

## Further Submission on Proposed Waimakariri District Plan

*Under Clause 8 of the First Schedule, Resource Management Act 1991*

To: Waimakariri District Council  
By email: developmentplanning@wmk.govt.nz

Submitter: Macrae Land Company Limited (**MLC**)  
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- 1 MLC made a submission (Submitter #409) on the Proposed Waimakariri District Plan (the **PWDP**) in relation to the Mill Road Development Area.
- 2 MLC is a person who has an interest in the PWDP that is greater than the interest that the general public has as a landowner with property within the Mill Road Development Area which is the subject of the submissions addressed in this further submission.
- 3 This further submission on the PWDP:
  - (a) Supports in part relief sought by Ngaire Wilkinson (Submitter #23.1) and
  - (b) Supports in part and opposes in part relief sought by Laurie and Pamela Richards (Submitter # 289.1);
  - (c) Supports the relief sought by Ministry of Education (Submitter #277.66); and
  - (d) Opposes the relief sought by Reece Stuart MacDonald (Submitter #308)as specified and for the reasons set out in **Appendix 1**, attached.
- 4 In addition to the specific reasons set out in Appendix 1, the relief sought by MLC in this further submission:
  - (a) will promote sustainable management of resources and achieve the purpose and principles of the Resource Management Act 1991 (RMA);
  - (b) represents the most appropriate way to achieve the objectives of the PWDP in terms of section 32 RMA;
  - (c) will assist the Council in carrying out its statutory duties under the Resource Management Act 1991 (RMA) including the integrated management of the effects of the use, development, or protection of land;
  - (d) will give effect to the National Policy Statement for Urban Development; and
  - (e) will give effect to the Canterbury Regional Policy Statement.

- 5 MLC wishes to be heard in support of its further submission, and will consider presenting a joint case with others presenting similar submissions.

A handwritten signature in black ink, appearing to read 'S Schulte'.

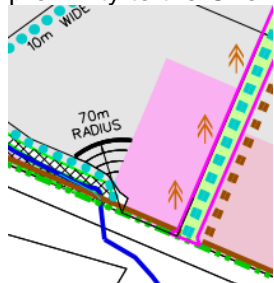
Macrae Land Company Limited  
Signed by its duly authorised agents  
Anderson Lloyd  
Per: **Sarah Eveleigh / Sarah Schulte**

## Appendix 1

<b>This further submission is in relation to the original submission of:</b>	<b>The particular parts of the original submission I/we support/oppose are:</b>	<b>My/our position on the original submission is:</b>	<b>The reason for my/our support/opposition to the original submission are:</b>	<b>Allow or disallow the original submission (in full or in part)</b>	<b>Precise details of the submission to be allowed / disallowed – decision sought:</b>
Ngaire Wilkinson #23.1	Amend the built form standards for site density (DEV-MILL-BFS1) and the ODP to provide that the Area B achieves a minimum lot size of 2,500m <sup>2</sup> and an average allotment area of not less than 4,000m <sup>2</sup> .	Support	<p>This is consistent with MLC's submission that there is no reason to distinguish the lot sizes within the Mill Road Development Area from the rest of the LLRZ (as provided for in SUB-1).</p> <p>Similar minimum lot sizes are provided for across Ohoka, including within the adjacent Bradleys Road Development Area.</p> <p>The lower average allotment area will enable efficient development of the Mill Road Development Area.</p>	Allow	Amend the built form standards for site density (DEV-MILL-BFS1) and the ODP to provide that the Area B achieves a minimum lot size of 2,500m <sup>2</sup> and an average allotment area of not less than 4,000m <sup>2</sup> .

Laurie and Pamela Richards #289.1	Amend DEV-MILL-BFS2 to include new standards:  (4) <u>The integrity of the Mill Road ODP roading network shall be maintained to enable future subdivision of other land serviced by the roading network in the manner anticipated by the ODP.</u>	Support in part	MLC supports the intent of a new standard to maintain the integrity of the Mill Road ODP roading network to enable future development, subject to amendments to better clarify the requirements of the standard.  The proposed wording ("integrity... shall be protected") is insufficiently clear to enable objective and unambiguous assessment of what the standard requires and whether it is met. MLC considers amendment is required to confirm the specific requirements of the standard.  For example, if the intent is to ensure that any accessways formed in the location of ODP roads are consistent with the District Plan standard for a local road that will support all development which is to connect to that road, that is what the standard should require.	Allow in part - with amendment	Include a new standard within DEV-MILL-BFS2 relating to the ability of the road network to support future development within the Mill Road Development Area, which is appropriately worded to establish a clear standard.
	Amend DEV-MILL-BFS2 to include new standards:  (5) <u>Any subdivision application shall include the written approval of any other land owners within the Mill Road ODP where the application may</u>	Oppose	MLC opposes the inclusion of this requirement for written approval. The Resource Management Act 1991 ( <b>RMA</b> ) already prescribes tests for identification of affected parties. If this amendment is allowed there is potential for uncertainty regarding the extent to which this	Disallow	Disallow this submission point in its entirety.

	<p><u>adversely affect the land owner's ability to service future residential development of their land in the manner anticipated by the ODP.</u></p> <p>Amend DEV-MILL-BFS2 to include an Advice Note: <u>Notification: An application for a non-complying activity under DEV-MILLBFS2 (4) and (5) this rule is precluded from being publicly notified, but may be limited notified, including to other land owners within the Mill Road ODP who might be adversely affected by the application</u></p>		standard (which requires written approval "where the application may adversely affect the land owner's ability to service future residential development of their land") is different from the test for affected parties under the RMA.		
Reece Stuart MacDonald #308.1 #308.2	<p>Delete the potential Character Street with Landscaping and Planting provisions from DEV-MILL-APP1 if Kintyre Lane is not formed as a Public Road.</p> <p>Delete the potential Primary Pedestrian and Cycle Route if Kintyre Lane is not formed as a Public Road.</p> <p>Amend DEV-MILL R1 so that the activity status when compliance is not</p>	Oppose	<p>The Potential Street shown on the ODP is necessary to enable development of the Mill Road Development Area. The ownership of Kintyre Lane currently prevents this being formed as Public Road or otherwise being used to access any new allotments.</p> <p>The matters raised in the submission (design of the submitters' property and maintenance of the submitters hedging) are not matters that</p>	Disallow	Disallow this submission point in its entirety.

	achieved is non-complying.		<p>should affect the use of adjoining property</p> <p>MLC opposes the amendment to the activity status where R1 is not achieved. Non-complying status is unnecessary and is inconsistent with the approach taken to other development areas.</p>		
Reece Stuart MacDonald #308.3	Amend DEV-MILL-BFS2 (item 3) to require provision for a road connection to the lands to the north in the location identified on DEV-MILL-APP1 only in the event that Kintyre Lane is formed as a Public Road.	Oppose	The ownership of Kintyre Lane currently prevents this being formed as Public Road or otherwise being used to access any new allotments. The amendment sought will prevent further development across the majority of the Mill Road Development Area.	Disallow	Disallow this submission point in its entirety.
Ministry of Education #277.66	Amend DEV-MILL-BFS3 to clarify location of Area C (building restriction area)	Support	<p>Area 3 is shown on the ODP in the operative District Plan, in proximity to the Ohoka Stream:</p>  <p>Area C recognises and protects vegetation in this location and should be reinstated in the Mill Road ODP.</p>	Allow	Identify Area C in DEV-MILL-APP1 – Mill Road Ohoka ODP (as referred to in DEV-MILL-BFS3) in the same location as currently identified in the operative District Plan - Mill Road ODP.