

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 #:28

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:

Hay

Attachments:

Submission - Hay - 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 28.1

Section: Planning Maps

Sentiment: Support

Submission:

Please see attached report.

Relief sought

It is proposed that 101 Te Ngawai Road 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 no provision for immediate Rural Lifestyle Zone to become available within Pleasant Point. It is considered that because of the infrastructure available within Te Ngawai Road that the 5,000m² minimum allotment size should apply to the site.

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:

Robyn Averil Hay and Richard Douglas Hay

[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 to the Rural Lifestyle Zone.

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 101 Te Ngawai Road 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 no provision for immediate Rural Lifestyle Zone to become available within Pleasant Point. It is considered that because of the infrastructure available within Te Ngawai Road that the 5,000m² minimum allotment size should apply to the site.

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 **12 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
Planning Status of the Site.....	2
Proposed Zoning.....	2
Reasons for the Submission.....	3
Effects on the Environment.....	3
Tangata Whenua.....	3
Amenity Values	3
Rural Productivity	3
Natural Hazards	3
Soil Contaminants.....	4
Drinking Water Protection Area	4
Decision Sought By Submitter	5
Conclusion.....	5
General	5

Submission on the Proposed Timaru District Plan

On behalf of Robyn and Richard Hay, 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 address the zoning that is proposed for 101 Te Ngawai Road, Pleasant Point. It is considered more appropriate to rezone the subject site to Rural Lifestyle Zone rather than General Rural Zone.

Site Description

2.0 The subject site is 1.6450 hectares of Rural 1 zoned land situated on the outskirts of Pleasant Point being legally described as Lot 1 DP 385662. An aerial view of the subject site is provided below in Figure 1.



Figure 1 – aerial view of the subject site.

3.0 The site is best described as a lifestyle block, with some ancillary buildings, a dwelling, landscaping and some paddocks. The site is flat in topography, and is considered to have very limited rural production values due to the existing allotment size. The site is classed as LUC 3 land.

Planning Status of the Site

4.0 The site is zoned Rural 1 in the Operative District Plan. 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 Areas
- Liquefaction Areas
- Drinking Water Protection Area

As discussed above, the site is also classed as LUC 3 land.

The planning notations that apply to the site are shown on the following page in Figure 2.

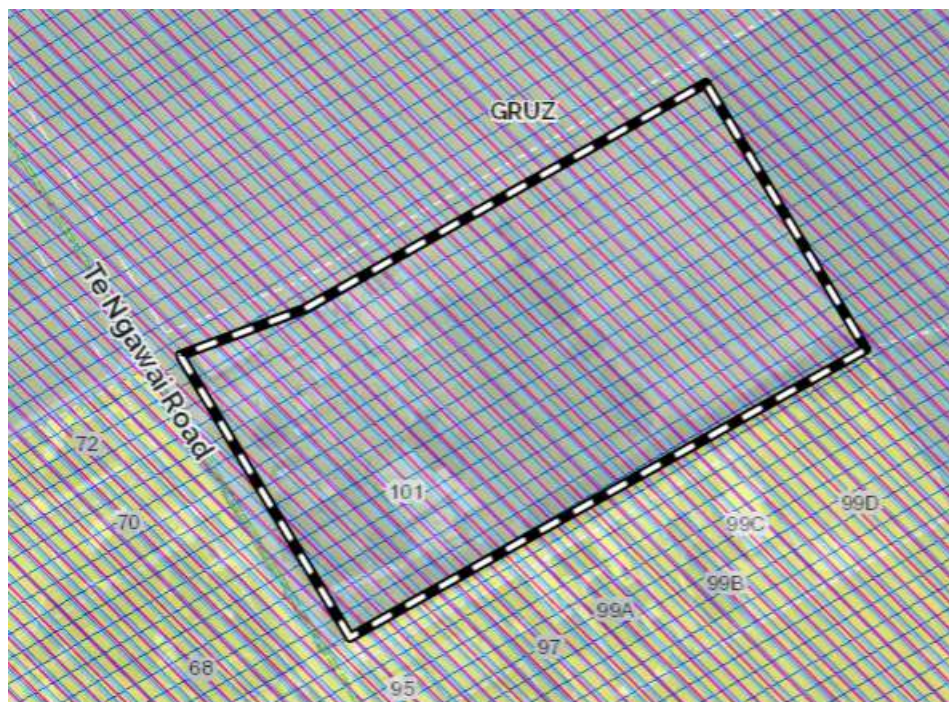


Figure 2 – Planning notations that apply to the site under the Proposed District Plan.

Proposed Zoning

5.0 The submission proposes that the site should be considered as a Rural Lifestyle Zone, due to the services available within Te Ngawai Road, the current allotment size and the proximity of the site to the General Residential zone.

Reasons for the Submission

6.0 The site is situated adjacent to the General Residential Zone and the Urban Boundary for Pleasant Point. Establishing rural activities on the site is difficult due to the size of the site, and the site is able to take advantage of Council infrastructure available within Te Ngawai Road for 5,000m² allotments to be created.

Effects on the Environment

Tangata Whenua

7.0 It is understood there are no areas of significance to Maori identified on the subject site, nor on adjoining properties, therefore no further comment has been provided as part of this submission.

Amenity Values

8.0 The site is surrounded by a urban development of a density and scale expected for a township of Pleasant Point's size. Despite there being a number of smaller allotments adjacent to Pleasant Point no Rural Lifestyle zoning has been provided for the township. 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.

Rural Productivity

9.0 The subject site is not considered to be a productive piece of land due to the small allotment size and significant number of buildings that have already been established on the site. 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 mentioned previously, the site is subject to liquefaction risk due to the soil type and proximity to Tengawai River, along with the Flood Hazard Assessment Area. This is shown on the following page in Figure 3. 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. Environment Canterbury, or similar, will provide guidance on what Finished Floor Level will be required on future residential dwellings and they will have the expertise to comment on the development of the site. The site is not subject to any other known natural hazard risk.

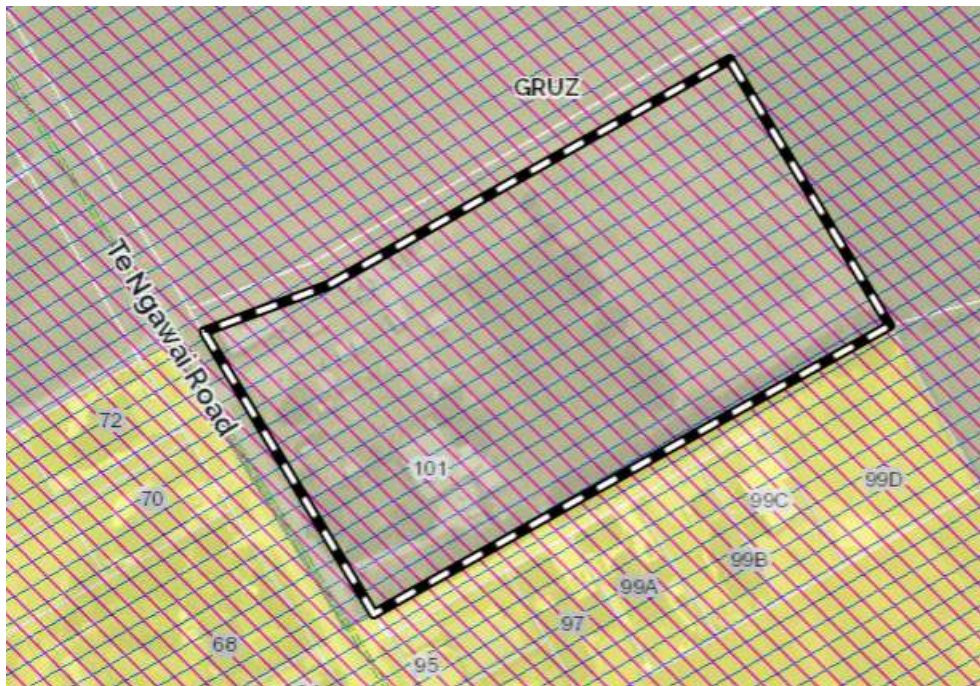


Figure 3 – The identified Liquefaction risk area and Flood Hazard Assessment Areas are applicable to the site in its entirety.

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 when it comes to future development.

Drinking Water Protection Area

12.0 It is noted that the site is subject to the Drinking Water Protection Area, however if the site is able to obtain connections to the reticulated sewer network it is considered that there is sufficient protection provided that there would be limited impact on the Drinking Water Protection Zone. It would also be possible to design soakpits 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 It is considered that there is Council infrastructure available with Te Ngawai Road that would provide adequate connections to the subject site. It is noted there is no reticulated stormwater network however with the minimum allotment sizes required by the Rural Lifestyle Zone, this can be managed by soakpits being established on site.

Decision Sought By Submitter

14.0 It is proposed that 101 Te Ngawai Road 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 no provision for immediate Rural Lifestyle Zone to become available within Pleasant Point. It is considered that because of the infrastructure available within Te Ngawai Road that the 5,000m² minimum allotment size should apply to the site.

Conclusion

15.0 It is considered sensible to rezone the subject site Rural Lifestyle Zone as there are a number of favourable aspects to the site in terms of the proximity to the township and the infrastructure that is available.

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

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

12 December 2022