R 27.1.16 8

### **Brightwater Strategic Review**

Plan Change Submission

Spencer Place, Brightwater Engineering, LH & KR Grey Property Limited

Prepared by

Kathryn Marshall

**Key Project Management Ltd** 

PO Box 601

Nelson

Ph 027-545-1150

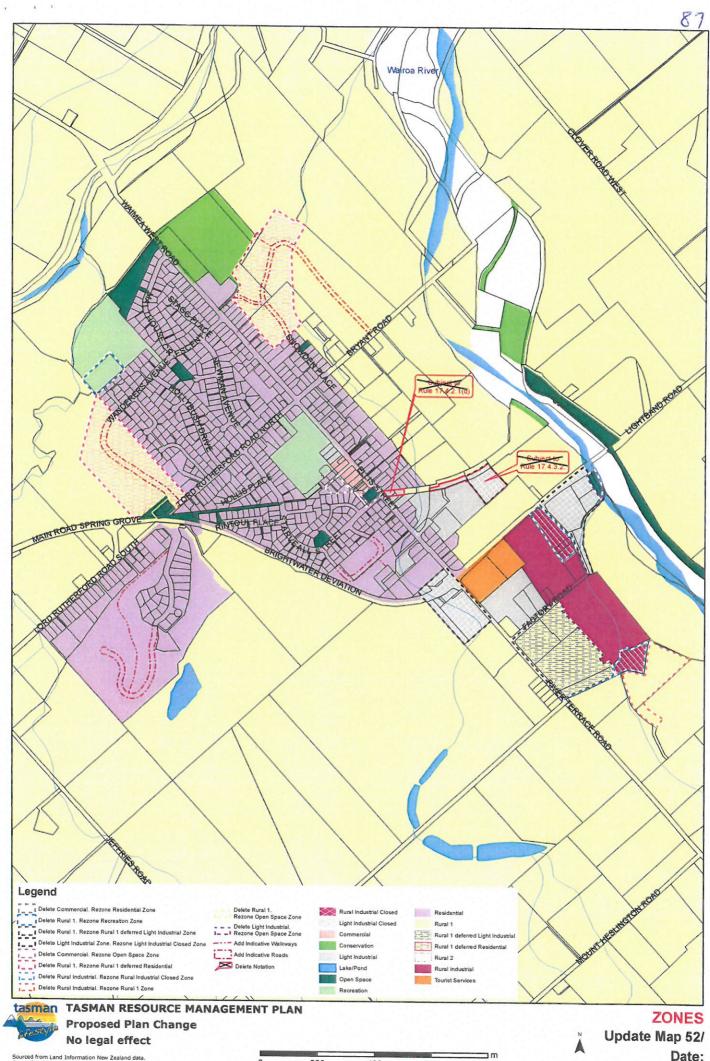
This submission supports the Brightwater Engineering Land , accessing off Spencer Place, remaining zoned as light industrial as shown.

.2

. 1

This submission supports the Brightwater Engineering Land, on the Nelson side, remaining light industrial closed, as shown. When the Mt Heslington Stream is diverted, this submission asked that the closed zoned is removed and the land within this zone be zoned light industrial as a continuation of the balance of the property.

As discussed with Rose Biss, 20th January 2016.



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200 400 600 800 Scale: 1:9,000

Date:

Map affected: 90



# Submission on a Change to the Tasman Resource Management Plan

Manager, Policy Tasman District Council		Cover Sheet
Private Bag 4, Richmond 7050 OR 189 Queen Street, Richmond OR		OFFICE USE
Fax 03 543 9524 OR Email steve.markham@tasman.govt.nz		Date received stamp:
Note: This form is only for the purpose of making a submission on the Plan submission (i.e. in support or opposition to an original submission) on a resource consent or on Council's Annual Plan.		26.1.66
		Initials:
		Submitter No.
		336
Submitter Name: GARRICK GARRICK Granisation/individual)  Representative/Contact: (if different from above)	ATTEN	
Postal Address:	Home Phone:	7423740
POSOX 102 BRIGHTWATER 7057	Bus. Phone:	
BRIGHTWATER 7057	Fax:	
	Email: Cap	rinex extra 10.10
Postal address for service of person making submission:	Date:	22.01.16%.
(if different from above)		
	Signature:  NOTE: A signature is not reque electronic means.	ired if you make your submission by
	Total number of pages subn	nitted (including this page):
IMPORTANT – Please state:		
This submission relates to Change No.: 57	1/wa wish to he heard in	support of my/our as besides
Change Title/Subject:		support of my/our submission.
BRIGHTWASTER REVIEW		to consider presenting my/our submission 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:

336

1) My submission relates to: Provision No or 57	(2) My submission is that:	(3) I seek the following decisions from the	ш
Planning Map No. (Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)	(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)	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.)	OFFICE USE
PROPOSED PLAN CHANGE #57 CHAPTRA C U/SATR MAP 52/2	OPPOSE REZENING  RILAND TO  RESIDENTIAL  (deferred) and  AMENDMENTS OF  ONDOOR (TEXT OF	REMOVE THE PROPOSED REDONING ELEMENT OF RI LAND TO AES; DENTAL AND PROPOSED AMENDMENTS TO -6.16.1.18 PLES -1.1.1	.1
ZONE MAP	Carring	6.16.1.2	.3
90, 22,56		6.16.3 POLICIES -	.4
AREA MAP 90,22,56		6.16.3.2 6.16.20 metals- 6.16.20.1(a)	.5
		AMB RELEVANT AMROBRIATE TEXT UNDER 6.16.80	. 6

5,2/2



## DETAILED SUBMISSION ON PROPOSED PLAN CHANGE # 57 BRIGHTWATER GARRICK BATTEN 22 January 2016

It is submitted that the element of Rural 1 land rezoned to residential (deferred) should be removed from the Proposed Plan Change #57 for two major and several minor reasons. Consequently the proposed amendments to 16.6.1: ISSUES - 6.16.1.2, 6.16.3: Policies - 6.16.3.2, 6.16.20: Methods - 6.16.20.1(a) should be removed along with appropriate relevant text under 6.16.30, relevant maps and any other related wording.

#### **LOSS OF HIGHEST QUALITY RURAL LAND**

- 1 The Proposal is to rezone substantial areas of highest quality food-producing rural land to the north and south-west of Brightwater to grow houses.
  - Once subdivided for housing it is over-capitalised and physically constrained from growing food for ever.
  - This is contrary to national land use opinion, TDC Rural Land Use Policy, TRMP provisions, the wishes of the majority of TDC ratepayers, and logic.
  - It ignores such information, opinion and policy direction, and the Draft Brightwater Policy
    Review document April 2015 "...to give an important policy direction in relation to land use" to
    protect high quality land.
  - Council needs wise and visionary planning for sustainable growth while protecting and making best use of productive land, which is not growing houses.
- 2 The miniscule 5% proportion of high quality land in Tasman is similar to the national proportion.
  - A recent Landcare Research Report to MPI concluded it was nationally critical to avoid
    making land use decisions with irreversible effects such as urban development on such land.
     Prof. Caroline Miller of Massey University endorsed the same conclusion earlier in the year.
- A major thrust of the Draft Plan Change for <u>Rural Land Use</u> currently being reviewed by Council is to preserve high quality land and covers "... protection of productive capacity, especially of high productive values.." "... reinforce protection of productive land resources, especially of high value..."
  - Submissions had majority broad support to endorse and ensure the limited resource of productive land was not diminished; high quality land is the most important part of that for several other reasons.
  - Advance notification of proposed Rural Land Use rule changes notes ensuring greater protection of the best productive land.
  - Council's previous Brightwater Plan Review in 1995 also argued against residential expansion on adjacent high quality soils.
- 4 The S32 Evaluation Report of Proposed Plan Change #57 did not consider any effect on high quality land, other than a brief nod to RMA requirements to promote sustainable natural and physical resources.

- It claims no change to the TRMP Chapter 6 Urban Land Effects Objectives, that actually specifically states "avoidance of loss of high productive land", and has various provisions to minimise urban expansion on it.
- It ignores Chapter 7 Rural Land Effects on subject rural land that also requires avoiding loss
  of rural land, especially high quality productive land, both for actual and cumulative loss on
  a district basis.
- 5 There are significant logical reasons against rezoning this highest quality rural land.
  - TDC has officially recognised food production as a priority land use after application by HORTNZ.
  - High quality land for food production has strategic value for the region, and nationally, given its positioning and isolation.
  - Brightwater is an integral part of the major Tasman resource of the Waimea Basin because of soils, climate, water and proximity to infrastructure resources of labour, energy and transport.
  - High quality soils, given earlier time and cost to develop them, have heritage values at least parallel to protection and preservation of buildings and trees.
  - High quality land versatility is not limited to current grape and pasture use.
  - Residential development when considered on a district basis should cover the cost of not only loss of food production from high quality land, but the cost of future production capability discounted to present values, and also loss of associated direct and indirect jobs.
  - The proposed Waimea Community Dam requires maximum water uptake for economic justification, so any loss of irrigable land is counter-productive to that project.
  - Linking future residential development to existing urban flat land for historical reasons, and adjacent infrastructure, is to perpetually facilitate loss of high quality land, and is contrary to other TRMP provisions and policies.



The proposed changes to amend wording in <u>Issues and Policies</u> as above by substituting <u>manage</u> for <u>avoid, remedy and mitigate</u> is contrary to all the above.

#### **BRIGHTWATER PLANNING ASPECTS** - MODELLING

#### (A) FLOOD RISK

- 6 Another major reason to delete proposed rezoning of highest quality Rural 1 land is flood risk
  - The designated areas are land identified by unsound modelling using inadequate input data.
  - They use flood risk modelling with only short-term historical data. That ignored the known ability for anecdotal and citizen-based science to complement scientific observations to improve the model.
- <u>7</u> Proposed rezoning is based on SKM 2013 report on their flood modelling of Brightwater used by Council to justify this particular proposed rezoning. That report is notable for the many reservations, and particularly states that it does not represent the Council's view.

. 8

- It notes that it is not considered sufficiently accurate for allocation of site-specific development advice.
- Any SKM modelling is couched in the reservation that there has been no attempt to verify
  accuracy or completeness of input information. It also notes that no allowance has been made
  for changes in land use that is particularly relevant to the Mt.Heslington Stream and Wairoa
  River catchments where runoff from cleared land can be twice that of forested land.
- One proposed area is bounded by the Mt. Heslington Stream. The other area is influenced by the Pitfure catchment. The SKM Report has several relevant comments quoted here:
- Care should be taken in interpreting all modelling results because they are indicative only
- Flood depths and extremes should not be relied upon on near-model boundaries
- Some caution should be applied to interpreting flood extent in vicinity of small streams
- There is no assessment of the impact of (the several) culvert and bridge blockage

To draw the rezoning proposal model based on such significant reservations and questionable data and to describe the proposed land as flood-free is illogical.

#### (B) POPULATION

- Settlements as being the same. While convenient, this ignores the unique character and different potential of each Settlement, and in particular ignores the specific character of Brightwater. This is a semi-rural village where farm and forestry machinery, labour and activities are an integral part. It is also a dormitory centre with higher than normal vehicle ownership and 90% of residents travelling to work outside the village. Servicing and commercial adjuncts to village life have changed little over the last 40 years despite gradual population increase, supporting the view that further increases will have little effect on developing a more dynamic village, given as a reason for increased residential land.
  - The Council's Settlement document specifically states that (past) population growth figures are critical indicators of (future) demand. Tasman population modelling is based on Census increase 2006-13, and the middle range 'medium' growth rate increase used nationally.
  - Brightwater population shrank in the period by 2½%, with 4½% of dwellings unoccupied, contrary to the trend in other Settlements. That was dismissed as being an unexpected and unusual situation without any evidence of such. It is illogical to use one parameter and not another because of modelling inconvenience and reality.
  - The Housing Accord signed with government is reported as not primarily focused on Brightwater. There is currently substantial residentially zoned village land available for housing to meet logical anticipated demand. Increased site coverage also assists. The open-ended planning model argument used that owners of residentially zoned land may not want to develop it is not a reason to just zone more land.
  - Draft Review documentation, publicity and community discussion referred to a 20 year forecast, yet this Proposal text statements and supporting documents continually refer to expected

- population demand increase by 2039 i.e. 25 years. This indicates further exaggeration to justify modelling conclusions.
- Proposed rezoned Rural 1 land is categorised as deferred, dependant on available services for water, stormwater, wastewater, and roading included in the 10 Year Plan for 2023, 2021, 2025, and unknown respectively. It is illogical to base possible residential land availability on planned essential infrastructure development that is itself likely to be deferred by unforeseen financial decisions.
- In particular the planned water bore depends on the Waimea Community Dam being operated
  as planned and this is also unknown. If it does not operate, the proposed rezoned land cannot
  be serviced from existing water supplies.

S32 Evaluation Report is required in the interests of good Council regional governance to identify options and alternatives to proposed rezoning of this Rural 1 land in the TRMP context, and not just in Brightwater. The Proposal itself needs to use sound planning principles and practices.

#### **BRIGHTWATER PLANNING ASPECTS** - PLAN PREPARATION

- **9** Further to the reservations arising from illogical population and flood-risk modeling above, there are concerning plan preparation aspects.
  - Although the Ellis Street/Rutherford Road intersection is stated as needing improvement at an
    unknown date, there is no attention paid to Bryants Road that is currently inadequate for
    vehicle and Great Taste Trail cycle traffic, and therefore substandard for increased vehicle traffic
    from the proposed nearby subdivision.
  - Both proposed areas will increase traffic in some way to Waimea West Road that is an arterial road with existing substantial heavy traffic flows.
  - Whilst the Planning map shows indicative roading and there may be alternatives, subdivisions of
    the proposed size require at least two outlets. The northern area shows an indicative exit
    through adjacent Rural 1 land to Bryant Road that must inevitably encourage further adjacent
    residential subdivision and further unacceptable loss of highest quality land.
  - The Planning Map also shows indicative access to Snowden Place through two private properties, at least one owner being reluctant to agree.
  - The Map also shows indicative access to and use of a private right-of-way access to Snowdens
    Bush. It is notable that apart from not consulting title-holders whose properties would be
    affected, it ignores their rights. A desk study to squeeze an access road into available ROW land
    space ignores standard road design requirements and current pedestrian use.
  - The Map further shows this right-of-way as an indicative walkway, again ignoring title-holders rights to restrict access.

Using indicative roading that may or certainly will not be practical to solve planning problems is clear evidence of unsound planning as it shows the lack of practical alternatives. If they were available they would be shown.

5

#### **TIMING**

- 10 The proposed rezoning of highest quality Rural 1 land to residential is unnecessary at this time for the following reasons.
  - Proposed dramatic open-ended negative change from RMA requirements for rural land use in Brightwater compared with currently unresolved Regional Rural Land Use policy, TRMP and national policy.
  - Currently inadequate population modelling applied to Brightwater using growth speculation based on ignored forecast parameters and unique village dynamics.
  - Inadequate flood-risk evaluation of the proposed areas.
  - A deferred status related to anticipated long term infrastructure developments
  - Key decision on water availability influenced by the proposed Waimea Community Dam

There is no logical justification to create residential provision for anticipated realistic demand in the next 20 years by providing further zoning of highest quality land that should be protected anyway.



20 Ballance Street
PO Box 5084, Lambton Quay
Wellington 6145
New Zealand
T 64 4 894 5200
F 64 4 894 3305
www.nzta.govt.nz

2 February 2016

Steve Markham Manager, Policy Tasman District Council Private Bag 4 Richmond 7050



Dear Steve

#### Tasman District Council Plan Change 57: NZ Transport Agency Submission

Thank you for the opportunity to submit on the proposed Plan Change 57: Brightwater Strategic Review. Please find attached the NZ Transport Agency's submission.

We welcome the opportunity to discuss the contents of our submission with Council officers. If you have any further questions, please do not hesitate to contact myself on (04) 894 6414 or caroline.horrox@nzta.govt.nz or Kathryn Barrett on (04) 931-8871 or kathryn.barrett@nzta.govt.nz.

Yours sincerely

**Caroline Horrox** 

Principal Planning Advisor





FORM 5, Clause 6 of First Schedule, Resource Management Act 1991

### Submission on Proposed Plan Change 57 to Tasman District Council District Plan – Brightwater Strategic Review

To:

Steve Markham Manager, Policy Tasman District Council Private Bag 4 Richmond 7050

Via email: steve.markham@tasman.govt.nz

From:

New Zealand Transport Agency PO Box 5084 WELLINGTON 6145

1. This is a submission on the following proposed plan change

Plan Change 57 to Tasman District Council District Plan – Brightwater Strategic Review

- 2. The NZ Transport Agency could not gain an advantage in trade completion through this submission.
- 3. We wish to be heard on this matter.
- 4. Role of the NZ Transport Agency

The NZ Transport Agency (the 'Agency') is a Crown entity providing an integrated approach to transport planning, investment and delivery. The Agency's statutory objective is to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system. It aims to create transport solutions for a thriving New Zealand and does this through four key functions, which are:

- 1. Planning the land transport networks (with partners);
- 2. Investing in land transport (with partners);
- 3. Managing the State Highway network; and
- 4. Providing access to and use of the land transport system.

The Transport Agency acknowledges the importance of the issues relating to the supply of suitably zoned land in Tasman and is committed to ensuring a high degree of alignment in the planning for growth and the safety and any required infrastructure investment.



#### 5. Submission

The Agency opposes in part Plan Change 57. The Agency supports the Council's desire to provide suitable residential and industrial land for future development. We would like to work with Council to enable adequate resolution of the Agency's issues and ensure that good integrated planning principles are achieved.

While the Agency is generally supportive of development, we have two key areas of concern with the proposed plan change. These stem primarily from the lack of sufficient information provided in the notification documentation on the potential direct effects on State Highway 6, and consideration of any flow on effects on the highway network from the development areas located further away from the highway. Our specific concerns are detailed below. Please note, our information is entirely based on what has been provided with notification.

#### **Indicative Timing for Deferred Zoning**

The Plan Change identifies areas that are 'deferred residential' and 'deferred industrial'. Neither the Explanatory Statement, nor the Section 32 Evaluation Report states when it is deferred until. This makes it difficult for the Agency to sufficiently assess what impact there may be on the state highway network.

The Agency requests that Tasman District Council make this information publically available as it will greatly assist in the assessment of effects on the existing transport network as well as with the evaluation of future infrastructure requirements necessary to support the proposed future development areas.

#### State Highway Access and Intersections

One of the deferred residential zones is adjacent to State Highway 6. So far, no direct access has been proposed onto the State Highway. However, the impacts on the intersection of Lord Rutherford road and the State Highway are currently unknown. Given this intersection joins the State Highway, which carries a speed limit of 100 km/h, the Agency requires that no additional direct access be allowed onto the Highway from this proposed residential zone.

The Agency notes that the indicative road that stems from this proposed residential zone appears to be located very close to the existing intersection with the State Highway. The indicative road will need to consider the speed at which vehicles exit from the 100 km/h zone onto the local 50km/h road and its proximity to the existing intersection to ensure safety is not compromised.

While the deferred industrial zone is not directly adjacent to the State Highway, the users of the site will inevitably use the intersection of the State Highway, Ellis Street, and River Terrace Road. The implications on the impact of this intersection due to the increased development are currently unknown. The Agency wishes to highlight the potential safety risk, and suggest that Council consider the implications and plan accordingly with regard to the requirements of the aforementioned intersection. In addition to the deferred industrial zone having a potential impact on the State Highway intersection, the addition of the deferred residential near Waimea West Road will also have implications, as those looking to exit the residential development have one of two choice, both are the intersections of concern mentioned earlier.



The Agency wishes to highlight an issue we are sure the Council are already well aware, that the potentially affected intersections need to function at an acceptable level and that the Agency need to be assured that there are no adverse effects to the State Highway (included elevated safety risk).

The Agency looks forward to working constructively with Council to address these matters in a timely manner.



## Submission on a Change to the Tasman Resource Management Plan

Return yo	our .	subm	ission	by	the	advertised	closing	date	to:
Managor	Poli	icv							

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:

52.1.18

Initials:

Submitter No.

1212

ubmitter Name: Tasman District Council	
organisation/individual)	
Representative/Contact: Environment and Policy Man	ager
if different from above)	
ostal Address:	Home Phone:
Tasman District Council PB 4	Bus. Phone: 035438400
Richmond	Fax:
	Email:
ostal address for service of person making submission:  if different from above)	Date: 25-Jan-2016
	Signature: NOTE: A signature is not required if you make your submission by electronic means.
	Total number of pages submitted (including this page):
MPORTANT – Please state:	
his submission relates to Change No.: 57	■ I/we wish to be heard in support of my/our submission.
Change Title/Subject:	☐ I/we would be prepared to consider presenting my/our submission
Brightwater Strategic Review	in a joint case with others making a similar submission at any hearings

**OFFICE USE** Submitter Number:

12/2

		OFFICE USE Submitter Number: 12/2	
(1) My submission relates to: Provision No or Planning Map No. (Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)	(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)	(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.)	OFFICE USE Submission No.
Policy 6.16.3.3	Retain the policy to rationalise the provision of industrial land so the effects of industrial activities are minimised in addition to having the new policy.  Scattered pockets of industrial activity among residential neighbours has the potential to create adverse effects.	Retain the previous policy 6.16.3.3 about rationalizing the the provision of industrial land. The new policy on re-subdivision should be retained but renumbered.	.1

16



Fax 03 528 9751



## 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:

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#### **OFFICE USE**

Date received stamp:

R27.1.11

0

Initials:

Submitter No.

3525

organisation/individual)	
Representative/Contact:	
if different from above)	
Postal Address:	Home Phone: 03 5444514
11 Waverley Street Richmond 7020	Bus. Phone:
Richmond 7020	Fax:
	Email: grl.brown@xtra.co.nz
Postal address for service of person making submission: (if different from above)	Date: 25-Jan-2016
	Signature:
	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.: 57	☐ I/we wish to be heard in support of my/our submission.
Change Title/Subject:	COLUMN DESCRIPTION OF THE PROPERTY OF THE PROP
Brightwater Strategic Review	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:

3525

(1)	My submission relates to:
	Provision No or
	Planning Map No.
	(Please specify, e.g. 34.2.20(a)(iii) o
	Zone Map 25)

- (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)

(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.)

## OFFICE USE Submission No.

### Planning map No. DA21 & DA4

I specifically oppose the proposed option to create a new residential zone to the south east of Snowdens Bush (DA 21).

I also oppose any consideration of residential zoning of area DA 4 between Wanderers Avenue and Lord Rutherford Road. From TDCs own information I understand that only 5% of the land area in the council's region is classified as land of high productive value.

Historically this land has also proved to be the most suited for urban development.

urban development. The land of high productive value in the Waimea Plains area has additional potential value from the proposed dam development in the Wairoa Gorge and the possibility of irrigation developments. These 2 reasons must be evidence that historical thinking on land for urban development has to change There are areas of hill country to the south of Brightwater that could be utilised for urban development if required. I note that one of the reasons for not considering land areas south of Brightwater is the highway bypass for the town. I find this amusing as the residential and industrial developments of Lower Queen Street crossed Highway 6, objections were made but

For council to chose residential policy option 1 to rezone no further land of high productive value map number DA 2.

.1

#### **Supplementary Sheet**

**OFFICE USE** Submitter Number: 3525

(1) My submission relates to: Provision No or Planning Map No. (Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)	(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)	(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.)	OFFICE USE Submission No.
	objections were made but council continued with that development which has a far greater impact on traffic flows than a crossing at Brightwater. Please change from the historical thinking that urban developments have to continue to be on land of high productive value, we can make no more of this land, and use new ideas to create urban options on hilly land.		



Feel free to contact us: