

**Submission on Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.**

**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:** Timaru District Council - Planning Unit

**Date received:** 14/12/2022

**Submission Reference Number #:**32

This is a submission on the following proposed plan (the **proposal**): Proposed Timaru District Plan - He Po. He Ao. Ka Awatea.

**Submitter:**

Milward Finlay Lobb - Andrew Rabbidge

**Address for service:**

Milward Finlay Lobb  
Milward Finlay Lobb Ltd PO Box 434 Timaru 7940  
New Zealand

**Email:** admin@mflnz.co.nz

**Submission on behalf of:**

Selbie

**Attachments:**

Submission - Selbie - Complete.pdf

**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**

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**Point 32.1**

**Section:** Planning Maps

**Sentiment:** Amend

**Submission:**

Please see attached report.

**Relief sought**

It is proposed that Lot 2 DP 473022 and Lot 3 DP 22926 should be rezoned to Rural Lifestyle Zone, as it is not of a sufficient size to be utilised for farming purposes, and there has been very limited provision for Rural Lifestyle Zone to become available with Geraldine. This request is further supported by the infrastructure required to enable FDA11 (directly opposite the subject land) to proceed and that the property is located with the 50km/hr restricted speed zone.



**milward  
finlay lobb**



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**Submission on the Proposed Timaru District Plan**

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**Client** Bruce Selbie

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**Address** 77 Main North Road, Geraldine

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**File Number** 251812/05

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**Date** December 2022

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Form 5

## Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

**Bruce Roderick Selbie**

[State full name]

This is a submission on the following proposed plan *or* on a change proposed to the following plan *or* on the following proposed variation to a proposed plan *or* on the following proposed variation to a change to an existing plan) (the 'proposal'):

**Proposed Timaru District Plan**

[State the name of proposed or existing plan and (where applicable) change or variation].

I ~~could~~/could not\* gain an advantage in trade competition through this submission.

[\*Select one.]

The specific provisions of the proposal that my submission relates to are: *[Give details]*

**My submission is:** [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- *Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or*
- *In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]*

**Please see attached report.**

**I seek the following decision from the local authority:** *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

**It is proposed that Lot 2 DP 473022 and Lot 3 DP 22926 should be rezoned to Rural Lifestyle Zone, as it is not of a sufficient size to be utilised for farming purposes, and there has been very limited provision for Rural Lifestyle Zone to become available with Geraldine. This request is further supported by the infrastructure required to enable FDA11 (directly opposite the subject land) to proceed and that the property is located with the 50km/hr restricted speed zone.**

I wish ~~(or do not wish)~~ † to be heard in support of my submission.

*[\*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*

*[†Select one.]*

**I wish to be heard in support of my submission.**

**\*If others make a similar submission, I will consider presenting a joint case with them at a hearing.**

*[\*Delete if you would not consider presenting a joint case.]*



Yes

**Signature of submitter (or person authorised to sign on behalf of submitter)**

[A signature is not required if you make your submission by electronic means]

**Electronic means**

**Date**                    **14 December 2022**

**Electronic address for service of submitter:**

**admin@mflnz.co.nz**

**Telephone:**        **03 684 7688**

**Postal address (or alternative method of service under s352 of the Act):**

**PO Box 434, Timaru 7940**

**Contact person:** [name and designation, if applicable]

**Andrew Rabbidge**  
**Licensed Cadastral Surveyor BSurv (credit)**  
**Director**  
**Milward Finlay Lobb Ltd**

**Note to person making submission**

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. 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.
2. 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 specialist knowledge or skill to give expert advice on the matter.



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## Submission on the Proposed Timaru District Plan

On behalf of Bruce Selbie, we submit the following to Timaru District Council for their consideration as part of the consultation on the Proposed Timaru District Plan.

### Introduction

- 1.0 This submission is prepared on behalf of the submitter to addresses the zoning that is proposed for 77 Main North Road, Geraldine. It is considered more appropriate to rezone the subject site to Rural Lifestyle Zone rather than General Rural.

### Site Description

- 2.0 The subject site is 5.4485 hectares of Rural 1 and Rural 2 zoned land held in one record of title situated on the outskirts of Geraldine being legally described as Lot 2 DP 473022 and Lot 3 DP 22926. An aerial view of the subject site is provided below in Figure 1.



**Figure 1 – aerial view of the subject site outlined in red. The land outlined in orange is also owned by the submitter**





3.0 The site is best described as a lifestyle block, with some ancillary buildings, an older style dwelling, mature trees and some paddocks. The eastern portion of site is flat in topography with rougher topography and lower lying land adjacent to the Waihi River. The property is considered to have very limited rural production values due to the existing allotment size and that the property is surrounded by numerous small allotments. The eastern portion of the site is classed as LUC 2 land.

The site has been subject to prior consultation with the Timaru District Council regarding the District Plan review and the proposal to rezone the land to Rural Lifestyle, refer to the 4 page attachment that accompanies this report. The subject land was also part of the 'Woodbury Road' growth area as part of the Timaru District Growth Management Strategy (GMS), with the subject land ranking first with a total of 113 points.

### Planning Status of the Site

4.0 The site is split zoned Rural 1 and Rural 2 in the Operative District Plan, refer to Figure 2. This is to become General Rural Zone in the Proposed District Plan. There are no other planning notations that apply to the site in the Operative District Plan, however it is noted that there are a number of additional planning notations that apply to the site under the Proposed District Plan. These are:

- Flood Assessment Area
- Liquefaction Areas
- Wai Taoka – SASM 20, Waihi River
- Light Sensitive Area
- Versatile Soils
- Drinking Water Protection Area

As discussed above, part of the site is also classed as LUC 2 land.



**Figure 2 – Planning notations that apply to the site under the Operative District Plan**





**Figure 3 – Planning notations that apply to the site under the Proposed District Plan**



**Figure 4 – Land Use Classification 2 highlighted in green**



### **Proposed Zoning**

- 5.0 The submission proposes that the site should be considered as a Rural Lifestyle Zone, due to the current allotment size, the site topography adjacent to the Main North Road frontage and that the property is peri-urban in nature being within the 50km/hr speed restriction zone.

### **Reasons for the Submission**

- 6.0 The site is situated in close proximity to the General Residential Zone and the Urban Boundary on the northern side of Pleasant Point. Establishing rural activities on the site is difficult due to the size of the site. It is considered that reticulated water and sewer Council services are able to service the subject land given that the site is approximately 500m from the Residential zone boundary. It is also noted that significant extensions to Council water and sewer networks will be required to service FDA 11 which is immediately opposite the subject site.

### **Effects on the Environment**

#### **Tangata Whenua**

- 7.0 The southern portion of the side adjacent to the Waihi River is listed as an Area of Significance to Māori (SASM-20). No changes to the Waihi River margin are proposed as part of this submission and consultation will be carried out with local Iwi in 2023. Therefore we expect to have more supporting information to present to Council as the time of public hearings. As previously advised to Council, at this stage of District Plan submissions AECL and MFL have not had the resources available to pre-consult on every single submission site.

#### **Amenity Values**

- 8.0 The site is surrounded by urban development on the northern fringe of Geraldine typical of peri-urban areas. It is considered that the existing amenity would support this zoning, and there would be no detrimental impact from this as smaller allotments are typically expected in the transitional area from township to farmland, which in this instance extend to the north to the intersection with Woodbury Road and Bennett Road.

#### **Rural Productivity & Versatile Soils**

- 9.0 The subject site is not considered to be a productive piece of land due to the small allotment size. Currently the subject site is not utilised as a farming unit. It is considered that there will be no loss of rural production land to the Timaru District, as the site is not used for this purpose currently.

#### **Natural Hazards**

- 10.0 As noted on Council's e-plan, the site land has the potential for liquefaction risk due adjacent to the north western boundary due to the soil type and the proximity to Waihi River, along with known Flood Hazard,



refer to Figure 5 below. Compliance with the Proposed District Plan rules will be required at the time of future building consent application. This can be addressed by compliance with NZS 3604 or certification from a suitably qualified person as site specific design is necessary noting this the possible liquefaction covers a relatively small portion of the site. Environment Canterbury, or similar, will provide guidance on what Finished Floor Level for future habitable dwellings as has been the case throughout the Timaru District for many decades. The site is not subject to any other known natural hazard risk.



**Figure 5 – The identified Liquefaction risk area and Flood Hazard Assessment Areas.**

#### **Light Sensitive Area**

- 11.0 Referring to Figure 3, the southern boundary of the site adjacent to the Waihi River lies within a light sensitive area. The Proposed District Plan has very strong controls with respect to hooded lighting which are acknowledged and will need to be complied with.

#### **Soil Contaminants**

- 11.0 The site is not registered on the Listed Land Use Register administered by Environment Canterbury. Therefore, it is considered there are no concerns with contaminated soils with respect to rezoning the land to Rural Lifestyle.



### **Drinking Water Protection Area**

- 12.0 It is noted that the site is subject to the Drinking Water Protection Area from a well within the subject land. This could potentially be addressed by abandoning the well and connecting to Council's reticulated water supply. Alternatively with connections to the reticulated sewer network proposed as part of the submission, it is considered that there is sufficient protection of that water take to ensure limited impact on the Drinking Water Protection Zone. In relation to on-site stormwater disposal, soakpits can be designed that would sufficiently clean stormwater discharge prior to reaching groundwater sources. Accordingly it is considered this does not preclude the site from being rezoned.

### **Servicing**

- 13.0 As mentioned previously, It is considered that there is Council infrastructure is available to service the land for reticulated water and sewer. It is noted there is no reticulated stormwater network however with the minimum allotment sizes required by the Rural Lifestyle Zone, this can be dealt by individual soakpits being established on site in accordance with the Canterbury Land and Water Regional Plan.

### **Public Access & Biodiversity**

- 14.0 The frontage to the Waihi River in conjunction with the adjoining property to the north (Lot 1 DP 473022 – 6.90 hectares) provide for a unique opportunity for public access, and / or a walkway/cycleway to be achieved on the northern fringe of Geraldine. This would provide for safe and practical public access through to Woodbury Road which bypasses the public using Main North Road.

The lower lying land adjacent to the Waihi River would be well suited to plantings to assist in the regeneration of local biodiversity and can be discussed further with Council's Parks and Reserves Department prior to public hearings being held.

### **Decision Sought By Submitter**

- 15.0 Based on the foregoing, it is proposed that 77 Main North Road, Geraldine should be rezoned to Rural Lifestyle Zone.

### **General**

- 16.0 An invitation is extended to Council staff to visit the subject land as part of this submission. In the first instance site access can be co-ordinated through Milward Finlay Lobb, phone 03 684 7688 or email [admin@mflnz.co.nz](mailto:admin@mflnz.co.nz)

### **Approved by:**



Andrew Rabbidge on behalf of B R Selbie  
BSurv (credit), RPSurv, Assoc NZPI, MS+SNZ, CSNZ  
Licensed Cadastral Surveyor  
Director, Milward Finlay Lobb Limited

14 December 2022





Client No: 251812/04

24 June 2021

Planning (Policy) Unit  
Timaru District Council  
PO Box 522  
Timaru 7940

Dear Policy Planners

**DISTRICT PLAN REVIEW – REZONING OF RURAL LAND TO RURAL LIFESTYLE ZONE  
LOT 2 DP 473022 AND LOT 3 DP 22926  
MAIN NORTH ROAD, GERALDINE**

We act for Bruce Selbie being the registered owner of Lot 2 DP 473022 and Lot 3 DP 22926 on the northern side of Geraldine. The subject properties adjoin Main North Road to the east and the Waihi River to the west, please refer to the attached aerial photograph and Quickmap plot.

We write to inform you of the development potential of those properties as identified in the Timaru District Growth Strategy Options 2017 (GSO) under the 'Woodbury Road' option and the need to consider these properties as part of the current District Plan Review.

Whilst the Timaru District Growth Management Strategy (GMS) was adopted in 2018, the GSO provided a ranking matrix which enabled aspects such as infrastructure, natural environment, hazards and contamination, culture and other relevant indicators to be assessed in a simplified method. Within this matrix, the 'Woodbury Road' growth area which incorporated the subject land scored top ranking on 113 points (refer to Table 7 of the GSO).

The 'Woodbury Road' option Road option was not recommended by Council due to 'natural hazards and potential reverse sensitivity associated with the Scott's Sawmill. Collectively, the two allotments could be developed with an area of approximately 5.4485 hectares. These properties are sited within the existing 50km per hour urban speed restricted zone and are of a practical and efficient shape to accommodate Rural Lifestyle allotments.

Scott's Sawmill is approximately 500 metres from the southern boundary of our client's property. The 'Woodbury Road' Growth area provides for practical and efficient pedestrian / cycle routes and the GMS confirms that potable water is available from the Te Moana Water Supply Scheme. The subject properties, albeit being within the flood hazard zone, are well elevated above other land within the 'Woodbury Road' Growth area.

Based on a 0.5 hectares minimum allotment size as suggested in the GMS may yield approximately eight to ten allotments once allowance is made for vehicle access and onsite effluent disposal.



Our client also owns the adjacent Lot 1 DP 473022 (6.900 hectares) which adjoins Woodbury Road to the north and the Waihi River to the east. Whilst the potential for Rural Lifestyle allotments is restricted within this allotment due to known flood hazard, there would be potential to collaborate with Council and the landowner to provide for public access, Timaru District Council infrastructure, amenity landscaping and the like.

Based on the foregoing, we request that the rezoning of Lot 2 DP 473022 and Lot 3 DP 22926 is considered under the current District Plan Review to Rural Lifestyle Zone. We await further correspondence from Council, including acknowledgement of this zoning review.

Yours sincerely

Andrew Rabbidge  
Director  
Licensed Cadastral Surveyor

Copies to: Bruce Selbie  
Email: bselbie@xtra.co.nz

Mary Washington  
Email: mc.w@xtra.co.nz







