

Wairau/Awatere Resource Management Plan

Plan Change 60 – Maxwell Hills Zone

Submissions received by Marlborough District Council

June 2012

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9	David Thorn Speedy, Paul Speedy & Les Gray	David Speedy 912 Taylor Pass Road RD 4 Blenheim 7274
6	Meadowbank Station Limited, Meadowbank Holdings Limited & Meadowbank Vineyards Limited	WilkesRM Solutions Attention: Steve Wilkes Temple Chambers 76 High Street Blenheim 7201
1	Nelson Forests Limited	Nelson Forests Limited Attention: Heather Arnold Private Bag 5 Richmond Nelson 7050
11	New Zealand Fire Service Commission	New Zealand Fire Service Commission Attention: Clare Frisby PO Box 2133 Wellington 6140
3	P M & Gilbert & P D Norton	PO Box 189 Blenheim 7240
10	Renewable Resources New Zealand Ltd	Renewable Resources New Zealand Ltd Attention: Theo van Schoonhoven 37 Hicks Close Whitby Porirua 5024
7	Rob R Lawrence	88 Alfred Street Blenheim 7201
2	Russell Douglas Hopkins	60 Beaver Road Blenheim 7201
4	Timothy & Pauline Mary Mead	PO Box 979 Blenheim 7240
8	Upper Taylor Pass Residents	Vicki Nalder-Clyde 780 Taylor Pass Road RD 4 Blenheim 7274

Numerical index of Submitters for Plan Change 60

Rank	Submitter	Address
1	Nelson Forests Limited	Nelson Forests Limited Attention: Heather Arnold Private Bag 5 Richmond Nelson 7050
2	Russell Douglas Hopkins	60 Beaver Road Blenheim 7201
3	P M & Gilbert & P D Norton	PO Box 189 Blenheim 7240
4	Timothy & Pauline Mary Mead	PO Box 979 Blenheim 7240
5	AR & CD Turnbull & Bluegums 2003 Ltd	WilkesRM Solutions Attention: Steve Wilkes Temple Chambers 76 High Street Blenheim 7201
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[date]



Standing tall together

Managed by Nelson Management Limited

58A Gladstone Road
Private Bag 5
Richmond
Nelson 7050
New Zealand
Telephone 64-3-543 8115
Facsimile 64-3-544 5789

File Reference L85 3170

11 June 2012

Sub: 1

Part: _____

Mark Caldwell
Planning Technician
Marlborough District Council
P O Box 443
Blenheim 7240

Dear Mark

Submission on the Private Plan Change to the Wairau-Awatere Resource Management Plan – Proposed Plan Change 60 - Maxwell Hill Zone

Please accept our submission on Proposed Plan Change 60 to the Wairau Awatere Resource Management Plan. Nelson Forests Limited wishes to be heard at the hearing.

Nelson Forests Limited owns a 230 hectare mid rotation plantation forest in Taylors Pass. It is one of several plantation forests in Taylors Pass. Together with Nelson Forests Limited, other forest owners and managers also provided pre-notification comment on Proposed Plan Change 60. None of the concerns raised in that round of consultation have been addressed by the applicant in the notified Proposed Plan Change.

Harvesting of NFL's forest is scheduled to commence in ten years, with all associated harvest traffic using Taylor Pass Road.

Submission 1

Forestry resources in the valley – reverse sensitivity

Plantation forestry is a significant regional resource in Marlborough. There is little recognition of the significance of the plantation forests in Taylors Pass in the Proposed Plan Change documents and the interface between the proposed rural-residential subdivision and plantation forestry. It is also widely known that there will be a large increase in forest harvesting in Marlborough within the next 10 years.



Section 3.1 – Plan Change Purpose and Required Amendments (page 7 of 43) does recognise the reverse sensitivity effects of the proposed rural residential development on the rural environment, but does not make any attempt to address the issue (Assessment of Environmental Effects pages 21-29).

The effects of reverse sensitivity have been brought to the attention of Marlborough District Council over recent years, particularly with regards to rural subdivision to allow for rural-residential lots within working rural environments. Nelson Forests Limited believes that the most effective long term method of addressing reverse sensitivity is through the use of rural activities easements. They have been invoked as conditions of consent resulting from rural subdivision in the Onamalutu and Waikakaho valleys and in and around the Wairau Valley township.

It would be appropriate to place a Rural Activities Easement over the Maxwell Hill Zone, and ensure that each title generated as a result of the Zoning would be encumbered with the same easement as a means to both raise awareness of the potential land owners of the working rural environment and to effectively address reverse sensitivity issues.

The easement would take the form of a covenant to be registered on the relevant titles and highlights to the registered proprietor and any potential purchasers that the subject land adjoins a forestry block/working rural environment which, as an operational entity, involves a number of nuisances such as noise, landscape change and dust from its various operations. The easement essentially prohibits the landowner from making any complaints against forestry/rural activities provided they are operating within legal requirements under the Resource Management Act and relevant consents. Attached is a version of a Rural Activities Easement which Marlborough District Council is familiar with.

Any easement placed on the titles would need to be at the developer's cost and to the satisfaction of the forestry owners in Taylor Pass (the affected parties).

Submission 2

Taylor Pass Road traffic

The focus of traffic impacts in the Assessment of Environmental Effects (pages 22-25) fails to recognise that there is any heavy traffic use of the road. Plantation forests are part of the existing environment and a significant resource to the Marlborough economy.

Taylor Pass Road is the predominant road that will be used for a significant amount of the logging trucks required to harvest the forests in Taylors Pass. There has already been pressure to seal Taylor Pass Road as a result of rural subdivision – a cost which was apportioned to all property owners on Taylor Pass Road. At least two forestry owners submitted against that upgrade as it served no purpose for their rural activities. This

Proposed Plan change will result in increased pressure to upgrade the road again at a cost to all land owners.

The Traffic Assessment Report (Appendix C) notes that traffic volumes along Taylor Pass Road are low (page 16). This comment is correct in the absence of any plantation forest harvesting, but should be reviewed in light of the future harvest levels of the various forests.

The appropriateness of the intersections of the Maxwell Hill Zone with Taylors Pass Road should be questioned, as they do not meet required sight distances and assume that stopping distances at given speed environments will compensate for the lack of sight distance. This is a significant gamble to take when positioning a residential focussed development into a working rural environment.

Submission 3

Fire risk

The Proposed Plan change does not adequately assess or address fire risk. The applicant states that they have consulted with the New Zealand Fire Service and that fire risk management will be of relevance at the building stage of dwellings within the subdivision.

The proposal does not consider the fire risk background of the area from rural fires.

The Wither Hills area is traditionally very dry, and significant fires have started and spread through this area. The Wither Hills Boxing Day fire in 2000, burnt over 6100 hectares of land. The rate of spread of the fire was calculated at 10 kilometres per hour on flat land and 16.4 kilometres per hour on the hills – this could not be outrun. It consumed grass, trees, fences, stock, out buildings and sheds. Fortunately the few houses in the area were all saved. The fire started in Taylor Pass and its cause was never established.

There is a direct correlation between the number of fire incidents and increased population (eg. coastal Tasman (an area of rapid rural/residential/lifestyle growth) vs inland Tasman. The statistics are that there are ten times as many fire call outs in coastal Tasman than inland Tasman (hearings evidence: Ian Reade : Waimea Principal Rural Fire Officer, March 2012).

Careful consideration needs to be given to this proposal with regards to the surrounding environment, its dry and known fire history, and the increased fire risk it will bring to the valley. As a minimum there needs to be provision for;

- setbacks from the existing forest boundary of 100 metres, and
- provision of defensible space (ie low flammable vegetation – mown grass), and
- mechanisms in place to ensure all property owners have sufficient public liability and fire suppression insurance, and
- sufficient water in storage for fire fighting (as agreed with the local fire authority).

If you require any further information or have any questions of clarification, please do not hesitate to contact me.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Heather Arnold', with a small flourish at the end.

Heather Arnold

Planner

heather.arnold@nelsonforests.com

03 543 8115 ext 820 : 021 240 0530

Form B

Easement instrument to grant easement or *profit à prendre*, or create land covenant

(Sections 90A and 90F Land Transfer Act 1952)

Grantor

XX

Grantee

XX (Forest owner)

Grant of Easement or *Profit à prendre* or Creation of Covenant

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A

Continue in additional Annexure Schedule, if required

Purpose (nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to emit or discharge noise and drifts from silviculture, logging and forest produce transport and operations	XX	XX	In Gross

Form B - continued

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby **[varied]** **[negatived]** **[added to]** or **[substituted]** by:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[the provisions set out in Annexure Schedule _____]

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

The provisions applying to the specified covenants are those set out in:

[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule _____]

Form L

Annexure Schedule

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Easement

Easement

Right to Emit or Discharge Noise and Drifts from Silviculture, Logging and Forest Produce Transportation Operations:

1. In this easement the term "authorised activities" means all silviculture, logging and forest produce transportation activities including pruning, cutting, treating and sorting logs, transportation of logs, the use of any chemicals and sprays for silviculture and ground preparation, discharges of wastewater, emissions as a result of the operation of logging and transportation machines and vehicles with any other activity permitted under the relevant District Resource Management Plan for the time being in force and any existing uses and any activity permitted by any resource consent(s). The term "authorised activities" shall also include any other activity ancillary to the activities already defined or necessary therefore.
2. Rights and Powers

The Grantee shall have the full, free, uninterrupted and unrestricted right, liberty and privilege for themselves from time to time to emit or discharge noise from the silviculture, logging, transportation and ancillary activities; emissions from logging and transportation operations; and drifts and discharge from silviculture activities and to allow such emanations to escape, pass over or settle on the Servient Tenement in the course of the use by the Grantee of any nearby land for forestry purposes with the intent that such aforementioned rights shall run with the Servient Tenement.
3. Terms, conditions, covenants or restrictions in respect of the above easement:
 - (a) The Grantor shall not object to authorised activities to be carried out by the Grantee on any nearby land and will allow such authorised activities to be carried out without interference or restraint.
 - (b) All noise and drifts emitted from the silviculture, logging and transportation activities shall not exceed the maximum level permitted in any relevant District Resource Management Planning document.
 - (c) The Grantor of the Servient Tenement shall not:
 - (i) make or lodge; nor
 - (ii) be party to; nor
 - (iii) finance nor contribute to the cost ofany submission, application, proceeding or appeal (either pursuant to the Resource Management Act 1991 or otherwise) designed or intended to limit, prohibit or restrict the continuation or recommencement of the authorised activities by the Grantee.

Form L

Annexure Schedule

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Easement

- (d) If the Grantee carries out all authorised activities in accordance with the Resource Management Act 1991 or any statutory amendment or replacement thereof, and in accordance with any other legislative requirement affecting forestry activities, then the Grantor shall not at any time make any claim or demand or take any action or proceedings or be a part to or otherwise support in any way or allow or permit any action or proceedings for damages for negligence, nuisance or interference of any nature (including damage or nuisance arising out of negligence of the Grantee or any of its employees) directly or indirectly in any way arising out of authorised activities.

4. The Grantor shall not:

- (a) At any time build, erect, establish any building for any purpose within 1 metres of the common boundary between the Servient Tenement and any adjacent land utilised by the Grantee for forestry purposes.
- (b) Plant, grow or otherwise encourage the growth of any tree or grass specimen over one metre in height within XX metres of any common boundary between the Servient Land and any adjacent land utilised by the Grantee for forestry purposes.

5. Interpretation

"Grantee" in relation to an easement:

- (a) means the person having the benefit of an easement in gross; and
- (b) includes the agents, employees, contractors, tenants, licensees and other invitees of the Grantee.

"Grantor" in relation to an easement:

- (a) means the registered proprietor of the Servient Tenement; and
- (b) includes the agents, employees, contractors, tenants, licensees and other invitees of the Grantor.

"Servient Land" in relation to an easement means the parcel of land over which an easement is registered and that is described by reference to the register in a transfer instrument, easement instrument or deposit document.

Mark Caldwell-8225

From: MDC
Sent: Tuesday, 12 June 2012 2:19 p.m.
To: Plan Change 60
Cc: russellhopkins@xtra.co.nz
Subject: Submission on Plan Change 60
Name: Russell Douglas Hopkins

Sub:
Part: 2

Organisation

Contact person

Postal address: 60 Beaver Rd Blenheim

Postcode: 7201

Email: russellhopkins@xtra.co.nz

Business or daytime telephone: 035788401

Home telephone: 035788401

Mobile: 02102736939

Fax

Address for service if different to above: 60 Beaver Rd Blenheim

Postcode: 7201

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

Do you wish to be heard in support of your submission? 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?

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

I support the Kapiti Views Trust in its Application for a Proposed Rezoning from Rural 4 to Maxwell Hills Zone, at the Site being the corner of Taylor Pass Road and Maxwell Pass Road, Blenheim. I am very familiar with the Site.

My submission is:

I have received and read the Applicants Submission and related Documents. My support is based on the following opinions: 1. The site is of low agriculture value, being gravel with overlying loess soils. With the recent report received by Council, that much of the land around Blenheim that was earmarked by Council for residential housing, now being subject to earthquake liquefaction, This Taylor Pass area is needed for future housing growth in Marlborough. 2. There is good road access to the Site. 3. The Site is located in a beautiful part of the Taylor Pass Valley, yet will not be visible from Blenheim itself. 4. It is close to the Services that a future subdivision will require: Water can be

19/06/2012

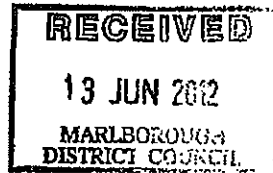
piped to the Site. But it make sense that Council provide a supply from the adjacent Taylor Pass Reservoir. Sewage disposal can be done on Site, but once again Council shuold provide a connection to its sewer main at its recent Taylor Pass Subivision. 3. The Site adjuncts Councils own plans for Residential Subdivision in Tayor Pass, ultimately only 1km north of the Site 4. The Site comes with ample Reseve Land Contribution, that will assist Council in its Recreational Planning around the Taylor Dam. 5. Having been involved in the Geotechnic Investigation of the Site, I know that modern day methods of water and soil controls will mitigate runoff and scouring on the Site. 6. This new Maxwell Hill Zone will reduce the the pressure of the demand for Rural/Residential Subdivisional Development on the Wairua Plains, with its more valuable agricultural land.

The decision I seek from Council is:

I seek Councils decision that it Grant the Proposed Zone Change of the Site, to a new Maxwell Hill Zone.

Sub: 3
Part:

ENSURV™
survey & engineering solutions



Our ref.: NGF

12 June 2012

Mark Caldwell
Planning Technician
Marlborough District Council
P O Box 443
Blenheim 7240

181 High Street
PO Box 189
Blenheim 7240
New Zealand

Phone: +64 3 578 3500
Fax: +64 3 578 3525
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Dear Mark

Submission on the Private Plan Change to the Wairau-Awatere Resource Management Plan – Proposed Plan Change 60 - Maxwell Hill Zone

On behalf of PM Gilbert and PD Norton ("the submitters"), please accept our submission on Proposed Plan Change 60 to the Wairau Awatere Resource Management Plan. We wish to be heard at the hearing.

The submitters own Lot 4 DP.9615, a 30 hectare mid rotation plantation forest in Taylors Pass, and being one of several plantation forests in that area of Taylors Pass. As per the majority of the forests in the area, harvesting of our forest is expected to take place in 10 – 15 years time with all associated harvest traffic using Taylor Pass Road.

Attached is a location diagram showing the position of the submitter's property.

Submission:

Plan Change 60 provides for a significant large lot residential development alongside Taylor Pass Road. This wider area, and Taylor Pass Road in particular, is presently utilised for a variety of land based activities including pastoral, plantation forestry and rural residential (lifestyle) living. It is submitted that the plan change documents do not provide adequate practical measures to guarantee that those existing land uses, in particular forestry, can continue without unnecessary restriction.

It is recommended that if approval for the plan change is granted the reverse sensitivity issue can best be dealt with by way of activities easements (as suggested by Nelson Forest's submission) or alternatively by way of consent note on all resulting titles, in essence alerting all land owners to the presence of the other land uses and in particular along the Taylor Pass road.

The submitters have concerns at the impact that the new development will have on Taylor Pass Road. In particular the sharing of the road with logging trucks, a significantly increased number of residential vehicles, cyclists and pedestrians (including runners), will increase safety concerns highly likely resulting in demands for roading improvement.

In recent times the sealing of Taylor Pass Road was extended to beyond the Rural Residential area further to the south of the application site. Council undertook consultation as it was intended that all landowners (including forestry owners further up the Taylor Pass) would be levied to offset the cost. The result of the consultation was that two thirds of land owners disagreed with the upgrade and in particular were against those further up having to pay for it equally with those gaining the most benefit. Despite the clear majority in opposition the work continued and all land owners were equally charged via their rates.

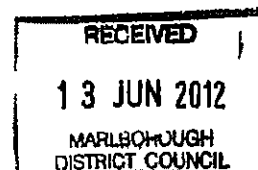
The submitters were one of the property owners opposing the cost imposition on the existing rural use when the newer rural residential land owners were the main beneficiaries and cause of the need for upgrade. It is of major concern that Plan Change 60 will result in further need of upgrade that will not be borne solely by the new land owners in the development.

It is considered that the AEE supplied with the application does not clearly take into consideration that there will be a large increase in harvest traffic within the next two decades. Whilst mention is made of the future forestry traffic increase in the general body of the AEE, it is not mentioned in the specific traffic report supplied by the applicant under appendix C, but rather more emphasis is made of traffic volumes than characteristics, including those in the future.

It is noted that there are high profile examples of conflict between forestry logging trucks and residential road users within the Marlborough province. These scenarios are not just a matter of high or low traffic counts, but rather the perceived safety issues relating to heavy traffic use in close proximity to other light traffic users.

It is therefore requested that if the application is granted there should be a thorough investigation undertaken to assess the need for any roading upgrade when full harvest of plantations coincides with full occupancy of the Maxwell Hills Zone development. Any resulting identified improvement required for safety or general road enjoyment should not rest with existing forestry owners.

It is noted that the recent Council initiated Growth Study for Southern Marlborough included reference and analysis of the present plan change proposal (then called Kapiti Views) investigating the aspects of community, ecology, open space, soils, landscape character, activity centres, employment, stormwater, transport and infrastructure. The report concluded that the proposal was suitable in relation to open space, soils and stormwater while unsuitable in relation to community ("too far away, no facilities"), landscape character (important gateway to the Molesworth"), transport ("...suggest 40ha minimum lot sizes...") and infrastructure.



The result was a lower recommendation for Kapiti Views than any of the other areas covered by the study. It is also to be noted however that since that time the Christchurch earthquake and resulting liquefaction issues have rendered a number of the other areas studied less desirable. However the serious concerns raised by the growth study in relation to transport and community remain relevant, if the methodology utilised by the authors of the study are to be accepted.

In summary it is our submission that two matters must be addressed at time of zoning should Plan Change 60 be approved. Firstly the forestry owners up Taylor Pass Road should be protected from possible reverse sensitivity issues, by way of an activities easement or clear consent notice. Secondly any future required roading upgrade should be independently investigated in relation to the upcoming forestry harvest up the Taylor Pass and appropriate upgrades made the responsibility of the Maxwell Hills Zone development.

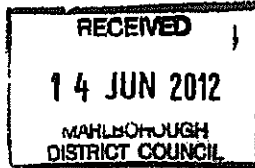
If you require any further information or have any questions of clarification, please do not hesitate to contact me.

Yours Sincerely



Perry Gilbert
perry@ensurv.co.nz
027 309-2365
For PM Gilbert & PD Norton





Sub: 4
Part: _____

**Submission on Plan Change 60 -
Maxwell Hills Zone
to the Wairau/Awatere Resource Management Plan**



Submissions close 5.00 pm Friday 15 June 2012

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

4. Return Submission to:

Attention Planning Technician
Marlborough District Council
PO Box 443
Blenheim 7240

Fax: 520 7496
Email: PC60@marlborough.govt.nz

For Office Use
Submission No:

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

The entire plan

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)*

See attached, signed submission

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 60 (Maxwell Hills Zone)

Continue on a separate sheet if necessary

Submission on the proposed private plan change - Plan Change 60 (Maxwell Hills Zone)

We, Tim & Pauline Mead, are also joint submitters with the upper Taylor Pass Residents, and fully endorse all the points raised in this group's submission in opposition to the plan change, especially relating to visual and audible pollution of our rural environment, very real increased fire risk, run off, ever-present erosion, stormwater control, effluent disposal, traffic congestion and the economic use of and questionable supply of water.

However, we live in a unique position that is directly overlooking this proposed development (see enclosed photograph taken from our lounge). We are likely to be adversely affected by the huge down-grading of the rural amenities values. We do not believe this development adheres in any way to the MDC district plan. It does not protect the rural values as outlined in Chapter 12.2.1.2 - *"Protection of Rural Amenity Values: The rural environment has particular amenity and environmental values which are important to rural people. These include privacy, rural outlook, spaciousness, ease of access, clean air and, most of the time, quietness."*

From the elevated site of our dwelling, we can hear the swish of cyclists' tyres as they go along the road, and can hear their private conversations; hear the fire siren in Blenheim when it blows an easterly breeze. Imagine what another 160 lawn mowers and 320 cars will do to the noise pollution levels. Added to this will be things such as 2 stroke trail bikes in the recreation area with all the noise, smells and smoke that goes with these types of recreations drifting upwards to our calm and peaceful dwelling. The recreation area may be restricted to the eastern end of this proposed development, but we have already experienced, on a number of occasions, the public encroaching on our private property from the flood plain, believing it to be public property. A further intrusion and invasion of our much-valued privacy.

Presently we sit in our lounge or on our sun-soaked front deck and look down the valley on a tranquil rural outlook toward the tree-lined Taylor River and the Taylor Dam and the south side of the gently rolling Wither Hills, broken only by the road - from here we can see no other dwelling! If this development goes ahead in its present form, we will look out at an eye-sore of 160 densely-packed houses with all the associated trappings. Yet another form of visual pollution will be all the street lighting and lights associated with the houses, and vehicles coming and going at all hours of the day and night. And what about all the extra rubbish and vandalism that comes along with housing developments?

Will the "clean air" aspect of a rural environment be preserved with 160 log fires and people burning garden rubbish??

Our "ease of access" will be hugely impacted by the increased motorised and cycle traffic. The road is very narrow with blind corners and small hills which makes overtaking cyclists dangerous and impedes traffic flow.

The cutting into the hillside to level the sections will leave scars that will take years to heal and overcome, even more visual pollution, not to mention the substantially added risk of the ever-present on-going erosion in this unique eco-system. We don't want this! It will be yet another encroachment upon our rural lifestyle.

This is a lifestyle that we had hoped we would be enjoying well into our later years. A lifestyle we gave everything for because we understood that the MDC did not intend to develop an urban area (particularly about the size of Spring Creek) in the Taylor Pass - Maxwell Pass area.

The MDC plan goes on to say: *12.2.1.3 Residential, Commercial and Industrial Development: The maintenance of a rural environment is to some extent dependent on the exclusion of "residential" activity, the two being to some extent incompatible.*

If this plan change application is successful, we believe this hugely inappropriate development will not only actually create huge problems for the area and local residents, but will also detrimentally affect our personal current peaceful rural lifestyle and property values.

For these reasons, and many more, we genuinely believe the Marlborough District Council simply cannot allow this substantial and concentrated development in this unique area, and therefore should have no option but to decline the Plan Change 60.



Tim and Pauline Mead.



Sub: 5
Part: 5

**Submission on Plan Change 60 -
Maxwell Hills Zone
to the Wairau/Awatere Resource Management Plan**



Submissions close 5.00 pm Friday 15 June 2012

1. Submitter Details

Full Name			
Organisation (if applicable)	AR & CD Turnbull & Bluegums 2003 Ltd		
Contact Person (if applicable)	A Turnbull		
Postal Address	Bluegums		
	PO Box 4023		
	Blenheim	Post Code	
Email	steve@wilkesrm.co.nz		
Telephone	Business	Home	
	Fax	Mobile	
Address for Service	Steve Wilkes		
(if different from above)	WilkesRM Solutions		
	Temple Chambers, 76 High St, Blenheim	Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)		Date	14/6/12

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: PC60@marlborough.govt.nz

For Office Use
Submission No: 5

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

- i. Plan Change 60 seeks to rezone approximately 50 hectares of Lots 1-3 DP 357141, Lot 1 DP 9518 and Section SO 7014 to enable the creation of approximately 160 residential lots ranging between 2,000 m² and 4,000 m². The Plan Change proposes to create a new zone to be called Maxwell Hills Zone, with its own specific zone provisions managing activities within the zone.
- ii. AR & CD Turnbull & Bluegums 2003 Ltd opposes proposed Plan Change 60 in entirety.

4. My submission is:

- i. AR & CD Turnbull & Bluegums 2003 Ltd (Bluegums) landholdings comprise some 240 hectares (ha) adjacent to the proposed site.
- ii. Bluegums has been settled as a pastoral farm since the 1850s carrying out sheep, beef and mixed cropping primary production.
- iii. Bluegums source all domestic water supplies sourced from the Taylor River.
- iv. In 2003 a 14 ha vineyard was developed adjacent to the Taylor River. Additional vineyard development totalling some 15 ha is planned on the property.
- v. Bluegums features an existing clean-fill landfill in the immediate vicinity of the proposed plan change. The landfill is the subject of resource consent U100147 and was granted in April 2010 for a 35 year duration.
- vi. The farming practice requires the use of chemical sprays, machinery, frost fans and around the clock operating hours. Bluegums regularly utilise helicopters for top dressing and spraying. The existing landing pad is immediately adjacent to the proposed residential sites.
- vii. Bluegums maintains its right to continue to carry out farming practices in the future. Proposed Plan Change 60 will introduce urban residents to the rural environment without an appreciation or understanding of rural land use practices. The introduction of urban residents to a rural environment will undoubtedly lead to reverse sensitivity issues.

- viii. The application documents for Plan Change 60 states that “scattered and fragmented rural-residential development in the Rural 3 zone of the Wairau Plains has been reported to have resulted in adverse effects on rural amenity, compromising the productivity of rural land, and reverse sensitivity effects”. It is the realisation of such effects associated with Plan Change 60 that are of concern to Meadowbank.
- ix. Plan Change 60 identifies reverse sensitivity as one of five key environmental effects associated with the plan change together with landscape, visual impact and rural amenity effects, traffic impacts, infrastructural / servicing and natural hazards. However there is no further assessment of the nature or extent of reverse sensitivity effects within the application documents.
- x. Proposed Plan Change 60 does not assist in achieving the outcomes established in the operative Wairau Awatere Resource Management Plan (the Plan). The Plan anticipates the development of rural residential areas and contains specific provisions relating to the establishment of Rural Residential areas in section 12.5 Rural Residential (residential activity in the rural environment).
- xi. Section 12.5 of the Plan includes the following:

Any residential development extending into the rural area may bring potential residents into closer contact with landuse activities such as viticulture, orchards, intensive livestock operations, forestry or rural industries. Adverse effects can include smell, noise, spray drift or in the case of forestry, fire risk and fire hazard.

Rural activities which are legitimately established should not be expected to relocate to accommodate residential activity. Residential activities should only be permitted to establish where clear steps have been taken to mitigate any adverse effects. The onus is clearly on the developer to ensure that a situation of conflict between the residential activity and the legitimate rural activity does not arise.

Existing rural residential areas in the Wairau/Awotere area such as at Rarangl have been given a rural residential zoning. New locations will be considered where it can be demonstrated that there will be no adverse effect on existing legitimate rural activities and where public health concerns (such as sewage

disposal), water availability and water quality issues have been addressed, along with factors involving ecology, landscape, land stability, inundation and drainage and transport (my emphasis).

- xii. Proposed Plan Change 60 does not identify any steps that have been taken to mitigate adverse effects (such as reverse sensitivity) and fails to demonstrate that there will be no adverse effects on legitimate rural activities.
- xiii. Spot zoning and the development of a stand-alone urban residential community as proposed is not anticipated within the Plan and will result in adverse effects on rural amenity, compromising the productivity of rural land, and reverse sensitivity effects being realised.
- xiv. Other specific concerns for Bluegums include:
 - An increase in dog numbers leading to stock management and stock health issues;
 - The proposed sewerage disposal plan includes disposal fields that are located within unstable gully heads and on severely erosion prone land;
 - The disposal fields within the Taylor River catchment area will adversely affect the water supply on which Bluegums relies for its domestic drinking water being the Taylor River;
 - The substantially increased traffic usage on a rural service road will in all likelihood lead to increased risk for users of the road that already has a number of 'danger spots' such as the drop - off at the mountain bike park entrance and the crest of the Taylor Dam;
 - The proposed site is located in a known fire hazard area. The risk of fire is substantially enhanced by an increased residential population;
 - The proposal fails to adequately identify a suitable and assured domestic water supply;
 - The proposal is inconsistent with the Southern Marlborough Growth and Development Strategy and the criteria / principles adopted within that document for residential growth & development; and
 - The proposal is considered to be inconsistent with Part II of the RMA.

5. The decision I seek from Council is:

- i. That proposed Plan Change 60 be declined in entirety.

Sub:
Part: 6

**Submission on Plan Change 60 -
Maxwell Hills Zone
to the Wairau/Atawere Resource Management Plan**



Submissions close 5.00 pm Friday 15 June 2012

1. Submitter Details

Full Name			
Organisation (if applicable)	Meadowbank Station Limited, Meadowbank Holdings Ltd & Meadowbank Vineyards Ltd		
Contact Person (if applicable)	William Grigg		
Postal Address	Meadowbank Station		
	PO Box 90		
	Blenheim	Post Code	
Email	steve@wilkesrm.co.nz		
Telephone	Business	Home	
	Fax	Mobile	
Address for Service	Steve Wilkes		
(if different from above)	WilkesRM Solutions		
	Temple Chambers, 76 High St, Blenheim	Post Code	
Signature (of submitter or person authorised to sign on behalf of submitter)		Date	14/6/12

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: PC60@marlborough.govt.nz

For Office Use
Submission No:

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

- i. Plan Change 60 seeks to rezone approximately 50 hectares of Lots 1-3 DP 357141, Lot 1 DP 9518 and Section SO 7014 to enable the creation of approximately 160 residential lots ranging between 2,000 m² and 4,000 m². The Plan Change proposes to create a new zone to be called Maxwell Hills Zone, with its own specific zone provisions managing activities within the zone.
- ii. Meadowbank Holdings Ltd, Meadowbank Station Ltd and Meadowbank Vineyard Ltd (collectively referred to as Meadowbank) oppose proposed Plan Change 60 in entirety.

4. Our submission is:

- i. Meadowbank comprises some 2809 hectares (ha).
- ii. Meadowbank has been settled as a pastoral farm since the 1850s carrying out sheep, beef and mixed cropping primary production.
- iii. There are currently 4 residences on Meadowbank with all domestic water supplies sourced from the Taylor River.
- iv. In 2001 vineyard development was commenced adjacent to the Taylor River. There is now a total of 54.25 hectares of vineyard owned and / or managed by Meadowbank on the property. Grapes are grown for both national and international wine companies. Additional vineyard development is planned in the immediate vicinity of the proposed Plan Change.
- v. Primary production (at both the intensive horticultural scale and the semi extensive pastoral scale) require the use of chemical sprays, machinery, frost fans and around the clock operating hours.
- vi. Meadowbank maintains it right to continue to carry out farming practices in the future. Proposed Plan Change 60 will introduce urban residents to the rural environment without an appreciation or understanding of rural land use practices. The introduction of urban residents to a rural environment will undoubtedly lead to reverse sensitivity issues.

- vii. The application documents for Plan Change 60 states that “scattered and fragmented rural-residential development in the Rural 3 zone of the Wairau Plains has been reported to have resulted in adverse effects on rural amenity, compromising the productivity of rural land, and reverse sensitivity effects”. It is the realisation of such effects associated with Plan Change 60 that are of concern to Meadowbank.
- viii. Plan Change 60 identifies reverse sensitivity as one of five key environmental effects associated with the plan change together with landscape, visual impact and rural amenity effects, traffic impacts, infrastructural / servicing and natural hazards. However there is no further assessment of the nature or extent of reverse sensitivity effects within the application documents.
- ix. Proposed Plan Change 60 does not assist in achieving the outcomes established in the operative Wairau Awatere Resource Management Plan (the Plan). The Plan anticipates the development of rural residential areas and contains specific provisions relating to the establishment of Rural Residential areas in section 12.5 Rural Residential (residential activity in the rural environment).
- x. Section 12.5 of the Plan includes the following:

Any residential development extending into the rural area may bring potential residents into closer contact with landuse activities such as viticulture, orchards, intensive livestock operations, forestry or rural industries. Adverse effects can include smell, noise, spray drift or in the case of forestry, fire risk and fire hazard.

Rural activities which are legitimately established should not be expected to relocate to accommodate residential activity. Residential activities should only be permitted to establish where clear steps have been taken to mitigate any adverse effects. The onus is clearly on the developer to ensure that a situation of conflict between the residential activity and the legitimate rural activity does not arise.

Existing rural residential areas in the Wairau/Awatere area such as at Rarangi have been given a rural residential zoning. New locations will be considered where it can be demonstrated that there will be no adverse effect on existing legitimate rural activities and where public health concerns (such as sewage

disposal), water availability and water quality issues have been addressed, along with factors involving ecology, landscape, land stability, inundation and drainage and transport (my emphasis).

- xi. Proposed Plan Change 60 does not identify any steps that have been taken to mitigate adverse effects (such as reverse sensitivity) and fails to demonstrate that there will be no adverse effects on legitimate rural activities.
- xii. Spot zoning and the development of a stand-alone urban residential community as proposed is not anticipated within the Plan and will result in adverse effects on rural amenity, compromising the productivity of rural land, and reverse sensitivity effects being realised.
- xiii. Other specific concerns for Meadowbank include:
 - An increase in dog numbers leading to stock management and stock health issues;
 - The proposed sewerage disposal plan includes disposal fields that are located within unstable gully heads and on severely erosion prone land;
 - The sewerage disposal fields within the Taylor River catchment area may adversely affect the water supply on which Meadowbank relies for its domestic drinking water being the Taylor River;
 - The substantially increased traffic usage on a rural service road will in all likelihood lead to increased risk for users of the road that already has a number of 'danger spots' such as the drop - off at the mountain bike park entrance and the crest of the Taylor Dam;
 - The proposed site is located in a known fire hazard area. The risk of fire is substantially enhanced by an increased residential population;
 - The proposal fails to adequately identify a suitable domestic water supply;
 - The proposal is inconsistent with the Southern Marlborough Growth and Development Strategy and the criteria / principles adopted within that document for residential growth & development; and
 - The proposal is considered to be inconsistent with Part II of the RMA.

5. The decision we seek from Council is:

- i. That proposed Plan Change 60 be declined in entirety.

Sub: 7
Part: _____

14 June 2012

Mark Caldwell

Planning Technician

Marlborough District Council,

PO Box 443

BLenheim 7240

Dear Mark

Submission on the Private Plan Change to the Wairau-Awatere Resource Management Plan -- Proposed Plan Change 60 -- Maxwell Hill Zone

Please accept my submission on the Proposed Plan change 60. I wish to be heard at the hearing.

I own, in partnership with two others and a Joint Venture landowner, a small forest in Taylor Pass.

Our forest is nearly 20 years old and we anticipate harvesting around years 2018-2020.

Submission One: Traffic Increase

There is approximately 1000 hectares of managed forests in the upper Taylor Pass Catchment. Most of this forest was planted post 1990 and will reach maturity from 2018 onwards.

1000 hectares of forest land is expected to yield 500,000 tonnes of logs. All of the logs will be transported by truck down the Taylor Pass Road and onto the south end of Maxwell Road. Each log truck (and trailer) will carry 28 tonnes of logs, and to complete the task 17,857 log truck movements will be required. One logging crew is likely to produce 200 tonnes per day, therefore it will take 7 trucks per day for 11 years to shift the logs from the forest to the sale point down Taylor Pass Road. It is likely that more than one crew will be working in the valley at one time as logs become mature and ready for harvest therefore we are likely to see 14-20 log trucks per day for 4-6 years. There could be significantly more concurrent harvesting than I have given in this example.

It is my observation that some people perceive this to be an unwanted disturbance with relation to noise, time of activity and size of vehicle on the road.

Truck movements relates to the shifting of the harvested logs however there will be numerous other associated vehicle movements such as maintenance vehicles for on-site equipment repairs, men getting to and from work and of course regular visits by the forest owner.

It is my submission that this level of activity, while working within Resource Consent guidelines, be free from interference from neighbours who have relocated to this area. The forests are already established, can't and won't be moved and we know that there will be a change to the environment when harvesting commences.

Submission 2: Increased Fire Danger

It is a well known and researched fact that people start most unprescribed wild fires. An increase in residents in the Taylor Pass area is going to increase danger from fire.

While the Boxing Day 2000 fire devastated much of the Wither Hills arable land and created hardship for many and long hours of work for fire fighters, it has fairly much grown back and the short term pain has receded. The threat to lives, properties and devastation of this fire has been forgotten.

In March 2007 I lost 7 hectares of my 13 year old forest in Taylor Pass to fire. This was devastating. It represents 12.5% of my forest. To replant this area of land and watch it be harvested I will need to live until I am 83 years old. While insurance does ease pain it doesn't pay the full value of the forest.

I would submit that the development includes some precautions against fire and some utilities to assist fire control, like high pressure water points.

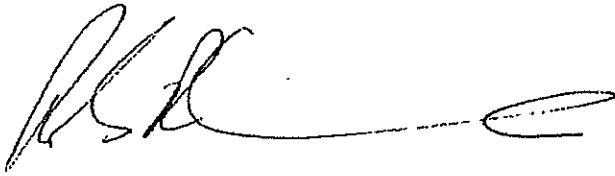
There should be a clause that makes burning in the open air prohibited, including burning in a drum. Flammable waste from any property should be removed or left to rot, not burned. The Wither Hills are highly flammable and we live in one of the driest parts of New Zealand with the highest fire risk of any part of New Zealand.

Submission 3: Reverse Sensitivity

The plan change will no doubt attract settlers into the area that have had little experience with the workings of a rural environment. The forest industry, and our business, has been part of the Taylor Pass valley for over 20 years. There is an expectation that we will be able to go about our business without interference from newly settled neighbours. Our business will get noisy and dusty and we will work some unsociable hours and I would like to see that our new neighbours are aware of this business before they purchase. I would also like to see that subsequent settlers, second generation settlers are made aware of our presence before they spend their money seeking a benign, peaceful existence.

Unfortunately, the forest site is a dynamic heavy industrialised place for part of the rotation while working within the existing laws and regulations.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rob R Lawrence', with a long horizontal flourish extending to the right.

Rob R Lawrence

Sub: 8
Part: _____

Submission on behalf of the upper Taylor Pass Residents

on

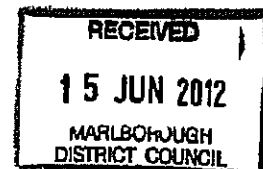
Kapiti Views Trust

Plan Change 60

Proposed Rezoning from Rural 4 to Maxwell Hill Zone

**Cnr Taylor Pass Road and Maxwell Pass Roads,
Blenheim**

14 June 2012





Introduction

1. This submission has been compiled on behalf of the following people who work and reside in the area south of Maxwell Pass Road. We have included local information based on first hand experience of those whom have been in the area for up to 20 years and whom reside on allotments of 20 hectares and larger.

Name	Type of holding
Linda Le Sueur	Lifestyle with forestry/cattle/sheep
Pauline & Tim Mead	Lifestyle
Rob & Gill Slatter	Lifestyle with cattle
Arthur & Vicki Clyde	Lifestyle with forestry/cattle
Lester & Joy Neal	Lifestyle with forestry/cattle/sheep
Andy Laurie	Viticulture
John & Betty Taylor	Lifestyle with cattle/horses
Jim & Sandra McGusker	Lifestyle with cattle/horses/dogs/forestry
Darren & Sarah Clifford	Honey business
Mark & Robyn Robertson	Lifestyle with forestry
Richard & Jill Cretney	Lifestyle with forestry
John & Jenny Meek	Lifestyle with forestry/cattle
Ross & Rosemary Kerr	Farm with cattle & sheep/forestry
Duncan & Karen Beattie	Lifestyle with horses/dogs/forestry
Graham & Anne Cooper	Farm with cattle & sheep/forestry
Rod & Sarah Westenra	Horse trekking business

2. The site for the proposed planned plan change is approx.. 4km from town in a strongly rural environment. The development of 160 rural residential blocks is a marked departure from the rural environment. This is contrary to the existing overall policy background that does not support the application.
3. The general consensus from our group was that the density of the proposed development with 160 lots was far too great. It would amount to creating another small settlement larger than Grovetown, Spring Creek or Tuamarina in an exceedingly dry area of Marlborough, where there are existing issues with erosion of the soils on the northern and eastern slopes.
4. We as residents have been aware of the notion of a possible change of land use, after the applicant bought the land from the Leslie family, and there were excavators and surveyors crawling over the paddocks.
5. What is disappointing is that at no time over the last 6 years has the applicant approached any of the farming properties or lifestyle residents in the vicinity to gauge opinion about any development. The plan change has been submitted with no local consultation, apart from that which was requested by the Council before the Plan change was notified.
6. From articles read in the local newspaper the applicant believes the soils are "poor" and unproductive so they are suitable for rural residential development. Rural 4 land has a

high amenity value and should not be "sacrificed" to save the supposedly more valuable or productive land.

7. The siting of any rural residential development of this magnitude, needs careful and considered thought. Not only does the development proposed need to take into account the transport, geotechnical and servicing aspects, it also needs to cover off the economic and social aspects.
8. The purpose of the Southern Marlborough Urban Growth & Development report commissioned by the Marlborough District Council was to look for growth options for Blenheim

9. Southern Marlborough Urban Growth & Development

The Council instigated the Southern Marlborough Urban Growth Strategy (SMUGD) in 2010. A consultation document was produced in May 2010, with public hearings held after that date.

From reading the Executive Summary we understood that the strategy would:
"provide a comprehensive and integrated planning context for the MDC Infrastructure, Policy and Finance teams. In addition it is intended to carry weight for the Council planners and the Environment Court.

AND

"One of the prime intentions through the project has been to provide the community with a level of choice in terms of locality, section price positioning, and housing type. In addition the preference is for growth in areas that are or can be well serviced by community infrastructure (connectivity, cycle/walk paths, shops, services, transport etc.)

AND

Marlborough challenges, as with most of NZ provincial regions, include a relatively small ratepayer base (25,000), high infrastructure costs and a spread-out network of small townships. As such the imperative is to ensure as efficient infrastructure/resource investment as possible by encouraging concentration of development, utilisation of available capacity and intensification of existing urban areas. That is the choice between greenfield expansion or infill/brownfield.

10. The site for Plan Change 60 was referred to as KV in the SMUGD strategy.

It did not score the pre-requisites required for:

- ❖ Community
- ❖ Landscape character
- ❖ Activity centres,
- ❖ Transport
- ❖ Infrastructure.

and was neutral on ecology, and employment.

If all these aspects were considered for the whole of the strategy area, and the document was broadly consulted on throughout the Community, why is this plan change currently being considered by Council?



Landscape

11. All land has its own uniqueness. The landscape assessment report provided was very good in describing the whole Marlborough District, but in the Site Character section there was a noticeable lack of detail, and accuracy in the climate, soils and ecology sections pertaining to the actual Maxwell Road/Taylor Pass vicinity.
12. It did not accurately describe the landscape in which we all live. We have had our stark landscape compared to Central Otago with the rocky outcrops, tussock and open pasture lands. The report seems to leave out what actually makes our area special and unique.
13. The nature of the Taylor Pass is one of extreme climatic diversity. On one hand we can experience high rainfall events several times during the winter months, and the spring can include good grass growth, leading to high production of tag. This can be followed by an extended period of high temperatures, little rain and increased fire risk. These conditions continue until autumn, High winds generally accompany the spring and summer conditions. The ridges and gullies do not protect the area from wind, rather it funnels and swirls the wind around the valley.
14. The Landscape report in the application, in paragraph 72 makes mention that the proposed site is not a particularly sensitive one due to its lack of visibility from public view points. Just because it is hidden from a public view point does not mean it is a good place to create a new rural residential development.
15. All the residents of the Upper Taylor Pass who drive past every day would strongly disagree, as would those that drive to the Taylor Pass Dam itself.
16. Scarring of the landscape at the site is an issue that will continue for the life time of the subdivision. It will occur when the roads are cut in, and then when the house platforms are cut. We still have cut faces visible that were cut over 15 years ago, and no amount of reference to hydro seeding or tree planting on these vertical cut faces will ever address this.
17. In the Landscape Chapter of the Objectives and Policies Issue 5.5 has particular relevance to this application.

General degradation of and detracton from the Landscape and Visual Amenity Values of the District.

Section 7 of the RMA requires that management decisions have particular regard to the maintenance and enhancement of amenity values. These values relate to both natural features and landscapes, and cultural features and landscapes.

In areas where rural subdivision occurs care should be taken to develop in a way that retains the essential rural characteristics.

If this proposal goes ahead then we in the Upper Taylor Pass will see the degradation every day.

Rural Environment

18. Under the Rural Chapter in Volume 1 there is an issue listed with regard to residential activity in the rural environment listed as :

Accommodating rural residential living in a manner that does not result in incompatible activities in the rural environment.



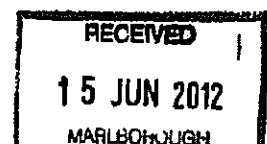
Any residential development extending into the rural area may bring potential residents into closer contact with land use activities such as viticulture, orchards, intensive livestock operations, forestry or rural industries. Adverse effects can include smell, noise, spray drift or in the case of forestry, fire risk and fire hazard.

Rural activities which are legitimately established should not be expected to relocate to accommodate residential activity. Residential activities should only be permitted to establish where clear steps have been taken to mitigate any adverse effects. The onus is clearly on the developer to ensure that a situation of conflict between the residential activity and the legitimate rural activity does not arise.

19. In the Taylor Pass this relates more specifically to cattle and sheep farming, and viticulture. There does not appear to be any thought given to 'reverse sensitivity issues'. Plan change 60 is in a working rural area with the associated land use activities.
20. Adverse effects include the spray drift, smell and noise from the likes of top dressing planes & helicopters, frost machines, gas guns. This is the reality of our rural environment together with noxious weed control.
21. Fencing needs to be ensured as stray dogs wandering where there is stock is just not acceptable. How will this ever be ensured?
22. The application goes nowhere near explaining how these issues would be addressed where it is proposed to promote a 160 lot 'township' in the middle of a working rural environment.

Traffic

23. The Traffic Assessment report identified that the traffic volumes would increase by a staggering 90%- from 148 to 1,120 per day, with a peak hour increase of 15 to 120. Taylor Pass Road is a rural road that is currently used by commercial traffic, cattle trucks, viticulture machinery, vineyard workers vans, cyclists and domestic users from both the Blenheim and Awatere Valley sides.
24. It will in the future be used by logging trucks and crews as forestry is cleared from the commercial blocks further up the Pass.. There is no mention of the impact that the proposed development will have on the existing and future road users that live and work on the south side of the Plan Change area.
25. There are currently many cyclists using the road, both in a safe and unsafe manner. The Traffic Report says that "*Taylor Pass Road will be of sufficient width for safety purposes particularly given the popularity of the road for cyclists*". This is not being realistic or practical. Currently if you are driving along Taylor pass Road in either direction, with one cyclist in your lane, it is not possible to safely pass without crossing the centreline.
26. Since the road has been tar sealed the number of cyclists has gone up ten fold or more. They already cause a problem/danger on blind bends and wee hillocks. The road isn't wide enough for a car to pass an obstacle without going on to the other side of the road. Particular danger spot is by the dam where, several times, a local has been nearly run off the road by an impatient driver overtaking cyclists, unsighted, and over my side of the road. To have a whole new community sharing the same road is worrying to say the least.
27. Taylor Pass Road is used by both road and mountain bikers. The reason being it is the most accessible area to Blenheim that has some "hill" slopes, it is quiet and the volume

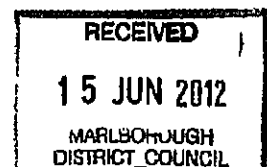


of traffic is low. It is very busy when training is in progress for the Grape ride, Rainbow Rage and Molesworth muster. The cyclists at these times are not always experienced and local residents must exercise care with the additional number on the roads. The trip to the Dam with families on bikes is also another hazard during the summer months.

28. Add in an exponential number of users on the Taylor Pass Road in 10 years, with the clean fill trucks, the Bluegums landfill traffic, logging trucks, viticulture machinery during vintage, and cyclists, and it will be an accident waiting to happen. Never mind the increased traffic when State Highway 1 is closed over the Weld Pass.

Servicing

29. Concerns were raised over the servicing proposed for water, effluent and stormwater. What is being proposed for 160 lots is a very large scale development. To say it will be a Community operated scheme would seem to be a nonsense. How will it work- what happens if only 10 people decide to build over 10 years? and for how long with the running costs be shared? What happens if there is a major failure in the water or sewer systems? Will the developer be around to pay for it-we think not.
30. You only need to look at some of the rural townships and lifestyle blocks to see their servicing issues.
Rarangi- sewage disposal, water quality and availability
Seddon- water quality and availability, stormwater
Grove town- sewage disposal, water quality and Stormwater
Wairau Valley-water quality and stormwater
Dry Hills Estate-water quality and availability, stormwater
St Andrews- sewage disposal, water quality
31. So you have to ask why would Council contemplate rezoning an area of Rural 4 area, where the same servicing issues may well arise in the future. Do we not as a District have enough issues especially with the quality of potable water, and the cost to achieve the drinking water standards, without introducing more.
32. Services become more viable where they are consolidated, and the costs can be spread over thousands of households. A new township with new servicing just does not make good economic sense.
33. Effluent disposal- The costs, installation and maintenance of a treatment facility required for a 160 lot development would be a significant capital outlay. In the long term we believe it would end up being Council owned. How will changing owners manage and run a treatment plant such as what has been proposed, and at what cost.
34. The use of disposal fields was opposed due to possible saturation of the fields on the flats, and the possible effects on the existing three wells on the south side of the Taylor Dam. The pumping of waste water up the hills behind the proposed new lots into the dry erosion prone soils did not seem logical at all, as it would take some time for any vegetation to grow.
35. The issue of where the potable water is being sourced for the development has not been addressed. If there is no water there is no development.
36. Where will the water come from ? From Councils infrastructure up Taylor Pass Road, or from a private well in new Renwick Road some 10 kms away. Either way, both are

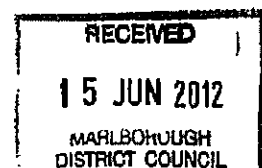


expensive, both have extensive infrastructure requirements and for what purpose? To feed a 'township size settlement' in the middle of a well known dry rainfall area?

37. The site area is exceedingly dry in the summer. Average rainfall would be around 650mm per annum. It can be dry over a 12 month period, and the current users of the land are mindful of this. But to actually knowingly site rural residential in this area makes no sense at all. There has to be a better option for our resources than this.
38. The climate has similarities to Central Otago- it can reach over 30 degrees in the summer. Smaller lots do demand more water. Larger lots will allow to brown off in the summer, but house size lots of 2000-4000m² will have expectations of a "green" block. Is it a good use to pump clean water to an area to put it into the ground.
39. Stormwater control was a major concern with the proposed development. Identified as potential issues by our group was the quality of treatment before it reached the Taylor Pass River and the volume of run off from the roads, hard stand areas and already fretted slopes.
40. We are concerned at the effects the relatively high density development will have in area subject to extreme run off during periods of heavy rainfall. Driving down Taylor Pass Road after and during a rainfall event, the entire width of the road is covered with water, and at time passable only in a four wheel drive. On our own properties we have become very aware of the problems that are associated with heavy rainfall, of large catchment areas, seepage and the potential for land instability.
41. You only need to look at the extent of the tunnel erosion and localised landslips on the proposed site area for the plan change to be able to see the effects. The hills "pump" water after a rainfall event. There are visible water tracks streaming down the slopes. Whilst it is suggested that the under runners can be "mitigated and engineered" there is no way anyone of us would even consider building a road, never mind a house on the slopes of the proposed development area.
42. From our experience the cuts into the hills that will be required for both the road and any building platforms, are not easily managed. On large sized farms there are options- on a 2,000m² block there are retaining wall and drainage issues. How this will be adequately controlled is difficult to see. Examples of scouring on north facing slopes are readily seen behind the Cloudy Bay Industrial Estate, Seventeen Valley, and Meadow Bank.
43. Under the Rural Chapter In Volume 1 there is an issue listed with regard to residential activity in the rural environment listed as :

New locations will be considered where it can be demonstrated that there will be no adverse effect on existing legitimate rural activities and where public health concerns (such as sewage disposal), water availability and water quality issues have been addressed, along with factors involving ecology, landscape, land stability, inundation and drainage and transport.

Although there is a duty under Section 17 of the Act to avoid, remedy or mitigate any adverse effects, Council recognises that the principal rural activities inherently involve effects that may not meet the expectations of an urban environment. Urban activities at the rural/urban interface must expect to compromise their urban amenity expectations where there are justifiable and reasonable effects as a result of primary production activities in the rural environment.



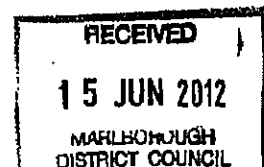
We consider that the proposed development of 160 rural sections will have an adverse effect on the rural environment. We do not consider that the issue of water availability and quality have been adequately addressed.

Fire risk

44. A major concern with the proposed plan changes is the increase in the fire risk that accompanies the increase in the number of residents.
45. Existing residents in the valley are very aware of the risk fire propose to us all, but the relatively high density development are unlikely to recognise the risks and responsibilities associated with living in an area where the District Council requires a fire permit for lighting fires at all time of the year.
46. The prospect of a repeat of a fire akin to the magnitude of the Boxing fires is not one we relish, but one match, or cigarette butt carelessly discarded in such a high risk area could bring about such an event.
47. We sit in an extreme fire risk area in summer- ask the farmers They are loathe to leave the farms during these months due to the risk. The Boxing Day fires were a good example. For the "Homebrook" and Beneagle farms the fires took their toll on stock, pasture and some personal injury through burns. For us on lifestyle blocks we were in a position where fenced boundaries could easily have turned to a disaster as it could have hindered the movements of fire fighters and equipment between properties. A proliferation of smaller properties would only exacerbate the situation.

Amenity

48. Sarah and Rod Westenra sought an area of land over 20 years ago further up Taylor Pass Road. They bought there because it was up the top end of the valley, and somewhere out of the way to build on, and they enjoyed the lonely uncrowded aspect. Whilst they have seen other lifestyle blocks built on up till now, to contemplate a whole new "community", bigger than Spring Creek, is totally abhorrent to them. As they stated if "we wanted to live in a township we would have bought in a township."
49. Sarah & Rod run a horse trekking business and their longest ride takes four hours. To access Mount Victoria they have to ride along the Taylor Pass Road Road until it meets Maxwell Pass Road, before turning right and heading for the hills. It means for them that taking beginner riders along a busy road in order to reach Homebrook and the hills will not be possible. Their customers come to enjoy and experience country living and farm life, not riding through a township with houses, traffic, and barking dogs etc
50. Most of our group apart from those that run farms or businesses, reside in in the Taylor Pass as a lifestyle choice. It is 10 minutes from Town, there is no cell phone coverage, there are no neighbours within 200-300 metres, and initially there were no grapes. The zoning was Rural 4 nearly all the way back to town, and we were residing in a rural environment with cattle and sheep.
51. This plan change is a "one off" concept that could not have been foreseen when we all purchased our properties. The expectation was that it was Rural 4, well out of town and it would remain rural, even it was subdivided further under the Controlled Activity rules.



52. The Maxwell Pass/Taylor Pass location is a formidable one in terms of sun, wind, frosts, temperature differences, hill shading, and difficult loess and rocky soils. This does not make the establishing of any type of vegetation easy. It requires time, effort, water, and trial and error. We have all been through it and speak from experience. This is not the location for such an intensive development divorced from the town, in the working rural environment.

Summary

53. Our group considers that the Plan Change 60 is unacceptable.

- The proposed density is far too high, and is akin to creating a rural township
- It would be an "isolated" zone in the middle of a working rural environment
- The loess soils are prone to erosion
- The scars on the landscape would be visible for the next 50 years
- There are already issues with flooding during rainfall events
- There is no potable water available on the site
- The increased fire risk is a major concern
- The proposed increase in traffic movements are extreme, and it is hard to see how conflict could be avoided with the existing users.
- In the SMUGD Strategy has it does not meet the criteria for future growth options
- It is contrary to many of the Issues set out in the Objectives and Policies chapters particularly on Landscape, Rural environment, and Subdivision
- There is no supporting evidence to show a demand for development in this area, or that it would even be viable.

54. We request that the Council decline the application.

Compiled on behalf of the upper Taylor Pass Residents by:

vicki nalder-clayde

Vicki Nalder-Clyde
780 Taylor Pass Road
RD4
Blenheim
(03) 520 6068
vicki.nalder@aurecongroup.com



Sub: 9
Part: 9

Mark Caldwell-8225

From: MDC
Sent: Friday, 15 June 2012 3:27 p.m.
To: Plan Change 60
Cc: speedy@wnation.net.nz
Subject: Submission on Plan Change 60
Name David Thorn Speedy, Paul Speedy, Les Gray

Organisation

Contact person David Speedy

Postal address 912 Taylor Pass Road RD4 Blenheim

Postcode 7274

Email speedy@wnation.net.nz

Business or daytime telephone 035779403

Home telephone 035779403

Mobile 0272709443

Fax

Address for service if different to above

Postcode

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

Do you wish to be heard in support of your submission? Yes

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

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

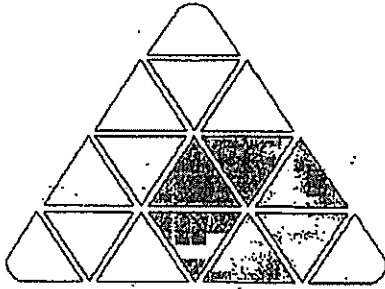
My submission is:

Living in the Taylor Pass (D Speedy) and as forestry owners we the above fully agree with and support the submission submitted by Nelson Forests Ltd regarding the issues of (1) reverse sensitivity (2) Taylor pass road traffic (3) fire risk

The decision I seek from Council is:

As per the Nelson Forests Ltd submission

19/06/2012

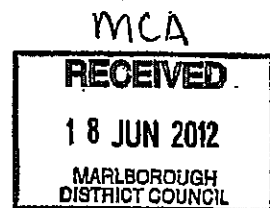


RENEWABLE RESOURCES
New Zealand Limited

Sub: 10
Part:

13 June 2012

Mark Caldwell
Planning Technician
Marlborough District Council
P O Box 443
Blenheim 7240



Dear Mark

Submission on the Private Plan Change to the Wairau-Awatere Resource Management Plan – Proposed Plan Change 60 - Maxwell Hill Zone

Please accept our submission on Proposed Plan Change 60 to the Wairau Awatere Resource Management Plan. Renewable Resources New Zealand Ltd (RRNZ) does not wish to be heard at the hearing.

RRNZ owns a 20 hectare mid rotation plantation forest in Taylors Pass. Harvesting of RRNZ's forest is scheduled to commence in approximately 15 years, with all associated harvest traffic using Taylor Pass Road.

Submission 1

Forestry resources in the valley – reverse sensitivity

Plantation forestry is a significant regional resource in Marlborough. There is little recognition of the significance of the plantation forests in Taylors Pass in the Proposed Plan Change and yet the differences between the two side-by-side land uses (forestry and rural-residential subdivision) are so significant.

Section 3.1 – Plan Change Purpose and Required Amendments (page 7 of 43) does recognise the reverse sensitivity effects of the proposed rural residential development on the rural environment, but does not make any attempt to address the issue (Assessment of Environmental Effects pages 21-29).

The effects of reverse sensitivity have been brought to the attention of Marlborough District Council over recent years, particularly with regards to rural subdivision to allow for rural-residential lots within working rural environments. RRNZ believes that the most effective long term method of addressing reverse sensitivity is through the use of rural activities easements as has been done elsewhere.

It would be appropriate to place a Rural Activities Easement over the Maxwell Hill Zone, and ensure that each title generated as a result of the Zoning would be encumbered with the same easement as a means to both raise awareness of the potential land owners of the working rural environment and to effectively address reverse sensitivity issues.

The easement would take the form of a covenant to be registered on the relevant titles and highlights to the registered proprietor and any potential purchasers that the subject land adjoins a forestry block/working rural environment which, as an operational entity, involves a number of nuisances such as

noise, landscape change and dust from its various operations. The easement essentially prohibits the landowner from making any complaints against forestry/rural activities provided they are operating within legal requirements under the Resource Management Act and relevant consents.

Any easement placed on the titles would need to be at the developer's cost and to the satisfaction of the forestry owners in Taylor Pass (the affected parties).

Submission 2

Taylor Pass Road traffic

The focus of traffic impacts in the Assessment of Environmental Effects (pages 22-25) fails to recognise that there is any heavy traffic use of the road. Plantation forests are part of the existing environment and a significant resource to the Marlborough economy.

The appropriateness of the intersections of the Maxwell Hill Zone with Taylors Pass Road should be questioned, as they do not meet required sight distances and assume that stopping distances at given speed environments will compensate for the lack of sight distance. This is a significant gamble to take when positioning a residential focussed development into a working rural environment.

Submission 3

Fire risk

The Proposed Plan change does not adequately assess or address rural fire risk.

The Wither Hills area is traditionally very dry, and significant fires have started and spread through this area. There is a direct correlation between the number of fire incidents and increased population.

Careful consideration needs to be given to this proposal with regards to the surrounding environment, its dry and known fire history, and the increased fire risk it will bring to the valley. As a minimum there needs to be provision for;

- setbacks from the existing forest boundary of 100 metres, and
- provision of defensible space (ie low flammable vegetation – mown grass), and
- mechanisms in place to ensure all property owners have sufficient public liability and fire suppression insurance, and
- sufficient water in storage for fire fighting (as agreed with the local fire authority).

If you require any further information or have any questions of clarification, please do not hesitate to contact me.

Yours Sincerely



Theo van Schoonhoven
Director
Renewable Resources NZ Ltd
(021) 183 1150

Sub: 11
Part: _____

FORM 5

**SUBMISSION ON A PUBLICLY NOTIFIED PROPOSAL FOR
POLICY STATEMENT OR PLAN UNDER CLAUSE 6 OF THE
FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991**

To: Marlborough District Council
Name of submitter: New Zealand Fire Service Commission (The Commission)
Address: PO Box 2133
80 The Terrace
Wellington 6140

Submission on Proposed Plan Change 60 – Proposed Rezoning at intersection of Taylor and Maxwell Pass Roads from Rural 4 to 'rural-residential'.

The specific parts of the application that the Commission's submission relates to are:

The provision of sufficient firefighting water supply within the Proposed Plan Change area which may impact upon the operations of the Commission.

Reason for submission:

In achieving the sustainable management of natural and physical resources under the RMA 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. The Commission has a responsibility under the Fire Service Act 1975 to provide for fire-fighting activities in a safe, effective and efficient manner. As such, the Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

The Commission's submission is:

The Commission is **neutral** in regards to this submission

In the case of Proposed Plan Change 60, the Commission is concerned with the provision of a water supply and access which will enable the New Zealand Fire Service (NZFS) to operate effectively and efficiently. The Commission seeks to inform the Council that should the Proposed Plan Change be approved, the best way to achieve this is to comply with the New Zealand Standard for the provision of a firefighting water supply, known as the *New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008* (hereafter referred to as "the Code").

The Plan Change application states there are two potential options for reticulated water supply options for any future development on this site. The first is groundwater take from New Renwick Road (for which the resource consent is currently on hold) and an extension of the Blenheim public water supply (for which consent variation would be required). The application does not outline the ability of either water supply option to meet the minimum 25 litre per second requirement set out in the Code. There are several ways in which to supply dedicated firefighting water to a dwelling in areas where the reticulated water supply does not meet the standards of the Code. Several of these are described in the following section.

In terms of access, the Commission wishes to make the applicant aware that the location of the area of this Proposed Plan Change is outside the Marlborough Fire District and the turnout times of the local fire service. This area has also been damaged by fire in the recent past. On December 26th, 2000 the Wither Hills Farm Park suffered a fire which burnt the Hills from Taylor Pass Road right across to State Highway 1. The fire then jumped the State Highway before being brought under control.

Because the area affected by this Proposed Plan Change is outside the Marlborough Fire District it is strongly recommended that the best method to comply with the Code is the installation of a domestic sprinkler system in accordance with *Fire Sprinkler Systems for Houses NZS 4517:2010*. This is the most effective means with which to prevent loss of lives and property.

Alternative methods to achieve compliance with the Code:

The Commission considers that the best method to comply with the Code is the installation of a domestic sprinkler system in accordance with *Fire Sprinkler Systems for Houses NZS 4517:2010*. Domestic sprinklers provide a highly effective means of early fire suppression which minimises property damage and the effects on the environment. Domestic sprinklers quickly apply water directly to the source of the fire and are the most reliable method of fire control. The Code recommends that a standard dwelling with an installed domestic sprinkler system requires a minimum dedicated water supply of 7,000 litres. This water storage can be provided within a proposed potable water tank through including a reserve supply with a cut-off valve to maintain 7,000 litres at all times as shown in Appendix 1. The average cost of installing a sprinkler system is approximately 2% of the cost of building a new house.

Another means of complying with the Code is the installation of a dedicated firefighting water supply to be used by the Fire Service in the event of an emergency. The Code stipulates that a dwelling without a domestic sprinkler system requires a minimum of 45,000 litres of water storage within 90 metres of a building. As well as the minimum water storage the Code identifies other associated requirements such as a compliant 100 mm female round thread coupling with an on/off valve and a hard-standing surface within 6 metres of the coupling for fire appliances to park on.

Aside from dedicated static water storage tanks or the installation of domestic sprinkler systems there are other water sources that can achieve compliance with the Code. Such alternative

sources can be water from any year-round source such as dams, swimming pools, stream water, seawater, etc., provided that source is adequately available for use by the Fire Service and it meets the other requirements of the Code that includes a hard-standing area for fire appliances.

The NZFS have qualified staff experienced in this area and would be happy to assist and advise with the fire safety aspects of the proposed plan change.

The Commission seeks the following decision from the consent authority:

Should Plan Change 60 be granted:

- The proposed rezoned area be serviced with a reticulated water supply that meets the requirements of the *New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008*;
- Contain a note, advising that the Commission considers the optimal means of compliance with the Code is the installation of a domestic sprinkler system in accordance with *Fire Sprinkler Systems for Houses NZS 4517:2010*

The Commission wishes to be heard in support of their submission.

.....*Clare J Frisby*.....

(Signature of person authorised to sign on behalf of the New Zealand Fire Service Commission)

.....20/6/2012.....

Date

Title and address for service of submitter:

Address: *New Zealand Fire Service Commission
PO Box 2133
80 The Terrace
Wellington 6140*

Attention: *Clare Frisby*

Phone: *+64-4-496-3701*

Email: *Clare.frisby@fire.org.nz*

Appendix 1

Water storage option for domestic sprinklers

