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	Organisation	SARB Investments Ltd.
	Email	████████████████████
	Response Date	Aug 29 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?	
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Q12	If you need more space, or have any other general comments, please leave them here	



31 August 2022

Waitaki District Council  
Private Bag  
Oamaru

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St Clair, Dunedin 9012  
New Zealand

**Attention:** District Plan Review Team

**Via Email:** [planreview@waitaki.govt.nz](mailto:planreview@waitaki.govt.nz)

**Re: Draft Waitaki District Plan and Thousand Acre Road, Awamoa**

Thank you for the opportunity to comment on the draft of the proposed Waitaki District Plan (DDP). My comments below relate specifically to the SARB Investments property at Thousand Acre Road, Awamoa along the wider block within which it is situated.

**1. The Property**

The SARB property is legally described as Lot 10 DP 356427 (CFR OT8D/556) although is currently subject to subdivision consent 202.2019.1365. This consent has enabled the subdivision of this 24.8ha property into six rural allotments ranging from 4.0 to 4.3has. Access to all allotments is from Thousand Acre Road.

The property is located at the end of Thousand Acre Road, Awamoa, and is contained within the triangular piece of land that lies between Thousand Acre Road, Gardiners Road and Beach Road. This block of land has an area of around 67ha and has essentially been developed for rural lifestyle purposes. Despite most the properties complying with the 4ha minimum, as it has always been difficult to manage due to soil moisture management issues. The exceptions to the current 4ha rule are 53 and 55 Gardiners Road in the north of the block, which are both around 2has. We understand there are currently subdivision applications with Council that seek to reduce a number of these 4has lots down to 2has.

For the most part, the land surrounding this block still comprises large land holdings used for farming purposes.

**2. The Draft District Plan**

The Draft Plan proposes to retain the 'Rural General Zone' for Lot 10 DP 356427 and the wider area noted above. It also extends the 'Coastal Environment' overlay over the entire property and almost all of the wider block. It also appears to have extended 'Highly Productive Land' overlay over most of the property, despite the limitations noted above.

**3. Our Position**

The current Rural General Zone is not appropriate for our property or the wider block. We request that this block of land be rezoned 'Rural Lifestyle' and that Council amend its subdivision rules for this zone to provide as follows:

### 3. Our Position

The current Rural General Zone is not appropriate for our property or the wider block. We request that this block of land be rezoned 'Rural Lifestyle' and that Council amend its subdivision rules for this zone to provide as follows:

- 1ha minimum site size without reticulation, and
- 5,000m<sup>2</sup> where reticulation is proposed.

We also request that you remove the 'Coastal Environment' overlay from the block, and revert back to the 100m building set back from the Coast that is currently in place under the Operative District Plan. This was imposed to protect assets from coastal erosion along with the purpose of the preservation of natural character generally.

We also request that you remove the "Highly Productive Land" overlay from the entire block

### 4. Reasons for Our Position

Put simply, the block of land contained by Gardiners, Thousand Acre and Beach Roads has effectively ceased being productive farmland and is now essentially a rural coastal lifestyle location. We note that there are currently proposals in front of Council that will effectively complete that transformation.

The DDP defines the General Rural zone as:

*"Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location."*

The introduction to the Rural General zone states that *"The focus of the zone is on retaining the productive potential of land to be able to be used for rural activities."* This is clearly not the case with the land contained by Gardiners, Thousand Acre and Beach Roads. It is more consistent with the definition of the Rural Lifestyle zone, as follows:

*"Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur."* [noting that General Rural has a 20ha minimum site size in this draft]

The introduction for that zone states that *"The Rural Lifestyle Zone provides rural-residential living opportunities for predominantly low-density rural living, that still enables some potential for rural use"* and that *"these areas may have particular landscape characteristics, physical limitations or other constraints to more intensive development."* This accurately describes the land we were prompting as Rural Lifestyle. The character of the zone is further described in Objective RLZ-02, which seeks *"a semi-rural character and amenity values distinct from both urban and rural zones, which:*

- 1. is predominantly characterised by low density detached residential units set on spacious sites; and*
- 2. provides opportunities for agricultural, horticultural and pastoral production activities where these do not detract from maintaining a quality rural-residential environment, but provides limited opportunities for other activities; and*

3. *retains a rural character, including an absence of curb and channelling and streetlighting; and*
4. *has a predominance of open space over built form; and*
5. *has an open character and provides an opportunity for a rural outlook from within the zone; and*
6. *is an environment that has generally low levels of noise, traffic, outdoor lighting, odour and dust."*

The current amenity and character of the site is consistent with this Objective.

We note that the Rural Lifestyle introduction states that *"The Rural Lifestyle Zone covers areas of land adjoining the towns of Ōamaru, Weston, Kurow, Ōmārama, Herbert and Palmerston."* There is no mention of Kakanui or any other coastal location here. This is seen as a significant weakness in the plan – it is not promoting sustainable management because it is not enabling people and communities to provide for their social, economic, and cultural well-being in the full range of environments they seek to live in. Council is well aware that people are seeking a rural coastal lifestyle property. This location offers that opportunity without impacting on the coastal environment. In fact, the development of this property will offer the opportunity to rehabilitate and restore that part of the site which is coastal, as reflected on the current planning maps, in accordance with CE-P7 of the DDP. It will also be able for the Oamaru – to – Palmerston cycleway extension, if this goes ahead, along with an area to provide recognition of the cultural values of the area

Furthermore, we do not understand the need for all these areas to adjoin existing settlements, where they effectively do become transitional urban areas and do not provide a true rural living experience. The approach does not seem consistent with the introductory comments that *"The Rural Lifestyle Zone is not seen as an area in transition to urban activities, rather it is seen as an area that will preserve the spacious semi-rural character."* Areas further out will not become areas of transition and will provide for the needs of the community.

As a consequence, the new District Plan must recognise that this area is no longer available or suitable for productive rural use (as opposed to the surrounding area) and is best suited to rural lifestyle development. Moving beyond the confines of the roads containing this block, the land still largely comprises large farm properties and this should continue to be zoned Rural General, with a 20ha minimum, which is supported for this zone.

We note that the DDP has retained the 1ha minimum site size despite recognition in the spatial planning process that this was probably too large. For example, the Draft Spatial Plan (DSP) on Rural Residential, at paragraph 2 page 63 states *"there was a clear preference... and also reduce the minimum lot size as the current lot sizes are not practical due to maintenance and inability to be productive"*. In the adopted Spatial Plan (ASP) a similar but simpler statement is made that *"current lot sizes are considered too large"*. Both these Plans tag the requirement for smaller Rural Residential lot size with the proviso that reticulated waste water infrastructure is required.

However, the DDP ignores all of the above and leaves the Rural Lifestyle minimum lot size at one hectare. This is totally at odds with the feedback during the Councillor and Stakeholder engagement phase and feedback to Council over the years from various Parties (including SARB).

We would support an approach where the Rural Lifestyle lot size remains at 1 hectare but can be reduced to ½ hectare where it can be shown that reticulated waste water infrastructure is or can be available. This is consistent with the discussion on minimum lot size and reticulated infrastructure for wastewater in the ASP.

We note that the definition of ‘Highly Productive Land’ is as follows:

*“has the same meaning as the Draft National Policy Statement for Highly Productive Land: a land parcel in a rural area that contains at least 50% or 4 hectares of land (whichever is the lesser) defined as Land Use Capability 1, 2 and 3 as mapped by the New Zealand Land Resource Inventory; but does not include urban areas or areas that have been identified as a future urban zone in a district plan or proposed district plan.”*

The SARB block (at least) contains less than 50% LUC3 soils and we question how ‘highly productive’ this land is. We assume this is a desk top exercise, which has not been ground proofed. There are a number of limitations to productivity on this land so the classification should be removed. Even if it is not removed, the Rural Lifestyle zoning is still appropriate. In that context we note that on Maps 13, 14a and b – Page 71.2 of the ASP there is a considerable area of Rural Residential land over LUC3 soils and some of that land appears to be newly zoned Rural Residential.

In relation to the coastal overlay, we question why this has been extended in this area. In a recent proposal for the property (that has since been withdrawn) the following comment was made in relation to the coastal environment as it currently stands:

*“We note that the WDP was prepared before the NZCPS 2010 so may not yet give effect to the direction found in that statement. As a consequence, the Council has not yet determined the extent of the coastal environment under this NPS. However, the current District Plan does identify the coastal environment in this location and Mr Moore discusses this in his report. He advises as follows:*

*“In my assessment, and considering the guidance on defining the extent of the coastal environment in Policy 1 of the NZCPS, the WDP delineation is appropriate. Whilst the cliff edge forms a distinct boundary to the area of active coastal processes, the 100m setback line includes areas at risk from coastal hazards (Policy 1 (d)) and includes some of the immediate landscape context (Policy 1 (f)).”*

*Applying this logic, the development itself is not located within the coastal environment (and as a consequence, assessment in terms of Policy 6 of the NPS is not needed). Mr Moore has, however, considered the landscape provisions of the NPS. In relation to the preservation of natural character (objective 2 and policy 13) he concludes that “the adverse effects of the proposed development on natural character are not significant and that they are adequately mitigated” and that “the development will acceptably integrate within this already modified coastal landscape and will not be inappropriate”.*

With the exception of the existing 100m setback to the mean high-water mark, the coastal notations over the property should be removed.

**5. Conclusion**

In our opinion, the DDP does not recognise and appropriately provide for the characteristics of this site. It is no longer productive rural land and should be made available for lifestyle purposes. Furthermore, the plan does not sufficiently (if at all) provide for coastal (in the broader sense of the word) lifestyle opportunities, which the community desires. This is not achieving the enabling purpose of the Act.

Yours faithfully

A handwritten signature in black ink, appearing to read 'W P Brown', written in a cursive style.

**W P Brown**  
**Director**  
**SARB Investments Ltd**