed district plan.

if WDC were to change the zoning, it would just mean that legal titles could be created for each lot type. In, reality not all lot owners will choose to subdivide but we should not be restricted from subdividing our land if WDC is going to allow many neighbouring properties with potentially less desirable topological features to subdivide down to a minimum average lot size of 5,000m². What it would achieve it to allow existing and aging lot holders to stay on their properties as a reduced lot size would be more manageable.

A small lot size is likely to see more trees planted per lot.

Now let's consider some of the WDC objectives:

SD-O2 Urban development

Urban development and infrastructure that:

1. is consolidated and integrated with the urban environment;
2. that recognises existing character, amenity values, and is attractive and functional to residents, businesses and visitors;
3. utilises the District Council's reticulated wastewater system, and potable water supply and stormwater infrastructure where available;

Item 3 is particularly important as the San Dona subdivision already has this infrastructure available. Your proposed change to zoning of other areas will likely require a greenfields approach

SD-O4 Rural land

Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by:

1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities; and
2. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities.

San Dona was approved on the basis it would produce olives and been of a commercially viable nature. Unfortunately, this has not been the case. It is not merely a fact that the productive income levels of olives were not achieved, they have fallen so short of projections that the venture is not profitable for any of the lots. Each lot is likely to run at a loss and few lots would harvest their olives. Many have extracted some or most of their trees which initially totalled some 500 olive trees per property.

So, on the basis that the olive venture is not profitable the WDC should accept that the original purpose of allowing subdivisions of under 4 ha for the production of olives in the San Dona area has been a failure through not fault of the owners. There is now a need for WDC to allow owners to look at the next best alternative and viable use of the land. I suggest that this would be to align with the proposed large lot subdivision which the council is already proposing in the adjacent surrounding areas.

WDC made a fundamental mistake in accepting that the San Donna area would be a viable olive growing area. This now needs to be redressed by WDC and accept that the next best alternative needs to be considered, i.e. large lot subdivision where residents can enjoy a manageable lot size. 1.5 ha is too small for livestock but quite large to try and maintain.

SD-O6**Natural hazards and resilience**

The District responds to natural hazard risk, including increased risk as a result of climate change, through:

1. avoiding subdivision, use and development where the risk is unacceptable; and
2. mitigating other natural hazard risks.

As San Dona has been developed for approximately 15 years its natural hazard risk is quite well known. It has very low natural hazards and is therefore more ideal for use of residential property development.

WDC District Plan proposal re Subdivision

Objectives**SUB-O1****Subdivision design**

Subdivision design achieves an integrated pattern of land use, development, and urban form, that:

1. provides for anticipated land use and density that achieve the identified future character, form or function of zones;
2. consolidates urban development and maintains rural character except where required for, and identified by, the District Council for urban development;
3. supports protection of cultural and heritage values, conservation values; and
4. supports community resilience to climate change and risk from natural hazards.

SUB-O2**Infrastructure and transport**

Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, well connected transport system for all transport modes.

SUB-O3**Esplanade reserves and esplanade strips**

Esplanade reserves and esplanade strips created through subdivision adjacent to the sea, lakes and rivers contribute to:

1. the protection of conservation values;
2. public access to or along rivers and lakes or the coast; or
3. enable public recreational use where it is compatible with conservation values.

Policies

SUB-P1**Design and amenity**

Enable subdivision that:

1. within Residential Zones, incorporates best practice urban design, access to open space, and CPTED principles;
2. minimises reverse sensitivity effects on infrastructure including through the use of setbacks;
3. avoids subdivision that restricts the operation, maintenance, upgrading and development of the National Grid;
4. recognises and provides for the expression of cultural values of mana whenua and their connections in subdivision design; and
5. supports the character, amenity values, form and function for the relevant zone.

SUB-P2**Allotment layout, size and dimension**

Ensure that allotment layout, size and dimensions:

1. in Residential Zones:
 - 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:
 - a. retains the ability for rural land to be used for primary production activities; and
3. in Open Space and Recreation Zones:
 - a. provides a variety of types and sizes of open space and recreation areas to meet current and future recreation needs.

SUB-P3**Sustainable design**

Ensure that subdivision design:

1. maximises solar gain, including through:
 - a. road and block layout; and
 - b. allotment size, dimension, layout and orientation;
2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and

3. promotes:
 - a. water conservation,
 - b. on-site collection of rainwater for non-potable use,
 - c. water sensitive design, and
 - d. the treatment and/or attenuation of stormwater prior to discharge, and
4. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties.

SUB-P4

Integration and connectivity

Achieve integration and connectivity by ensuring:

1. in urban environments that there is effective integration of subdivision patterns and multi-modal transport connections within new development and to existing development;
2. subdivision on the boundaries between new and existing development is managed to:
 - a. avoid or mitigate significant adverse effects, including reverse sensitivity effects, through the use of setbacks, landscaping to achieve screening, and other methods; and
 - b. continuation of transport and pedestrian or cycle linkages.

SUB-P5

Density in Residential Zones

Provide for a variety of site sizes within Residential Zones, while achieving minimum residential site sizes that are no smaller than specified for the zone.

SUB-P6

Criteria for Outline Development Plans

Ensure that new Residential Development Areas, new Large Lot Residential Zones, new Commercial and Mixed Use Zones and new Industrial Zones shall not be subdivided until an ODP for that area has been included in the District Plan and each ODP shall:

1. be prepared as a single plan; and
2. be prepared in accordance with the following:
 - a. identify principal roads, connections and integration with the surrounding road networks, relevant infrastructure and areas for possible future development;
 - b. any land to be set aside:

- i. for community facilities or schools;
 - ii. parks and land required for recreation or reserves;
 - iii. for business activities;
 - iv. the distribution of different residential densities;
 - v. for the integrated management of water systems, including stormwater treatment, secondary flow paths, retention and drainage paths;
 - vi. from development for environmental or landscape protection or enhancement; and
 - vii. from development for any other reason, and the reasons for its protection.
- c. for new Residential Development Areas demonstrate how each ODP area will achieve a minimum net density of at least 15 lots or households per ha, unless there are demonstrated constraints then no less than 12 households per ha;
- d. identify any cultural, natural, and historic heritage features and values and show how they are to be enhanced or maintained;
- e. indicate how required infrastructure will be provided and how it will be funded;
- f. set out the phasing and co-ordination of subdivision and development;
- g. demonstrate how effective provision is made for a range of transport options, including public transport systems, pedestrian walkways and cycleways, both within and adjoining the ODP area;
- h. for new Residential Development Areas, demonstrate how open space, playgrounds or parks for recreation will be provided within a 500m radius of new residential allotments including:
 - i. transport connectivity for active, public and other transport modes;
 - ii. connection to any other open space or community facility and other zones; and
 - iii. potential use of open space for stormwater management;
- i. show how other potential adverse effects on and/or from nearby existing or designated strategic infrastructure (including requirements for designations, or planned infrastructure) will be avoided, remedied or appropriately mitigated;

- j. show how other potential adverse effects on the environment, the protection and enhancement of surface and groundwater quality, are to be avoided, remedied or mitigated;
- k. include any other information which is relevant to an understanding of the development and its proposed zoning; and
- l. demonstrate that the design will minimise any reverse sensitivity effects.

SUB-P7**Requirements of Outline Development Plans**

Ensure that subdivision is in accordance with the fixed or flexible elements of any relevant ODP.

SUB-P8**Infrastructure**

Achieve integrated and comprehensive infrastructure with subdivision by ensuring:

- 1. upgrade of existing infrastructure where the benefit is solely for the subdivision and subsequent development, or otherwise provide for cost-sharing or other arrangements for any upgrade, such as financial contributions, that are proportional to the benefit received;
- 2. adequate infrastructure provision and capacity to service the scale and nature of anticipated land uses, including:
 - a. wastewater disposal that will maintain public health and minimise adverse effects on the environment, while discouraging small-scale standalone community facilities;
 - b. water supply;
 - c. stormwater management;
 - d. phone, internet and broadband connectivity can be achieved, with new lines being underground in urban environments, except within the Special Purpose Zone (Kāinga Nohoanga);
 - e. electricity supply, with new lines being underground in new urban environments except within the Special Purpose Zone (Kāinga Nohoanga);
- 3. where reticulated wastewater disposal is available, that any new site is to be provided with a means of connection to the system; and
- 4. where a reticulated wastewater system is not available, ensure that onsite treatment systems will be installed.

SUB-P9**Access to, protection and enhancement of the margins of water bodies**

During subdivision development:

1. ensure the protection and enhancement of the margins of water bodies; and
2. maintain the diversity, quality and quantity of any resources valued for mahinga kai through protection or restoration.

SUB-P10

Esplanade reserves and esplanade strips

Provide for the creation of esplanade reserves or esplanade strips in areas where there is an actual or potential benefit for access, recreation, conservation or natural hazard mitigation by:

1. identifying water bodies where such reserves or strips will be provided, regardless of subdivision site size;
2. recognising that provision of other areas that provide public benefit will be desirable; and
3. providing for minimum site sizes to be calculated as if any esplanade reserve resulting from the subdivision was part of the overall subdivision area.

The San Dona subdivision is already in a better position to meet the above criteria when compared to some of the greenfield large lot residential areas proposed in the district plan.

According to WDC RURAL RESIDENTIAL DEVELOPMENT PLAN of 2010, page 28: The small Rural zoned area of land located at the junction of Tram Road and Mandeville Road is also **identified as a growth location**. This San Dona area constitutes a logical extension to the Mandeville form given its central position within the wider Mandeville area.

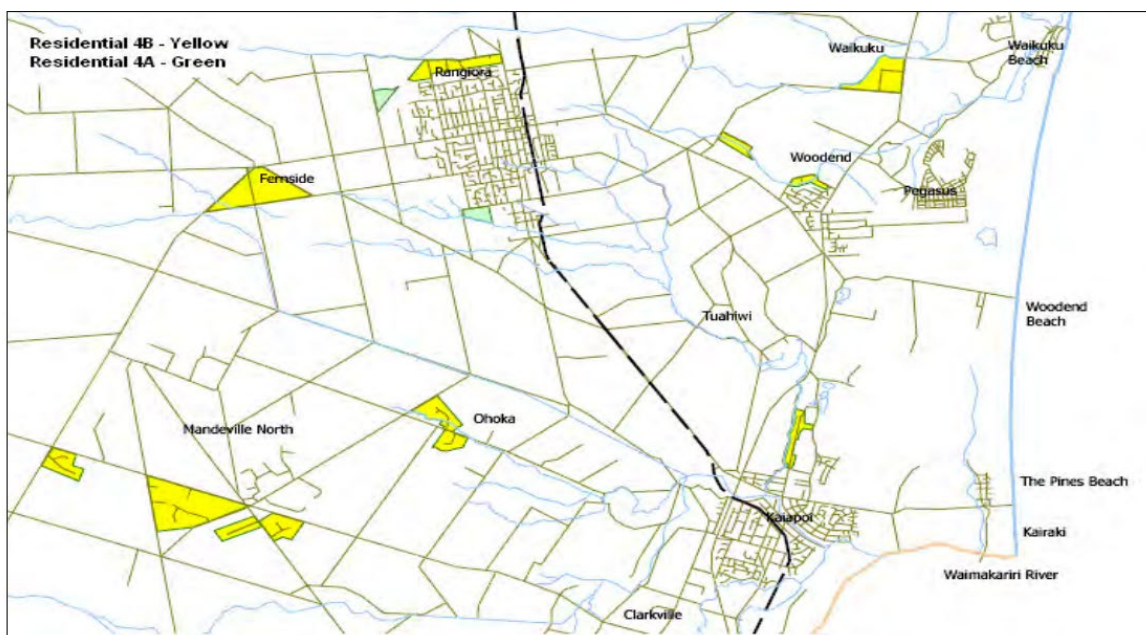


Figure 1: Existing Residential 4A and 4B Zones within the Eastern District

Waimakariri Rural Residential Development Strategy June 2019

https://www.waimakariri.govt.nz/_data/assets/pdf_file/0030/98391/16.-Final-Adopted-Waimakariri-Rural-Residential-Development-Strategy-June-2019.pdf

In order to better understand how people living in, and/or owning property in, the District's current Rural Residential Zones (and San Dona Olive Groves area adjacent to Mandeville) view the area they live in, the Council invited all residents living in these areas to complete a survey in December 2018. The objective was to gain insight into property size preferences, character and amenity preferences and property turnover. Around 350 surveys were completed and the findings have informed some of the directions in this document.

It seems at the time that the WDC was influenced by a small number of residents who at the time may have indicated they enjoy their current lifestyle. It appears this information was material in WDC ruling out the San Dona area as being including in the proposed changes to the large lot residential zoning. However, recent surveys by local residents indicate that the majority of residents of the San Dona area, including myself are likely to be in favour of having their zoning changed to large Lot residential.

Does the council really want to have an anomaly or exceptions with its zoning. This is an opportunity for WDC to align the San Dona area with the proposed zoning under the proposed district plan.

I am aware that when considering rezoning the WDC will typically take into account”:

- flood hazard;
- stormwater, water and wastewater servicing;
- transportation;
- geotechnical;
- and soil contamination

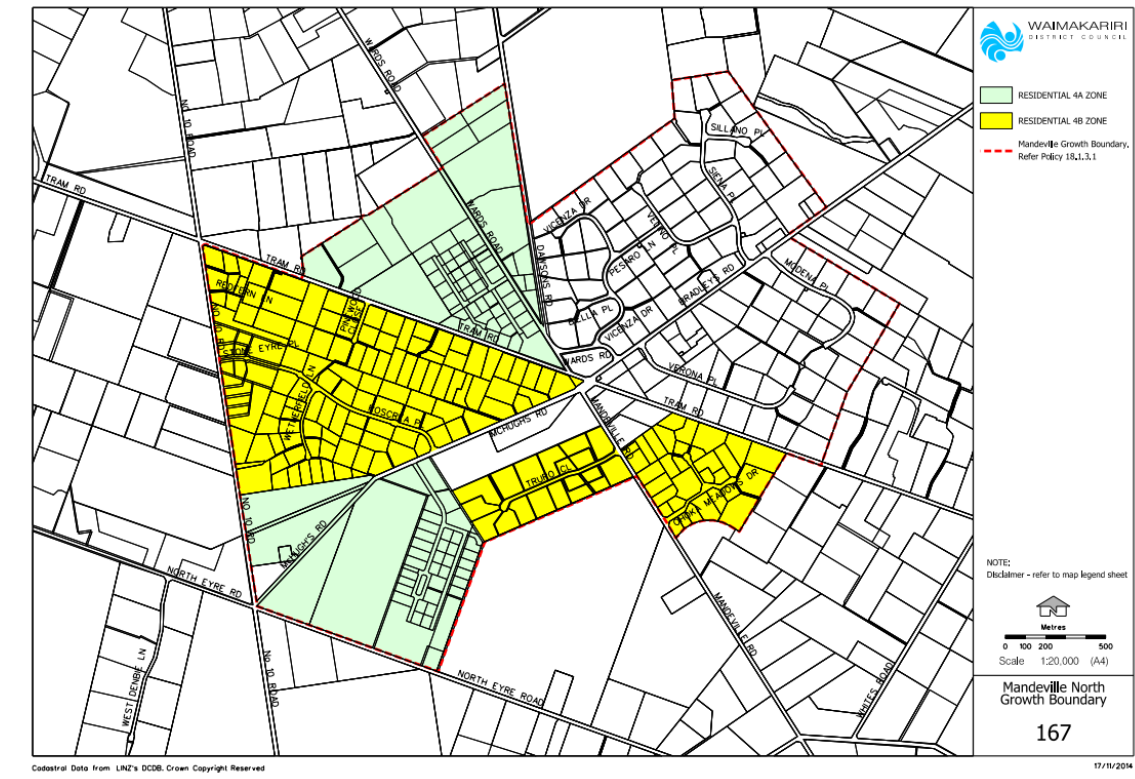
The San Dona subdivision is now well known to WDC. There have been two significant flooding events in the last several years and this area was less affected than some of the surrounding areas which are proposed for residential large lot zoning.

All properties have LIM's and soil contamination of my lot is clean, the WDC should know if there are any contamination issues with any of the other lots.

I have had a geotechnical assessment undertaken on my property in the last three years and it indicates the ground is very suitable for a dwelling.

Stormwater, water and wastewater servicing. I understand that the WDC has looked at the three waters and has options to upgrade if required. I understand that a number of residents contributed to an upgrade of the water schemes not too many years back.

WDC should have data to know whether there would be any issues associated with transport.



Rural Residential Development Strategy - Preliminary Criteria Assessment (2018) excluded any suggested locations that are deemed to meet the 'preliminary criteria' from any further assessment. These include if suggested locations are:

1. within high flood hazard area
2. within areas yet to be developed inside of the existing Infrastructure Boundary of the District's main eastern towns
3. on the direct edges of main towns outside of the Infrastructure Boundary thereby foreclosing more intensive long term urban development
4. not connected to existing rural residential nodes or small settlements
5. not able to economically connect to the network scheme for wastewater
6. within the Christchurch International Airport noise contour
7. within areas that would compromise the operational capacity of the Rangiora Airfield

Locality	Specific location (Source)	Preliminary Criteria Assessment	Site in or out
	<ul style="list-style-type: none"> 219 - 221 Gladstone Rd (Landowner interested) 	<ul style="list-style-type: none"> Not connected to existing rural residential nodes or small settlements 	OUT
Mandeville	<ul style="list-style-type: none"> Ashworths Rd (Internal workshops) West of No. 10 Rd (Internal workshops) Area bounded by Tram Rd, Wards Rd, No. 10 Rd (Internal workshops) South east of domain, 335 Mandeville Rd (Internal workshops) East (Internal workshops) South-west (Internal Workshops) South-east (Internal Workshops) 135 Wards Rd / North-west (DDS submission) 229 North Eyre Rd, 238 No10 Road, 275 North Eyre Rd (DDS submission) 	<ul style="list-style-type: none"> Does not trigger any Preliminary Criteria However removed under special circumstances as Mandeville has the Mandeville Growth Boundary around it which was put in there during Council Plan Change 32 in 2012 in order to address sprawl issues in Mandeville. Given this was only 6 years ago, there is no argument that the basis for this growth boundary has changed. Also Mandeville is affected by undercurrents / groundwater resurgence, along with high groundwater levels and overland flows. Mandeville Growth Boundary shown on the following map: https://www.waimakariri.govt.nz/data/assets/pdf_file/0016/10393/sht167-dp2005.pdf 	OUT

It appears that based on the WDC Preliminary Criteria Assessment (2018) Mandeville **did not trigger any Preliminary Criteria** as noted above.

It appears the historic reason from ruling Mandeville out of any rezoning was to prevent sprawl. As the council is now proposing sprawl of more housing in the area this rationale appears now be irrelevant.

It appears from what I have read that WDC has no good reason to exclude the San Dona subdivision which includes my property at 66 Vicenza Drive from the proposed Residential Large Lot zoning.

Yours sincerely

R S Evans, BBS (Accountancy), GDip Bus Studies (Personal Financial Planning), ACA, Dip Bank, Dip Mgt, F. Fin, Associate Member of Chartered Accountants of Australia and New Zealand. Fellow of Financial Institute of Australia and New Zealand.

¹ <https://www.labour.org.nz/housing>