

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

Cover Sheet

OFFICE USE

Date received stamp:

2.2.16

Initials:

DE

Submitter No.

3978

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.

Submitter Name:
(organisation/individual)

Kelli-Anne Eastmond

Representative/Contact:
(if different from above)

Postal Address:

*42 Bryant Rd
Brightwater*

Home Phone: *5423688*

Bus. Phone:

Fax:

Email: *KelliAnne@tripepper.co.nz*

Date: *2nd Feb 2016*

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

Signature:

KEastmond

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

Total number of pages submitted (including this page): *2*

IMPORTANT - Please state:

This submission relates to Change No.:

Change Title/Subject:

PPC 57: 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).

Supplementary Sheet

OFFICE USE Submitter Number: 3978

OFFICE USE
Submission No.

<p>(1) My submission relates to: Provision No or Planning Map No. (Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)</p>	<p>(2) My submission is that: (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)</p>	<p>(3) I seek the following decisions from the Tasman District Council: (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.)</p>
<p>Schedule of Amendments to the Brightwater Strategic Review 1.2 6.16.3.5</p>	<p>The reference to Bryants Lane is incorrect. The correct name is Bryant Road. Bryants lane is not reflected on any of the accompanying maps or official geographical maps.</p>	<p>to amend this reference so that it correctly refers to Bryant Road .1</p>
<p>S.32 Evaluation Report 3.2.1.1 Managing Residential Growth and Flood Hazard Risk.</p>	<p>My concern is with an increase in residential areas and their impact on storm-water & waste- water facilities. It is my view that the current facilities we have are not sufficient in times of heavy rain as our property is subsequently affected by sewage and additional water flowing</p>	<p>I would ask that these services be upgraded to cope with the additional pressure from the new residential areas, .2</p>

P10

91/22

Feel free to contact us:



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Website www.tasman.govt.nz
24 hour assistance

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Fax 03 543 9524

Murchison
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Murchison 7007
New Zealand
Phone 03 523 1013
Fax 03 523 1012

Motueka
7 Hickmott Place
PO Box 123
Motueka 7143
New Zealand
Phone 03 528 2022
Fax 03 528 9751

Takaka
14 Junction Street
PO Box 74
Takaka 7142
New Zealand
Phone 03 525 0020
Fax 03 525 9972

From our gully traps.
This is a health hazard for our
family and causes us to
evacuate as we are unable
to use our facilities as well
as our driveway. The smell &
"material" left is not
pleasant!!



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Cover Sheet

OFFICE USE

Date received stamp:

R. 1. 2. 16
Q

Initials:

Submitter No.

3979

Note:

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Submitter Name: Colin & Hazel Johnston

(organisation/individual)

Representative/Contact: Colin Johnston

(if different from above)

Postal Address:

140 Lord Rutherford Road South,
Brightwater 7022
Tasman

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Bus. Phone: 0212444157

Fax:

Email: saltirenz@gmail.com

Date: 30-Jan-2016

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

[Empty box for postal address for service of person making submission]

Signature: Colin Johnston

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

Total number of pages submitted (including this page): 19

IMPORTANT – Please state:

This submission relates to Change No.: Proposed Plan Change 57

Change Title/Subject:

Proposed Plan Change 57: 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: **3979**

(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>	(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>	(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>	OFFICE USE Submission No.
Update map 52/1 and update map 52/2 of proposed plan change 57: Brightwater Strategic Review (and includes new zoning and area maps 22, 56 and 90)	(i) We are OPPOSED to the indicative walkway to the W & SW of Katania Heights [linking any future extension of Katania Heights to the NE (Deviation) end of Lord Rutherford Road South] shown in update maps 52/1 & 52/2 [Highlighted in Attachments 1 & 2]. (ii) We REQUEST that amendments are made to Proposed Plan Change 57 as follows for reasons of protection of privacy and property security (as detailed on Supp. Sheet 2): (a) The indicative walkway specified above (or any alternative walkways indicated in the same area) is removed from maps 52/1, 52/2 and Plan Area and Zone maps 22, 56 and 90. (b) Policy 6.16.3.6 is amended to reflect that facilitation of access from residential areas to the village should not adversely affect the privacy or security of adjacent residential properties. (c) Method 6.16.20.3(a) is amended to reflect that any acquisition or development of land for recreation, open space and cycle/walkways is only carried out where it does not adversely affect the privacy or security of adjacent properties and meets the requirements of the suggested new general rule. (d) Reason 6.16.30 final paragraph is amended to reflect the changes above.	(i) Amend update maps 52/1 and 52/2 to REMOVE any walkway or indicative walkway in the area between Katania Heights (and any extension of same) and Lord Rutherford Road South; and ensure that no such similar indicative walkways are present in any final versions of maps 22, 56 or 90 of the TRMP as finally approved. (ii) Amend Policy 6.16.3.6 to read "To facilitate access from the residential area to the Brightwater school in ways that do not adversely affect the privacy and security of adjacent residential properties." (iii) Amend Method 6.16.20.3(a) to read "Acquisition and development of land for recreation, open space and cycle/walkways, where not a prohibited activity by general rules for residential zones in the TRMP and not adversely affecting the privacy or security of adjacent properties." (iv) Amend Reason 6.16.30 (final paragraph) by removing "several" and adding "Where necessary to significantly reduce foot travel distance, and where they can be built so as not to adversely affect adjacent properties' privacy and security" before indicative walkways. (v) Introduce a new general rule into the TRMP for residential zones (continued on supplementary sheet 2)	1 2 3 4
Also relating to: (a) 6.16.3 Policies, namely 6.16.3.6 regarding facilitating access from new residential areas. (b) 6.16.20 Methods and Implementation, namely 6.16.20.3(a) regarding "acquisition and development of ... cycle/walkways" (c) 6.16.30 Principal Reasons & Explanation regarding the use of indicative walkways to integrate new residential development			
This submission also proposes the introduction of a new General Rule in the TRMP covering Residential Zones regarding the acquisition and/or development of land for recreation, open space and cycle/walkways.			

2/2

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Motueka 7143
New Zealand
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Fax 03 528 9751

Takaka
14 Junction Street
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Takaka 7142
New Zealand
Phone 03 525 0020
Fax 03 525 8924

SUPPLEMENTARY SHEET 2

Detailed submission on Proposed Plan Change 57 – Brightwater Strategic Review.

Colin & Hazel Johnston, 140 Lord Rutherford Road South, Brightwater 7022

30 January 2016

(3) continued from supplementary sheet 1:

The new general rule for residential zones to be written so as to make a PROHIBITED ACTIVITY any activity of acquisition or development of land for recreation, open space or cycle/walkways where those lands or activities are elevated above the ground level of existing residential properties within 50m of the proposed lands or activities, or where screening at the boundary of adjacent properties would need to be in excess of 2m height to prevent members of the public on the recreation, open space or cycle/walkway from looking directly into the residential property.

.5

Reasons for the submission

1) Establishment of any walkway on or near the indicative route would cause very significant invasion of privacy to our property

Attachment 3 shows the immediate area of our property at 140 Lord Rutherford Road South. On this picture a small farmers cutting is clearly visible running part way across the side of the hill. From the update maps 52/1 and 52/2 we have concluded that this is the intended route of the indicative walkway we are opposed to. This cutting is now heavily revegetated and less obvious. When, in 2011, we viewed the property for purchase we noted the cutting and enquired into its possible use. We also carried out due diligence on it through the inspection of the LIM report (an excerpt of the LIM report is included as **Attachments 4a** and **4b**). This clearly shows that the TRMP did not consider the cutting should be used for a walkway. This objection is not a case of reverse sensitivity, but an objection to any proposed new acquisition and development of public access land in an area which has significant adverse effects on our privacy and security.

Attachment 5 (contour map) shows that the area is precipitous and the majority of the indicative walkway route is unsuitably steep. In addition, such a walkway does not actually reduce walking distance to the village centre or school and large portions of it would lie hidden up a gully which is undesirable for a public walkway from a personal security perspective, as recognised in other parts of the TRMP. A much better route, on a more moderate slope, would exist on a properly formed footpath adjacent to the road access to any extension to Katania Heights.

Attachment 6 provides a scale view plan of our house, the adjacent indicative walkway and the location and size of the slip defect. Our main concern is that such a walkway would result in a devastating loss of privacy as well as diminished property security. The walkway would run close to the house, but of particular concern is the fact that it is elevated on a steep hill side to the extent that it is at and above first floor level. Users of such a walkway would have a direct, close and unimpeded view into our bedrooms, bathroom, family room and garden. This is clearly a very serious adverse impact to privacy where none currently exists, and it also represents a risk to property security. Attachment 6 shows two cross section lines (AA' and BB') which are translated into scale cross sections on **Attachment 7** and **Attachment 8** respectively. These show the degree of elevation of the indicative walkway and just how clear a view into our house would be afforded to those on the path.

We have calculated that, at the boundary of our property, we would require screening in excess of 36m long, and the screening would need to reach a height of 6m at one end, increasing to almost 8m at the other just to mitigate the privacy impacts of the TRMP permitting such a walkway to be built. We hope the planning committee will recognise how impractical, difficult and expensive it would therefore be for us to mitigate the effects of a walkway.

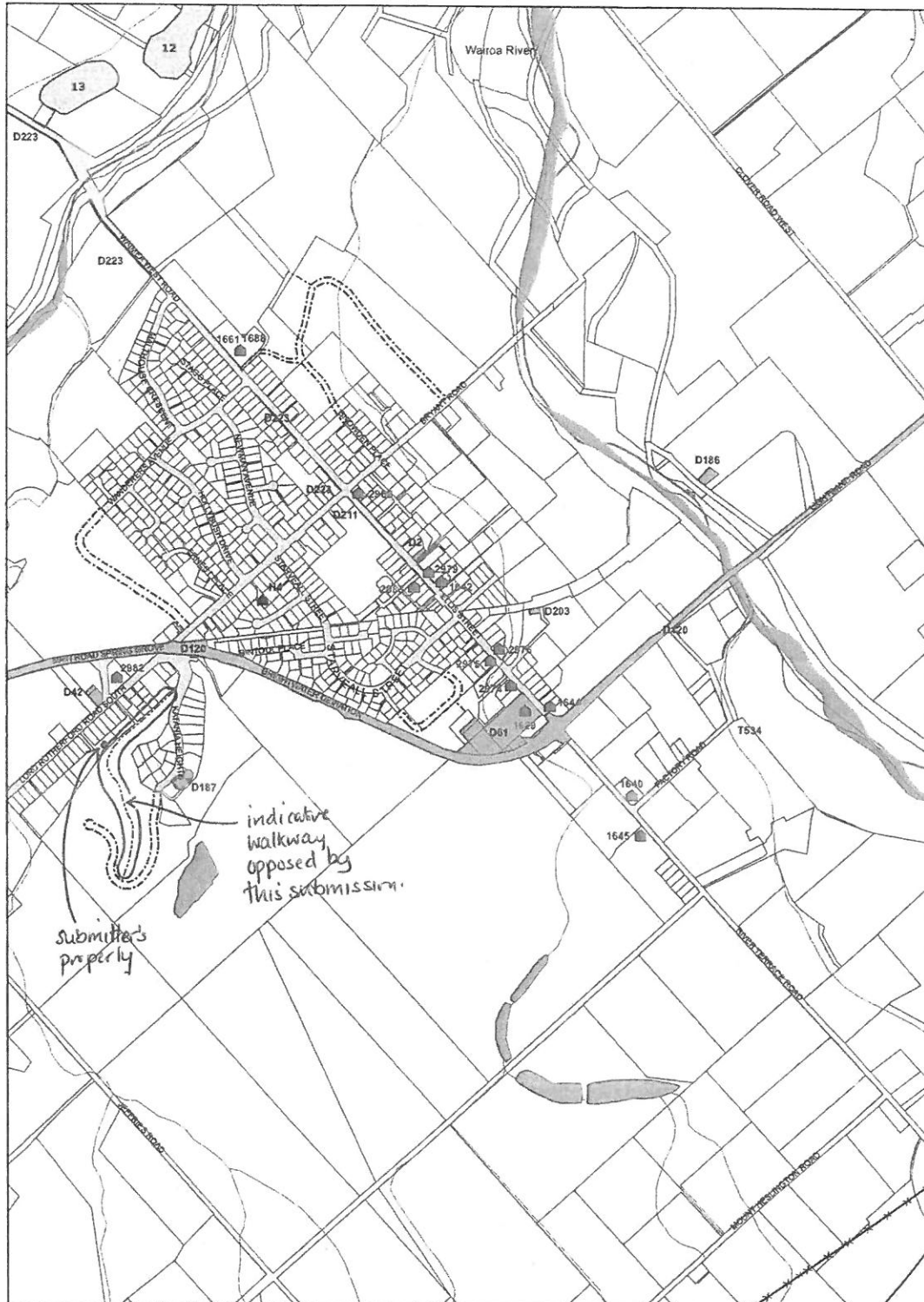
We attach a series of photographs taken from the route of the indicative walkway and from the house to demonstrate how intrusive such a walkway would be. Please also note that the silk tree and cherry tree visible in the photographs lose all their leaves for much of the year and provide no screening whatsoever during that extended period.

2) We have concerns over poor water management in association with the developments, and this potential walkway that may increase risk of slope instability

The developers of the first stage of Katania Heights had directed stormwater flow along this cutting, which in December 2011 rains resulted in a 10.3m wide slip of land along and below the cutting into our property, destroying vegetable beds, retaining wall and the built wall of an outdoor covered area. The slip stopped less than 1 m from our back door. As the cutting is now heavily revegetated, and the developers redirected stormwater away from the cutting the risk is lower. We also planted native flaxes to help stabilise and fill in the slip defect. However, if a walkway is constructed it will once again remove vegetation, destabilising the slope, and result in a pathway for stormwater flow down to this steep slip-prone slope.

We request that the Tasman District Council remove any possibility of such a walkway being permitted on the steep hill side behind Lord Rutherford Road South.

Attachment 1



AREAS
 Update Map 52/1
 28 November 2015
 Maps affected: 22, 56, 90

- Add Indicative Walkways
- Add Indicative Roads
- Add to Designation D187

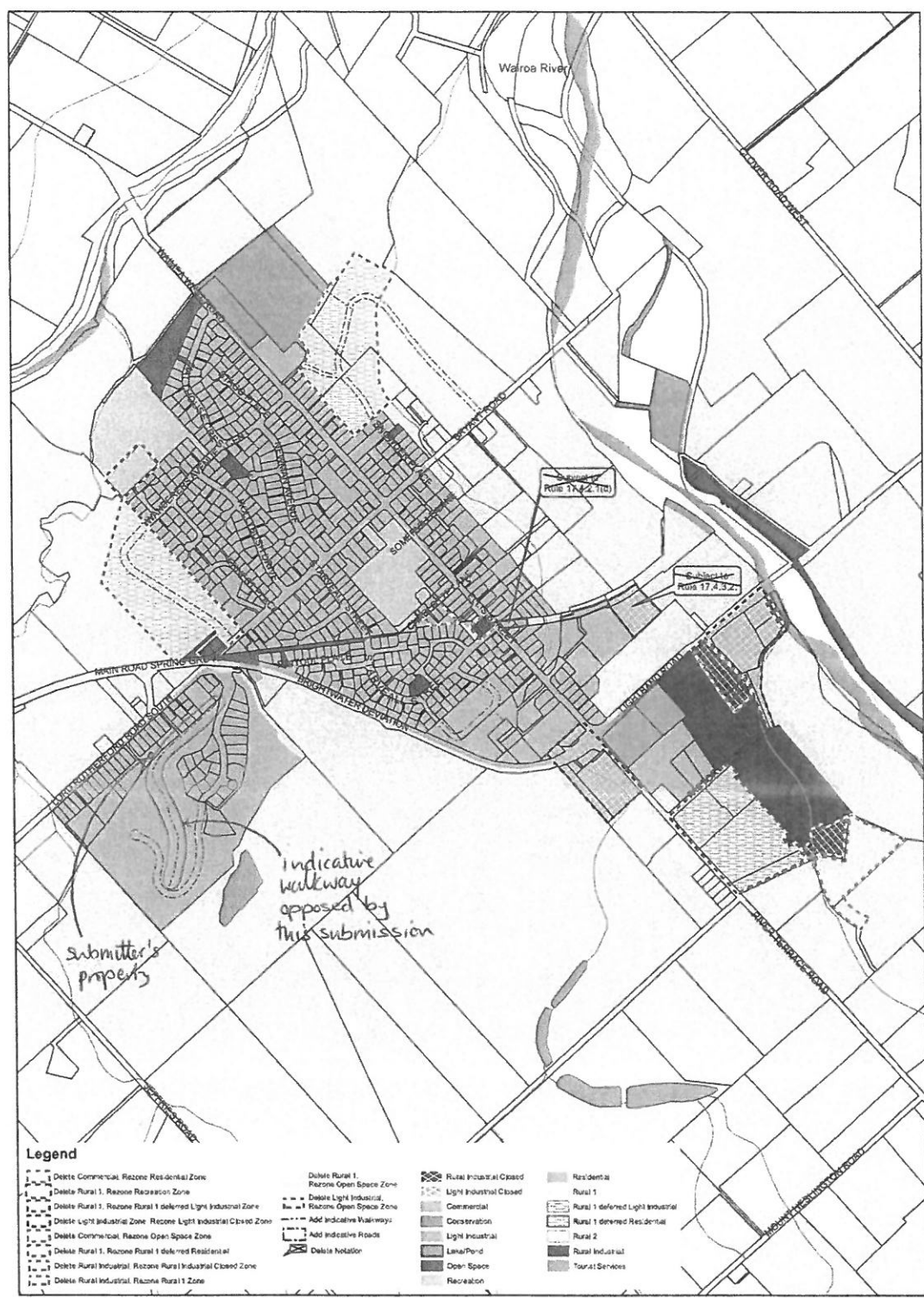


TASMAN RESOURCE MANAGEMENT PLAN
 Proposed Plan Change 57
 No legal effect



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Attachment 2



Legend

- - - Delete Commercial, Rezone Residential Zone
- - - Delete Rural 1, Rezone Recreation Zone
- - - Delete Rural 1, Rezone Rural 1 deferred Light Industrial Zone
- - - Delete Light Industrial Zone, Rezone Light Industrial Closed Zone
- - - Delete Commercial, Rezone Open Space Zone
- - - Delete Rural 1, Rezone Rural 1 deferred Residential
- - - Delete Rural Industrial, Rezone Rural Industrial Closed Zone
- - - Delete Rural Industrial, Rezone Rural 1 Zone
- - - Delete Rural 1, Rezone Open Space Zone
- - - Delete Light Industrial
- - - Rezone Open Space Zone
- - - Add Indicative Walkways
- - - Add Indicative Roads
- - - Delete Notation
- [Cross-hatched] Rural Industrial Closed
- [Dotted] Light Industrial Closed
- [Stippled] Commercial
- [Horizontal lines] Conservation
- [Vertical lines] Light Industrial
- [Diagonal lines] Lane/Pond
- [Dark grey] Open Space
- [Light grey] Recreation
- [White] Residential
- [Light grey] Rural 1
- [Medium grey] Rural 1 deferred Light Industrial
- [Dark grey] Rural 1 deferred Residential
- [White] Rural 2
- [Dark grey] Rural Industrial
- [Medium grey] Tourist Services

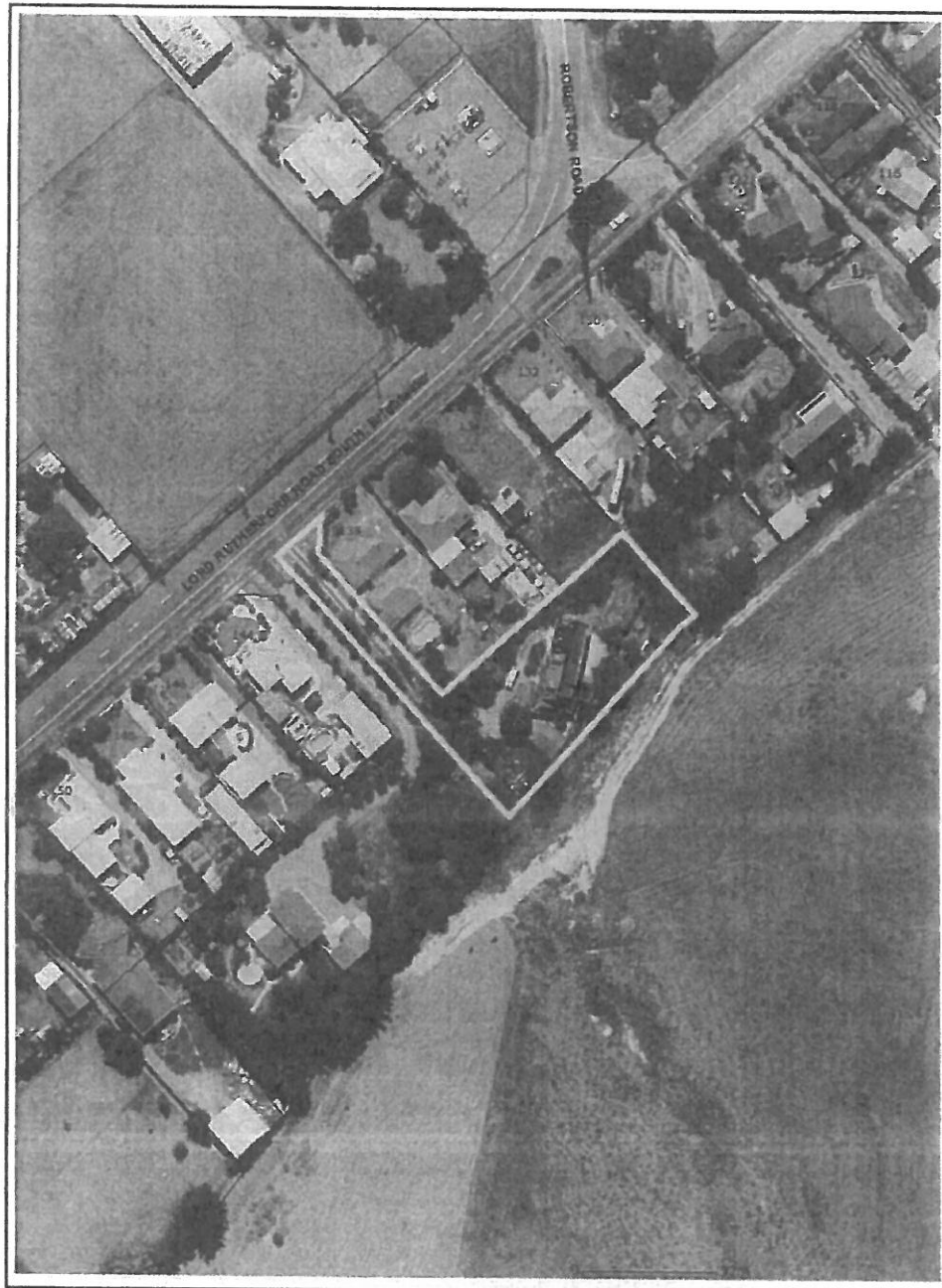
TASMAN RESOURCE MANAGEMENT PLAN
Proposed Plan Change 57
No legal effect

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ZONES
Update Map 52/2
28 November 2015
Maps affected: 22, 56, 90

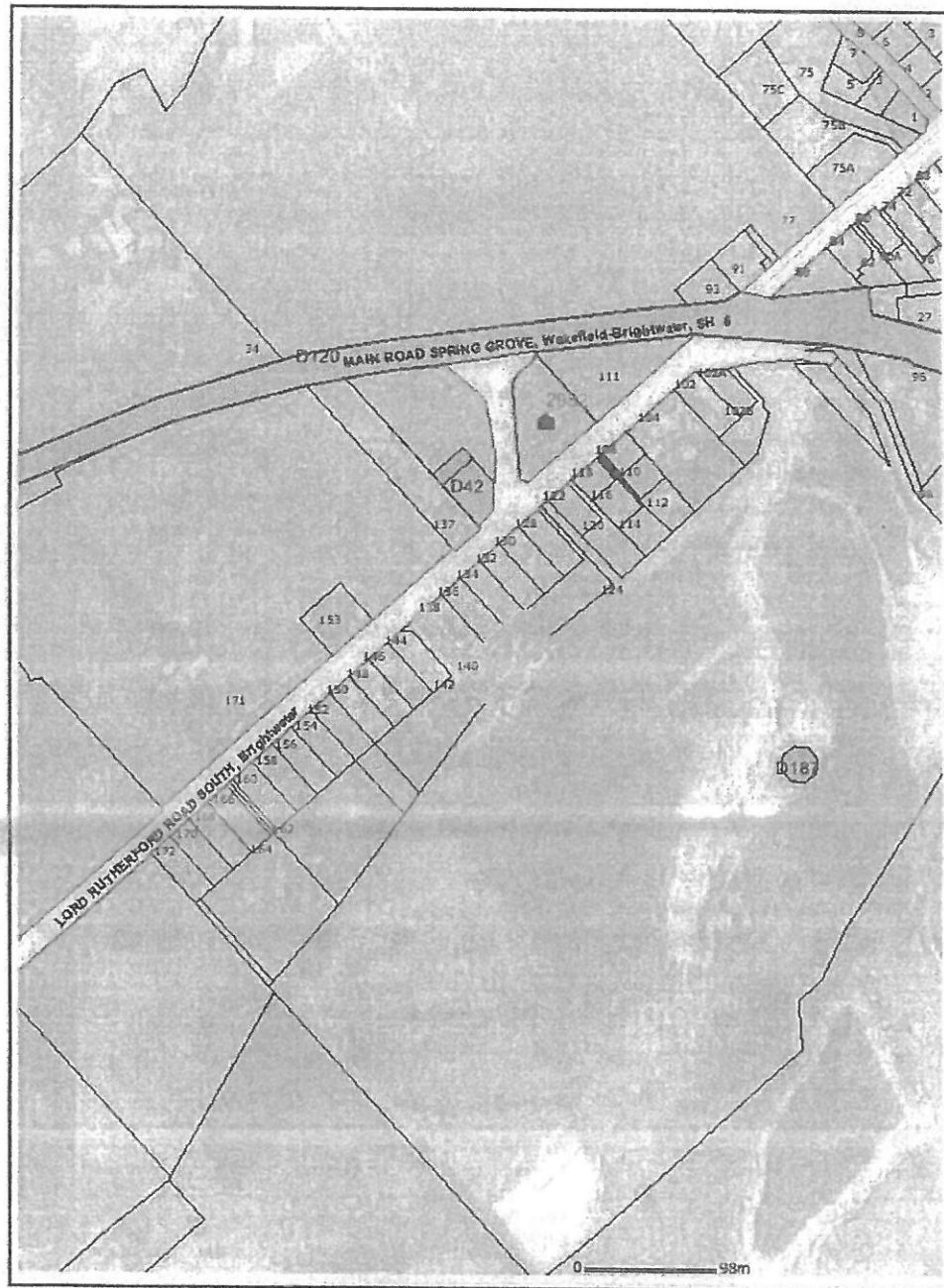
Attachment 3

**L110333 Pipe Network Map****17/8/2011 DISCLAIMER:**

This map is derived from ExploreTasman and has generally been compiled from data generated by and supplied to the Tasman DC. It has no legal status and is known to be incomplete. To ascertain the exact location of any item, Tasman DC advises that the customer arrange onsite verification. Tasman DC will not be liable for any damages or loss whatsoever suffered from the use of this information.

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Attachment 4a



L110333 Area Map

17/8/2011 DISCLAIMER:

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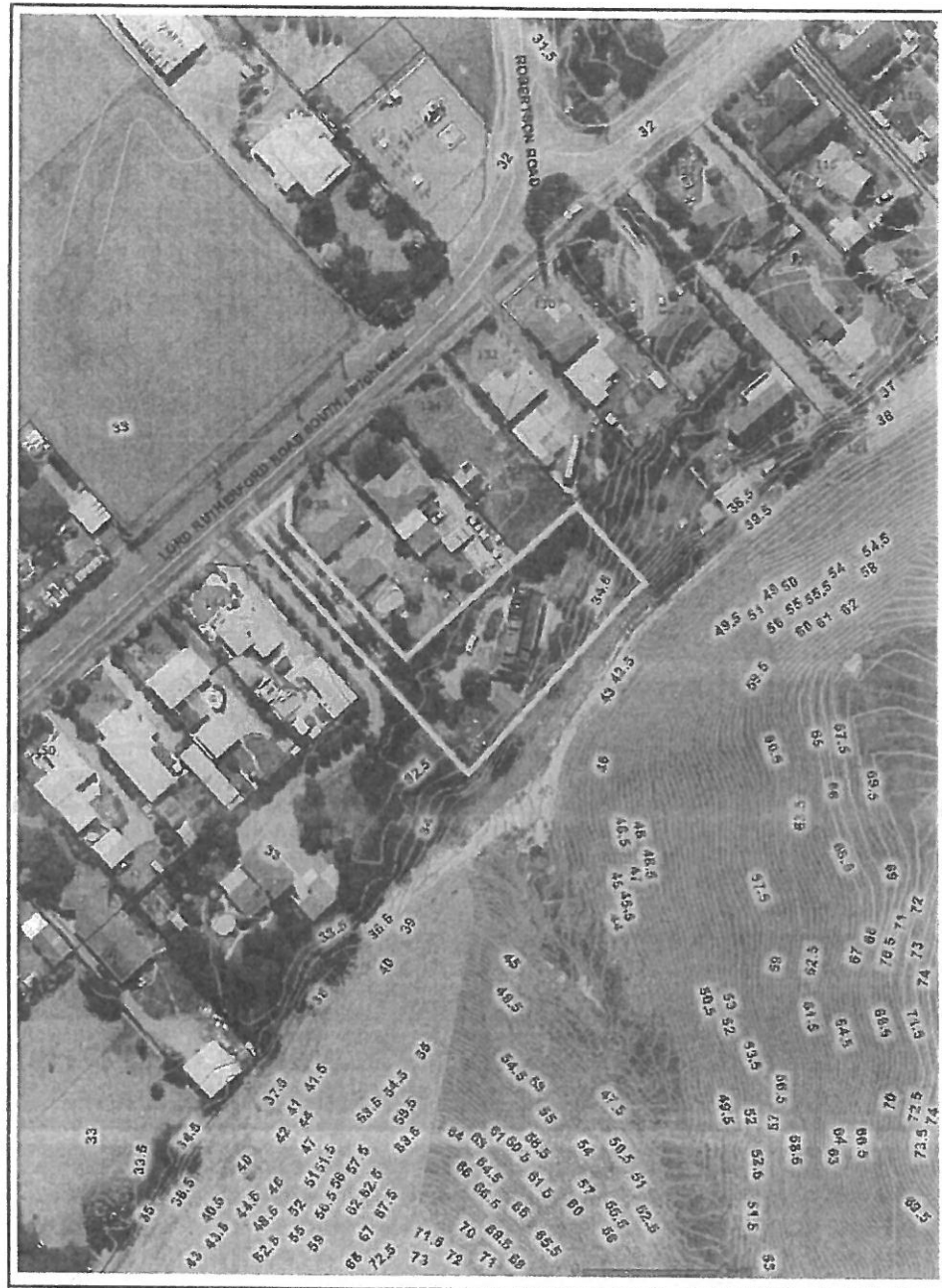
Attachment 4b

Aerial photography under joint copyright between Tasman DC and supplier. The date that photography was flown varies across the district, with the most recent being displayed for each resolution



- | | | | | | |
|--|---------------------------------------|--|---|--|-------------------------|
| | Highlighted Feature | | Landscape Priority Area | | Parcel |
| | Legal Road Boundaries | | Mooring Area | | Parcel |
| | Road Name | | Overhead Lines 33kv | | House No |
| | Townships | | Protected Trees | | District Boundary |
| | Parcel Not Shown | | Existing tree | | Township Orthos |
| | Parcel | | Existing tree | | Half Metre Rural Orthos |
| | Aquifer Protection Area | | Existing tree | | Rural Imagery |
| | Chemical Hazard Area | | Add to schedule | | Tasman District |
| | Coastal Environment Area | | Add to schedule | | Nelson City Council |
| | Coastal Environment Area Polygon | | Quarry Area | | |
| | Coastal Hazard Area | | Recharge Protection Area | | |
| | Designation Site | | Residential Activity Restriction Area | | |
| | Designation Area | | Ridgeline | | |
| | Electricity Transmission Line | | Road Area | | |
| | FRRR Faultline | | Services Contribution Area | | |
| | Position surveyed | | Wastewater Management Area | | |
| | Position approximate | | Service Lane | | |
| | Position Inferred | | Shopping Frontages | | |
| | Fault Rupture Risk Area | | Retail Frontage | | |
| | Landslide Features | | Shopping Frontage | | |
| | Heritage Building | | Significant Natural Area | | |
| | Historic Places Trust | | Slope Instability Risk Area | | |
| | Tasman District Council | | Special Domestic Wastewater Disposal Area | | |
| | Indicative Reserves | | View Point | | |
| | Indicative Roads | | Working Quarry Site | | |
| | Indicative Stormwater Retention Areas | | Working Quarry Site | | |
| | Indicative Walkways | | Working Quarry 500m Buffer | | |
| | Indicative Waterways | | Surface Water Protection Yield Area | | |
| | Land Disturbance Areas | | | | |
| | Land Disturbance Area 1 | | | | |
| | Land Disturbance Area 2 | | | | |

Attachment 5



L110333 Contour Map

17/8/2011 **DISCLAIMER:**

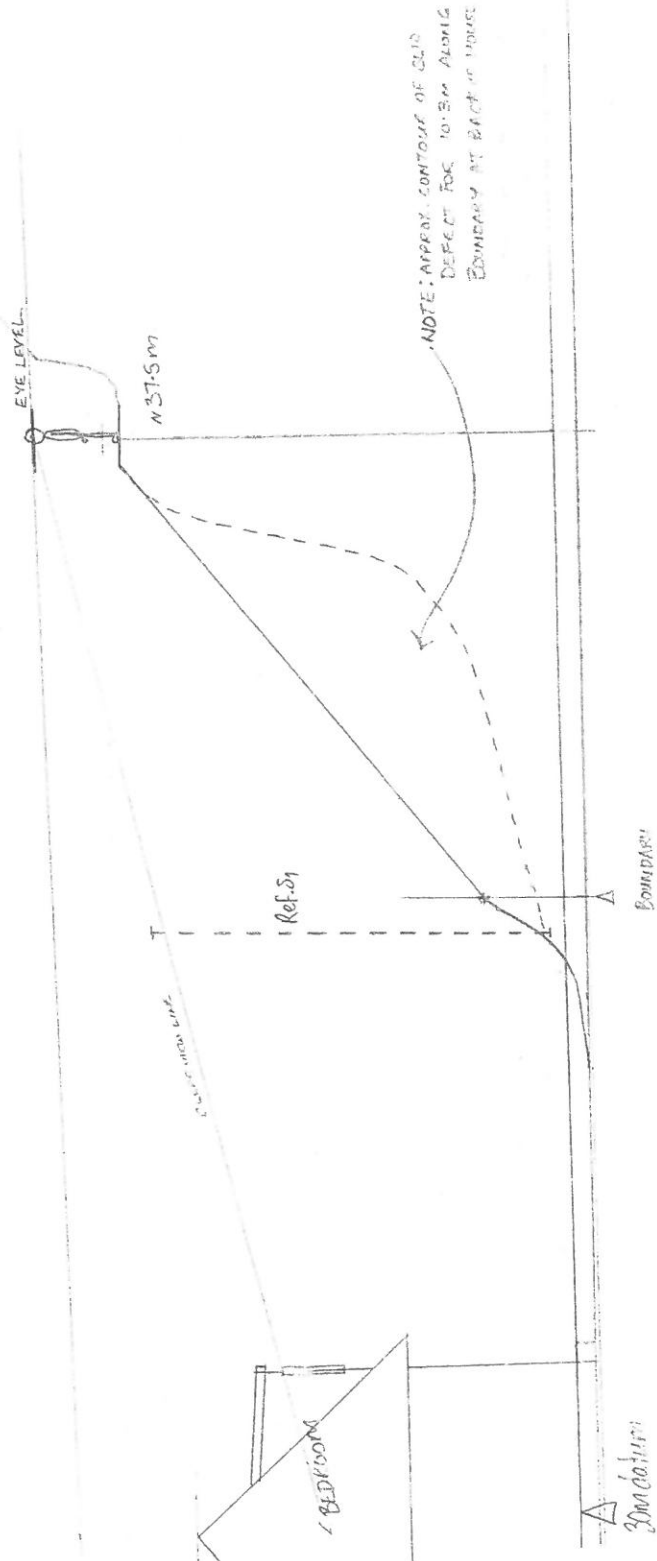
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Attachment 7

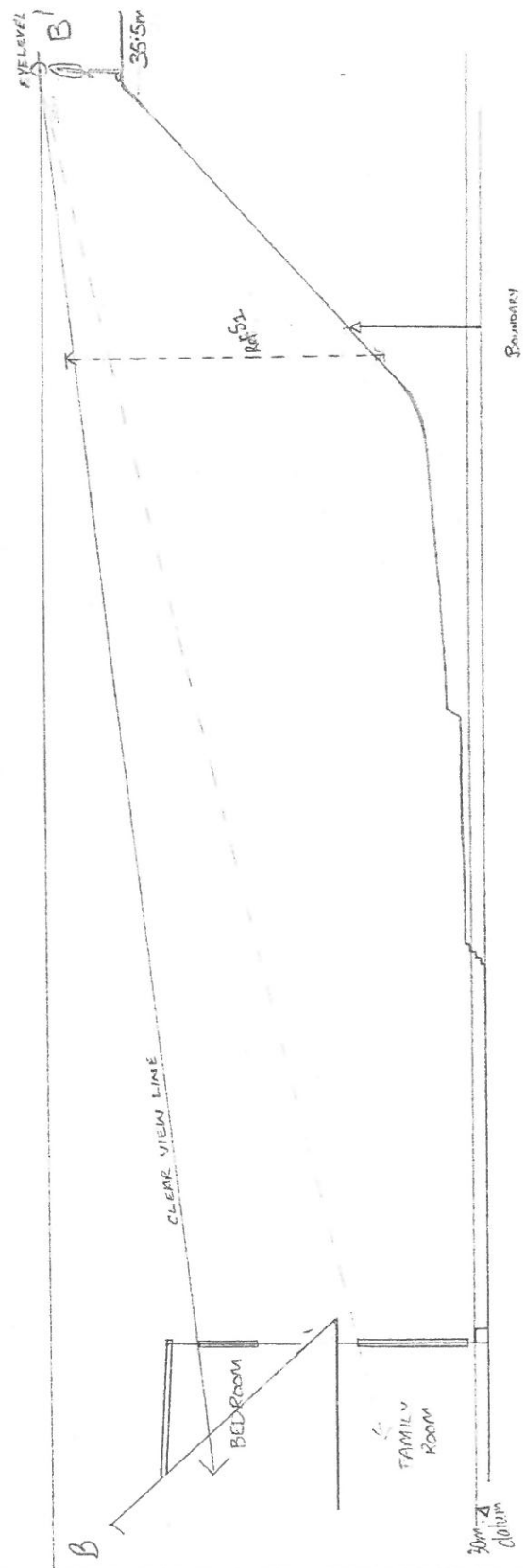
CROSS SECTION [1:100] 1/10'

Ref. S₁ = height of screening which would be needed to block clear view line into bedroom = 7m



Attachment 8

CROSS SECTION [1:100] B/B'
 Ref S₂ = height of screening which would be needed to block clear view line into bedroom = 6m.
 into family room = 5.5m.



3979

Photographs



Submitter on walkway route looking down into garden



Submitter on walkway route – picture taken from bedroom B window. Note the cherry trees and silk trees lack leaves for much of the year and provide no screening

3979



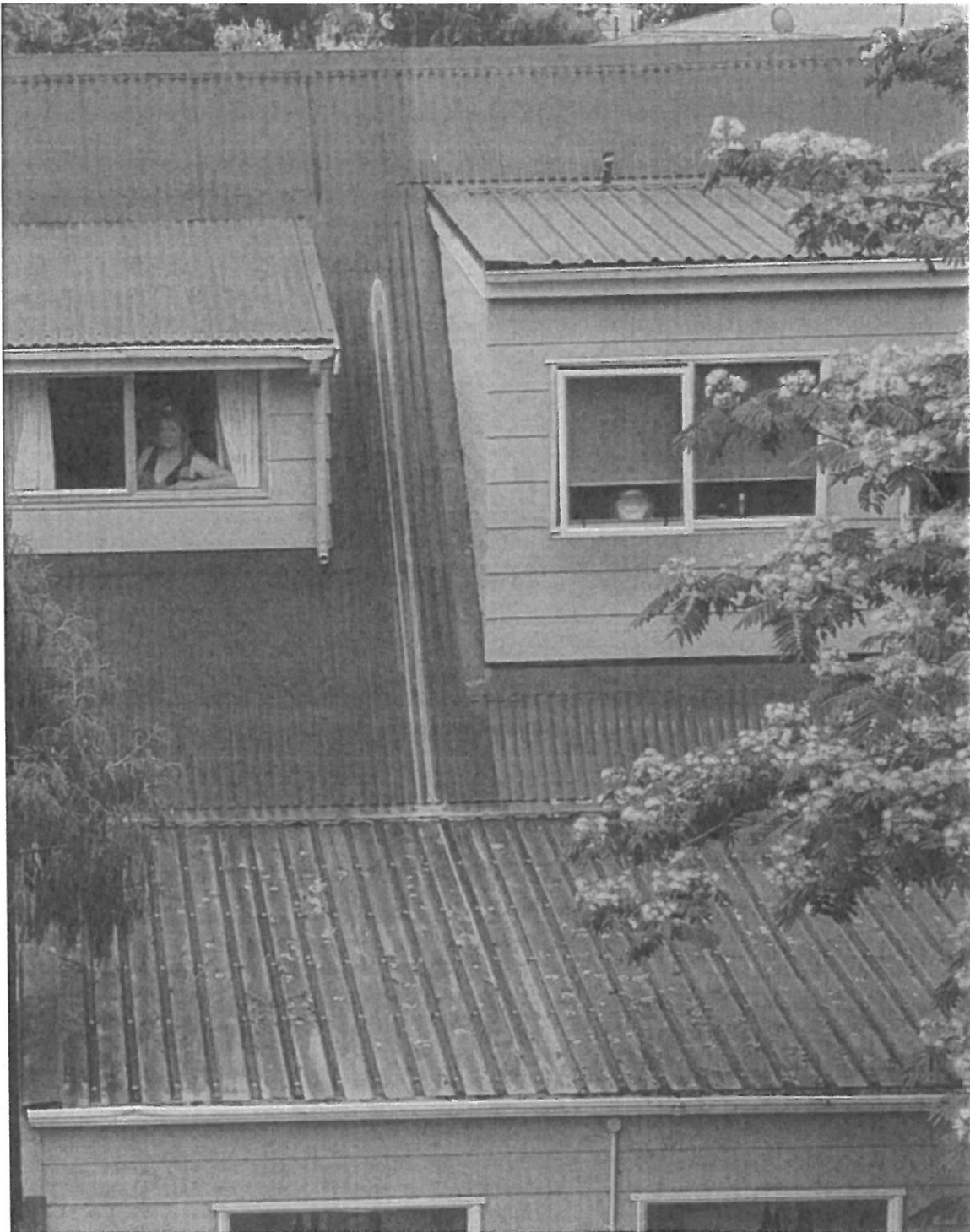
Submitter on walkway route – picture taken direct from window of bedroom A



Submitter on walkway route – picture taken from end window of bedroom A



View from walkway route into end window of bedroom A



View from walkway route into side window of bedroom A and bathroom window