

Attn: Waimakariri District Council

Hearing Stream 12C Section 42A Reporting Officers

5 July 2024

**Proposed Waimakariri District Plan: and my Submission # 263 (to rezone a block of land just east of Woodend and south of Pegasus to LLRZ).**

This memorandum is in response to:

- **Section 42A report for Stream 12 C** dated 23 May 2024.
- **Council Officer's Preliminary Response to written questions on Large Lot Residential Rezoning on behalf of Waimakariri District Council** dated 27 June 2024

**Need for more RRLZ properties in Waimakariri District**

By rejecting applications to rezone to LLRZ that are not included in the RRDS, the Section 42A report for Stream 12C contradicts Minute 28 of the Hearing Panels' preliminary questions for the Section 42A report authors for Hearing Streams 12A and 12B (the outcomes of which should be consistent with Hearing Stream 12C) that includes the following:

*... that failing to provide sufficient capacity to meet that location specific demand for this type of development may conflict with the following objectives and policies in the NPS-UD:*

- a) Objective 2 (improve affordability and supporting competitive land and development markets);*
- b) Objective 3 (enabling more people to live in areas where there is high demand relative to other areas);*
- c) Policy 1 (meet needs in terms of location); and*
- d) Policy 2 (provide at least sufficient capacity to meet expected demand).*

Paragraphs 9 to 13 of the [evidence of James Twiss](#) submitted by Crichton Developments demonstrates the need for a greater supply of RRLZ properties. Rodney George Yeoman on behalf of Waimakariri District Council, see [this link](#), offers a different view to James Twiss. In the same document (from para 3.7) Rodney Yeoman also disagrees with Mr Colegrave's evidence on the supply of RRLZ properties around the situation in Mandeville. It appears that an independent expert is required to determine the future levels of demand for RRLZ properties as there is a difference in view between Rodney George Yeoman acting on behalf of the WDC, and other experts acting on behalf of submitters.

Rodney George Yeoman (on behalf of Waimakariri District Council) does not appear to take into consideration that the demand for RRLZ properties is directly impacted by the cost of available RRNZ properties, a key driver of which is the level of supply, which has been historically low, and then generally available in parts of the Waimakariri District where demand levels are low. WDC

should facilitate the supply of a generous amount of RRLZ properties to come onto the market in areas that are in demand: there is general consensus that the high demand areas are around Kaiapoi, Woodend and Rangiora, however the current and historical limited supply of properties available to people wanting a lifestyle block (including 10 acre properties) is generally further west (eg Oxford) or further north (eg Loburn). We, together with others in our neighbourhood who own 10-acre blocks regularly have people commenting that they would love a lifestyle block, but there are none available, or they are exorbitantly expensive (due to limited supply) therefore they resign themselves to purchase a residential property. Like us, most people living in our area on 10-acre blocks are only utilising around an acre, with the remaining area of their properties (which have low grade soil) lying idle.

### **The Section 42A report rejected submissions to rezone areas to RRLZ if they had not been included in the Waimakariri RRDS**

On page 9 of the Council Officer's Preliminary Response (dated 27 June) Mr Buckley notes:

*The determination of whether a rezoning request contributed towards a well-functioning urban environment with respect to NPS-UD Objective 1 and Policy 1, consideration was given to a range of factors, some are detailed in assessments in the S42A LLRZ Rezoning officer report. In particular these include those listed in Policy 1(c), and those that meet RPS Policies in Chapter 5 and 6, which include:*

- *occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;*
- *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport;*
- *adverse effects are avoided, remedied or mitigated, including natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards;*
- *economically provided with a reticulated sewer and water supply integrated with a publicly owned system, and appropriate stormwater treatment and disposal;*
- *avoid development which connects directly onto a strategic or arterial road;*

In selecting four areas for rezoning to LLRZ, the RRDS did not demonstrate how these areas more closely meet the above criteria (in italics) than other available options. For example, when developing the RRDS how did the council transparently demonstrate that the four areas identified in the RRDS for LLRZ contribute more effectively towards "a well-functioning urban environment" when compared to the area proposed by Malcolm Clemence in his submission dated 5 April 2019 for the RRDS review (see attached) which took place in 2019 to update the council's RRDS. In my view the council's current RRDS has identified areas for LLRZ (eg near Oxford) that have inferior "access to existing services, public transport networks, and infrastructure" than the area identified by Malcolm Clemence, which is similar to the area covered by my submission #263. The onus is therefore on the WDC to demonstrate that the areas selected in the RRDS were superior to other alternatives submitted as part of the RRDS review.

**S42A report noted that Submission #263 had no supplementary evidence / clarification whether LLRZ is residential or rural in nature.**

The Section 42A report notes that no supplementary evidence was provided with Submission #263, this was because in my view it didn't make sense to spend a considerably large sum of money to gather evidence from experts because during the consultation process for the WDC District Plan I was informed by Council staff that going forward only land that was included in the RRDS for rezoning to LLRZ would be eligible for this rezoning. This is consistent with the points made in the S42A Report for Stream 12C where several rezoning applications were rejected because, as noted in the S42A report: *"The proposed rezoning is inconsistent with Policy 6.3.9 RPS, as it is not part of an area that have been identified in a RRDS"*. This view was challenged by the Hearing Panel for Stream 12C which, when asking questions regarding the S42A report, noted that: *"You will need to clearly set out your rationale as to how that particular areas were or were not considered through the RRDS means that they cannot now be considered for rezoning now, particularly considering Objective 6 and Policy 8 of the NPS-UD"*. Mr Buckley's response on 27 June noted that Objective 6 and Policy 8 do not apply as they are aimed at residential zones and that in his view RRLZ is not residential but rural. The Hearing Panel should investigate this carefully. Based on the factors set out by Mr Clemence in the attached letter, and the *"Table 1. Defining Urban Environment within the context of Waimakariri"* proposed by Mr Buckley, the area covered by my submission 263 falls more closely under the residential definition when compared to the four areas identified for LLRZ in the RRDS.

In my view *"Table 1. Defining Urban Environment within the context of Waimakariri"* from the submission by Mr Buckley dated 27 June 2024 is a yardstick that has been introduced in response to the Hearing Panel questions on the applicability of that Objective 6 and Policy 8, and hence should be used to evaluate the four areas proposed for LLRZ in the RRDS, together with other applicable submissions for LLRZ rezoning, to determine which areas best fit how "Urban Environment" has been defined. This will provide a more effective process of ensuring that land that is most suitable for LLRZ rezoning is identified. It will also help ensure that the aims of Objective 6 and Policy 8 of the NPS-UD are achieved.

### **Woodend RRLZ applications need to be reviewed holistically.**

All the applications to rezone to RRLZ located east of Woodend need to be reviewed holistically. On page 34 of the above Council Officer's Preliminary Response (dated 27 June) Mark Buckley notes:

*"I generally agree with the approach taken in the assessment that those properties that may bound the proposed (Woodend) bypass would be larger and may contain more green space<sup>11</sup>. Although I note that Council received a number of rezoning requests for most of the land between Woodend and the proposed bypass and a more integrated approach towards land use across the entire area could produce a better planning outcome"*.

I agree with the above suggestion regarding an integrated approach, and assume that it would include the area covered by submission 263 (excluding the bypass) as this area is in close proximity to, and could potentially be integrated with the Copper Beech Development, the LLRZ close to the Pegasus golf course (20 Te Haunui Lane, Pegasus), around 50 larger lots (1500-3500sqm) surrounding the Pegasus golf course, as well as the Woodend and Pegasus residential areas.

## **Reverse sensitivity Woodend Bypass**

The memorandum prepared to provide technical evidence to support Submission #191, available on the Waimakariri District Council website via this [link](#) covers a number of points that are also relevant to my Submission 263, including the following related to reverse sensitivity re the Woodend Bypass:

*It is noted that the Woodend Bypass is proposed to be aligned to the south of the Subject Site, as reflected in the alignment of Designation NZTA-3, proposed to be rolled over into the PWDP. The separation distance between the designation corridor and the Subject Site ranges from 53m – 136m. Whilst vehicle noise from the bypass may be heard by future occupants on the subject site, the designation is similarly proximate to new growth areas northeast of Woodend, and any reverse sensitivity effects from new development on the Subject Site will not be dissimilar to those generated by future residential development in Woodend, which is reflected in the PWDP zoning. The 30m wide esplanade reserve extending from Wai Hora Stream will provide a further separation between future dwellings and the bypass.*

Kind regards

Paul Marambos

221 Gladstone Road, Woodend



5 April 4, 2019

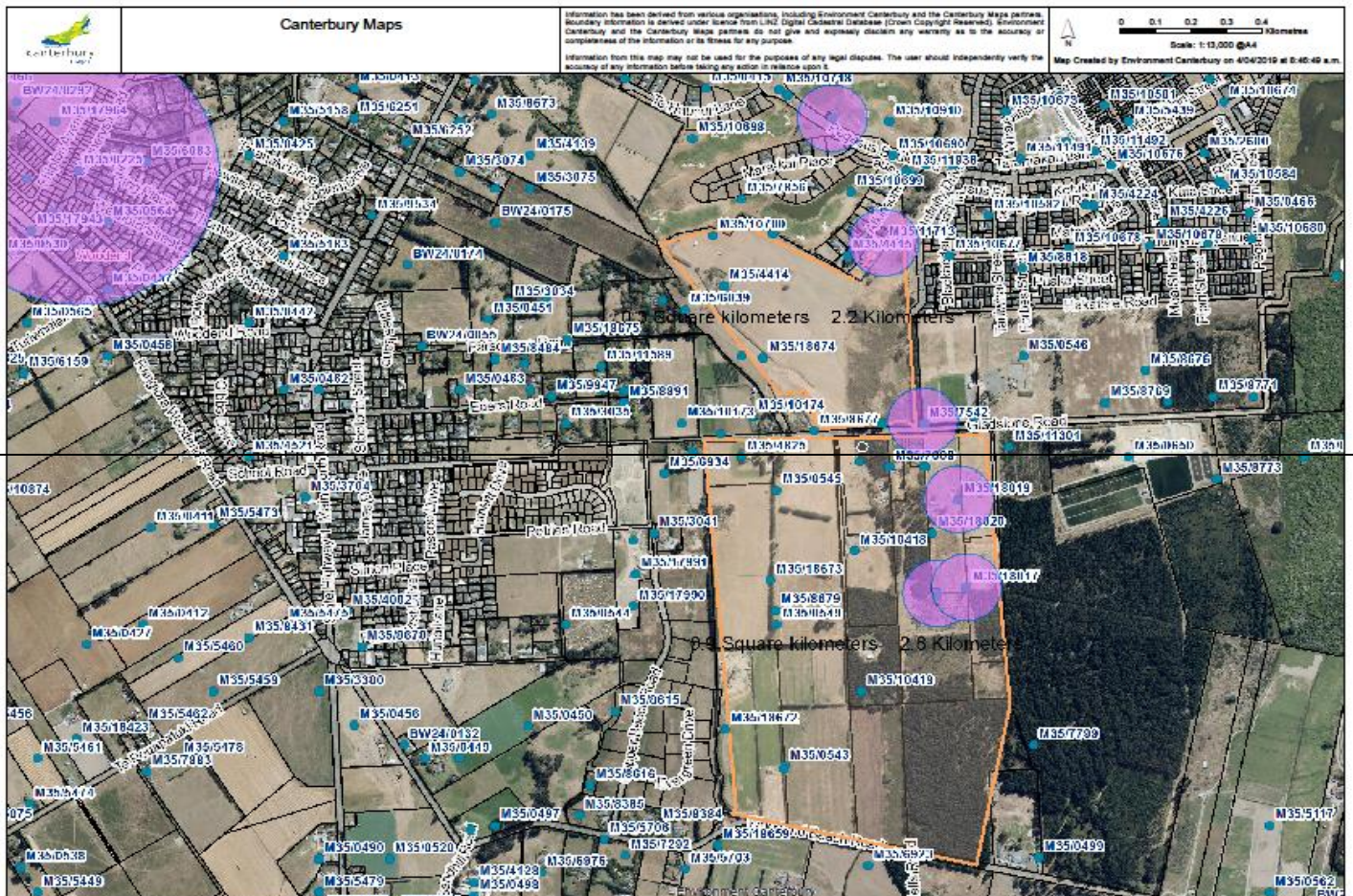
Rural Residential Development Strategy  
Waimakariri District Council  
Freepost 1667  
Private Bag 1005  
Rangiora 7440

Thank you for the opportunity to enter a submission for the RRDS review.

We have lived in the Woodend/Pegasus area on Gladstone Road for 15 years, pre Pegasus beginning. In this time we have seen the growth in our area lead to a change from a rural setting to the area of Gladstone Road becoming substantially built up, with the most recent subdivision of Two Roads being zoned residential, Copper Beach zoned rural residential 4a, Pegasus Township and Pegasus Rural bordering Gladstone Road.

This growth has seen a significant increase in the recreational use of Gladstone Road for walking and cycling. I am pleased to see the council has recognized this and are soon to install a cycle way on Gladstone Road linking Woodend to the recreational facilities of Gladstone Park, the new dog park and Tutaepatu Trail.

Our submission is to include areas shown on the map below (marked in orange) and attached along Gladstone Road for future rural residential 4a zoning to provide a developed rural link between Woodend, Pegasus and the communal Gladstone Park Facilities. This area would be linked to exiting Pegasus Rural and Copper Beach rural residential zoning 4a.



The proposed area has substantial quality of life benefits being within walking/cycling distance to the dog-park, Woodend beach, Pegasus beach, Tutaepatu Trail and Gladstone Park which is home to community clubs such as Woodend Tennis Club, Woodend Netball Club, Woodend Rugby Club and with further development of Gladstone Park other clubs are likely to be formed in the future.

The Area is within walking distance of both Pegasus town and Pegasus School where our children currently walk to. Woodend town ship and Woodend School are also within walking distance of the proposed area giving two options of schooling and services. Being in a close proximity, gives the option of walking or cycling reducing vehicle movements per day compared to some of the other proposed locations which have larger separation distances from services and schooling.

The Gladstone proposed area has excellent access to existing infrastructure. Woodend and Pegasus deep aquifer water supplies are highlighted on the map by pink circles giving minimal extra water reticulation required. The Ashley Groundwater Allocation Zone (GWAZ) has additional availability for future water take unlike the Eyre Zone which is over allocated with rising nitrate levels in groundwater.

The Sewerage main line runs down Gladstone road giving good access to sewer, this is then discharged by means of the Waimakariri district council's modern ocean outfall completed in 2006 which has the capacity for increase in this area. The proposed area is free draining for storm water having free running gravels close to the surface.

The map included does not show the Woodend bypass. The Bypass should not have a major impact on linking the communities via residential rural 4a as it will have over bridges on both Beach Road and Gladstone Road giving the same access as currently available to pedestrians and cyclists continuing access to Gladstone recreation area for Woodend residents.

Regards

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