

DDPR_feedback_0126s		
	Name	James White
	Organisation	on behalf of Henry Wardell
	Email	james@surveywaitaki.co.nz
	Response Date	Aug 31 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 Henry Wardell related to rezoning land at 4345 Omarama-Otematata Road (SH 83). Please find attached a feedback submission document setting out the basis of the feedback, as well as Appendices: * Appendix A – Proposed Zoning Plan * Appendix B – Record of Title 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 & 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>	

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DRAFT DISTRICT PLAN FEEDBACK

August 2022

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

Submitter: Graham Henry Wardell

Location: 4345 Omarama-Otematata Road (SH 83)

Legal Descriptions: Lot 1-2 Deposited Plan 23455 and Section 1 Survey Office Plan 23071 (OT15D/943)

Operative District Plan: Rural Residential Zone

Draft District Plan: General Rural Zone
Rural Scenic Landscape (RLS022)

FEEDBACK ON DRAFT WAITAKI DISTRICT PLAN

Feedback and Outcome Sought:

This feedback relates to the land located at 4345 Omarama-Otematata Road (SH 83), being legally described as Lot 1-2 Deposited Plan 23455 and Section 1 Survey Office Plan 23071 (Record of Title OT15D/943 – Appendix B).

The feedback and outcomes sought are as follows:

Outcome 1: Change Zone to Rural Lifestyle Zone

The Draft District Plan shows the land as General Rural Zone. This feedback seeks that the land be zoned entirely Rural Lifestyle Zone. The proposed zoning is shown on the plan attached as Appendix A.

Outcome 2: Remove Rural Scenic Overlay

The Draft District Plan shows the land as being subject to a 'Rural Scenic' overlay. This feedback seeks that the Rural Scenic overlay be removed from the property entirely.

Outcome 3: Provide for new residential dwellings in the Rural Lifestyle Zone down to 5000m² as Permitted Activities subject to compliance with site controls (RLZ-S2-RLZ-S6).

This feedback proposes that the new Waitaki District Plan provide for new residential dwellings in the Rural Lifestyle Zone down to 5000m² as Permitted Activities subject to compliance with site controls (RLZ-S2-RLZ-S6).

Outcome 4: Provide for new lots created by subdivision in the Rural Lifestyle Zone down to 5000m² as Controlled Activities

Reasons/Justifications for Changes Sought:

Outcome 1: Change Zone to Rural Lifestyle Zone

Outcome 2: Remove Rural Scenic Overlay

1. The land was zoned entirely Rural Residential in the Operative Waitaki District Plan. The landowner has been relying on that zoning for future development plans.
2. The land is not economic in terms of primary production, and is suited to low density residential use, where each landowner is responsible for pest weed and animal control.
3. In general terms, the land does not possess high landscape value as viewed from publicly accessible places. The land is located at the foot of the St Cuthbert Range, adjacent to the Ahuriri Arm of Lake Benmore, and is not visually prominent in the landscape. The land slopes moderately upwards from SH 83 and is not immediately eye-catching for people travelling on SH 83 – whose focus is naturally drawn northwards towards the Ahuriri Arm of Lake Benmore and the mountains beyond which create a stunning vista. This is depicted in Figures 1-4 below where it can be seen that the land is very visually recessive, while Figures 5 and 6 show the visually appealing landscape views looking towards Lake Benmore and beyond.
4. Conversely, high landscape values are realised from within the site, looking northwards towards the Ahuriri Arm of Lake Benmore and the mountains beyond. The realisation of these views, while minimising any potential adverse visual effects experienced from publicly accessible places, make the land ideally suited for high value extensive rural lifestyle development (hence likely why it was included in the Operative Plan as Rural Residential).
5. In addition to a large existing camping ground, the area immediately east of the site has been developed for lifestyle purposes, with a number of small (1ha) landholdings and established dwellings, and the property itself contains an existing dwelling and conifer plantings. All of this development has altered the character of the area towards an extensive built environment, while simultaneously sitting comfortably within the landscape.

6. Due to the recessive nature of the area, it can absorb further development without reaching a tipping point where overall landscape values are diminished. The proposed zoning and subsequent development on the subject property can be absorbed into the landscape with no noticeable detrimental effects on landscape qualities, character and amenity values of the wider area.
7. The existing Rural Residential lifestyle blocks to the east have private restrictive covenants on the titles to control standard of building on each. The submitter/landowner intends to place similar controls on any new titles created on the subject site, with a particular emphasis on protecting landscape values.
8. The property is approximately 7km away from Omarama and is within easy driving distance. Omarama contains all necessary options to connect with people, goods and services and opportunities, and thereby engage in economic and social activity. The Alps to Ocean (A2O) cycleway passes the property and is an excellent, safe and accessible off-road walking and cycling link to and from Omarama. Lake Benmore provides fantastic recreational opportunities.
9. The area is very popular for recreation and tourism, and a high standard of housing within the Rural Lifestyle zone will enhance accommodation in the area and provide support to the A2O.
10. 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.
11. This submission accepts that all the final Rural Lifestyle Zone standards, as deemed appropriate by WDC through the Plan Change process, will ensure that amenity values will be maintained and enhanced within the respective re-zoned land.



Figure 1: Photo showing the view looking eastwards towards the subject property and the existing developed rural lifestyle properties from SH 83. The dwelling at 4345 Omarama-Otematata Road is located in the top right corner, Lake Benmore at the far left and the existing developed rural lifestyle properties in the centre (sourced from Google Earth).



Figure 2: Photo showing the view looking eastwards towards the existing developed rural lifestyle properties from the driveway to the dwelling at 4345 Omarama-Otematata Road (sourced from Google Earth).



Figure 3: Photo showing the view looking westwards along SH 83 towards the western portion of the subject land, with the dwelling (4345 Omarama-Otematata Road) in the top left corner (sourced from Google Earth).



Figure 4: Photo showing the view looking westwards from the intersection of Lake View Place and SH 83 towards the subject land (sourced from Google Earth).



Figure 5: Photo showing the visually stunning view looking northwards away from the site towards Lake Benmore and beyond (sourced from Google Earth).



Figure 6: Photo showing the visually stunning view looking eastwards away from the site towards Lake Benmore and beyond (sourced from Google Earth).

Rural Lifestyle Zone (RLZ) – Smaller Lots

Outcome 3: Provide for new residential dwellings in the Rural Lifestyle Zone down to 5000m² as Permitted Activities subject to compliance with site controls (RLZ-S2-RLZ-S6).

The Draft District Plan proposes a residential site density of one residential unit per 1 hectare of net site area within the Rural Lifestyle Zone via the following provisions:

Rural Lifestyle Zone (RLZ)

RLZ Objectives:

RLZ-01: Purpose of the Rural Lifestyle Zone

RLZ-02: Character of the Rural Lifestyle Zone

RLZ Policies:

RLZ-P1: Rural Lifestyle Zone character and amenity values

RLZ Rules:

RLZ-R4: Residential Unit:

- Permitted where complies with site controls (RLZ-S2-RLZ-S6) and density (RLZ-S1)
- Restricted Discretionary where does not meet one or more site controls
- Non-Complying where does not meet 1 hectare density

RLZ Standards:

RLZ-S1: Residential site density:

1. The maximum density of residential units on any site shall be one residential unit per hectare of net site area.

2. ...

Given the above provisions, where a new residential unit does not meet the 1 hectare density provision, it becomes a Non-Complying Activity – which is a very strong signal that such density will not be entertained except under exceptional circumstances (via resource consent).

The draft District Plan Objective RLZ-01 states the purpose of the Rural Lifestyle Zone, and Policy RLZ-P1 outlines the aims associated with maintaining the *'qualities, character and amenity values of the Rural Lifestyle Zone'*.

A significant percentage of the people who seek these characteristics and amenity values do not want to have to manage a 1 ha property, as that size is neither rural nor residential. It is too big for a conventional garden, too small for keeping livestock, while also taking significant time, effort and money to maintain.

It is entirely possible that, given particular mitigating factors such as topography, landscape, built environment, vegetation etc, new residential units could be built at a density of less than 1 hectare and still achieve the maintenance of the qualities, character and amenity values of the Rural Lifestyle Zone.

Provided effects can be mitigated, this would achieve good environmental outcomes by utilising land that would otherwise be non-productive within the existing Rural Lifestyle Zoning and increasing the capacity of the zoning to support residential lifestyles.

Therefore, the outcome sought is for the new Waitaki District Plan to provide for new residential dwellings in the Rural Lifestyle Zone down to 5000m² as Permitted Activities subject to compliance with site controls (RLZ-S2-RLZ-S6).

The submitter/landowner offers to work alongside Council through the next stages of the Plan Change process to refine the proposed zones such that effects are mitigated. It is suggested that the submitter could commission a structure or concept plan (or suchlike) to be developed to show Council how the zone and its development could occur with no more than minor effects.

Subdivision Rules (SUB) – Smaller Lots in Rural Lifestyle Zone

Outcome 4: Provide for new lots created by subdivision in the Rural Lifestyle Zone down to 5000m² as Controlled Activities

The Draft District Plan proposes minimum lot sizes of 1 hectare within the Rural Lifestyle Zone via the following provisions:

Subdivision (SUB)

SUB Objectives:

..

SUB Policies:

...

SUB Rules:

SUB-R64: Subdivision that creates any vacant allotments(s):

- *Controlled where complies with CON-1 being minimum allotment sizes and dimensions (SUB-S1) and standards SUB-S2 through to SUB-S7*
- *Discretionary where does not meet CON-1*

SUB-S1:

Rural Lifestyle Zone: 1ha

Given the above provisions, where a new lot does not meet the 1 hectare minimum lot size, it becomes a Discretionary Activity.

The draft District Plan Objective RLZ-01 states the purpose of the Rural Lifestyle Zone, and Policy RLZ-P1 outlines the aims associated with maintaining the '*qualities, character and amenity values of the Rural Lifestyle Zone*'.

A significant percentage of the people who seek these characteristics and amenity values do not want to have to manage a 1 ha property, as that size is neither rural nor residential. It is too big for a conventional garden, too small for keeping livestock, while also taking significant time, effort and money to maintain.

It is entirely possible that, given compliance with the RLZ development standards, and particular mitigating factors such as topography, built environment, vegetation etc, new allotments created by subdivision and subsequent residential units could be created/developed at a density of less than 1 hectare and still achieve the maintenance of the qualities, character and amenity values of the Rural Lifestyle Zone.

Provided effects can be mitigated, this would achieve good environmental outcomes by utilising land that would otherwise be non-productive within the existing Rural Lifestyle Zoning and increasing the capacity of the zoning to support residential lifestyles.

Therefore, the outcome sought is for the new Waitaki District Plan to provide for new lots created by subdivision in the Rural Lifestyle Zone down to 5000m² as Controlled Activities subject to compliance with subdivision standards (standards SUB-S2 through to SUB-S7).

Again, the submitter/landowner offers to work alongside Council through the next stages of the Plan Change process to refine the proposed zones such that effects are mitigated. It is suggested that the submitter could commission a structure or concept plan (or suchlike) to be developed to show Council how the zone and its development could occur with no more than minor effects.

Conclusion:

The above feedback has presented a compelling case for zoning the subject site Rural Lifestyle Zone as described, removing the Rural Scenic Landscape overlay, reducing the potential size and density of residential properties within the Rural Lifestyle Zone generally, and allowing smaller lots through the subdivision process.

The submitter requests that Council confirm the outcomes sought in this feedback and is happy to work alongside Council and supply further information if required.

We look forward to your response in due course.

Regards

Survey Waitaki Limited



James White
Planner
MPlan

Signed on behalf of the Submitter

Addresses for Service:

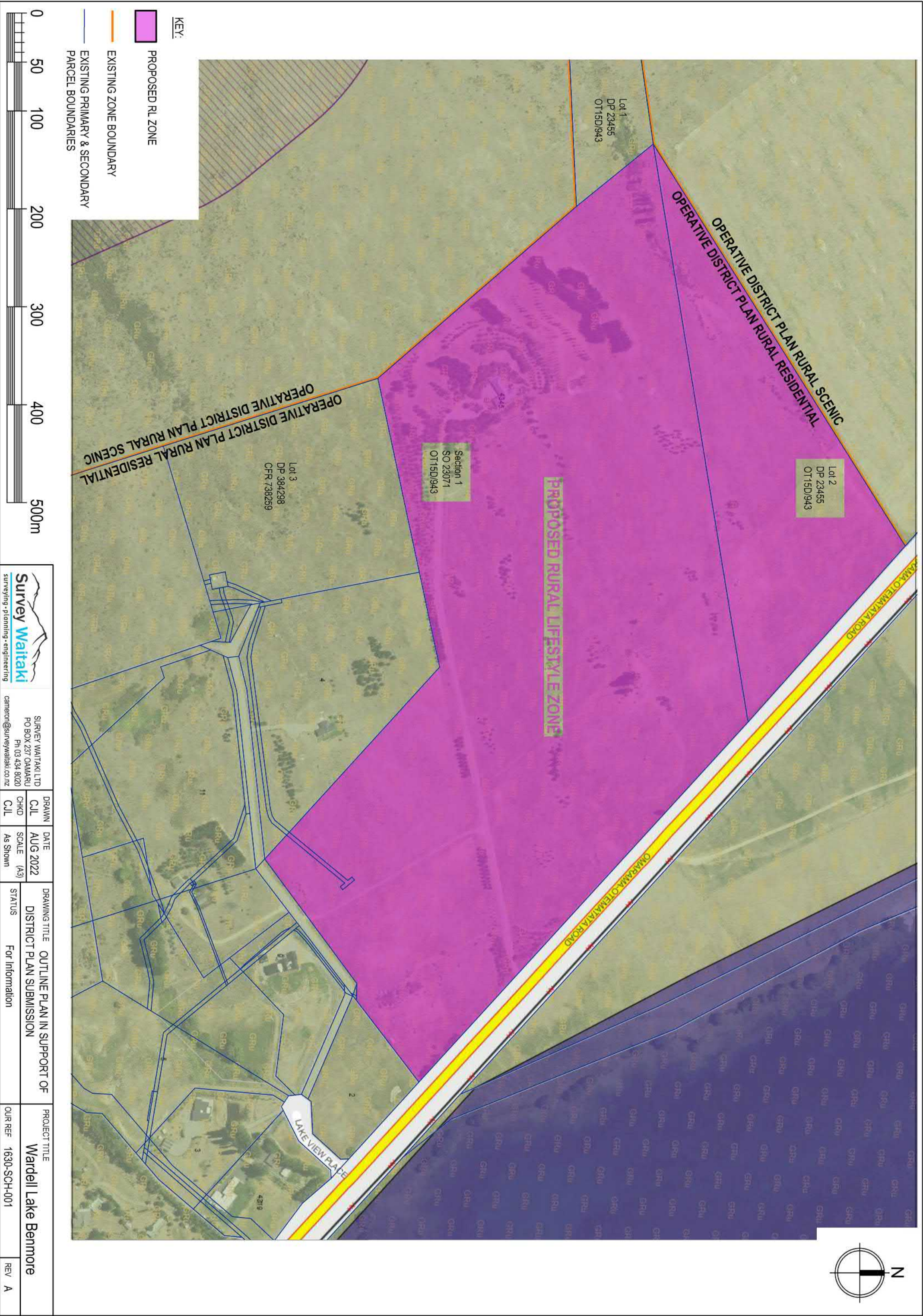
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Appendix A – Proposed Zoning Plan

Appendix B – Record of Title



 surveying · planning · engineering		SURVEY WAITAKI LTD PO BOX 237 OAMARU Ph 03 434 8020 cameron@surveywaitaki.co.nz		DRAWN C.J.L.		DATE AUG 2022		DRAWING TITLE OUTLINE PLAN IN SUPPORT OF DISTRICT PLAN SUBMISSION		PROJECT TITLE Wardell Lake Benmore	
CHKD C.J.L.		SCALE (A3) As Shown		STATUS For Information		OUR REF 1630-SCH-001		REV A			



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R.W. Muir
Registrar-General
of Land

Identifier **OT15D/943**

Land Registration District **Otago**

Date Issued 19 August 1994

Prior References

OT13B/1044 OT14C/1043

Estate Fee Simple
Area 30.8576 hectares more or less
Legal Description Lot 1-2 Deposited Plan 23455 and Section
1 Survey Office Plan 23071

Registered Owners

Graham Henry Wardell

Interests

Subject to Section 241 (2) Resource Management Act 1991 (See DP 23455)

Lots 1 and 2 DP 23455 are subject to Section 3 Petroleum Act 1937

Lots 1 and 2 DP 23455 are subject to Section 8 Atomic Energy Act 1945

Lots 1 and 2 DP 23455 are subject to Section 3 Geothermal Energy Act 1953

Lots 1 and 2 DP 23455 are subject to Section 6 and 8 Mining Act 1971

Lots 1 and 2 DP 23455 are subject to Section 5 Coal Mines Act 1979

Lots 1 and 2 DP23455 are subject to Section 261 Coal Mines Act 1979

Subject to Part IV A Conservation Act 1987

902229 Transfer creating the following easements - 27.2.1996 at 10.19 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Section 1 Survey Office Plan 23071 - herein	A DP 24832	Lot 3-4 Deposited Plan 28455 - CT OT15D/944	

Subject to a right to convey electric power over part Section 1 marked A on DP 306338 specified in Easement Certificate 5243159.3 - 10.6.2002 at 9:00 am

The easement specified in Easement Certificate 5243159.3 is subject to Section 243 (a) Resource Management Act 1991

7408567.3 Surrender of the right of way marked A on DP 24832 (created by Transfer 902229) in so far as it is appurtenant to Lots 1-6 DP 384698 and the right to convey electric power marked A on DP 306338 in so far as it is appurtenant to Lots 1-6 DP 384298 and Section 7 Block IV Benmore Survey District specified in Easement Certificate 7408567.3 - 8.6.2007 at 9:00 am

Subject to a right of way and right to convey water, electric power, telecommunications and computer media and drain water over part marked Q, right to convey water and electric power over part marked Q and a right to convey water, electric power, telecommunications and computer media over part marked Z on DP 384298 created by Easement Instrument 7408567.5 - 8.6.2007 at 9:00 am (affects Section 1 SO Plan 23071)

The easements created by Easement Instrument 7408567.5 are subject to Section 243 (a) Resource Management Act 1991

8574908.2 Surrender of the right to convey water and electric power marked Q on DP 384298 created by Easement

Instrument 7408567.5 as appurtenant to Lot 1 DP 384298 - 4.11.2010 at 2:01 pm

8574908.7 Variation of the conditions of the easement created by Easement Instrument 7408567.5 - 4.11.2010 at 2:01 pm

Subject to a right (in gross) to convey electricity, telecommunications and computer media over part Section 1 SO 23071 marked E on DP 434323 in favour of Network Waitaki Limited created by Easement Instrument 8715657.5 - 30.3.2011 at 12:26 pm

The easements created by Easement Instrument 8715657.5 are subject to Section 243 (a) Resource Management Act 1991

10603625.9 Surrender of the right of way, right to convey water, electric power, telecommunications and computer media, right to drain water as to parts marked Q on DP 384298 and the right to convey water, electric power, telecommunications and computer media on DP 384298 as to part marked Z on DP 384298 appurtenant to Lot 5 DP 384298 created by Easement Instrument 7408567.5 - 28.10.2016 at 4:25 pm

Subject to a right to convey electricity over part marked L on DP 496893 created by Easement Instrument 10603625.18 - 28.10.2016 at 4:25 pm

The easements created by Easement Instrument 10603625.18 are subject to Section 243 (a) Resource Management Act 1991

