

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: _____

Email address: _____

Phone (Mobile): _____ Phone (Landline): _____

Postal Address: _____ 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.

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- 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)*

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/we have included: _____ additional pages

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

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 _____

(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



Proposed District Plan Submission

November 2021

This proposed District Plan change is a major piece of work. We recognise that there are some significant challenges in dealing with the aftermath of the red zoning, perceived sea level rise and the national standards for planning. Overall we think it is a very good plan. WE have the following comment.

SETZ - Settlement Zone

Zoning for existing residential areas of the Pines and Kairaki.

SETZ-R4 Residential activity (Per)

“Where: 1. a maximum of one heavy vehicle shall be parked or stored on the site of the residential activity;”

We submit that: We are not sure what this hopes to achieve. While it might limit say house buses it won't affect under 3500kg motorhomes, tiny homes or caravans.

We seek that: this is deleted from the plan.

“and 2. any motor vehicles and/or boats dismantled, repaired or stored on the site of the residential activity shall be owned by the people who live on the same site.”

We submit that: The friendly nature of our fishing,/beach community often involves having someone's boat parked on your property so these rules could be detrimental.

We seek that: this is deleted from the plan.

SETZ -R5 to R21 Permitted activities

We submit that: A large number of Permitted activities. We support that with some amendment. The effects on the community are traffic movements, parking and hours of operation. We note noise and signs are covered in other chapters. Hours of operation are covered but traffic movement is only in home business and there is no parking provision. Some areas, for example Featherstone ave, have no parking at all, with swales or private property hard up against the narrow road. So it is important to cover that in the district plan.

We seek that: Maximum traffic movements are included for all non residential activities. And that suitable off street parking is required for all non residential activities.

SETZ-R10 Home business

We submit that: 40 m2 limit is too small compared with other Permissible activities that are much larger up to. Home Businesses generally have less impact than the other permissible on residential activities in a residential zone.

We seek that: the size limit is increased to at least 75 m2

SETZ-BFS1 Site density

We submit that: we note there is no minimum size but a limit of 600m2 in the subdivision. Chapter. We support that.

SETZ-BFS2 Building coverage

We submit that: Building cover increased from 35% to 45% We support that.

SETZ-BFS6 Street interface

We submit that: the requirement for glazing, habitable rooms and doors facing the street can sometimes be contrary to good architectural design. For example: 20 % glazing on a south facing road frontage could create problems complying with NZCB H1 energy efficiency. Doors opening to the prevailing easterly is best avoided. With the permitted commercial activities in the settlement zone it may be desirable to screen those from habitable spaces, One size does not fit all.

We submit that: this rule is deleted from the plan.

SETZ-BFS7 Height in relation to boundary

3- Where the site is within the Urban Flood Assessment Overlay or Kaiapoi Fixed Minimum Finished Floor Level Overlay, the height of the Finished Floor Level specified in a Flood Assessment Certificate can be used as the origin of the recession plane instead of ground level, but only up to an additional 1m above original ground level.

We submit that: The levels in our area will be quite high so this will have an effect on the recession planes. We note that it is limited to 1 additional meter and that this is a difficult problem to resolve. Therefore we support this rule.

SPZ(PBKR) - Special Purpose Zone - Pines Beach and Kairaki Regeneration.

General comment: generally it is good and protects the residents and the nature of the existing community. However the unique situation with this land going up for lease when those leases are not defined presents some unique planning challenges. The value, restrictions and length of time of the leases will determine how much people invest financially but more importantly in the care of that land.

Additional to proposed Plan

Fire Risk and Section Maintenance

We submit that: for our beach community the greatest natural hazard by far is fire. We have had several events that have threatened property and potentially life.

This is a unique situation.

Because of the situation with this land being leased and those leases undefined, there could well be sites that have low use, low investment, therefore risk of lack of maintenance is high and therefore the risk of fire. This is not so much of a risk with freehold land, which has more value to the owner.

At present we believe the grass is mowed by WDC but when the leases go out that will cease.

Therefore there must be a rule that covers the length of the vegetation, especially grass.

The TKOT would have limited ability to enforce this but a provision under the district plan would provide an enforcement pathway.

DOC have a similar issue with some of the land they administer. They charge an annual inspection fee for someone to inspect the property once a year to make sure they are keeping it up to standard and to record any changes. Perhaps this should happen here but maybe it should be done by TKOT.

We seek that:

A rule that grass to be kept to a max of 150 mm is added.

An annual property inspection is considered.

SPZ(PBKR)-R18 Residential activity on sites not listed in Appendix APP1

We submit that:

Caravans and the like

Background- We are aware of a number of people who plan to put a number of caravans and whitebait gear on a single site in Kairaki. These are likely to be abandoned for most of the year. Also people who have discussed putting a number of caravans on a single section and renting them out.

We have not been able to have formal discussions with TKOT regarding the conditions of the leases they will have for this land. The informal discussions we have had are very contradictory. Therefore we can not rely on conditions of the leases for protection in any way. In any event those leases could change over time so it is imperative that the district plan provides the necessary protection for our community. There is also the question of enforcement. Some provision in the district plan provides an avenue to do that.

There is a very good campground at Kairaki which is the right place for these activities, which the WDC invested quite a lot of money in recently. The campground is a community in itself which has two effective levels of control. One, the camp manager and two, the camp community itself which becomes self policing. Individually leased sections used for this activity are outside of those controls and could easily get out of control. This is a significant difference.

We have serious concerns about these activities and that could easily create a slum, anti-social behaviour and badly affect the amenity of residents.

While we support the eclectic nature of our beach community and our camp residents are a valuable part of that, this would tip the balance too far.

There are also serious concerns about waste disposal. While in theory a certified self contained vehicle can be ok if waste is transported away but that doesn't always happen.

It is a tricky problem to solve as we don't want to restrict legitimate lessors who are caring for their site properly and contributing to the community.

We do however note that SPZ(PBKR)-R18 Residential activity and SPZ(PBKR)-R19 Visitor accommodation are both "Restricted Discretionary" activities.

Residential activity - "means the use of land and building(s) for people's living accommodation." (National Planning Standard definition). There is no time limit on that definition so a caravan definitely falls into that definition and would therefore require resource consent.

Visitor Accommodation- "means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities" and requires a resource consent.

SPZ-PBKR- MD8 "The extent to which the residential activity and visitor accommodation activity results in adverse amenity effects on adjoining residential properties." This is good.

So as written, a caravan would require resource consent.

A resource consent should require a proper waste disposal proposal and therefore compliance enforcement.

Under the camping ground regulation legislation.

Campground act

"camping ground means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or

parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of these regulations”

Therefore any site with two or more families or parties is a campground and must comply with the act. It would be good for the district plan to reinforce that.

As a side note if the trust leases multiple sites for this use then they themselves must compile with the campground legislation.

We seek that: we support most of this as written as long as the requirement for resource consent for all residential activities including caravans is upheld.

Additional to that”: A limit of one Caravan or Motorhome per site is added.

And that any proposed caravan or motorhome provides a waste disposal proposal.

SPZ(PBKR)-R1 to R16

We submit that: There are a large number of non residential permitted activities. They do reference SPZ-PBKR-MD1 development and scale”. That covers traffic and amenity of adjoining residential sites generally, which is good.. But does not cover hours of operation specifically. We think it should. It also does not cover parking specifically. We note that Featherstone ave has NO street parking. That should be mentioned specifically Settlement Zone rules cover hours of operation for some activities.

We seek that: For all non residential activities Hours of operation are included similar to the settlement zone.

For all non residential activities a parking plan is required.

For all non residential activities the number of vehicle movement is limited similar to the settlement zone.

SPZ(PBKR)-R17 Natural hazard sensitive activities on sites not listed in Appendix APP1

And SPZ-PBKRMD9

We submit that: We support the relocatable building concept.

We note that the resource consent applicants are required to provide the data to support the trigger points and rationale and that the rules themselves do not provide a prescriptive solution. This approach does allow for a number of approaches which is very good. But also this could lead to an expensive resource consent process. However, that will have the effect of raising the bar and ensuring those applicants are committed to the beach.

We do note that the WDC has a report from Jacobs that might help in compiling a resource consent. Also that the 100year coastal flood depths are clearly 100 year planning timescale so a floor level above those would comply by itself.

There is also a requirement to consider council infrastructure. We imagine that a proposal to install a pumped sewer solution at a specified trigger point would comply.

We Support: SPZ(PBKR)-R17 Natural hazard sensitive activities on sites not listed in Appendix APP1

SPZ(PBKR)-BFS5 Internal boundary landscaping for non-residential activity

We submit that: The requirement for “any landscape strip required in (1) .shall include a minimum

of one tree for every 10m of shared boundary or part thereof, spaced at a maximum distance of 5m with the trees to be a minimum of 1.5m in height at time of planting” will lead to unwanted shading to a property on the south. What is one person's picturesque tree in another shading monster. Trees are a major cause of neighbourly disputes so this rule will lead to many problems.

We Seek: delete the requirement for” 1.5m trees at time of planting”

Natural Hazards

NH-R15 Natural hazard sensitive activities within the urban environment

We submit that: We note the change to flood assessment certificates as a method of compliance and also that outside of that becomes a restricted discretionary activity “ NH-MD4 - Natural hazards coastal matters” If the flood levels on the interactive maps are close to the required floor level for the coastal flood assessment certificate then it is more likely a restricted discretionary solution will be required.

NH-S2 Coastal Flood Assessment Certificate

We submit that: The use of 500mm of freeboard on top of the calculated flood level seems excessive in real terms. Especially in the coastal flooding scenario where 1m is the predicted sea level rise for 100 years on a progressive scale so 500 mm is a full 50% on top of that in 100 years time and more than 100% more in say the 50 year life of an average building.

“D the minimum land level shall equal:

the flooding level predicted to occur in a 1% AEP (1 in 100-year) Storm Surge Event concurrent with a 5% AEP (1 in 20-year) River Flow Event with sea level rise of 1m based on an RCP8.5 climate change scenario;

the minimum land and floor level combination shall equal:

land filled to be within 300mm of the required land level under (d); and

a floor level that meets the minimum level specified in NH-S1.”

This reads that the land must be built up to the 100 year flood level and within 300 of the floor level. When some of the levels talked about on the interactive map are around 2m. This is a very bad idea. Even of much lesser levels.

The reasons are four fold.

- If the land is built up to that required level it will certainly discharge surface stormwater across the boundary to an adjacent existing level property.
- The land would require very expensive retaining and with that some serious engineering problems to support the building if within the standard setback. Imagine a 2m retaining wall on a boundary.
- The extra load of the locally built up land will cause pressure on the thin crust and liquefaction problems for the neighbouring property.
- When the stopbank was much lower, most overtopping events in the past only occurred for a very short time at high tide and never reached a full level. Any build up of the land displaces that water and raises the depth of the flooding on other properties.

- For a new subdivision having the land built up is potentially a good idea. But amongst other properties it is not. While a different solution might be achievable through as a restricted discretionary pathway this land height rule should not be in the overall standard.

The levels on the coastal interactive map are questionable when across our flat lawn there is nearly 700mm difference.

We Seek: a review of the 500mm freeboard in the calculation for the coastal flood assessment certificate.

Removal of the land height requirement for anything but a new subdivision.

Continued review of the accuracy of the map data.

We thank you for your time in reading this submission.

regards

Tim Stephenson

Land Subcommittee

Pines and Kairaki Beaches Association

Our Community has been very involved in this process. The following people have reviewed and support this submission.

Ron and Ruth Crone

Matt and Tamara Toms

Peter Midgley

Maree Nicholson

Diane Smith

Darrel Jones

Heather Smyth

Daniel Bridge

Barry and Monique Moir

John Boote

Lisa Young

Gary Boote

Graeme Galaway

Kayla Milnes

Leonie Austin

Sarah Prictard

Steve Burke

Paula McLean

Peter Robinson

David Woods

Jacinta and Eddie Sutherland

Helen Moore

Stan and Carol Price

Wendy and John Milne

Nic and Bridget Leggett

Mandy Cooke