

**Wairau/Awatere Resource Management Plan**

**Plan Change 71 – Blenheim Growth Area Plan Provisions**

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

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**November 2013**



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# ***Submission Summary - Wairau/Awatere Resource Management Plan - Plan Change 71 - Blenheim Growth Area Plan Provisions - By Name***

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**Roger William Beardsworth - Submitter #: 1**

**Submission Point: 01 - Whole Plan Change**

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

**Relief sought:** Reject the Plan Change.

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**Jill Bunting - Submitter #: 2**

**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.

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**Deluxe Properties Limited ( Greg Smith) - Submitter #: 3**

**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.

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**Submission Point: 01 - Whole Plan Change**

**Submission:** The submitter owns the Pak'n'Save food warehouse at 1 Westwood Avenue, Springlands, Blenheim, located within the Westwood retail area, and is directly adjacent to the Plan Change 69 area (along its western boundary).

The store operates 7am-10pm, seven days a week, and the loading and servicing area is located close to the property boundary closest to the proposed residential area.

Does not support Plan Change 71 in its entirety.

The Plan Change does not consider the potential effects of indicative roading connections on existing commercial activities. Plan Change 71 indicates a roading connection over the Westwood retail area that would potentially require the relocation of some of the carparking associated with the Pak'n'Save food warehouse, and this will not be feasible or practical.

Fails to achieve the integrated management of the effects of use, development or protection of land and associated natural and physical resources of the District as required by the Resource Management Act.

Fails to meet the requirements of section 32 of the Resource Management Act, in that the proposed policies and rules are not the most appropriate method for achieving the Resource Management Act's purpose nor are they the most efficient and effective means for achieving the District Plan's objectives.

Will not assist the Council to carry out its statutory functions in order to achieve the purpose of the Resource Management Act.

Does not promote the sustainable management of natural and physical resources, and is therefore not in accordance with Part 2 of the Resource Management Act.

To achieve integrated management of the effects of use, development or protection of land and associated natural and physical resources in inter-zonal situations, the interface with the Westwood retail area and its current commercial operations needs to be properly considered.

New policy 1.18 requires that subdivision and development be in general accordance with roading layouts shown on the proposed planning maps.

Plan Change 71 does not consider land use interface or the potential adverse effects of indicative roading connections on existing commercial activities. For example the proposed roading shows one new connection onto Old Renwick Road and two connections onto Rene Street. A possible connection onto SH6 is shown at the south west corner and a proposed link road onto Westwood Avenue roundabout. Such a connection potentially requires the relocation of some of the carparking associated with the Pak'n'Save supermarket. This connection will not be feasible or practical.

The planning maps and/or new Policy 1.18 should be amended to provide for flexible roading connections.

**Relief sought:** The Westwood retail area (including in particular the Pak'n'Save food warehouse) be rezoned to reflect the existing activities on the site.

The policies and rules in Plan Change 69 and Plan Change 71 be amended to reflect the issues raised in this submission.

Such other relief as may be required to give effect to this submission.

Should the above relief sought not be approved, the submitters seeks that Plan Change 69 be placed on hold pending the wider District Plan review that addresses the inter-zoned circumstances; and/or

That the policies and rules be amended to reflect the issues raised in this submission; and/or

Such other relief as may be required to give effect to this submission, including consequential

amendments to objectives, policies and rules of the District Plan that address the matters raised by Foodstuffs.

If all of the above relief is not granted, then Foodstuffs seek that Plan Change 69 and 71 are rejected.

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**Peter Gissing - Submitter #: 5**

**Submission Point: 01 - Whole Plan Change**

*Submission:* Relates to Plan Change 70 and 71.

Fully supports the proposal to rezone the area around David St/ Battys Rd / Severne St to Residential. It is close to shops and schools and is not rural in nature.

*Relief sought:* If the Plan Changes go ahead rates should not increase until the land is subdivided into urban lots with the services that apply.

Land owners should be able to decide if they want to opt in or not.

Developers should not impact on our environment by forcing extra cost onto people who just want to live here.

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**Paul Ham - Submitter #: 6**

**Submission Point: 01 - Whole Plan Change**

*Submission:* The submitter does not identify specific parts of the plan change and states this is because they did not have a map of Plan Change 71.

Would support Plan Change if it refers to land at New Renwick Road end of Battys Road. Submitter states this is subject to confirmation.

*Relief sought:* The submitter states "to be confirmed"

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**Tom Harrison - Submitter #: 7**

**Submission Point: 01 - Whole Plan Change**

*Submission:* uch 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.

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**Anthony John Hawke - Submitter #: 8**

**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 subdividers 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.

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**Peter Graham & Maryanne Therese James - Submitter #: 9**

**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 3,000m<sup>2</sup>, 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.

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### **H E F & C M T Jones ( Angela Jones) - Submitter #: 10**

#### **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:** 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.

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### **Kapiti Views Trust ( Murray Hunt) - Submitter #: 11**

#### **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.

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**Kenneth Olender Lawrence - Submitter #: 12**

**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.

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**Murray Ian and Carol Margaret Locke - Submitter #: 13**

**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 3,000m<sup>2</sup>, 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.

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## **Marlborough Province of Federated Farmers of NZ ( Michael Bennett) - Submitter #: 14**

### **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.

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**John Ernest Marris - Submitter #: 15**

**Submission Point: 01 - Whole Plan Change**

**Submission:** Opposes Plan Change 71 because the areas proposed for rezoning should have been assessed for suitability prior to being rezoned. The testing required under Appendix L of Plan Change will carry with it substantial costs.

If variability in foundation is identified by the testing this will affect the provision of services, particularly in areas with a high water table.

**Relief sought:** The Plan Change is rejected in full or, alternatively, the Council to modify the Plan Change to ensure that a full and satisfactory engineering report that confirms the zone is suited for development and identifies the general foundation requirements for the zone is completed prior to the installation of infrastructure to service the zones.

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**Kevin & Lynda Morgan - Submitter #: 16**

**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.

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**New Zealand Institute of Surveyors ( Vicki Nalader) - Submitter #: 17**

**Submission Point: 01 - Whole Plan Change**

**Submission:** The Opus Geotechnical Report only provides an indication of the soils in the area it is not definitive and there may be variances over the extent of the proposed Plan Change areas.

The results of additional geotechnical testing may govern the location of future services, roads and housing.

The Resource Management Plan is not the appropriate document to contain provisions relating to geotechnical requirements given that requirements for geotechnical testing requirements can change frequently. Christchurch currently refers to MBIE and this can be updated relatively easily.

It is unclear whether Council believes there is a need for future testing in order to determine risks relating to liquefaction and lateral spread. The only risk dealt with in the Plan Change is bearing capacity.

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:** That the Council remove the reference to testing and bearing capacity from the Resource Management Plan (Clause 29.1.4.2).

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

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**NZ Transport Agency ( Teresa Minogue) - Submitter #: 18**

**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.

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**Outer Limits Limited () - Submitter #: 19**

**Submission Point: 01 - Whole Plan Change**

**Submission:** The submission relates to the whole of the Plan Change.

The methodology adopted which requires site suitability and infrastructure requirements to be determined subsequent to rezoning of the land is inappropriate and inefficient.

Zoning should be deferred or not proceed until it is clear that the sites can be safely, efficient and economically development and that all required infrastructure is installed.

The submitter states that this submission can also be read in combination with their submission on Plan Change 66 and 69.

**Relief sought:** That Plan Change 71 is modified in such a way that the required infrastructure is a prerequisite to development on the site and the rezoning, or

Deferred residential zonings are utilise until the infrastructure is provided for.

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**Katherine Julie Saville-Smith - Submitter #: 20**

**Submission Point: 01 - Whole Plan Change**

**Submission:** The submitter states that this part of the submission relates to the new provisions relating to subsoil investigations and road layouts that will apply to subdivision and development of land generally covered by Plan Change 64 to 70.

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.

The provisions of Plan Change 71 do not mitigate the negative environmental impacts.

**Relief sought:** The rejection of Plan Changes 64 – 70 and as a consequence Plan Change 71.