

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: 12/12/2022

Submission Reference Number #:19

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:

Waitui Deer Farm Ltd

Attachments:

Submission - Waitui Deer Farm Ltd - 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 19.1

Section: Planning Maps

Sentiment: Support

Submission:

See attached report

Relief sought

An extension of the Rural Residential Subdivision zone (2 hectare specific control area).



**milward
finlay lobb**



Submission on the Proposed Timaru District Plan

Client	Waitui Deer Farm Limited
Address	199 Waitui Drive, Geraldine
File Number	286015/06
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 submitter:

Waitui Deer Farm 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]*

An extension of the Rural Residential Subdivision zone (2 hectare specific control area).

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]*

An extension of the Rural Residential Subdivision zone (2 hectare specific control area).

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 **9 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.



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Submission on the Proposed Timaru District Plan

On behalf of Waitui Deer Farm 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 the submitter to addresses the zoning that is proposed for 199 Waitui Drive, Geraldine. It is considered that the boundary for the 2ha specific control area should be extended to the northern boundary of Lot 7 DP 466305 and include the southern portion of Lot 8 DP 466305.

Site description

2.0 The subject site comprises a total area of 115.4900 hectares of land of land currently zoned Rural 4A. The subject site is located to the north of the Geraldine township, in the area known as the Geraldine Downs. An aerial view of the subject site is provided below in Figure 1. A subdivision consent has been granted by Timaru District Council, Council reference 101.2021.230 to subdivide Lot 4 DP 49693 and Lot 7 DP 466305 into 6 rural lifestyle allotments. A copy of the approved consent plan is included with this submission.



Figure 1 – Aerial view of the subject site.

3.0 The site comprises significant changes in topography. The site is currently used for deer farming purposes, but the rules for intensive winter grazing have a significant impact on the site as the topography exceeds the slope allowed for as a permitted activity (10 degrees or less). The topography and significant natural areas on the site present farming challenges for the site. A number of Significant Natural Areas are identified across the property. These have been mapped, but the areas that are mapped are considerably larger than the areas that exist on the ground. The mapped areas are shown below in Figure 2.

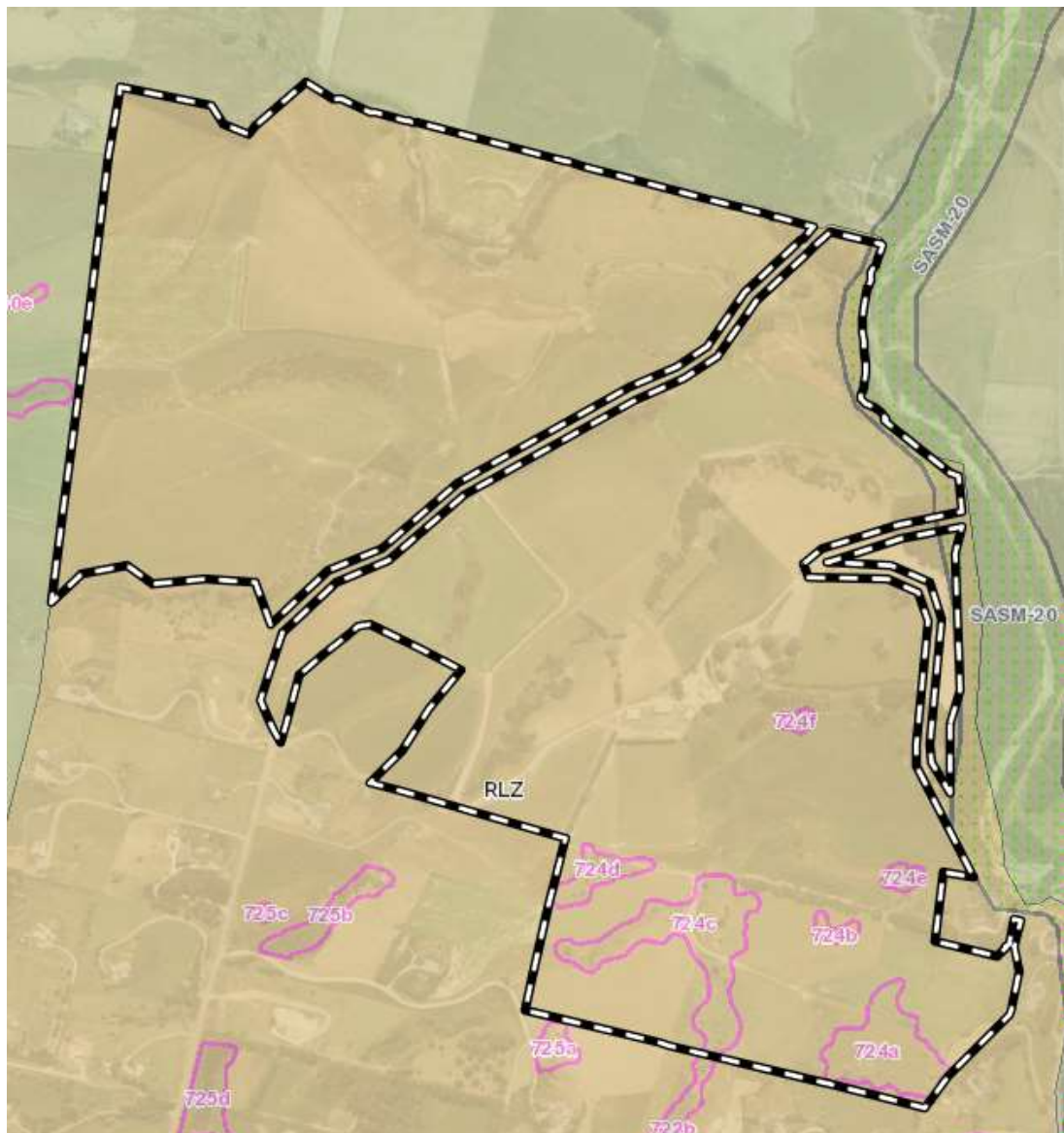


Figure 2 – The Significant Natural Areas that relate to the site.

4.0 The surrounding environment consists of a number of rural lifestyle sections. There are a number of significant areas of vegetation and the area is considered to be an area of high visual amenity. This is reflected in the Zone Rules for Rural Zone 4A. A number of matters were addressed in Plan Change 17 which created the Rural 4A Zone and it is noted there are a number of overlays in the Proposed District Plan that give effect to the rules.

Planning status of the site

5.0 The site is zoned Rural 4A in the Operative District Plan. This is to become Rural Lifestyle Zone in the Proposed District Plan. It is noted that there is a very small overlap and some small areas of the site are zoned as the 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 Areas
- Liquefaction Areas
- Wai Taoka – SASM20 (Te Umu Kaha (Temuka), Haehae Te Moana and Waihi Rivers)
- Wai Taoka Lines – SASM20 (Te Umu Kaha (Temuka), Haehae Te Moana and Waihi Rivers)
- Light Sensitive Area
- Significant Natural Areas (SNA ref: 724a-f)
- Visual Amenity Landscape (VAL-3)
- Esplanade and Public Access Provisions associated with Barkers Stream
- Specific Control Areas – 2ha lot size specific control area, 10ha lot size specific control area and Geraldine Downs - Walking and Cycling Tracks

Development proposal/proposed zoning

6.0 It is proposed that the boundary of the 2 hectare control area should be shifted further north to utilise Kalaugher Road (in part). The proposed new zone extension map is included as an attachment to this submission. The topography is not easily farmed in accordance with government regulations and it would be better utilised as lifestyle sections. This has advantages for waterways and natural areas throughout the site as it will retire land from intensive farming which will have benefits for water quality.

Effects on the environment

Tangata Whenua

7.0 It is noted that there is a SASM notation on the site, and that this relates to the Waihi River that runs along the eastern boundary of the property. As this does not transect the site in a significant manner it is considered it is appropriate for further subdivision to be allowed for and specific provision along the eastern boundary for rūnanga concerns can be managed as part of this process. It is noted there are likely to be concerns about the collective impact of further subdivision on the SASM area, however subdivision with appropriate servicing is still considered to have a better outcome for waterbodies than for farming practices to be continued on the site.

Amenity Values

8.0 It is noted that there are significant natural landscape values for the site, as evidenced by the Visual Amenity Landscape proposed notation. This overlay reflects the rules for the Rural 4A Zone. This is considered to be appropriate and there are no concerns with this continuing to apply as it provides

protection against adverse outcomes in relation to amenity values. In particular this allows for any concerns about building development to be managed through the consenting process. This also requires for additional landscaping to be provided for which will have flow on effects for amenity and biodiversity. Extending the 2ha specific control area is not considered to have a negative effect on the amenity values of the surrounding area as it is reflective of the receiving environment. There are also considered to be significant changes in topography that will allow for building sites to be sheltered from each other so it will not appear to be a sprawling lifestyle development.

Natural Hazards

9.0 As mentioned previously, the site is subject to liquefaction risk due to the soil type and proximity to Barkers Stream and the Waihi River. This is shown below in Figure 3. It is noted that these Hazard Assessment areas apply to the fringes of the site, largely within the areas identified to remain as a 10 hectare minimum lot size, and should not preclude further subdivision being carried out. In the unlikely event that residential dwellings are constructed on these areas there may be specific foundation design required as a result of this and compliance with the Proposed District Plan rules will be required at the time of future building consent application. The site is not subject to any other known natural hazard risk.

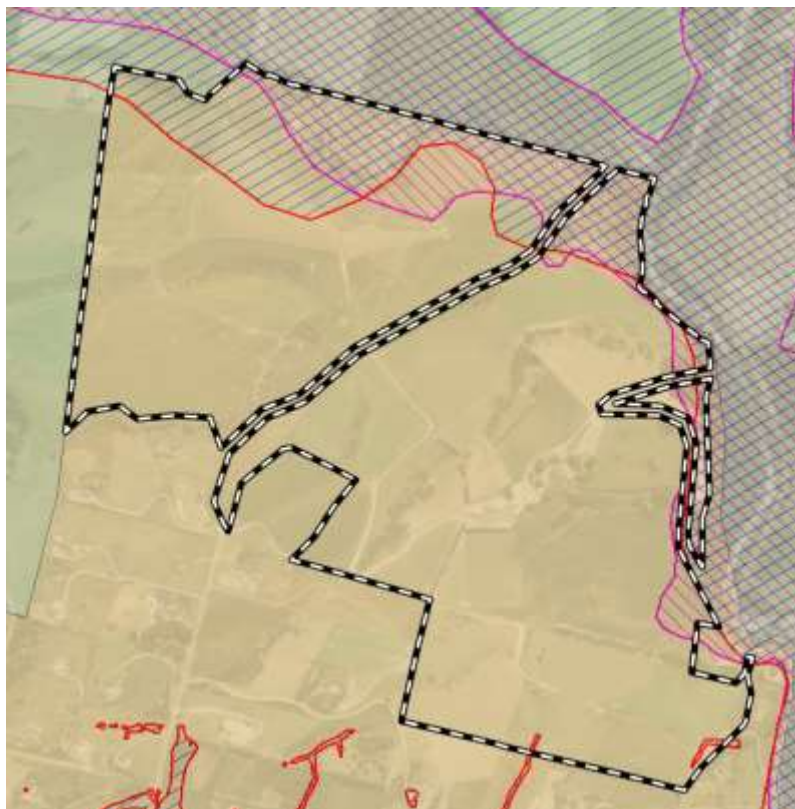


Figure 3 – The extent of the identified Liquefaction risk is shown by the pink hatched area with Flood Assessment areas denoted by a blue hatch with a red outline.

Soil Contaminants

10.0 The site is registered on the Listed Land Use Register administered by Environment Canterbury. The LLUR Report indicates that there is a sheep dip that has been identified on the site through the 2018 Timaru District Council HAIL Identification project. The sheep dip is located near the sheds by the main dwelling. Compliance and consents as appropriate will be required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) at the time of future development. It is noted the Proposed District Plan Rules reflect this. The contaminated land is not considered significant enough to preclude the site from being rezoned.

Ecosystems and Biodiversity

11.0 It is considered that retiring land with significant slope from farming will have a benefit on surrounding waterways. Provision for additional native plantings, particularly where waterways are fenced and developed for communal enjoyment will have a beneficial effect on the surrounding biodiversity.

Servicing

12.0 It is noted that the subject site has connections to the Te Moana water scheme. This scheme is currently going through a significant upgrade and it is considered that any future development will be able to utilise this water scheme. The minimum allotment size of 2ha also means that there is sufficient space within the site boundaries to dispose of stormwater, and to establish disposal fields for septic tank discharge. It is noted that both sewer and stormwater discharge will be subject to Environment Canterbury requirements.

Statutory Planning Assessment

Regional Policy Statement

13.0 As the site has been identified as a lifestyle area, no further assessment of the Canterbury Regional Policy Statement has been provided in terms of growth patterns and loss of rural land as it is considered that this has been assessed in the past through Plan Change 17 and the District Plan Review process. The proposed boundary change for the minimum 2ha specific control area is not considered to create any further points of concern in relation to the Regional Policy Statement.

National Environmental Standards

14.0 The following National Environmental Standards are currently in operative in New Zealand:

- National Environmental Standards for Plantation Forestry 2017
- National Environmental Standards for Air Quality 2004
- National Environmental Standard for Sources of Drinking Water 2007
- National Environmental Standards for Telecommunications Facilities 2016
- National Environmental Standards for Electricity Transmission Activities 2009

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- National Environmental Standards for Freshwater 2020
- National Environmental Standard for Marine Aquaculture 2020
- National Environmental Standard for Storing Tyres Outdoors 2021

15.0 The proposed rezoning is not considered to trigger the need for any further assessment of the matters covered by the Standards listed above. The most relevant standard is the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 and this has already been discussed.

Decision sought by submitter

16.0 It is proposed that the minimum 2hectare specific control area should be extended to the northern boundary of Lot 7 DP 466305 and include the southern portion of Lot 8 DP 466305 in accordance with the attached proposed zoning plan.

Conclusion

17.0 It is proposed that the boundary of the 2ha control area should be shifted further north and west to take advantage of what the site offers. The topography is not easily farmed in accordance with government regulations and it would be better utilised as lifestyle sections, with the added advantage that sections and dwellings can be hidden from neighbouring properties. This has advantages for waterways and natural areas throughout the site as it will retire land from intensive farming which will have benefits for water quality and additional landscaping will improve biodiversity.

Historically demand for Rural lifestyle allotments within the Geraldine Downs has been high. This submission seeks to accommodate some of that demand.

General

18.0 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

Prepared by:



Melissa McMullan

LLB BA MPlan

Planner

Reviewed by:



Andrew Rabbidge

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

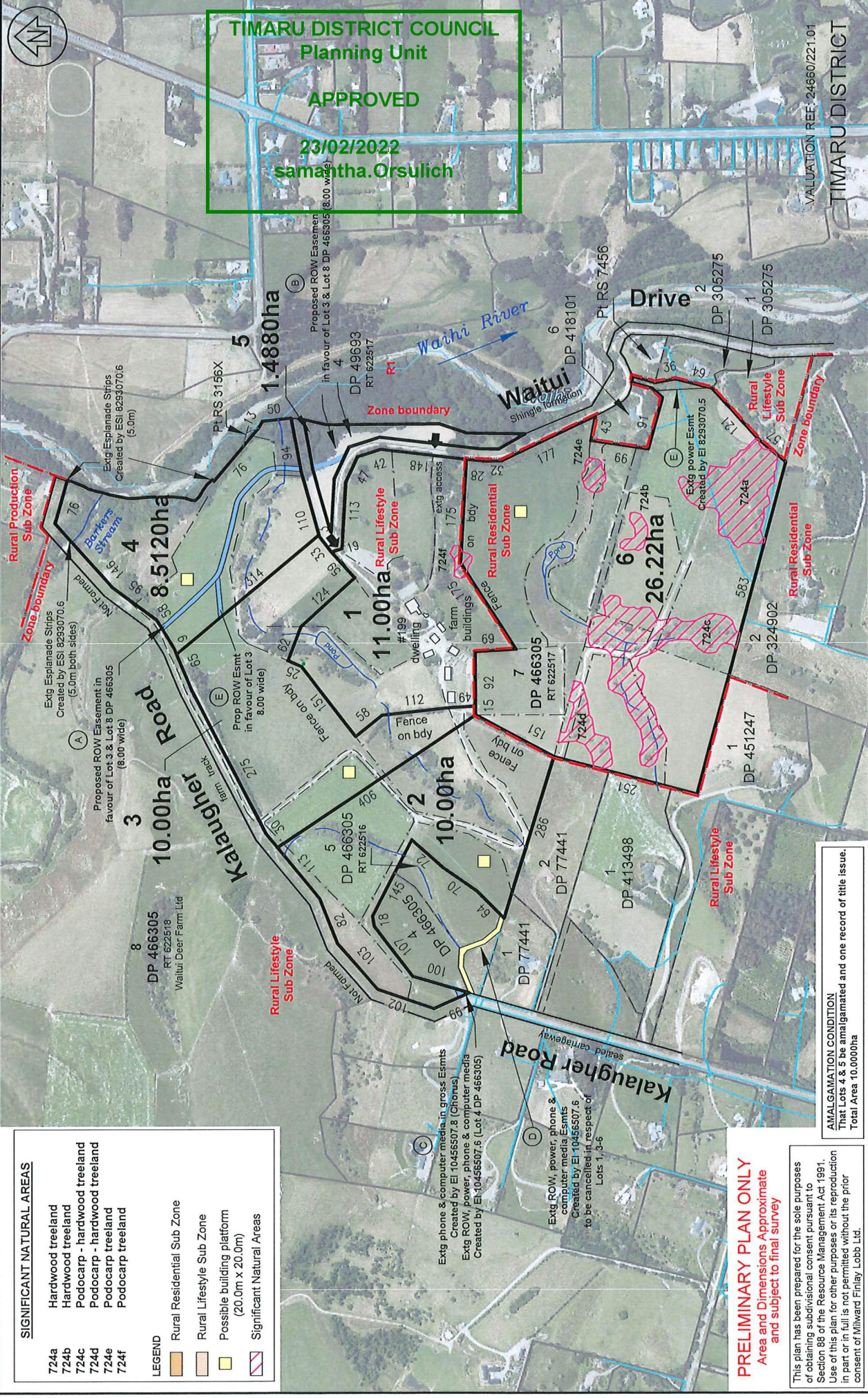
Licensed Cadastral Surveyor

Director, Milward Finlay Lobb Limited

9 December 2022

Attachments

- Approved consent plan – 101.2021.230
- Plan of Proposed Rural Living Zone (RLZ)



TIMARU DISTRICT COUNCIL
Planning Unit
APPROVED
23/02/2022
samaatha.Orsulich

VALUATION REF: 24960/221.01
TIMARU DISTRICT

- SIGNIFICANT NATURAL AREAS**
- 724a Hardwood treeland
 - 724b Hardwood treeland
 - 724c Podocarp - hardwood treeland
 - 724d Podocarp - hardwood treeland
 - 724e Podocarp treeland
 - 724f Podocarp treeland
- LEGEND**
- Rural Residential Sub Zone
 - Rural Lifestyle Sub Zone
 - Possible building platform (20.0m x 20.0m)
 - Significant Natural Areas

Extg phone & computer media in gross Esmtis Created by EI 10456507.8 (Chorus)
 Extg ROW, power, phone & computer media Created by EI 10456507.6
 Extg ROW, power, phone & computer media Created by EI 10456507.8 (Lot 4 DP 466305)

Extg ROW, power, phone & computer media Esmtis Created by EI 10456507.6 to be cancelled in respect of Lots 1, 3-6

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 Lobbb Ltd.

AMALGAMATION CONDITION
 That Lots 4 & 5 be amalgamated and one record of title issue.
 Total Area 10.0000ha

SCALE : 1 : 6,000 @ A3 **Date : August 2018**
Applicants: Waitui Deer Farm Ltd
 C/- MR & VER Bolderston
 199 Waitui Drive, RD 21
 GERALDINE 7991

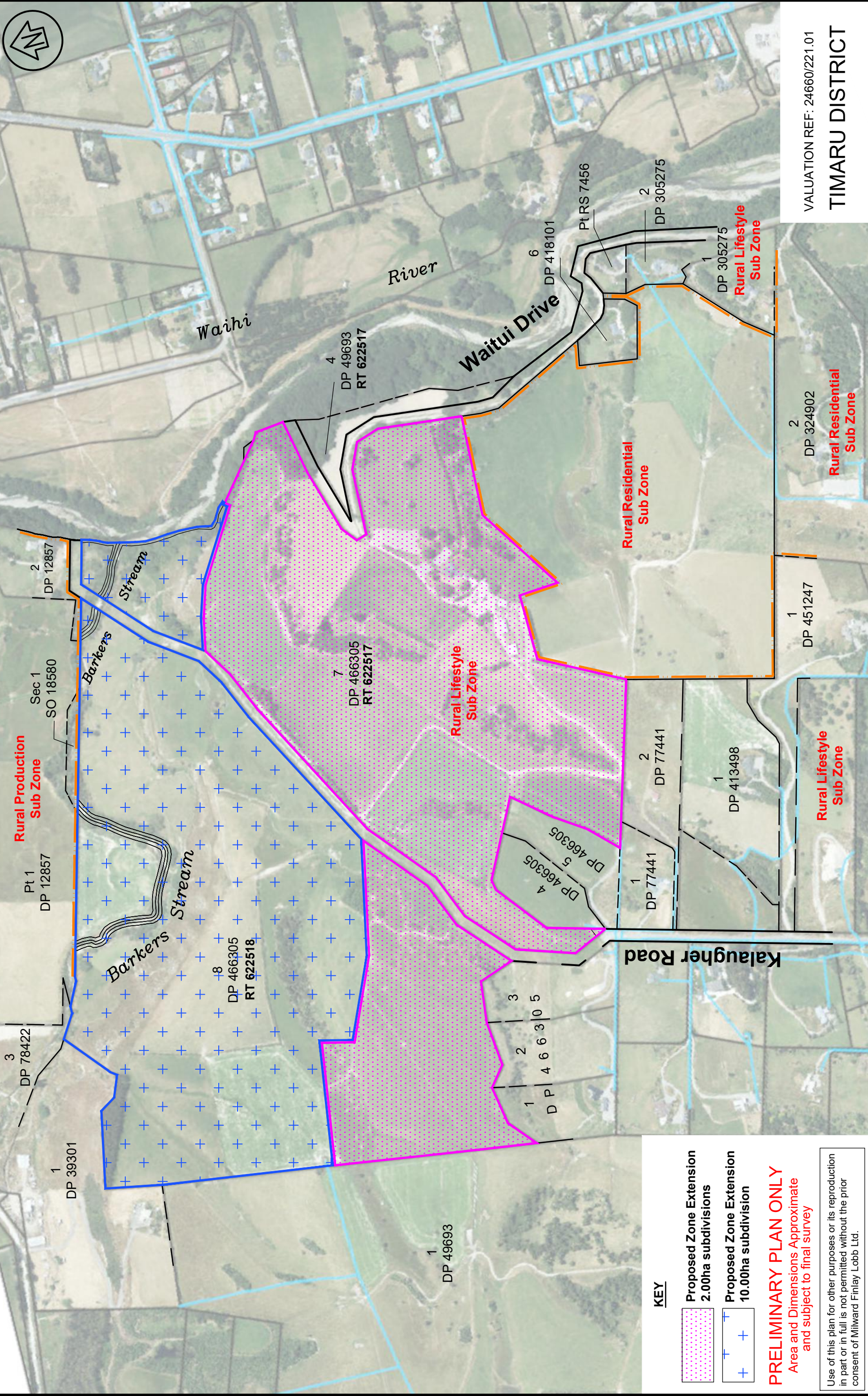
Surveyed ASR
 Drawn VCJ
 Amended 9.11.2018, 20.5.2019
 16.10.2020, 4.10.2021

Resource Consent Application
Proposed Subdivision of Lot 4 DP 49693 & Lot 7 DP 466305

PLANNERS | SURVEYORS | ENGINEERS

6 The Terrace, Timaru 7910
 PO BOX 454, Timaru 7940
 P 03 684 7888
 E admin@milf.co.nz
 www.milf.co.nz

Client/Job No.
286015/05
 Sheet 1 of 1



Client/Job No.
286015/06
Sheet 1 of 1



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milward finlay lobb
PLANNERS | SURVEYORS | ENGINEERS

PROPOSED ZONE EXTENSION
Lots 7 & 8 DP 466305 - #199 Waitui Drive, Geraldine

VALUATION REF: 24660/221.01
TIMARU DISTRICT

KEY

-  Proposed Zone Extension
2.00ha subdivisions
-  Proposed Zone Extension
10.00ha subdivision

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

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.

SCALE : 1 : 6,000 @ A3 Date : December 2022

Applicants:	Waitui Deer Farm Ltd c/- MR & VER Bolderston 199 Waitui Drive, RD 21 GERALDINE 7991
Surveyed	ASR
Drawn	VCJ
Amended	
Amended	