

**Wairau/Awatere Resource Management Plan**

**Plan Change 47 – Tremorne Avenue**

**Submissions received by Marlborough District Council**

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**August 2014**

**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



Submissions close 5.00 pm Thursday, 14 August 2014

**1. Submitter Details**

Full Name

Organisation (if applicable)

Contact Person (if applicable)

Postal Address   
 Post Code

Email

Telephone Business  Home

Fax  Mobile

Address for Service   
(if different from above)   
 Post Code

Signature (of submitter or person authorised to sign on behalf of submitter)  Date

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

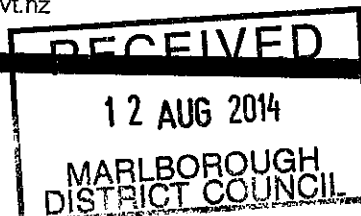
**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: PC47@marlborough.govt.nz

For Office Use  
Submission No:



5. The specific parts of the proposed plan change the submission relates to are as follows:

47. Proposed Plan Change :-

- (1) To rezone the area of land, zoned Industrial 1, located in the Tremarne Ave, Algarve Close, & Hilton Place, to Urban Residential 2.

Continue on a separate sheet if necessary

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

We support this part of the plan change.  
We purchased our house on the LIM report understanding that the area, including, the undeveloped lot 15, would all be rezoned to ~~Industrial 1~~ Urban Residential 2 & would never be used as industrial 1. We have been here for 3 years & still nothing has been done. The council has been lax in this matter.

Continue on a separate sheet if necessary

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

That the above mentioned area, including Lot 15, be immediately rezoned from Industrial 1 to Urban Residential 2 as stated in our LIM report. This to include access to Lot 15 which is inadequate for industrial use.

Continue on a separate sheet if necessary

**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Thursday, 14 August 2014**

**1. Submitter Details**

Full Name **JILLIAN ANNE LEITH**

Organisation (if applicable)

Contact Person (if applicable)

Postal Address  
**20 HILTON PLACE**  
**BLENHEIM**

Post Code **7201**

Email **jillianleith@hotmail.com**

Telephone Business Home **(03) 579-6452**

Fax Mobile **021-118-4871**

Address for Service  
(if different from above)

Post Code

Signature (of submitter or person authorised to sign on behalf of submitter) **Jillian A. Leith** Date **11/08/2014**

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

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Blenheim 7240

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Email: PC47@marlborough.govt.nz

For Office Use  
Submission No:

**RECEIVED**

**12 AUG 2014**

5. The specific parts of the proposed plan change the submission relates to are as follows:

- 1 Rezone the residentially developed areas of Tremorne Ave, Hilton Place & Argarve Close, including the undeveloped site of 3 Tremorne Avenue from Industrial One Zone to Urban Residential Two Zone.
- 2 Rezone existing reserve areas to Local Recreations zone.
- 3 Insert a Specifically Identified Activity in Appendix G for Lot 15 DP 395434; Lots 16-20 DP 348832; & Lot 2 DP 352510.
- 4 Remove Industrial 1 & Urban Residential 2 zones from public roads.

Continue on a separate sheet if necessary

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

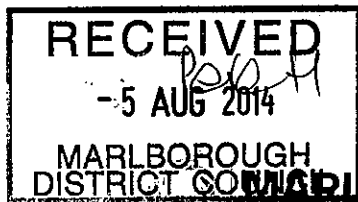
- I support 1 (above) to rezone from Industrial One Zone to Urban Residential Two Zone.
- I support 2, (above) to rezone existing Reserve areas to Local Recreations zone.
- I support 4, (above) to remove Industrial 1 & Urban Residential 2 zones from public roads.
- I support 3, (above) Lot 15 DP 395434, Lots 16-20 DP 348832 & Lot 2 DP 352510 to be rezoned to Urban Residential Two Zone.

Continue on a separate sheet if necessary

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

- Overall rezone residentially developed areas of Tremorne Ave, Hilton Place & Argarve Close to Urban Residential Two Zone.
- Re 3 above (Lot 15 DP 395434 etc) create some sort of buffer 'zone' along northern boundary, whilst zoning the remainder of land Urban Residential 2.

Continue on a separate sheet if necessary



**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Thursday, 14 August 2014**

**1. Submitter Details**

Full Name: HARVEY REYNOLDS HOWARD / DIANNE FRANCES HOWARD

Organisation (if applicable):

Contact Person (if applicable):

Postal Address: 11A TREMORNE AVENUE  
 BLENHEIM  
 Post Code: 7201

Email: dhoward@xtva.co.nz

Telephone: Business: Home: 5783073  
 Fax: Mobile: 027.6408356

Address for Service:  
 (if different from above):  
 Post Code:

Signature (of submitter or person authorised to sign on behalf of submitter): *H. Howard* Date: 31.07.2014

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

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For Office Use  
Submission No:

5. The specific parts of the proposed plan change the submission relates to are as follows:

Re-zoning Temourne Avenue

Continue on a separate sheet if necessary

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

Fully support zone changes as per  
Council letter 3 July - Proposed Plan  
Change 47

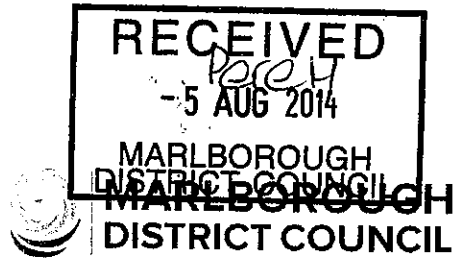
Continue on a separate sheet if necessary

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

To pass into Management Plan, all  
clauses as detailed.

Continue on a separate sheet if necessary

**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Thursday, 14 August 2014**

**1. Submitter Details**

Full Name

Organisation (if applicable)

Contact Person (if applicable)

Postal Address   
  
 Post Code

Email

Telephone Business  Home

Fax  Mobile

Address for Service   
(if different from above)   
 Post Code

Signature (of submitter or person authorised to sign on behalf of submitter)   
Date

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes' to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?

Yes  No

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For Office Use  
Submission No:



5. The specific parts of the proposed plan change the submission relates to are as follows:

Plan change 47  
Rezoning Tremone Avenue.

*Continue on a separate sheet if necessary*

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

I support the changing as out lined  
in plan change 47 sent out on 3/7/2014

*Continue on a separate sheet if necessary*

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

To follow through with the above

*Continue on a separate sheet if necessary*

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MCA  
- 4 AUG 2014

MARLBOROUGH

DISTRICT COUNCIL

MARLBOROUGH  
DISTRICT COUNCIL

**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



Submissions close 5.00 pm Thursday, 14 August 2014

**1. Submitter Details**

Full Name

WALTER & IRENE MOLONEY

Organisation (if applicable)

Contact Person (if applicable)

Postal Address

11 TREMORNE AVE BLENHEIM

Post Code

Email

Telephone

Business

Home

577-6068

Fax

Mobile

Address for Service

(if different from above)

Post Code

Signature (of submitter or person  
authorised to sign on behalf of submitter)

*W. Moloney*

Date

31-7-14

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

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PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: PC47@marlborough.govt.nz

For Office Use  
Submission No:

5. The specific parts of the proposed plan change the submission relates to are as follows:

Re-zoning Tremore Avenue

*Continue on a separate sheet if necessary*

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

Support zone changes as per advice notice  
in Marlborough Express 3 July.

*Continue on a separate sheet if necessary*

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

Enact changes as above.

*Continue on a separate sheet if necessary*

**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Thursday, 14 August 2014**

**1. Submitter Details**

Full Name	Susan and Henning Schmidt		
Organisation (if applicable)			
Contact Person (if applicable)	Susan Schmidt		
Postal Address	17a Tremorne Ave.		
	Riverlands		
	Blenheim	Post Code	7201
Email	susan.schmidt@slingshot.co.nz		
Telephone	Business	Home	
	577-8732	577-8732	
	Fax	Mobile	
		0211-602-839	
Address for Service	As above		
(if different from above)			
		Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)	Susan Schmidt		Date
			28/07/14

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint joint case with others who have made a similar submission?  Yes  No

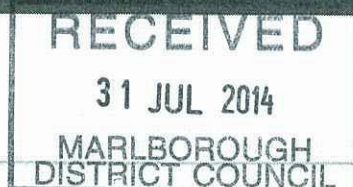
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Submission No:



5. The specific parts of the proposed plan change the submission relates to are as follows:

4.7. The plan change proposes to:

- (i) rezone an area of Industrial 1 zoned land located in the Tremorne Ave, Algarve Close and Hilton Place area to Urban Residential 2. Currently this area contains residential housing and a vacant undeveloped area.

Continue on a separate sheet if necessary

6. My submission is: (state the nature of your submission whether you support or oppose (in full or in part) specific provisions)

I support this part of the plan change.

My reasons for supporting the plan change are that my husband and I only purchased our property at 17a Tremorne Ave (directly adjacent to the vacant land) on the basis that it was going to be rezoned to Urban Residential 2 as per a document that was researched and provided to us by our conveyancing solicitor. A copy of which is attached. The document is a "Decision on Application for Resource consent No. 4070331" dated 29 June 2007 and states: Under Clause 28 Consent Notice. This subdivision has been granted on the basis that the Industrial 1 zoned land being sub-divided shall be used for residential development and shall not be used for industrial purposes...  
... Lot 15 shall not be used for industrial purposes. Instead the rules in the Proposed Wairau /Awatere Resource Management Plan for the Urban Residential 2 zone shall apply to those lots, until such time as the land has been rezoned to Urban Residential 2." See copy of this document attached.

Continue on a separate sheet if necessary

7. The decision I seek from Council is: (where amendments are sought, provide details of what changes you would like to see)

That the above mentioned area is re-zoned from Industrial 1 to Urban Residential 2.

Continue on a separate sheet if necessary

**RESOURCE MANAGEMENT  
ACT 1991**

**Decision on Application for  
Resource Consent**

**RESOURCE CONSENT No: U070331**

**APPLICANT: J & RK de Castro Limited**

**This document contains a record of  
decision(s) on the following application  
for resource consent(s):**

SUBDIVISION (ALLOTMENT CREATION)

LAND USE (ACTIVITY)

**DECISION DATE:**

29 June 2007

#### Reserve Fund

- 27 That Council, being satisfied that the subdivision is adequately served by reserves, requires in terms of section 108(2)(a) of the Resource Management Act 1991, a reserve fund contribution assessed at 7.5% of the land value of 6 of the newly created allotments. The value shall be determined by a valuation acceptable to the Council, the fee for which shall be paid by the consent holder. The valuation shall not be older than 6 months at time of payment.

(Note: The figure of 6 lots was arrived at by subtracting 141 lots, being the number of residential lots originally approved under U001216, from the total number of residential lots which will have been created following approval of this application U070331. That is 147 lots created minus 141 = 6 additional lots.)

#### Consent Notice

- 28 This subdivision has been granted on the basis that the Industrial 1 zoned land being subdivided shall be used for residential development and shall not be used for industrial purposes. The Council proposes to notify a variation to the Proposed Wairau/Awatere Resource Management Plan to rezone the Industrial 1 part of the land which is the subject of this application. Should that Variation not be sufficiently advanced at time of release of the section 224 certificate to ensure that the land in question can not be developed as of right for industrial purposes, it will be necessary to register a consent notice on the title of the relevant lots.

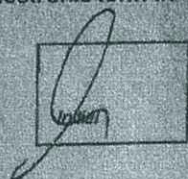
Accordingly, the following condition shall be complied with on a continuing basis by the future owners of lots wholly or partially zoned "Industrial 1" at time of subdivision:

"Lots 1 - 4, Lot 7, Lot 14 and Lot 15 shall not be used for industrial purposes. Instead, the Rules in the Proposed Wairau/Awatere Resource Management Plan for the Urban Residential 2 zone shall apply to those lots, until such time as the land has been rezoned to Urban Residential 2."

A consent notice pursuant to Section 221 of the Resource Management Act 1991 recording the above condition shall be registered on the titles to issue of Lots 1 - 4, Lot 7, Lot 14 and Lot 15. The consent notice shall be prepared by the Council and all costs associated with the preparation and registration of the notice shall be met by the consent holder.

#### Documentation

- 29 That drawings and specifications prepared by a chartered professional engineer or surveyor who has established credentials with the Council shall be provided for each stage of the subdivision. These plans and specifications shall be in the form prescribed by the code of practice for subdivision and land development and shall be submitted to the Council prior to any work commencing. The drawings shall be "A1" size at a scale of 1:500. A scale of 1:250 or 1:200 will only be permitted if the whole development plan fits on a single "A1" sheet at that scale.
- 30 That the engineering works shall be designed and carried out under the supervision of a chartered professional engineer, who shall certify all works immediately on completion. Schedules 1A, 1B and 1C from NZS 4404:2004 shall be completed by the certifying engineer and shall be provided to the Council to complete this condition. The certifying engineer is required to CCTV the sewer and storm water pipelines and to confirm that this has been completed at time of certification of the works.
- 31 That "as built" plans of all services and filled areas at a scale of not less than 1:500 shall be provided to the Council, and shall include coordinates (NZMG) of all surface features. The completed as built plans shall also be provided to the Council in an electronic form in CADD format.

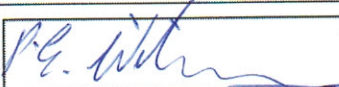


**Submission on Plan Change 47 -  
Tremorne Avenue Rezoning  
to the Wairau/Awatere Resource Management Plan**



**Submissions close 5.00 pm Thursday, 14 August 2014**

**1. Submitter Details**

Full Name			
Organisation (if applicable)	Findlater Construction Ltd		
Contact Person (if applicable)	Ron Findlater		
Postal Address	32 Timandra Place		
	Blenheim		
		Post Code	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Email	paul@rmco.co.nz		
Telephone Business	<input type="text" value="5779239"/>	Home	<input type="text" value="5779293"/>
Fax	<input type="text"/>	Mobile	<input type="text" value="274577009"/>
Address for Service	Paul Williams		
(if different from above)	RMco Ltd		
	<input type="text" value="PO Box 820, Blenheim"/>	Post Code	<input type="text" value="7"/> <input type="text" value="2"/> <input type="text" value="4"/> <input type="text" value="0"/>
Signature (of submitter or person authorised to sign on behalf of submitter)	 (PAUL WILLIAMS)	Date	<input type="text" value="14/8/14"/>

**2. Trade Competition**

Could you gain an advantage in trade competition in making this submission?  Yes  No

If you answered yes, please note that there are restrictions on your ability to make a submission. Refer to Clause 6(4) of the First schedule of the RMA for further information.

**3. Council Hearing**

Do you wish to be heard in support of your submission?  Yes  No

If you answered 'Yes to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?  Yes  No

**4. Return Submission to:**

Attention Planning Technician  
Marlborough District Council  
PO Box 443  
Blenheim 7240

Fax: 520 7496

Email: PC47@marlborough.govt.nz

For Office Use  
Submission No:



**5. The specific parts of the proposed plan change the submission relates to are as follows:**

All of the proposal

*Continue on a separate sheet if necessary*

**6. My submission is:** *(state the nature of your submission whether you support or oppose (in full or in part) specific provisions)*

Findlater Construction opposes the proposal in its entirety. See attached sheet for more detail.

*Continue on a separate sheet if necessary*

**7. The decision I seek from Council is:** *(where amendments are sought, provide details of what changes you would like to see)*

Decline Plan Change 47

*Continue on a separate sheet if necessary*

# Submission on Behalf of Findlater Construction Ltd on Plan Change 47

## 1 Introduction

Findlater Construction Ltd (FCL) owns industrial-zoned land located at 32 to 34 Timandra Place. The legal description of the land is Lot 2 DP 352510 and Lot 21 DP348832. FCL operates a general construction contracting business from the site. This is a permitted activity in the Industrial 1 Zone in which the business is situated. FCL will be significantly adversely affected if Plan Change 47 is approved.

## 2 Background

FCL previously operated from 54 Purkiss St which was rural-zoned land. They had operated from the site for 6 years. Industrial buildings were already on that site when Findlater began occupation. Previous industries on the site included a wool buyer. The site configuration was such that it was not suitable for rural use. A large part of the clientele for the FCL business was rural-based.

Residential development gradually crept closer and closer to the Purkiss St site. Eventually complaints were made by residential neighbours, resulting in Council seeking a resource consent application for FCL to continue its activities on the site.

At the time there was no suitable industrial land for a business such as FCL to move to. The situation was so desperate that resource consent was ultimately granted for 3 years to allow enough time for FCL to find suitable industrial land to move to. The alternative would have been to close the business.

Ultimately the land at Timandra Place came up for sale. This move was at considerable cost for what was a relatively new business. While not ideal, the land was zoned for industrial purposes such as a contractors yard and did have reasonable industrial-zoned land buffers to adjacent residential zones.

It has been with growing concern that FCL once again has seen residential development gradually creeping closer to its land. This time the residential development was on land that was zoned for industrial purposes and not residential. FCL considers that Council has been extremely remiss in granting consents for residential development on the adjacent industrial land.

FCL's earlier experience with residential activity adjacent to its contractors yard has been one of almost complete lack of tolerance by residents. It is convinced that good buffers always need to be maintained between such activities. Rezoning of immediately adjacent land in the vicinity of Timandra Place and Tremorne Avenue from industrial to residential will only further erode the rights of industrial occupiers and strengthen the residents' misguided perceptions of their rights.

## 3 Submission

FCL opposes Plan Change 47 in its entirety, including but not limited to, reverse sensitivity issues that will accrue if the proposal is approved. FCL strongly considers that any mitigation attempted by means of proposed Appendix G and buffers for housing development will be insufficient to mitigate reverse sensitivity issues.

