

Wairau/Awatere Resource Management Plan

Plan Change 65 – Urban Growth Area Two

**Summary of Submissions received by Marlborough District
Council**

November 2013

Submission Summary - Wairau/Awatere Resource Management Plan - Plan Change 65 - Urban Growth Area Two - By Name

Gary John Barnett - Submitter #: 1

Submission Point: 01 - Whole Plan Change

Submission: Objects to the Plan Change.

Does not think the Plan Change addresses the issue of affordable housing.

Concerned about the loss of fertile land for food production.

Considers the Plan Change needless for such a large area.

Concerned the Plan Change will create reverse sensitivity issue for existing and future rural users.

Relief sought: Wants Marlborough District Council to actively encourage development of multi-storey apartment type housing (3-4 levels only).

Marlborough District Council should withdraw the Plan Change and concentrate new subdivision to Renwick where stoney land is available with ample space for recreation.

Roger William Beardsworth - Submitter #: 2

Submission Point: 01 - Whole Plan Change

Submission: No development should be allowed on high quality soils.

Relief sought: Reject the Plan Change.

J Bush and Sons Limited (Murray Bush) - Submitter #: 3

Submission Point: 01 - Whole Plan Change

Submission: The submitter's business is located at 168 Old Renwick Road, Blenheim.

The business is beekeeping and honey making. They also operate a bee breeding program at the rear of the property.

The property is situated within the Plan Change 65 area and is close to the Plan Change 67 area.

Concerned the new Western Growth Strategy will have a major detrimental effect on allowing the business to continue operating within a new urban residential environment.

Beekeeping is currently a permitted activity, however the quantity of bees kept on the site exceed normally accepted levels within residential developments.

The company has operated in the rural environment for 96 years and has existing use rights under the Resource Management Act.

Submitter is concerned that if rezoning goes ahead, the company may need to shift sites, which would degrade the company's ability to continue its Varroa tolerance breeding

programme, which is enhanced by the existing isolated nature of the property.

The business's operations have a wider ecological benefit to Blenheim and New Zealand as a whole, in helping sustain the bee population.

Concerned the existing use rights of the company will be threatened by legal action from Marlborough District Council or a housing developer's intention to develop sites nearby for residential growth.

Relief sought: If rezoning goes ahead in Plan Change Area 65 and Plan Change Area 67 then provision needs to be made in the District Plan so that existing rights including the keeping of up to 70 bees for breeding purposes.

Requests that the proposed changes for Areas 65 and 67 recognise for the continuation of the submitter's business and these are written into the Wairau/Awatere Resource Management Plan

Jill Bunting - Submitter #: 4

Submission Point: 01 - Whole Plan Change

Submission: Supports the Plan Change.

The Plan Change will zone the land to what it is already being used for - residential development.

Relief sought: That the Plan Change be accepted.

Alistair Murdoch Campbell - Submitter #: 5

Submission Point: 01 - Whole Plan Change

Submission: Opposed in full as the Marlborough District cannot afford to have highly productive areas urbanised.

Old Renwick Road provides excellent boundary between urban and rural activities.

Relief sought: That Blenheim be developed on the poorer soils to the south of its present boundaries.

Maurice Douglas Cresswell - Submitter #: 6

Submission Point: 01 - Whole Plan Change

Submission: Does not support the Plan Change due to the use of productive horticultural land for housing.

Does not wish to be "rated off" their property.

Relief sought: None specified but assumed that they seek the proposed Plan Change to be rejected.

Delux Properties Limited (Greg Smith) - Submitter #: 7

Submission Point: 01 - Whole Plan Change

Submission: Fully supports the re-zoning of land for future residential growth.

It is important to have land available and zoned for residential development ten years in

advance of demand. This will ensure that a lid is kept on the cost of this land for the potential consumer.

There is a shortage of quality sections in areas other than Taylor Pass Road. The building sector will suffer while waiting for new development to proceed.

Developing on fertile land means people are able to grow gardens and vegetable, contributing to tranquillity and self-sufficiency.

It is important that smaller intimate areas with cul-de-sacs are also developed, as well as main grid roading systems.

Consultation with property owners is required to make sure existing privately owned stormwater ditches are best utilised for the likes of road reserves/berms and are carefully planned, and also so that existing right of ways do not become obsolete.

Relief sought: A speedy process so that the building sector does not suffer from a lack of available sections to build on.

Would like the opportunity to discuss infrastructure issues before any final roading plans are prepared.

Alasdair Drew - Submitter #: 8

Submission Point: 01 - Whole Plan Change

Submission: Disagree with proposal to grow Blenheim to the north and west (Areas 64 to 69) as it will be over fertile productive land.

Growth should be to the south west on poorer soils.

Relief sought: Blenheim's expansion should be to the south west on poorer soils.

John Terence Ford - Submitter #: 9

Submission Point: 01 - Whole Plan Change

Submission: Opposes the Plan Changes

The proposed areas are too valuable for food production to be lost to residential development

The proposed areas are susceptible to liquefaction. Building domestic houses on the most stable ground makes sense.

Knowledge gained from the Christchurch earthquakes in respect of liquefaction must be considered. Liquefaction could be reduced if building codes require ground compaction, deep piling and wooden construction.

The future need for food is greater than the present need for cheap, individual housing.

Relief sought: The Plan Change is rejected in full.

Andrew Leigh & Vicki Maree Gifford - Submitter #: 10

Submission Point: 01 - Whole Plan Change

Submission: Opposed to the part of the Plan Change that relates to the area west of Thompsons Ford Road.

The large rural blocks in the subject area are currently used for grape productions and grazing. The proposed urban growth expansion onto this land would compromise their productive use.

The restrictions associated with subdividing land with existing power supply pylons in the subject area would not allow for efficient residential development, whereas the existing rural land use is compatible with these restrictions.

Land south west of Blenheim towards Benmorven and Fairhall, which is of lesser quality and already subject to residential development, would be more preferable areas for development.

The submitter is concerned about reverse sensitivity issues that may arise for their property at the end of Blicks Lane (proposed Area 4). The existing rural activities may create tensions with future residential neighbours.

The Geotechnical report attached to the Plan Change highlights the risk associated with developing close to known fault lines. The submitter is concerned that the proposed development area is close to the Wairau Fault line, which passes through their property.

Relief sought: Decline the part of the Plan Change that relates to the area west of Thompsons Ford Road.

Maxwell Logan Gifford - Submitter #: 11

Submission Point: 01 - Whole Plan Change

Submission: Strongly opposed to the loss of productive land and versatile soils.

There are better and more appropriate sites to build on, such as Burleigh or Renwick.

Suggests Omaka Airport be relocated and the site used for development.

Relief sought: The Plan Change is rejected.

Find other sites to develop.

Listen to locals instead of Auckland advisors.

Paul Ham - Submitter #: 12

Submission Point: 01 - Whole Plan Change

Submission: Oppose the Plan Change in its entirety.

The Plan Change provides for urban sprawl onto highly productive land, which should be preserved for food production.

The land subject to the urban growth proposal is subject to a high water table, making it more expensive to develop for residential purposes.

The proposed growth area is very close to the Wairau fault line, making the probability and consequences of serious damage in the event of an earthquake high.

Relief sought: Leave the land in its current form and use.

Tom Harrison - Submitter #: 13

Submission Point: 01 - Whole Plan Change

Submission: Much public concern has been raised over the proposed residential development of highly

productive land to the north and west of Blenheim.

There are other options available for urban expansion, including the lower Wither Hills and Taylor Pass.

The costs of the infrastructure upgrades for the proposed urban growth areas will be a burden on ratepayers.

Productive land must be retained for rural purposes and for the needs of future generations.

Relief sought: No specific relief requested but inferred that Plan Change should be rejected.

Anthony John Hawke - Submitter #: 14

Submission Point: 01 - Whole Plan Change

Submission: Supports the proposal to create additional areas for residential development.

Wants certainty that the rating status of the land will not change until development occurs on individual properties rather than when development starts in a specific Plan Change area.

Urban design recommendations - thinks Council is hypocritical in recommending private sub-dividers avoid creating rear allotments, whilst Council's subdivision at Forest Park has allowed the on-going development of large rear allotments.

Appendix 6: Concerned land owners will be required to construct wider road carriageways without compensation for the additional road costs.

Appendix 6: Concerned no formal consultation will be undertaken with potentially affected land owners.

Relief sought: Confirmation from Council that the rating status will not change until development on individual properties occurs and not when development starts in a specific Plan Change area.

Formal consultation requested for potentially affected land owners associated with the plans contained in Appendix 6.

Requests Appendix 6 be withdrawn and a more complete and thorough assessment be made available for submissions.

Peter Graham & Maryanne Therese James - Submitter #: 15

Submission Point: 01 - Whole Plan Change

Submission: Supports Council rezoning land to allow for future Urban Residential Development.

Wants confirmation from Council that the rating status will not change for individual properties until development occurs on the section, rather than when development starts in a development area.

Plan Change 68, page 26:

-The description of adjoining land to this area is not strictly correct, as part of the land on the southern side of Old Renwick Road is the Racecourse, which has Rural 3 zoning.

-Leaving an "island" of Rural 3 land between Old Renwick Road and the newly zoned Residential 2 land will limit the use of the rural land and threaten its current use which is viticulture.

Appendix 4:

-Questions the consistency of Council's 200m buffer from Casey's Creek for liquefaction and the zoning of residential areas.

-Liquefaction testing appears to be incomplete and inconsistent and the submitter disputes the findings, and intends to carry out additional testing to identify land suitable for residential development.

Appendix 5:

-Alternative options to grid roading patterns such a cul de sacs should be made available to developers.

Appendix 6:

-Concerned that consultation with land owners may be overlooked in the development of the "accepted services plan".

-Concerned that landowners will be required to construct wider roads based on the function of the road, according to the "accepted services plan"

-Concerned that the proposed piping of Casey's Creek will undo the restoration and beautification work done in the creek environment.

Relief sought: Confirmation from Council that the rating status will not change until development on individual properties occurs and not when development starts in a specific Plan Change area.

The "island" of Rural 3 land between Old Renwick Road and the newly zoned Residential 2 land be zoned "large lot residential" with a minimum allotment area of 3,000m², and defer Residential 2 zoning until more land stability tests have been undertaken.

That additional testing is undertaken in the areas shown to have potential for lateral spread so that a reasoned decision can be made as to an acceptable distance from Casey's Creek where residential development can take place.

Supply more information within Appendix 6 and conduct public consultation on the content.

The JMK Family Trust (Steve Wilkes) - Submitter #: 16

Submission Point: 01 - Whole Plan Change

Submission: Submitter holds specific concerns relating to the proposed roading layout and the open space areas adjacent to transmission lines.

The open space land necessary for transmission lines may preclude a significant area of the submitter's property from potential development. The rules around development of this open space are not included in the Plan Change nor the rating of this land.

Submitter wants any increased rating levy's to reflect the loss of development potential, due to this "open space" land, on their property.

The proposed roading network includes a new intersection directly opposite two existing lawful access ways. Submitter wants the intersection to be revised to ensure the development potential of the two properties is not hindered by the intersection.

Relief sought: Rules are included in the Plan Change that specifically address the potential for development on land required as "open space" for transmission lines.

Ratings levy's for properties where land is required for transmission line buffer zones are adjusted accordingly to recognise the loss of development potential.

The proposed new intersection in Plan Change 65 is revised to ensure the development potential of the two properties opposite is not hindered by the intersection

H E F & C M T Jones (Angela Jones) - Submitter #: 17

Submission Point: 01 - Whole Plan Change

Submission: The submitter's property is included in Council Property numbers 255317; 186909; 255918. It is described as Lots 1 and 2 DP 321132, and shown in Plan Change Area 66.

The submitter supports the proposed Plan Change subject to relief sought.

Relief sought: Council to approve the Plan Change subject to no residential rating being imposed on the submitter's property until the land is developed for residential subdivision.

Kapiti Views Trust (Murray Hunt) - Submitter #: 18

Submission Point: 01 - Whole Plan Change

Submission: Opposed to the development of land north of Blenheim as it is an inappropriate use of land. The land is highly productive and a versatile resource.

The rezoning will have reverse sensitivity effects which will restrict existing lawful rural activities.

Rezoning is not efficient, and will not give effect to the Council's duties under the Resource Management Act.

The risks associated with the use of this land for residential activity are too high to permit the development to go ahead without properly investigating, eliminating, avoiding or mitigating those risks.

The economic costs associated with the use and costs to develop the land, in terms of opportunity cost, do not support changing the land use to residential.

The evaluation of alternatives is incomplete and inadequate. The evaluation should have focussed on land that is less productive.

The Plan Change will not be able to deliver new residential land in a timely or cost effective manner to meet demand, due to fragmented ownership, lack of infrastructure, and the cost of upgrading the infrastructure.

The servicing constraints and geotechnical risks will create affordability issues.

It is highly likely the developed sections will be tagged with consent notices identifying the risks of liquefaction - impacting on insurance and costs.

No mitigation measures are proposed for the loss of productive land.

The loss of productive land is a resource management issue for the region.

No measures are proposed to address potential reverse sensitivity effects in the urban-rural interface.

The urban expansion will probably lead to urban creep into the residential land, leading to further loss of productive land.

Agree there is an urgent need for new land for residential growth.

Land to the west, south-west and west of Blenheim on less versatile soils is more available at a lower cost per section to develop.

The Plan Changes fail to achieve the integrated management of the effects of use, development or protection of land and the associated natural and physical resources of the

District, as required by section 31 of the Resource Management Act.

The Plan Changes will not assist the Council to carry out its statutory functions.

Relief sought: The Plan Change is rejected in full or put on hold pending a wider District Plan review.

Properly investigate alternatives such as land to the south, west and south-west of Blenheim.

Recognise and support sustainable solutions to the problem of a shortage of residential land.

Consequential amendments to the objectives, policies and rules of the District Plan to address the matters raised in this submission.

Kenneth Olender Lawrence - Submitter #: 19

Submission Point: 01 - Whole Plan Change

Submission: Opposed to the Plan Change

Opposed to the use of fertile farmland for purposes other than farming.

Relief sought: That development occurs to the east following on from the Witherlea foothills.

Murray Ian and Carol Margaret Locke - Submitter #: 20

Submission Point: 01 - Whole Plan Change

Submission: Wants certainty that the rating status of the land will not change until development occurs on individual properties rather than when development starts in a specific Plan Change area.

Plan Change 68, page 26: Leaving an "island" of Rural 3 land between Old Renwick Road and the newly zoned Residential 2 land will limit the use of the rural land and threaten its current use which is viticulture.

Plan Change 71: Page 48 of the Plan Change weighs up the benefit / costs to implement Policy 1.8 which states "developer to comply with specified layouts which may not be the most economic for individual developers". Questions whether compensation will be paid where a developer is not getting full potential use of a road through their property because of the indicative roading layout.

Appendix 4:

-Questions the consistency of Council's 200m buffer from Casey's Creek for liquefaction and the zoning of residential areas.

-Liquefaction testing appears to be incomplete and inconsistent and the submitter disputes the findings, and intends to carry out additional testing to identify land suitable for residential development.

Appendix 5:

-Alternative options to grid roading patterns such as cul de sacs should be made available to developers.

Appendix 6:

-Concerned that consultation with land owners may be overlooked in the development of the "accepted services plan".

-Concerned that landowners will be required to construct wider roads based on the function of the road, according to the "accepted services plan".

-Concerned that the proposed piping of Casey's Creek will undo the restoration and beautification work done in the creek environment.

Relief sought: Confirmation from Council that the rating status will not change until development on individual properties occurs and not when development starts in a specific Plan Change area.

The "island" of Rural 3 land between Old Renwick Road and the newly zoned Residential 2 land be zoned "large lot residential" with a minimum allotment area of 3,000m², and defer Residential 2 zoning until more land stability tests have been undertaken.

That additional testing be undertaken in the areas shown to have potential for lateral spread so that a reasoned decision can be made as to an acceptable distance from Casey's Creek where residential development can take place.

Supply more information within Appendix 6 and conduct public consultation on the content.

Alison Mackenzie - Submitter #: 21

Submission Point: 01 - Whole Plan Change

Submission: High quality land is of limited supply in Marlborough and should be protected.

Proposed development will cause loss of fertile productive land.

Relief sought: Blenheim's expansion should be on less fertile land.

Marlborough Province of Federated Farmers of NZ (Michael Bennett) - Submitter #: 22

Submission Point: 01 - Whole Plan Change

Submission: Support the efforts of Marlborough District Council to achieve sustainable urban growth in and around Blenheim.

Concerned over the loss of highly productive land to production arising from the proposed Plan Changes.

While liquefaction is a risk in many places, it is unlikely that the risk of land damage will be so severe as to make development into housing unrealistic or impractical except in extreme cases.

The evidence presented does not support the proposition that the areas to the east of Blenheim are entirely unsuitable for urban development and that there is no choice but to expand onto areas of highly productive land to the west of town.

Placement of new urban areas will not prevent all reverse sensitivity effects and other options should also be considered, including 'non nuisance complaint' covenants for new residential subdivision near areas used for primary production activities, including future activities.

Excessive focus on preventing reverse sensitivity effects can also distort decision making and direct land development to areas that are less appropriate for urban development.

Relief sought: Allow some urban development on areas prone to liquefaction to the east or south-east of Blenheim, subject to suitable standards of geotechnical testing, and if necessary, land remediation, and higher standards of construction.

Provide for on-going review of the acceptance framework for land development based on the Royal Commission report and other information available.

Recognise that placement and design of subdivision is not the only mechanism to address reverse sensitivity effects and that other options are also available.

Include mechanisms such as covenants on sections allocated near production land to prevent highly productive land being compromised.

Have regard to the current and future values of highly productive land to current and future generations, both within and outside Marlborough.

Adopt a balanced approach to future development and make provisions for urban growth on

land subject to liquefaction risks or reverse sensitivity, hilly land to the south of Blenheim, and productive land.

Evaluate alternative options to concentrating all urban growth on productive land.

John Ernest Marris - Submitter #: 23

Submission Point: 01 - Whole Plan Change

Submission: Opposed to the planned rezoning of areas identified as Urban Residential 2.

The land is of too high a versatility for food production to be lost to residential development.

The cost to turn the land into residential is higher than in other locations to the west, north-west, south-west and south of Blenheim.

The proposed area has a high water table and is susceptible to flooding.

The geotechnical evaluation contained in the Blenheim Urban Growth Study Report shows that it would be more sustainable to develop areas to a lower level of hazard, such as the alluvial gravel plains of west Blenheim.

Relief sought: The Plan Change is rejected in full.

Ralph Mason - Submitter #: 24

Submission Point: 01 - Whole Plan Change

Submission: Oppose the proposal to expand Blenheim to the north and west onto highly productive soil.

The proposal is not in line with good town planning principles.

Marlborough's productive land needs to be safeguarded for present and future production.

Better options are available to the south and west of Blenheim.

Relief sought: No specific relief requested but inferred that Plan Change should be rejected.

Kevin & Lynda Morgan - Submitter #: 25

Submission Point: 01 - Whole Plan Change

Submission: The submitters are land owners on Old Renwick Road.

Inadequate consultation has been undertaken concerning the planned roading and infrastructure.

Does not agree with proposed roading near Waipuna Street as it affects land owned by the submitter.

The loss of the highly productive land is a serious resource management issue.

The lack of specific measures to deal with reverse sensitivity issues is a major shortcoming of the plan changes.

A combination of setbacks, buffers, reduced density of dwellings and other methods in the new zones should be used to preserve existing rural uses.

The likely impacts of reverse sensitivity will be greater than those assessed in the Plan Change, and there is a real risk of incremental creep.

Relief sought: The Plan Change is rejected in full, or

Defer the rezoning until the infrastructure and hazards issues are resolved so that there is confidence the land will be used effectively and efficiently for residential development, or

Utilise 'Deferred Zoning' to ensure orderly and efficient development of the areas in the Plan Changes, or

Identify and provide for methods to be adopted to minimise or eliminate the risk of reverse sensitivity with adjoining rural land and activities.

Identify and provide methods to avoid incremental creep of residential activity onto adjoining land by way of better defined boundaries of lower density at the urban/rural interface.

Any consequential amendments necessary give effect to the points raised in this submission.

New Zealand Institute of Surveyors (Vicki Nalder) - Submitter #: 26

Submission Point: 01 - Whole Plan Change

Submission: Support the rezoning of land to allow for future urban residential development.

Sequencing the development of areas based on the cost of effectiveness for the servicing - The submitter questions what will trigger the necessary upgrades and who will pay initially for the upgrades.

Requests the "Accepted Services Plan" be confirmed and provided so that individual land owners can see where services are proposed to be located etc. The submitter questions how land owners be compensated

The submitter also questions how Council will coordinate the servicing.

Need to ensure that the Plan Change has not priced itself out of the Blenheim market before it begins.

The submitter agrees with the need for an overall strategy for the roading layout. However, the submitter hopes that the Council will exercise some discretion in the final locations given that there are a small number of landowners in the Plan Change area and therefore more practical or suitable alternative may be required

Relief sought: The workability and Practicality of the "Accepted Services layout Plan" needs to be considered from a commercial aspect, and be available to the Public for comment.

Ensure that Council officers are willing to apply some discretion for the location of the roading layout based on practicality and serviceability.

NZ Transport Agency (Teresa Minogue) - Submitter #: 27

Submission Point: 01 - Whole Plan Change

Submission: Supports the Plan Changes in part.

Concerned about the intersection improvements recommended by GHD Limited for State Highway 6 (SH6) to accommodate the proposed urban growth in northern Blenheim. No justification is provided for the recommendations, and the improvements could compromise the through function of SH6. Would prefer to see network optimisation take place rather than add additional capacity.

There is no guarantee the Transport Agency will fund the SH6 improvements.

SH6 is a designated limited access road, which stops numerous accesses being created alongside roads subject to development pressure. Unless there are significant benefits to the land transport network, the Transport Agency would not support any additional at grade connections to SH6.

Relief sought: That further information is provided by Council to justify the need for the recommended improvements to SH6 for Transport Agency review.

Council should expect developers to pay their fair share towards the new infrastructure and roading upgrades.

The indicative local road running parallel to SH6 is deleted due to the potential adverse effects from light glare.

The indicative roading connection to SH6 is removed.

Network optimization take place ahead of any proposed roading improvements where applicable.

Tony Orman - Submitter #: 28

Submission Point: 01 - Whole Plan Change

Submission: Oppose the proposed residential development of highly productive land to the north and west of Blenheim.

Proposal is against the fundamental principles of sound town planning.

Use of flat land requires pumping stations thus adding to housing cost.

The Plains are not large and Marlborough needs to make full production use (food production, commercial production) of the fertile soils to give Marlborough some degree of self-sufficiency given that civil and international disorder could result in food shortages in the future.

Submitter states they find it incredible that Marlborough District Council have paid ratepayers' money to Auckland-based consultants for flawed advice.

Relief sought: Expand Blenheim to the south and west where soils are less fertile and contours give gradients for infrastructure.

David Leslie Price - Submitter #: 29

Submission Point: 01 - Whole Plan Change

Submission: Considers the statement that the soil of the proposed growth areas has already been compromised is a generalisation. Contends that the future use of the soils has not been compromised, as much of the area in question is currently in productive use. Also contends that the fact that much of Blenheim has already been developed on high quality soil does not justify further development on high quality soils.

There is no pragmatic application of the objectives and policies to "maintain or enhance the life supporting capacities of the versatile soils in Rural 3 Zone".

Wants Council to reconsider the proposed use of the versatile soils and the lack of protection given them

Rezoning the productive land for residential use will place a rating burden on existing farming properties and their operations will become economically unviable. If Council goes ahead with

rezoning, a solution should be presented by Council to the affected property owners for the rating problem.

Opposed to the Plan Change as it has the potential to cause reverse sensitivity issues. Concerned that if a large number of residential properties were developed near the Bushes Honey operation on Old Renwick Rd, the operation would be forced to change due to tensions between parties.

Opposed to the Plan Change as it will cause a loss of rural amenity over time.

Relief sought: The Plan Change is rejected.

Council puts forward a new proposal that offers an acceptable balance of options for negatively affected parties through consultation. Wants Council to offer some form of protection to existing rural businesses and activities to safeguard their future operations. Notes Colonial Vineyards' application for rezoning was rejected due to potential reverse sensitivity effects on existing nearby businesses.

Katherine Julie Saville-Smith - Submitter #: 30

Submission Point: 01 - Whole Plan Change

Submission: Opposed to the Plan Change.

Opposed on the basis of the negative impacts associated with urban sprawl, including the irreparable compromise of ground and surface water, the reduction in available habitat, the degradation of air, soil, visual amenity and landscape, and the increased risk and costs to manage the impacts of stormwater, river management, water supply and sewerage systems.

The accumulation of effects associated with all the Plan Changes will lead to urban sprawl and land use inefficiency.

Rezoned land that is not developed and utilised immediately will degrade.

Population growth patterns in Marlborough and Blenheim do not justify the proposed expansion of urban land.

The proposed urban expansion will not reduce residential land prices and will increase travel distances and costs, as well as rates to fund infrastructure upgrades.

No evidence or mechanisms are proposed to promote and deliver environmentally sustainable housing or affordable housing

Relief sought: The Plan Change is rejected in full.

Transpower New Zealand Limited (Heather Sinclair) - Submitter #: 31

Submission Point: 01 - Whole Plan Change

Submission: The purpose of the submission is to make sure the Plan Change gives effect to the National Policy Statement on Electricity Transmission (NPSET), in relation to Transpower's assets within and adjoining the area of Plan Change 65. In particular that the proposed residential rezoning from Rural 3 to low density Urban Residential 2:

- Does not compromise the operation, maintenance, upgrading and development of the National Grid assets within the area of the Plan Change.
- Manages activities so as to avoid reverse sensitivity effects on the National Grid.
- Identifies a buffer corridor within which sensitive activities are not permitted.

The land included in Plan Change 65 is traversed by the following National Grid transmission lines, which are marked on Planning Map 156, Roselands and Springlands:

- The Blenheim-Kikawa A (BLN-KIK-A) 110kV transmission line including three towers

- The Blenheim to Stoke A (BLN-STK-A) 110kV transmission line three towers

The boundary of the area proposed to be rezoned under Plan Change 65 also abuts the northern boundary of Transpower's Blenheim substation. This is shown on Planning Map 156.

Under the Resource Management Act, Transpower's electricity infrastructure is a significant physical resource, that must be sustainably managed and adverse effects on the infrastructure must be avoided, remedied or mitigated.

The NPSET contains 14 policies. Policy 10 requires decision makers to manage activities to ensure that the operation, maintenance, upgrading and development of the network is not compromised and avoid reverse sensitivity effects on the transmission network. Policy 11 requires local authorities to consult with Transpower and identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plan and/or given resource consent.

The Wairau Awatere Resource Management Plan (WARMP) only partially gives effect to the NPSET by:

- Identifying National grid transmission lines on the appropriate Planning Maps with the notation "Transmission centreline"
- Requiring, under rule 28.3.4.3, that subdivisions which would otherwise meet the criteria for a Controlled Activity Subdivision but are within an area measured 20 metres either side of the centre point of an electrical transmission line designated to operate at, or above, 11kV, be considered as a Restricted Discretionary Activity. Council will restrict the exercise of its discretion to those matters in 28.2.5 (which include the use of the site and the shape and position of the lot) and to the consideration of the effects of the subdivision on the high voltage transmission lines.
- The WARMP does not specifically address a number of the policy considerations of the NPSET – particularly policies 10 and 11 requiring the protection of the existing network from the issues of reverse sensitivity and the effects of the other's activities.
- It is appropriate and timely that for this growth area, the NPSET is given full effect to, particularly in light of the proposed intensification of development.

The proposed re-zoning of Growth Area 2 as residential has the potential to adversely affect the National Grid in a number of ways including:

- Reverse sensitivity effects relating to Blenheim Substation – the intensification of development could result in complaints about the substation, such as visual and noise effects on any future adjoining residential development;
- Under-build and encroaching residential development which can lead to both increased health and safety risks (such as flashover effects or direct contact with the line) and to potential health and safety issues such as earth potential rise (EPR). It can also give rise to amenity concerns and lead to pressures to underground/remove lines;
- Operational risks and issues posed by encroaching development including loss of physical access to the line;
- Earthworks associated with site development can also be problematic;
- Ground levels can be raised resulting in a reduction of the vertical safety distance between the transmission line corridors;
- They can undermine support structure foundations;
- They can generate dust which can cause temporary shutdowns if it settles on electrical insulators and is then moistened by light rain.

Failure to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) during development and subsequent use of the residential areas

The submitter opposes the rezoning to Residential 3 of Section 1 SO 4932, the Transpower owned parcel on the northern boundary of its Blenheim Substation. The land contains two transmission towers as well as an existing dwelling and various accessory buildings. The dwelling is only intermittently occupied by Transpower maintenance staff and permanent employees (for holiday accommodation). This land serves as a buffer between the substation and any future residential sensitivity effects including noise and visual. The proposed rezoning of this land would signal that this parcel is potentially available to be used for residential development, which is not the case.

The submitter opposes the lack of specific identification of a buffer corridor where its 110kV BLN-KIK-A and BLN-STK-A lines traverse the area of the Plan Change. This is a requirement of the NPSET and is a mechanism for preventing the establishment of incompatible activities

including sensitive activities, in proximity to these lines. In terms of the permitted activities listed in Rule 32.1.1 of the WARMP's definition of residential activities, sensitive activities would include the "building" component of WARMP's definition of residential activities, homestays and most temporary buildings as described in Rule 32.1.8. Transpower is concerned around the potential for residentially occupied buildings to establish in close proximity to the lines. Intensification of development can also inhibit access and compromise Transpower's ability to undertake maintenance. Earthworks also have the potential to adversely impact the lines. The earthworks rules for this zone, embodied in Clause 32.1.6, do not provide for the management of these effects.

The submitter supports in principle the proposed residential rezoning subject to appropriate protection for the on-going operation, maintenance, upgrade and development of its network and its protection from the issues of reverse sensitivity and the effects of other activities.

The submitter supports the retention, as a minimum, of the current use of the restricted discretionary activity status of any proposed subdivision within 20m either side of the centreline of an 110kV electrical transmission line. However, to ensure that subdivisions in proximity to National Grid assets are appropriately managed so as to avoid subsequent land use from restricting the operation, maintenance, upgrading and development of the National Grid and to prevent the establishment of incompatible activities close to those assets, Transpower's preference is for rules that ensure any subdivision is designed around the lines. This would require refinement of the current subdivision rules in the WARMP.

Relief sought: The retention of the current Rural 3 zoning for Section 1 SO 4932.

The concept of a National Grid Yard is introduced to the Urban Residential 2 rules applying to the land within Plan Change 65. Buildings, structures and activities within this Yard would be restricted by the implementation of appropriate rules.

The following definition of National Grid Yard be incorporated in the WARMP rules applying to this Plan Change area:

National Grid Yard means the area located 12 metres in any direction from the outer edge of a National Grid support structure and the area located 12 metres either side of the centreline of an overhead National Grid line.

Note: a diagram to support this definition is attached as Appendix B.

The following rule relating specifically to the area rezoned as Urban Residential 2 is included as part of this Plan Change. (One method of introducing this might be by way of a performance standard attached to permitted activities):

Activities around National Grid Towers

No buildings or structures shall be located within a National Grid Yard, except for:
Fences less than 2,5m high and more than 5m from a transmission line support structure.
A small shed no more than 2.5m high and with a footprint not exceeding 10m²,
Alterations and additions to existing buildings for residential activities that do not involve an increase in the building envelope or floor space.

Network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid that complies with the New Zealand Electrical Code of Practice for Electrical safe Distances (NZECP 34:2001) Under the National Grid Conductors (wires)
Fences less than 2.5m high

Alterations and additions to existing buildings for sensitive activities that do not involve and increase in the building envelope or floor space

Network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.

Notes:

The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to transmission lines. Compliance with this code is mandatory. Compliance with this plan does not ensure compliance with NZECP 34:2001

Vegetation to be planted within, or adjacent to, the National Grid Yard should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

The status of all other buildings and structures with the National Grid Yard shall be non-complying.

The following addition to the earthworks rules under clause 32.1.6 relating to the area rezoned as Urban Residential 2 be included as part of this Plan Change.

All works within the National Grid Yard shall meet the following standards:

Earthworks shall be no deeper than 300mm within 6m of the outer visible edge of a transmission line tower support structure; and

Earthworks shall be no deeper than 3m between 6m to 12m from the outer visible edge of a transmission line tower support structure.

At any location in the National Grid Yard, the earthworks shall not:

Create an unstable batter that will affect a transmission line support structure; and /or

Increase ground levels such that the minimum ground to conductor clearance distances in NZECP 34:2001) are not met.

Provided that the following earthworks are exempt from the above:

Earthworks undertaken by a network utility operator (complying with NZECP 34:2001); or

Earthworks undertaken as part of normal rural cultivation, or the repair, sealing or resealing of a road (including a farm track), footpath or driveway.

Note:

The NZECP 34:2001 contains restrictions on the location of structures and activities in relation to transmission lines. Compliance with this code is mandatory. Compliance with this plan does not ensure compliance with the NZECP 34:2001.

Amend Rule 32.5 by adding a new non complying activity:

"Within any part of the National Grid Yard (contained within plan Area 65), buildings, structures and activities, including earthworks that do not meet the criteria for permitted activities under Urban Residential 2 Zone rules.

Explanation

Where an activity requires resource consent because it is within the National Grid Yard then the application need not be publicly notified and need not be served on any affected party apart from Transpower New Zealand Limited who will be considered an affected party."

Amendment to the assessment criteria under rule 28.3.4.3 so that these read:

"The Council will restrict the exercise of its discretion to those matters in 28.2.5 and to the consideration of effects both on and of the high voltage lines of the subdivision and subsequent use and development of the land." (Changes in bold and underlined).

New subdivision rules be introduced that would specifically apply to the land within the Plan Change area. (It is hoped that these new rules would apply to the whole of the district once District Plan review processes are complete). As part of this approach, the concept of a National Grid Corridor is introduced in relation to subdivision rules applying to the Urban Residential 2 rules applying to Plan Change 65 land. National Grid Corridor would be defined as "the area measured 32m either side of the centreline of an above ground electricity transmission line that is part of the National Grid."

As part of the above subdivision approach, the following rule be added under section 28 of the WARMP in relation to Plan Change 65 land:

Subdivision within the National Grid Corridor

Subdivision where:

The land is within the National Grid Corridor;

All allotments identify a building platform for the principle building (and any secondary dwellings), that is located outside the National Grid Yard shall be considered as a restricted discretionary activity. In considering whether or not to grant consent, the Council will restrict the exercise of its discretion to the following matters:

- a. Compliance with the safe separation distance requirements in the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP: 34 2001)
- b. The ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading
- c. The extent to which potential adverse effects (including visual) are mitigated through the location of building platforms
- d. The extent which the design and construction of the subdivision allows for activities to be

set back from high voltage transmission lines to ensure adverse effects on and from the National Grid transmission lines to ensure adverse effects on and from National Grid transmission network and on public safety are appropriately avoided, remedied, or mitigated e.g. through the location of roads and reserves under the route of the line.

e. The nature and location of any proposed vegetation to be planted in the vicinity of National Grid transmission lines.

f. The provision for the on-going efficient operation, maintenance, development and planned upgrade of National Grid transmission lines.

g. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset.

h. The outcome of any consultation with Transpower

i. The other matters listed in 28.3.5 as applicable to the site.

Any subdivision within the National Grid Corridor that does not comply with the standard for a restricted discretionary activity (i.e. could not identify a building platform for the principal building and any secondary dwelling outside the National Grid Yard) would be a non complying activity.

The following objectives and policies are potentially included in the WARMP to support the controls and restrictions Transpower seek be imposed on subdivisions and activities in proximity to National Grid assets.\

Objective

To avoid the establishment of land-use activities that could adversely affect (including through reverse sensitivity) the operation, maintenance, upgrading and development of the electricity transmission network within existing transmission corridors.

Policies

To manage the effects of subdivision, development and land use on the safe, effective and efficient operation, maintenance, upgrading and development of the electricity transmission network by ensuring that:

a. Electricity transmission yards and corridors are identified in the Plan Change 65 Area to establish buffer distances for managing sub division and land use development near the National Grid electricity transmission lines and support structures

b. Sensitive activities and other intensive development are excluded from establishing within the National Grid Yard

c. Subdivision is managed within the National Grid Corridor to avoid subsequent land use from restricting the operations, maintenance, upgrading and development of the electricity transmission network

d. Changes to existing activities within the National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the electricity transmission network.

David Wilson - Submitter #: 32

Submission Point: 01 - Whole Plan Change

Submission: Supports the Council re-zoning land for future urban residential development as it will provide co-ordination and avoid ad-hoc development.

Concerned about the lack of detail and insufficiency of work completed regarding how the adverse effects of urban development on stormwater quality and quantity will be mitigated.

Appendix 6 refers to the use of retention ponds, but no reason or justification as to why these treatment systems have been chosen has been provided. Performance criteria, downstream water levels and groundwater levels need to be factored into the selection of stormwater treatment.

Relief sought: The stormwater aspects of the "Accepted Services Plan" needs to be developed in more detail to have confidence that appropriate performance levels can be obtained. The "Accepted Services Plan" should be required to meet the same level of detail expected by Council from a Private Plan Change.

The Plan Change should be put on hold until the "Accepted Service Plan" has been finalised.

Marsha & Matt Woodbury - Submitter #: 33

Submission Point: 01 - Whole Plan Change

Submission: The submitter owns a vineyard at 76 Thomson Ford Road, directly adjacent to the northern boundary of the area subject to Plan Change 65. The area is currently zoned Rural 3. While no changes are proposed to the zoning of the submitter's vineyard, the Plan Change intends to rezone the immediately adjacent land to Urban Residential 2.

In the submitter's view, the Plan Change gives insufficient consideration to the potential reverse sensitivity effects of locating urban residential development immediately adjacent to an established rural land use (vineyard). The Section 32 report identifies potential reverse sensitivity issues but proposes no mitigation measures.

The Plan Change is inconsistent with a number of objectives and policies in the District Plan. In the submitter's view the Plan Change:

- Does not meet Objective 2 of Chapter 11, which is to "Ensure the growth continues in location suitable for residential development", as the Plan Change draws an arbitrary line between rural and urban uses and does not provide for a "compromise" of expectations at the rural/urban interface.
- Is contrary to Policy 1.4 of Chapter 22, which states that the District Plan should accommodate inherently noisy activities and process which are ancillary to normal activities within industrial and rural areas, and therefore, by rezoning land immediately adjacent to rural land issues relating to reverse sensitivity could impact the submitter's (vineyard) operations.
- Is contrary to Policy 1.6, of Chapter 23, which states that the District Plan should recognise the potential for amenity conflict between the rural environment and activities on the urban periphery, given that the proposal does not recognise the potential conflict between the existing rural (vineyard) activity and the potential residential development and no mitigation is proposed.

Given the inconsistencies the submitter states there is a strong argument that the Plan Change is not the most appropriate way to achieve the objectives of the District Plan as required under section 32(3)(b) of the Resource Management Act.

Relief sought: That the Plan Change be declined in its entirety.

Or alternatively, appropriate mitigation put in place to ensure the submitter's operation are not restricted by reverse sensitivity effects associated with residential development. This could include a combination of buffer zones, reverse sensitivity covenants and appropriate noise/visual screening.