

Submission on a Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:

Manager, Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 03 543 9524 OR Email steve.markham@tasman.govt.nz

Note:

This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.

Cover Sheet

OFFICE USE

Date received stamp:

R 29.1.16

Initials: Q

Submitter No. 3976

Submitter Name: Jeremy Cameron, Karen Cameron, Louise Wheeler
(organisation/individual)

Representative/Contact:
(if different from above)

Postal Address:

PO Box 41
Brightwater

Home Phone: 542 3306 / 542 3520

Bus. Phone: 022 659 0221

Fax: _____

Email: goldjerrygold@gmail.com

Date: 29-Jan-2016

Postal address for service of person making submission:
(if different from above)

Signature: _____

NOTE: A signature is not required if you make your submission by electronic means.

Total number of pages submitted *(including this page)*: _____

IMPORTANT – Please state:

This submission relates to Change No.: 57

Change Title/Subject:

Brightwater Strategic Review

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Please attach this cover sheet to your supplementary sheet(s) outlining your submission request(s).

OFFICE USE Submitter Number: 3976

<p>(1) My submission relates to: Provision No or Planning Map No. <i>(Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)</i></p>	<p>(2) My submission is that: <i>(State concisely the nature of your submission and clearly indicate whether you: • support or oppose the specific provisions, or • wish to have amendments made, giving reasons)</i></p>	<p>(3) I seek the following decisions from the Tasman District Council: <i>(Give precise details of the nature of the decision you seek in relation to the variation number and provision/map number given in column (1), e.g. addition, deletion or alteration. The more specific you can be the easier it will be for Council to understand your concerns.)</i></p>	<p>OFFICE USE Submission No.</p>
<p>Proposed Plan Change No. 57 Brightwater Strategic Review 6.16.1 Issues 6.16.3 Policies</p>	<p>We wish to have amendment / addition made to the Plan Change that provides clarification on following: 1) What level of "flood hazard risk" is required to preclude the re-zoning of Rural 1 to residential. 2) That increased "active and passive recreational" use of the Wai-iti River has the potential to negatively impact the properties and lifestyle of neighbouring residents and as such all efforts to mitigate such impact will be made.</p>	<p>1) Specifically we seek assurance that the land located north west of Snowdens Bush to the banks of the Wai-iti represents a flood hazard risk such that will preclude any future subdivision / residential re-zoning or any change whatsoever from current rural 1 status. 2) Our property borders the Wai-iti River and the walkway. Increased use of this recreational area has impacted our property and lifestyle. Significant population increase and active promotion of this area needs to be correlated with an equal increase in active management of the environment and the impact on increased use upon residents. Current issues likely to be exacerbated by increased use are: a) Dogs worrying livestock. b) Freedom campers (our recycling bins have been removed and returned later full of camper rubbish). c) Rubbish - dumped at river and windblown onto property. d) Use of motorbikes on walkway creates noise pollution and erodes bank. e) Cleaning boats in river creates noise pollution. f) Firewood gathering - use of chainsaws by people gathering driftwood. g) Reduction of privacy. Support continued efforts to plant river bank</p>	<p>1</p>

Feel free to contact us:



tasman
district council

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Takaka 7142
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OFFICE USE Submitter Number: 3976

<p>(1) My submission relates to: Provision No or Planning Map No. <i>(Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)</i></p>	<p>(2) My submission is that: <i>(State concisely the nature of your submission and clearly indicate whether you: • support or oppose the specific provisions, or • wish to have amendments made, giving reasons)</i></p>	<p>(3) I seek the following decisions from the Tasman District Council: <i>(Give precise details of the nature of the decision you seek in relation to the variation number and provision/map number given in column (1), e.g. addition, deletion or alteration. The more specific you can be the easier it will be for Council to understand your concerns.)</i></p>	<p>OFFICE USE Submission No.</p>
		<p>h) Night time use by youths. f) Further erosion of river bank threatens to undermine property. Increased use will exacerbate. Support of river bank with rock walls required (as completed in other areas of Wairoa / Wai-iti).</p> <p>We want the Plan to reflect our rights to maintain our privacy and lifestyle, within reason, given the proactive encouragement of this space to an increasing and planned for population of residents. Increased Policing / signage / enforcement in regards to acceptable activities undertaken on the walkway / at the river. Increased efforts in planting and maintaining a natural tree barrier between neighbours and track, stabilising and protecting the river bank against further erosion, commitment to consult specifically with neighbouring residents in regards to any additional access ways or lanes to the river.</p>	<p>2</p>

8.0

2/2

3777 HoHoHouse Communications

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26 January 2016



3977
landmark lile ltd
RESOURCE MANAGEMENT

Tasman District Council
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Attn: Steve Markham



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Dear Steve,

Plan Change 57: Brightwater Strategic Review
Submission – *R.J. Coutts Family Trust*

Please find attached submissions in opposition to Plan Change 57 on behalf of the R.J. Coutts Family Trust (5 Factory Road).

The main thrust of these opposing submissions is that the flooding risks are identified as being either zero or “low” on a majority of the site. As such the change to a “Closed Zoning” is not considered to be justified. Likewise, the associated changes to the rules regulating subdivision and building are considered to be unreasonable and unnecessary. Inadequate consideration has been given to the use of minimum ground and floor levels, being a means of managing / mitigating flood risk impacts. In addition, the area of “high” flood risk generally follows the land associated with access to the subject site. Temporary flooding of the accessway is not considered to be a reason for the land to be rezoned or further development of the site to be limited.


The Plan Change is also inconsistent in the rezoning of land in terms of flood risks. New Rural 1 land is proposed to be rezoned for residential purposes despite the presence of *low to high* flood risks. That land is deemed *suitable* for residential purposes (deferred for servicing), with mitigation measures such as bunding and filling being mentioned in the s32 report. Light Industrial land does not have the same sensitivity as residential land and is more able to incorporate mitigation measures. Herein lies the inconsistency of the changes.

The R.J. Coutts Family Trust does wish to be heard in support of these submissions.

Please contact me if you have any further queries.

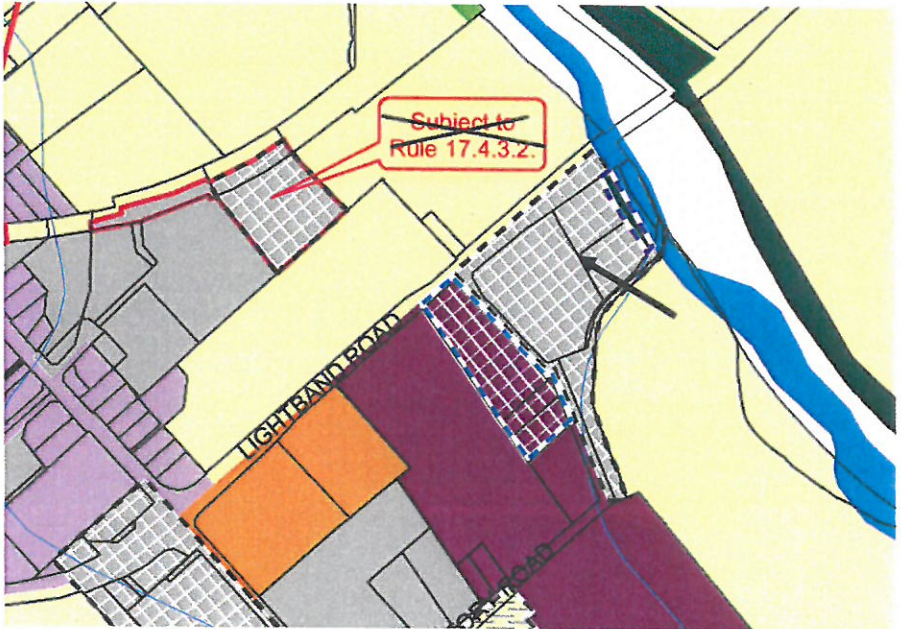
Mark Lile
Landmark Lile Limited
Resource Management Consultant

		<p><i>(aa) The subject land is not in the Light Industrial Closed Zone or Rural Industrial Closed Zone at Brightwater.</i></p>
		<p>Submission: Opposed</p>
	(6)	<p>Reasons: The rezoning of land at 5, 11 and 13 Factory Road to “Closed” is unjustified and unreasonable. The associated change to the status of subdivision on this site is therefore also considered to be unreasonable in these circumstances. Mitigation measures can quite simply be imposed as a part of any future subdivision application. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete this change to 16.3.4.1.</p>
7	<p>Rule 16.3.4.4A (2.1.2)</p>	<p>Notified:</p> <p>Add a new discretionary activity rule in Section 16.3.4:</p> <p><u>16.3.4.4A Discretionary Subdivision (Light Industrial Closed Zone, and Rural Industrial Closed Zone – Brightwater)</u></p> <p><i>Subdivision by means of the relocation or adjustment of an allotment boundary in the Light Industrial Closed Zone or Rural Industrial Closed Zone is a discretionary activity, if it complies with the following conditions:</i></p> <p><i>(a) The land being subdivided does not create any additional allotments on which a building can be built.</i></p> <p><i>(b) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.</i></p> <p><u>A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.</u></p>
		<p>Submission: Opposed</p>
	(7)	<p>Reasons: The rezoning of land at 5, 11 and 13 Factory Road to “Closed” is unjustified and unreasonable. The associated change to the status of subdivision on this site is therefore also considered to be unreasonable in these circumstances. Mitigation measures can quite simply be imposed as a part of any future subdivision application. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete this change to 16.3.4.4A.</p>
8	<p>Rule 16.3.4.7 (2.1.3)</p>	<p>Notified:</p> <p>Add a new prohibited activity rule in Section 16.3.4:</p> <p><u>16.3.4.7 Prohibited Subdivision (Light Industrial Closed Zone and Rural Industrial Closed Zone – Brightwater)</u></p>

		<p><u>Except as provided for in rule 16.3.4.4A, subdivision in the Light Industrial Closed Zone or the Rural Industrial Closed Zone at Brightwater is a prohibited activity for which no resource consent will be granted.</u></p>
		<p>Submission: Opposed</p>
		<p>Reasons: The rezoning of land at 5, 11 and 13 Factory Road to "Closed" is unjustified and unreasonable. The associated change to the status of subdivision on this site is therefore also considered to be unreasonable in these circumstances. Mitigation measures can quite simply be imposed as a part of any future subdivision application.</p> <p>Relief Sought: Delete this change to 16.3.4.7.</p>

Section 17.4: Zone Rules (Industrial Zone Rules)		
9	Section 17.4.1 (3.1.1)	<p>Notified:</p> <p>Amend Scope of Section 17.4.1:</p> <p><i>This section deals with land uses in the Heavy Industrial Zone and the Light Industrial Zone (including the Light Industrial Closed Zone). Rules apply to both each zone unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.</i></p> <p>Submission: Opposed</p> <p>Reasons: The rezoning of the site to a “Closed Zone” has been opposed and so too is this associated change.</p> <p>Relief Sought: Delete change to 17.4.1.</p>
	(9)	
10	Rule 17.4.3.1 (3.1.2)	<p>Notified:</p> <p>Amend condition (a) of Permitted Activity rule 17.4.3.1 as follows:</p> <p><i>Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:</i></p> <p><i>(a) The building is not in the <u>Light Industrial Closed Zone at Brightwater</u>. on Part Section 2 of Waimea South District contained in CT 65/68 (Nelson Registry) or on those parts of Lots 4 and 5, DP18856 Waimea South District (see rule 17.3.3.2).</i></p> <p>Submission: Opposed</p> <p>Reasons: The rezoning of the site to a “Closed Zone” has been opposed and so too is this associated change. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete change to 17.4.1: 17.4.3.1 (a)</p>
	(10)	
11	Rule 17.4.3.1 (3.1.3)	<p>Notified:</p> <p>Amend Building Coverage condition (c) of rule 17.4.3.1 as follows:</p> <p><i>(c) Maximum building coverage is 90 percent, except:</i></p> <p><i>(i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua where the maximum building coverage is 75 percent;</i></p> <p><i>(ii) maximum building coverage in the Heavy Industrial Zone at Motueka West where the maximum building coverage is 75 percent;</i></p> <p><i>(iii) in the Light Industrial Zone at Brightwater where the maximum building coverage is 60 percent and the building is not located in a floodway.</i></p> <p>Submission: Opposed</p> <p>Reasons: The rezoning of the site to a “Closed Zone” has been opposed and so too is this associated change. There is no justified reason for the maximum building coverage to be limited below 90% when the flood risks</p>

	.11	<p>are low and can be managed. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete Change to 17.4.3.1(c)(iii).</p>
12	<p>Rule 17.4.3.2 (3.1.4)</p> <p style="text-align: center;">.12</p>	<p>Notified:</p> <p>Amend rule 17.4.3.2 as follows:</p> <p><u>17.4.3.2 Controlled Activities (Building Construction or Alteration - Site-Specific Light Industrial Closed Zone)</u></p> <p><i>Any construction or alteration of a building in the <u>Light Industrial Closed Zone at Brightwater on Part Section 2, Waimea South District, being the land contained in Certificate of Title 65/68 or on those parts of Lots 4 and 5 DP 18856, Waimea South District</u> is a controlled activity, if it complies with the following conditions:</i></p> <p><i>(a) The maximum height of the <u>a building on Part Section 2, Waimea South District, being the land contained in Certificate of Title 65/68 or on those parts of Lots 4 and 5 DP 18856, Waimea South District</u> is 8 metres.</i></p> <p><i>(b) The maximum building coverage on each site is 15 percent (<u>Light Industrial Closed Zone</u>) and the building is not located in a floodway.</i></p> <hr/> <p>Submission: Opposed</p> <hr/> <p>Reasons: The rezoning of the site to a "Closed Zone" has been opposed and so too is this associated change. There is no justified reason for the maximum building coverage to be limited below 90% when the flood risks are low and can be managed. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete Change to 17.4.3.2.</p>
13	<p>Matter 17.4.3.3 (3.1.6)</p> <p style="text-align: center;">.13</p>	<p>Notified:</p> <p>Amend matter (3) of 17.4.3.3 as follows:</p> <p><i>(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. <u>Any increased flood hazard risk will be a consideration at Brightwater.</u></i></p> <hr/> <p>Submission: Opposed</p> <hr/> <p>Reasons: For the reasons given above, there is no good reason for this change.</p> <p>Relief Sought: Delete change.</p>

<p>14</p>	<p>Principal Reasons for Rules 17.4.20 (3.1.7)</p> <p>.14</p>	<p>Notified:</p> <p>Amend the second paragraph of the 'Building Coverage' section in Principal Reasons for Rules 17.4.20 as follows:</p> <p><i>Coverage has been limited on a sites at the northern end of Spencer Place Brightwater because it that have either low-to-medium or medium-to-high flood hazard risk and are is located in on the floodplain of the Wairoa River at Brightwater and have been subject to periodic flooding. This A site at the northern end of Spencer Place, Brightwater, is also bisected by the main trunk wastewater line.</i></p> <p>Submission: Opposed</p> <p>Reasons: For the reasons outlined above, the limitation of maximum building coverage is not justified.</p> <p>Relief Sought: Delete change to 17.4.20</p>																
<p>Planning Maps</p>																		
<p>15</p>	<p>4.1.1</p>	<p>Notified:</p> <p>Amend Zone Maps 90 (Brightwater), 22 and 56 to show:</p> <ul style="list-style-type: none"> Light Industrial Close Zone between north side of Factory Road and SH6 (5, 11 and 13 Factory Road)  <p>Legend</p> <table border="0"> <tr> <td>- - - - - Delete Commercial. Rezone Residential Zone</td> <td>- - - - - Delete Rural 1. Rezone Open Space Zone</td> </tr> <tr> <td>- - - - - Delete Rural 1. Rezone Recreation Zone</td> <td>- - - - - Delete Light Industrial. Rezone Open Space Zone</td> </tr> <tr> <td>- - - - - Delete Rural 1. Rezone Rural 1 deferred Light Industrial Zone</td> <td>- - - - - Add Indicative Walkways</td> </tr> <tr> <td>- - - - - Delete Light Industrial Zone. Rezone Light Industrial Closed Zone</td> <td>- - - - - Add Indicative Roads</td> </tr> <tr> <td>- - - - - Delete Commercial. Rezone Open Space Zone</td> <td>- - - - - Delete Notation</td> </tr> <tr> <td>- - - - - Delete Rural 1. Rezone Rural 1 deferred Residential</td> <td></td> </tr> <tr> <td>- - - - - Delete Rural Industrial. Rezone Rural Industrial Closed Zone</td> <td></td> </tr> <tr> <td>- - - - - Delete Rural Industrial. Rezone Rural 1 Zone</td> <td></td> </tr> </table>	- - - - - Delete Commercial. Rezone Residential Zone	- - - - - Delete Rural 1. Rezone Open Space Zone	- - - - - Delete Rural 1. Rezone Recreation Zone	- - - - - Delete Light Industrial. Rezone Open Space Zone	- - - - - Delete Rural 1. Rezone Rural 1 deferred Light Industrial Zone	- - - - - Add Indicative Walkways	- - - - - Delete Light Industrial Zone. Rezone Light Industrial Closed Zone	- - - - - Add Indicative Roads	- - - - - Delete Commercial. Rezone Open Space Zone	- - - - - Delete Notation	- - - - - Delete Rural 1. Rezone Rural 1 deferred Residential		- - - - - Delete Rural Industrial. Rezone Rural Industrial Closed Zone		- - - - - Delete Rural Industrial. Rezone Rural 1 Zone	
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		Submission: Opposed
	.15	<p>Reasons: The flood risk assessment shows that the land at 5, 11 and 13 Factory Road is generally zero to low. It is only the access area that is the subject of 'high' flood risk. As such the rezoning of this land to a "Closed" zone is considered to be unreasonable and unnecessary. This Plan Change does not achieve the sustainable management of this existing business land resource.</p> <p>Relief Sought: Delete change to the Light Industrial Zone in areas where assessed flooding risks are low to medium.</p>
16	4.1.1	<p>Notified:</p> <p>Amend Zone Maps 90 (Brightwater), 22 and 56 to show:</p> <ul style="list-style-type: none"> Rural 1 Deferred Residential Zone on land south east of Snowdens Bush and between Wanders Avenue and Lord Rutherford Road.
		Submission: Opposed
	.16	<p>Reasons: Plan Change 57 seeks to <u>avoid</u> rezoning land for residential growth in areas that are the subject of flooding. The area of proposed Rural 1 Deferred Residential land to the west of Wanders Avenue is the subject of flooding and so rezoning would be inconsistent with the intent of the Plan Change. Likewise, part of the Rural 1 Deferred Residential Zone east of Snowdens Bush extends into an area of <i>extreme</i> flood risk. This is appropriate. Neither of these areas are suitable for residential development without mitigation or management of flooding risks but would also be inconsistent with the new Policy to avoid flood risks.</p> <p>Relief Sought: Either delete these zone changes or make amendments to the Plan Change (as set out above) to have regard to opportunities to manage flood risks in areas of low to medium risk as a part of achieving the purpose of the Act.</p>