

24 November 2021

Our Ref: 2689-21

Waimakariri District Council
Private Bag 1005
Rangiora 7440
Attention: Proposed District Plan Submission

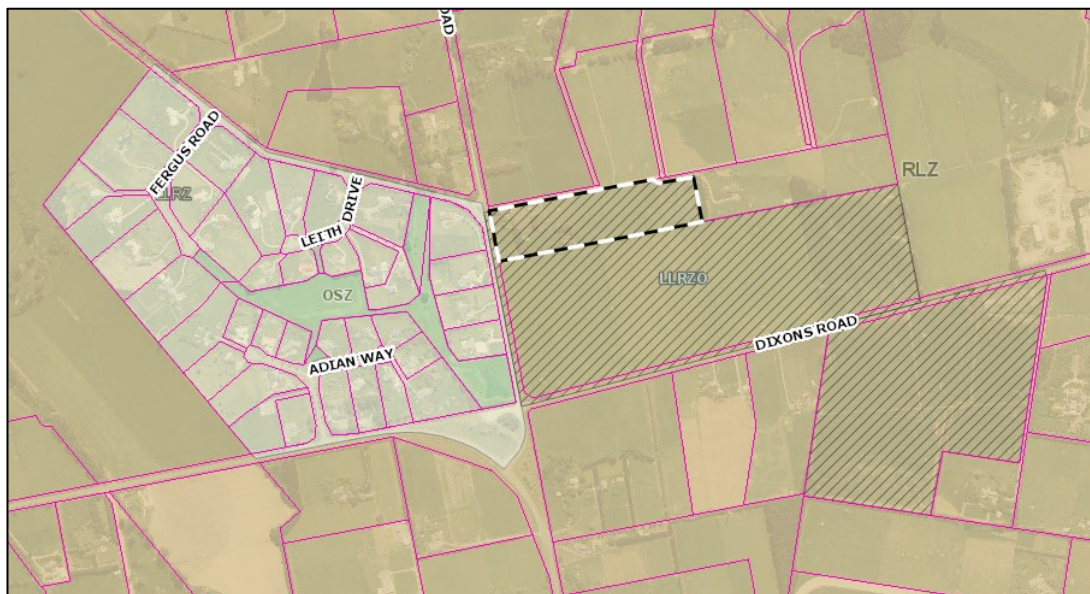
VIA EMAIL: developmentplanning@wmk.govt.nz

To whom it may concern:

SUBMISSION ON A PUBLICLY NOTIFIED PLAN: PROPOSED WAIMAKARIRI DISTRICT PLAN

INTRODUCTION:

1. This submission is made in accordance with Clause 6 of Schedule 1 of the Resource Management Act 1991 ("**RMA**") in the prescribed form (Form 5).
2. The Proposed Waimakariri District Plan ("**Proposed Plan**") was notified on 18 September 2021.
3. This submission is on the Proposed Plan and relates to the property located at 308 Cones Road, Ashley. The site is legally described as Lot 3 DP 386430 as held in the Record of Title 345976 with a land area of 4.085ha ("**the property**"). The submitter is authorised to make this submission on behalf of the property owner.
4. The context of this submission relates to the property and the surrounding land.
5. The submitter has an interest in the Proposed Plan as a whole, and as such, this submission relates to the Proposed Plan in its entirety, including the general provisions, district-wide matters, and area specific matters.
6. The submitter could not gain an advantage in trade competition through this submission.
7. Under the Proposed Plan, the property is zoned *Rural Lifestyle*, within a *Large Lot Residential Zone Overlay*. The property is indicated in the figure below.



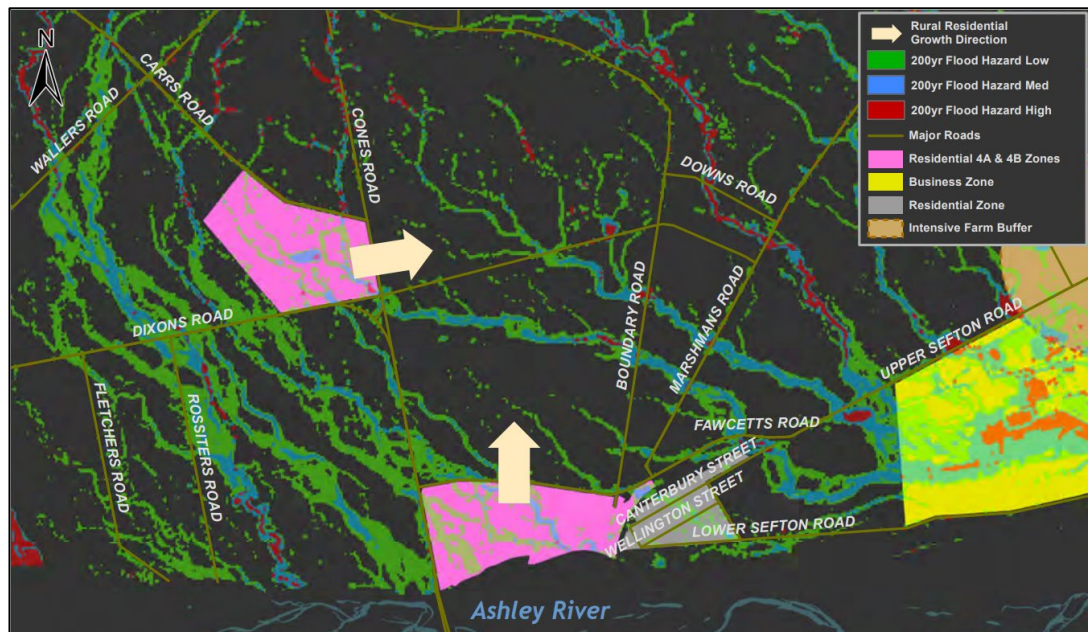
REASONS FOR THE SUBMISSION

8. The submitter supports the position embedded in the Proposed Plan that recognises its land is within a “highly modified landscape strongly influenced by fine grained patterns and processes of human induced activity” (proposed policy RLZ-P1) and where it provides for future residential development within a rural setting.
9. The submitter also supports the notion of rural residential intensification of the property and surrounds, as supported by the Waimakariri Rural Residential Development Strategy (June 2019)¹. Notably, the strategy identifies a number of strengths that support further rural residential development in the Ashley (and Loburn) areas, including:
 - No issues relating to liquefaction or coastal hazards
 - Well connected to Rangiora via upgraded Ashley Bridge
 - Existing local community hall and very close to Rangiora’s abundant community facilities and social infrastructure
 - Close proximity to retail, services and industrial activities available in Rangiora
 - Proximity to local employment opportunities available in Rangiora
 - No nearby intensive farms
 - No nearby mapped protected trees/notable plants, vegetation and habitat sites, heritage sites, wāhi tapu sites, wāhi taonga sites or silent file areas
 - Ability to connect to reticulated wastewater, provided a sufficient number of new lots is planned to make it viable, with existing capacity in the network
 - Clear from flood hazard shown in Environment Canterbury’s Ashley River breakout modelling

¹ https://www.waimakariri.govt.nz/data/assets/pdf_file/0035/69686/Rural-Residential-Development-Strategy.pdf

- Vast support for more rural residential development at Ashley/Loburn through submissions on the draft Strategy.

- The figure below is an excerpt of Figure 8 of the strategy, showing the Ashley / Loburn rural residential growth directions. The submitter's property lies within the area to the east of the pink Residential 4A and 4B zones, indicated as the 'growth direction'.



- The submitter is concerned however, that through the proposed objectives, policies and rules of the Proposed Plan, the Rural Lifestyle zoning is lacking detail and process towards achieving the anticipated future residential development, ultimately leading to an inefficient outcome in terms of section 32 of the RMA *in its current form*.
- The submitter seeks amendments to the Proposed Plan to give effect to the outcomes intended by the Large Lot Residential Zone for 308 Cones Road and the surrounding properties, namely for this land to provide for residential development that falls within the type of development anticipated in an *Urban Environment* (as defined). The provisions – as notified – effectively maintain the status quo of the existing environment (being a 4ha allotment with one dwelling) and direct an Outline Development Plan (“ODP”) process which (seemingly) would require a costly and time-consuming private plan change to implement. This outcome is inefficient and does not serve to achieve a sound resource management purpose (such as, for instance, landscape protection, the avoidance of inappropriate development, or the enablement of productive land uses).
- There is no guidance in the Proposed Plan as to how an ODP is to be developed and advanced, notably with no rule framework in place to enable the outcome set in Policy UFD-P3 (Identification/location and extension of Large Lot Residential Zone areas). This will lead to inefficient and costly outcomes, and represent an inefficient use of the land resource which has already been found suitable for rural residential use in the Rural Residential Development Strategy 2019.

14. Accordingly, the submitter considers that its property is more appropriately located in a zone that recognises the site context, rural productive constraints, and its logical connection to the proposed Large Lot Residential Zone, by providing for a higher level of density of residential development on its land that can be enacted under the Plan framework, as opposed to being earmarked for uncertain future development.

RELIEF SOUGHT:

15. The submitter requests the following primary relief:
- a. that the property at 308 Cones Road and surrounding land is located within a zone that falls under the definition of **Urban Environments**², preferably being the Large Lot Residential Zone, or a similar zone that gives effect to the relief sought by the submitter as set out in this submission;
 - b. that the activity status for non-compliance with Subdivision Standard SUB-S1 in the Large Lot Residential Zone be amended from Non-Complying to Restricted Discretionary, with the matters of discretion being those set out in SUB-MCD1 to MCD13 (where relevant, and with all necessary amendments to properly give effect to the relief sought by the submitter);
 - c. amendments to the objectives, policies and other provisions of the Proposed Plan to enable the efficient and effective residential subdivision and development of the land; and
 - d. any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps (including overlays, zonings and urban demarcation boundaries), issues, objectives, policies, rules, controls/discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission, and enable a clear, efficient, cost-effective consenting process to achieve residential development on the property and surrounds.
16. The submitter requests the following secondary relief:
- a. that all land located within the Large Lot Residential Zone *overlay* in the Proposed Plan is specifically included within the urban zonings and provisions in the Proposed Plan (including by having specific reference to the overlay by amending the definition of **Urban Environments**);

² means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- a. is, or is intended to be, predominantly urban in character; and
- b. is, or is intended to be, part of a housing and labour market of at least 10,000 people.

For Waimakariri District, the urban environment described in (a) and (b) comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ohoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).

- b. a new policy is included in the Rural Lifestyle Zone enabling the development of an Outline Development Plan within land in the Large Lot Residential Zone *overlay*;
- c. that a new rule is included in the Rural Lifestyle Zone (and any other related chapter as necessary, including the subdivision section) that provides for the provision of an ODP to be provided by way of resource consent as a Restricted Discretionary Activity, with associated matters of discretion that direct a non-notified consenting process without the need to obtain the approval of affected persons; and
- d. any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps (including overlays, zonings and urban demarcation boundaries), issues, objectives, policies, rules, controls/discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission, and enable a clear, efficient, cost-effective consenting process to achieve residential development on the property and surrounds.

17. Providing for the relief sought will:

- a. result in a zoning of the property and surrounding land that is reflective of the landscape character and development patterns;
- b. be consistent with the Council's adopted Rural Residential Development Strategy 2019;
- c. will provide a clearer path for development than the proposed 'overlay' for future development, which introduces high uncertainty and cost to the submitter;
- d. enable development forms to follow the logical patterns of the adjoining Large Lot Residential Zone and to springboard from the efficiencies from this proximity with respect to infrastructure servicing (noting that this land will be connected to the Rangiora reticulated network by a new wastewater main within the next 3 years);
- e. optimise the use of the land resource;
- f. maintain a sufficient supply of housing and supporting economic growth in the district, contributing to social and economic well-being of communities and meet reasonably foreseeable needs for housing;
- g. meet the reasonably foreseeable needs of future generations;
- h. represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means;
- i. give effect to the Canterbury Regional Policy Statement and National Policy Statement for Urban Development.
- j. promote the sustainable management of natural and physical resources, will be consistent with Part 2 of the RMA and ultimately achieve its purpose.

18. The suggested revisions contained in this submission do not limit the generality of the reasons for the submission.

19. The submitter wishes to be heard in support of its submission.
20. If others make similar submissions, the submitter will consider presenting a joint case at any hearing.
21. The submitter's address for service is:
- A. Carr
c/- Town Planning Group
PO Box 35
Christchurch
22. Documents for service on the submitter may be sent to that address for service or may be emailed to brett@townplanning.co.nz. Service by email is preferred, with receipt confirmed by return email.

Brett Giddens
On behalf of A. Carr

24 November 2021