

J.L. & R.J Shirtcliff
584 Orari Station Road
GERALDINE

SUMMARY

Resource consent is sought for rural residential subdivision of land immediately bordering the existing Geraldine urban boundary, roading and services infrastructure.

Resource Management Act (2013), the Canterbury Regional Policy Statement, the Timaru District Plan, the Timaru District Growth Strategy: Issues and Options Report and the unpublished Timaru District Growth Strategy all provide comprehensive guidance and direction. It is considered that the proposed activity is of less than minor effect in terms of any of the criteria contained in the afore-mentioned governing documents.

The resource consent sought complies with all existing planning performance criteria and policies with the exception of the minimum lot size for Rural 1 and Rural 2 zoning provisions. This exception is, however, considered to be consistent with pre-existing baseline activity in the locality, the preferred option for Geraldine's managed growth (presented as Option 4 in Section 5.4 of the Timaru Growth Strategy Issues and Options Report) and the advised (by Council planners) zoning change intended for the property.

"The issues associated with growth are varied, however, they can be generally addressed by directing growth into appropriate locations which are effectively and efficiently serviced whilst avoiding significant adverse environmental effects." (p. 34 Timaru Growth Strategy Issues and Options Report)

Granting of this consent will not, therefore, create a troublesome planning precedent. There is precedent, within the immediate vicinity of this property, for the granting of non-notified consent permitting, for example, reduction in lot size to less than the existing prescribed performance standard of 10 hectares and there are a considerable number of smaller rural residential and lifestyle sites on Orari Station Road.

The application is entirely consistent with Council's Timaru District Growth Strategy, its future land-use recommendations accommodating growth for the Geraldine community, is for a specifically contemplated activity and is a discretionary activity under the existing operative District Plan.

The applicants, therefore, request that the consent be informed by the Timaru District Growth Strategy and progressed on a non-notified basis.

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1 Introduction

There is significant unsatisfied demand for new residential land to support growth in the community of Geraldine. The demand that exists is for a range of residential options ranging from small infill sections to larger residential blocks that are semi-lifestyle in nature and accommodating of, for example, families with children. Real estate agents presently advise that they are actively promoting sections in Fairlie to those seeking to build new residences in Geraldine but unable to source suitable land. This subdivision proposal is prepared in response to that unsatisfied demand.

Previous estimates of housing demand for the Geraldine area have been based solely upon the Geraldine area unit and have been responsible for a significant under-calculation of growth rates, both actual and forecast, for the community.

The level of unsatisfied demand is also reflected in property pricing for the Geraldine locality. It is well-recognised that Geraldine values are appreciably greater than is the case, for example, in the neighbouring township of Temuka. Lack of available newer properties has resulted in older houses (of a lesser standard than is presently considered acceptable under minimum building code) being significantly more expensive than would otherwise have been the case in the presence of plentiful, more modern, housing stock and adequate supply of land for new housing.

This application to subdivide will be in conformance with the proposed (by Timaru District Council planners) definition of rural residential zoning addressing the recognized demand for larger rural living sites and the Canterbury Regional Policy Statement. The planning rules for the proposed subdivision are assumed to substantially mirror those rules Part D1, 1.10A, The property, for which the subdivision is proposed, is immediately contiguous with the Geraldine urban area immediately bordering the Geraldine Township on Orari Station Road, the corner of Campbell and Connolly streets, and the Tancred Street/Cascade Place residential subdivisions.

The intention is to create a low impact, high amenity development, with the subdivision designed to complement and respond to the landscape values of the site and its locality. The proposal will provide an appropriately gentle transition between the urban zone and the relatively intensively farmed rural environment surrounding the Geraldine Township. It is within 10 to 15 minutes of the Geraldine business centre by foot.

Although the property does not presently lie within a residential zone, it is both possible and desirable to provide reticulated services to the property as it is immediately adjacent to the existing sewer mainline system, Te Moana water supply and/or the Geraldine town supply. However, the consent does not hinge upon provision of either a water or sewer connection as the proposed allotments are suitable for on-site disposal systems and individual household roof or bore water supply.

Note: Council officials have recommended the property be rezoned as rural residential in the current Long Term Plan review and development process (please refer to the, as yet unpublished, Timaru Growth Strategy now adopted by Council for progression) – communicated by telephone, meetings and subsequent email exchanges.

Please also note that the property is already subject to consent number 101.2012.841 (permitting subdivision into 2 new titles of 10ha and 12.34ha respectively) which has not yet been made operative. The decision has been made to review that subdivision scheme in the light of council officials' expressed recommendation to rezone the subject property for rural residential use.

The house on the property is the Raukapuka Homestead, having been constructed some 110 years ago upon the site of the original homestead dating from 1860. The homestead has proven difficult to sell whilst it remains parcelled with a relatively large block of land. A clear preference has been expressed, by a number of prospective purchasers, that the homestead be parcelled with a relatively small land area encompassing the homestead's access and the associated, relatively extensive gardens.

It is considered that the proposed subdivision will positively contribute to the community by:

- Preserving the pleasant semi-rural landscape and amenity values of the subject property
- Increasing the supply of new building sites available for the Geraldine market thereby contributing to a reduction in real estate price pressures
- Decreasing lifestyle and rural residential pressure upon economic rural land not contiguous with Geraldine and its infrastructure
- Providing greater housing choice and living style
- Exerting a less than minor impact upon the environment and planning considerations by not extending the existing baseline uses for the Orari Station Road locality.

Under the provisions of the Resource Management Act (2013), the Timaru District Plan and the Canterbury Regional Policy Statement, there is no statutory or regulatory requirement, triggered by this application, which would require notification (either limited or public) of this consent application.

2 Resource Consent Application

Proposed subdivision Lot 1 DP82810

J.L. & R.J. Shirtcliff

584 Orari Station Road

We provide the following information in support of the application and in accordance with Section 88 of the Resource Management Act 1991.

2.1 Address for Service

584 Orari Station Road

RD22

GERALDINE 7992

Contact details:

021 474334

john.shirtcliff@xtra.co.nz

2.2 General Purpose of Subdivision

The general purpose of this subdivision is to divide the existing title into 5 rural allotments and to further subdivide two of the allotments so created into smaller rural residential allotments.

- Lot 1: 7.09 ha – comprised of the homestead, associated gardens and access to Orari Station Road
- Lot 2: 4.2 ha – with access to Orari Station Road having an existing wastewater consent.
- Lot 3: 4.63 ha – has existing wastewater disposal consents with access available from Campbell Street and or Tancred Street
- lots 4, 5, 6, 7 and 8: shared access to Orari Station Road (average allotment size of 0.572 ha)
- Lot 9: 3.4 ha with access to Orari Station Road.

2.3 Owners

J.L. & R.J. Shirtcliff

584 Orari Station Road, Geraldine

RD 22

Geraldine, 7992

2.4 Location

Orari Station Road, Tancred Street extension and Campbell/Connolly St

Geraldine 7992

Lot 1 DP 82810

Valuation Reference 24660/344.01

2.5 Type of Resource Consent

Subdivision Consent

2.6 Activity

In terms of Council's operative district plan, the application is for a discretionary activity.

Note, however, that the current plan, which defines the property as a mix of both R1 and R2 zoning, is now beyond its intended 10 year lifetime and that Council planning officials have identified the subject site as to be designated for rural residential zoning use thus providing a sensitive transition zone between the present urban boundary and rural use zoning whilst providing for the necessary growth of the Geraldine community's housing stock.

In the light of Council's clearly signalled intentions and in conjunction with the location and nature of the subdivision proposed, it is submitted that granting the application for resource consent would be appropriate.

2.7 Additional Resource Consents

In view of Council's expressed growth strategy to rezone the subject property for rural residential use, it is not anticipated that further discretionary resource consents will be required for future subdivision as it is considered that any such future activity will be compliant with the revised District Plan requirements and will become a controlled activity rather than discretionary.

Should Council determine to not provide access to the town waste water system (located at the property's boundary with the town) then further waste water consents will be required from Environment Canterbury to provide for on-site disposal such as has already been obtained for the proposed rural residential allotments to be created from Lot 1.

2.8 Additional Information

The attached preliminary plans show the position of new boundaries and allotment areas.

2.9 Affected Persons

The proposal is a discretionary activity in terms of Council's District Plan Rules and accordingly no consultation has taken place with outside organisations with the exception of:

1. Environment Canterbury with respect to flood risk and waste water on-site disposal consents, and
2. Timaru District Council officials with respect to planning matters and the Geraldine growth strategy.

2.10 Existing Resource Consents and Consent Notices

The subject title is affected by an existing consent notice which was imposed as a condition on prior subdivision. A copy of that document is attached (Consent Notice A.396524.2). This relates to the supply of potable water for domestic purposes.

The property is also subject to consent number 101.2012.841 (permitting subdivision into 2 new titles of 10ha and 12.34ha respectively) which has not yet been made operative. The decision has been made to review that subdivision scheme in the light of council officials' recommendation to rezone the entire property for rural residential use.

Six Environment Canterbury consents to discharge wastewater into land are held (CRC numbers 103524, 110024/5/6/7/8 apply). Two of these consents are available for use by the identified building sites within Lot's 2 and 3.

2.11 Existing easement

Although the title indicates that this is affected by an existing easement created by T.129423, this is incorrect. That easement is situated further to the north-east and lies within Lot 2 DP82810, as indicated on the attached documentation and plans and has apparently been attached to this property's title in error. This error may be addressed by our solicitors when arranging issue of titles.

2.12 Earthworks

It is not anticipated that existing cross-country surface water flows will be impacted to the extent that significant earthworks or remedial work will be required.

Minor earthworks will be required to provide all weather access and crossings of Raukapuka Stream to provide for the:

- access to Lots 2 and 3 where the driveways will cross the watercourse
- new access to Lot 1 from the end of Tancred Street or, alternatively, from Campbell Street.

These new stream crossing points will comply with Environment Canterbury Rule 5.137 for the installation of suitably constructed culverts. Consents for these stream crossing points will not be required.

2.13 Buildings - Existing and Proposed

All of the existing buildings lie within the boundaries of Lot 1. All are situated well clear of the proposed boundaries.

Future buildings will be located with regard to flood risk and will observe the setbacks and restrictions contained within Part D1 – Rural Zones. Notional building sites have been indicated on the draft subdivision plan.

2.14 Filled Sites and Land Stability

There is no indication on site of significant filling, unstable land, subsidence or slippage.

2.15 Esplanade Provisions

At the time of the earlier subdivision (2000), resulting in the issue of the present title, esplanade strips of 5 metres in width were created for the full length of the Raukapuka Stream within the subject land and are recorded in document A396524.3. A copy of that document is attached to this application.

2.16 Development to be staged

Issue of titles will be required as detailed below:

- Stage 1: Lots 4 to 8 inclusive (leave 1, 2, 3 and 9 combined)
- Stage 2: Lots 1 & 9 (leave 2 & 3 combined)
- Stage 3: Lots 2 & 3

2.17 Hail Assessment

The proposal has been assessed in conformance with the provisions of the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health [Regulations 2011]. The site has been investigated on site and from records pertaining to the historical land use, and reference to both Council's Operative District Plan and Environment Canterbury's Regional Plan. Please refer to the attached report dated 20th April 2016.

It is concluded that no activities listed in the Hazardous Activities and Industries List (HAIL) have been or are being undertaken on the subject land (refer to Appendix 8.5 below).

3 Provision of Physical Services

3.1 Access

The property has good access off Orari Station Road and is immediately adjacent to the existing 50 km/h speed restriction in force at the Geraldine urban boundary. The proposed rural residential style sections will all have access ways to Orari Station Road providing a good visibility in either direction along Orari Station Road.

Access to Lot 3 will ultimately be provided by a new culverted crossing of the Raukapuka Stream from Campbell Street or, alternatively and preferably, from the end of Tancred Street (Crown Property have now confirmed that access to the property from Tancred Street does not require an easement from the Crown (refer email advice appended at 8.3 below) to cross the true left half of the Raukapuka Stream bed.

Access to Lots 4, 5, 6, 7 and 8 will be via a shared access driveway (existing) from Orari Station Road located some 50 m east of the existing 50 km/h speed restriction and associated signage.

Lot 1, 2, and 9 will have access from Orari Station Road. All driveways will be low volume (i.e. less than 200 vehicle movements per day)

Property access has been considered in terms of the applicable road traffic standards (RTS 6; 1993) and are considered to comply with the requirements of that standard i.e. visibility of 160 metres in both directions for the Orari Station Road (collector road, 100 km/h) access ways and the 40 metre requirement for Tancred and Campbell Streets (local road, 50 km/h). Carriageway widths are adequate.

Any additional traffic risk that may be considered to be occasioned by consenting this proposal could, quite simply, be further mitigated by extension of the existing 50 km/h speed limit to the east along Orari Station Road to encompass the new access ways and appropriate consent conditions.

It is considered that the proposal addresses the issues contemplated by Part B Rooding of the District Plan, particularly in that it:

- Minimises conflict between land use and the roading network
- Encourages the efficient use of the existing roading infrastructure connecting to well-established collector and local roads
- Reduces "access only" traffic to secondary roads
- Conforms to sound planning and design
- Does not require new roads or other facilities
- Does not impinge upon the access requirements for other road-users or pedestrians in other than a less than minor extent.

It is, therefore, considered there will be a less than minor effect upon the associated roading infrastructure imposed by the proposed subdivision.

3.2 Water Supply

Availability of town water supply could very simply be extended to the proposed allotments by Council permitting connection to the infrastructure available at the town boundary and along most of the length of Orari Station Road bounding the property.

The subject property, and its proposed subdivided allotments, is immediately adjacent to the Geraldine town boundary and may be relatively simply connected to the town supply and then reticulated throughout the subdivision as required.

We have, however, been advised by Ashley Harper (Group Manager, District Services) that this will not be allowed as it is against Council policy to permit connection to existing and adjacent town infrastructure as the land is presently not zoned for residential use. This does seem unnecessarily restrictive as Council's recommendation to rezone the property for rural residential use in the near future has been established. Additionally, this stance seems to be somewhat inconsistent as examination of the Council property maps, available on the web, reveals that town supply water connection has been provided to the rural property located on the opposite side of Orari Station Road from the subject property (number 595 Orari Station Rd) – the relevant asset ID number is ORIS-TE12625 ORIS-TK13662.

Alternatively, water is available via shallow domestic bores, roof water collection and storage, or connection to the Te Moana supply (when capacity permits) which runs up Orari Station Road at the property boundary and, additionally, at the northern extremity at the Raukapuka Stream (access to Te Moana water was previously confirmed in writing by Council - email dated 3rd December 2007) when subdivision was initially explored some years ago). Council advises that the scheme is now fully committed but that water will be available following the capacity of the scheme being expanded in the current financial year (2017). We also note that allocation of Te Moana water to the subject allotments may be possible by successful application for unused units being redistributed.

We note that a Te Moana water reticulation pipe also runs across part of the subject property (on new Lot 3).

We conclude that rural zone potable water supply performance standards are able to be complied with.

3.3 Stormwater

Canterbury Regional Council's Regional Plan provides for discharge to the ground from buildings as a permitted activity under Rule 5.96. The site appears to be suitable for that purpose and the various conditions for a permitted activity can be readily achieved within the proposed allotments. Should roof water collection for potable water supplies be installed it will reduce or possibly eliminate the volume of stormwater to be disposed of.

Council also disposes of stormwater by discharging directly into the Raukapuka Stream at 2 points (asset IDs are CCPL-SM16479 CCPL-SO16480 and ORIS-SO16115 ORIS-SI16448 respectively).

Stormwater - Rule 5.96 is reproduced below – note also that all roof stormwater is intended to be collected for a potable water supply and, therefore, only surplus stormwater that will be drained to the ground.

5.96 The discharge of stormwater onto or into land where contaminants may enter groundwater is a permitted activity, provided the following conditions are met:

~~1~~ The discharge is into a reticulated stormwater system and the discharger has obtained written permission from the system owner to discharge into the system; or

~~2~~ The discharge is not into a reticulated stormwater system, and

~~(a)~~ 1. The discharge is not from, into or onto contaminated or potentially contaminated land

~~(b)~~ 2. The discharge:

~~(i)~~ (a) does not cause stormwater from up to and including a 24 hour duration ~~2%~~ ^B ~~10%~~ Annual Exceedance Probability rainfall event to enter any other property; and

~~(ii)~~(b) does not result in the ponding of stormwater on the ground for more than 48 hours, unless ~~the pond is~~^B part of the stormwater treatment system; and

~~(iii)~~(c) is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed; and

(iv)(d) is only from ~~residentially zoned land~~ land used for residential or rural activities;
and

(e) does not occur where there is an available reticulated stormwater system; and

(f) is not from a system that collects and discharges stormwater from more than five
sites.^B

Ecan have now confirmed (refer email from Zella Smith dated 10th March, appendix 8.11 below) that there are unlikely to be any issues encountered in complying with the requirements of the above rule regarding on-site disposal of stormwater.

We conclude that rural stormwater performance standards are able to be complied with.

3.4 Sewerage

Canterbury Regional Council's Regional Plan provides for discharge to the ground within certain areas. Rule 5.7 provides for effluent discharge to the ground as a permitted activity subject to meeting the various conditions for allotments over 4ha in area whilst for those of less than 4ha in area it is classified as a restricted discretionary (non-notified) activity – Rules 5.8 and 5.9 apply. It is considered that those conditions will be able to be met.

Ecan have been provided with the revised subdivision plan in order to provide the necessary level of comfort that the proposed allotments will indeed be able to comply with the requirements of their Rules (5.7, 5.8, 5.9) and the likely wastewater consents that will be required. Please note that we have also identified, on the revised subdivision plan, notional building sites and associated drainage fields for the proposed allotments demonstrating their accordance with the required setbacks for compliance purposes. Volume is expected to be significantly below the 2m³ maximum contemplated by Ecan's rules (note that the average NZ household uses 0.750 m³ of water per day).

Ecan have now confirmed (refer email from Zella Smith dated 10th March, appendix 8.11 below) that consents will be required for an appropriately specified wastewater disposal system and that compliance is achievable.

“Consent will be required for a wastewater discharge on any lot smaller than 4 hectares. Consent is likely to be granted provided there is sufficient treatment, disposal area (based on the number of bedrooms) and setbacks.”

Six consents (to discharge wastewater into land) are already held (CRC numbers 103524, 110024/8 apply) and we expect that further similar consents for the remainder of the lots, where required, will be readily obtainable. Two of those existing consents will be required to service the identified building sites on Lots 2 and 3.

We understand that there is presently no connection available to council's infrastructure as the site is not within an existing residential zone.

However, we note that it would be prudent to provide connection to council's sewerage infrastructure in order to provide for possible future intensification of the zone as Geraldine continues to grow and expand over the next 10 to 20 years from now.

It is considered that rural sewerage disposal performance standards are, therefore, able to be complied with.

3.5 Electricity

Considered to be available from the existing Orari Station Rd network infrastructure. Alpine Energy have previously confirmed the availability of connection to the reticulated electricity network.

3.6 Telecommunication Services

Considered to be available from the existing Orari Station Rd copper infrastructure at the property boundary. Chorus have previously confirmed availability of capacity.

We have been unable to ascertain when, or even if, fibre connections will be available in Geraldine and its immediate environs but have confirmed that the Rural Broadband initiative is available to the site as a 4G wireless connection. Obviously this service does not require a physical connection to the existing copper telecommunications infrastructure.

The preferred (and technically superior) solution is to rely upon the 4g wireless connection available through the Rural Broadband Initiative.

3.7 Easements

As far as can be ascertained at the present time there are no easements required other than those that may be required to protect the provision of essential services and vehicle right of way over shared access but, should it emerge that others may be required, these will be provided for at the time of any affected title being issued.

4 District and Regional Plan Requirements

4.1 Existing Situation

At the present time the subject land is held in one certificate of title, a copy of which is appended at 8.2 below. The property is zoned Rural 1 and Rural 2 in terms of the Timaru District Plan as indicated on the preliminary subdivision plans.

The block has a total area of 22.34 hectares and encompasses a substantial older style farm homestead and a variety of farm buildings. These are situated towards the eastern side of the title and are accessed from Orari Station Road.

The property adjoins Raukapuka Stream, along part of its external boundary, with a portion of the stream then lying wholly within the existing title.

There are no areas of indigenous vegetation other than several natives that have been planted within Lot 12. The stream banks and homestead grounds are well endowed with mature exotic trees and coppices. These wooded areas provide useful shelter for animals and buildings providing a pleasant background of vegetation in stark contrast to the largely denuded landscapes of the larger rural farming properties. The property presents as a pleasant semi-rural lifestyle block entirely in keeping with the lifestyle and rural residential blocks interspersed with a few larger farming properties along the length of Orari Station Road.

The whole of the area may be described as relatively regular in contour with a slight ground fall in a south-easterly direction.

There are no areas of ecological significance or habitat.

An esplanade strip has been registered against the subject title along Raukapuka Stream, with this being 5 metres wide where the stream adjoins the property, and 5 metres on either side where the stream is contained wholly within the property. This was a condition on a prior subdivision and as defined in document A396524.3 as shown on the existing title.

The property has 3 road frontages from which access can be gained.

Orari Station Road

Physical and legal access to the block at this stage is from Orari Station Road, which has a well-constructed and sealed carriageway with good visibility in both directions.

Campbell Street

The block also has legal frontage to Campbell Street close to the intersection with Connolly Street. Access from this direction, however, is more difficult as the Raukapuka Stream lies some 3 metres below the Connolly Street/Campbell Street carriageway.

Tancred Street

The property is situated off the end of the legal portion of Tancred Street. Crown Property (LINZ) advise (email dated 11th August 2016 refers) that the subject property is defined by the mid-line of the Raukapuka Stream and that an access easement will not be required to create vehicle access and a crossing point for the Raukapuka Stream (refer to 8.3 below).

4.2 Congruence with Canterbury Regional Plan and Policy

The Wider Canterbury Regional Policy Statement (page 33) provides for sustainable community development in land use as below:

“Policy 5.3.1 – Regional growth (Wider Region)

To provide, as the primary focus for meeting the wider region’s growth needs, sustainable development patterns that:

(1) ensure that any

(a) urban growth; and

(b) limited rural residential development occur in a form that concentrates, or is attached to, existing urban areas and promotes a coordinated pattern of development;

(2) encourage within urban areas, housing choice recreation and community facilities, and business opportunities of a character and form that supports urban consolidation;

(3) promote energy efficiency in urban forms, transport patterns, site location and subdivision layout;

(4) maintain and enhance the sense of identity and character of the region’s urban areas; and

(5) encourage high quality urban design, including the maintenance and enhancement of amenity values.

This policy implements the following objectives: Objective 5.2.1, Objective 5.2.2, Objective 15.2.1, Objective 16.2.1 and Objective 16.2.2”

The Wider Canterbury Regional Policy Statement (page 34) provides for sustainable community development in land use as reproduced below:

“Policy 5.3.2 – Development conditions (Wider Region)

To enable development including regionally significant infrastructure which:

(1) ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose:

(a) existing or consented regionally significant infrastructure;

(b) options for accommodating the consolidated growth and development of existing urban areas;

(c) the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land;

(d) the protection of sources of water for community supplies; (e) significant natural and physical resources;

(2) avoid or mitigate:

(a) natural and other hazards, or land uses that would likely result in increases in the frequency and / or severity of hazards;

(b) reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and

(3) integrate with:

(a) the efficient and effective provision, maintenance or upgrade of infrastructure; and

(b) transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system."

It is acknowledged that the proposal will result in a reduction in the area of the subject land that may continue in production.

However, whilst the loss of a proportion of the property as productive land could be considered an adverse effect we specifically note as follows:

- The property has already become fragmented and sub-economic in production as the result of historical subdivision consents.
- The property directly adjoins existing urban boundaries with existing high quality roading and services infrastructure.
- The proposal will assist to maintain the form of the existing urban settlement.
- The property is within a short 15 minute walking distance of the Geraldine town centre – closer, in fact, than much of the existing urban area.
- The issue of reverse sensitivity is specifically addressed in item 5 below and is considered to be less than minor in impact.
- A counterbalancing positive effect is likely to accrue as approval of this consent application will reduce pressure for further subdivision on less suitably located productive land that is not contiguous with the existing urban settlement and, therefore, less in accordance with the above Policy.
- A further positive effect will accrue in providing an expansion of supply, lifestyle and housing choice to the Geraldine market. An increase in supply of land will also ameliorate pricing pressure.
- The proposed subdivision will provide an attractive and low impact transition zone between urban and rural land uses.
- Council officials will have fully considered the above regional policies (and the consequences for the District Plan) in arriving at the recommendation to recommend the rezoning of the subject property to rural residential land use.

It is considered the proposed subdivision complies in all respects to the above policy statement and its objectives in respect of providing for rural residential development.

4.3 Compliance with Timaru District Plan

As described above, the property presents as a pleasant semi-rural lifestyle block entirely in keeping with the lifestyle and rural residential blocks interspersed with a few larger farming properties along the length of Orari Station Road.

This mix of uses defines the baseline for land use in the locality. There are some 14 residences on small blocks of land of a similar nature to those proposed by this subdivision on Orari Station Road between the existing Geraldine town boundary and the intersection with Orari Back Road. Further, the proposed subdivision is entirely consistent with other earlier subdivision that is rural residential in character along other the road transport entry points to Geraldine along Main North Road, Waitui Drive and Templer Street, for example.

In terms of the District Plan, the proposed subdivision is defined as a discretionary activity in terms of Section D6.3.5 in that it does not comply with either the 40ha (Rural 1) or 10ha (Rural 2) minimum lot size – neither, of course, does the subject property.

It is acknowledged that the proposed subdivision plan is a discretionary activity under the existing District plan which is in the process of being reviewed. The review of the current plan (now appreciably beyond its intended 10 year statutory lifespan) is considerably behind schedule as the growth strategy, scheduled for release in late 2015, has still not been released for consultation.

We have, however, been advised (email and personal communication) that the growth strategy has been approved by Councillors and that Council planning staff have recommended the subject property be zoned for rural residential use, providing a transitional zone between urban residential and rural zoning. This has also been confirmed following the release to the applicants, in compliance with an OIA request, of the draft strategy on 13th February. This initiative will provide a useful expansion in supply and choice to Geraldine's severely constrained market for residential building sites.

It is considered that this expansion of supply will confer a positive (as contemplated by the Resource Management Act [2013]) effect upon the community of Geraldine. Rural residential land price growth will be ameliorated and people wishing to reside in Geraldine and its immediate environs will have a greater housing choice available to them within close and convenient proximity of the Geraldine town centre than is presently the case.

The applicants had considered awaiting the adoption of the new zoning recommendations before proceeding with this consent application but have resolved, particularly in the light of the extraordinarily slow pace of the planning review process, to proceed with the consent application in the knowledge that it conforms with the considered view of the Council planning staff and is entirely consistent with the expressed Geraldine growth strategy.

4.3.1 Timaru District Growth Strategy

In support of the planning review process for the long term plan (LTP) for Timaru District, a Growth Strategy has been prepared to inform and guide community development initiatives and land uses. The existing LTP is now appreciably beyond its intended 10 year lifetime.

Council's own timeline required that the Growth Strategy be prepared, adopted for public release and hearing by the end of 2015 (<http://www.timaru.govt.nz/services/planning/district-plan/district-plan-review/growth-strategy>). This timeline has been permitted to slip and is now more than one year behind schedule. We are advised that the document is now finalised and has been adopted by Councillors.

The Timaru District Growth Strategy document has now been provided to the applicants (on 13th February and under embargo) in response to their request under the Official Information and Local Government Meetings Act. As this document is intended solely for use by Timaru District Council officers in their consideration of the proposed subdivision consent we note here several of its features relevant to this proposal.

Some further directly relevant extracts from that document (including the annotated aerial photo confirming the Council's proposed zoning change for the subject property) are appended at 8.12 below.

At page 42 the document refers to strategic directions that will form the foundation for the Timaru 2045 Growth Management Strategy. Their associated directives and actions provide the direction for the management of growth.

Several of those directives (at pp. 44 & 47) are particularly relevant to this application for rural residential subdivision consent:

“District Character 1: Consolidate existing settlements with 75% of the district’s new dwellings to 2045 being accommodated within urban areas, through a combination of residential intensification and limited greenfield areas.

District Character 2: Provide for the establishment of low density (0.5ha to 2ha) rural residential housing, in a limited number of defined and zoned locations attached to the existing urban boundaries of Timaru, Geraldine, Temuka and Pleasant Point.”...

Settlement Patterns and Urban Form 1: Set clear limits to the outward development of all urban areas, and limit rural residential development to those identified areas adjoining Timaru, Geraldine and Temuka, and to a lesser extent Pleasant Point. ...

Settlement Patterns and Urban Form 6: Ensure that there is, at all times, sufficient development capacity for commercial, industrial and residential uses for the short, medium and long term.”

At p.60 the Timaru District Growth Strategy observes:

“The largest concentration of rural residential development in the district adjoins Timaru township, followed by Temuka, and Geraldine, and then Pleasant Point. However, the Timaru district’s regulatory approach to rural residential development has resulted in sporadic rural residential opportunities.

That approach has made it difficult to plan for infrastructure demands, and resulted in significant impacts on productive rural use, reverse sensitivity effects on lawfully operating rural activities, and encroached on rural character.

The Canterbury Regional Policy Statement (2013) has required that territorial authorities in the region, including Timaru District Council, take a more co-ordinated and restrictive approach to rural residential development. Rural residential development is to be subservient to residential opportunities in terms of meeting the district’s wider growth needs and providing concentrated urban areas. Locations for rural residential development are also to be primarily of a form that concentrates or is attached to existing urban areas.”

The portion of the report dealing particularly with the Geraldine Growth Strategy and the subject property is reproduced at Appendix 8.12.3 below.

Clearly we regard this document as fundamental to proper consideration of this Resource Consent Application, the decision as to whether or not to notify, and the appropriateness of the land use that we have proposed.

We, therefore, insist that our application be considered within the context of, and informed by, this as yet unpublished report.

~~4.3.2~~ 4.3.2 District Plan Part B – 2 Natural Environment

The subject property has not been identified as have outstanding natural features, areas of significant indigenous vegetation, indigenous fauna habitat or heritage significance. Please also refer to the statutory discussion and assessment of Clauses 6 and 7 of the RMA Part 2 at 4.4.1, 4.4.2 and 4.4.3 below.

Indigenous flora and fauna

The Raukapuka Stream is subject to (and protected by) the existing esplanade provisions and it is expected that the stream environment is likely to benefit provided the existing Council stormwater disposal from Cascade Place does not lead to any deterioration of the water quality. There are no significant identified areas of indigenous flora and

fauna within the subject property and, therefore, any affect attributable the proposed subdivision is assessed as being less than minor. There are no trout inhabiting the stream.

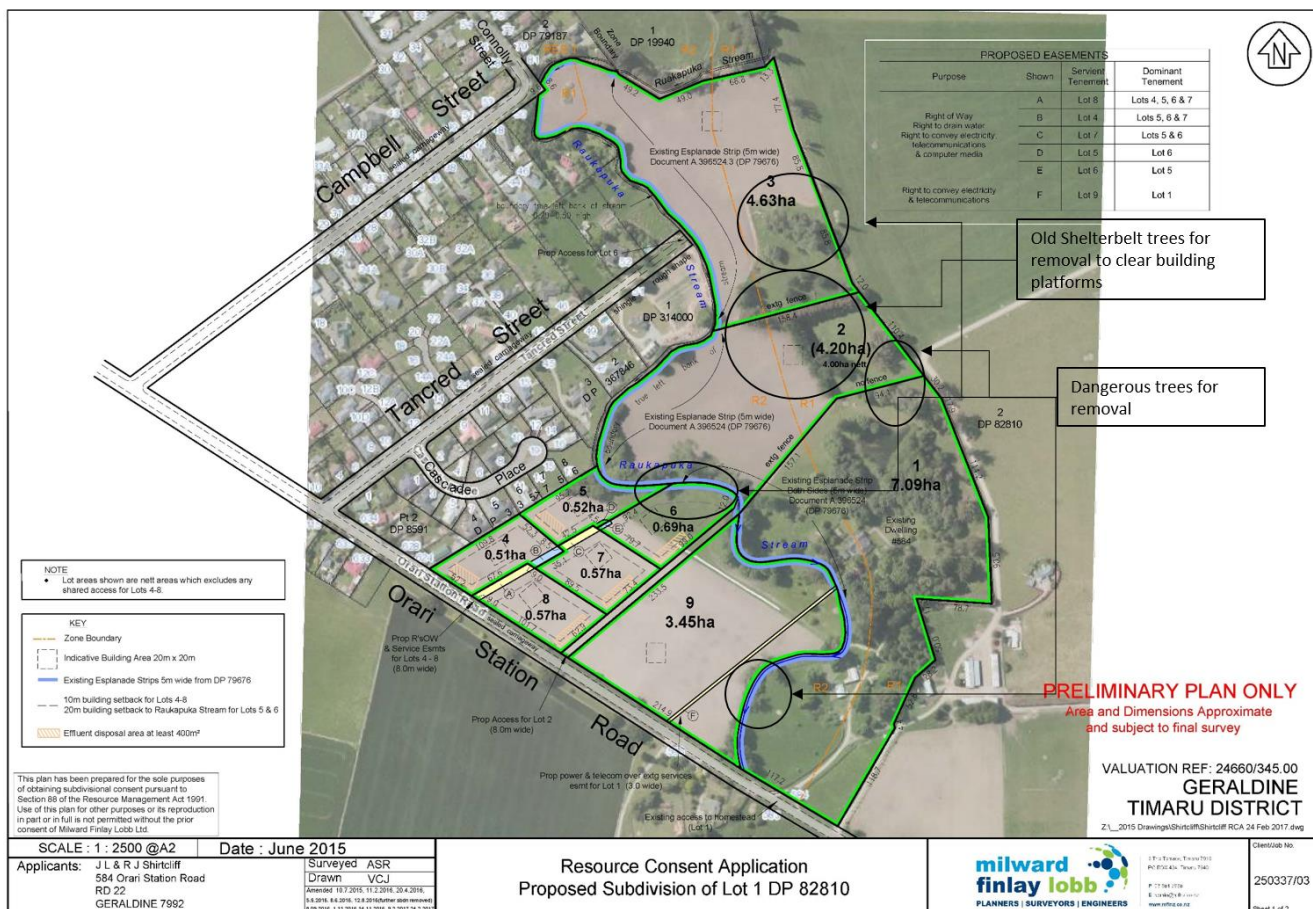
Landscape Values and Amenity Effects

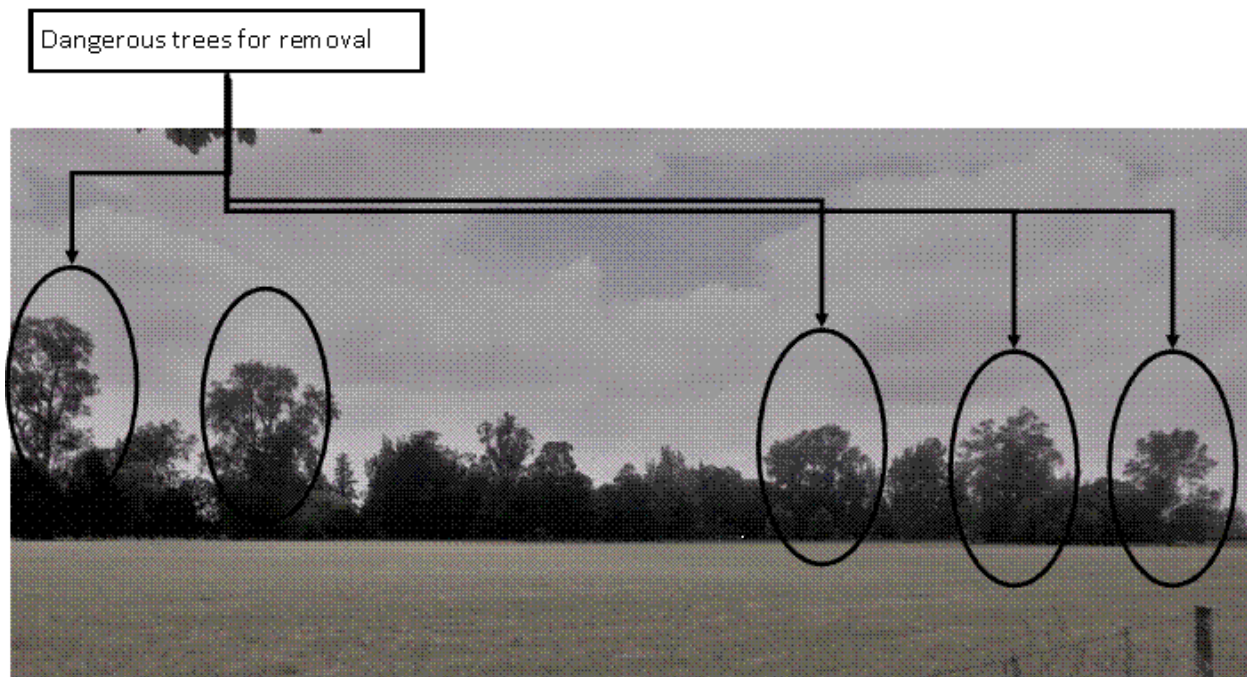
Whilst there are no areas of indigenous vegetation, the stream banks and homestead grounds are well endowed with mature exotic tree species and coppices. These wooded areas provide useful shelter for animals and buildings whilst providing a pleasant background to the property that is in stark contrast to the largely denuded (of trees) landscapes of the larger, nearby farming properties.

4.3.1.2 It is intended that the existing vegetation will be little impacted by the proposed subdivision. The applicants believe it is important to retain the semi-rural character and overall amenity. Thus, the only trees to removed will be those that are deemed to be dangerous due to their age and size (a small number of overly large black poplars, several dying eucalyptus trees and one willow tree have been identified thus far as being potentially dangerous), some old shelterbelt trees remaining on new Lots 2 and 3 (to clear the intended building platforms and view shafts together with a small number where the new stream crossing to Lot 2 is proposed. Additionally the relatively low scale and density of the proposed subdivision will exert little impact upon the visual environment as the background trees will significantly soften the appearance of any new buildings.

The following pictures illustrate the public amenity view of the property from Orari Station Road (across proposed new Lots 8 and 9) and identify the trees that will need to be removed for safety reasons.

These photographs identify those trees for removal on both the aerial and landscape views. It is clear that the overall character of a pleasantly treed landscape will be little impacted by the removal of these trees.





Despite the fact that none of the neighbouring properties are oriented to take advantage of the semi-rural aspect and amenity values of the property, the proposed subdivision will maintain the essential character of the landscape setting and will create an attractive rural living character zone softening the transition from the immediately adjacent urban development to rural character east and south of the subject property.

It is considered that the proposed subdivision will also assist in supporting the objectives of the District Plan Part B 11 Amenity Values, particularly in relation to Issue 1 reproduced below:

“Trees make a major contribution to urban amenities and rural landscapes and there is a lack of amenity tree planting in some parts of the District.”

We also note that the property lies within a 10 minute walk of public open spaces at Kennedy Park.

It is also considered that the proposed subdivision will not contribute in other than a less than minor extent to cumulative effect or precedent of declining amenity.

Conclusion Part B 2

We conclude that the performance standards for Part B 2 – Natural Environment are met by this proposal.

4.3.3 District Plan Part B - 4 Natural Hazards

The proposed subdivision is located upon the Canterbury floodplain (as are almost all of the Canterbury settlements) and so is at some risk of inundation during a severe weather event.

4.3.2 It is noted that the District Plan requires that minimum floor heights for dwellings are to be at or above the 200 year Annual Recurrence Interval - we also note that an immediately adjacent property (at the 108 metre contour) has been required to provide a minimum height of 300mm when the building consent was issued recently.

The property was subject to an Environment Canterbury flood hazard assessment (FHA) carried out in August 2008 when subdivision was first explored for the property. Please note that the comment noting that “ground levels vary considerably across the property” applies primarily to Lot #1 of the proposed subdivision concept plan (when a lifestyle subdivision was being explored for that area of the property) and refers to the relatively low-lying areas immediately adjacent to the Raukapuka Stream at the northwest extremity of the property.

The LIDAR scans for the property reveal that the land surface contour over the bulk of the property varies within plus or minus 1 metre.

In particular please note the map diagram (refer 8.9 below) showing the extent of the 1986 flood event as it affected the property at the margins of the Raukapuka Stream. Also note that the willow trees and other vegetation, previously restricting water flow in the stream bed and giving rise to ponding and minor flooding in very heavy rain events, have since been removed as part of the ECan watercourse management programme.

The current FHA prepared in December 2016 (essentially similar to the earlier assessment) together with the LIDAR scans are appended at 8.9 and 8.8 below.

Also note that the 1993 Flood Hazard Discussion Document for the Orari-Waihi-Temuka Flood Plain Management Plan assesses the property as “low risk” for 100 and 500 year return periods (refer to maps numbered 6 of 9 and 7 of 9, available at <http://files.ecan.govt.nz/public/flooding/orari-waihi-temuka-floodplain-management-plan-discussion-doc.pdf>). There is no other source document for flooding analysis.

Significant mitigation of the assessed flood risk may be undertaken by carefully considering siting and floor heights for future building design and construction on the newly-created lots and specifying appropriate minimum floor heights at the time any future building consent is issued.

It is therefore considered that the performance standard for flood risk mitigation may be complied with and managed by appropriate consent conditions.

4.3.4 District Plan Part B - 8 Rooding

The issues and objectives for this portion of the Timaru District Plan have been fully considered (please refer to discussion at 3.1 above). It is concluded that the performance standards for roading can be complied with and that any influence resulting from the establishment of the proposed subdivision will be less than minor in nature.

4.3.5 District Plan Part B – 9 Services and Infrastructure

This section of the plan is concerned with the adverse effects that may possibly arise to the environment from intensification in areas where servicing infrastructure is not available.

We note again that the proposed subdivision lies immediately adjacent to the existing Geraldine township infrastructure and although it would be a relatively simple matter to connect to the infrastructure that access to these services has been declined. The subdivision has, therefore, been configured to allow on-site disposal of waste, sourcing of potable water, disposal of stormwater and low impact connection to existing roading infrastructure in compliance with existing performance standards and Canterbury Regional Policy requirements (refer to the discussion at 3 above).

4.3.6 District Plan Part D1 – Rural Zones

The subject property consists of both Rural 1 and Rural 2 zoning and is therefore subject to some planning tensions as the creation of rural living sites is clearly contemplated within Rural 1 whilst there is a clear to direction to limit subdivision and building within Rural 2 seeking to conserve productive or versatile land.

4.3.7 Part D, 1.1.Rural Land Use and Zone Performance Standards

The property, having been subdivided many times over its history from the original Raukapuka Station property (approximately 20,000 acres), now comprises some 22.3 ha in area, and is no longer an economic farming unit. Despite being a relatively generous block of land, it is, in effect, only a large lifestyle or hobby property and is sub-economic as a conventional farming unit.

It is submitted that the effect of losing a relatively small area of Rural 2 productive land adjoining the Geraldine residential boundary is of less than minor impact when compared with the likely impact to the environment and loss of versatile land when rural residential or lifestyle development occurs within the wider district and in contravention of the Canterbury Regional Policy Statement (CRPS) requiring such development to be upon land adjoining existing settlements and their infrastructure.

The District Plan Review – Issues and Options Report: Supporting Documents (prepared to inform the Timaru District Growth Strategy and available at Subdivision/District-Plan-Review-Growth-Strategy-Issues-and-Options-Paper-Appendices-Final.PDF) provides the following advice at p.62:

“The operative Canterbury Regional Policy Statement which the TDC must give effect to, requires the Council to:

- i. Establish an approach for the integrated management of urban and zoned rural residential development with the primary focus of ensuring consolidated, well-designed and more sustainable urban patterns*
- ii. Establish a comprehensive approach to the management of the location of urban and rural- residential development, including provisions requiring consideration as to how new land use will be appropriately serviced by transport and other infrastructure*
- iii. Approaches for achieving integrated management of urban and rural-residential development may include identifying where and how development is to be accommodated, particularly where there are development and growth pressures.*

It has been determined that relying on the existing Timaru District Plan rural provisions to address rural residential intensification is unlikely to be effective in consolidating rural residential development within close proximity to these three main centres. To the contrary, further peripheral expansion of rural residential development away from the main centres is likely to occur.

A more effective option considered within this report is for an integrated management response, which is geared towards achieving a consolidated urban form through targeted rural residential zoning options. “

Further, the Timaru District Growth Strategy 2015 – Issues and Options Final Report identifies Managed Growth, as summarised in the table (Figure 1 below from p. 32 of that report) as the preferred option for managing growth in rural residential housing choice ahead of the 3 other alternatives considered (being Status Quo, Peripheral Expansion or Consolidation). Please refer to Appendix 8.1 below for the explanation of the weighting and scoring criteria.

It is apparent that the subdivision proposed in this document supports the considerations and conclusions of that report and will assist Council by mitigating the wider loss of productive land and consequential adverse infrastructural and environmental effects.

Part D, Policy 1.1.3 (1) provides as below:

“To provide for a range of land use activities in rural areas while avoiding or mitigating the adverse environmental effects of these activities by way of the following zones...”

The policy then requires that compliance with performance standards requires consideration of the following factors:

....”

- servicing for water supply and effluent disposal and roading
- bulk and location of buildings
- floor heights for flooding
- protection of indigenous flora and fauna and river and coastal margins
- protection of residential amenity
- protection of rural amenity values”.

Consideration has been given to the above matters and, where applicable to this application, have been thoroughly addressed throughout this document. It is considered that the required performance standards may be met for this proposal.

Figure 1 Assessment of Managed Growth Option from Timaru Growth Strategy Issues and Options Report

(n.b. maximum score is 3 for any category)

MANAGED GROWTH

CRITERIA	WEIGHTING	SCORE	WEIGHTED SCORE	COMMENT
Integrated management	3	2	6	Integrated management approach established which promotes integration of landuse and infrastructure in a coordinated pattern of development.
Compact urban form	3	2	6	Consolidated development provided for in appropriate locations.
Choice	2	2	4	Range of choice provided in housing typologies, allotment sizes, location, recreation, community facilities and business opportunities.
Productive soils	2	1	2	Significant further reduction in soil resources is avoided by limiting rural residential development to areas close to existing urban settlements.
Incompatible land uses	2	2	4	Residential, industrial and commercial development is directed to appropriate areas with the ability for more noxious landuses to be located away from sensitive landuses.
Natural hazards	2	2	4	Residential growth, and where appropriate commercial and industrial growth, is directed away from areas subject to natural hazards.
Servicing	3	2	6	Growth is directed to areas which are/can be effectively and efficiently serviced.
Reverse sensitivity effects on infrastructure	1	2	2	Growth is directed away from infrastructure to avoid reverse sensitivity effects.
Effects on strategic transport network	3	2	6	Growth is directed to areas which will not compromise the capacity or functioning of the strategic land transport network and which support public transport.
Land use and transportation integration	2	2	4	Growth is directed to areas which allow for accessibility, modal choice and transport modes which have low adverse effects.
Effects on rural productive activities	2	2	4	Rural residential and residential growth is directed to areas where reverse sensitivity effects on rural productive activities can be avoided or managed.
Emissions/Trip Distances	1	2	2	Growth will be directed into areas that will reduce dependence on private vehicles and vehicle trips.
TOTAL SCORE			50	

4.3.8 Intensification of Development

The Timaru District Plan (at part D1.2) deals with intensification within rural areas and, further, at section D1.2.3 the document *inter alia* provides the following guidance:

“A singular management approach is however not adequate or efficient in providing for choice in the Rural environment and has also resulted in a dispersed pattern of housing with a loss of rural character and amenity in the wider environment. In order to maintain a low density of development in the wider rural areas, the District Plan will continue to limit subdivision within the Rural Zones and to support this approach by providing for rural residential opportunities. This approach provides for choice in the rural residential environment as well as enhancing certainty for the community as to where this type of development will be occurring.”

It is considered that the proposed subdivision supports the above policy guidance and is clearly a matter which will have been considered by Council planning officials in coming to their recommendation that the subject property be rezoned for rural residential use in the current review of the District Plan.

It is acknowledged that the proposal is a discretionary activity under the present District Plan (which is now beyond its intended 10 year lifespan) but that such a subdivision, in addition to being contemplated by the existing part D1.2 (referred to immediately above), would be both an appropriate activity for the property under the existing District Plan and is clearly intended to be explicitly embodied as a controlled activity in the proposed new District Plan by virtue of the new zoning recommendations prepared by Council planning officials.

At Part D, Policy 1.2.3 (1) the plan seeks to: “Avoid, remedy or mitigate the adverse effects of intensive development in rural areas”.

The policy states:

“To provide for a range of sites and uses, as long as the environmental effects including cumulative effects of development meet performance standards for the zone.”

Pursuit of this policy:

“Enables servicing to be planned for in a rational manner and avoids the need for expensive servicing to address adverse effects of development. The efficient use of physical resources is a matter Council is required to have particular regard to under s7(b) of the Resource Management Act”.

The reasoning and explanation in support of this policy (provided at pages 8 and 9 of Part D 1) provides the following analysis:

“Council's investigations have identified several Resource Management Issues which are closely linked with the intensive development of rural areas. These issues include:

- a reduction in the open character of rural areas and the natural character of the coast, wetlands and rivers*
- increasing demand on finite supplies of potable water in rural water schemes*
- threats to the quality of surface and ground water from sewage and other non-point source discharges of contaminants*
- increasing demand for services at a scale and nature comparable to those provided in urban areas*
- and the responsibility to not be inconsistent with the Regional Policy Statement*

Among the range of measures available to address these issues Council has included limitations on the scale and intensity of subdivision because of the close link between this activity and the anticipated development opportunities associated with smaller allotments. A singular management approach is however not adequate or efficient in providing for choice in the Rural environment and has also resulted in a dispersed pattern of housing with a loss of rural character and amenity in the wider environment. In order to maintain a low density of development in the wider rural areas, the District Plan will continue to limit subdivision within the Rural

Zones and to support this approach by providing for rural residential opportunities. This approach provides for choice in the rural residential environment as well as enhancing certainty for the community as to where this type of development will be occurring.

This policy enables people to realise their aspirations for rural living while limiting the adverse effects of intensive development and the adverse effects of dispersed and ad hoc subdivision.

Where rural residential development becomes intensive the need for reticulated effluent disposal and other services increases as concerns arise over health issues and levels of service. While onsite treatment of effluent is now possible to higher standards at some cost, disposal of the treated effluent can still be a problem on the clay soils which cover much of the District.

The occupiers of rural residential sites frequently expect the servicing of rural sites at a level consistent with the servicing of urban allotments. The community has difficulty covering the cost of high quality services, such as reticulated sewage disposal, and urban standards of water supplies for populations at anything less than urban densities....”

It is submitted that the proposed subdivision complies entirely with the foregoing policy statements and guidance (Part D, Policy 1.2.3 [1]) as the property is contiguous with, and directly adjoins, existing Geraldine roading and services infrastructure.

Part D, Policy 1.2.3 (2) deals with the matter of self-sufficiency of services:

“To require subdivision and building development on rural sites, where there are no reticulated water or private bore or sewage schemes, to provide:

- (i) A potable water supply including rain water or private water bore (for household units) as long as there is storage capacity for 45,000 litres of potable water or a private water bore available on the site (see General Rule 6.5) ...*
- (ii) (ii) Sufficient suitable land within the site for the disposal of effluent using a disposal system approved of by Council (see General Rule 6.3).”*

As discussed elsewhere in this document, the proposed allotments are of sufficient size, in the absence of connection to Geraldine’s service infrastructure, to comply with the policy requirements for potable water and sewerage disposal within the sites to be created by this subdivision (refer to 3 above).

4.3.9 Noise

This issue has been considered and assessed in the discussion of Reverse Sensitivity at section 5 below.

It is considered that existing performance standards as to acceptable levels of noise and activity in the rural zones will be sufficient to ensure compatibility between neighbouring occupancies.

4.3.10 Scenic and Landscape Values and Rural Amenity

This issue has been covered fully elsewhere in this document (refer to section 4.3.2.2 above) and has been mitigated by the approach adopted by the development proposal. As noted the adverse effect upon the environment under this head is considered to be less than minor.

4.4 Resource Management Act (2013)

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined to mean managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety, while avoiding, remedying, or mitigating any adverse effects of activities on the environment.

4.4.1 Assessment Matters (Part 2 Resource Management Act (2013))

Clause 6 of Part 2 of the RMA requires consideration of Matters of national importance as below:

“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights.”*

In respect of the above considerations we advise that there are no significant areas of indigenous vegetation or indigenous habitat either identified or requiring clearance in support of the proposed subdivision. The balance of the considerations, other than (c) above, are not considered to be directly relevant to the proposal.

4.4.2 Assessment Matters (Part 2, Clause 7, Resource Management Act 2013)

Clause 7 (Other matters) part 2 of the RMA provides as follows:

“In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:*
 - (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
 - (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e)[Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.”*

Consideration has been given to the various matters raised in the Fourth Schedule Clause 7 and, where relevant to this application [most particularly items (b), (c), (f) and (g)], have been addressed in the application discussion and documentation.

4.4.3 Summary: Assessment Matters (Schedule 4, Part 6 Resource Management Act (2013))

RMA Schedule 4 Part 6 Information required in assessment of environmental effects

Issue	Assessment	Mitigation
(a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:	Less than minor impact upon environment	Appropriate consent conditions
(b) an assessment of the actual or potential effect on the environment of the activity:	Less than minor	Appropriate consent conditions
(c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use:	Not Applicable	Not Applicable
(d) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:	Less than minor impact: Sewerage: Refer to 3.4 above I. On-site sewerage disposal systems, or II. Connection to township infrastructure Potable water: Refer to 3.2 above I. Roof water supply II. On-site bore III. Connection to town supply Stormwater: refer to 3.3 above I. On-site disposal II. Connection to township infrastructure	Appropriate consent conditions
(e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect:	Regular maintenance, monitoring and compliance of designed on-site septic tank installations	Appropriate consent conditions
(f) identification of the persons affected by the activity, any consultation undertaken, and any	No consultation undertaken other than Timaru District Council and Ecan. Complies with Timaru District	Discretionary activity not automatically

response to the views of any person consulted:	Growth Strategy and revised zoning intentions	requiring of either public or limited notification.
(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:	Sewerage disposal compliance to be monitored by Ecan	Appropriate consent conditions
(h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).	No customary rights impinged upon	Not applicable

4.4.4 Summary: RMA Schedule 4 Part 7 Matters that must be addressed by assessment of environmental effects

An assessment of the activity's effects on the environment must address the following matters:

Issue	Assessment	Mitigation
(a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:	Less than minor impact Refer to 5 below	Appropriate consent conditions
(b) any physical effect on the locality, including any landscape and visual effects:	Less than minor impact Refer to 4.3.2.2 above	Appropriate consent conditions
(c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:	Less than minor impact Property has no indigenous vegetation or indigenous habitat other than Raukapuka Stream which is protected by esplanade strip	Appropriate consent conditions
(d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:	Less than minor effect Minor reduction in available productive land: Refer to 4.2 above	Appropriate consent conditions
(e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and	Sewerage I. On-site sewerage disposal systems, or	Appropriate consent conditions

options for the treatment and disposal of contaminants:	II. Connection to township infrastructure	
(f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.	Not applicable	Appropriate planning controls and consent conditions

5 Reverse Sensitivity

In this section we consider the affects that the proposed subdivision may exert upon the immediately neighbouring properties.

The property is contiguous with residential properties to the west and large scale rural farming properties to the east and south. It does, therefore, form a buffer zone between large scale, relatively intensive rural activity and a fully-developed, conventional residential zone.

5.1 Neighbouring residential properties

It is clear from conversations held with several residents of the immediately neighbouring residential properties that they value the rural character of the subject property and even make a feature of the available outlook over the property when advertising their homes for sale from time to time.

However, it is an incontrovertible fact that none of the neighbouring homes are built to take advantage of the rural outlook potentially afforded them by the subject property. They are all, **without exception**, built to face their living areas to the north and west whilst their easterly aspects (to the subject property) are predominantly domestic service areas (laundries, toilets, etc) which do not gain any positive amenity value from their proximity to a rural outlook.

Much of the property shares a stream boundary with the neighbouring residential properties. This boundary has been problematic to manage for several reasons:

- the stream and our property has occasionally been polluted with waste material originating from the residential properties bordering the stream,
- there have been occasions when animals have escaped from the property as a result of 2 different causes:
 - trees from the neighbouring residential properties falling over the stream and compromising the stock fencing - both electric and conventional,
 - unthinking and uninvited residential neighbours entering the property and failing to secure gates upon leaving, resulting in several instances of stock escaping the property attracting complaints from a number of neighbouring property owners.
- Residential neighbours permitting the streambed to become clogged by encouraging growth of willows and other vegetation leading to swamping, ponding and flooding.

For the foregoing reasons, it is considered that the subdivision will substantially reduce the potential for conflict and will result in a considerable reduction in sensitivity in both directions.

5.2 Neighbouring rural property

The immediately neighbouring rural property, to the east, is likely to be concerned that bringing a more residential character to the subject property will result in a source of complaints restricting their ability to conduct their normal farming activity.

It is considered that the normal activity involved in running a large dairy farm is unlikely to generate conflict with new rural residential neighbours provided that that dairy farm operates entirely within the normal provisions of permitted activity under the Timaru District plan.

It would, for example, be quite within expectations that complaints would be generated should that farm burn rubbish unacceptably close to the boundaries or conduct unreasonably noisy activity outside normal and acceptable working hours as ought to be the case at present. However, the normal day-to-day and considerate operations of the dairy farm such as, for example, movement of cattle, operation of machinery in the normal course of business and calf raising should not be expected to attract complaint from residents of the subdivided property.

It is anticipated that the scope for complaints from occupants of the proposed rural residential allotments may be considerably mitigated by applying title covenants barring complaints being lodged against any normally permitted rural activity under the provisions of the operative District Plan.

The subject property is adjacent to a large-scale rural property immediately to the south and on the other side of Orari Station Road. It is unlikely that this property will give rise to any reverse sensitivity issues due to its separation and the fact that a substantial portion of that property is, we have been advised by Council planning staff, intended to be zoned as residential.

5.3 Summary of reverse sensitivity issues

For the above reasons, it is considered that any reverse sensitivity effects of the proposed subdivision upon neighbouring properties will be less than minor.

6 Housing Stock: Growth of the Geraldine Locality

Analysis indicates that there has been 10.5% household growth (rather greater than the 7.5% growth attributable to the Geraldine area unit alone), for the urban and the immediately adjacent area of Geraldine in the most recent census period to 2013. During the same period, the entire Timaru District grew at a more modest 2.3%.

That is to say, the bulk of Timaru District's growth over that period has come from the Geraldine area and is a direct reflection of the demand for housing in the locality.

There is a demonstrated and appreciable level of demand for larger building lots which are suitable for families – this is confirmed by local real estate agents and by the level of unsolicited enquiry received by the applicants.

The Geraldine Area Unit is simply no longer an accurate statistical unit upon which to view either the past or the future trends likely to prevail in that community's planning needs. Further, consideration of the available figures suggests that estimates and, therefore, provision for residential growth may have been significantly under-estimated for several decades.

Simply put, the Geraldine area unit has effectively been full to capacity for the past almost 10 years and, therefore, historical growth figures will simply be, by definition, an inaccurate indicator of Geraldine's true growth both historical and into the future. Considerable growth has occurred in the mesh blocks immediately adjacent to, but not measured within, the Geraldine area unit.

1. There is wide anecdotal evidence of little or no desirable residential land being available for new dwellings within the boundary - supported by local real estate businesses.
2. Infill has been slow or sporadic (despite efforts by Council to encourage subdivision of existing residential properties) and has, in a number of instances, resulted in declining amenity value in a number of localities
3. It has recently been recognised, by Council, that Geraldine requires additional land zoned for industry and commercial activity – clearly additional activity of this nature will lead to further employment and further demand for working population residential accommodation. Geraldine's growth strategy will require an improved level of "joined-up thinking" than has been previously

apparent. Provision of further residential land will, therefore, support sustainable economic development which has been recognised, by planning staff, as a fundamental tenet of the RMA.

4. The, as yet, unpublished report recommending a Growth Strategy for Geraldine (prepared by Council planning staff) recommends the provision of further land, adjoining Geraldine's present urban boundaries and infrastructure to be rezoned for residential and rural residential use.
5. Restricted supply is a contributing factor to higher than average Geraldine property values - especially for older and often, judged in the context of present building code, sub-standard properties.
6. There has been, and continues to be, considerable additional housing established on the land immediately adjacent to the Geraldine Area Unit – i.e. the historical town boundary.
7. Northerly expansion of Southern Hemisphere settlements, towards the sun, resulting in southerly housing stock decline. Southern residential lots are not in demand for new building and seem to be selling only because there is little available in the more preferred north and north-east – it is also understood that the attractiveness of the southern urban area is hampered by poor or outdated drainage infrastructure requiring individual sewerage backflow prevention and pumping stations.
8. Analysis, of the Geraldine area unit and the immediately adjacent mesh blocks, reveals that growth has been considerably in excess of the prior estimates for Geraldine (by Statistics NZ and Waikato University reports) or the wider Timaru region.

The Timaru District Growth Strategy: Issues and Options Report has come to the conclusion that Geraldine will require further residential land and variety of housing choice. The passage reproduced below (pp. 12 & 11) is instructive (emphasis added):

"The supply of residential zoned land is an important issue for residential growth in the district. An undersupply of residential zoned land may lead to an artificial increase in land prices and subsequently lead to unaffordable housing and land. An undersupply of land could also limit population growth, reduce market choice or force development into less preferred areas. ... As noted in the Productivity Commission's report "Using Land for Housing"7, "A responsive housing market facilitates labour market mobility, allowing people to move to take up job opportunities, enhancing the productivity of the economy." As such, providing an adequate supply of land for residential use is important as it will support economic growth.

*Having regard to the above, the supporting documents include a comprehensive assessment of residential land supply and demand for the four major settlements in the district. This assessment concluded that there is sufficient residential zoned land to accommodate projected residential growth in Timaru, Temuka and Pleasant Point over the next 30 years. **Geraldine may require some additional residential zoned land.** ...*

*Housing choice is also an important issue for residential growth. "Making sure a choice of housing types is available at different price points, to cater for a range of income levels, is critically important to the effective functioning of the housing market, the economy and the wellbeing of New Zealanders." **Providing for a range of housing typologies in the district will ensure that the diverse needs of the residents of the district are met.** The district currently provides a reasonable range of housing typologies from low density rural residential choices to medium-high density townhouses. However, to meet the growing demand for smaller houses, driven by the ageing population, more high density housing choices such as apartments, particularly in mixed use locations, may be desirable."*

It seems clear that this proposal will assist in mitigating the shortage of suitably zoned land in Geraldine by providing additional supply and choice to the market.

7 Summary

Resource consent is sought for rural residential subdivision of land immediately bordering the existing Geraldine urban boundary, roading and services infrastructure.

Resource Management Act (2013), the Canterbury Regional Policy Statement, the Timaru District Plan, the Timaru District Growth Strategy: Issues and Options Report and the unpublished Timaru District Growth Strategy all provide comprehensive guidance and direction. It is considered that the proposed activity is of less than minor effect in terms of any of the criteria contained in the afore-mentioned governing documents.

The resource consent sought complies with all existing planning performance criteria and policies with the exception of the minimum lot size for Rural 1 and Rural 2 zoning provisions. This exception is, however, considered to be consistent with pre-existing baseline activity in the locality, the preferred option for Geraldine's managed growth (presented as Option 4 in Section 5.4 of the Timaru Growth Strategy Issues and Options Report) and the advised (by Council planners) zoning change intended for the property.

"The issues associated with growth are varied, however, they can be generally addressed by directing growth into appropriate locations which are effectively and efficiently serviced whilst avoiding significant adverse environmental effects." (p. 34 Timaru Growth Strategy Issues and Options Report)

Granting of this consent will not, therefore, create a troublesome planning precedent. There is precedent, within the immediate vicinity of this property, for the granting of non-notified consent permitting, for example, reduction in lot size to less than the existing prescribed performance standard of 10 hectares and there are a considerable number of smaller rural residential and lifestyle sites on Orari Station Road.

The application is entirely consistent with Council's Timaru District Growth Strategy, its future land-use recommendations accommodating growth for the Geraldine community, is for a specifically contemplated activity and is a discretionary activity under the existing operative District Plan.

The applicants, therefore, request that the consent be informed by the Timaru District Growth Strategy and progressed on a non-notified basis.

8 Appendices

8.1 Issues and Options Weighting Criteria

Table 1 - Assessment Criteria and Weighting

RPS POLICY	CRITERIA	DESCRIPTION	WEIGHTING	COMMENT
Policy 5.3.1- Regional growth	Integrated management of growth	Integrated landuse and infrastructure in a coordinated pattern.	3	This criterion must be met to avoid environmental effects and control infrastructure costs.
Policy 5.3.1- Regional growth	Compact urban form	Promote a consolidated form of urban and rural-residential development within and attached to existing towns and villages.	3	This criterion must be met as a primary focus on consolidation means the efficient form and development of existing settlements will not be compromised.
Policy 5.3.1- Regional growth	Choice	Encourage a range of choice within urban areas for residential and business development including housing choice, recreation and community facilities and business opportunities.	2	This criterion should be met to provide lifestyle choices to meet market demand and flexibility for commercial development.
Policy 5.3.2 - Development conditions	Productive soils	Avoid further reduction in the district's soil resources through fragmentation of rural land.	2	This criterion should be met as the protection of productive soils will sustain their life supporting capacity and recognises the significance of agriculture to the district's economy.
Policy 5.3.2 - Development conditions	Incompatible land uses	Direct sensitive residential growth away from incompatible land uses such as those which produce noise and odour emissions including rural activities which may result in reverse sensitivity effects.	2	This criterion should be met in order to avoid reverse sensitivity effects on existing or permitted land uses.
Policy 5.3.2 - Development conditions	Natural hazards	Residential growth, and where appropriate commercial and industrial growth, is directed away from areas subject to natural hazards.	2	This criterion should be met to avoid risk to human life, and where appropriate, property.

RPS POLICY	CRITERIA	DESCRIPTION	WEIGHTING	COMMENT
Policy 5.3.5 - Servicing development	Servicing	Ensure any development can be efficiently and effectively served for the collection, treatment and disposal of sewage and stormwater, and the provision of potable water.	3	This criterion must be met to achieve integrated landuse and infrastructure.
Policies 5.3.6/5.3.8/5.3.9/5.3.10 - Effects on Infrastructure	Reverse sensitivity effects on infrastructure	Avoid land uses which may result in reverse sensitivity effects on transportation, telecommunication, sewerage, water and stormwater infrastructure.	1	This criterion should be considered in order to avoid reverse sensitivity effects on existing infrastructure.
Policy 5.3.7 - Strategic Land Transport Network and arterial roads	Effects on strategic transport network	Ensure new development does not compromise the existing capacity or functioning of the strategic land transport network and supports public transport services.	3	This criterion must be achieved to protect the strategic land transport network and support public transport.
Policy 5.3.8 - Land use and transport integration	Land use and transportation integration	Promotion of accessibility, modal choice and transport modes.	2	This criterion should be met to ensure the use of transport modes which have low adverse environmental effects.
Policy 5.3.12 - Rural production	Effects on rural productive activities	Ensure appropriate separation between land uses which may result in reverse sensitivity effects on rural productive activities.	2	This criterion should be met to ensure the continued operation of rural productive activities and to recognise the significance of agriculture to the district's economy.
Policies 14.3.2/16.3.1 - Emissions and Efficient use of Energy	Emissions/Trip distances	Encourage patterns and forms of urban settlement and infrastructure which decrease production of motor vehicle emissions and decrease trip distances.	1	This criterion should be considered in order to avoid adverse effects resulting from forms of development which require heavy reliance on private vehicles.

8.2 Property Title



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952

Search Copy



R. W. Muir
Registrar-General of Land

Identifier CB47D/626
Land Registration District Canterbury
Date Issued 23 May 2000

Prior References
CB45C/1229

Estate	Fee Simple
Area	22.3400 hectares more or less

Legal Description Lot 1 Deposited Plan 82810

Proprietors

John Leonard Shirtcliff and Rosemary Jean Shirtcliff

Interests

Subject to a right to convey water over part herein described in and created by Transfer 129423 - 7.4.1920 at 10.00am

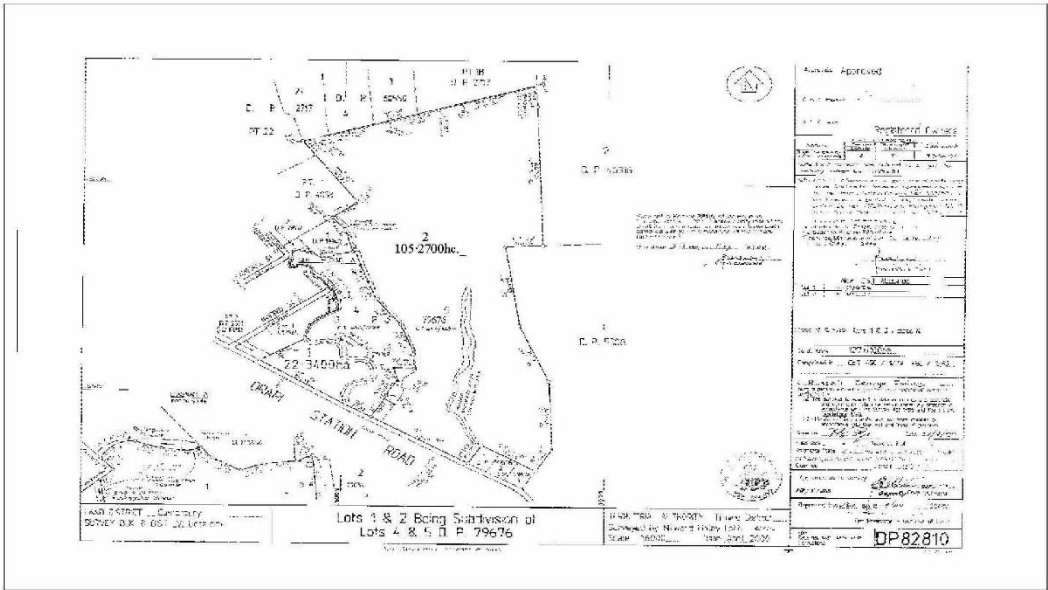
A396524.2 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 by The Timaru District Council - 23.3.1999 at 2.12 pm

A396524.3 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 by The Timaru District Council - 23.3.1999 at 2.12 pm

9589123.3 Mortgage to ASB Bank Limited - 4.12.2013 at 11:48am

Transaction Id
Client Reference choneywil/001

Search Copy Dated 13/06/15 11:32 am, Page 1 of 2
Register Only



8.3 Crown Property re Access Tancred Street

From: [Crown Property](#)

Sent: Thursday, 11 August 2016 9:01 a.m.

To: 'john.shirtcliff@xtra.co.nz'

Hi,

Your title (and ownership) extends to the mid-line of the stream. The esplanade strip established in 1999 does not affect the ownership, it merely places restrictions on the use and provides for public access.

You may need to get some form of permit from the local authority for a creek crossing.

Bart van Stratum
Senior Portfolio Manager
Crown Property
Crown Property Centre of Expertise

E bvanstratum@linz.govt.nz | DDI 04 4600123

Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace PO Box 5501, Wellington 6145, New Zealand | T 04 460 0110 W www.linz.govt.nz | data.linz.govt.nz



DECISION OF TIMARU DISTRICT COUNCIL RESOURCE CONSENT SUBDIVISION NO.2012.841

Acting under the delegated authority from Timaru District Council, I have considered the subject application for subdivision consent and have decided, pursuant to sections 104, 104B, 106, 108 and 220 of the Resource Management Act 1991, that consent be GRANTED subject to the following conditions:

General

1. The development shall be carried out in accordance with the plans (attached and stamped as approved) and the application as submitted under reference no. 2012.841 and further information received, with the exception of the amendments required by the following conditions of consent.

Reason: To ensure that the development is carried out in accordance with the application.

2. A consent notice pursuant to section 221 of the Resource Management Act 1991 shall be issued by Council and registered against the certificates of title to be issued for Lots 1 and 2 hereon. The notice shall be registered at the subdivider's expense and shall read as follows:

"The floor height of any new habitable building or an extension to a habitable building is to be such that the risk of flood waters reaching that height shall not exceed 0.5% in any one year."

Reason: To ensure that future habitable buildings are built to minimise flood hazard.

Land Transport

3. Lot 1 shall be provided with its own vehicle crossing. Located, designed and built to meet the requirements of the Timaru District Council.

Reason: In accordance with section 108(2)(c) of the Resource Management Act, this condition is required to ensure that each Lot is serviced for vehicle access located, designed and built to an appropriate standard.

Liquid Waste Disposal and Land Drainage

4. A consent notice shall be issued by the Timaru District Council and registered against the certificate of title to be issued for lots 1 and 2 hereon. The notice shall be registered at the subdivider's expense and shall read as follows:

"The landowner of this lot shall be responsible for providing and maintaining an effluent disposal system, designed to meet the requirements of the Regional Council."

Reason: In accordance with section 221(1) of the Resource Management Act and Section 6.3.12(3)(c) of the Timaru District Plan, this condition is required to ensure that any future landowners are aware that they are responsible for the disposal of liquid waste.

Water Supply

5. A consent notice shall be issued by the Timaru District Council and registered against the certificate of title to be issued for lots 1 and 2 hereon. The Notice shall be registered at the subdivider's expense and shall read as follows:

"The landowner of this lot shall be responsible for providing water to this lot. Should said water be for human consumption the landowner is responsible for ensuring that it complies with "New Zealand Drinking Water Standards, Small Water Supply Compliance Criteria"."

Reason: In accordance with section 221(1) of the Resource Management Act, this condition is required to ensure that any future landowners are aware that the Timaru District Council is not responsible for the supply of water and that should any private water be for human consumption, they are responsible for ensuring that it is safe to drink.

Other Matters

6. Any services to any Lots shall be contained within that Lots boundary or protected by an appropriate easement.

Reason: In accordance with section 220(1)(f) of the Resource Management Act, this condition is required ensure that any underground service rights will be protected.

7. The consent holder shall attach to the application for section 224 certification; correspondence from Timaru District Council's District Services Unit confirming that any required service connection and/or vehicle crossings have been constructed as per their requirements.

Reason: In accordance with section 108(3) of the Resource Management Act, this condition is required to ensure that the above conditions regarding the construction of works have been complied with.


Chris English
Regulatory Services Manager

Date:25/09/12.....

ADVICE NOTES

Commencement

This resource consent commences on the date the decision was notified, or on such later date as stated in the consent, unless an appeal or an objection has been lodged, at which time the consent commences when this has been decided or withdrawn, or in the case of an appeal to the Environment Court on such later date as the Court may state in its decision.

Right of Objection

If you do not agree with the decision, you may have a right to object to the whole or any part of the decision under section 357A of the Resource Management Act, so long as:

- the application was processed on a non-notified basis; or
- the application was processed on a notified basis and no submissions were received in relation to the application, or all submissions were withdrawn; and
- the application was not refused consent under section 104B of the Act (determination of applications for discretionary or non-complying activities) or 104C of the Act (determination of applications for restricted discretionary activities);
- an officer of a consent authority acting under delegated authority did not refuse consent to the application under section 104B or 104C of the Act.

Notice of any objection must be in writing, set out the reasons for the objection, and be lodged with the Timaru District Council within 15 working days of receipt of this decision.

Subsequent Right of Appeal to the Environment Court

Any person who has made an objection under section 357A of the Act may appeal to the Environment Court against the decision on the objection pursuant to section 358 of the Act.

Notice of such an appeal must be in the prescribed form, state the reasons for the appeal and be lodged with the Environment Court (85 Armagh Street, PO Box 2069, Christchurch) within 15 working days after the decision on the objection being notified to that person, or within such further time as the Environment Court may allow.

Appeal Direct to the Environment Court

If you do not agree with the decision, an alternative to a section 357A objection, or if section 357A does not apply, is to appeal the decision under section 120 of the Act to the Environment Court.

The notice of appeal shall be in the prescribed form; state the reason for the appeal and the relief sought; state any matters required by the regulations; and be lodged with the Environment Court (85 Armagh Street, PO Box 2069, Christchurch) within

15 working days notice of the decision being received. Notice of the appeal must also be served on Timaru District Council within 15 working days within the same period. Notice of the appeal must also be served on any person who made a submission in relation to the application within 5 working days of the notice being lodged with the Environment Court. If you are in any doubt about the correct procedures, you should seek legal advice.

Minor Correction of Resource Consents

Section 133A of the Act provides the consent authority may at its discretion issue an amended consent that corrects minor mistakes or defects in the consent within 15 working days of the grant. If you consider that the consent contains a minor mistake or defect you may advise the Timaru District Council of the same.

Lapsing of Consents

A resource consent lapses on the date specified in the consent or, if no date is specified, 5 years after the date of commencement of the consent unless, before the consent lapses: the consent is given effect to; or, an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension.

Change or Cancellation of Conditions

An application to change or cancel a condition of this consent can be made under section 127 of the Act.

Review of Consent

A consent authority may, in accordance with section 129 of the Act, serve notice on a consent holder of its intention to review the conditions of a resource consent.

Monitoring of Consent

Pursuant to section 35 of the Act, the local authority shall monitor the exercise of this resource consent. Additional charges may be payable for this monitoring.

Charges

Charges, set in accordance with section 36 of the Act, shall be paid to the Timaru District Council for the carrying out of its functions in relation to the administration and monitoring of resource consents and for carrying out its functions under section 35 of the Act.

Subdivision Consents

The Register-General of Land cannot issue new certificate of titles for the allotments proposed by the subdivision application until such time as the consent holder:

- submits for approval and obtains an approved survey plan from the territorial authority pursuant to section 223 of the Act; and
- requests and obtains a certificate signed by the chief executive or other ☐ authorizes officer of the territorial authority pursuant to section 224(c) of the Act stating that it has approved the survey plan under section 223 and any of the

conditions of the subdivision consent have been complied with to the satisfaction of the territorial authority and that in respect of such conditions that have not been complied with –

- a completion certificate has been issued in relation to such of the conditions to which section 222 applies:
- a consent notice has been issued in relation to such of the conditions to which section 221 applies:
- a bond has been entered into by the subdividing owner in compliance with any condition of a subdivision consent imposed under section 108(2)(b):

Other Consents May Be Required

This resource consent ☐ authorizes the land use or subdivision applied for only. The consent does not give the consent holder the right to:

- Use, subdivide or develop land that contravenes a rule in the District Plan other than that which has been consented to by way of the subject application, or that which has already been legally established.
- Conduct any activity that requires resource consent from Environment Canterbury (Ecan). You are advised to contact Ecan to ascertain if consent is required for the proposed development.
- Authorise building or utility services construction work that requires separate consent/approval.

Financial Contribution

Please note that Rule 6.5.2.2(2)(d) of the District Plan requires the payment of a \$500.00 financial contribution for residential allotments over two hectares in area at the time a household unit is placed on the site. The financial contribution is required to be paid before building consent is issued in relation to any new dwelling on the site.

District Services Advice Notes

- Unless otherwise stated, all the conditions of consent described above are to be complied with prior to application for s224(c) certification.
- In accordance with Council Bylaw Chapter 10 Clause 1004.1. Any proposed new or modification to any Vehicle Crossing shall require specific approval by Council.
- In accordance with Council Bylaw Chapter 10 Clause 1003.2. The consent holder is responsible for repairing any damage they cause to any publicly owned asset or property. Any damage that results from the construction phase of the development will need to be repaired to the satisfaction of the Timaru District Council by the consent holder at their cost.

Doc# 704274



REPORT ON A SUBDIVISION CONSENT APPLICATION

CONSENT NO:	101.2012.841
APPLICANT:	JL & RJ Shirtcliff
ACTIVITY:	Two allotment subdivision with non-complying access
LOCATION:	584 Orari Station Road, Geraldine
ZONING:	Rural 1 and Rural 2
LEGAL DESCRIPTION:	Lot 1 DP 82810
ACTIVITY STATUS:	Discretionary Activity
RMA CRITERIA:	Sections 104, 104B
RECEIVED DATE:	20 August 2012
DUE DATE:	3 September 2012

1.0 INTRODUCTION

This report has been prepared under section 42A of the Resource Management Act (the Act) to document the assessment of the subject subdivision consent application. This report also constitutes the decision and reasons for the decision as required under section 113 of the Act.

2.0 SITE, HISTORY & PROPOSAL DESCRIPTION

2.1 SITE DESCRIPTION

The subject site is located at 584 Orari Station Road, Geraldine. The location of the site is illustrated in Figure 1, while the site's adjoining development is illustrated in Figure 2. An aerial photograph of the site is provided as Figure 3.

The site is 22.34 ha in area and is located on the northern side of Orari Station Road, in the southern outskirt of Geraldine Township. The site contains an existing dwelling with associated farm buildings at the southern part.

Raukapuka Stream transverses the site in a north-south direction. Mature landscaping is found along both sides of the stream. Esplanade Strip of 5m has been registered against the subject title along both sides of the Stream.

The site is fronting and accessed from Orari Station Road via an existing vehicle crossing. The site is currently farmed independently and is considered as a small farm

An aerial photograph of the Waihi River area in New Zealand. The Waihi River flows through the center of the image. The town of Waihi is located along the river. To the north of the river, the town of Geraldine is visible. To the south of the river, the town of Aronui is visible. The surrounding area is mostly agricultural land, with some fields and roads. Labels on the image include 'Geraldine', 'Waihi River', 'Aronui', 'Ashfield', and 'Denfield Golf C'.

[illegible]

Figure 2 –Site and Adjoining development. The subject land is indicated in red.



Figure 3 - Aerial photograph. The subject land is indicated in red.

A site visit was undertaken on 28 August 2012. The applicant or applicant's agent was not present during this site visit. Photographs taken during this site visit are held in the file.

2.2 DESCRIPTION OF THE SURROUNDING ENVIRONMENT

The property is located at the edge of the Geraldine Township. Properties to the north-west of the site are zoned residential and are used in accordance with the zoning. Properties to the north, east and south of the site are generally large scale farm land with a few rural-living sites along Orari Station Road.

Geraldine High School is located to the west of the subject site.

2.3 SITE HISTORY

The following is a summary of the relevant site history pertaining to the subject lands:

Subdivision Consent No. 2874 for the site was completed in 1999 in creation of DP 79676. The following allotments were created from this subdivision:

- Three Rural Living Sites;
- One 10ha rural allotment; and
- The balance of the title.

Subdivision Consent no. 4103 for a boundary adjustment was carried out in 2000 between Lots 4 and 5 DP 79676 with the issue of DP 82810. This boundary adjustment did not affect the existing subdivision entitlements.

2.4 PROPOSAL DESCRIPTION

The application proposes to subdivide Lot 1 DP 82810 to create two new allotments. Tables 1-3 below detail the nature and extent of the proposed allotments, the proposed services arrangements and the proposed access arrangements. Figure 4 shows the preliminary subdivision plan.

Table 1 - Nature and extent of the proposed allotments

Lot	Area (Ha)	Proposed Use
1	12.43	<p>The notion of the proposal is to separate the land for future development and the farm block. Lot 1 will be a vacant allotment with Raukapuka Stream running along the western boundary of this site and across the lot at the southern end of the connecting neck.</p> <p>This allotment is separated from the parent title to define areas with the potential for future development. The applicant anticipates developing the northern part of the lot into rural-living allotments and developing the southern area into residential density similar to the land to the west of the site.</p>
2	10.00	Rural allotment which encompasses the existing dwelling and farm buildings.

Table 2 - Proposed Services Arrangements

Lot	Water Supply	Effluent Disposal	Stormwater Disposal
1	Stock water will be obtained from Raukapuka Stream. Domestic water supply will be from Te Moana Downs Water Supply Scheme or an independent well. No confirmation of connection to the water scheme is provided with the proposal.	Effluent disposal is deferred until the time a dwelling is to be built on the site.	Stormwater from the existing buildings are discharged onto ground. This is controlled by the Canterbury Regional Plan
2	Domestic water is supplied from a well while stock water is obtained from nature water course and a pond.	The existing dwelling is serviced with an existing sewer system.	which is administered by the Canterbury Regional Council.

Table 3 - Proposed Access Arrangements

Lot	Physical Access	Legal Access
1	This allotments will have frontage to both Orari Station Road and Campbell Street. Access will gain from Orari Station Road which is a Principle Road as defined by the District Plan.	
2	This allotment has frontage and is accessed from Orari Station Road via existing vehicle crossings. No alteration to this configuration is proposed.	

No easements or esplanade provision are proposed.

The preliminary plan for the subdivision is shown in Figure 4 below:

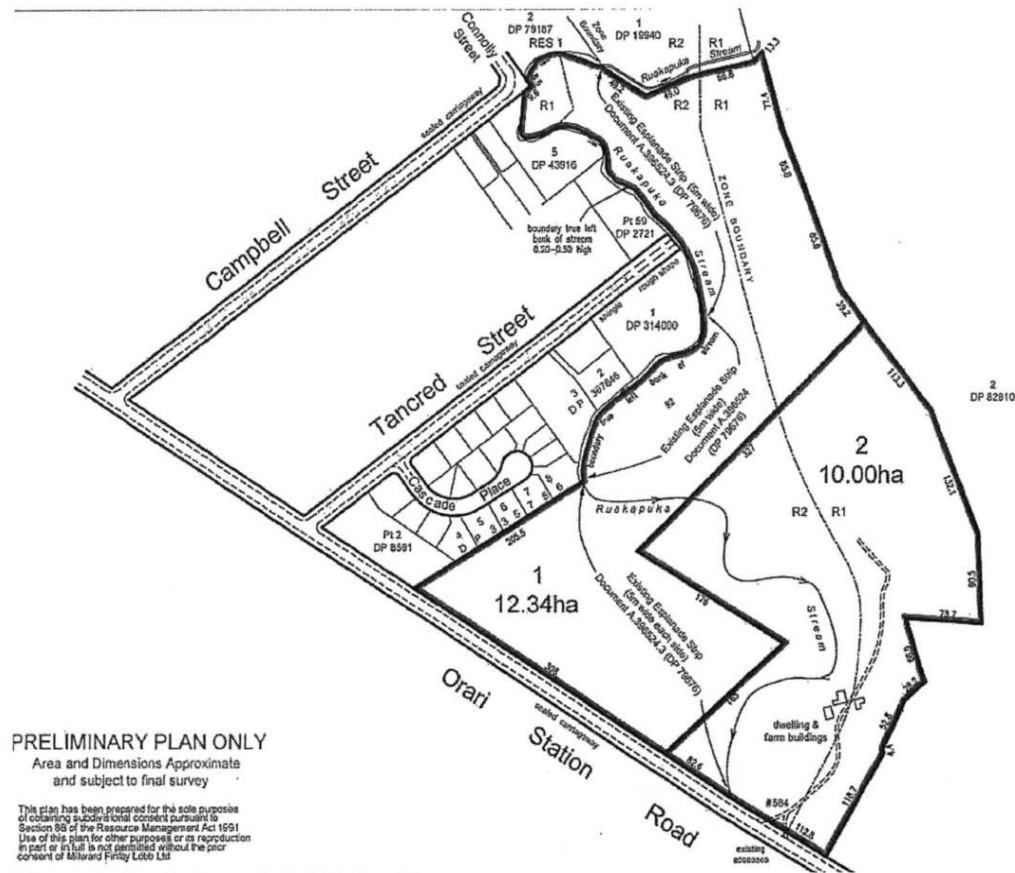


Figure 4 - Preliminary Subdivision Plan

3.0 ACTIVITY STATUS

The subject site is zoned Rural 1 by the Timaru District Plan. The activity status of the proposed development is commented on below.

Part D, General Rule 6.3.12 - Performance Standards for Subdivision in the Rural 1 Zone - Clause (1) states that "Rural allotments may be created by subdivision and shall have a minimum area of 40 hectares other than as provided for in 6.3.12.2(2)".

Part D, General Rule 6.3.12 - Performance Standards for Subdivision in Rural 1 Zone - Clause (2) states that "Rural living site allotments may be created by subdivision in each of the following circumstances:

- (1) From any Certificate of Title existing on or before 27 August 1988; or

From any title issued subsequent to 27 August 1988, where it can be demonstrated that the allotment entitlement in terms of criteria in 6.3.12.2(2) in respect of the land comprised in the title which existed on 27 August 1988, have not been exceeded; and

Provided that the requirements of 6.3.12.2(2) are not exceeded by the new subdivision.

- (2) (a) *The title has an area in excess of 10 hectares; and*
- (b) *The number of new allotments shall be calculated according to the following table:*
- | | |
|--|---|
| <i>More than 10 hectares but not more than 20 hectares</i> | <i>1 new rural living site</i> |
| <i>More than 20 hectares but not more than 40 hectares</i> | <i>2 new rural living sites and 2 allotments of 10 hectares minimum area, provided that the area of the balance land is not less than 10 hectares</i> |
| <i>More than 40 hectares</i> | <i>: 3 new rural living sites and 3 allotments of 10 hectares minimum area, provided that the area of the balance land is not less than 10 hectares</i> |
- (c) *A building area of not more than 400 square metres is to be shown within each allotment.*
- (3) *The area requirements for rural living site allotments shall be:*
- (a) *On land with a proven 1 metre thick clay base either:*
- (i) *A site area of 1.5 to 2 hectares (exclusive of accessways) shall be provided to ensure that a range of waste water disposal options is available; or*
- (ii) *On sites of a minimum area of 5,000 square metres and less than 1.5 hectares (exclusive of accessways) a specifically designed effluent disposal system shall be provided and the provision and maintenance of the system shall be the subject of a consent notice registered against the Certificate of Title.*

Assessment of Entitlement - Rural Living Sites and Rural Allotments

Titles prior to 27 August 1988:

The property's Certificate of Title 767/75 was an area of 130 ha was issued in 1958. The site therefore has subdivision entitlements for three rural-living sites and three 10ha allotments. Table 4 below illustrates the availability of the subdivision entitlements at different time:

Table 4 Availability of Subdivision Entitlements:

Year	DP Issue	Use		Remaining	
		RLS	10ha Lot	RLS	10ha Lot
1988	-	-	-	3	3
1999	79676	3	1	0	2
2000	82810	0	0	0	2
2012	RC 2012.841	0	1	0	1

The proposal will utilize the subdivision entitlement of one 10ha allotment. Accordingly, the proposal complies with Performance Standard 6.3.12 (1) and (2).

The Timaru District Plan, Part D, General Rule, 6.7 Vehicle Access and Loading, Performance Standard 6.7.4 (2) states *"where a site fronts both a primary road and a secondary road all vehicle access onto and off the site shall be to the secondary road"*. Lot 1 has frontage to both a primary road and a secondary road. Access to this site is proposed to be gained from the primary road – Orari Station Road. Accordingly, the proposal does not comply with this Performance Standard.

The Timaru District Plan, General Rule, Clause 6.7.5(1) states any proposal which does not fully comply with any part of General Rule 6.7 shall be a discretionary activity.

Overall, the application is assessed as a Discretionally Activity.

4.0 STATUTORY CONSIDERATION

This section of the report details the provision of the Act that are relevant to the consideration and determination of the application. The remainder of this report has been set out to address these provisions.

4.1 DETERMINATION OF APPLICATION

After considering an application for a resource consent for a discretionary activity or non-complying activity, section 104B of the Act states that a consent authority —

- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

4.2 CONSIDERATION OF APPLICATIONS

When considering a resource consent application and any submissions, section 104 of the Act provides that the consent authority, must, subject to Part 2, have regard to the following:

any actual and potential effects on the environment of allowing the activity;

any relevant provisions of:

- a national environmental standard:
- other regulations:
- a national policy statement:
- a New Zealand coastal policy statement:
- a regional policy statement or proposed regional policy statement:

- a plan or proposed plan;
- any other matter it considers relevant and reasonably necessary to determine the application

When forming an opinion for the purposes of actual and potential effects on the environment of allowing the activity, subsection 104(2) of the Act states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

Subsection 104(3) of the Act states that a consent authority must not when considering an application have regard to trade competition or the effects of trade competition, or any effect on a person who has given written approval to the application.

Subsection 104(3) of the Act also provides that a consent authority must not grant a resource consent:

- To do something that will or is likely to, have a significant adverse effect on a recognised customary activity, unless written approval is given to conduct the activity from the holder of the customer rights order.
- If the application should have been notified and was not.

Subsection 104(6) of the Act states that a consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.

4.3 CONSENT AUTHORITY MAY REFUSE SUBDIVISION CONSENT IN CERTAIN CIRCUMSTANCES

Subsection 106(1) of the Act provides certain circumstances when the Consent Authority may refuse subdivision, or impose conditions, if it considers that —

- (a) the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- (b) any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or
- (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

Section 106(2) of the Act that conditions under subsection (1) must be -

- (a) for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and
- (b) of a type that could be imposed under section 108.

4.4 CONDITIONS

Sections 108 and 220 of the Act provide the consent authority with the ability to impose conditions on resource consent applications.

5.0 ASSESSMENT OF APPLICATION

5.1 ADEQUACY OF INFORMATION

It is considered that the information provided by the application and the applicant's response to the further information request is adequate to determine the application in terms of section 104(6) of the Act.

5.2 SECTION 106 MATTERS

It is considered that proposed legal and physical access to the site is satisfactory.

According to Council records this site is subject to the risk of flooding. The Timaru District Plan requires that any dwellings or habitable buildings are designed to ensure that the floor height of these buildings will be such that the risk of flooding reaching that height does not exceed 0.5% in any one year. A Flood Hazard Assessment prepared by the Canterbury Regional Council confirms that the property is subject to the risk of flood in a 1 in 200 flood return period. Accordingly, this should be a condition of consent. A Consent Notice pursuant to section 221 of the Resource Management Act 1991 should be issued in respect of this condition.

5.3 ASSESSMENT OF ENVIRONMENT EFFECTS

5.3.1 Introduction

The following assessment has been set out to address:

- the permitted baseline;
- written approvals;
- the actual and potential environmental effects of the proposal on:
 - land, flora and fauna;
 - infrastructure;
 - people and built form;
 - culture;
 - traffic generation and vehicle movements;
 - nuisance.

5.3.2 Permitted Baseline

As stated above, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or plan permits an activity with that effect. This is termed the 'permitted baseline'. It is at the consent authority's discretion as to whether the permitted baseline is taken into account when considering an application.

The permitted baseline has not been considered as the Timaru District Plan does not provide subdivision as a permitted activity.

5.3.3 Written Approvals

Section 104(3) of the Act provides that a consent authority may not have regard to any effect on a person who has given written approval to the application.

No written approvals have been submitted with the application.

5.3.4 Effects on Land, Flora and Fauna

Raukapuka Stream transverses the property in a west-east direction. Esplanade strips of 5m have been created on both sides of the bank of the stream. The esplanade strips were created for the purpose to the protection of conservation values and to enable public access and public recreational use.

It is considered that the existing esplanade strip is sufficient to protect the waterbody, flora and fauna along the stream.

The proposal will not result in the removal of any trees or vegetation or disturbance to flora and fauna.

Although the subdivision is designed to cater for future development, it is noted the site is zoned Rural 1 with no further rural subdivision entitlement. Any further subdivision of the site will not be a permitted nor controlled activity. In other words, it is uncertain whether future development may occur on the property.

Bearing this in mind, it is my opinion that both Lots 1 and 2 can cater for rural farming activity which is anticipated in this area. One additional dwelling with associated building will be able to be built as of right. However, given the level of development that can occur on the site as a permitted or controlled activity will remain unaffected as a result of the proposal, it is considered that the subdivision is unlikely to generate significant adverse effect in terms of loss or productive land.

Records held by the Timaru District Council and the Canterbury Regional Council indicate that no activity listed in the Hazardous Activities and Industries List (HAIL activity) has been or is being undertaken on the site. The applicant has also declared that it is highly unlikely that there is a risk to human health on the site.

As the subject site is not a HAIL site and no change of use of the land is proposed as part of this development, the proposal is considered to comply with the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

Adverse effects on the environment in terms of land, flora and fauna will be or are likely to be no more than minor.

5.3.5 Effects on Infrastructure

The application is reviewed by Council's Development Planning Officer who has provided the following comments:

- In order to discharge any wastewater to ground resource consent from Regional Council will be required. Therefore liquid waste treatment and disposal is the responsibility of the owner. In accordance with Section 6.3.12 of the Timaru District Plan, a consent notice should be registered against the title of that lot stating that the landowner will be responsibly for providing and maintaining an effluent disposal system, designed to meet the requirements of Regional Council.
- As lots 1 and 2 are not to be allocated any water for domestic purposes a Consent Notice in accordance with Section 6.5.1.2(3)(c) of the District Plan is to be applied to

the lot detailing the future landowners responsibilities regarding the supply of water. The quality of that water must comply with the *New Zealand Drinking Water Standards 2005 (Revised 2008); Section 10, Small Water Supply Compliance Criteria*.

Relevant consent notices will be imposed as conditions of the consent should the consent be granted.

Adverse effects on the environment in terms of infrastructure will be or are likely to be no more than minor.

5.3.6 Effects on People and Built Form

The proposed subdivision does not include any buildings or structures and therefore there will have no impact on people or built form. However, it is acknowledged that one dwelling unit and subsequent associated buildings can be built as of right on Lot 1. Given the proposal complies with all Performance Standards except for the location of access from the road, it is considered that any impact generated from future buildings are anticipated by the District Plan and such effects are likely to be no more than minor.

Adjoining properties on Orari Station Road may experience an increase in traffic movement of an average of 8 per day. Given Orari Station Road is a well formed Principle Road with a large volume of vehicle movement, it is considered the additional traffic generated from the proposal is unlikely to adversely affect the adjoining neighbours.

Adverse effects on the environment in terms of people and built form will be or are likely to be no more than minor.

5.3.7 Effects on Culture

The site does not contain any listed heritage buildings, nor is it located within a heritage precinct. This site is not known to contain any archaeology or have any special significance to Takata Whenua. Adverse effects on the environment in terms of culture will be or are likely to be no more than minor.

5.3.8 Effects on Traffic Generation & Vehicle Movements

Council's Development Planning Officer has reviewed the application and has made the following comments:

- There is no vehicle crossings installed to gain access to Lot 1. A physical vehicle crossing, located, designed and constructed to Council's requirements, needs to be provided so that physical access to the proposed lot can be achieved.
- Lot 1 will have legal road frontage to Campbell Street, Connolly Street, and Orari Station Road. The streets are defined as Local Roads in the Plan and Orari Station Road is defined as a Principal Road.
- The applicant does not intend on having vehicle access via any of the Local Roads and intends on gaining access via Orari Station Road. The reason for this is that the most usable piece of land is adjacent to Orari Station Road and to gain access to this area would mean crossing the stream that runs through the property twice

and constructing over 300m of internal roading. This proposal is therefore in breach of the following rules:

- Rule 6.7.3.13 of the Plan reads:

"Sites Fronting National, or Regional, or District Arterial or District Principal Roads. Where any site fronting a Primary Road (National Route, Regional Arterial, District Arterial or Principal Road) has frontage to a Secondary Road (Collector or Local Road or a Service Lane), all vehicle access to the site (providing for either ingress or egress) shall be provided to the Secondary Road. A Secondary Road is defined in General Rule 6.6.2(3)."

- Rule 6.7.4.2 of the Plan reads:

"Use of side roads - where a site fronts both a primary road and a secondary road all vehicle access onto and off the site shall be to the secondary road"

- Council agrees that requiring access be gained via any of the Local Roads is impractical for two allotment subdivision and is prepared to all for the construction of a single vehicle crossing onto Orari Station Road.
- The existing vehicle crossing installed to gain access to proposed lot 2 does not comply with Council specifications and as the use of this crossing will be increased as a result of this development; this crossing needs to be upgraded. *- Not true*
- To control what has the potential to be an unsafe environment the Council requires all vehicle crossings to be constructed inline with the vehicle access and loading standards of the District Plan prior to section 224(c) certification. Where the exact location of a vehicle crossing cannot be determined, the consent holder may enter into a bond agreement with the Council.
- The proposed development will increase the amount of vehicle and pedestrian movements utilising the Council's land transport network. Based on the scale of the development it is estimated that this increase will not cause this network to become insufficient. Therefore the applicant is not required to upgrade Council's land transport facilities.

The recommended conditions will be imposed to mitigate adverse effects should the consent be granted.

Adverse effects on the environment in terms of traffic generation will be or are likely to be no more than minor.

5.3.9 Effects on Nuisance

It is unlikely that the proposal will give rise to any nuisance effects. The only nuisance that may be associated with the proposed use is during construction of future buildings. As this will be for a limited duration and considering the setback of adjoining properties, it is considered that the effects will be less than minor.

Adverse effects on the environment in terms of nuisance will be or are likely to be no more than minor.

5.3.10 Conclusion

The proposed subdivision will NOT, or is NOT likely to have adverse actual and potential effects on the environment that are more than minor.

5.4 ASSESSMENT OF APPLICABLE STATUTORY PLANNING DOCUMENTS & REGULATIONS

The Timaru District Plan is the only statutory planning document or regulation that is pertinent to the consideration of the subject application. Accordingly, and in the interests of conciseness, no other statutory planning documents or regulations are considered in this assessment.

5.4.1 Timaru District Plan

The District Plan provides that most subdivisions are a controlled activity so long as the proposal complies with all applicable Performance Standards. Accordingly, it is appropriate firstly to address the proposal's area of non-compliance with the District Plan, which requires the subject proposal to obtain a Discretionary Activity consent.

As stated above, the application requires a Discretionary Activity consent as Part D6, Section 6.3 (Subdivision), Clause 6.3.5 of the District Plan which states that

5.4.2 Objectives & Policies of the District Plan

The District Plan contains numerous Objectives and Policies that relate to subdivision. The Objectives and Policies in respect of the Rural 1 Zone seek to:

- safeguard the life-supporting capacity of the soil;
- protect water quality, soil integrity, natural areas and access to the road network;
- avoid, remedy and mitigate the effects of intensive development;
- protect and enhance the natural character and amenity of the district's landscapes;
- increase opportunities for Takata Whenua to gain access to mahika kai.

The proposed development is for a two allotment subdivision with access to a principle road due to difficulties to gain access from a secondary road. The level of development that can occur on the site will not change as a result of the proposal and that the proposal is unlikely to adversely affect the existing road network. Therefore, it is considered that the proposal will not be contrary to these Objectives and Policies.

5.4.3 Open Space & Recreation Contribution

Rule 6.5.2.2 stipulates the rules for open space and recreation contributions in all zones. However, Rule 6.5.2.2(d) postpones the payment of a \$500.00 financial contribution for allotments over two hectares in area, subdivided after 7 October 1995, until a household unit is placed on the site. Accordingly, a financial contribution is not required in respect of the proposed development. An advice note will be included on the consent to make it clear that a financial contribution will be payable when a unit is placed on the lots.

5.4.4 Conclusion

It is considered that the proposed subdivision is not in accordance with the relevant provisions of the District Plan.

5.5 ANY OTHER MATTER

It is considered that there are no other matters that are relevant or reasonably necessary to determine the application.

5.6 PART II MATTERS

Part II of the Resource Management Act stipulates the purpose and principles of the Act. The purpose of the Act is to promote the sustainable management of natural and physical resources. The various principals provided under Part II support this purpose. It is considered that the proposed subdivision accords with Part II of the Act.

6.0 CONCLUSION & REASON FOR THE DECISION


With the above matters in mind and subject to conditions being imposed on the consent, it is considered the proposed subdivision is acceptable in terms of the matters listed under sections 104 and 106 of the Act.

7.0 RECOMMENDATION

Pursuant to sections 104, 104B, 106, 108 and 220 of the Resource Management Act 1991, it is recommended that consent be GRANTED subject to the conditions that start on page 2 of this document.

Reported on and Recommended by:

Date: 25 September 2012



Megan Geng - Planning Officer

Council's decision is contained on Page 2 of this document.



TIMARU DISTRICT COUNCIL
Resource Consent No.: 2012-84
APPROVED PLANS
Signed: *[Signature]*
Name: *Meagan*
Date: 2012.09.25

AMENDED PLANS

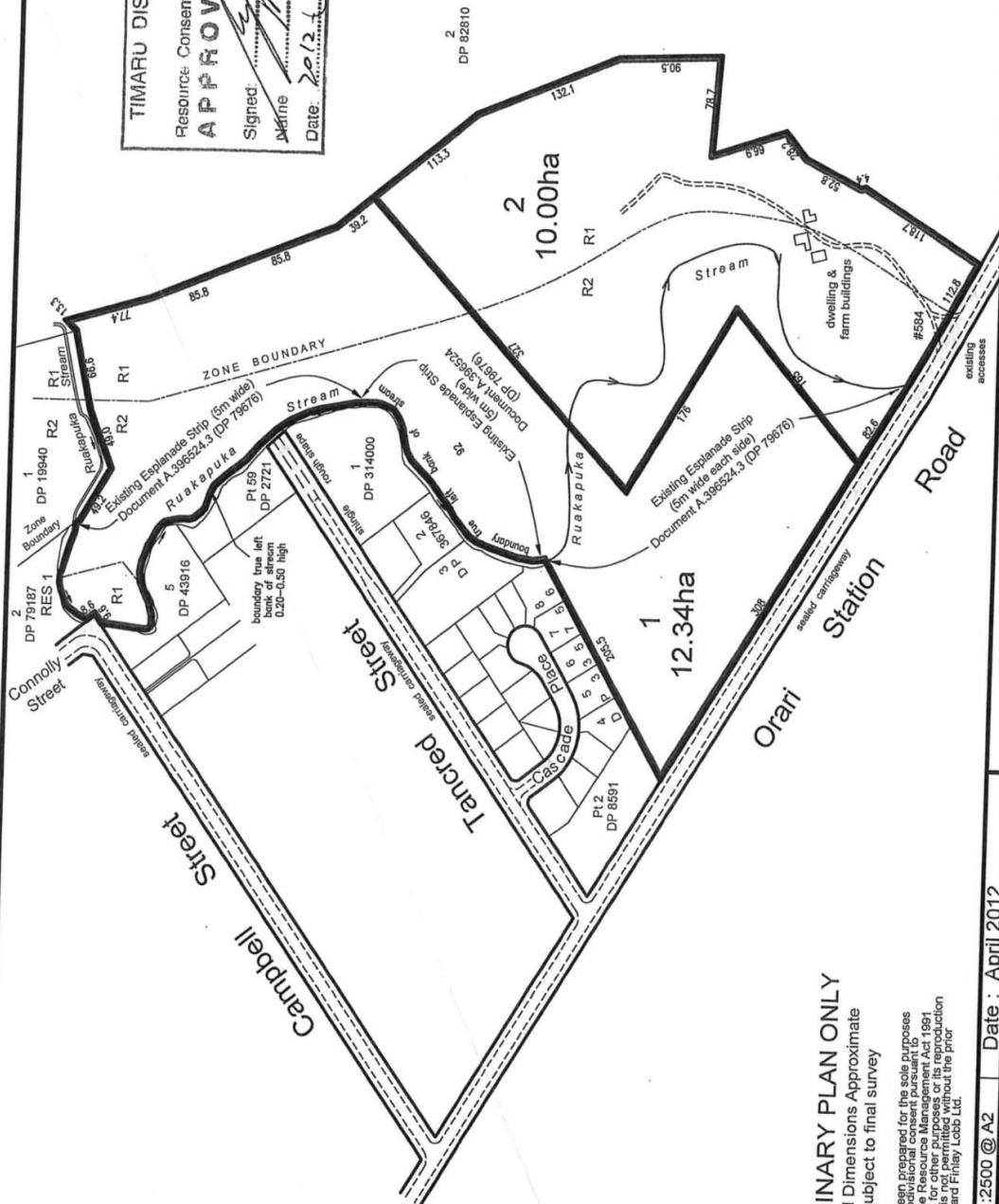
VALUATION REF: 24660/345.00

GERALDINE
TIMARU DISTRICT

Z:\2012 Drawings\Shircliffe\RCA April 2012.dwg

MILWARD FINLAY LOBB LTD
Consulting Civil & Structural Engineers,
Registered Professional Surveyors & Land Development Consultants
P.O. Box 404, No.6 The Terrace, Timaru
P: (03) 684 7888 E: admin@mflnz.co.nz www.mflnz.co.nz

Sheet 1 of 1



PRELIMINARY PLAN ONLY
Area and Dimensions Approximate
and subject to final survey

This plan has been prepared for the sole purposes of obtaining a resource consent pursuant to the Resource Management Act 1991. Use of this plan for any other purpose, in part or in full, is not permitted without the prior consent of Milward Finlay Lobb Ltd.

SCALE: 1:2500 @ A2	Date: April 2012
Applicants: J.L. & R.J. Shircliffe	Surveyed: RGF
RD 22	Drawn: CJB
Geraldine 7992	Amended: CJB 17.9.2012
	Amended:

Resource Consent Application
Proposed Subdivision of Lot 1 DP 82810

8.5 Hail Assessment



21 April 2016

Charlotte Honeywill
Milward Finlay Lobb Ltd
PO Box 434
Timaru 7940

Dear Charlotte

Your Ref: 250337/02
Address: 584 Orari Station Road, RD 22, Geraldine 7952
Property ID: Lot 1 DP 82810
Valuation No: 24660/344 01

We have assessed all information held on our records and those on Environment Canterbury's Listed Land Use Register (LLUR) for the above property. I can confirm there are no listings for this site referring to soil contamination. This site is included in an ECAN Flood Management Plan as it is situated within the Orari Waihi Temuka ECAN Flood Plain. This site is has also been identified as being affected by the 1986 Flood.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Kate Grant", is written over a light blue circular stamp.

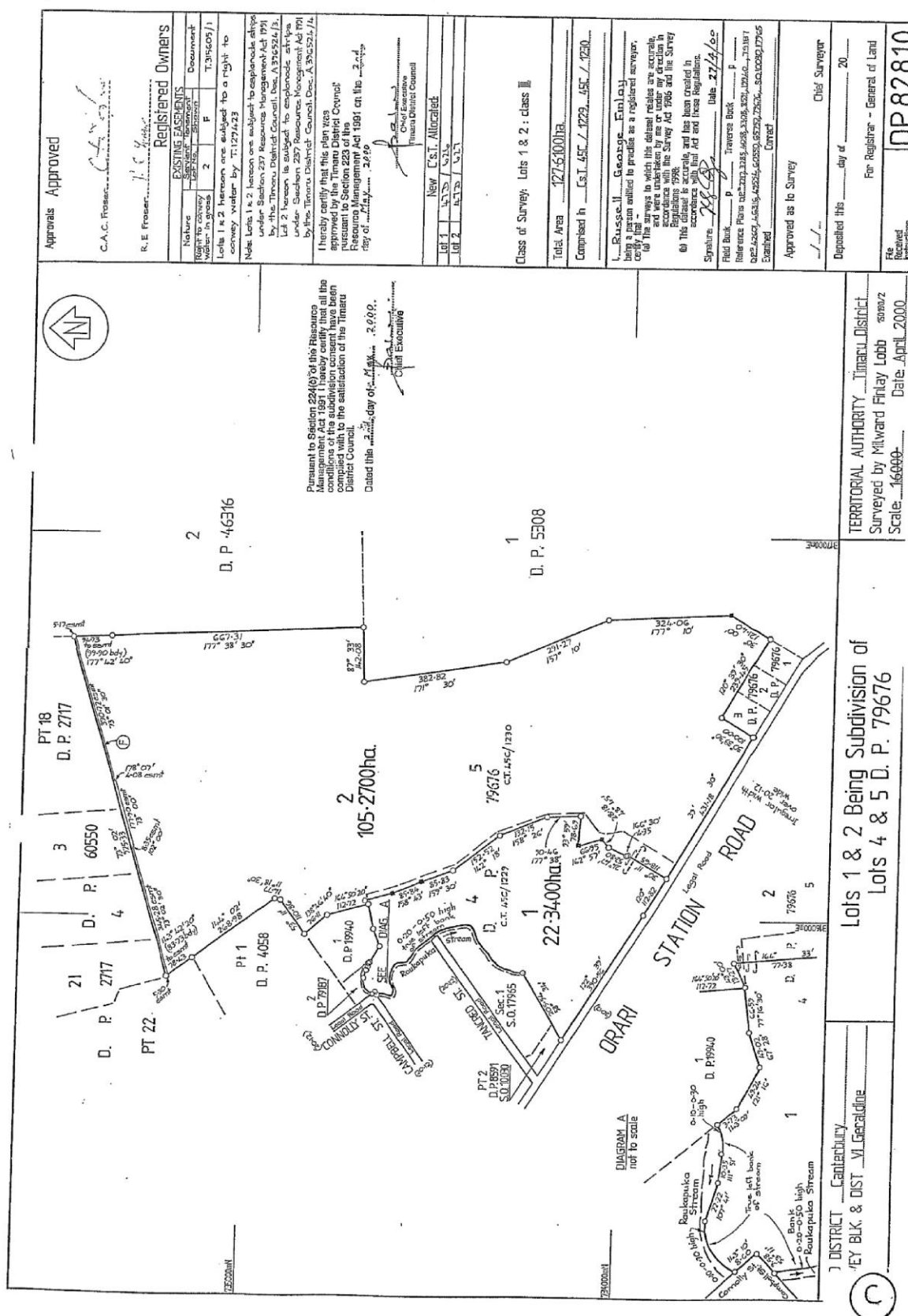
Kate Grant
Planning Administration Officer

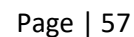
PL_CONTAM/Apr14
Record # AD15/11525

2 King George Place
PO Box 522 Timaru 7940 - Telephone 03 687 7200

Facsimile: 03 687 7416

Email: info@timarudc.govt.nz

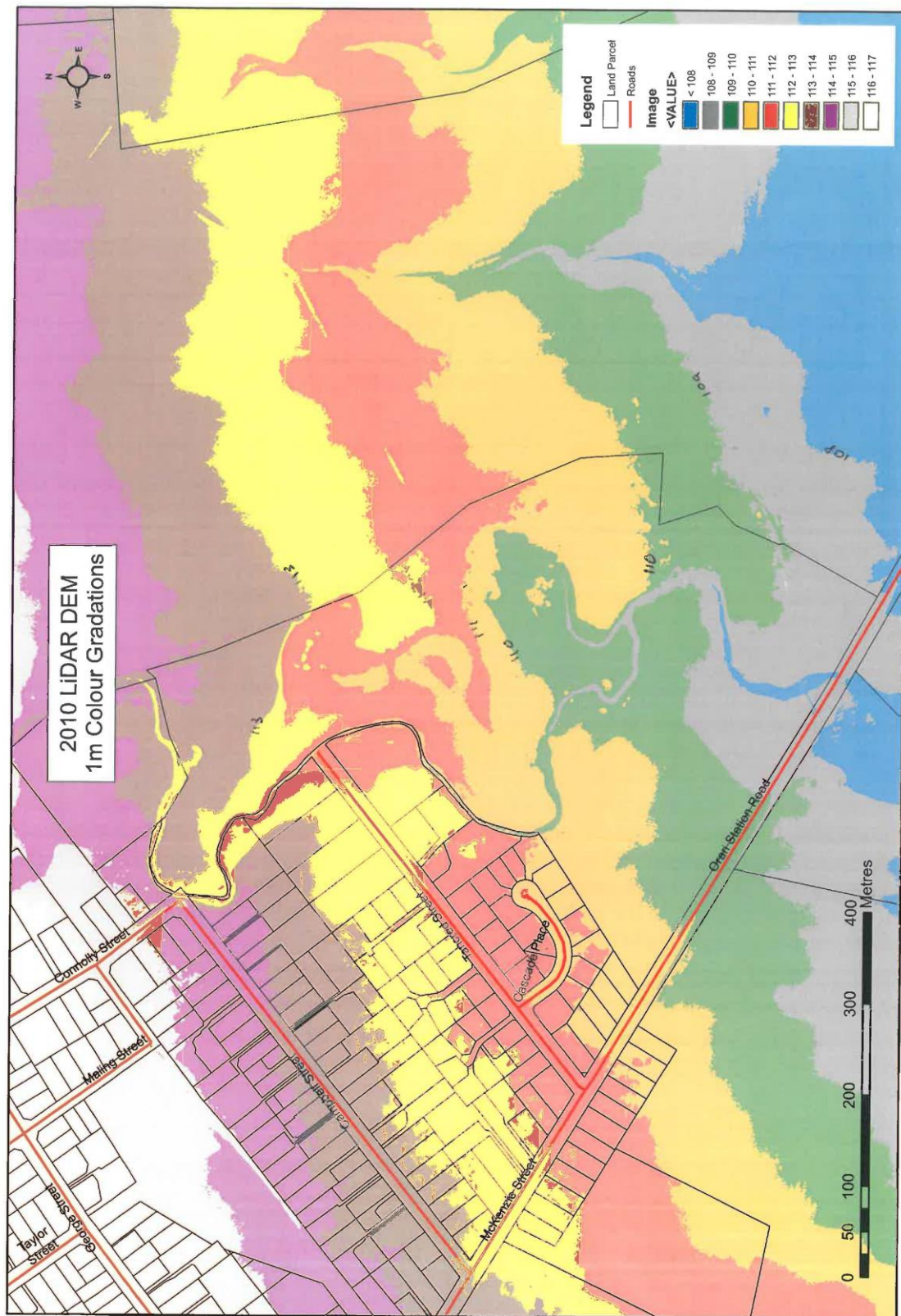




8.7 Statistical Analysis of Geraldine Housing Growth (Census 2013)

Meshblock (2013 Areas)	2001 Census, occupied private dwelling type						2006 Census, occupied private dwelling type						2013 Census, occupied private dwelling type					
	Separate House	Two or More Flats/Units/T ownhouses	Other Occupied Private Dwellings ⁽¹⁾	Occupied Private Dwelling Not Further Defined	Total occupied private dwellings		Separate House	Two or More Flats/Units/T ownhouses	Other Occupied Private Dwellings ⁽¹⁾	Occupied Private Dwelling Not Further Defined	Total occupied private dwellings		Separate House	Two or More Flats/Units/T ownhouses	Other Occupied Private Dwellings ⁽¹⁾	Occupied Private Dwelling Not Further Defined	Total occupied private dwellings	
MB 2759203	12	0	0	0	12		12	0	0	0	12		18	0	0	0	18	
MB 2759204	12	0	0	0	15		12	3	0	0	12		12	0	0	0	15	
MB 2759205	21	3	0	0	24		21	0	0	0	24		24	0	0	0	24	
MB 2759206	12	0	0	3	12		18	0	0	0	18		18	3	0	0	18	
MB 2759207	21	0	0	0	24		27	0	0	0	27		30	0	0	0	30	
MB 2759208	18	0	0	0	21		21	0	0	0	21		33	0	0	3	36	
MB 2759209	15	3	0	0	15		30	0	0	0	30		30	0	0	0	33	
MB 2759300	45	0	0	0	48		75	0	0	0	78		93	0	0	0	99	
MB 2759400	18	3	0	3	24		30	3	0	0	36		36	3	0	0	36	
MB 2759500	24	3	0	0	27		27	0	0	3	27		27	0	0	3	30	
MB 2761000	15	0	0	3	18		15	0	0	0	15		24	0	0	0	24	
					240						300						363	
Geraldine	801	90	0	81	972		855	102	3	24	984		927	96	3	33	1056	
Total Geraldine & Periurban					1212						1284						1419	
Geraldine Total growth											5.9%				Growth		10.5%	
Area unit growth											1.2%						7.3%	

8.8 LIDAR Contour Level Image



8.9 Flood Hazard Assessment



75 Church Street
PO Box 550
Timaru 7940

P. 03 687 7800
F. 03 687 7808
E. ecinfo@ecan.govt.nz

Customer Services
P. 0800 324 636
www.ecan.govt.nz

19 December 2016

Catherine Bootheirstone
Milward Finlay Lobb
P O Box 434
Timaru 7940

Dear Catherine

Flood Hazard Assessment – Proposed 12 Lot Subdivision for John Shirtcliff, 584 Orari Station Road, Geraldine, Lot 1 DP 82810, Valuation No 24660 344 01

This 22 ha property is located on the Eastern boundary of Geraldine. Raukapuka Creek follows the Western boundary for the Northern half of the property and then traverses through the property for the South part (refer attached plan).

Ground levels are generally lower adjacent to Raukapuka Creek and there are other isolated areas where ground levels are lower.

Environment Canterbury records indicate that low lying parts of the property adjacent to Raukapuka Creek were inundated during the 13 March 1986 flood. Low lying areas would also have collected local runoff in that event. That flood had an Average Recurrence Interval (ARI) of 60-70 years. Included are copies of photographs 1.17.12 and 1.17.9 taken in the vicinity of the property during the 1986 flood. Also included is an aerial photograph showing the extent of the 1986 flooding in this area. Please note that this mapping is only approximate.

The Orari Waihi Temuka Floodplain Study (Report 93(12)) carried out by the Canterbury Regional Council indicates that this property is floodable from a combination of overflow from the Waihi River and Raukapuka Creek in the 100 year ARI flood and larger. The Floodplain Study indicates flood depths over the property of up to 0.5m in the 100 year ARI flood and up to 1m in the 500 year ARI flood event. Note that flood depths will be deepest adjacent to Raukapuka Creek and in other low lying parts of the property.

Low parts of the property may also collect local runoff during localised, high intensity, short duration rainstorms (typical summer thunderstorms) or during more prolonged, lower intensity rainfall events although Environment Canterbury has no specific information on this.

As defined by the District Plan, the minimum floor height required for new dwellings by the Timaru District Council is the 200 year ARI flood level.

Our Ref: 16169
Contact: Philip Lees

Each of the proposed lots has areas where ground levels are slightly higher and with careful site selection would be suitable for dwellings. Some elevation of the dwellings would be required to meet the District Council's standard. Environment Canterbury can calculate specific floor heights when specific building sites are confirmed. Lower areas would be best avoided for dwellings.

Probability of Flooding at the Property				
ARI	Flow in Waihi at Geraldine	In any one year period	In any 10 year period	In any 30 year period
60 years	300 cumecs	1 chance in 60	1 chance in 6.3	1 chance in 2.5
100 years	320 cumecs	1 chance in 100	1 chance in 10	1 chance in 4
200 years	365 cumecs	1 chance in 200	1 chance in 20	1 chance in 7
500 years	420 cumecs	1 chance in 500	1 chance in 50	1 chance in 17

Where figures and comments are given above it is important the following matters are understood:

1. The information provided is the best information Environment Canterbury has available at this time. Flood depths, flows and return periods may change as further investigations into flooding in this area are completed.
2. Environment Canterbury is not the only organisation holding information on flooding. The Timaru District Council or neighbours may have further details of flooding which has occurred at this property.
3. Flood information has been collected for the Waihi River since 1986. When information has been collected and analysed for a longer period the estimated flows for given return periods may change.
4. Flood size is measured as a volume of water flowing past a point when a flood is at its peak. The unit of flow is cubic metres of water per second or cumecs.
5. Flooding can occur in smaller floods if premature failure of stopbanks occurs during a flood. Failure may occur through lateral (sideways) erosion of the stopbank or internal erosion of the stopbank.
6. This assessment assumes the river control works are maintained at least in their present standard in the future.
7. Local influences such as solid fences or hedges may alter flood depths at the property.
8. Flood flows may be diverted by debris.
9. Changes in the floodplain eg altering swales or low areas, may alter flood levels at the property.
10. There are many uncontrollable factors that influence flooding. The prediction of flood depths requires many assumptions and is not an exact science.

I hope this information is of assistance. Please do not hesitate to contact me if you require any clarification.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Lees', is positioned above the printed name.

Philip Lees
Natural Hazards Officer

Cc: Building Control
Timaru District Council

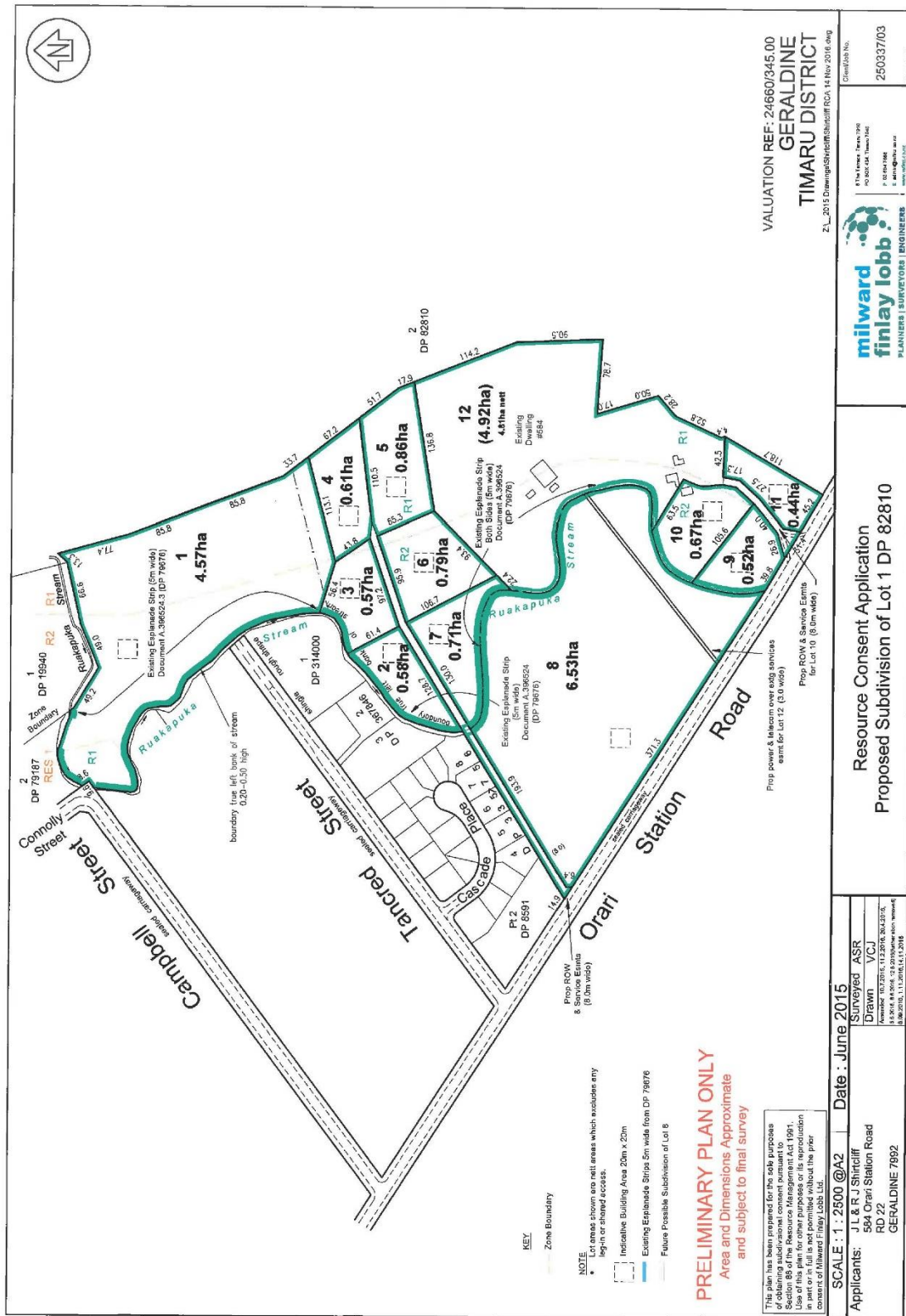
John.shirtcliff@xtra.co.nz

Attachments:

- Topographical map showing property location
- Aerial photograph of the property
- Subdivision layout plan (provided by you)
- Photographs 1.17.9 and 1.17.12 of 13 March 1986 flood
- Aerial photograph showing extent of 1986 flooding









Dobies Stream

View SE down Orari

Station Road toward

Intersection Racecourse

Road, Orari Back Rd

& Williams Road

13.386 1300hrs+

K38 717 766

1.17.12

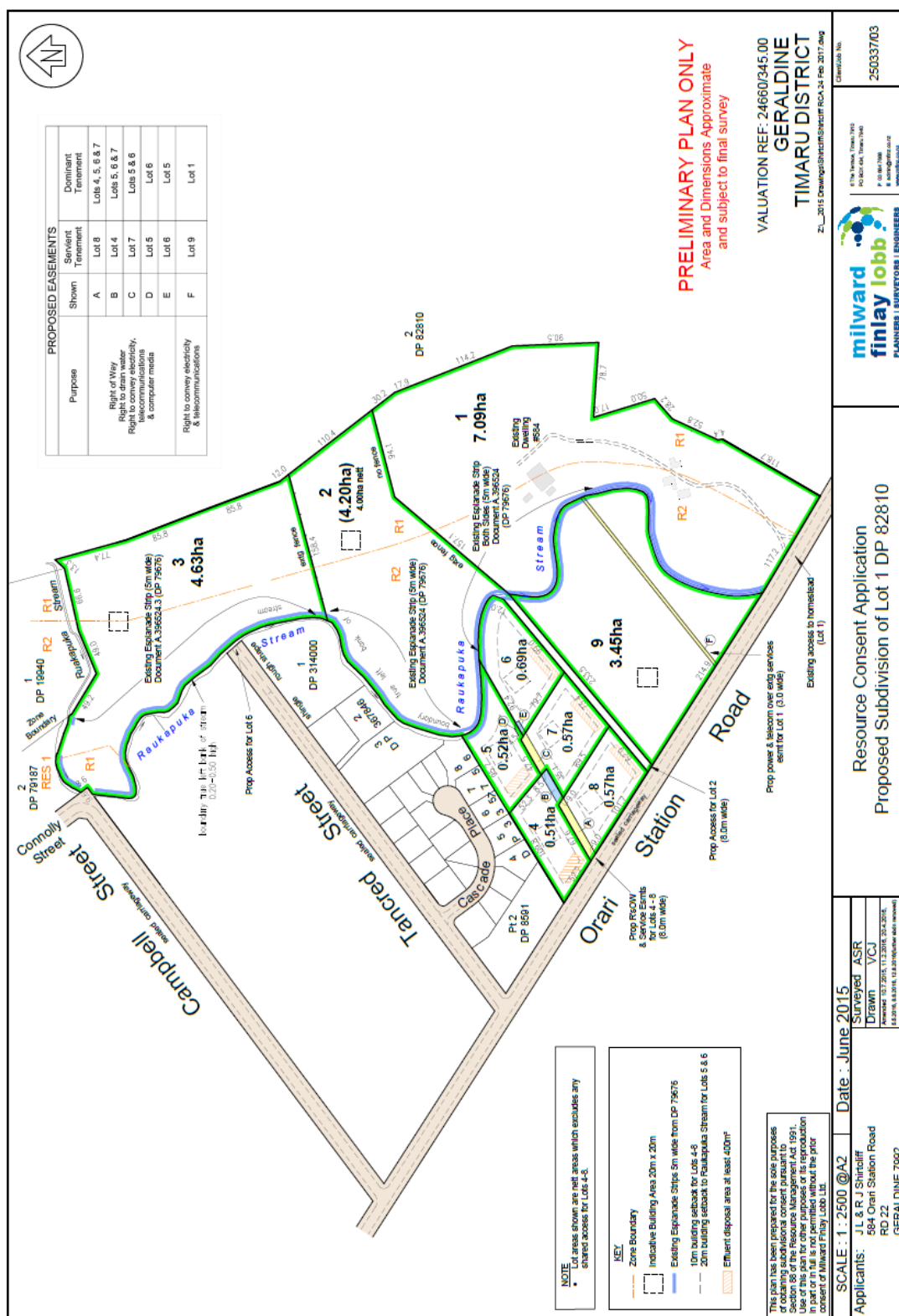


Waihi River
View NE up Templar
Street, NE Geraldine
Oran Rv top RHS
photo.

13.3.86 1300hrs+
K38 703 796

1.17.9.

Consent Final variation V1.3



8.11 Ecan email (10th March 4.28pm)text re waste and storm water

Hi John,

Apologies for the delay in getting back to you.

Consent will be required for a wastewater discharge on any lot smaller than 4 hectares. Consent is likely to be granted provided there is sufficient treatment, disposal area (based on the number of bedrooms) and setbacks.

Without seeing the calculations I can't determine whether consent is required for individual stormwater disposal systems, however I agree it is likely your engineers can make it work; the only condition that would be triggered for the individual lots relates to run-off and ponding, and those can usually find engineered solutions.

If there is any roading that services more than 5 lots, consent will be required for the discharge of stormwater from the road. Consent is likely to be granted assuming sufficient treatment, attenuation, and provided any Runanga concerns are adequately addressed.

Please note this advice is based on the information available to me at this time; my advice may change if circumstances change.

From: John Shirtcliff [<mailto:john.shirtcliff@xtra.co.nz>]

Sent: Friday, 24 February 2017 11:16 a.m.

To: Zella Smith <Zella.Smith@ecan.govt.nz>

Cc: 'Andrew Rabbidge' <andrew@mflnz.co.nz>; 'Charlotte Honeywill' <charlotte@mflnz.co.nz>

Subject: waste water

Hi Zella

You will recall that we met with Gemma Conlon from TDC on 7th February to discuss having your staff provide assurance to TDC that we could achieve the necessary wastewater consents and compliance for the proposed subdivision.

Wastewater

We have now redrafted the layout and included all required setbacks on the plan demonstrating a notional building site of 400m² and associated drainage field of 400m² for

each proposed allotment. The proposed drainage field size is calculated to cope with a typical infiltration rate of 5mm/day and a discharge of up to 2m³ /day.

Would you please confirm whether or not this revised plan will be sufficient for your purposes.

It is our view that we will be able to achieve compliance with expected consent requirements in terms of Rules 5.7, 5.8 & 5.9 as promulgated.

Stormwater

We are also of the view that surplus stormwater may be adequately drained into the ground or on the surface at the proposed locations and will not, therefore, require a community scheme. Recall also that we will be capturing roof water for the potable water supply. We believe the proposed allotments will comply with Rule 5.96

The discharge of stormwater onto or into land where contaminants may enter groundwater is a

permitted activity, provided the following conditions are met:

~~1. The discharge is into a reticulated stormwater system and the discharger has obtained written permission from the system owner to discharge into the system; or~~

~~2. The discharge is not into a reticulated stormwater system, and~~

~~(a)~~11 . The discharge is not from, into or onto contaminated or potentially contaminated land

~~(b)~~22 . The discharge:

~~(i)~~((a) does not cause stormwater from up to and including a 24 hour duration ~~2%~~ 10%0%^{bb} Annual Exceedance Probability rainfall event to enter any other property; and

~~(ii)~~((b) does not result in the ponding of stormwater on the ground for more than 48 hours, unless three pond is^{bb} part of the stormwater treatment system; and

~~(iii)~~(c) is located at least 1 m above the seasonal high water table that can be reasonably inferred for the site at the time the discharge system is constructed; and

(iv)(d) is only from ~~residentially zoned land~~ land used for residential or rural activities;
and

(e) does not occur where there is an available reticulated stormwater system; and

(f) is not from a system that collects and discharges stormwater from more than five sites.⁸

We would be grateful if you could also confirm our ability to comply with this rule.

8.12.1 Overview

A:2 Growth Management Strategy Overview

A:2.1 Overview

Timaru District is at a critical point in time. Our District needs to balance the reality of modest growth, albeit for an increasingly ageing population, with the desire to maintain what makes Timaru District a great place to live, work and play.

Growth has the potential to impede economic and social development unless properly managed.

A lack of direction for growth management will have significant impacts on the environmental qualities of the district. Poorly integrated growth within our existing settlements and infrastructure provision results in greater costs to the community.

The Council, through this Growth Management Strategy (Timaru District 2045) is seeking to provide strong leadership as to the nature and location of growth. This Growth Management Strategy will provide measures to combat the challenges facing our communities in terms of future social, economic and employment needs. Importantly Timaru District 2045 also gives guidance to other infrastructure providers through identifying the location and scale of future growth.

The Growth Management Strategy's main role will be to inform the Timaru District Plan review process, commencing in 2016.

This Strategy is a non-statutory document. It will be used to inform Council's long term planning especially in guiding the development of the District Plan, Activity Management Plans and Long Term Plan.

Outlining the future pattern and rate of development in the district is critical. This ensures that the development community and the Council are aware of how demands on infrastructure can be aligned with land use and development. Contributions from development will also be taken to fund necessary infrastructure, so that growth pays for growth, and costs are not unfairly borne by the established community.

It is important to acknowledge that the rates of growth identified for Timaru are not significant, both relative to New Zealand and also in terms of the existing district's population. This means that much of what is now in Timaru District will be present and provide the framework to anchor future growth by 2045. Much of this Growth Management Strategy therefore seeks to ensure that those elements that make Timaru a great town, being its town centres, infrastructure, residential neighbourhoods, and employment areas are maintained and consolidated.



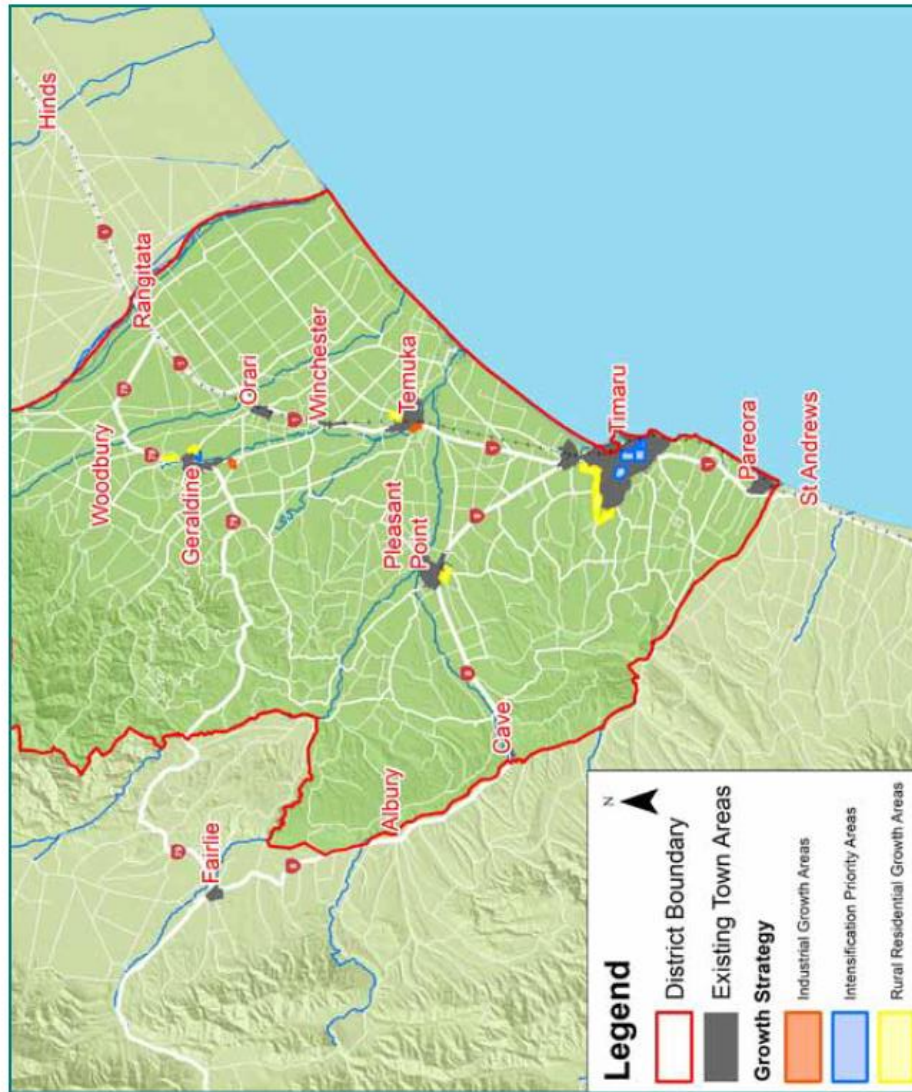


Figure 1 Timaru District Growth Areas

A.2.4 Future Development Patterns

The Strategic Directions will be realised over time, and in collaboration with a number of Government Agencies, Te Runanga o Arowhenua, the development community and the wider community.

The growth pattern reflects the balancing of the directives of each of the Strategic Directions.

A key demographic challenge for the district to face is that the districts elderly population (over 65 years of age) will increase from a ratio of 1:5 people in 2013, to 1:3 people by 2033. This has significant consequences in terms of household demands, employment growth and service provision.

Growth is largely forecast for Timaru, Temuka, Pleasant Point, and Geraldine. Residential growth in the remainder of existing settlements, such as Winchester, Pareora and Cave can be readily accommodated within existing urban areas.

Consent Final variation V1.3

Residential Demand		Population	Households
Current (2016)		2,370	1,008
Peak (2038)		2,600	1,151
2043		2,600	1,151
Capacity (2016)			138
2043 Demand (+15%)			164

Residential Principles: Vacant and infill opportunities provide short and medium term residential capacity particularly adjoining the Town Centre. Orari Station residential rezoning may be needed to provide long term additional capacity and housing choice. Some peripheral rural residential supply options are to be provided at Main North East and adjoining Cascade Place.

Business: The character and amenity of the town centre will be improved through consolidation.

Some 10ha of Industrial rezoning at Tiplady is to provide for a range of industrial activities, but is dependent on servicing and a structure plan to manage development.

F:5 Geraldine

F:5.1 Future Growth

By 2046, Geraldine will be home to approximately 1,151 people, an increase of some 143 people.

Residential growth will be accommodated within the existing town boundaries due to an emphasis on infill development and encouraged uptake of vacant land. Demand for additional 143 dwellings are projected to 2043, or with a buffer of 15% some 164 dwellings. At present, there is sufficient zoned capacity to accommodate 138 dwellings.

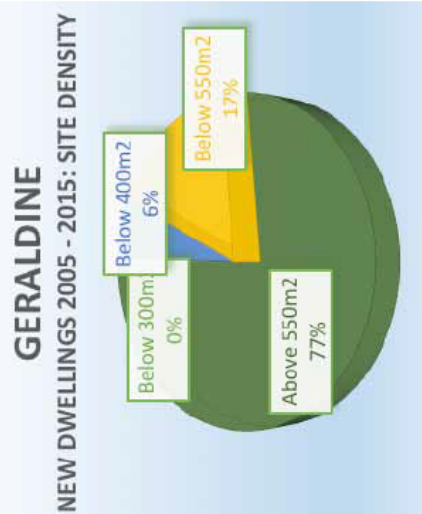


Figure 18: New Dwellings Site Density: Geraldine

The current rates of intensification (6% of new dwellings over the last decade have been consented for allotments less than 400m² Figure 18) are particularly low, and greater densities within the notated Intensification Priority Areas in close proximity to the Geraldine town centre should be facilitated through zoning in the replacement district plan.

Longer term, and subject to substantial increases in demand additional residential growth could be accommodated within 21ha of additional suburban greenfield land to the east of Geraldine on Orari Station Road.

Rural residential development will generally be limited to specific rural residential zones to the north, east and south of Geraldine.

Geraldine has only one hectare of vacant and available industrial land present. Accordingly, additional industrial land of some 10ha is to be provided south of Geraldine to support locally based light industrial activities.

F:5.2 Implementation

The long term Growth Management Strategy approach for Geraldine is shown in Figure 4.

Residential

There is sufficient existing zoned and serviced capacity to provide for Geraldine's residential needs to 2045.

Infill

Development within the existing town boundaries is currently managed by the zoning and minimum lot size requirements of the District Plan. This strategy looks to encourage continued infill development within the margins of Geraldine, and in particular, infill development focused within the Intensification Priority Area adjoining the town centre.

A review of the existing provisions for residential development in Geraldine will be undertaken. The current provisions in the residential 1 zone allow for lot sizes as small as 300m² across Geraldine. However, the provisions should be reviewed to achieve the following outcomes:

- Consolidation of residential activities within 400m walking distance of the Geraldine town centre to provide a range of smaller household types, including application of the Residential 2 zoned densities;

- Consideration as to whether the 300m² minimum lot sizes in locations not within walking distance of the town centre should be discontinued;
- Greater opportunities for walking and cycling for residents (particularly for residential development close to services);
- Consolidation of residential development only in locations where infrastructure provision is efficient;
- A variety of living choices including detached dwellings, town houses and apartments.

Suburban Greenfield

Infill development and the development of vacant land is expected to cater for the majority of residential growth in Geraldine.

Long term, additional residential land could be developed at Orari Station Road. The release of this greenfield land, which would produce capacity for a further 210 residential homes, is not anticipated to occur or be needed during the lifetime of the replacement District Plan.

Rural Residential

Specific provision for rural residential growth is identified within the Cascade Place location and Main North Road East.

This area provides 45 hectares for rural residential development surrounding the settlement. At densities of 5,000m² per allotment these areas provide capacity for 76 rural residential dwellings to 2045, or an average yield of 2.5 dwellings per annum. At densities of 2ha, some 19 allotments would be created

The Main Road East location is considered appropriate given that it is attached to the existing urban edge, can integrate with infrastructure (particularly via the Te Moana Water Supply scheme) and recognises the existence of some pockets rural residential development particularly fronting Main North Road and Bennett Road. There will need to be careful design of access to Main North Road (SH79).

The Cascade Place location is located adjoining the Geraldine urban area, and is within reasonable proximity to the town centre. The area is also within a limited number of land holdings, resulting in a more straightforward process and comprehensive design in rezoning this block.

Rural residential development in these locations will be implemented through the District Plan in the form of zoning changes and associated controls. Consolidation of rural residential development will be supported by subsequent changes to rural living provisions in the general rural zones (as discussed further below).

Structure plans should be advanced for the Main Road East and Cascade Place Rural Residential zoning prior to the zoning being made operative.

Longer term, and subject to considerable changes in demand a further rural residential opportunity could expand Main Road East through to Templar Street and South Terrace locations.

Industry

A modest 10ha of additional industrial land is proposed to the south of Geraldine, at the Tiplady Road location. This doubles the amount of industrial zoned land for Geraldine and will assist in catering primarily for locally based light industrial activities.

Industrial development in this location will be implemented through the District Plan by way of zoning changes and associated controls. A structure plan should be required prior to rezoning.

Parks and Open Space

Whilst there is only one Neighbourhood Park in Geraldine, there is excellent coverage of playgrounds distributed within the residential areas. The township also has excellent access to Natural Parks, including Barkers Reserve and Pekapeka Gully, in addition to the Department of Conservation maintained Talbot Forest. Additional Neighbourhood parks are not required.

'Amenity' parks should be acquired along the banks of the Waihi River with the intention of developing a riverside walkway.

Commercial

It is not considered that any additional commercial land will be required in Geraldine over the next 30 years.

It is acknowledged that addition redevelopment and reinvestment is required in order to ensure the on-going viability and vitality of the Geraldine town centre. These changes will be implemented through the District Town Centres Study and District Plan.

Table 19: Staging Geraldine Growth Locations

Stage	Location	Use	Capacity	Preconditions for release
1 (Up to 2030)	Main Road East	Rural Residential	23ha/39 dwellings (assuming 0.5 hectare minimum site size and less 15% for roads/open space etc.). Noting existing dwellings will reduce this yield.	<ul style="list-style-type: none"> Structure Plan
	Cascade Place	Rural Residential	22ha/37 dwellings (assuming 0.5 hectare minimum site size and less 15% for roads/open space etc.)	<ul style="list-style-type: none"> Structure Plan
	Tiplady	Industrial L	10 ha	<ul style="list-style-type: none"> Structure Plan
2 (Subject to demonstrable demand beyond 2033)	Orari Station Road	Residential (greenfield)	21ha/210 dwellings (assuming 700m ² average site size less 30% for roads/open space etc.)	<ul style="list-style-type: none"> Structure Plan
	Main Road East to Templer Street	Rural Residential	23ha/39 dwellings (assuming 0.5 hectare minimum site size and less 15% for roads/open space etc.)	<ul style="list-style-type: none"> Structure Plan
	South Terrace	Rural Residential	31ha/52 dwellings (assuming 0.5 hectare minimum site size and less 15% for roads/open space etc.)	<ul style="list-style-type: none"> Structure Plan