

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 #:33

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:

Ford, Pyke, Andrews Talbot, Wilkins & Proudfoot, Craig, Mackenzie

Attachments:

Pages Road Joint 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 33.1

Section: Planning Maps

Sentiment: Amend

Submission:

Please see attached report.

Relief sought

It is proposed that the Future Development Area (FDA10) should be extended to the boundary with Lot 9 DP 561776 in order to provide a functional area for lifestyle block development.

Also refer to the attached report particularly paragraphs 10.0 – 14.0.

milward finlay lobb



Joint Submission on the Proposed Timaru District Plan

Clients

**JR & JJ Ford
KW & SM Pyke
EH & KP Andrews
MLS & RE Talbot
PG & JA Wilkins and GJA Proudfoot
GW & DS Craig
DI & CI Mackenzie**

Addresses

333, 355, 365 375, 385, 397 and 403 Pages Road, Timaru

File Number

269816/02

Date

December 2022

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitters:

Jeremy John Ford and Janet Ruth Ford

Kelvyn Wayne Pyke & Susan May Pyke

Kenneth Paul Andrews and Elisabeth Honor Andrews

Michael Leslie Sandston Talbot & Robyn Elizabeth Talbot

Paul George Wilkins & Jennis Andria Wilkins and Grant James Anderson Proudfoot

Gavin William Craig & Deborah Shirley Craig

Duncan Ivon Mackenzie and Carol Isobel Mackenzie

[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].

We ~~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]*

Proposed - FDA10 / Kellands Heights West Future Development Area, Rural Lifestyle Development.

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 the Future Development Area (FDA10) should be extended to the boundary with Lot 9 DP 561776 in order to provide a functional area for lifestyle block development.

Also refer to the attached report particularly paragraphs 10.0 – 14.0.

We wish ~~(or do not wish)~~ † to be heard in support of our 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.]

We wish to be heard in support of our 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]

**Melissa McMullan
Planner
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.



Table of Contents

Introduction	1
Site Description	1
Reasons for the Submission.....	3
National Policy Statement on Highly Productive Land.....	5
Decision Sought by Submitter	6
Conclusion.....	6
Site Visit	7



Submission on the Proposed Timaru District Plan

On behalf of:

JR & JJ Ford

KW & SM Pyke

EH & KP Andrews

MLS & RE Talbot

PG & JA Wilkins & GJA Proudfoot

GW & DS Craig

DI and CI Mackenzie

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 submitters to address the proposed Future Development Area that is proposed for Pages Road. It is proposed that the Future Development Area (FDA 10) should be extended to the boundary with Lot 8-9 DP 561776 in order to provide a functional area for lifestyle block development.

Site Description

2.0 333 Pages Road - Lot 2 DP 82367 – 9.5210 ha (PG & JA Wilkins & GJA Proudfoot)

355 Pages Road - Lot 2 DP 82024 – 6.578 ha (JJ & JR Ford)

365 Pages Road - Lot 3 DP 78854 & Lot 1 DP 82024 – 12.8020 ha (GW & DS Craig)

375 Pages Road - Lot 2 DP 73340 – 9.865 ha (KW & SM Pyke)

385 Pages Road - Lot 1 DP 352790 & Lot 1 DP 301203 – 1.598ha (KP & EH Andrews)

397 Pages Road – Lot 10 DP 3898 – 2.5343 ha (DI & CI Mackenzie)

403 Pages Road - Lot 9 DP 3898 – 2.3396 ha (MLS & RE Talbot)



The above Lots are currently zoned Rural 1 in the Operative Timaru District Plan. The sites are surrounded by Rural 1 land to the north, east and west with the Residential 6 Zone on the south side of Pages Road. The current zoning is shown in Figure 2.

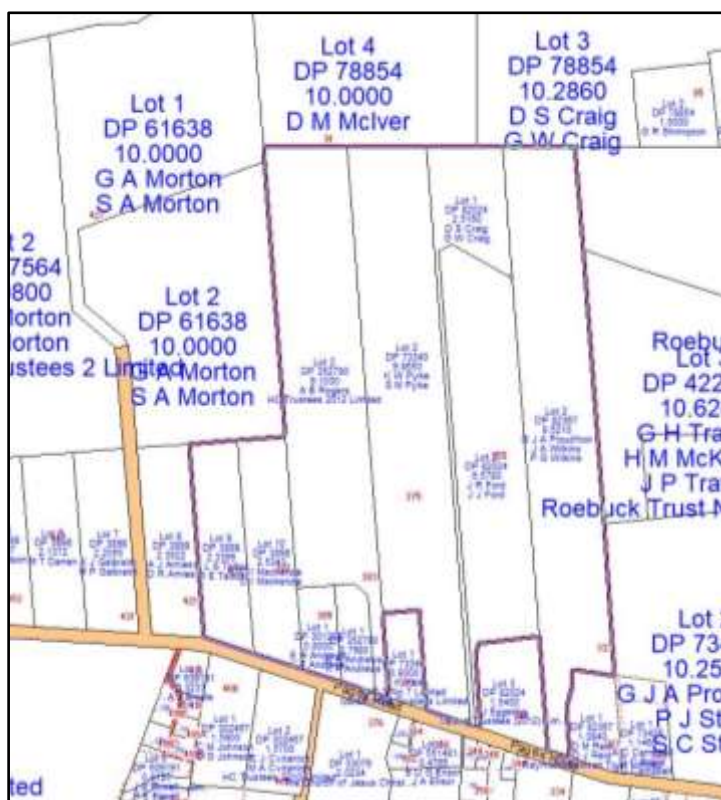


Figure 1 –Subject properties identified on the above Quickmap Plot



Figure 2 – Current Zoning of the sites, the subject sites are highlighted in orange.



- 3.0 The sites have existing and independent connections to Council’s reticulated Water Supply. There is no reticulated sewer or stormwater network available in Pages Road. Discharge of septic waste and stormwater is to ground in accordance with Environment Canterbury requirements. The sites all have vehicle access points to Pages Road.
- 4.0 None of the sites are registered on the Listed Land Use Register administered by Environment Canterbury. Small areas of flood hazard areas have been identified as part of the Proposed District Plan but otherwise there are no known natural hazard risks.

Reasons for the Submission

- 5.0 The area immediately adjacent to Pages Road has been identified as a Future Development Area (FDA10 – Priority Area 5 years), up to 450 metres north of Pages Road. This transects 333, 355, 365 Pages Road and completely encompasses 385, 397 and 403 Pages Road. The remaining land is classed as General Rural Zone. It is proposed that FDA10 should be extended to cover the entirety of the remaining site and extended to the boundary with Lot 8-9 DP 561776. This connects these sites (noting there are properties between one of which is owned by DS and GW Craig – Lot 3 DP 78854) with the boundary of a recent subdivision which created a number of rural lifestyle sections, along with 77 hectares of land that is to be gifted to Council for recreation and servicing purposes, Council reference 101.2021.168 (see approved scheme plan on the following page in Figure 3).
- 6.0 By rezoning the land up to Lot 8-9 DP 561776 it allows for there to be sufficient space to be created for a road and relevant infrastructure in an east to west direction rather than access being provided to sites through numerous rights of way off Pages Road. This can provide a loop from Pages Road to Kellands Hill Road with a further linkage possible to the west to connect with existing unformed legal Road. It is considered there is sufficient servicing capacity that will come available following 101.2021.168 that will allow for appropriate servicing extensions to the area. The current proposed zoning for the site is General Rural Zone. It is considered that there are no site constraints that would preclude the Lifestyle zoning being extended to the site. It is noted that if the proposed rezoning is carried out as currently indicated this will not provide the affected landowners with a simple pathway to subdivision as the balance of the land to be retained as General Rural Zone will not be able to meet the minimum 40 hectare lot size now required in this zone. This would make any subdivision of these sites a Non-Complying Activity, even if the lifestyle allotments to be created met the minimum lot size for the area once the Plan Change process required by the Proposed District Plan is completed. A screenshot of the zoning in the Proposed District Plan is provided on the following page in Figure 4.

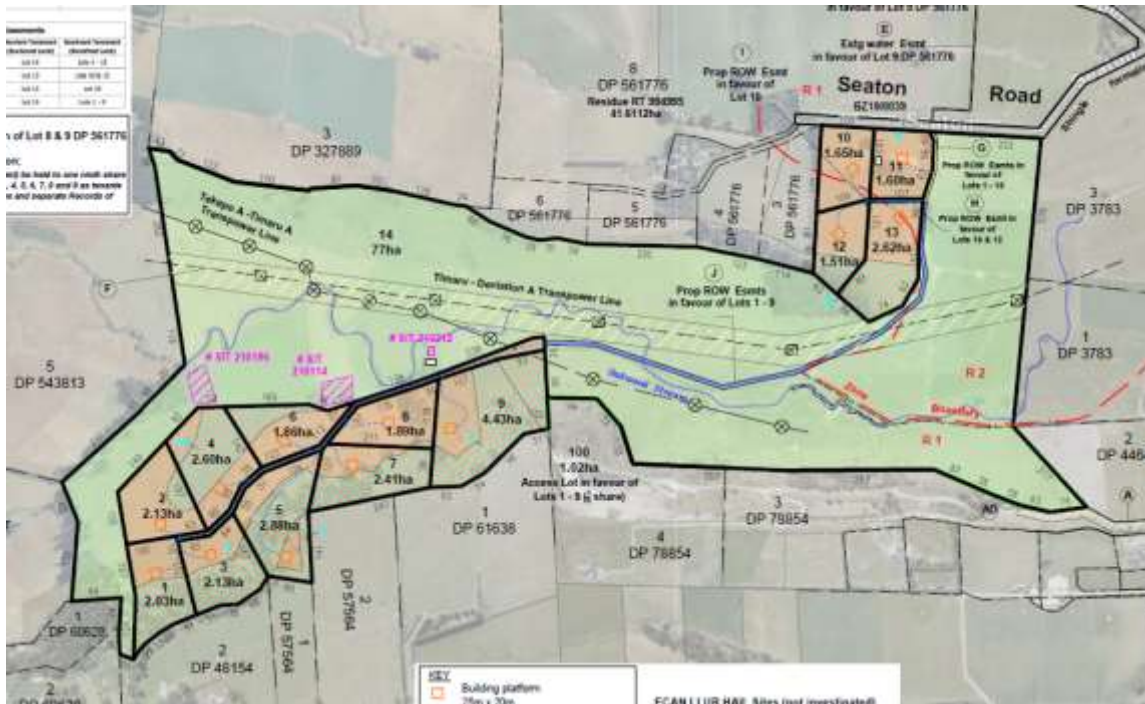


Figure 3 – The approved scheme plan for 101.2021.168, the sites part of this submission are situated between Lot 4 DP 78854 and Pages Road.



Figure 4 – The proposed zoning of the subject area in the Proposed District Plan. The Future Development Area 10 (5 year priority timeframe) transects the area. The current proposed zoning for the site is General Rural Zone.



National Policy Statement on Highly Productive Land

- 7.0 The National Policy Statement on Highly Productive Land (NPS-HPL) does apply to the site as the site is classed as having LUC-3 soils. This is demonstrated below in Figure 5.



Figure 5: Aerial view from Canterbury Maps demonstrating the LUC-3 soil classification for the site and surrounding areas.

- 8.0 As the area has been proposed to be partly rezoned to Rural Lifestyle (albeit delayed) it is considered that this should not be withheld from the remaining area as there are no discernible differences between the use of the land. It is considered that the current allotment sizes and those in the adjoining area are not large enough to be used as an economically viable production unit. As the area is also adjacent to residentially zoned land and is situated close to the Gleniti Golf Course along with the development to the north of the site it is also considered that there would be reverse sensitivity effects that would arise if the site was to be used for production purposes.



FDA10 – Kellands Heights West Future Development Area

9.0 Strategic Direction (SD-01) sets out to enable growth within Future Development Areas with Council reticulated sewer and water infrastructure. This objective is supported and requested that the necessary sewer and water infrastructure extensions be completed by the Timaru District Council.

The intention for Council Development Area plans to be prepared by Council (refer to FDA-P3) is supported.

Furthermore this should extend to Council preparing and publicly notifying a plan change to give effect to FDA10. This should also extend to the Timaru District Council obtaining any necessary consents for other infrastructure (such as stormwater discharge consent from Environment Canterbury) to enable the area to be ready for future lifestyle development.

Decision Sought by Submitter

10.0 It is proposed that the proposed Future Development Area that will be classed as Lifestyle Zone once the required plan change is carried out should be extended to the boundary of Lot 8-9 DP 561776 and encompass the sites included in this submission.

11.0 Support for SD-01 on the provision that sewer and water infrastructure is to be extended by Council.

12.0 Support for FDA-P3.

13.0 New Rule FDA-PA4, clause 13 – that Development Area Plans be prepared and publicly notified by the Timaru District Council by plan change. This should include the Timaru District Council preparing and obtaining any necessary consents for additional infrastructure to enable the Future Development Area to be ready for future urban or lifestyle development.

14.0 Request that Priority Area for FDA10 become 2 years rather than 5 years. The time required by Council to get to this stage of the District Plan review has been well in excess of 7 years with the timeline for the proposed District Plan to be fully operative being unknown, in addition to the time required to complete a plan change within FDA10.

In the meantime the District Plan imposes significant restrictions on land use and land activities prior to rezoning.

Conclusion

15.0 This submission asks that the zoning for future development areas that is proposed for the Pages Road area be extended to include the subject area. There are significant servicing advantages in allowing this



zone to extend and it will also ensure that the rezone is not a nullity, as currently subdivision will still be a Non-Complying Activity for those allotments that will be subject to split zoning.

16.0 As a group of six adjoining property owners within the Kellands Heights West Future Development Area – Rural Lifestyle, there is strong support for Rural Lifestyle zoning. We encourage Council to complete the rezoning as requested in this submission and extend the water and sewer networks to enable Rural Lifestyle development to occur as a 2 year priority.

Site Visit

17.0 We extend an invitation for Council to view the submitters' properties which can be co-ordinated through Milward Finlay Lobb in the first instance.

Prepared by:

Melissa McMullan
LLB BA MPlan
Planner

Reviewed by:

Andrew Rabbidge
BSurv (credit), RPSurv, Assoc NZPI, MS+SNZ, CSNZ
Licensed Cadastral Surveyor
Director, Milward Finlay Lobb Limited

14 December 2022