

DDPR_feedback_0164s	
Name	James White
Organisation	on behalf of KS & MD Kennedy
Email	james@surveywaitaki.co.nz
Response Date	Aug 27 22
Notes	
Q1	Select the chapter you want to provide feedback on
Q2	In general, to what extent do you support the contents of this chapter?
Q3	Objective/Policy/Rule/Standard reference:
Q4	Feedback/Comments
Q5	Objective/Policy/Rule/Standard reference:
Q6	Feedback/Comments
Q7	Objective/Policy/Rule/Standard reference:
Q8	Feedback/Comments
Q9	Objective/Policy/Rule/Standard reference:
Q10	Feedback/Comments
Q11	supporting documents?
	0
Q12	If you need more space, or have any other general comments, please leave them here
	<p>Tēnā koe We hereby submit feedback to the draft Waitaki District Plan on behalf of KS &amp; MD Kennedy of 34 Main Street, Weston, Ōamaru. Please find attached: * Feedback Submission document including cover letter and accompanying information setting out the basis of the feedback * Appendix A – Proposed Zoning Plan * Appendix B – Spatial Plan – Weston Spatial Strategy * Appendix C – Records of Title * Appendix D - Subdivision Resource Consent 202.2018.1209 - WDC Decision We trust all the required information is enclosed, but please do not hesitate to contact me for any matter. We look forward to your considered response in due course. Ngā mihi nui James White   Planning &amp; Projects Leader Survey Waitaki Ltd - Surveying Planning Engineering T 03 434 80 20   M 021 195 1192   27a Coquet Street, PO Box 237   Oamaru 9444   www.surveywaitaki.co.nz</p>

# DRAFT DISTRICT PLAN FEEDBACK

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August 2022

SUBMITTER: K & M KENNEDY

LOCATION: 34 MAIN STREET, WESTON



**To:** Draft District Plan Feedback  
Waitaki District Council  
Private Bag 50058  
Ōamaru 9444

**Submitter:** KS & MD Kennedy

**Location:** 34 Main Street, Weston, Ōamaru

**Legal Descriptions:** Part Section 2 of I I Block III and Part Section 49 Block III Ōamaru Survey District (OT263/29) and Pt Section 2 Section I I Block III Ōamaru Survey District (OT355/25)

**Proposal:** This feedback proposes that land be zoned General Residential Zone in the new Waitaki District Plan, and that all the draft and subsequent General Residential Zone standards and Subdivision rules that eventually become operative should apply to the new zone. In addition, the Land Use Capability is proposed to be altered to better reflect capability.

**Consultation:** The submitter has previously discussed the appropriateness of, and advocated for, changing the zoning of the subject land with officers of the Waitaki District Council.



James White  
Planner  
MPlan

*Signed on behalf of the Submitter*

**Addresses for Service:**

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## FEEDBACK ON DRAFT DISTRICT PLAN

### Introduction:

This feedback proposes that land be zoned General Residential Zone in the new Waitaki District Plan, and that all the draft and subsequent General Residential Zone standards and Subdivision rules that eventually become operative should apply to the new zone.

This feedback also seeks that the Land Use Capability 2 notation is reviewed and removed as the Land Use Capability classification is likely to more akin to Land Use Capability 4.

As well as providing information justifying the proposal, including an assessment against the Ōamaru, Weston and Kakanui Spatial Plan May 2022 (Spatial Plan), this feedback document provides an assessment of all the potential considerations and effects for zoning the land General Residential Zone.

The proposed zoning is illustrated on the Plan attached in Appendix A.

<b>Submitter:</b>	KS & MD Kennedy
<b>Location:</b>	34 Main Street, Weston, Ōamaru
<b>Legal Descriptions:</b>	Part Section 2 of 11 Block III and Part Section 49 Block III Ōamaru Survey District (OT263/29) and Pt Section 2 Section 11 Block III Ōamaru Survey District (OT355/25)
<b>Operative District Plan:</b>	Rural Zone & Residential Zone (Map 52)
<b>Draft District Plan:</b>	General Rural Zone & General Residential Zone Land Use Capability 2

### Feedback and Outcome Sought:

This feedback relates to the land located at 34 Main Street, Weston, being legally described as Part Section 2 of 11 Block III and Part Section 49 Block III Ōamaru Survey District (OT263/29) and Pt Section 2 Section 11 Block III Ōamaru Survey District (OT355/25).

#### **\*Outcome 1: Change Zone**

The Draft District Plan shows the land as both General Rural Zone and General Residential Zone. This feedback seeks that the land be zoned entirely General Residential Zone. This feedback also seeks that all the draft and subsequent General Residential Zone standards and Subdivision rules that eventually become operative should apply to the new zone. The proposed zoning is illustrated in Figure 1 below and on the Plan attached in Appendix A.

#### **\*Outcome 2: Change Land Use Capability classification**

The Spatial Plan identified the soils on the property as High Class, and the draft District Plan identifies the site as containing Land Use Capability 2 soils. This feedback seeks that the Land Use Capability 2 notation is reviewed and removed as the Land Use Capability classification is likely to more akin to Land Use Capability 4.



**Figure 1:** Excerpt from Draft District Plan mapping showing the property (yellow outline) in relation to the proposed new General Rural and General Residential Zone (map sourced from <https://spatialservice.waitaki.govt.nz/GPDistrictPlan/>).

### Description of Site:

The site is located at 34 Main Street, Weston, and has frontage to both Airedale Road and Main Street. The site comprises of two certificates of title, legally described as Part Section 2 of 11 Block III and Part Section 49 Block III Ōamaru Survey District (OT263/29) and Pt Section 2 Section 11 Block III Ōamaru Survey District (OT355/25). The land is currently zoned both Residential Zone and Rural Zone in the Operative Waitaki District Plan (the Plan) on Planning Map 52. No items of interest/significance are shown on the planning maps.

An existing dwelling is located at 34 Main Street and is occupied by the submitters. The existing dwelling, garage and associated landscaping have been developed without regard for the underlying zoning and span the zone boundary between the existing Residential and Rural General Zones. The balance of the land is predominantly bare land used for rural residential land use but is not productive.

A subdivision resource consent has been granted (202.2018.1209 granted 18 September 2019) to subdivide the property into 2 separate titles. The resultant new lots/titles to be created are:

- Lot 1 being approximately 1.13ha of land containing the existing dwelling.
- Lot 2 being approximately 1.05ha of bare land

A copy of the subdivision consent and approved scheme plan is attached as Appendix C. The subdivision has not yet been completed through to RMA Section 223 and 224(c) certification as the consent holder intends to wait for the outcome of the District Plan review process or September 2024 being the date at which the consent would lapse if not given effect to.

For all intents and purposes, the site appears to be ideally set up for consideration for medium-density residential development. The site is surrounded on two sides by Residential zoning and residential development. A Council sewer main runs north-south along most of the eastern boundary of the site, and water is freely available nearby. The smaller title (OT355/25) appears to have been created to cater for future roading access and has an 'Implied Right of Way' (s168 of the Land Transfer Act 1952) encumbrance on the title.

Figure 2 below shows an aerial photograph of the site and surrounding area sourced from Canterbury Maps.



**Figure 2:** Aerial photo of the property (yellow outline) and surrounding environment sourced from Canterbury Maps.

Further, Weston is described in the Spatial Plan as follows:

*'Weston has strong ties to the rural community and has its own character due to the surrounding rural residential development and smaller population base of approximately 900 residents.*

*Weston was a kāiika nohoaka situated where the heads of Te Awa Kōkōmuka and Ōamaru (Ōamaru Creek) meet. It is an important point on the trails connecting the coastal communities with inland resources and settlement sites, such as Te Ana Raki, and the rich mahika kai that was provided by the Waiareka and associated repo and forests.*

*Today, Weston is slowly transitioning towards become a suburb of Ōamaru, as new housing areas spread westwards. During engagement, the community expressed mixed views on whether Weston should retain its own identity, or just become part of Ōamaru.*

*People value being able to live in a country town that is just five minutes to work and are attracted to the larger sections than in urban Ōamaru. A key challenge identified included the lack of urban*

infrastructure, e.g. footpaths to assist with safe walking and cycling in the town. Many people also noted that a bigger centre would support the growing population. Protecting the remaining high quality soils from further urban development was also seen as important.'

## **Ōamaru, Weston & Kakanui Spatial Plan (May 2022)**

The Ōamaru, Weston and Kakanui Spatial Plan May 2022 (Spatial Plan) was prepared collaboratively with Council, stakeholders and the community, with input from mana whenua, and is a guiding document for growth and development over the next 30 years.

The purpose of the Spatial Plan is described in *Part A: Introduction* as:

*'A spatial plan is needed to ensure there is a clear and shared vision about how Ōamaru, Weston and Kakanui grow over a 30 year period. The focus is on how development, infrastructure and activities will be spatially managed, including the future look and feel of these areas. The Spatial Plan plays an important function in supporting and directing change in a way that benefits the wellbeing of the community both now and into the future.'*

*The Spatial Plan is the opportunity to promote long-term strategic planning and assist in informing planning, infrastructure and funding decisions. It will serve as the mechanism for dealing with various interactions within the natural and built environment.*

*It will also assist in understanding the different tensions and interactions, determine key constraints on land use and development, identify areas for protection and prioritise particular resources in order to make informed and strategic decisions for the future. As a result of the Spatial Plan, there will be integration and co-ordination of Waitaki District Council's (WDC) role as a regulator, service provider, advocate and leader in the District including through the District Plan review.'*

Important drivers of change considered in the Spatial Plan include Population Change, Climate Change, the unique identity of Ōamaru, Weston and Kakanui, and Central Government Direction.

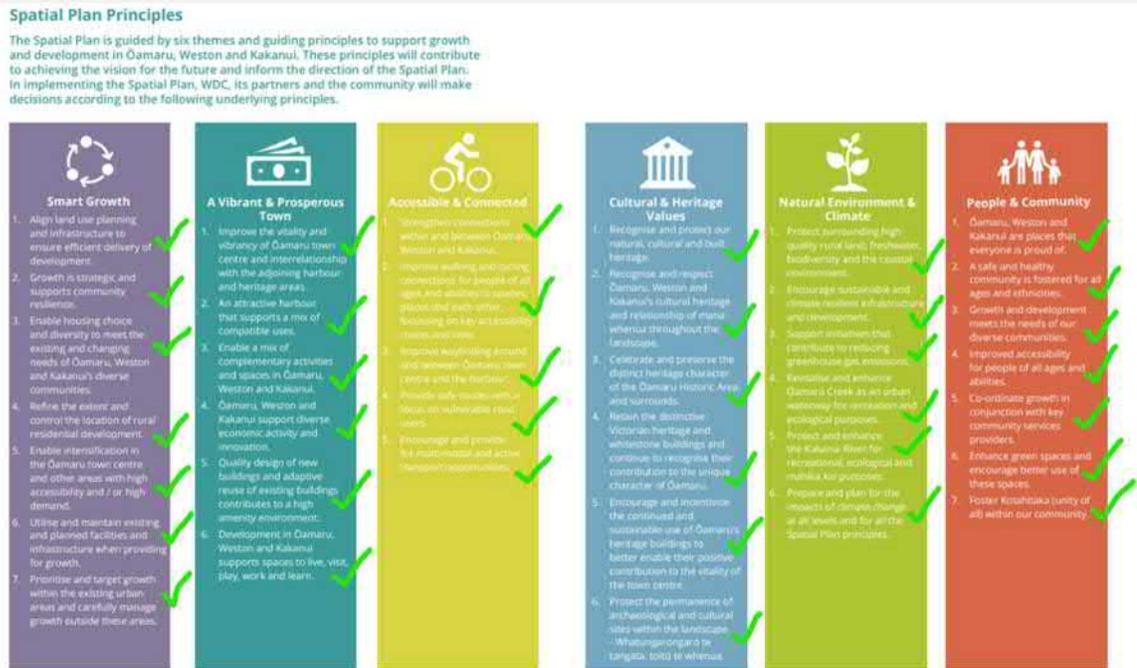
Hence, the Spatial Plan provides key direction for the current District Plan review and should be given due weight when considering zoning changes.

## **Spatial Plan Principles**

The Spatial Plan states that it is guided by six themes and guiding principles to support growth and development in Ōamaru, Weston and Kakanui. These principles contribute to achieving the vision for the future and inform the direction of the Spatial Plan. In implementing the Spatial Plan, WDC, its partners and the community will make decisions according to the principles underlying the following themes

- *Smart Growth*
- *A Vibrant & Prosperous Town*
- *Accessible & Connected*
- *Cultural & Heritage Values*
- *Environmental Sustainability*
- *People & Community*

These principles are set out in the table on page 47 of the Spatial Plan, and the proposed zoning has been assessed against them. Figure 3 below depicts this assessment where green ticks show where the proposed General Residential Zone either meets the principles or is not directly relevant.



**Figure 3:** An assessment against the Spatial Plan Principles where green ticks show where the proposal either meets the principles or is not directly relevant.)

The proposed General Residential Zone zoning meets the six themes and guiding principles to support growth and development in Ōamaru, Weston and Kakanui as set out in the Spatial Plan.

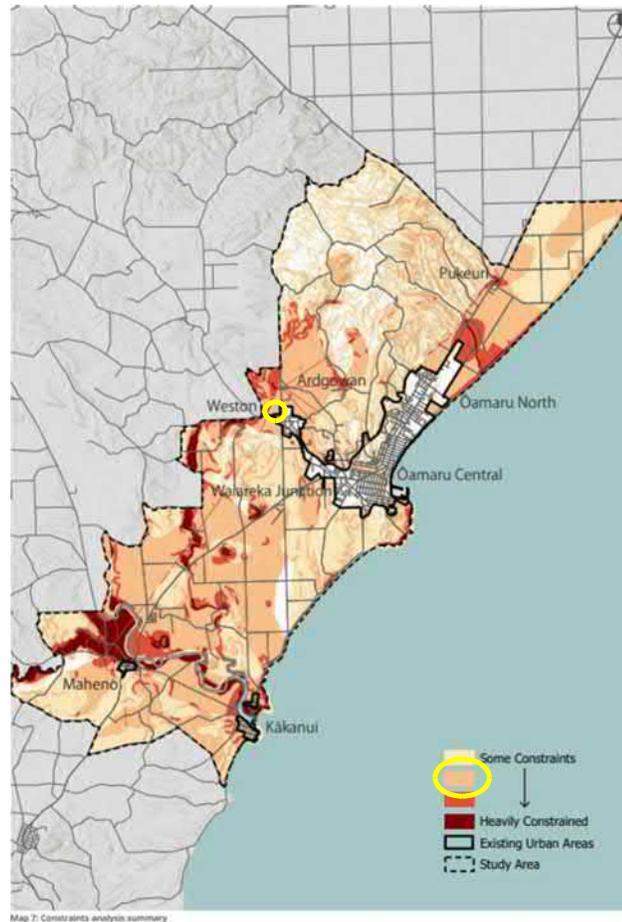
### Constraints

The Spatial Plan identifies ‘constraints’, which include known areas where there are values or characteristics which typically require detailed consideration if urban development is proposed to occur. Typically, most areas had at least one constraining factor. Constraints could include:

- Natural hazards, such as areas subject to flooding or coastal erosion; and
- Areas with important environmental or cultural features (such as Wāhi Tūpuna) that are not entirely compatible with urban development such as high-class soils, outstanding natural landscapes or significant infrastructure.

The Spatial Plan mapped the various constraints and produced a map (Map 7, page 37) which showed the areas that had ‘Some Constraints’ through to ‘Heavily Constrained’ areas. The land proposed General Residential Zone zoning was shown to be at the lower, less constrained end of the spectrum, due to the presence of ‘High Class soils’ (Figure 4). The soils on the site will be addressed later in this feedback.

Given the limited constraints on the property, it would appear to be suitable for the suggested zone change.



**Figure 4:** An assessment against the Spatial Plan Principles where green ticks show where the proposal either meets the principles or is not directly relevant.)

### Urban Accessibility

Urban accessibility is people’s ability to connect with people, goods and services and opportunities, and thereby engage in economic and social activity.

The land proposed to be zoned General Residential Zone lies within easy walking distance of a number of important community locations, including the local Weston Supermarket, Weston School, high quality public open space at Weston Park and the A2O cycleway. Additional services include the Weston Church, takeaways, motor vehicle servicing, and the Weston Hall – all within very close proximity. The Spatial Plan recognises this at a high level in the Urban Accessibility section on page 41 (Figure 5).



**Figure 5:** Excerpt from Map 8 showing the key economic and social activities within accessible distance within Weston.

Further, Weston is a 5min drive from the Ōamaru CBD which contains a high number of options to connect with people, goods and services and opportunities, and thereby engage in economic and social activity

The A2O cycleway provides an excellent safe and accessible off-road link between Ōamaru and Weston for cycling and walking.

### **Spatial Plan Strategy Summary**

The spatial strategy identifies key moves to deliver the outcomes of the Spatial Plan (Figure 6 and also attached in Appendix B). The key moves particularly relevant to the subject site proposed to be zoned General Residential are:

#### Weston:

- ✓ Potential to accommodate between 850 – 1,430 new dwellings across 105 hectares of new residential growth areas
- ✓ Enhancement of the local centre to support existing residents and future growth
- ✓ Extension of urban infrastructure (e.g. threewaters, kerbs, footpaths, lighting)

#### Land-uses

- ✓ Enable higher densities within existing urban areas
- ✓ Expansion of residential zone between Ōamaru and Weston supported by structure planning

#### Transport

- ✓ Urbanisation of the A2O and northern rail corridor cycle way
- ✓ Provision for active transport modes through the Spatial Plan area
- ✓ Potential establishment of public transport services and re-establishment of passenger rail

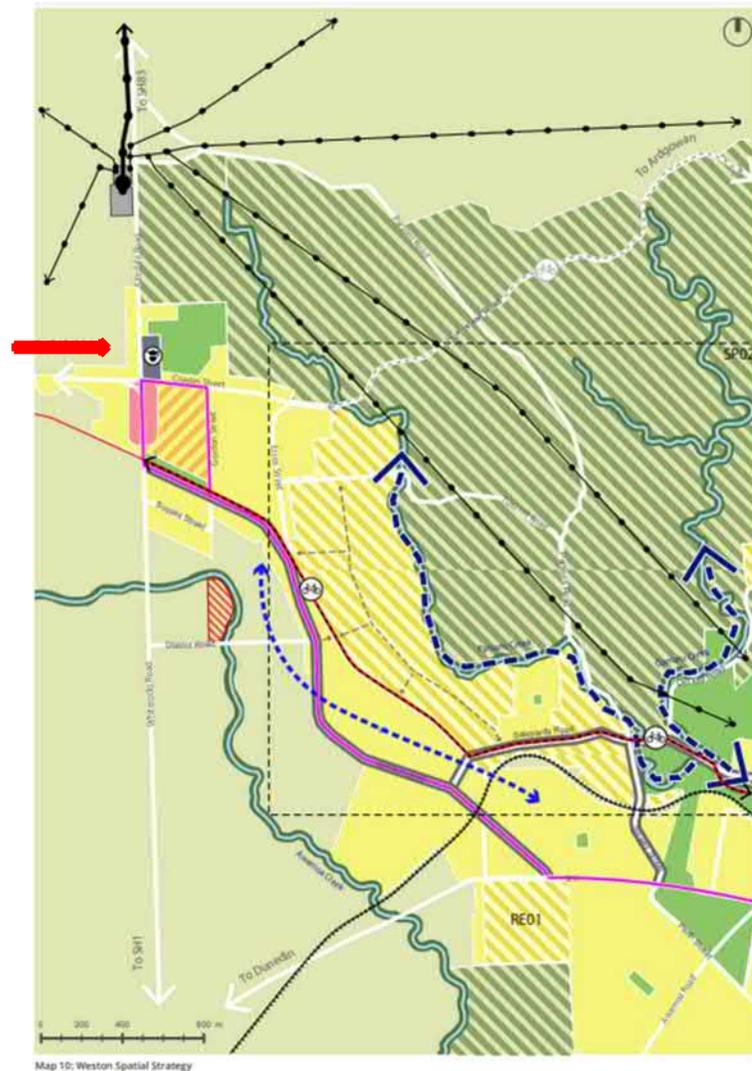
#### Environmental

- ✓ Growth and development that responds to the changing climate and occurs sustainably

- ✓ Protection, maintenance and enhancement of high-class soils, freshwater, biodiversity and the coastal environment
- ✓ Ecological and recreational revitalisation and enhancement of Ōamaru Creek and Kakanui River

### Infrastructure

- ✓ Extension of water, wastewater and stormwater networks to support residential growth areas
- ✓ Establishment of a new multi-purpose events centre in northern Ōamaru
- ✓ Upgrade or relocation of Ōamaru Hospital



**Figure 6:** Map 10 from the Spatial Plan showing the Spatial Plan Strategy for Weston, with the subject site indicated with red arrow.

It is noted that the only constraining factor identified for the subject site is the presence of 'High Class Soils', which will be addressed later in this feedback.

The Spatial Plan recognises that *'urban expansion north and west of Weston is constrained by the presence of high-class soils across largely unfragmented landholdings as well as critical infrastructure in the form of transmission corridors and wastewater treatment facilities'*. However, supporting the proposal are the facts that although located to the north and west of Weston, the subject site is immediately adjacent to residential land, and in very close proximity to the business area of Weston. The property is already fragmented into two small blocks, and all necessary services and infrastructure are readily available.

### **Assessment of Suggested Zone Change Effects:**

In addition to the above information, the following is an assessment of the potential effects of the suggested General Residential Zone change and includes the following considerations:

- Lot Size and Density:
- Property Access
- Waterways & Esplanade Provision
- Natural Hazards
- High Class Soils
- Servicing (water, wastewater, stormwater, trades waste, energy, telecommunications)
- Cultural, Heritage, Landscape, Archaeological and Vegetation
- Earthworks
- Economic

### **Lot Size and Density:**

This feedback seeks that, along with the land being zoned General Residential Zone, all the draft and subsequent proposed/operative General Residential Zone standards and Subdivision rules should apply to the new zone.

A change to General Residential Zone on the property will clearly alter the potential lot size and density of properties.

This submission accepts that all the draft and subsequent proposed General Residential Zone standards will ensure that amenity values will be maintained and enhanced within the re-zoned land.

### **Zone/Property Access:**

There are several viable vehicular access options available to support the General Residential Zoning.

The site can be accessed from Main Street, with a generous road frontage with potential to support a road intersection (Figure 6).



**Figure 6:** Photo from Main Street showing the road frontage of the site (source: Google Earth).

Access is also available from Airedale Road via the smaller title (OT355/25) which appears to have been created to cater for future roading access and has an 'Implied Right of Way' (s168 of the Land Transfer Act 1952) encumbrance on the title (Figure 7).



**Figure 7:** Photo from Airedale Road looking westwards into the site (source: Google Earth).

### **Waterways & Esplanade Provision:**

The subject land does not contain any waterways, and no esplanade reserves or strips may be warranted.

## Natural Hazard:

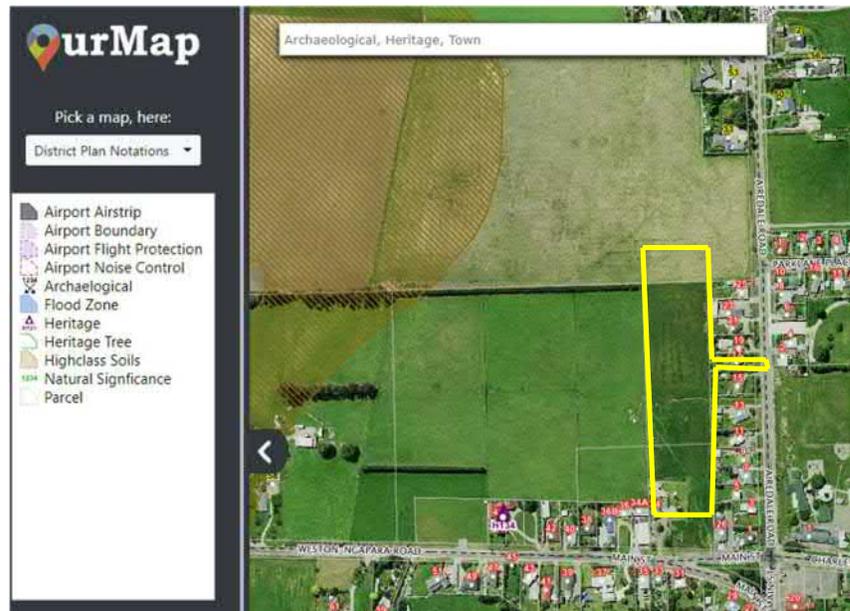
There are no known natural hazards that might affect the subject land, and none are shown on the draft District Plan maps.

## Highly Productive Soils:

The Spatial Plan identified the soils on the property as High Class, and the draft District Plan identifies the site as containing Land Use Capability 2 soils.

This feedback on the draft District Plan seeks that the Land Use Capability 2 notation is reviewed and removed as the Land Use Capability classification is likely to more akin to Land Use Capability 4.

The site was not identified in the Operative Waitaki District Plan as containing any High Class Soils. Figure 8 below shows that there was some High Class Soils identified some 300m+ to the north west.



**Figure 8:** Screenshot of WDC's GIS website OurMaps showing the High Class Soils notation to the northwest of the subject land (yellow border).

Local Councils across New Zealand decide what land is classified as highly productive (or High Class), and most Council's use the LUC system.

At the top end, a classification of LUC I means that a particular soil has high suitability across all potential land use classes, and is very valuable for primary production, with the limitations on potential use increasing and the versatility decreasing with each class step. While LUC I is the gold standard for soils, a 'High Class Soil' can include LUC classes 1-3.

The Government is proposing a National Policy Statement for Highly Productive Land (proposed NPS-HPL) to improve the way highly productive land is managed under the RMA. Public consultation on the proposed NPS-HPL was undertaken in 2019. It is understood that

final decisions on the proposed NPS-HPL will be made by the Government later in 2022, and if approved by Cabinet, the proposal would be gazetted and take effect soon after decisions are made.

The proposed NPS-HPL indicates that soils designated LUC 1, 2 or 3 should be described as highly productive land, which correlates with 'High Class Soils' as currently identified in the Operative Plan.

Notwithstanding a particular LUC (or High Class Soils) classification, the onus is on Councils now, and will continue to be following the NPS-HPL becoming effective, to consider a number of other factors to exclude some of this land, or to identify other highly productive land. Examples of other factors are:

- topography
- the suitability of the climate for primary production;
- the size of land properties to support primary production;
- water availability; and
- access to transport routes and appropriate labour markets.
- presence of nearby sensitive receivers

It is the submitter's opinion that the site would be highly likely fall outside of the 'highly productive land' (NPS-HPL & Draft Plan) classifications.

The submitter requests that Council ground-truth the subject site to determine the appropriate Land Use Capability. Alternatively, the submitter is happy to commission a report at their own cost (at Council's request).

Should the property fall outside of the highly productive land classification, this change would also compliment the proposed change in zoning to General Residential Zone.

#### **Water Supply:**

The new General Residential Zone can be serviced with a potable water supply from Council's Weston potable water reticulation. There are a number of water mains in close proximity and it is anticipated supply will have sufficient capacity. Should upgrade works be necessary, this can occur at the time of development at the cost of any future developer.

#### **Sanitary Sewage Disposal:**

The new General Residential Zone can be serviced for wastewater disposal via Council's Weston sewer reticulation. A Council sewer main runs along the eastern boundary of the property. Should upgrade works be necessary, this can occur at the time of development at the cost of any future developer.

#### **Stormwater:**

It is anticipated that stormwater will be able to be appropriately disposed of via an engineered design. Should the zone be changed, and the site be subsequently developed, it is expected

that an Engineering Approval process will follow, and an approved stormwater disposal system will be designed in accordance with the Building Code and its subsequent amendments.

**Trade Waste Disposal:**

There will be no trade waste disposal aspect to the new zone or subsequent development.

**Energy Supply and Telecommunications:**

The new zone can be easily supplied with connections to energy and telecommunication supplies. These services are available and with sufficient capacity within Main Street and Airedale Road.

**Cultural, Heritage, Landscape, Archaeological and Vegetation:**

The rezoning of the property is not expected to affect values, character or features associated with cultural, heritage, landscape, archaeological or vegetation matters.

**Earthworks:**

Earthworks will be required to create new roads, accesses and building platforms, and will be subject to normal engineering design processes and approvals.

Any earthworks will be undertaken on flat land with no special landscape features identified, and will not be readily discernible from any publicly accessible areas. No materials will need to be removed from the site. Following any earthworks, there will be very little bare soil visible from outside the site. Any topsoil stripped from the site will be reused on the site and will be able to be revegetated.

In terms of vegetation, the site has 100% exotic pasture cover, with no indigenous vegetation or fauna anywhere in the vicinity of the site.

**Economic Effects:**

Economic effects are a relevant consideration - the definition of environment includes the economic conditions which affect people and communities.

The proposed zoning will economically support local businesses and contractors over time as the land is developed.

As the land is developed and new properties are established, the Council and community will realise additional financial benefits through property rating and Development/Financial Contributions.

In the long term, the proposal will positively contribute to the local community and Waitaki District economy through enabling local people to stay local. Retaining people in the area helps both those individuals and the community by maintaining social networks and supporting the local economy.

The Council is urged to consider and give due weight to the positive economic effects resulting from the proposed zoning. When communities are thriving, the local economy is resilient.

**Conclusion:**

The above feedback has presented a compelling case for zoning the subject site General Residential Zone.

Although not included in the Spatial Plan, the proposed zoning sits well with the key considerations and outcomes presented in the Spatial Plan.

The only constraining factor identified for the subject site is the presence of ‘High Class Soils’, which the submitter requests to be further investigated. Supporting the proposal in this regard is that the subject site is immediately adjacent to residential land, and in very close proximity to the business area of Weston. The property is already fragmented into two small blocks, and all necessary services and infrastructure are readily available.

The new zone can easily be serviced with all necessary services and infrastructure, and all normal subdivision requirements can be met with little to no effects.

The new zone will rank high in terms of urban accessibility, being within easy walking distance of a number of important community locations, including the local Weston Supermarket, Weston School, high quality public open space at Weston Park and the A2O cycleway. Additional services include the Weston Church, takeaways, motor vehicle servicing, and the Weston Hall – all within very close proximity. Further, Weston is a 5min drive from the Ōamaru CBD which contains a high number of options to connect with people, goods and services and opportunities, and thereby engage in economic and social activity. The A2O cycleway provides an excellent safe and accessible off-road link between Ōamaru and Weston for cycling and walking.

Future population projections and public transport proposals will sit well with the proposed zoning.

The above feedback has presented a compelling case for zoning the subject site General Residential Zone. The submitter requests that Council give due consideration to this feedback, and is happy to work alongside Council and supply further information if required.

Please call to discuss any queries or questions you may have in regard to this feedback.

We look forward to your response in due course.

Regards

**Survey Waitaki Limited**



James White  
Planner  
MPlan

**Appendices:**

**Appendix A** – Proposed Zoning Plan

**Appendix B** – Spatial Plan – Weston Spatial Strategy

**Appendix C** – Records of Title

**Appendix D** - Subdivision Resource Consent 202.2018.1209 - WDC Decision



	SURVEY WAITAKI LTD PO BOX 237 OAMARU Ph 03 434 8020 cameron@surveywaitaki.co.nz	DRAWN JFW	DATE Aug 2022	DRAWING TITLE Plan Supporting Feedback on Draft Waitaki District Plan	PROJECT TITLE Kennedy 34 Main Street Weston
	CHKD CJL	SCALE (A3) 1:2500	STATUS For Information	OUR REF 1626-Zone-001	REV A

## Weston Spatial Strategy

Approximately 104 hectares of land between Waiareka Junction and Weston has been identified as being potentially suitable for urban expansion. This has the potential to accommodate between 850 and 1,430 new dwellings depending on typologies and lot sizes adopted. The area is currently zoned for rural residential uses and also features some recent residential subdivision. Parsons Creek forms a natural eastern boundary for this residential expansion. The creek can act as a buffer with the remaining rural residential uses in this area and also function as an east/west recreational route linking Weston with Ōamaru Creek and Ōamaru town centre.

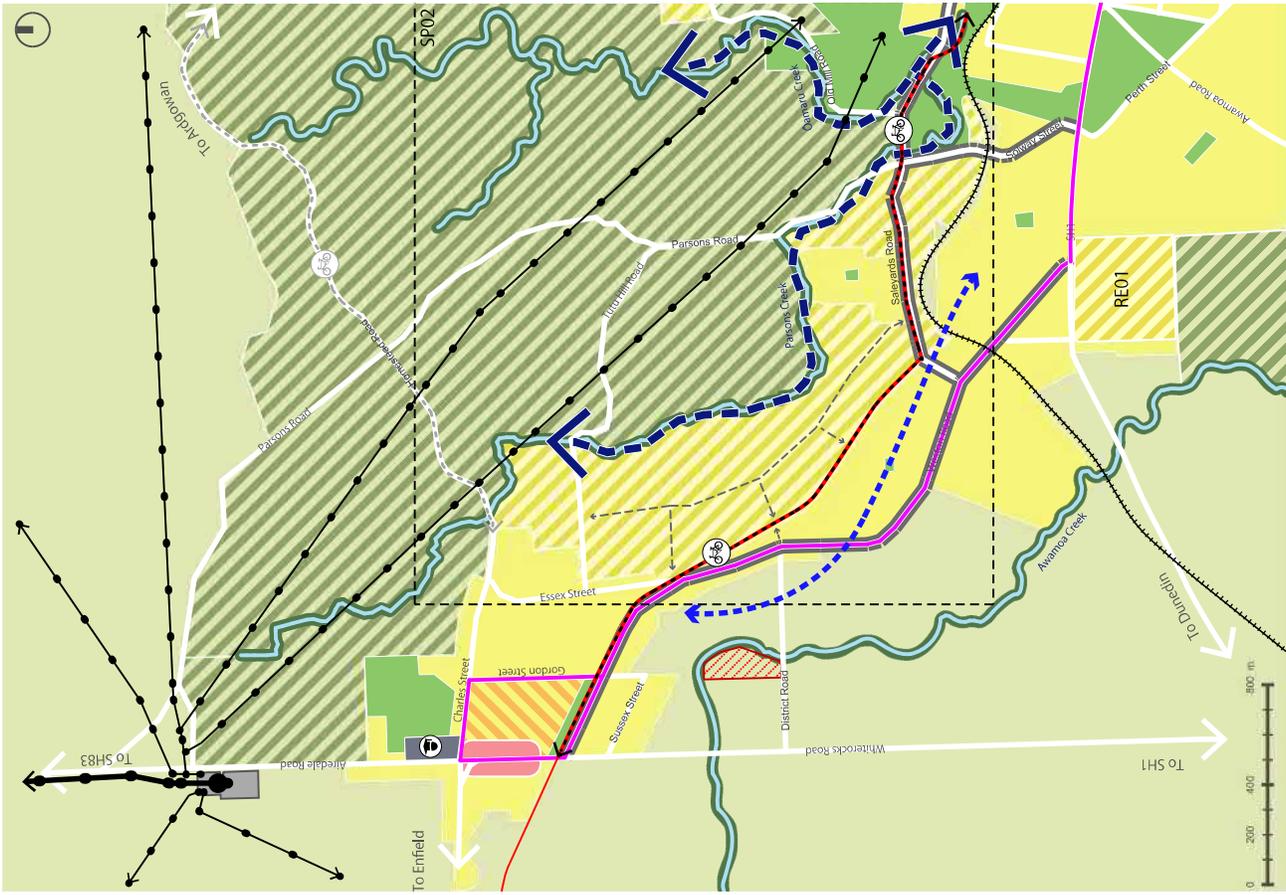
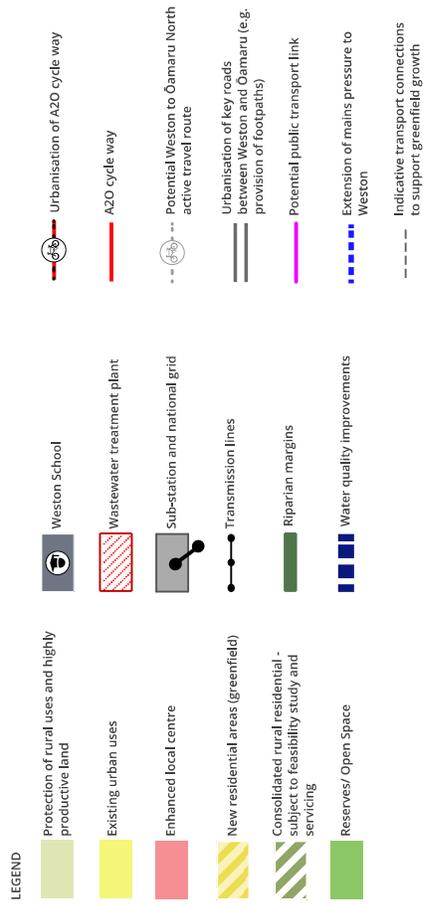
Urban expansion north and west of Weston is constrained by the presence of high-class soils across largely unfragmented landholdings as well as critical infrastructure in the form of transmission corridors and wastewater treatment facilities. Similar constraints are also observed east of Parsons Creek. Stakeholders and the community value protection of high-class soils.

The growth of Weston and the SP02 area will better support an enhanced local centre that can offer a wider range of convenience retail and services to local residents, reducing the need to travel to Ōamaru to meet their day-to-day needs. This will

require streetscape improvements and potential inclusion of social infrastructure or other community services (e.g. medical facilities).

In terms of infrastructure, extension of urban services (such as access to mains water and footpaths) will be beneficial for the existing community and to support future growth. Structure planning will assist in ensuring efficient use of infrastructure. Urbanisation (e.g. sealing, lighting) of the A20 route will also be a critical piece of infrastructure that can provide an attractive and convenient, year-round active transport corridor between Weston and Ōamaru. Future development within the SP02 area should be required to feed onto the upgraded A20 route to ensure that private vehicles are not the only viable mode of transport for future residents.

Longer-term consideration of a fixed or on-demand public transport service to link Weston with Ōamaru and employment opportunities and schools in Ōamaru North should be investigated to support a shift away from private vehicles. In addition, a potential recreational route linking Weston and Ōamaru North via Homestead Road and Ardgowan should be considered to provide an alternative active travel route between these key centres.



Map 10: Weston Spatial Strategy



# COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



  
R.W. Muir  
Registrar-General  
of Land

## Search Copy

**Identifier** OT355/25  
**Land Registration District** Otago  
**Date Issued** 19 October 1951

### Prior References

OT195/216

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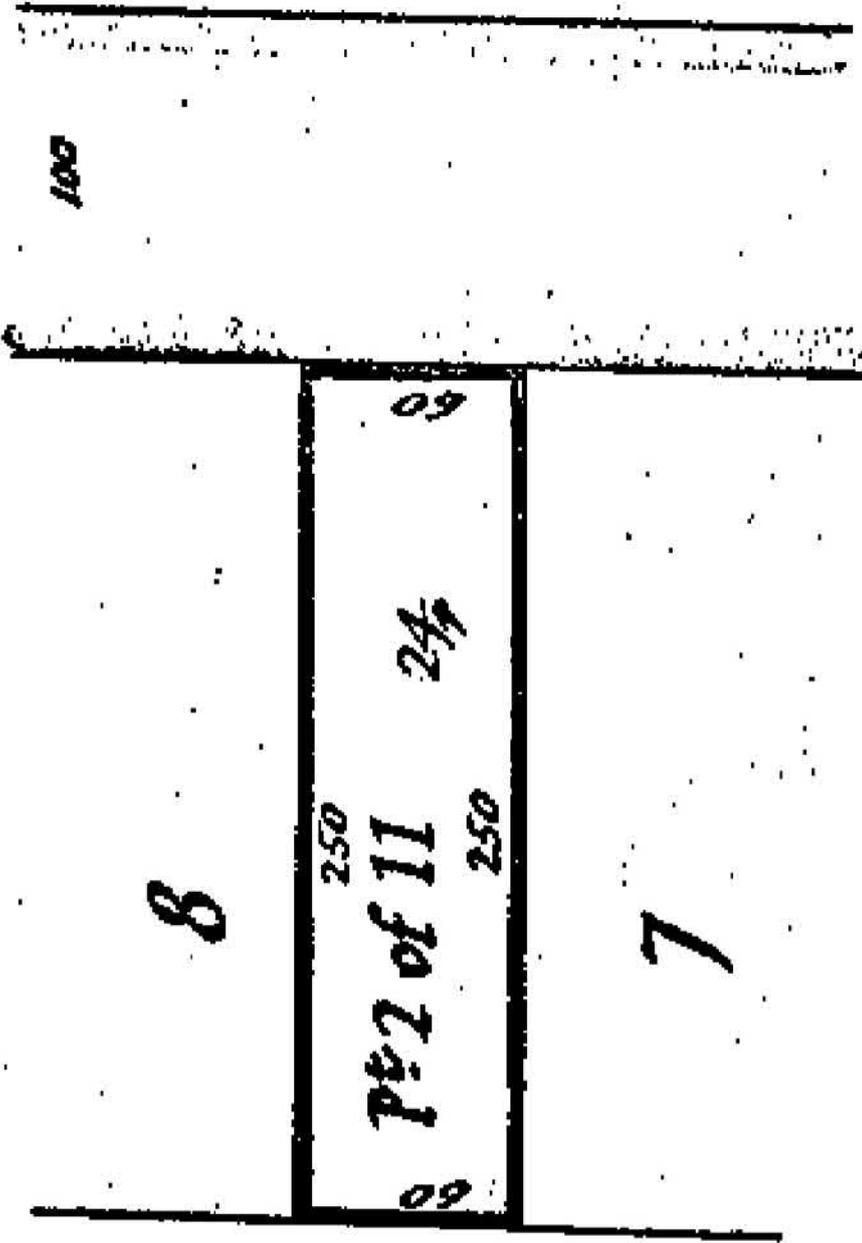
<b>Estate</b>	Fee Simple
<b>Area</b>	607 square metres more or less
<b>Legal Description</b>	Part Section 2 of 11 Block III Oamaru Survey District

### Proprietors

Mark Dwayne Kennedy and Kimberly Suzanne Kennedy

### Interests

Subject to implied rights of way in favour of Lots DP 348  
10439180.2 Mortgage to Westpac New Zealand Limited - 8.6.2016 at 2:27 pm



Pt. 2 of 11



**COMPUTER FREEHOLD REGISTER  
UNDER LAND TRANSFER ACT 1952  
Limited as to Parcels**



  
R.W. Muir  
Registrar-General  
of Land

**Search Copy**

**Identifier** OT263/29  
**Land Registration District** Otago  
**Date Issued** 29 July 1933

**Prior References**

DI W692

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<b>Estate</b>	Fee Simple
<b>Area</b>	2.1314 hectares more or less
<b>Legal Description</b>	Part Section 2 of 11 Block III and Part Section 49 Block III Oamaru Survey District

**Proprietors**

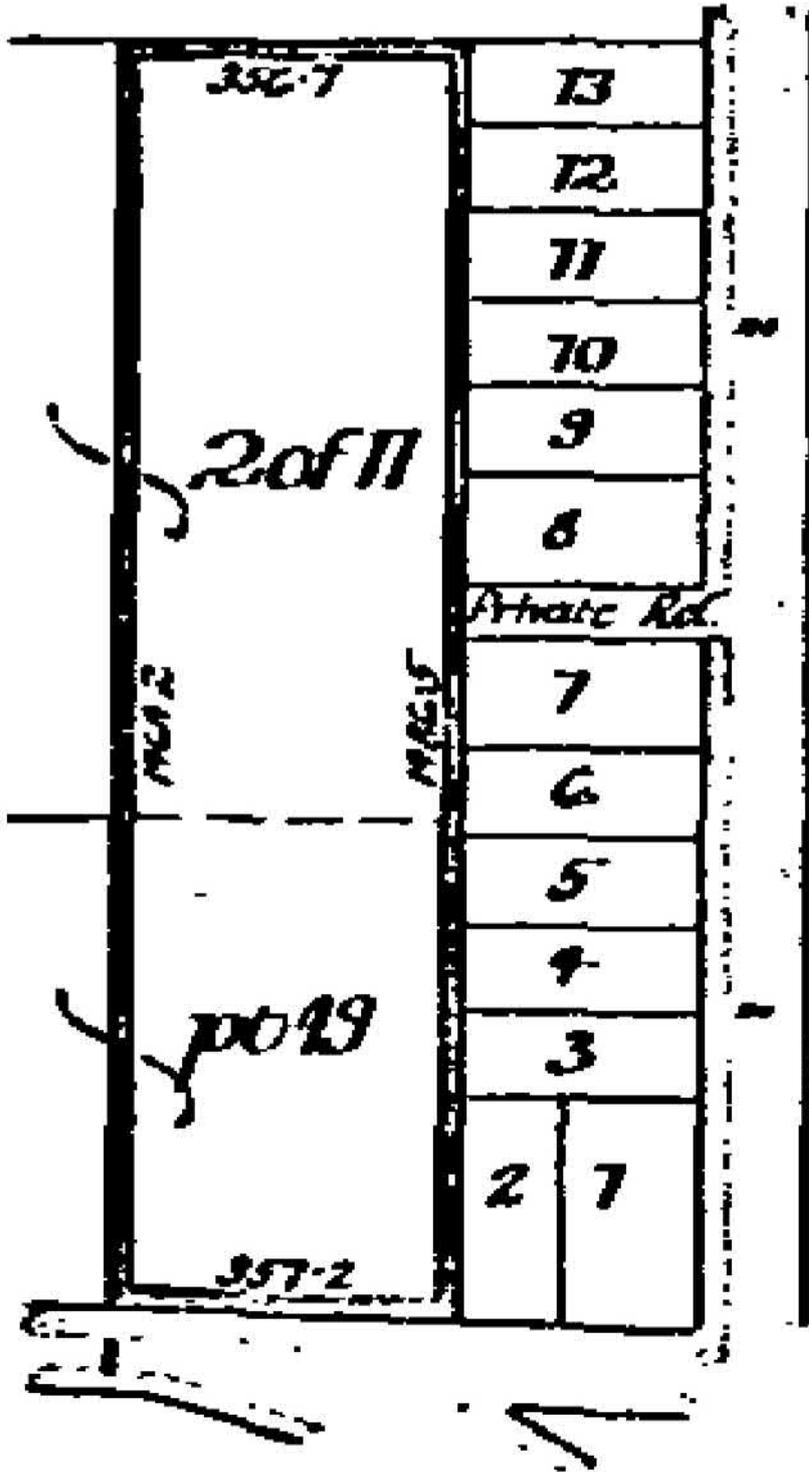
Mark Dwayne Kennedy and Kimberly Suzanne Kennedy

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**Interests**

10439180.2 Mortgage to Westpac New Zealand Limited - 8.6.2016 at 2:27 pm

2 of 10



19 September 2019

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**Phone** +64 3 433 0300

**Web** [www.waitaki.govt.nz](http://www.waitaki.govt.nz)

**Office** 20 Thames Street  
Private Bag 50058  
Oamaru 9444  
Waitaki District  
New Zealand

Dear Kimberly and Mark,

Pursuant to section 133A of the Resource Management Act 1991 this consent is being re-issued. This is due to the identification of a minor mistake or defect. The decision was made and the re-issue authorised by Hamish Barrell, as delegate for Council, this re-issue is made within 26 business days after the original granting of the consent.

Council has granted subdivision resource consent to your application 202.2018.1209 pursuant to sections 104(5), 104A, 108 and 220 of the Resource Management Act 1991.

The decision on your resource consent was made by the Planning Manager pursuant to authority delegated in accordance with Section 34A (1) of the Resource Management Act 1991.

**Subdivision Reference:** 202.2018.1209

**Granted to:** Kimberly S & Mark D Kennedy

**Consent:** Boundary adjustment subdivision

**Date Granted:** 18 September August 2019

**Legal Description:** Part Section 2 of 11 Block III Oamaru Survey District (OT355/25); and Part Section 2 of 11 Block III and Part Section 49 Block iii Oamaru Survey District (OT263/29)

**Location:** 34 Main Street Weston 9401

**Subject to the following conditions:**

**Subdivision Consent:**

**General:**

1. That the activity be in general accordance with the application and scheme plan submitted with application 202.2018.1209 and received by Council on 23.11.2018 and further information received on 10.07.19. A copy of the approved plan 'Ref 676-SCH-001, Rev D, dated July 2019' is attached.
2. Pursuant to section 36 of the Resource Management Act 1991, the consent holder shall pay the Council any further monitoring charges to recover actual and reasonable costs that have been incurred to ensure compliance with the conditions of the consent.

**Infrastructure:**

3. Prior to commencing works on the site, the consent holder shall obtain service connections from the Waitaki District Council for development works to be undertaken and information requirements specified below. The service connection application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate to detail the following requirements:
  - a) The provision of a water supply to Lot 2 in terms of Council's standards and connection policy. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a foul sewer connection from Lot 2 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within this lot. The costs of the connections shall be borne by the consent holder.
4. Prior to certification in terms of s224(c) of the Resource Management Act 1991, the consent holder shall ensure all the works required by condition 3 are completed.
5. Prior to certification in terms of s224(c) of the Resource Management Act 1991, the consent holder shall ensure that a consent notice is prepared pursuant to Section 221 of the Resource Management Act 1991 and is subsequently registered on the title of Lot 2 to include the following:
  - a) Any future building development will require an evaluation of stormwater run-off changes in accordance with and as defined by 4.2.5 and 4.2.7 NZS4404:2010.

**Buildings:**

6. The following condition shall be complied with in perpetuity and shall be registered on the Title of Lot 1 by way of Consent Notice pursuant to section 221 of the RMA.
  - a) No residential building shall be erected within the 'No Residential Building Covenant Area' area shown on Land Transfer Plan XXXX under the rules of the Operative District Plan as at 1 August 2019.

**Vehicle Access:**

7. Prior to certification in terms of s224(c) of the Resource Management Act 1991, the consent holder shall ensure the following:
  - a) A vehicle entrance to Lot 2 shall be applied for, and approved by, Council's Roading Department using the Application for Vehicle Crossings process.
  - b) The vehicle crossing to Lot 2 is to be constructed in accordance with Council's standard specifications for the construction of new vehicular entrances.

**Advisory Notes:**

- *Monitoring charges are required to cover the cost of inspecting the site, carrying out any tests, reviewing conditions, updating files etc., all being work to ensure compliance with the resource consent.*
- *This subdivision has been approved solely in the consideration of the subdivision-related matters in the District Plan and the Resource Management Act 1991. The Council wishes to advise that the granting of this approval in no way can be taken to indicate any form of support for any*

*subsequent land use consent application that may arise in respect of this property as a result of this subdivision approval.*

- *The consent holder shall ensure that, should any human remains or archaeological items be exposed while undertaking works to give effect to conditions of this consent, works in that area will cease immediately. The Police, Heritage New Zealand, and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained.*
- *An Application for Vehicle Crossing form is required to be submitted in relation to proposed Lot 2. All vehicle crossings must comply with the Waitaki District Plan and Specifications for New Vehicle Entrances whether they are new or an upgrade of existing. An approved contractor must carry out the construction. The 'Application for Vehicle Crossing' form is available on the Council website. Once the application form has been completed and forwarded to Council, the roading department will assess and notify you of the requirements for construction and will enclose a list of approved contractors in an information pack.*
- *Roading Development Contributions are required for each lot on building consent application. If you wish to know how the Development Contributions are calculated then please visit [www.waitaki.govt.nz](http://www.waitaki.govt.nz) for the criteria as per the 2018 Development Contributions and Financial Contributions Policy. Roading Development Contributions are payable prior to application for Code of Compliance.*
- *Development Contributions, physical connection costs, sundry water charges and engineering fees may be payable at the time of application.*

#### **Reasons for Decision:**

- A. Having considered the effects of the activity on the environment in accordance with section 104 of the RMA, Council is satisfied that the actual and potential effects of the activity on the environment will be less than minor provided that the recommended conditions are complied with.
- B. The granting of the consent will not be contrary to the intent of the policies and objectives contained within the Waitaki District Plan in accordance with section 104A of the RMA.
- C. No special circumstances have been identified and no persons were considered to be potentially affected pursuant to sections 95B and 95E of the RMA.
- D. This subdivision proposal is located in the Residential and Rural General Zones and has been assessed as a Controlled Activity for which consent may be granted under section 104A of the RMA.
- E. Pursuant to section 108 of the RMA specific conditions have been imposed to mitigate any adverse effects of the activity on the environment.

#### **Commencement of Consent**

Your attention is drawn to Section 116 of the Resource Management Act 1991 which provides that any resource consent which has been granted shall, unless stated otherwise, commence either, when the time for lodging appeals expires and no appeals have been lodged, or when the Environment Court determines the appeals or all appeals are withdrawn.

#### **Lapsing of Consent**

Your attention is also drawn to Section 125 of the Resource Management Act 1991 which provides that a resource consent lapses on the date specified in the consent or, if no date is specified, five years after

the date granted of the consent unless before the consent lapses the consent is given effect to or an application is made to the Council to extend the period after which the consent lapses, and the Council decides to grant an extension.

### **Right of Objection**

Please note that pursuant to Section 357A of the Resource Management Act 1991, you may, within 15 working days of being notified of this decision, object by notice in writing to the Council in respect of any aspect of this decision. The Council is required by the Act to consider any objection and to decide whether to dismiss or uphold the objection wholly or partly. (There is a right of appeal, pursuant to Section 358 of the Resource Management Act 1991, to the Environment Court against Council's decision on any such objection).

### **Right of Appeal**

As an alternative to your right of objection pursuant to Section 357 of the Resource Management Act 1991, please note that pursuant to Section 120 of the Resource Management Act 1991, you may, within 15 working days of receiving notification of this decision, appeal to the Environmental Court against the whole or any part of Council's decision, in accordance with Section 121 of the Act, by writing to:

The Registrar, Environment Court, P O Box 2069 Christchurch.

### **Cost of Processing Consent**

Where the costs incurred in processing the application exceed the deposit paid, an invoice will be sent to the applicant within the next few weeks. If you would like to make alternative arrangements for paying the invoice, then please contact us.

### **Customer Survey**

To enable us to provide an efficient and friendly service to our customers we would appreciate your feedback on how we in the Planning Department handled your resource consent.

By answering a few short questions in our on-line survey we can continuously improve our service to you. The link may be found as follows:

[www.surveymonkey.com/r/wdcplanningsurvey](http://www.surveymonkey.com/r/wdcplanningsurvey)

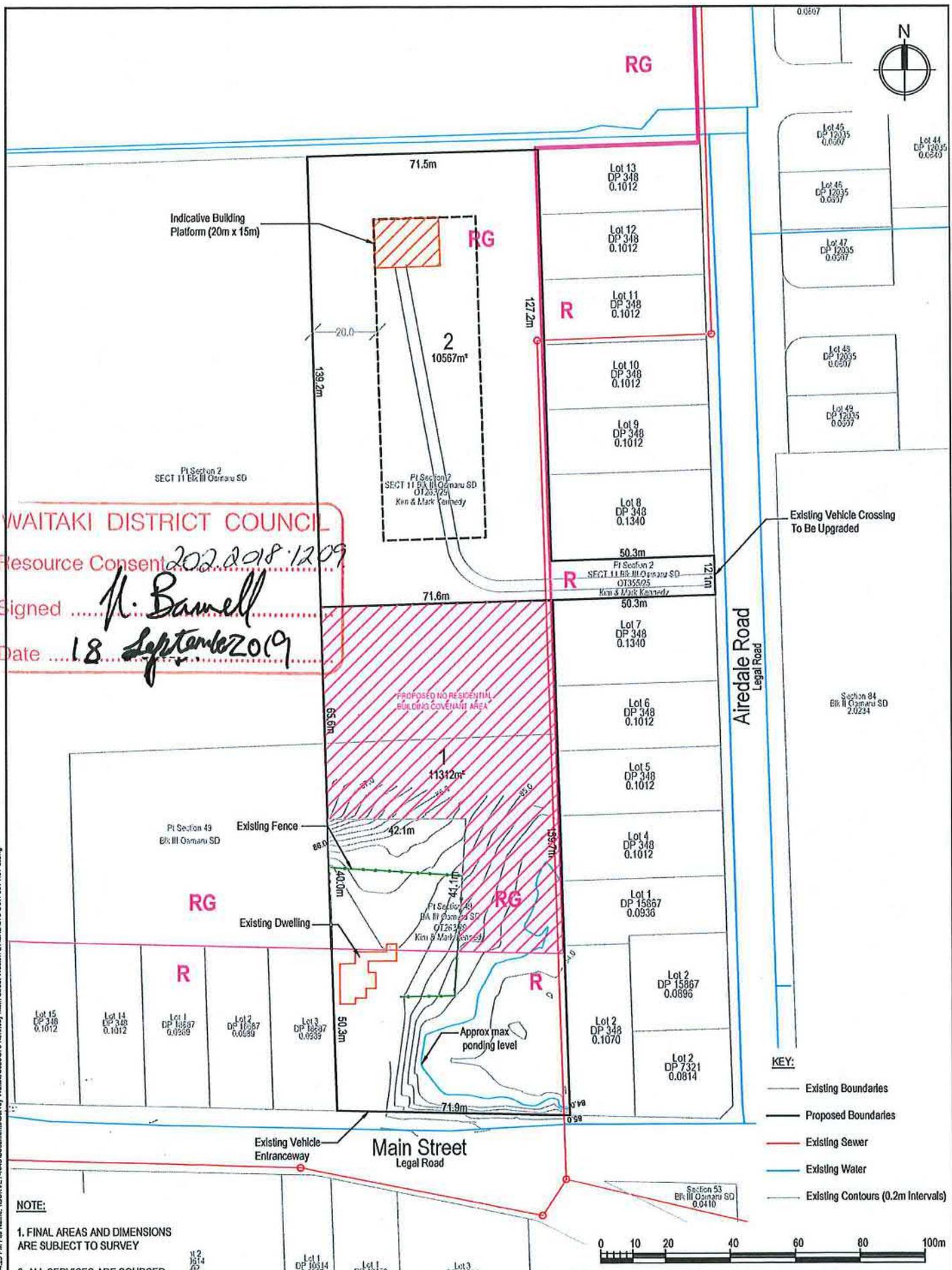
Yours faithfully



Kirsty Rendell

**Planning Administration**

Email: [planningenquiries@waitaki.govt.nz](mailto:planningenquiries@waitaki.govt.nz)



**WAITAKI DISTRICT COUNCIL**  
 Resource Consent *202.2018.1209*  
 Signed *H. Bamell*  
 Date *18 September 2019*

- KEY:**
- Existing Boundaries
  - Proposed Boundaries
  - Existing Sewer
  - Existing Water
  - Existing Contours (0.2m Intervals)

**NOTE:**

- FINAL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY
- ALL SERVICES ARE SOURCED FROM COUNCIL GIS AND ARE INDICATIVE ONLY, CONTRACTOR TO LOCATE PRIOR TO CONSTRUCTION



SURVEY WAITAKI LTD  
 PO BOX 237 OAMARU  
 Ph 03 434 8020  
 cameron@surveywaitaki.co.nz

DRAWN RCB  
 DATE July 2019  
 CHKD CJL  
 SCALE (A3) 1:1000

DRAWING TITLE Lots 1 & 2 being Proposed Subdivision of Pt Section 2 & Pt Section 49 Blk III Oamaru SD  
 STATUS For Information

PROJECT TITLE Kim & Mark Kennedy  
 OUR REF 676-SCH-001  
 REV D

Placed: 19/02/2019 4:54:29 PM File Name: \\SURVEY\NAS\Documents\SURVEY Waitaki\676 Kennedy Main Street Weston LT\CAD\676-SCH-001 Rev C.dwg



Pt Section 2  
SECT 11 Blk III Oamaru SD  
OT263/29

PROPOSED NO RESIDENTIAL  
BUILDING COVENANT AREA

Lot 1

Lot 6  
DP 348  
0.1012  
OT404/163

Lot 5  
DP 348  
0.1012  
OTA1/237

Lot 4  
DP 348  
0.1012  
OT415/9

Lot 1  
DP 15867  
0.0936  
OT6C/569

Lot 2  
DP 15867  
0.0896  
OT6C/570

Lot 2  
DP 348  
0.1070  
OT63/168

Lot 2  
DP 7321  
0.0814  
OT356/242

Airedale Road

Existing House

Approx max ponding level

Rural General Zone  
Residential Zone

Main Street

WAITAKI DISTRICT COUNCIL

Resource Consent 202-2018-1209

Signed *H. Bamell*

Date *18<sup>th</sup> September 2019*

Section 53  
Blk III Oamaru SD  
0.0410  
OT58/161

- KEY:**
- Lot Boundaries (Approx)
  - Other Boundaries (Approx)
  - Major Contour (1m)
  - Minor Contour (0.20m)
  - Edge of Seal
  - Footpath
  - Fence
  - No Build Covenant
  - Building (Approx)

**NOTE:**

1. Coordinates in terms of Observation Point 2000 Datum.
2. Levels in terms of NZVD 2016

Origin: MA V DP 25476 Ht= 76.68m



Lot 1  
DP 10158  
1.1070  
18A/856

Lot 3  
DP 10614  
0.1851  
OT3C/690

Pt Section 52  
Blk III Oamaru SD  
OT58/160

	SURVEY WAITAKI LTD PO BOX 237 OAMARU Ph 03 434 8020 cameron@surveywaitaki.co.nz	DRAWN	TJS	DATE	July 2019	DRAWING TITLE Ground Levels at 34 Main Street	PROJECT TITLE Kennedy- Main St Subdivision	STATUS For Information	OUR REF 676-003	REV B
		CHKD	TJS	SCALE (A3)	1:500					