

Submission on a Variation/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, Nelson 7050 OR
 189 Queen Street, Richmond, Nelson OR
 Fax 543-9524 OR Email steve.markham@tasman.govt.nz

OFFICE USE

Date received stamp:

21.1.16

Initials:

Submitter No.

3980

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: Malcolm McDonald
 (organization/individual)

Representative/Contact: AS above
 (if different from above)

Postal Address: 96 Ellis St
Brightwater 7022

Home Phone: 03 542 4455

Bus. Phone: 0274 311215

Fax: _____

Email: mcdonald.mcc@xtra.co.nz

Date: 21-Jan 2016

Signature: [Signature]
 (Signature of person making the submission or person authorised to sign on behalf of person making the submission)

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

Total number of pages submitted: _____

IMPORTANT – Please state:

This submission relates to Variation/Change No.: _____

Variation/Change Title/Subject: _____

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.

(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.
96 A Ellis street			
ZONING	To be altered to suit existing	a historic use PTO.	

(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.
	<p>IE Commercial or light industrial or what ever suits the existing use. Note have shape taking work shops Flats apartment type storage out side yard for my business. Historically been of similar use. Take opportunity now to formalise etc zone to suit.</p> <p>Malcolm Donald</p> <p>Solutions not problems.</p>	<p>Light industrial</p>	11

Feel free to contact us:

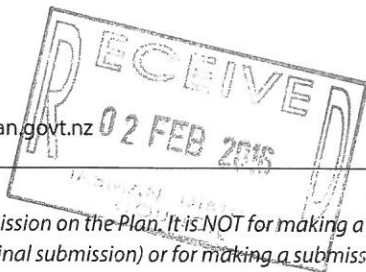


Tasman District Council Email info@tasman.govt.nz Website www.tasman.govt.nz 24 hour assistance	Richmond 189 Queen Street Private Bag 4 Richmond, Nelson 7050, New Zealand Phone 03 543 8400 Fax 03 543 9524	Murchison 92 Fairfax Street Murchison 7007 New Zealand Phone 03 523 1013 Fax 03 523 1012	Motueka 7 Hickmott Place PO Box 123 Motueka 7143 New Zealand Phone 03 528 2022 Fax 03 528 9751	Takaka 78 Commercial Street PO Box 74 Takaka 7142 New Zealand Phone 03 525 0020 Fax 03 525 9972
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Cover Sheet

OFFICE USE

Date received stamp:

2.2.16

Initials:

JM

Submitter No.

3981

Submitter Name: **NELSON DIOCESAN TRUST BOARD**
 (organisation/individual)

Representative/Contact: **J M Fitchett**
 (if different from above)

Postal Address:

Rout Milner Fitchett
 PO Box 580
 NELSON 7040

Home Phone:

Bus. Phone: **03 548 0064**

Fax: **03 546 9107**

Email: **john@rmf-law.co.nz**

Date: **29-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):

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

IMPORTANT – Please state:

This submission relates to Change No.: **57**

Change Title/Subject:

**Correction of Map
 Error: zoning**

- 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

1. The Board's submission relates to:
 - i. Planning Map 90 (and 22 and 56).

2. The Board's submission is that:
 - i. Planning Map 90 (and 22 and 56) wrongly shows a portion of the Board's land (part CFR NL 62/57) as Zoned "*Conservation*".
 - ii. Such Zoning is not appropriate for privately owned land; and the error should be corrected.
 - iii. The Board has acted under Clause 3 of a Deed dated 7 July 1977 between the Board and the Minister of Lands and has requested the Minister to revoke the reservation of the land as a Private Scenic Reserve. Pursuant to the said Clause 3, the Minister has no discretion but to revoke the said reservation (a copy of the said Deed is **attached**).
 - iv. The Board wholly supports the Zoning of the adjacent Snowdens Bush Reserve as Conservation, and anticipates that past discussions between the Board, the Department of Conservation, and Tasman District Council could be progressed to result in a scenario under which there is a rationalization of the Boards land fronting Waimea West Road, and Snowdens Bush to the North-East and North-West thereof.
 - v. That Tasman District Council appears to have paid no attention to "*Submission 1 Reserve Land*" dated 8 June 2015 made by the Board in respect of the Draft Plan Change for Brightwater; and no reference thereto appears in the Proposed Plan Change 57 Notified on 28 November 2015 or in the Section 32 Evaluation Report in respect thereof.

3. The Board seek the following decisions from the Tasman District Council:
 - i. That the Board's land zoned "*Conservation*" (being part CFR NL 62/57) be zoned "*Residential*": with the result that the whole of the land in CFR NL 62/57 has the same Residential zoning.


- 29/1/16

1

THIS DEED made this 7th day of

JULY 1977

COPY

BETWEEN THE NELSON DIOCESAN TRUST BOARD

..... (hereinafter together with their successors referred to as "the Owner/s") of the one part AND the Minister of Lands acting by and through the Commissioner of Crown Lands for the Land District of NELSON..... (hereinafter together with his successors

referred to as "the Minister") of the other part WHEREAS the Owner/s are registered as the proprietor/s of an estate in fee simple in all these pieces of land more particularly described in the Schedule hereto (hereinafter referred to as "the said land") AND WHEREAS the Owner/s

have applied to the Minister for the said land to be declared a private scenic reserve under Part IV of the Reserves and Domains Act 1953 (hereinafter referred to as "the said Act") AND WHEREAS the Minister is

satisfied that the said land possesses scenic interest and is sufficiently fenced or otherwise protected from damage by stock NOW THIS DEED WITNESSETH

that in consideration of the premises and of the covenants of the parties herein contained and implied it is hereby covenanted agreed and declared by and between the parties hereto as follows, viz:-

1. THAT the Minister will forthwith by notice in the Gazette declare the said land to be a private scenic reserve under Part IV of the said Act to be known as St Pauls Private Scenic Reserve.
2. THAT the Minister may of his own volition at any time revoke the aforesaid declaration.
3. THAT on the request in writing of the said Owners the Minister shall forthwith revoke the aforesaid reservation.
4. THAT the Owner/s may with the prior approval in writing of the Commissioner of Crown Lands for the Land District of NELSON appoint

a manager to control the said land in accordance with the covenants conditions and agreement herein contained and implied.

5. THAT the Owner/s shall pay all rates, taxes, charges, levies, assessments and other outgoings whatsoever that are rated, taxed, charged, levied, assessed or made payable in respect of the said land.
6. THAT the public shall ... have unrestricted rights of access to or over the said land under conditions advantageous to the reserve.
7. THAT the natural topography of the said land shall not be interfered with or changed other than for the purposes of the erection placing and formation on the said land of such signs paths and structures as shall be necessary.
8. THAT where it is provided by the said Act that the Minister may do any act or thing subject to the consent or agreement of the Owner/s then it shall be sufficient if the Owners convey their consent or agreement by letter addressed to the Commissioner of Crown Lands for the Land District of Nelson at P.O. Box 443, NELSON.
9. THAT the Owner/s shall not be bound by the provisions of Part VII of the said Act except insofar as he may be otherwise expressly bound under these presents or by any agreement entered into hereunder.

IN WITNESS HEREOF these presents have been executed the day and year first above written.

THE SCHEDULE ABOVE REFERRED TO

Part Section 33, District of Waimea South situated in Block IX, Waimea Survey District, Area 1.2537 hectares more or less.

Part Certificate of Title 62/57 Limited; Nelson Registry (S.O. Plan 12091)
as shown on the plan attached hereto.

IN WITNESS WHEREOF these presents have been executed the day and year
first hereinbefore written.

COPY

The Common Seal of the Nelson
Diocesan Trust Board was
hereto affixed in the presence
of:



James B. Scott
Eric Allan
John W. Baynham

Members of the Board

Signed by the Commissioner of Crown
Lands of the Land District of
Nelson acting for and on
behalf of the Minister of Lands
pursuant to Section 101 of the
Reserves and Domains Act 1953
in the presence of:-

[Signature]
Commissioner of Crown Lands

Witness: [Signature]
Occupation: Public Accountant
Address: C/- Lands & Survey
Nelson.

3981



COPY

Pt 33, Waimea South Dist
Snowden's Bush Scenic Reserve

CT 83/116 Gaz 1975 p2141

Pt 33
1.2337 ha.

15.09

Public Road

Pt 33
CT 62/57 Ltd.

Nelson Diocesan Trust Board

Plan of Private Scenic Reserve
being Pt Sec 33, Waimea South Dist
Gaz. 1977 p.1885

BLOCK IX WAIMEA

SURVEY DISTRICT SCALE 1:2,000

19

LOCAL AUTHORITY Waimea County

Nelson LAND DISTRICT

DRAWN BY CHECKED BY DATE
R.M. 10-2-76

FILE
13/135

REF PLANS
S.O. 1209/

AIR PHOTOS



R2.2.16



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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: *SM*

Submitter No.

3982

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: H. AND A. SEIFRIED, R. AND F. BARLOW.
(organisation/individual)

Representative/Contact: LAND DIMENSIONS LTD - STEFFAN EDEN
(if different from above)

Postal Address:
P.O. Box 2144
STAKE
NELSON

Home Phone: —

Bus. Phone: (03) 9280215

Fax: —

Email: steffan@landdimensions.co.nz

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

Date: 2nd FEBRUARY 2016

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

Total number of pages submitted (including this page): 8

IMPORTANT – Please state:

This submission relates to Change No.: 57

Change Title/Subject:
BRIGHTWATER STRATEGIC REVIEW
PROPOSED PLAN CHANGE

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).

Plan Change 57**Brightwater Strategic Review****Submission on Proposed Plan Change**

Joint submission on behalf of:

H and A Seifried

R and F Barlow

Subject Land

Fig. 1 H & A Seifried land holding

The Seifried land holding includes four titles outlines above. The land that is the subject of this submission is that outlined in yellow. The Barlow land adjoins to the South West.

The majority of the Seifried land holding is flat and planted in grapes. To the South West the land rises up into hillside land and contains an irrigation reservoir. The hillside land around the reservoir is in pasture.

The land is zoned Rural 1 and for the most part adjoins rural land. However to the West the land adjoins the residential zone. Refer Fig. 3.

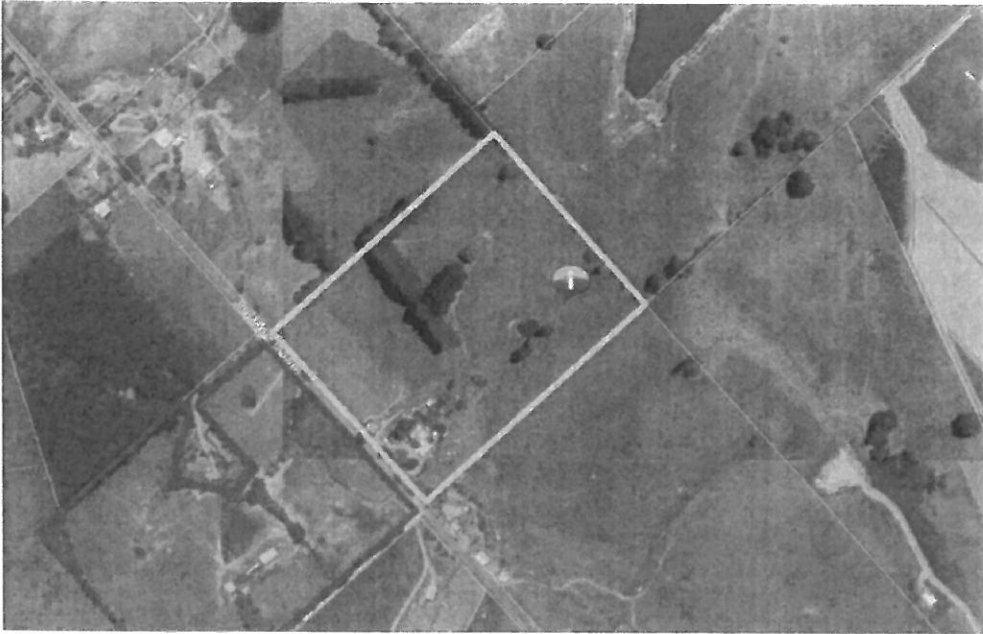


Fig. 2 R & F Barlow land holding

The Barlow land is outlined in Fig. 3. The land that is the subject of this submission is outlined in yellow. The Seifried land adjoins to the North East.

The Barlow holding straddles Jeffries Road. The Barlows home is immediately adjacent to Jefferies Road on the North East side. The balance of the land is in pasture. The land is currently zoned Rural 1.

The Seifried and Barlow common boundary is approximately along the ridgeline.

Proposed Rezoning

The submission is that part of both the Seifried and Barlow land be rezoned for residential use.

21



Fig. 3 Proposed area to be rezoned - current zoning.

Figure 3 outlines the area of land that is the subject of this suggested rezoning. This plan also shows the relationship between the subject land and the residentially zoned land to the North West.



Fig. 4 Proposed area of land to be rezoned – topographical.

The area of land proposed to be rezoned comprises the higher hillside land and ridgeline. It is some 9.0ha.

The land along the ridgeline is relatively gentle in contour and features a number of potential building sites. These building sites would, for the most part, have commanding views out to the North to Tasman Bay.

Brightwater Strategic Review

Tasman District Council, through its Brightwater Strategic Review has sought to examine the demand for, and availability of, suitable residential land to meet the future demands of Brightwater.

The main drivers in determining the suitability of land for residential purposes have been:

- 1. A desire not to extend the township to the southern side of the Brightwater Deviation (SH6).***

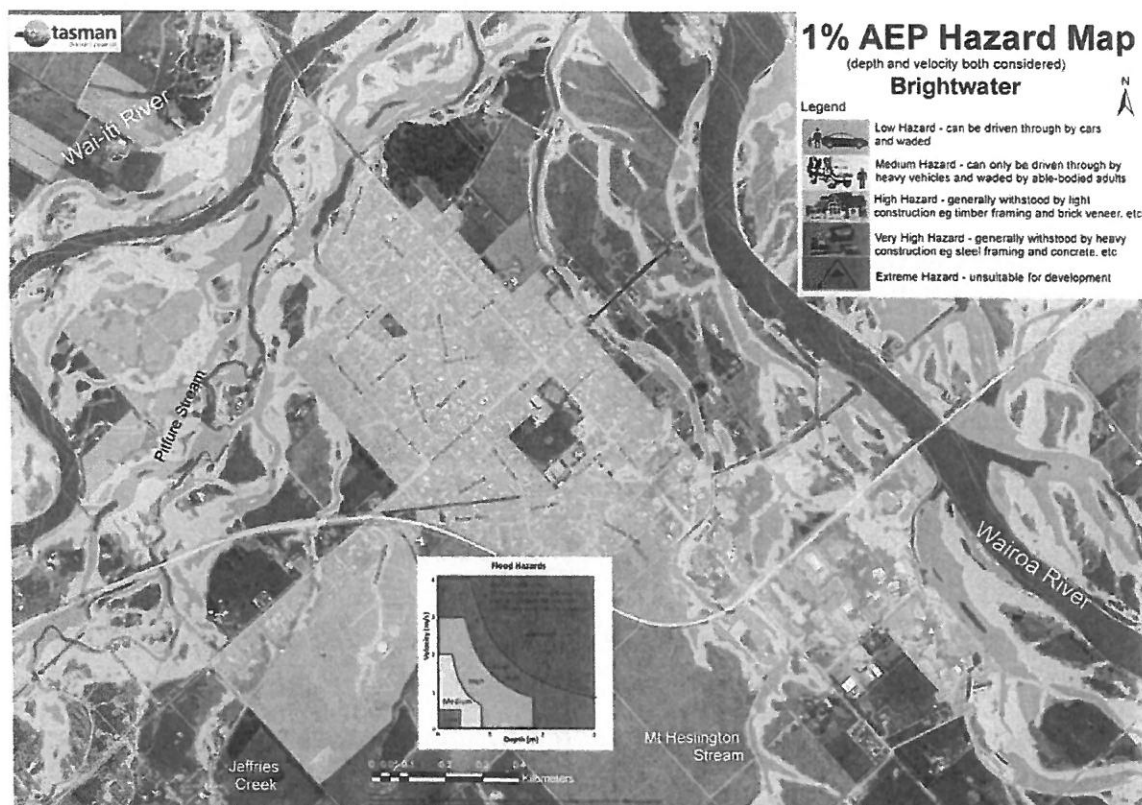
Although the land that is the subject of this submission sits to the South West of the Brightwater Deviation, it would ultimately be accessed via the residentially zoned land to the West which in turn is accessed from the existing intersection at Lord Rutherford Road.

- 2. To limit the impact on productive land. Although Council states that it will not encourage residential development of productive land, it does accept that encroaching into some productive land will be necessary if Brightwater is to have a continuing supply of sections.***

The land that is proposed to be rezoned is the upper reaches of both owners land holdings. With respect to the Seifried holding the proposed residential area comprised the pasture area around the reservoir. It is in effect a piece of land that is a 'leftover' from the balance of the property which is planted in grapes. This land is grazed for maintenance purposes rather than having any real economic benefit as does the flat land.

3. Flood Risk

The flood modelling undertaken for the Brightwater area shows that significant areas are prone to flooding from the Wai-iti and Wairoa river systems and to a lesser degree from the Pitfure and Mt Heslington streams. The projected flooding model severely impacts on future growth potential at Brightwater to the point where the availability of suitable land for residential purpose is not expected to meet the projected demand.



AEP stands for 'annual exceedance probability' and 1% AEP means there is 1 chance in a 100 of this size flooding occurring in any one year.

Fig. 5 Flood Modelling Map

Clearly the subject land being located on or near to the ridgeline will not be prone to flooding.

The Submission

It is submitted that:

Tasman District Council rezone the area of land described in this submission for residential purposes.

The reasons why this submission should be considered favourably are:

1. The rezoning of additional residential land in Brightwater will assist Council in meeting its projected target for supplying sections. Council have identified that flood risk will impact on the ability to supply sufficient sections in Brightwater and that currently there is insufficient land to provide for the projected demand of 259 dwellings by 2034.
2. The land adjoins existing residentially zoned land from which it will ultimately source roading and servicing connections.
3. Given that much of the flat land in Brightwater is now deemed not suitable for future residential purposes because of the projected flood modelling, Council needs to make provision for development on hillside land where opportunities exist close to central Brightwater. Other than the neighbouring residentially zoned land (Katania Heights) to the North West, there is currently no other elevated residentially zoned land in Brightwater.
4. Given that the subject land borders the existing residentially zoned land, it will not have to rely on the rezoning of other properties to obtain access and servicing.
5. Rezoning this land would have a negligible impact on land productivity. This submission does not propose to rezone any of the productive horticultural land.
6. The subject land is relatively easily accessible from the existing roading network.

We would be happy to meet with Council to talk through this submission further.

Please make contact as below.

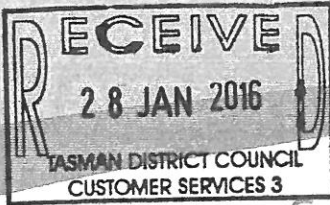
Steffan Eden

Land Dimensions Ltd

PO Box 2284, Stoke Nelson

steffan@landdimensions.co.nz

(03) 9280215



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OFFICE USE

Date received stamp:

28.1.16

Initials: [Signature]

Submitter No.

3983

Note:

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Submitter Name: SNOWDENS BUSH VINEYARD LTD
 (organization/individual)

Representative/Contact: ROB GREY, CHRIS PRATLEY, MURRAY + CHRISTINE COOK
 (if different from above) CHRIS ROS CHRIS

Postal Address: ROB IV FARADAY RVE
PO BOX 792 RICHMOND 7020
NELSON NELSON

Home Phone: 5444 165

Bus. Phone: 021438 472 0274314091

Fax: _____
 Email: rob@winelord.co.nz c.m. prattley@xtra.co.nz

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

Date: 18.1.16 18-1-16

Signature: [Signature] [Signature]
 (Signature of person making the submission or person authorised to sign on behalf of person making the submission)

Total number of pages submitted: _____

IMPORTANT - Please state:

This submission relates to Variation/Change No.: 57

Variation/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.

(1) My submission relates to: Provision No or Planning Map No. <small>(Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)</small>	(2) My submission is that: <small>(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)</small>	(3) I seek the following decisions from the Tasman District Council: <small>(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.)</small>	OFFICE USE Submission No.
<u>Zone Map 9a</u>	<u>see attachment</u>	<u>balance of SBU to be rezoned 'deferred residential'</u>	

SUBMISSION ATTACHMENT TO AMMENDMENT PLAN CHANGE 57

SUGGESTED AMMENDMENT

As per our discussion with council planners and engineers on Dec 8 2015 , Snowdens Bush Vineyard Ltd (SBV) , supports the councils latest plan Change No 57. .1

SBV request the council to consider rezoning the balance of SBV (area between the creek and Bryant Rd) deferred residential. This would then allow that area to fall in line with the balance of the property. SBV believe we can mitigate potential flood issues without any major diversion of the existing creek water flow. .2

The current proposal on Zone Map 90, shows the access road from Bryant Rd to the area designated deferred residential, to be splitting this block (as detailed above) in half. Currently this area is, as all of the block , planted in 11 year old grape vines. In splitting the vineyard block , the producing area would be severely compromised, and the operation of 2 smaller blocks, both more difficult and expensive. A significant area of productive land would be forfeited.

The 100/200 year flood model projections, indicated only a small part of the area was exposed to flood risk. This could be easily mitigated through the raising of the affected areas.

SBV understand the council has a future plan to divert the Mt Heslington stream, which has some influence on the creek flows through the said property.

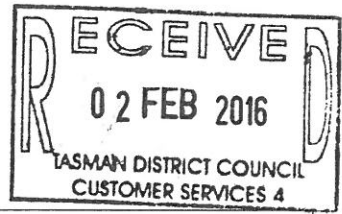
ROAD ACCESS

SBV notes through discussions with council , that access via Snowdens Bush Reserve has limited capacity and some opposition from local landowners.

SBV now owns 32 Waimea West Rd, Legal Description Lot 1 DP 11913 . We believe this property could provide excellent access to Snowdens Bush Vineyard Ltd and the Cooks property. This road could also provide access to other surrounding properties. .3

Submission on a Change to the Tasman Resource Management Plan

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 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: <div style="font-size: 1.2em; margin-left: 20px;">Rec'd 2/2/2016</div> Initials: <u>RB.</u> Submitter No. <u>3984</u>

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: Kenneth and Nanette West
(organisation/individual)

Representative/Contact: _____
(if different from above)

Postal Address:

23 Waimea West Road
Brightwater 7022

Home Phone: 035423544

Bus. Phone: —

Fax: —

Email: netken@xnet.co.nz

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

Date: 2.2.2016

Signature: K.West. n.west x
NOTE: A signature is not required if you make your submission by electronic means.

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

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).

Supplementary Sheet

OFFICE USE Submitter Number: **3984**

<p>(1) My submission relates to: Provision No or Planning Map No. 57 <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>We support the Proposed Plan Change 57 - We are a neighbouring Property holders.</p>		<p align="center">- 1</p>

131/2

Feel free to contact us:



Tasman District Council
 Email info@tasman.govt.nz
 Website www.tasman.govt.nz
 24 hour assistance

Richmond
 189 Queen Street
 Private Bag 4
 Richmond 7050
 New Zealand
 Phone 03 543 8400
 Fax 03 543 9524

Murchison
 92 Fairfax Street
 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