

DDPR_feedback_0158s	
Name	Grant Finn
Organisation	on behalf of Seng (Peter) Lim and family
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

Waitaki District Plan Review

Seng Lim - Submission

Introduction:

Many thanks for the opportunity to provide a submission in respect of the proposed draft Waitaki District Plan.

My name is Seng Lim and my family is the current owner of Lot 1 DP550683 situated at Redcastle Road, Oamaru.

The site has a total land area of 4.8867ha and is currently zoned Rural General.

The site was created under subdivision approval previously granted by the Waitaki District Council in accordance with the provisions of Rule 14.4.1 which prescribes a 4.0ha minimum net lot area.

We purchased this land with the intention of establishing a residential unit for ourselves (my wife and I) but also a number of small, independent dwellings for our children.

We understand this would be contrary to the Rules of the operative District Plan and would require resource consent, likely as a Non-complying Activity.

Operative District Plan:

The provisions of Rule 14.4.1(a) prescribe a minimum lot size of 4.0ha.

Similarly, Rule 4.4.1 *Residential Density* prescribes a 4.0ha minimum net area for any site for each residential unit contained within the Rural G zone.

Residential activities are provided for as a Permitted Activity pursuant to Rule 4.3.1(5). This is however contingent on compliance with relevant Site and Development Standards - setbacks etc.

Issue 4 of the Rural Zone relates to the protection of rural amenity.

The issue notes that *"intensification and diversification of rural farming activities has occurred in the last two decades"*.

The drivers for this include economic reasons *"and a demand for residential dwellings in the rural area for retiring farming people wishing to remain in the rural area, or other people wishing to farm blocks on a part time basis."*

The issue goes on to note that *“despite this diversification, the rural environment has particular amenity and environmental values”* which *“include privacy, rural outlook, spaciousness, ease of access, and quietness.”*

In this context, the issue notes that *“Intense dwelling and other building development, associated with subdivision, can also cause a significant loss of “openness” The decline in the openness of an area can cause increased loss of privacy, loss of rural outlook and loss of spaciousness; all important amenity values for many people living in the rural area. In addition, people living in urban areas often value rural open spaces that are nearby. “*

The District Plan seeks to maintain a level of rural amenity that is consistent with the range of activities anticipated in the rural areas provided that this does not create unacceptably unpleasant living or working conditions or a significant deterioration in the quality of the rural environment.

In this context we note that the rectangular piece of land that lies between Ardgowan Road, Redcastle Acre Road and Reservoir Road has essentially been developed for rural lifestyle purposes, despite most of the properties complying with the 4ha minimum.

For the most part, the land surrounding this block still comprises large land holdings used for farming purposes. However, this has eventually led to the land being sold off for rural lifestyle purposes.

Proposed District Plan:

It is proposed that the land is zoned *General Rural*.

The purpose of the General Rural Zone (GRUZ-O1) is to:

‘provide for primary production activities and those natural and physical resources which contribute to the District’s rural productive economy while managing adverse effects of activities on the environment.’

Relevant policies (GRUZ-P1) include:

Maintain the rural character in the General Rural Zone by:

- 1. ensuring a dominance of open space and vegetation, including paddocks, trees, natural features and primary production activities over buildings; and*
- 2. providing for activities that are reliant on the natural and physical resources of the General Rural Zone while ensuring that any adverse effects occurring beyond the site are minimised; and*
- 3. limiting activities that are not reliant on the resources, or do not have a functional or operational need to establish in a General Rural Zone; and*
- 4. encouraging the retention of existing, and planting of new, indigenous vegetation.*

The Subdivision Standards *SUB-S1 Minimum allotment sizes and dimensions* prescribe a minimum 20 ha net site area.

Relevant policies applicable to subdivision in the *Zone SUB-P16 Subdivision in the Rural Zones* include:

Provide for subdivision in the Rural Zones where the design, size and shape of allotments:

- 1. is consistent with and complement the role, function and anticipated scale, type and form of use and development for the relevant zone;*
- 2. maintain prominent ridgelines, natural features and landforms, and areas of indigenous vegetation;*
- 3. avoids buildings and access points being located in prominent locations, as viewed from public places;*
- 4. incorporates physical site characteristics, constraints and opportunities into the design;*
- 5. minimise earthworks and land disturbance by locating and designing building platforms to integrate into the natural landform;*
- 6. maintain rural character and amenity; and*
- 7. incorporates sufficient separation from zone boundaries, transport networks, rural activities and rural industry to minimise the potential for any reverse sensitivity effects and/or conflict with existing and permitted activities on adjacent sites;*
- 8. protects the productivity of the land for primary production activities in the General Rural Zone by limiting fragmentation of land through avoiding new sites being created that are less than 20 hectares unless:*
 - A. associated with a utility and any balance lot associated with the development of a utility; or*
 - B. there is a net gain to indigenous biodiversity through its protection; or*
 - C. the subdivision occurs on a Māori Reserve*

Comment:

Fully appreciate the intention of the 20ha minimum sized lot is to primarily limit the fragmentation of rural land and to protect primary production, however this should only apply to those sites that are indeed classified as productive rural land.

It is debilitating for this rule to be applied to sites that do not constitute productive rural land.

Minimum lot size rules are a mainstay of planning in NZ and a conventional approach that requires each lot to be equal to or greater than a prescribed minimum lot size. In this case the Council is prescribing a 20ha minimum area.

Unfortunately, one of the greatest failures by prescribing large minimum lot sizes in rural zones is denying landowners the opportunity to subdivide in a manner that will best promote continued management and retention of a critical mass of agricultural land.

The resulting landscape dotted with residential activity at a 20ha density is neither productive nor does it enhance the rural amenity.

Flexible techniques that enable residential development to continue in rural areas in a manner compatible with goals of the relevant policies and objectives to protect open space, agriculture, indigenous vegetation, important habitats and scenic resources should be devised.

Not all General Rural zoned land is conducive for the purposes of agriculture.

The Plan should instead provide both discretion and dispensation to sites that have constraints in terms of the following factors that limit/inhibit primary production:

- Terrain/topography
- Geology and soil properties
- Vegetation cover
- Climate
- Soil water

The above should be demonstrated by a suitably qualified person e.g. agronomist who specialise in crop production, soil control, and soil management.

Other factors could also include:

- Levels of reticulated services - water, sewage, stormwater
- the character of the land and the immediate area
- the adequacy of the soils to support on-site wastewater disposal
- Proximity to residential areas, schools, town/commercial centres

Land In Question:

Our subject land has significant constraints - terrain, soil type and its best use is for residential purposes.

What this illustrates is that the General Rural zoning classification over the property does not seem to be accurate as the property is really only suited to grazing at best. Now that the bulk of the parent site has been subdivided, rural productivity is further diminished to the point that it is no longer suitable for productive rural purposes.

In that context, subdivision at a higher density makes more effective use of the land but does not impact on the rural productivity and high-class soil resources of the District as a whole.

The General Rural Zone is well endowed with land much of which is already developed for intensive agriculture purposes.

This too is acknowledged at GRUZ-P1 of the proposed WDP which states, *providing for activities that are reliant on the natural and physical resources of the General Rural Zone while ensuring that any adverse effects occurring beyond the site are minimised;*

As a consequence, any loss of land to farming as the result of residential activity on sites less than 20ha will have a minor adverse effect at worst. It is also important to note that the potential future lots are not residential scale but will provide for a productive use and contain enough land for future owners(albeit cottage type use) to utilise them for their own food production needs.

Arguably, the creation of smaller lots will also assist with the prevention of further sprawl across larger, more industrially productive farmland.

In addition, the site has the ability to be serviced with town water with reticulated services running parallel to the front property and within the Redcastle Road corridor.

The site borders Rural Residential (Rural Lifestyle) land to the south, Residential (General Residential) zoned land to the east (Kenilworth Street) and is within a walking distance from a number of educational facilities - St Kevins College, Pembroke School and Oamaru Intermediate School.

Relief Sought:

1. That subdivision (<20ha in area) is able to occur on sites where it can be demonstrated that General Rural zoned land is not conducive to productive agricultural use.
2. With the adoption of a performance based approach that multi unit dwellings can be established within the General Rural zone.
3. That the land is zoned Rural Lifestyle (1.0ha minimum lot size) being 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.

Yours faithfully,

Seng (Peter) Lim

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