

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: 15/12/2022

Submission Reference Number #:41

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:

Maze Pastures Limited

Attachments:

Maze Submission - 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

Point 41.1

Section: General

Sentiment: Amend

Submission:

Please see attached report

Relief sought

Please see attached report.



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:

Maze Pastures Limited

[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]*

Please see attached report.

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]*

Please see attached report – refer to paragraphs 7.0 – 11.0.

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 **15 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 Maze Pastures Limited, 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 Maze Pastures Limited to addresses some of the proposed District Plan provisions that affect the subject land.

Site Description

2.0 Maze Pastures Limited operate large scale Rural Production activities on the north western fringe of Pleasant Point which border the Te Ngāwai River to the north and cover both sides of Maze Road and also both sides of Sherris Road, Pleasant Point.

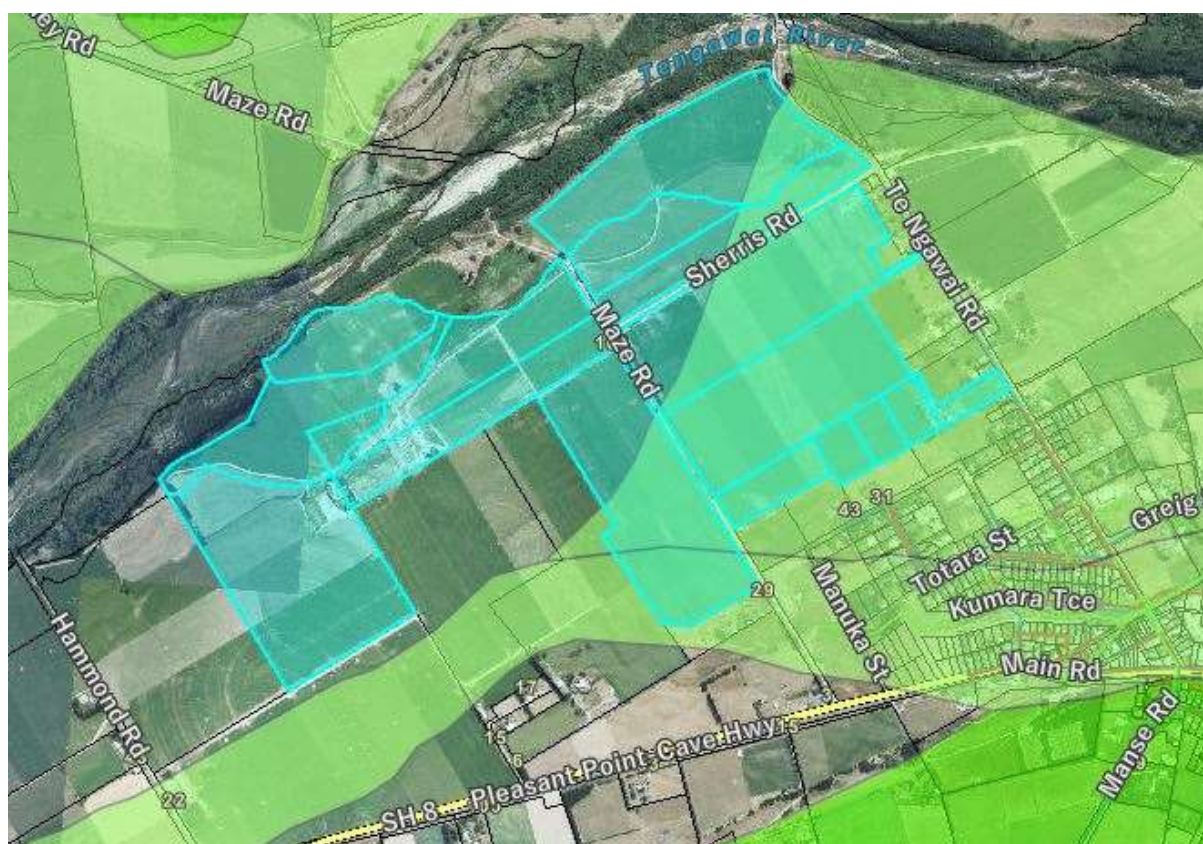


Figure 1 –The extents of the Maze Pastures Limited land are shaded in blue.

Planning Status of the Site

3.0 The Proposed District Plan captures all of the subject land within the Rural General Zone and including various overlays under the e-plan namely;



- Flood Assessment Area
- Liquefaction Area
- Regional Council stopbank
- Wāhi Taoka – SASM-14
- Bat Protection Area
- Light Sensitive Area
- Drinking Water Protection Area
- Transitional Highly Productive Land – LUC Class 3

Reasons for the Submission

- 4.0 The submitter seeks further clarification as to how the Proposed District Plan will affect their property to continue to operate efficiently and economically for Rural Production purposes under the Proposed District Plan both in the short and long term.
- 5.0 The south-eastern portion of the site adjoining Te Ngāwai Road is subject to Subdivision Consent 101.2021.131.1 issued by the Timaru District Council on 28 September 2021. A copy of approved scheme plan is included as an attachment to this submission. The Proposed District Plan as notified has not adequately addressed subdivision consents issued by Council have not yet reached the stage of new titles issuing.
- 6.0 Without appropriate rules introduced into the Proposed District Plan this may result in the need to obtain resource consent to build on allotments with an area less than 40 hectares. At the time 101.2021.131.1 was approved by Council, a single household unit within each resultant allotment was a permitted activity along with significantly reduced boundary setbacks compared with the new Rural General zone standards. It is critical that existing subdivision consents such as this are specifically accommodated for under the proposed District Plan.
- 7.0 In terms of the e-plan overlays the most notable layers with respect to the ongoing Rural Production Activities would appear to be the Bat Protection Area along with the Drinking Water Protection Area and private bores. However it is noted the Rules as notified within both the Bat Protection Area and the Drinking Water Protection Area place no restrictions on Rural land use or Rural industry which is supported.

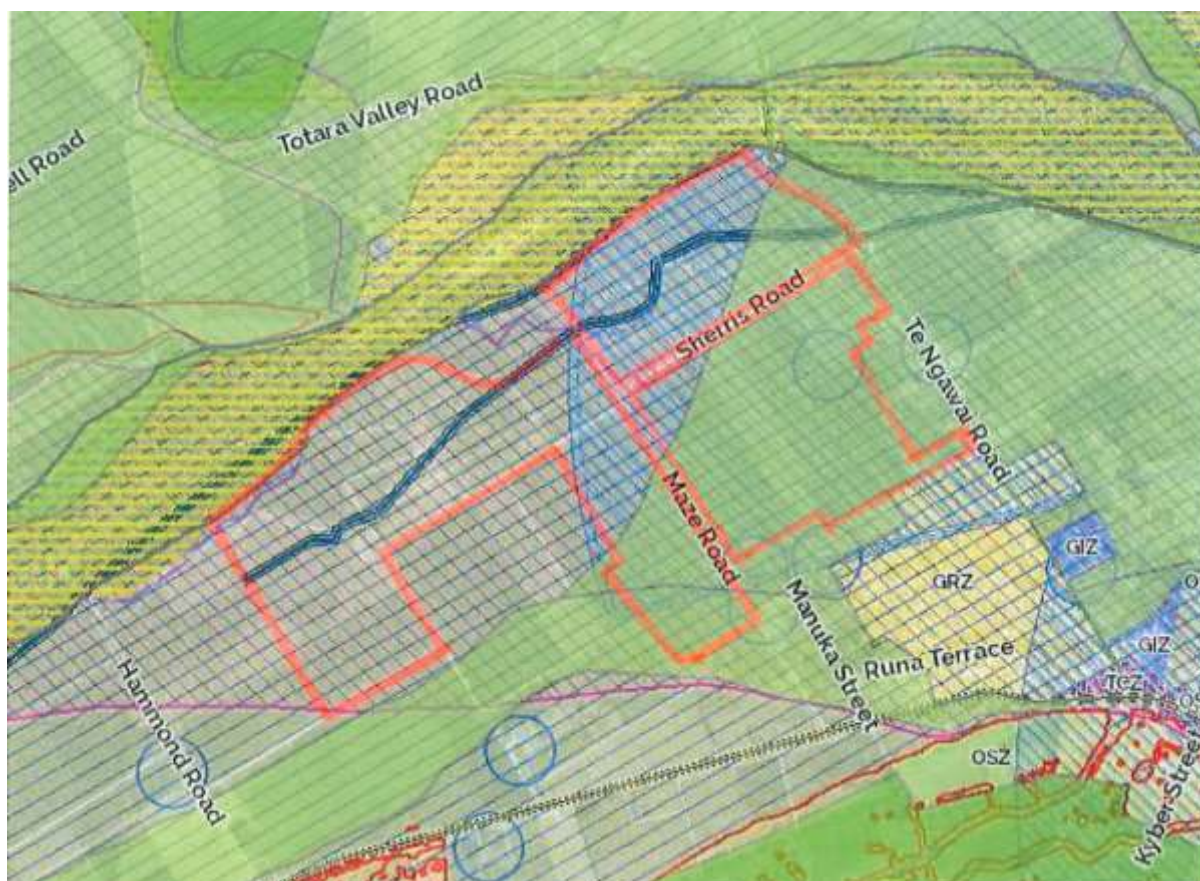


Figure 2 – e-plan Bat Protection Area (lavendar hatching) and Drinking Water Protection Area (blue hatching) overlays are shown above

Decision Sought By Submitter

- 8.0 SUB - S1 add new clause 3.3 enable allotments in the Rural General Zone with subdivision consent issued prior to the date the new District Plan became fully operative, to be subject to the allotment areas and boundary setbacks applicable at the time of lodgement of that subdivision consent.
- 9.0 Amend GRUZ-R4 PER-S1 - There is a minimum site area of 40 hectares per residential unit unless the site ~~was created before 22 September 2022~~ is subject to a subdivision consent approved by Council before the date that the Timaru District Plan becomes fully operative.
- 10.0 Amend RDIS-1 - This activity is not an offensive trade and existing use rights apply for all Rural Industry established prior to the District Plan being fully operative.
- 11.0 Amend GRUZ-53 – new buildings and structures (excluding fences, irrigators, water troughs, water tank/s, crop structures) shall be set back the following minimum distances...



General

12.0 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

Approved by:

Andrew Rabbidge

BSurv (credit), RPSurv, Assoc NZPI, MS+SNZ, CSNZ

Licensed Cadastral Surveyor

Director, Milward Finlay Lobb Limited

15 December 2022



Attachment

- Approved consent plan - 101.2021.131.1

Resource Consent No. 101.302.131
APPROVED ROAD LANS
 Signed: *M. Maguire*
 Name: *Sherry's Road*
 Date: 28.9.2021

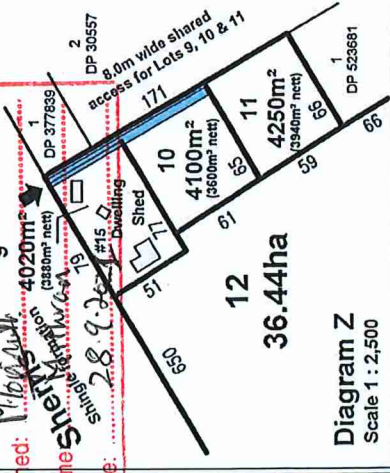


Diagram Z
 Scale 1 : 2,500

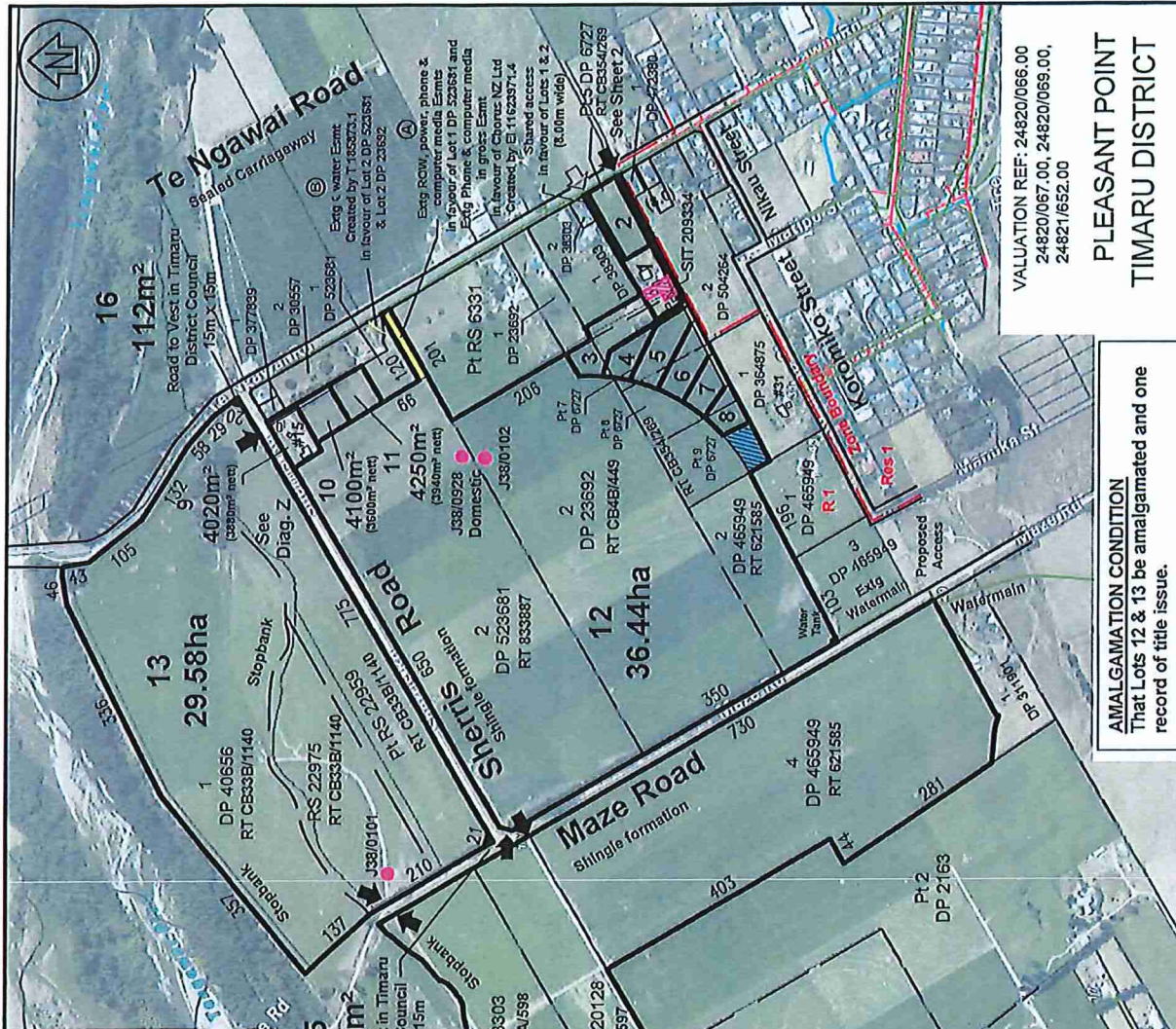
KEY

- Existing wells
- Existing Access
- Proposed Access
- Possible building Area
- Verified HAIL Activity SIT 209334
- A10 - Persistent pesticide bulk storage or use

PRELIMINARY PLAN ONLY
 Area and Dimensions Approximate and subject to final survey

This plan has been prepared for the sole purposes of obtaining subdivisional consent pursuant to Section 88 of the Resource Management Act 1991. Use of this plan for other purposes or its reproduction in part or in full is not permitted without the prior consent of Milward Finlay Lobb Ltd.

| Existing Easements In Gross | | Services/Tenements (Rounded Lease) | | Creating Document | |
|--|-------|------------------------------------|-------|-------------------|------------|
| Propose | Shown | Shown | Shown | Shown | Shown |
| Right to convey telecommunications and computer media | A | Lot 12 | | Sheet 16 Lot 11 | 11/02/2015 |
| Right of Way | A | Lot 12 | | Lot 1 DP 23041 | 11/02/2015 |
| Right to convey electricity, telecommunications and computer media | A | Lot 12 | | Lot 1 DP 23041 | 11/02/2015 |
| Right to convey water | B | Lot 12 | | Lot 12 | 11/02/2015 |



VALUATION REF: 24820/066.00
 24820/067.00, 24820/069.00,
 24821/652.00

**PLEASANT POINT
 TIMARU DISTRICT**

Client Ref No.
 2035534/02
 Sheet 1 of 2



AMALGAMATION CONDITION
 That Lots 12 & 13 be amalgamated and one record of title issue.

Resource Consent Application
 of Pt RS 22959, RS's 20128, 22975, 23303, 35315,
 35335, 40603; Pt Lots 5, 7, 8, 9 DP 6727; Lot 2 DP 23692,
 Lot 2 DP 27602, Lot 1 DP 40656, Lots 2 & 4 DP 465949 & Lot 2 DP 523681

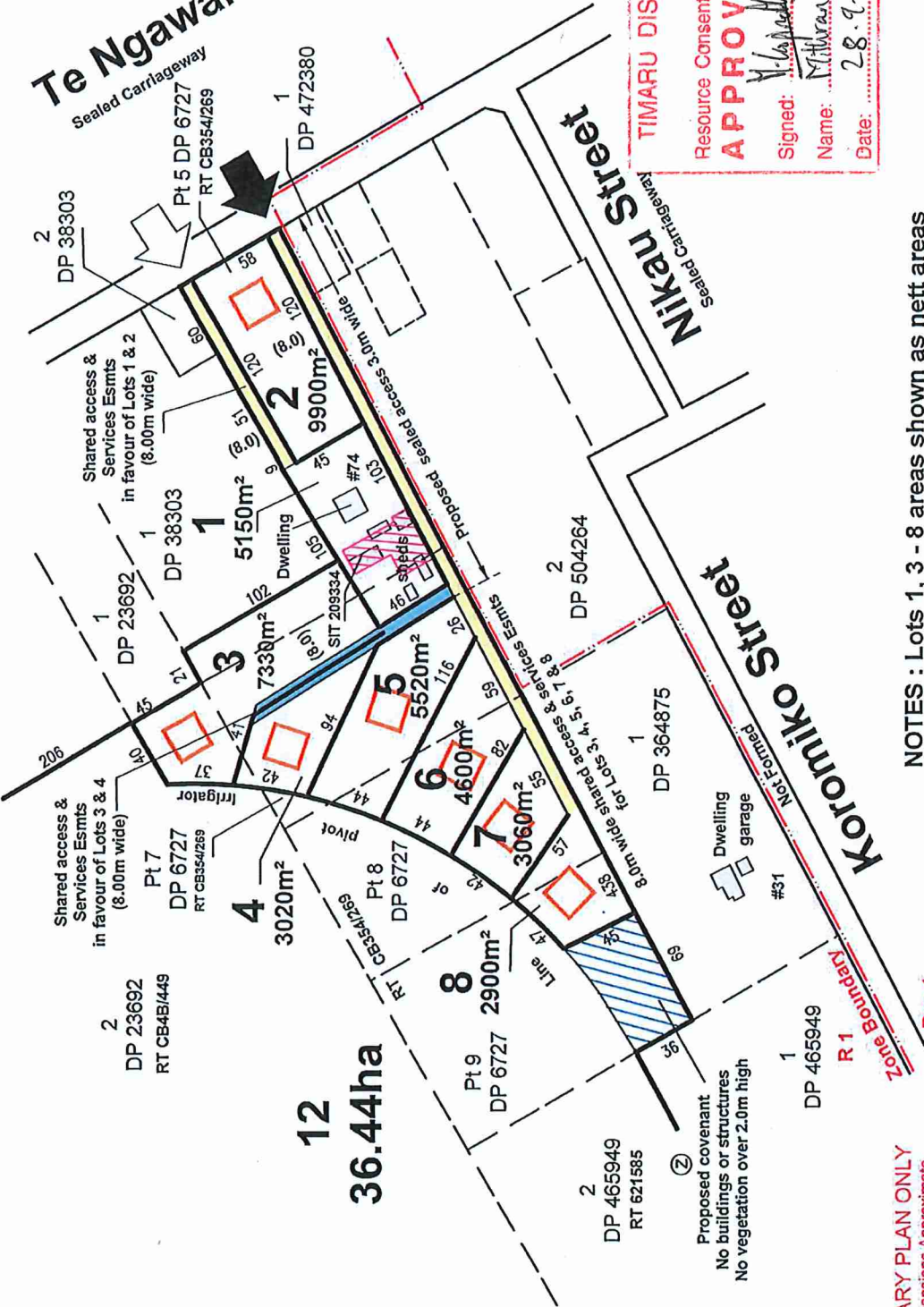
| | |
|---|---|
| SCALE: As shown @ A3 | Date: June 2021 |
| Applicant: Maze Pastures Ltd C/- H & L Munro 9 Bishops Rd RD 13, Pleasant Point 7983 | Surveyed ASR Drawn VCJ Amended Amended |



Te Ngawai Road
Sealed Carriageway

Nikau Street
Sealed Carriageway

Koromiko Street
Not Formed



12
36.44ha

Proposed covenant
No buildings or structures
No vegetation over 2.0m high

PRELIMINARY PLAN ONLY
Area and Dimensions Approximate
and subject to final survey

This plan has been prepared for the sole purposes of obtaining subdivisional consent pursuant to Section 88 of the Resource Management Act 1991. Use of this plan for other purposes or its reproduction in part or in full is not permitted without the prior consent of Milward Finlay Lobb Ltd.

Applicant: Maze Pastures Ltd
C/- H & L Munro
9 Bishops Rd
RD 13, Pleasant Point, 7993

SCALE: 1 : 2,500 @ A3
Date: June 2021

Surveyed ASR
Drawn VCJ
Amended
Amended

Resource Consent Application
Proposed Subdivision of PT RS 22959, RS's 20128, 22975, 23303, 35315, 35335, 40603; Pt Lots 5, 7, 8, 9 DP 6727; Lot 2 DP 23692, Lot 2 DP 27602, Lot 1 DP 40656, Lots 2 & 4 DP 465949 & Lot 2 DP 523681

milward
finlay lobb
PLANNERS | SURVEYORS | ENGINEERS

Client/Job No.
2035534/02
Sheet 2 of 2

TIMARU DISTRICT COUNCIL
Resource Consent No. 101-2021-131.1
APPROVED PLANS
Signed: *[Signature]*
Name: *Matthew G*
Date: 28.9.2021

NOTES : Lots 1, 3 - 8 areas shown as nett areas
Lots 1 - 11 to connect to TDC proposed sewer extension in Te Ngawai Road

VALUATION REF: 24820/066.00
24820/067.00, 24820/069.00,
24821/652.00
PLEASANT POINT
TIMARU DISTRICT