

**Susie Osbaldiston presenting on behalf of Noel & Patsy Dyer, part owners of Dyer Properties Limited.**

**WDC Hearing - Thursday 6 July**

Properties the subject of submission : 303 Otaika Road (5917m2) , 33 ToeToe Road (1012m2), and 9 ToeToe Road – 297 Otaika Road (13.4 ha) – Note 9 ToeToe Road is listed on the title of 297 Otakia Road,

Reiterate the key points in the submission

1. The Dyer do not support the non-complying status of the commercial and industrial activities in the RPE

Reason - no evidence presented to indicate effects of such activities have unacceptable adverse effects to warrant non complying activity status

S42 report proposes to amendment policy 1.3.1 to include commercial activities subject to criteria – we request that this policy be amended further to includes industrial activities subject to similar criteria – Question - does this enable pack-houses to occur in RPE?

2. Zoning on properties – 303 Otaika Road, and 9 ToeToe Road – 297 Otaika Road (13.4 ha), Proposed zoning is RPE

These properties do not meet the characteristics of the Rural Production Environment as detailed in the submission.

They are unique properties sandwiched between existing residential (Toe Toe Road – proposed zoning Rural Urban Environment) and the Commercial / industrial Rewarewa Road.

S42 Report indicates high flood susceptible.

WDC Limeburners Creek Stormwater Catchment Management Plan (January 2011) contains the Dyer property within the modelled area and indicates that flooding is largely contained with the Limeburners Creek stream banks for a 100 year ARI event including an allowance for climate change, no mitigation works and future land development use. – This is based more accurate lidar modelling. – this does not support statement that the properties are high flood susceptible.

S42 report indicates high instability hazard

WDC GIS identifies areas of medium and high instability hazard at the property which are considered to relate to the watercourse margins where the stream banks fall at moderate grades from the flat graded land to the stream beds. Geotech survey 2016 on part of the property indicates the area is suitable for building platforms. (100KPa ULC) - Base Group Consulting.

Like to reiterate that the Dyers are seeking a 'business' type zoning, not residential.

The s32 report makes reference to land being rezoned as Living 1, 3 and business 4. The 2009 Structure Plan for Otakia identifies business zoning for ( + 9 ToeToe Road) 297 and 303 Otakia Road be zoned Business 2.

The Dyers request that the properties be considered for future rezoning to Business (B2 or B4).

It is recognised that such business zoning is not being considered in this plan change. In the interim the Rural Urban Expansion Environment appears to be the “best fit” The properties are unique at the entrance to Whangarei city. Zoning the properties as RPE will restrict the development and growth at the entrance to the City.

It has come to Dyers attention that other Councils set individual rules for unique properties to enable appropriate development to occur. It is requested that the Committee consider this approach now rather than restrict development by keeping the zoning as the default RPE as a “holding pattern” while awaiting any future business plan change.

3. Imposition of 500 m MEA set back inappropriate if rezoning approved.

Like to reiterate that the Dyers are seeking a 'business' type zoning, not residential.

GBC raised the issue of reverse sensitivity, however Dyer’s question how such a business type zoning would result in sensitivity issues. Particularly where there are existing residential dwelling and businesses with 500 m of the MEA that are excluded from the buffer zone. This suggests that GBC are able to contain their effects within a smaller area than indicated by the proposed buffer exclusion zone.

**Dyers are seeking**

1. Amendment to non complying status of commercial and industrial activities within RPE to enable activities to occur within set criteria
2. That the property be considered as Rural Urban Expansion Environment, or as an alternative consider specific rules to be set for the properties to enable appropriate development, while awaiting any future rezoning to Business (B2 or B4).
3. That if rezoned as above that the 500 m MEA setback be removed.

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Susie Osbaldiston presenting on behalf of herself and Russell Dyer (325 Cemetery Road)

Regarding further submission by Poot and Wills requesting rezoning Cemetery Road to Rural Living.

We support the s42A report to reject submission based on our reasons outlined in our further submission. - insufficient assessment of effects and the potential impact on existing environment, exclusion of affected property owners in the process etc.