
Submission on Waimakariri District Council - Proposed District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Waimakariri District Council - Development Planning Unit

Date received: 18/11/2021

Submission Reference Number #:54

This is a submission on the following proposed plan (the **proposal**): Waimakariri District Council - Proposed District Plan

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Attachments:

San Dona Points for discussion v2.docx

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I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you 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 effects of trade competition

- **No**

Submission points

Point 54.1

Section: LLRZ - Large Lot Residential Zone

Sub-section: LLRZ - Large Lot Residential Zone

Provision:

The purpose of the Large Lot Residential Zone is to provide residential living opportunities for predominantly detached residential units on lots larger than other Residential Zones. The Large Lot Residential Zone are located near but outside the established townships. Some opportunity is also provided for rural activities where the effects of these activities will not detract from the purpose, character and amenity values of the residential zone.

There are particular landscape characteristics, physical limitations or other constraints to more intensive development. Any opportunity for intensification is reliant on sites being appropriately serviced, natural hazard risk being managed and the density requirements for rural residential development directed by the RPS being achieved.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Sentiment: Amend

Submission:

That the San Dona Olive area be rezoned "Residential Large Lot Zone"

Relief sought

That the San Dona Olive area be rezoned "Residential Large Lot Zone"

San Dona Points

Reasons to support subdivision

1. All of Mandeville (except San Dona) is proposed to be in a Large Lot Residential zone. San Dona is within the Mandeville Growth Boundary but is proposed to be in a Rural Lifestyle Zone, which has a minimum lot size of 4.0ha. The existing lots in San Dona are between 1.4 and 1.6 Ha, which is closer in size to the Large Lot Residential zone size.
2. Notwithstanding the glossy dreams of the developer back in 1998, 1.5 ha is simply not productive for most rural activities. The olive experiment has generally not been a success, the climate is too hostile and the wrong varieties were recommended for planting
3. It was suggested that olives are an easy low-care crop. This has proven to be incorrect. People with employment in the city and children found it almost impossible to keep up with the workload required to correctly manage the groves.
4. A now infamous spreadsheet was supplied by San Dona Olives Ltd that showed income of between \$17,470 and \$78,870 would be achieved by 2007. No property made anything remotely like these predictions.
5. San Dona Ltd, of course, was careful to avoid any liability whatsoever, by inserting a complete non-liability clause in all their sale agreements. To cite: *"10. The Owner warrants that it has not relied on any representation made by or on behalf of the Company which has not been expressly stated in this deed or upon any publicity material or brochures produced by or on behalf of the Company"* Caveat Emptor applied here.
6. The WDC Council approved the development of current smaller (1.5ha) lot sizes within a rural zone based on financial success of an unproven concept, based on a property developers proposal. Council erred in granting 1.5ha lots, by not performing due diligence on this novel proposal. Seeking ways to remedy the situation now would be the morally correct way forward.
7. A number of San Dona owners are now elderly (70 plus) and have well established and attractive grounds. They like the area, and would like to remain there, however, in many cases, 1.5 ha is now too much to maintain as they would like. If subdivision was approved, such owners could remain there, while helping to satisfy the demand for more dwellings in a pleasant and already well-developed area.
8. San Dona (apart from mature landscaping, and trees) is indistinguishable in appearance from all the other surrounding Large Lot Residential subdivisions. It has all the trappings of residential zones, such as:
 - WDC provided water reticulation
 - Sewage reticulation
 - A popular, thriving and now expanding retail centre
 - Stormwater swales and drains (albeit there is a fair amount of remedial work required)
 - Street lighting

- The Mandeville Sports Centre acts as a de-facto local hall and community centre and is looking to expand.
- Gate-side waste and recycling bins.
- A 50kph speed limit.

Nearly all of these attributes are not present in Rural Areas.

9. The San Dona area is largely free from natural hazards such as earthquakes, climate-change driven sea level rises and Tsunamis. It performed well in the 2010 and 2011 earthquakes.

10. Objective 01 of the Large Lot Residential Zone in the Proposed District Plan seeks a high quality, low density residential zone with a character distinct to other residential zones so that the predominant character:-

1. Is of low density detached residential units set on generous sites;
2. Has a predominance of open space over built form;
3. Is an environment with generally low levels of noise, traffic, outdoor lighting, odour and dust and
4. Provides opportunities for agriculture activities where these do not detract from maintaining a quality residential environment but provides limited opportunities for other activities.

11. San Dona has already achieved most of these objectives, and allowing a modest amount of subdivision will not significantly detract from them.

Potential Problems that may complicate subdivision

12. From anecdotal evidence, council assessments and reports and local experience, it appears that the San Dona sewage STEP system is fragile. The following problems are a partial list.

- a. Septic tanks of varying standards and quality
- b. Pumps of varying standards and quality
- c. Brittle and deteriorating PVC pipework
- d. Pipework that may not be the correct size.
- e. Levels of pipework being uneven
- f. Very few control and sluice valves in the network.

13. The WDC property file is of little use in getting to the bottom of all this. On examining ours a crude sketch was the only documentation held, with a penscript comment "Oasis Z54" After the disastrous events in the 2014 flooding, an Oasis field service engineer was adamant that our tank was NOT an Oasis tank of any age, or, model.

14. Therefore it is my belief, supported by WDC documentation, that the San Dona septic STEP scheme may have a relatively limited life. Furthermore, it has been suggested by WDC staff that it is near the limits of its capacity, and probably a 10-15% increase only could be supported. If this is proven to be correct, significant and costly remedial work may be required.

15. If any such remedial work is generated by infill subdivision, it is quite unfair to expect the cost to fall on existing property owners. There are a number of property owners who do not wish to

subdivide, or do not intend to in their tenure here. Therefore any such costs should properly be met by 100% contributions from new purchasers.