



**PROPOSED WAIRAU/AWATERE  
RESOURCE MANAGEMENT PLAN**

**Proposed Variation No. 50: Neighbourhood Business  
Zone – Extension of the Springlands Neighbourhood  
Business Centre**

REPORT PREPARED TO FULFIL THE REQUIREMENTS OF  
SECTION 32 OF THE  
RESOURCE MANAGEMENT ACT 1991

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## **INTRODUCTION**

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This report sets out an evaluation to support Marlborough District Council's (the Council) decision to vary the Proposed Wairau/Awatere Resource Management Plan (Plan), in respect of the Neighbourhood Business Zone located at 125-135 Middle Renwick Road, Springlands, Blenheim.

The proposed variation (attached in Appendix 1) seeks to:

- Rezone adjacent land to the west and east of the existing Springlands Neighbourhood Business Centre from Urban Residential 2 Zone to Neighbourhood Business Zone on the planning maps.
- Include 2 new policies, under the existing objective in Volume One of the Plan for Neighbourhood Business Zones, in relation to the future expansion of the commercial activities at Springlands.
- To limit the amount of permitted commercial activities at the Springlands Neighbourhood Business Centre to a total gross floor area (including a new definition) of 5700m<sup>2</sup>; and
- To amend the rules for parking, noise and landscaping within the Neighbourhood Business Zone in relation to the future expansion of the Springlands Neighbourhood Business Centre; and
- To include a new rule to limit the hours of operation and times for service deliveries.

## **SECTION 32 REQUIREMENTS**

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In notifying any variation to the Plan, the Council has a duty under section 32 of the Resource Management Act 1991 (RMA) to evaluate a number of matters.

The section 32 process of the RMA assists in ensuring that good environmental outcomes are achieved, plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods, there is sound policy analysis to base decisions and for reassessing whether the chosen provisions are necessary and appropriate once they are in use. An evaluation under section 32 has to be carried out before the Council publicly notifies the proposed variation and then again before making a decision on submissions received. A section 32 evaluation must examine the extent to which each objective, policy, rule and method is the most efficient and effective and/or appropriate way to achieve the purpose of this Act. It must also take into account the benefits and costs of policies, rules, or other methods, and the risk of acting or not acting.

This report fulfils the requirements of section 32(5) RMA in terms of summarising the evaluation undertaken.

## **STRUCTURE OF THIS REPORT**

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- Part A: Details about the background and investigations and analyses undertaken by the Council or requestor.
- Part B: A description of the legislative framework and the policies and rules that currently apply.
- Part C: A description of the key issues determined as priorities for the management of the Neighbourhood Business Zone at Springlands.
- Part D: The evaluation required under the RMA of the actual changes proposed to the Plan.

The proposed Schedule of Changes to the Plan, which sets out the proposed variation, is attached as **Appendix 1**.

## **PART A: BACKGROUND AND INVESTIGATIONS UNDERTAKEN**

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### **Background**

The Council received a request from Ayson and Partners Ltd, on behalf of Derry Properties Ltd, on 28 October 2005, asking the Council to consider rezoning land adjacent to the Neighbourhood Business Centre at Springlands. The request was prompted by a Hearings Committee recommendation noted on resource consent U041848, that “strongly recommended that the applicant considers rezoning options rather than further resource consent applications if they wish to further expand the Springlands commercial complex.”

The existing Neighbourhood Business Zone is located at 125-135 Middle Renwick Road, to the west of the centre of Blenheim. The current area of the Neighbourhood Business Zone is approximately 0.8 hectares (8000m<sup>2</sup>). The current total covered floor area for the supermarket, chemist, post shop, hairdresser, café and garden centre is approximately 2788m<sup>2</sup>. The outdoor part of the garden centre is an additional 540m<sup>2</sup>.

Derry Properties Ltd and the existing retailers consider that the mall is operating at capacity and wish to expand the retail activities on the site. The intentions are to increase the floor area of the supermarket to cover the extent of the existing mall (2788m<sup>2</sup>), and to construct a new building to accommodate the existing businesses; the chemist, post shop, hairdresser, café and garden centre (2205m<sup>2</sup>) and with 640m<sup>2</sup> for an outdoor (covered or uncovered) garden centre. The total gross floor area would be approximately 5633m<sup>2</sup>.

The proposal is to rezone approximately 1.34 hectares of land from Urban Residential 2 Zone to Neighbourhood Business Zone (refer to the map in Appendix 1). The extension of the zone to the east would accommodate the expansion aspirations of the existing retailers.

Within the proposed area there are a total of 16 allotments, 14 of these are to the east of the existing Neighbourhood Business Zone (includes the area between the existing mall and the Industrial 1 zone) and 2 are to the west (the Springlands Health Centre). Twelve of the 14 allotments are owned by Derry Properties Limited and are currently residential properties. The two allotments not currently owned by Derry Properties Limited are 105 and 121 Middle Renwick Road. A resource consent U041884 has been granted to operate the Total Span business at 105 Middle Renwick Road. 121 Middle Renwick Road is currently used as a residential property.

The health centre to the west and the carpark to the east have been granted resource consent and these would be included in the proposed area to be rezoned.

The surrounding zones to the site are Urban Residential 2 to the south and west and Industrial 1 to the east.

### **Research and Investigations**

The following series of investigations and work have been undertaken:

- **Economics Report** by Market Economics Limited. April 2006. Blenheim Business Land Study. Prepared for the Marlborough District Council.
- **Economics Report** by Market Economics Limited. November 2006. Blenheim Retail Land Demand Assessment. Prepared for the Marlborough District Council.
- Inclusion in the **consultation** document titled “Discussion Document, Proposed Plan Variations for Business and Industrial Zones - September 2006.”
- Planit, RW Batty and Associates Ltd. July 2006. **Proposed Business Park and Heavy Industrial Zones Variation, Transportation Assessment – Stage 1**. Prepared for the Marlborough District Council.

- Derry Properties commissioned a **traffic** assessment from Urbis TPD Limited. October 2006. Traffic Impact Assessment, Derry Properties Limited, 105-129 Middle Renwick Road, Blenheim. Prepared for Derry Properties Ltd. This report has been peer review by Marlborough Roads Office (Transit New Zealand Marlborough Regional Office).

Copies of these reports are available from the Council.

### Economic Reports

The first of the economic reports commissioned by the Council assessed the future and business land demand in Blenheim. The analysis by Market Economics Limited established the current retail and industrial environment and then projected how this is likely to change given the growth in population, employment, primary production and downstream sectors. The report concluded that between 13 and 20 hectares of land will be needed over and above the current zoned land by 2025. Of this land 5 hectares would be required for commercial and retail uses (assuming an unconstrained labour supply out to 2025).

A second report by the same firm was commissioned to assess, in more detail, the land demand for retail activity. It is predicted that over the next 20 years Blenheim and Marlborough's retail and services market will grow significantly. The report establishes that there is currently 5% of retail spending occurring outside of the District (termed 'leakage'), most likely to Nelson and Christchurch. Two scenarios were considered; land requirements assuming leakage continued, and land requirements with leakage ceasing. The report concludes that Marlborough will require an additional 14.9 hectares of additional land by 2026, with at least 8.5 ha in Blenheim if leakage remains at current levels. An additional 20 ha of land is required if leakage is captured by Marlborough, of which half of this is required in Blenheim.

### Consultation

The Council prepared a discussion document<sup>1</sup> detailing the background and issues to the potential variation for a new Business Park Zone to accommodate the two proposals for Westwood Business Park and Eastlake Commercial Centre, and outlining various options to address the issues. Included in the discussion document were the requests from Derry Properties Ltd in relation to Springlands and landowners at Riverlands to rezone land from Rural 3 to Industrial 2.

Community reaction to the ideas put forward was significant, both in quantity and value. The majority of respondents (over 75%) supported the rezoning of the land adjacent to the Springlands Mall as Neighbourhood Business Zone. Many respondents commented that it was a well run, local business which is very popular with customers and is currently operating over-capacity leading to congestion and the need for expansion.

Some respondents considered the expansion of the Springlands centre preferable to the option of an entirely new business zone promoted in the discussion document. Many of those supporting the rezoning at Springlands noted that there was a need to provide screening of the Neighbourhood Business Zone to the surrounding residential area, and also that improvements to the carparking and access would be required if the zone expanded. Access and parking issues was one of the main reasons given in opposition to the extension.

Others opposing the rezoning did so out of concern over the effect the rezoning would have on the Central Business Zone. This stemmed from concern that the expansion of the zone would accommodate entirely new uses, rather than an increase in the size of the existing uses, and that no evidence of additional demand had been presented. Immediate neighbours have concerns about the site layout from service deliveries on the residential boundary. Improvements to the car parking access and noise mitigation would be required.

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<sup>1</sup> Proposed Wairau/Awatere Resource Management Plan, Discussion Document, Proposed Plan Variations for Business and Industrial Zones – September 2006.

A number of submitters opposed Springlands on the basis that any further retail development would be best placed in a new Business Park such as that being proposed by Outer Limits Limited further along on Middle Renwick Road.

### Traffic

The traffic report completed by Urbis – Traffic Planning and Development, commissioned by Derry Properties Ltd, considered the potential traffic related effects of the proposal on the operation of Middle Renwick Road. The assessment was based on an additional 500m<sup>2</sup> of supermarket space and 3000m<sup>2</sup> of new space to accommodate the expansion of the existing businesses on site. An assumption in the report is that the traffic generated by the site will be distributed onto Middle Renwick Road in the same ratios as surveyed for the supermarket. The report recommends that the existing entrance be turned into a “full access” entrance to provide for right hand turns out the site and the need for an additional entrance at the eastern side of the site as a left turn entry only. The analysis undertaken for this scenario concluded that there will be a suitable level of service.

A peer review of the report by Marlborough Roads identifies that an assessment on whether the proposed extensions will bring forward the need to upgrade the Murphys/Battys intersection has not been done. Rather the report notes that the intersection will be upgraded regardless of the development. The peer review also highlights that the analysis only takes into account the proposed development rather than a worse case scenario of traffic generation based on a supermarket over the entire site.

## **PART B: CURRENT LEGISLATIVE FRAMEWORK**

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### **Purpose of the Resource Management Act 1991**

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. Sustainable management means:

*“managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

In achieving the purpose of sustainable management, the Council must have regard to a number of principles set out in the RMA. These include recognition and provision for a number of “matters of national importance” described in section 6 of the RMA, including outstanding landscapes. The Council must also have particular regard to matters such as “amenity” and “heritage values”, “kaitiakitanga”, “quality of the environment”, and “ecosystem values” (section 7) and take into account the principles of the Treaty of Waitangi (section 8).

The RMA enables the use and development of resources as long as such use does not adversely affect the environment in a way that impacts on the foreseeable needs of future generations, the life supporting capacity of ecosystems, other users or the environment. This is the concept of “sustainability” which the RMA promotes as its overriding purpose.

### **Marlborough District Council Responsibilities**

The Marlborough District Council is a unitary authority, that is, it has the functions, powers and duties under the RMA of both a district council and a regional council. Its functions are set out in sections 30 and 31 of the RMA. Of most relevance to this variation are the district functions set out in section 31, particularly in relation to controlling the actual and potential effects of the use, development or protection of land.

## Marlborough Regional Policy Statement

The Marlborough Regional Policy Statement (MRPS) was made operative on 28 August 1995. It provides a community based vision and direction for the management of the natural and physical resources of Marlborough. This vision and direction sets the framework for more detailed consideration of issues in the Council's resource management plans. The MRPS is currently being reviewed by the Council as it has now been operative for 10 years. Until that review process is substantially advanced the existing provisions of the MRPS will continue to apply.

Currently there are five regionally significant issues for Marlborough identified in the MRPS. These are

- Protection of water ecosystems;
- Protection of land ecosystems;
- Enabling community wellbeing;
- Protection of visual features; and
- Control of waste.

The regionally significant issue of enabling community wellbeing is extremely broad. It is separated into five elements which are:

- Community;
- Activities involving public resources;
- Culture and heritage;
- Natural hazards; and
- Energy.

The relevant objectives are:

- *To enable the present and future generations to provide for their wellbeing by allowing use, development and protection of resources provided any adverse effects of activities are avoided, remedied or mitigated [7.1.9].*
- *Provide for the safe and efficient operation of community infrastructure in a sustainable way [7.1.14]*

## Proposed Wairau/Awatere Resource Management Plan

In addition to preparing a regional policy statement, the Council's unitary authority status imposes an obligation to prepare a coastal plan, a district plan and such other regional plans as are necessary to promote the sustainable management of natural and physical resources. Because of its unitary authority status the Council has taken the opportunity to integrate the management of the resources for that part of Marlborough south of the Richmond Range by preparing a combined regional, district and coastal plan, known as the Proposed Wairau/Awatere Resource Management Plan (the Plan).

### Plan Status

The Plan was publicly notified in November 1997 and is not yet operative. This is because there are a number of appeals yet to be resolved. There have also been a number of notified Plan Variations that are still under consideration.

## Plan Framework

### Volume 1

#### Urban Environments – Chapter 11 (How business areas are managed in Blenheim)

Objectives, policies and methods for Business Areas are documented in Volume One of the Proposed Wairau/Awatere Resource Management Plan under the Urban Environments Chapter. This section reflects the three established business zones contained within Volume Two and Three, namely the Central Business Zone (including the Primary Shopping Area), Neighbourhood Business Zone and Industrial 1 & 2 Zone.

The Neighbourhood Business Zone includes the commercial areas at Redwoodtown, Springlands, Moran Street, Alana Place, Budge Street and the Hospital Road - Maxwell Road corner shops. A number of smaller individual sites also feature this zoning.

Neighbourhood business centres have evolved to provide a decentralised commercial resource as the towns periphery has been progressively developed. The Plan recognises Springlands as being different; *“Centres such as Springlands, with good exposure to passing motorists, serve a much wider catchment.”* [Issue 11.3.2.1: The impact of neighbourhood business centres on surrounding areas.]

The area of the existing Neighbourhood Business Zone within the Proposed Wairau/Awatere Resource Management Plan 5.14 hectares.

There is only one objective in Volume 1 for Neighbourhood Business Zones being: *“The retention and maintenance of neighbourhood business centres which respond to community needs and which have a minimum impact on surrounding areas.”* [11.3.2.2. Objective 1].

The supporting policies aim to preserve amenity both within and outside the Neighbourhood Business Zones. In particular, they target the adverse effects of commercial type activities which are potentially incompatible with a predominantly residential environment. The policies are as follows:

- *Enable low impact commercial and community activities to locate within the Neighbourhood Business Zone [Policy 11.3.2.2.1].*
- *Contain the adverse effects of neighbourhood business activity within the boundaries of the Zone [Policy 11.3.2.2.2].*
- *Avoid activities which generate significant increases in vehicle movements or the number of heavy vehicles on residential streets [Policy 11.3.2.2.3].*
- *Ensure that any car parking requirements generated by an activity are catered for within the Zone and preferably on site [Policy 11.3.2.2.4].*
- *Avoid activities which give rise to levels of odour, dust, glare or noise incompatible with the character and expected amenities of the Neighbourhood Business Zone [Policy 11.3.2.2.5].*
- *Avoid activities which give rise to levels of odour, dust, glare or noise in neighbouring zones inconsistent with the reasonably expected amenities of such a zone [Policy 11.3.2.2.6].*
- *Avoid or mitigate any adverse effects from use, storage or transport of hazardous substances, particularly any risk to people [Policy 11.3.2.2.7].*
- *Maintain the visual character and amenity of Neighbourhood Business Zones and that of neighbouring areas [Policy 11.3.2.2.8].*
- *The methods of implementation include zoning, rules, performance conditions, transport and enhancement of the zone through paving, planting and similar methods [11.3.2.3].*

#### Land Transport – Chapter 19

The land transport infrastructure of Marlborough forms a significant component of the physical resources of the District. The resource management issues associated with land transport focuses on



the sustainable management of the physical infrastructure of transport network, as a resource, and the services that use them, and the adverse environmental effects that arise from the network.

The first issue in this chapter deals with the adverse effects from the development, maintenance and use of the transport infrastructure on the resources and wellbeing of the community of the Wairau/Awatere. The policies recognise the adverse effects that can be caused by the transport infrastructure and transport activities including a policy to:

- *“Ensure that the cost of new roading, which is needed to provide access to new subdivision or development, is met by the developer, and that upgrading of existing roads that is needed as a result of development is contributed to by the developer” [19.3, Policy 1.11]*

The second issue (19.4) is for the development of a sustainable road transportation network which allows the Community to function with minimal conflict between land use, traffic and people. The relevant policies include:

- *To protect the function of the road network and the environment of adjacent land uses from the adverse effects of high traffic generators [Policy 1.1].*
- *To manage the establishment of activities in a manner which takes account of the classification and function of the road network in the vicinity and from which access to the site is to be obtained [Policy 1.4].*

Another issue is the adverse effects of activities on the sustainable management of the land transport infrastructure [19.7]. The objective under this issue states: “That any adverse effects of activities on the sustainable management of the land transport infrastructure be avoided, remedied or mitigated.” The relevant policies are as follows:

- *Ensure that subdivision and development of land adjacent to public roads does not compromise the safe or efficient flow of traffic on those roads through increased traffic volumes, kerb-side vehicle parking, or location of access points and intersections [Policy 1.1]*
- *Ensure that buildings, vegetation and activities do not reduce clear sight lines for trains and road vehicles at level rail crossings, or for vehicles at road intersections [Policy 1.3].*
- *Ensure minimum distraction to road users by controlling the location, design, and extent of road side advertising signs, requiring that signs are located within the site to which the sign relates, and avoiding a proliferation of road-side advertising signs [Policy 1.5].*
- *Ensure that activities that generate demand for parked vehicles and which involve loading of vehicles provide space within their site to accommodate manoeuvring, loading and parking of vehicles without creating congestion or conflicts with moving vehicles or with pedestrians on adjacent roads [Policy 1.6].*
- *Require new urban subdivisions and developments to incorporate facilities to increase the safety and efficiency of non-motorised transport users [Policy 1.8].*
- *Where proposed allotments have access from a public road require that access be suitable for the safe and efficient carriage of vehicles, cyclists, and pedestrians [Policy 1.9].*

## **Outdoor Advertising –Chapter 21.0**

The Plan acknowledges a need for signs to allow people to provide for their wellbeing, however, in order to avoid adverse effects on amenity values and people's health, safety and wellbeing, some controls on signs and outdoor advertising are required. There is also the possibility that signs and other forms of outdoor advertising may have adverse environmental effects particularly on visual amenities, and may conflict with traffic safety.

## **Noise – Chapter 22.0**

Noise is a normal part of most activities and a necessary part of day to day life. Provision for appropriate activities through the Plan includes provision for appropriate or acceptable noise associated with those activities. The introduction to this chapter acknowledges that at the same time unreasonable, excessive or unnecessary noise should be controlled. An example of when noise should be controlled is when lower noise levels are properly associated with residential amenities needs to be balanced with nearby non-residential activities. The objective in the Plan is for the protection of individual and community health, environmental and amenity values from disturbance, disruption or interference by noise [22.3]. The relevant policies are:

- Avoid, remedy or mitigate community disturbance, disruption or interference by noise within coastal, rural and urban areas [Policy 1.1].
- Include techniques to avoid the emission of excessive or unreasonable noises within the design of any proposal for the development or use of resources [Policy 1.2].

## **Subdivision and Development – Chapter 23**

This chapter has a focus on subdivision, however there are policies that would be relevant to the proposed development as follows under Objective 25.3.1.1 *“Ensure that the direct on-site adverse effects of subdivision/ development are avoided, remedied or mitigated through the necessary supporting framework of services and amenities.”* The relevant policies include:

- *Ensure that standards for urban residential subdivision and development are consistent with the availability and receiving/supply capacity of existing and affordable urban servicing infrastructure, and take account of the finite limitations of the available infrastructure [Policy 1.1].*
- *Require that subdividers and/or developers provide all on-site services to avoid, remedy or mitigate any adverse effects arising from the subdivision/development of the land resource [Policy 1.2].*
- *Integrate new subdivision/development roads into the existing network to adequately cater for expected increase of traffic generation and the safe access and movement of vehicles, pedestrians and cyclists [Policy 1.3].*

## **Summary of the Objectives and Policies**

The current framework for the Neighbourhood Business Zones has been in place since the plan was notified in 1997. To this end there has been proven administration of the zone for the last 9 years. The objectives and policies have provided beneficial support to the Neighbourhood Business Zone needs.

## **PART C: CONFIRMING THE RESOURCE MANAGEMENT ISSUE**

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Following these investigations and reports, the Council considers that the resource management issue that needs to be addressed through this variation is the lack of space at the Springlands Neighbourhood Business Centre to respond to the growth occurring in Blenheim, and in particular in the north west.

The rezoning of additional requested land as Neighbourhood Business Zone requires an evaluation of the following issues:

- The need to avoid ad-hoc, fragmented and uncoordinated business and industrial development.
- The need to minimise any conflict between the land uses of the Neighbourhood Business Zone, with the adjacent Urban Residential 2 and Industrial 1 Zones and in particular:
  - Landscaping issues that have arisen during the assessment of previous resource consents applications for the Springlands Neighbourhood Business Centre.
  - Noise from the Neighbourhood Business Zone adversely affecting the adjoining residential zone.
- The need to ensure that there will be no significant adverse effects on the transportation network. Access to and from the site is from State Highway 6 (Middle Renwick Road).
- Ensuring that there is adequate parking on site to accommodate customers and staff for the expanded development.
- Taking into consideration the need to upgrade the infrastructure to be able to take any stormwater from future carparks for the site.

## **PART D: EVALUATION UNDER SECTION 32**

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The Quality Planning website, which promotes best practice by sharing knowledge about policy and plan development under the RMA, states that the section 32 process must be transparent and well documented, with all assumptions and decisions justified. This helps to ensure that:

- Good environmental outcomes are achieved, at the lowest practicable cost to individuals and the community.
- Plan provisions are targeted at achieving the purpose of the RMA by the most appropriate methods.
- Councillors (as decision makers) have sound policy analysis on which to base their decisions about resource management issues.
- A sound basis is provided for re-assessing whether the chosen provisions are necessary and appropriate once they are in use and the environmental outcomes become apparent.

The evaluation then goes on to consider the effectiveness and efficiency of the new or amended rules proposed by the variation.

### **Assessment of Options**

The Council has considered the following alternative options for addressing the issue, using the established Plan methods of zoning and rules:

- Option 1: Not to rezone any of the proposed land (status quo).

- Option 2: Rezone the whole of the proposed area as Neighbourhood Business Zone, as per existing rules.
- Option 3: Rezone the whole of the proposed area as Neighbourhood Business Zone, with modification and new rules included.
- Option 4: Create a new zone for the Springlands Neighbourhood Business Centre and rezone the whole of the proposed area and the existing Neighbourhood Business Zone.
- Option 5: Zone some of the land Neighbourhood Business Zone and place a Deferred Neighbourhood Business Zone over the balance land.

The following tables assess benefits and costs of the above options.

**Option 1: Not to rezone any of the proposed land (status quo).**

Benefits	Costs
Scale of development and the Plan provisions remain unchanged which provides a level of certainty to the Community.	Failures to address the address the issue identified.
	Likely to result in ad hoc planning through resource consent applications for development planned by the landowner.

**Option 2: Rezone the whole of the proposed area as Neighbourhood Business Zone, as per existing rules.**

Benefits	Costs
Builds on an established node within the urban area at an existing Neighbourhood Business Zone site. The proposed land is adjacent to the existing neighbourhood business zone.	Doesn't address the specific issues identified from historical experience of managing the issues at the Springlands Neighbourhood Business Centre in relation to parking, lighting and traffic flows.
Is an established business area in Volume One and Volume Three of the Plan.	No development signals are currently in the Plan for Neighbourhood Business Zones.
Adequate space to improve on site parking for the existing and proposed extension to commercial activity.	Increases the boundary of the neighbourhood Business Zone adjacent to the Urban Residential 2 Zone to the south.
	Need for the management of additional traffic access onto SH6.
	Potential adverse impact on the vibrancy and vitality of the Central Business Zone.

**Option 3: Rezone the whole of the proposed area as Neighbourhood Business Zone, with modification and new rules included.**

Benefits	Costs
Builds on an established node within the urban area at an existing Neighbourhood Business Zone site. The proposed land is adjacent to the existing neighbourhood business zone.	Increases the boundary of the neighbourhood Business Zone adjacent to the Urban Residential 2 Zone to the south.
Provides the opportunity to create site-specific rules for Springlands that addresses specific issues, evident from historical experience of managing the Neighbourhood Business Zone at Springlands and public consultation.	Need for the management of additional traffic access onto SH6.
Adequate space to improve on site parking for the existing and proposed extension to commercial activity.	Potential adverse impact on the vibrancy and vitality of the Central Business Zone.
Is an established business area in Volume One and Volume Three of the Plan.	
Opportunity to create rules to control additional development of the site to fit with the role of a Neighbourhood Business Zone.	

**Option 4: Create a new zone for the Springlands Neighbourhood Business Centre and rezone the whole of the proposed area and existing Neighbourhood Business Zone as the new zone.**

Benefits	Costs
Provides the opportunity to create a site-specific zone for Springlands that addresses specific issues, evident from historical experience of managing the Neighbourhood Business Zone at Springlands.	Requires the creation of a new zone for the Plan. The Plan would have a whole chapter that mostly replicates the existing rules in the Neighbourhood Business Zone with a few exceptions.
Create rules to control development of the site to fit with the role of a Neighbourhood Business Zone.	No development signals are currently in the Plan for Neighbourhood Business Zone.
Builds on an established node within the urban area at an existing Neighbourhood Business Zone site. The proposed land is adjacent to the existing neighbourhood business zone.	Potential adverse impact on the vibrancy and vitality of the Central Business Zone.
Adequate space to improve on site parking for the existing and proposed extension to commercial activity.	

**Option 5: Zone sufficient land (8 allotments to the east) Neighbourhood Business Zone to meet the immediate development needs and place a Deferred Neighbourhood Business Zone over the balance land.**

Benefits	Costs
Releases the land in a controlled way. Requires a trigger in the Plan regarding the need for more land.	Introduction and administration of a deferred zone can be problematic.
Provides the opportunity to create a site-specific zone for Springlands that addresses specific issues, evident from historical experience of managing the Neighbourhood Business Zone at Springlands.	Would require a plan variation/change to remove the deferred status.
Builds on an established node within the urban area at an existing Neighbourhood Business Zone site. The proposed land is adjacent to the existing neighbourhood business zone.	Restricts peoples property rights for an undetermined period of time.
Create rules to control development of the site to fit with the role of a Neighbourhood Business Zone.	Messy way of managing the future development of the site.
Adequate space to improve on site parking for the existing and proposed extension to commercial activity.	

### Preferred Option

In light of the above assessment, the Council considers **Option 3** to be the preferred choice. From a Plan administration view, the existing Plan framework can be utilised in an efficient way, rather than replicating the rules which would be required under Option 4.

Option 1 in the Council's opinion fails to address the issue identified. From the investigations undertaken there is an evident need to respond to growth pressures. The most likely outcome if nothing is done now is for the landowner to apply for resource consent applications for the development of the existing Urban Residential land, with no certainty to the Community as to the outcomes of any future development of the site.

Option 2 has merits, but does not address the issues identified through consultation or from historical management of the site in relation to noise, landscaping and parking problems.

The Council has explored the option of creating a new zone specifically for Springlands, which was essentially based on the existing Neighbourhood Business Zone with the necessary modifications to the rule framework to manage the historical concerns from managing the Springlands Neighbourhood Business Centre. The effect was to create a whole new zone that replicated in most part the existing zone. The outcome did not seem an effective way to convey the additional requirements for the Springlands Neighbourhood Business Centre.

The Council has indicated it is willing to consider providing for the immediate development aspirations of the landowner.

Based on the information that the Council has received from the landowner, not all of the proposed area is required for development at this time and a "deferred zoning" approach was favoured for part of the site. This requires the development of a new zone and chapter called 'Deferred Neighbourhood Business Zone' within the plan and the establishment of a trigger to uplift the deferred status. A Plan Change/Variation would be required to remove the deferred status. A possible trigger could be establishing the need for more land for commercial activities at the Springlands Neighbourhood Business Centre.

An alternative mechanism considered was to limit the amount of 'permitted' commercial activities for the Springlands site, in line with the area of proposed development indicated by the landowner. This has the same effect as creating a deferred zone with greater certainty about whether any future activity would have the status as a permitted or discretionary activity.

## **Addressing the Issues through this Proposed Plan Variation**

### **Objectives, Policies and Methods (other than rules)**

It is considered that the existing framework for the Neighbourhood Business Zone under the Business Areas section is an effective framework in Volume One of the Plan for the management of the Neighbourhood Business Zone areas.

In terms of the issue under consideration, the existing objective, policies and methods would all be relevant to the management of the additional 1.34 hectares of land proposed for rezoning at Springlands.

The request by the landowner to increase the size of the existing commercial activities is a response to the evident growth that is occurring in the North West of Blenheim. One of the means of ensuring that the site continues to meet the objective and policies of the plan and at the same time respond to this pressure, is to put a limit on the amount of permitted commercial activities at the Springlands Neighbourhood Business Centre (see below). Any proposed commercial activity at the Springlands Neighbourhood Business Centre over the established limit, would be considered a discretionary activity and therefore be subject to an assessment of the impacts on the vibrancy and vitality of the Central Business Zone. This has the benefit of ensuring that the Springlands Neighbourhood Business Centre continues to fulfil its role as a decentralised commercial resource meeting the community needs.

The Plan would benefit from having two new policies, under the existing objective in Volume One of the Plan for Neighbourhood Business Zones, in relation to the future expansion of the commercial activities at Springlands:

- *Ensure any changes to the commercial activity within the Springlands Neighbourhood Business Centre continues to position it as a satellite resource, subsidiary and complimentary to the Central Business Zone [Proposed new policy 1.9].*
- *Expansion of the commercial activities at the Springlands Neighbourhood Business Centre will be subject to an assessment of potential adverse effects on the Central Business Zone [Proposed new policy 1.10].*

The proposal is to increase the amount of Neighbourhood Business Zone at an existing centre. The proposed new policies support the inclusion of the new provisions in the Plan and will ensure that the Neighbourhood Business Zone node at Springlands will continue to fit with the existing Plan framework.

### **Effectiveness and Efficiency of New Rules**

Rules have been used in the Plan as a method, and have proven over time to be an effective and efficient method of Plan implementation.

The consultation findings, and the Council's own observations of the management and problems associated with the operation of the site, concluded that it would be beneficial for the plan to include amendments to the existing rules for noise and landscaping and for new rules to be included for the hours of operation and service deliveries.

It is proposed to amend the following provisions in the Neighbourhood Business Zone in Volume 2 of the Plan as follows:

- *To limit the amount of permitted commercial activities at the Springlands Neighbourhood Business Centre to a total gross floor area (including a new definition) of 5700m<sup>2</sup>; and*

- *To amend the rules for parking, noise and landscaping within the Neighbourhood Business Zone in relation to the future expansion of the Springlands Neighbourhood Business Centre; and*
- *To include a new rule to limit the hours of operation and times for service deliveries.*

The rules proposed to be included within the existing provisions of the Plan only apply to the Springlands Neighbourhood Business Centre. Consideration was given whether the rules should be amended to apply to all Neighbourhood Business Zones, however, because the proposed rules are the result of the pressure specifically from Springlands, it is considered more appropriate for them to only apply to the Springlands Neighbourhood Business Centre.

The rezoning of more land than is required for the immediate development aspirations also provides an opportunity for the parking issues to be resolved.

The proposed changes will improve the adequacy of the existing rule framework in relation to the management of the Springlands Neighbourhood Business Centre. The proposed rules respond to the identified issues from historical management and resource consent applications that have been considered for the area in and surrounding the Springlands Neighbourhood Business Centre.

### **The benefits and costs of policies, rules, or other methods**

The Neighbourhood Business Zone has already been established in the Plan. The Community knows what to expect from the land that has this zoning. Increasing the size of the Neighbourhood Business Zone at Springlands requires an assessment of whether the existing framework is sufficient for the management of an additional 1.34 hectares. In the circumstances, it has been considered necessary to amend the Plan to address the anticipated effects of promoting this proposed variation.

### **The risk of acting or not acting if there is uncertain or insufficient information**

The RMA requires the Council to evaluate the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

This variation is a response to a request for rezoning that is supported through investigation, research and analysis of the various effects, resulting from mounting pressures, on the need for additional land area for commercial areas of the Wairau/Awatere Plan area.

In this regard, the Council does not consider that it is acting in the absence of uncertain or insufficient information, although it can always be argued that further investigations and research can be carried out. Additionally, the Council has previously indicated that there are other investigations that have been undertaken, or which are ongoing, and which will be the subject of later variations/changes to the Plan.

## **CONCLUSION**

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The extent of the proposed addition to the Neighbourhood Business Zone land at Springlands is appropriate to keep in touch with the growth in the north west of Blenheim. The immediate and future need for additional commercial land space within Blenheim has been shown in the economics report prepared by Market Economics Ltd.

The location at Springlands has already been established as a commercial node, as a neighbourhood business area in the Proposed Wairau/Awatere Resource Management Plan. The extension of the Neighbourhood Business Zone will enable the node to continue to provide for the needs of the community, as well as acknowledging the role of the Springlands site supporting passing motorists from the State Highway (Middle Renwick Road). The inclusion of new policies specific to the expansion of the Springlands Neighbourhood Business Centre supports the existing objective in Volume One of the Plan.

The proposed extension of the Neighbourhood Business Zone, with a limitation on the floor area of commercial activities, available as of right, will ensure that the centre will continue to have a role of the Neighbourhood Business Zone which will complement the Central Business Zone as a decentralised commercial activity.



The inclusion of additional Plan provisions involving noise, landscaping and parking rules, in Volume Two of the Proposed Wairau/Awatere Resource Management Plan, will enable the zone's relationships with the adjoining Urban Residential Zone to be managed sustainably.

## **APPENDIX 1: PROPOSED VARIATION - SCHEDULE OF CHANGES**

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### **Schedule of Changes**

Where text is proposed to be added to the Proposed Wairau/Awatere Resource Management Plan (the Plan) through this variation, it has been shown as underlined. All other text is existing text from the Plan and has been included for context to assist the reader in determining where the changes occur, and does not form part of the plan variation.

The Proposed Wairau/Awatere Resource Management Plan is amended in accordance with the following schedule:

### **VOLUME 1 – OBJECTIVES, POLICIES, METHODS**

#### **Chapter 11.0 Urban Environments**

##### **11.3.2 Neighbourhood Business Areas**

1. **Insert** the following new policies under section 11.3.2.2:

...

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Policy 1.8	Maintain the visual character and amenity of Neighbourhood Business Zones and that of neighbouring areas.
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<u>Policy 1.9</u>	<u>Ensure that any changes to the commercial activity within the Springlands Neighbourhood Business Centre continue to position it as a satellite resource, subsidiary and complimentary, to the Central Business Zone.</u>
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<u>Policy 1.10</u>	<u>Expansion of the commercial activities at the Springlands Neighbourhood Business Centre will be subject to an assessment of potential adverse effects on the Central Business Zone.</u>
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2. **Amend** the last sentence of the Rules section of 11.3.2.3 Methods of Implementation, as follows:

Rules	Plan rules generally permit commercial activities and community facilities within the Zone. Some commercial activities which have potentially greater adverse effects, particularly on neighbouring residential areas, are provided for as Discretionary Activities. These include restaurants, bars and other licensed facilities <u>and the future expansion of the Springlands Neighbourhood Business Centre.</u>
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## VOLUME 2 – RULES

### Chapter 1: Definitions

3. **Add** the following definition to Chapter 1:

...

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TIKANGA MAORI means Maori customary values and practices.

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TOTAL GROSS FLOOR AREA is the sum of the gross area of floor of the building or buildings measured from the exterior walls or from the centre lines of walls separating two buildings, provided that, in the case of shops, land on which goods are offered or displayed for sale by retail shall be included in the area calculation.

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TOPSOIL means the soil forming the 'A' horizon of a soil profile being the dark soil layer between the top layer of humus and subsoil.

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...

### Chapter 11: Neighbourhood Business Zone

4. **Amend** the Permitted Activities for the Neighbourhood Business Zone as follows:

#### 1. Permitted Activities

- 1.1 Unless expressly limited elsewhere and subject to compliance with the conditions applying to permitted activities the activities listed below shall be permitted without a resource consent.

- **Commercial activities, excluding activities requiring a licence under the Sale of Liquor Act 1989 and excluding commercial activities in the Springlands Neighbourhood Business Centre.**
- **Commercial activities in the Springlands Neighbourhood Business Centre, excluding activities requiring a licence under the Sale of Liquor Act 1989 to a maximum total gross floor area of 5700m<sup>2</sup> (includes 660m<sup>2</sup> garden centre, covered/uncovered space).**
- **Community facilities**

...

5. **Add** the following to the parking provisions under section 1.2.1 Parking:

...

In addition for the Springlands Neighbourhood Business Centre, wheel stops or other suitable barriers shall be positioned in front of boundary fences adjoining Urban Residential Zones.

6. **Add** the following to the noise provisions under section 1.3.2 Noise:

...

In addition, for the Springlands Neighbourhood Business Centre, fences shall be erected along boundaries adjoining Urban Residential Zones. These fences must be at least 1.8m high above ground level, be constructed from timber, be continuous and free from holes or gaps. The minimum mass of the fence shall be no less than 7kg/m<sup>2</sup>.

7. **Add** the following to the landscape provisions under section 1.3.4 Area to be landscaped:

...

- 1.3.4.2 All required landscaped areas shall be located between the road frontage and front of buildings on the site, except on rear sites. Except that on sites abutting an Urban Residential Zone at least half the required landscaped area shall be located between the building and abutting zone boundary, except for the Springlands Neighbourhood Business Centre where a landscape strip, with a minimum width of 4.5 metres, shall be planted and maintained to a minimum height of 1.5 metres on boundaries abutting an Urban Residential Zone and to the maximum height within the dimensions specified for recession planes in the relevant Urban Residential Zone.

...

8. **Add** the following new condition for permitted activities:

1.8. Operating Hours (Springlands Neighbourhood Business Centre Only)

1.8.2.1 Commercial Activity

The hours of operation of commercial activities shall be restricted to the hours 0700 hrs – 2200 hours Monday-Sunday.

1.8.2.2 Deliveries

All deliveries shall be between 0600-2200 hrs Monday – Friday and 0700-2000 hrs Saturday and Sunday.

9. **Insert** the following into 4.1 Discretionary Activities for the Neighbourhood Business Zone:

- ...
- **Emergency service activities.**
- Commercial activities in the Springlands Neighbourhood Business Centre, where the total gross floor area exceeds 5700m<sup>2</sup>.

10. **Add** the following Standards and Criteria for Discretionary Activities:

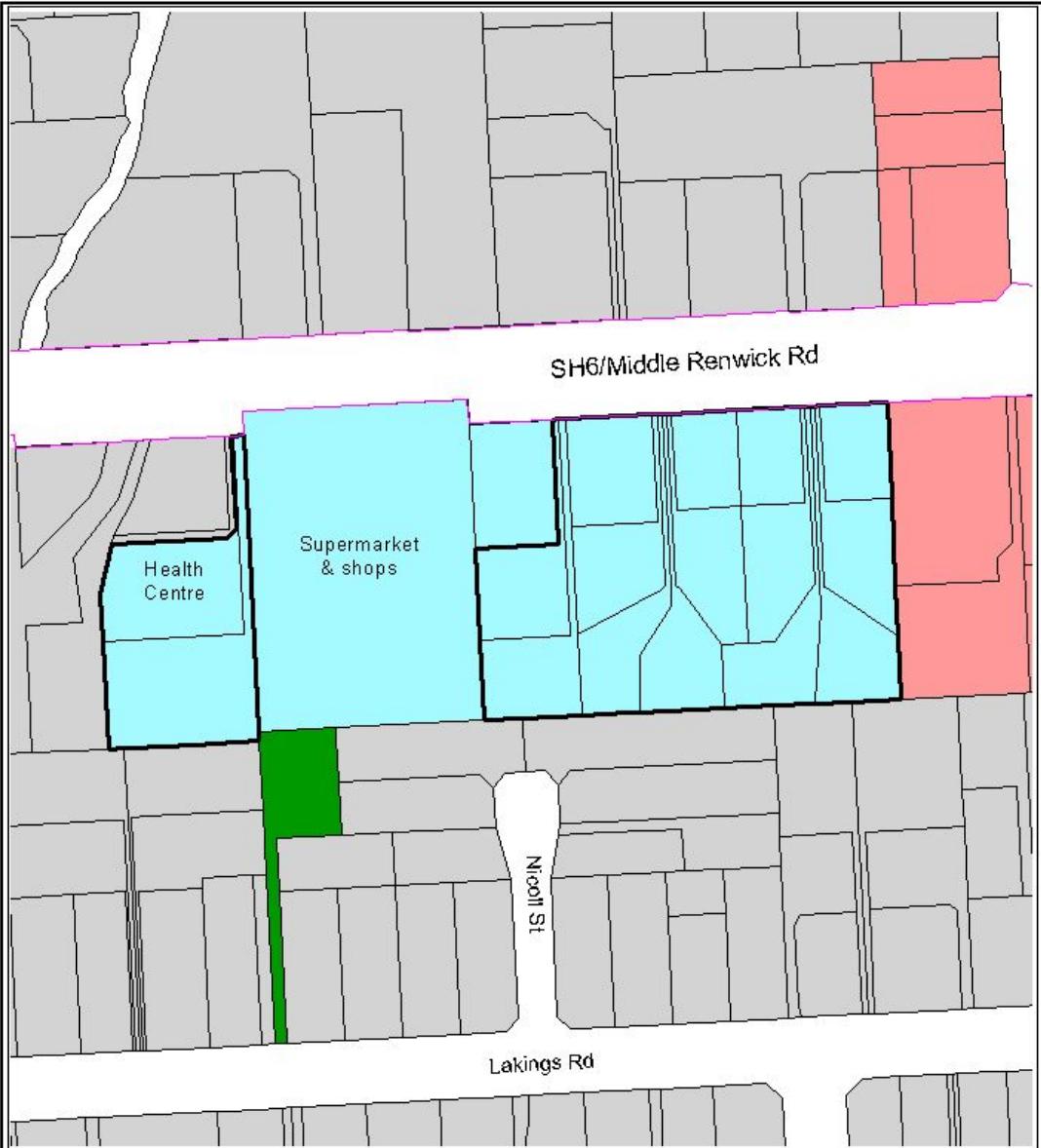
#### 4.3.4 Commercial Activity within the Springlands Neighbourhood Business Centre

##### 4.3.4.1 Assessment Criteria

- Commercial land availability within Blenheim that establishes the need for additional capacity within a Neighbourhood Business Zone.
- Alternative locations for the commercial activity including the potential to locate within the Central Business Zone.
- Potential adverse effects on the vibrancy and vitality of the Central Business Zone.

### **VOLUME 3 – MAPS**

Amend Planning Maps 1, 4, 18 by changing the zoning of Lot 6 DP 2148, Lot 2 DP 2842, Lot 3 DP 2842, Lot 1 DP 3065, Lot 1 DP 3279, Lot 2 DP 3279, Lot 3 DP 3279, Lot 4 DP 3279, Lot 7 DP 3279, Lot 8 DP 3279, Lot 9 DP 3279, Lot 10 DP 3279, Lot 11 DP 3279, Lot 1 DP 3456, Lot 2 DP 3456, Lot 2 DP 333989 from Urban Residential Two Zone to Neighbourhood Business Zone as shown on the attached map.



**Proposed Wairau/Awatere Resource Management Plan**  
 Variation: W045/15/50

1:1750



Site of change

Map 1:  
 Showing proposed change of zoning from Urban Residential Two Zone to Neighbourhood Business Zone for the following areas: Lot 6 DP 2148, Lots 2 & 3 DP 2842, Lot 1 DP 3065, Lots 1, 2, 3, 4, 7, 8, 9, 10 & 11 DP 3279, Lots 1 & 2 DP 3456 and Lot 2 DP 333989.

Zoning 4  
 Sheet 1, 4, 18

<b>Legend</b>		
Allotment Zone	Believed Township Residential Zone	Believed Industrial Two Zone
Allotment Exposure Overlay	Believed Local Recreation Zone	Industrial Two Zone
Areas of Significant Conservation Value	District Recreation Zone	Local Recreation Zone
Central Business Zone	Ecological Area	Neighbourhood Business Zone
Central Business Zone/Primary Shopping Area	Faithful Ridge Zone	Port Zone
Coastal Marine Zone (CMZ)	Flood Hazard Overlay	Proposed Lake Grassmere Golf Works Area
Conservation	Industrial One Zone	Rural Four Zone
		Rural Residential Zone
		Heritage Buildings
		Rural Three Zone
		Rural Township
		SH-161 Zone
		Specific Identified Activity Sites (Appendix G)
		Township Residential Zone
		Urban Residential One Zone
		Urban Residential Two Zone
		Water Features
		Heritage Trees

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