



RESOURCE CONSENT APPLICATION

U150958

G J Palmer

58 Staces Road, Grovetown

Submissions Close

5.00 pm Monday

7 December 2015

Bea Gregory-7596

From: Anna Eatherley-7530
Sent: Tuesday, 27 October 2015 8:09 a.m.
To: RCInbox
Subject: FW: 10147 Palmer Stages Road
Attachments: Res Con Appln Form.pdf; 10147 4B 5B 6C 7A SP.pdf; Right of Way at Entrance.JPG; Palmer Appln.pdf

From: Terry McGrail [<mailto:terry@ayson.co.nz>]
Sent: Sunday, 25 October 2015 12:05 p.m.
To: Anna Eatherley-7530
Subject: 10147 Palmer Stages Road

Anna

Attached is another version of the Palmer application

Regards,

Terry McGrail
Registered Professional Surveyor
021 844 942

PLEASE NOTE : We are now operating from new premises at 89 Middle Renwick Road.



PO BOX 704
89 MIDDLE RENWICK ROAD
BLENHEIM

DDI 03 928 4058
OFFICE 03 579 2906
www.aysonandpartners.co.nz

Resource Consent Application

This application is made under Section 88 of the Resource Management Act 1991



**MARLBOROUGH
DISTRICT COUNCIL**

Please read and complete this form thoroughly and provide all details relevant to your proposal. Feel free to discuss any aspect of your proposal, the words used in this form or the application process with Council staff, who are here to help.

This application will be checked before formal acceptance. If further information is required, you will be notified accordingly. When this information is supplied, the application will be formally received and processed further.

You may apply for more than one consent that is needed to cover several aspects of the activity on this form.

For Office Use

ISO 9001:2008
Document Number:
RAF0002-CI1579

Lodgement Fee Paid \$

Receipt No.

Consent No.

Case Officer:

Date Received:

1. Applicant Details *(If a trust, list full names of all trustees.)*

Name:
(full legal name)

Mailing Address:
(including post code)

Email Address:

Phone: (Daytime)

Phone: (Mobile)

2. Agent Details *(If your agent is dealing with the application, all communication regarding the application will be sent to the agent.)*

Name:

Mailing Address:
(including post code)

Email Address:

Phone: (Daytime)

Phone: (Mobile)

3. Type of Resource Consent Applied For

☐ Coastal Permit ☐ Discharge Permit ☐ Land Use ☒ Subdivision ☐ Water Permit

4. Brief Description of the Activity

Subdivision to create one lot of 1.88 ha and one lot of 8.04 ha.

5. Supplementary Information Provided?

☐ Yes ☐ No

Council has supplementary forms for some activities, such as moorings, water permits, domestic wastewater, discharge permits, to assist applicants with providing the required information.

6. Property Details

The location to which the application relates is (address): 58 Staces Road Grovetown

Legal description (i.e. Lot 1 DP 1234): Lot 3 DP 6038 CT 3E/365

(Attach a sketch of the locality and activity points. Describe the location in a manner which will allow it to be readily identified, e.g. house number and street address, Grid Reference, the name of any relevant stream, river, or other water body to which application may relate, proximity to any well known landmark, DP number, Valuation Number, Property Number.)

Please attach a copy of the Certificate of Title that is less than 3 months old (except for coastal or water permits).

The names and addresses of the owner and occupier of the land (other than the applicant):

Please attach the written approval of affected parties/adjoining property owners and occupiers.

Note: As a matter of good practice and courtesy you should consult your neighbours about your proposal. If you have not consulted your neighbours, please give brief reasons on a separate sheet why you have not.

7. Assessment of Effects on the Environment (AEE) *(Attach separate sheet detailing AEE.)*

I attach, in accordance with Schedule Four of the Resource Management Act 1991, an assessment of environmental effects in a level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. Applications also have to include consideration of the provisions of the Resource Management Act 1991 and other relevant planning documents.

Note: Failure to submit an AEE will result in return of this application.

8. Other Information

Are additional resource consents required in relation to this proposal? If so, please list and indicate if they have been obtained or applied for.

I attach any other information required to be included in the application by the relevant Resource Management Plan, Act or regulations.

☐ Yes ☐ No

9. Fees

1. The applicable lodgement (base) fee is to be paid at the time of lodging this application. If payment is made into Council's bank account 02-0600-0202861-02, please put Applicant Name and either U-number, property number or consent type as a reference. If you require a GST receipt for a bank payment, please tick ☐
2. The final cost of processing the application will be based on actual time and costs in accordance with Council's charging policy. If actual costs exceed the lodgement fee an invoice will be issued (if actual costs are less, a refund will be made). Invoices are due for payment on the 20th of the month following invoice date. Council may stop processing an application until an overdue invoice is paid in full. Council charges interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment, legal and other costs of recovery will also be charged.
3. Please make invoice out to: ☒ Applicant ☐ Agent
(If neither is ticked the invoice will be made out to Applicant)

10. Declaration

I (please print name) Geoffrey James Palmer

confirm that the information provided in this application and the attachments to it are accurate.

Signature of applicant or authorised agent: 

Date: 9/10/2015

Privacy Information

The information you have provided on this form is required so that your application can be processed and so that statistics can be collected by Council. The information will be stored on a public register and held by Council. Details may be made available to the public about consents that have been applied for and issued by Council. If you would like access to or make corrections to your details, please contact Council.

Reset Form



Consultants in Surveying
Resource Management
Subdivision and Land Development

Our Ref: 10147

22 October 2015

Marlborough District Council
P O Box 443
BLLENHEIM 7240

re: **RESOURCE CONSENT APPLICATION – SUBDIVISION
PALMER, STACES ROAD**

1. **Proposal**

The Palmers own a 9.93 ha property in Staces Road. The property contains the family dwelling, a small vineyard and a small paddock in grass.

The proposal is to subdivide the property into one lifestyle lot including a small paddock and one lot with the vineyard.

The property is presently held as part of an Estate. Mr Pat Palmer passed away in March 2015. His will contained a specific provision, requesting his executors carry out the boundary adjustment, so that the house block and small paddock was available to a family member. The executor has consulted with the family, and one of the family members does wish to acquire proposed Lot 2 as contemplated under the will. This is the purpose of the application.

2. **Site**

The property is 58 Staces Road and it is located on the north side of the road at the western end of Staces Road. It is 580 m from SH No 1 and Grovetown.

The legal description is Lot 3 DP 6038 and it is contained in CT MB 3E/365. The area is 9.93 ha.

The underlying title does not contain any encumbrances. It does get the benefit of a small right of way over a short length (20m) of metal driveway owned by the neighbour, DA and

MH Booker, on Lot 2 DP 6038. This provides a link at the very end of Staces Road to the property

The property is primarily in vineyard, is flat and is a generally rectangular lot running from Staces Road north.

A good quality medium age dwelling is in the south west corner. The dwelling is on a very well established site surrounded by mature trees and gardens. From the end of Staces Road a metal driveway runs along the south boundary of the property to the house. Another metal driveway runs along the east boundary of the property to give access to the vineyard.

On the west boundary and immediately west of the curtilage around the house there are some sheds associated with use of the vineyard. There is also a well in the same location. The wells supplies both domestic water to the house and the vineyard irrigation water.

There will be no change to the makeup of the site following subdivision with the existing uses, buildings and activities continuing as they do prior to subdivision.

3. Layout

Plans 10147/4/A and 5/A illustrate the proposed layout.

The existing house on the west side of the property and the small paddock beside it are put onto one new lot, lot 2, of 1.88 ha.

The boundaries of this new allotment are run to coincide with existing fencing around the non-vineyard activity.

The northern lot, lot 1, is a rectangular lot of 8.04 Ha. This lot is entirely in an established vineyard. The vineyard buildings and pump in the south west corner are retained in the vineyard lot

The lots are configured to separate the two uses on the site.

Easements are needed to protect access between the two lots and to protect the water pipeline across lot 2 to lot 1. An easement for lot 2 over lot 1 to protect access to the well is also needed. These easements are shown on the scheme plans.

No provision is made for a new dwelling to be erected on lot 1 with the vineyard. The subdividers volunteer a consent notice prohibiting the construction of a residential dwelling on lot 1. This is done to ensure the total amount of residential activity does not increase as a result of the subdivision.

There is a short length of Council maintained drain along the east boundary -- drain N. The applicant volunteers a drainage easement in favour of the Marlborough District Council to allow this drain to be managed or flood control and drainage purposes. That can be added to the survey plan if required.

4. District Plan

The land is inside the Rural 3 Zone of the Wairau Awatere Resource Management Plan. In this zone, subdivision of allotments below 8.0 ha is a non-complying activity.

The District Plan sets out various criteria for special subdivisions, none of which apply in this case. Therefore our conclusion is that this is a non-complying activity.

The site is not listed in the District Plan as having any special planning features requiring consideration.

5. Esplanade Reserves

The property does not have any streams or other waterbody's over 3m wide and so Sec 230 of the RMA does not apply.

6. Services

(a) Access

Staces Road is a sealed road, is straight, flat and in good condition. It is a single lane road though as the berms are flat, the water tables not deep, and there are a number of gateways which allow room to pass on a hard surface it is possible to easily pass two vehicles.

The road is a no exit road and carries very small quantities of traffic. The speed environment is low and generally vehicles will travel at well under the allowed speed limit.

An existing sealed vehicle entrance is in place and will be used for as it is now.

Staces Road ends at gateway and the driveway to the Booker property starts and is an extension of the road on the same alignment. The applicants land has the benefit of a short right of way over the first 20m of the Bookers drive. This right of way is a sealed strip in very good condition and is 4m wide. A photo is attached illustrating its condition. In the photo the red letterbox is at the end of the road. The Bookers drive is on the left and the Palmers on the right. Once the applicants drive turns north and leaves the Bookers drive it runs along a very good quality metal surface.

The land being subdivided is entirely flat and good quality drive-on access is readily available.

No increase in traffic is expected after the subdivision as no additional activity will take place. There will be no change in the use of Staces Road after the subdivision is completed.

(b) Sewer

The existing dwelling has an existing wastewater system that works well. The system appears to be located entirely inside lot 2.

(c) Stormwater

The existing buildings drain to on site soakage. That existing reticulation appears to be entirely inside lot 2.

(d) Water Supply

The Staces Road area is well known to have a very good and abundant underground water supply. The intention is to continue use of the combined well and to protect that through the use of an easement over lot 1 in favour of lot 2.

(e) Power and Telecom

Both these services are available in Staces Road and are connected to the buildings on lot 1.

The new lots will be serviced to normal rural standards.

7. **Consultation**

The Palmers have previously carried out consultation with the immediately adjoining owners for an earlier subdivision proposal. On that occasion all neighbours approached signed affected party approval forms. The Palmers are currently consulting with the adjoining owners again. Given that this new proposal is similar and is compatible with the existing pattern of development, we expect that the result of the new consultation process will be favourable.

8. **Part II of the Resource Management Act**

We have assessed the application against Part II of the Act.

We do not believe any matters of national importance set down in Sec 6 are affected by this application.

The subdivision is on a site with no special features that prompt consideration of the matters listed in Sec 6.

Sec 7 lists additional matters.

Sec 7(b), the subdivision is an efficient use of the existing physical resource as it optimises use of the site by separating the two uses for disposal to separate entities. This ensures both parts of the site are used in the most efficient way possible. The site is an already well established property in an area with a rural character and highly modified from its natural state. This is an appropriate setting for a small lifestyle property.

None of the other matters listed in Sec 7 are considered relevant to this application.

9. **ASSESSMENT OF EFFECTS ON THE ENVIRONMENT**

A plan showing proposed Lot 2 and the surrounding properties shows that the application is consistent with the existing pattern of development in the area – many residential and lifestyle lots substantially less than 8ha. Staces Road is effectively a country lane, with a very similar character to Nolans Road and Rowley Crescent which are nearby.

Looking at Staces Road and Nolans Road, in the immediate vicinity, there are approximately 18 properties less than 8 ha. Looking at Rowley Crescent just to the south, 12 of the properties on Rowley Crescent (almost all of the properties on that road) are less than 8 ha.

More broadly, looking at the areas of Vickerman Street, Aberharts Road, Ross Lane and Murrays Road, there are a large number of properties subdivided down to residential and lifestyle size, substantially less than 8ha. So there is an existing pattern of residential and lifestyle development in the vicinity.

The application does not include any additional residential activity. No additional dwelling will be built.

The use of the site will not change following subdivision. No work, building activity or changes in management practice are expected.

No impacts on the surrounding properties have been identified.

Assessing the proposal against the criteria set down in the subdivision section of the WARMMP.

The Marlborough Regional Policy Statement

There are no Issues to consider for this application

28.3.5.4 Assessment criteria in the relevant Zone Rules of the WARMMP

28.3.5.5 Standard Requirements for Subdivision and Development

28.3.5.5.1 On the locality and wider community and in particular:

- a) The proposal is similar in scope and nature to the existing development on the surrounding sites. This is a typical Rural 3 environment of small vineyards, houses, and occasional trees and grazed areas.
- b) The proposal can be serviced either on site or from readily available community services. No adverse effects arise needing mitigation.
- c) The proposal maintains and contributes to the cultural values and character of the surrounding area by making provision for the vineyard activity to continue and a compatible lifestyle use to carry on. The surrounding land has those existing qualities with a vibrant mix of activities and residents leading to a pleasant and productive high quality lifestyle. The subdivision will not degrade that and will enhance it to a small degree.
- d) The proposal will add a very small amount of traffic to Staces Road. The increase is well within the scope of the normal variation of use found on rural properties. That is it is an increase that occur at any time for a number of reasons outside the RMA process. However this road is in good condition and can carry the current volumes of traffic.
- e) The proposal has no impact on water supply as there are no adverse effects or additional use following approval.
The current resource is very good and is not under any stress.
Fire risk is not impacted as there is no change in use of the site. Fire risk is very low.

28.3.5.5.2 On the amenities of the surrounding area and, in particular, whether the end result of the proposed subdivision will:

- a) No trees or bush are affected by the proposal.
- b) The proposal does not impact on any ridgeline or skyline.
- c) The site is not highly visible and is a well-established part of the local landscape. The view to the property from any other land will not change as a result of the subdivision. It is not part of any significant view or vista that warrants protection.

28.3.5.5.3 On any significant environmental features and in particular whether the end result of the proposed subdivision will:

- a) No indigenous species are known to exist on the site.
- b) No significant ecosystems are known to be affected.

- 28.3.5.5.4 On natural and physical resources such that any proposed subdivision:
- a) The proposal will not lead to any additional dwellings.
 - b) No watercourse are adversely affected by the development.
 - c) No water bodies are adversely affected and one gets additional protection. See section 3 above.
 - d) The site is not known to be threatened by any natural hazards and as no new development is to take place the any threat would be part of the existing environment unaffected by the proposal.
 - e) The lower Wairau Plain and the tributaries of the Wairau River and Lagoon are important to Iwi and this site is within that region. However the site is a heavily modified working environment or contains existing residential activity and it is typical of virtually all of the lower Wairau Plan. In that context it is unremarkable. The property contains no specific sites that have special significance to Iwi.
 - f) The subdivision boundaries allow the intended activities to continue.
 - g) The site has no known sites of historic or archaeological significance.
- 28.3.5.5.5 Whether having regard to specific engineering design the site(s) is (are) capable of receiving the discharge of on-site sewage and stormwater without adverse effects on the environment
- The sites have suitable outlets for disposal of wastewater and stormwater
- 28.3.5.5.6 Whether the proposed subdivision is likely to have any adverse effects on the physical and natural environment including increased flood flows downstream or community such that some form of financial contribution is necessary and should be imposed as a condition of consent
- No adverse effects on the physical and natural environment have been identified and no increased flood flows are likely to result from the development.
- 28.3.5.5.7 Where a subdivision is likely to be carried out in stages, the developer must specify this to the Council at the time of the application and any related effects assessed
- The subdivision is to be just one stage.
- 28.3.5.5.8 The degree to which proposed new roads make adequate provision for vehicle movements, car parking and property access and the provision of alternative access for car parking and vehicle access in the Central Business or Neighbourhood Business Zone by way of vested service lanes at the rear of properties having regard to alternative means of access and performance standards for activities within the zone
- The proposal has no new road.
- 28.3.5.5.9 Whether the location of boundaries and the shape of proposed lots have regard to significant topographic features
- There are no significant topographic features to take account of.
- 28.3.5.5.10 Any cumulative effects that may arise as a result of the proposed subdivision
- The subdivision does not add any effects to the receiving environment.
- 28.3.5.5.11 Whether the proposed use of land subdivided within 20 metres of a high voltage transmission line (110kV or above), can be safely accommodated

Not applicable.

28.3.5.5.12 A comprehensive Geotechnical Report, carried out by a geotechnical expert accredited by the Council, where a subdivision Resource Consent application applies to any part of the land legally described as Lot 1 and 2 DP 323372 and portions of Lot 1 DP 4447, Lots 1, 3 and 4 DP 8762 and Lot 2 DP 379514 or their successors, at Riverlands.

Not applicable

10. **Sec 104(1)(b)**

The proposal has been assessed against Sec 104(1)(b)

Objectives and Policies in the District Plan.

Dealing with those that are relevant

Objectives and Policies of the WARMF

12.2 Wairau Plain

12.2.2 Objectives and Policies

Objective 1 To maintain or enhance the life supporting capacity of the versatile soils of the Rural 3 Zone (Wairau Plain).

Is met as the activities on the site will continue unchanged following this subdivision and so the current and future use of the versatile soils will not be affected. The existing activities are a highly productive and valuable vineyard, a residential dwelling and a small area of land currently grazed. For a 10 ha block of land on the Wairau Plain this a typical set of uses and utilises the existing versatile soils in a productive way. Following subdivision that use will not change. There is scope to remove the vineyard and undertake another highly productive use and the subdivision has no impact on the ability of the land owner of lot 1 to do that. Similarly a more productive use of the versatile soils on the bare paddock on lot 2 could be undertaken. Looking forward having the land in two titles will not alter the way those versatile soils can be utilised.

Policy 1.1 To sustainably manage the versatile soils of the lower Wairau Plain and recognise their life supporting and productive capacity.

As no additional activity will occur and the lot boundaries match the existing pattern of land use the way the versatile soils are managed will not change. The more productive part of the property remains as a cohesive viable vineyard block with no loss of production. The residential activity and small paddock remain in use as they are now. There is no impediment to this pattern of use continuing into the future after the land is subdivided.

Policy 1.2 To enable intensive rural activities to utilise the range of soil types and micro-climates available within the lower Wairau Plain.

Is met as the ability to utilise soil is unchanged by the proposal and the current highly productive use will continue after the subdivision.

Policy 1.3 Limit the scale and range of activities that can be established in rural areas to those that require a rural location, and discourage, as far as practicable, activities which do not rely on the productive capacity of the land of the Rural 3 Zone.

Is met as no new activities are being established as a result of the application. No residential activity is added to the Wairau Plain as a result of this subdivision.

Objective 2 To protect rural amenity values of the Rural 3 Zone by encouraging the establishment of a range of activities which do not create unacceptably unpleasant living or working conditions for residents and visitors, nor a significant deterioration of the quality of the rural environment.

Policy 2.1 To recognise that activities permitted or provided for in rural areas may result in effects such as noise, dust, smell, and traffic generation but that these will require mitigation where they have a significant adverse effect on the rural environment.

Is met as no activities generating significant adverse effects have been identified. The creation of a reverse sensitivity covenant on lot 2 will further protect permitted activities which may generate effects such as noise, dust, smell and traffic generation.

Policy 2.2 To ensure that a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values or for conflict.

Is met as the varied uses the property is currently put to can continue after subdivision. Current land management practices will not change and there is no need to change them as a result of the subdivision.

Policy 2.3 To limit the scale of rural subdivision and dwellings in order to retain the rural amenity values of openness, to reduce conflicts between residential and neighbouring rural activities, and to assist in protecting the quality of the water resources.

Is met as the character, visual and amenity values currently in place will not be altered by the subdivision. No changes to the use of the site will be prompted by the subdivision. No additional buildings will be created. No additional traffic will result from the subdivision. No changes in land use or practices outside those permitted and common to the Wairau Plain are expected. The subdivision matches the existing pattern of land use currently in place on the site.

A casual observer passing the property after subdivision will not be able to see any change to the amenity values, the sites qualities of openness, nor any change in visual effects.

No additional demands on water resources either from increased takes or discharges will be made.

Policy 2.4 To avoid, remedy or mitigate the effects of activities that can cause unpleasant living or working conditions for the rural community, or that cause other significant adverse effects to the environment.

Is met as the subdivision is not likely to lead to any activities that cause unpleasant living or working conditions to establish.

Policy 2.5 To avoid, remedy or mitigate the adverse effects of intensive farming activities, ensuring that their scale and nature, design and management, protect the amenity values of rural areas.

Is met as no intensive farming activities are proposed.

Policy 2.6 To manage the establishment of activities which result in higher than normal traffic generation to avoid, remedy or mitigate adverse effects on the safety and efficiency of the arterial road network.

Is met as the traffic from the completed development will match the current loads. There is potential for an offsite manager or contract workers to visit the site if a dwelling is not on the vineyard property. This can occur now as the existing property owner could contract out all vineyard operations including management and tractor work. (The writers own vineyard is managed in this way, as are his neighbours on both sides). That situation is very common and forms part of the permitted baseline for traffic use in areas such as this.

Whether the management is from land outside the property or not is a very small variation in the use of Staces Road. There will be long periods where no use occurs at all, for example, several months in the winter. There is a normal variation to use of rural properties depending on matters such as family size, labour employed, the intensity of activities, management regime, lifestyle and age of the residents. This natural variation in use swamps the additional use that offsite management and contracting may lead to. The use from non-residents is well within the scope of those normal variations.

Policy 2.7 Ensure that the patterns of small-scale rural subdivision and related residential development are not located where:

- Rural amenity values of openness will be adversely affected; or
- The potential for conflict between residential and neighbouring rural activities will be created, or where they already exist, be exacerbated.

Is met as the proposal does not introduce any additional activity. Following subdivision the degree of openness will be identical that present at the moment.

The pattern of the post subdivision development will be entirely consistent with what it is now.

Policy 2.8 To enable rural activities which might generate adverse effects such as noise or smell, to operate in rural areas in accordance with accepted practices, without being significantly compromised by other activities demanding higher levels of amenity.

Is met as no change in land use is contemplated and reverse sensitivity controls are being put in place.

Objective 4 The control of water levels in a network of natural watercourses and drains so as to remove surplus water and enable sustainable management of the soils of the lower Wairau flood plain.

Policy 4.1 To maintain and upgrade a network of drains, drainage channels and small rivers within a drainage district on the floodplain.

Is met as the maintenance of the drainage channel on the property will be enhanced by the creation of a new easement to protect maintenance rights.

Policy 4.2 To keep these drains and watercourses in a hydraulically efficient state by removal of weed and sediment.

Is met as the maintenance of the drainage channel on the property will be enhanced by the creation of a new easement to protect maintenance rights.

12.5 Rural Residential (residential activity in the rural environment)

12.5.2 Objectives and Policies

Objective 1 To adequately provide within the rural zones for a range of persons wishing to live in the rural areas without placing undue demands on existing facilities in the rural areas and without inhibiting or diminishing the life supporting capacity of the soil or the primary productive capacity of the land.

Policy 1.1 To prevent the establishment of rural residential development which exacerbates conflicts between rural uses and residential activity.

Is met as controls on potential conflicts are put in place.

Policy 1.2 Where proposals are received for rural residential developments, preference will be given to locations that minimise the loss of productive soils.

Is met as no productive soils are lost as a result of this proposal

Policy 1.4 Ensure that rural residential developments do not result in a demand for or an extension of urban services.

Is met as this could not be classed as a rural residential development and it does not result in the extension of any urban services.

Policy 1.5 Ensure that rural residential developments make adequate provision for sewage and stormwater disposal. The Deferred Township Residential Zone at Rarangi will only develop when a permanent potable water supply has been installed and service connection made to all properties in both the Deferred Township Residential Zone and the Township Residential Zone.

Is met as adequate provision for sewage and stormwater disposal is made.

Policy 1.6 To ensure that when development occurs the full costs of remedying or mitigating adverse effects on the environment are met.

Is met as no adverse effects on the environment requiring mitigation have been identified.

Policy 1.7 To take into account the cumulative adverse effects of rural residential development proposals on the environmental and conservation values of rural areas.

Is met as no adverse effects on environmental or conservation values have been identified and as the area is a fully developed mix of lifestyle and productive rural properties which contain no significant environmental or conservation values.

Policy 1.8 Further residential development, outside those areas already zoned for residential purposes, shall be assessed against the following matters:

- The need to avoid sprawling or sporadic subdivision, use or development in the coastal environment;

Is met as this is not a coastal environment

- The effects of changes in land use from rural to residential on the natural character of the coastal environment;

Is met as this is not a coastal environment

- The likely exposure to natural hazards;

Is met as no risk from exposure to natural hazards has been identified.

- The need to protect coastal ecosystems that are vulnerable to modification; and

Is met as this is not a coastal environment

- The contribution that the area makes to the amenity values found in the coastal environment.

Is met as this is not a coastal environment

23.2.1 Objectives and Policies

Objective 1

That subdivision proposals be carefully assessed in localities where there are significant natural hazards, unless the effects of these can be adequately avoided, remedied or mitigated, and any such mitigation measures do not have significant adverse effects on the environment.

Policy 1.1 Control subdivision of land subject to natural hazards such as inundation, erosion, subsidence, slippage and rock fall.

Is met as no hazards have been identified.

Policy 1.2 Ensure that subdivision does not take place in a manner which could lead to land, waterways or drainage channels being placed at significant risk from sedimentation or scouring of river banks.

Is met as no changes in land use will occur as a result of the subdivision.

Policy 1.3 Ensure that the adverse effects on the environment of measures to mitigate the effects of natural hazards on land subject to land subdivision are avoided, remedied or mitigated

Is met as no hazards have been identified and no changes in land use will occur as a result of the subdivision

23.3.1 Objectives and Policies

Objective 1

That significant natural features be identified and protected through the process of land subdivision and/or land use development, recognising likely subsequent land use practices.

Policy 1.1 Protection of significant natural features and ecosystems in the processes of subdivision and/or land use developments, and permanent protection obtained through appropriate legal mechanisms.

Is met as no significant natural features and ecosystems have been identified.

Policy 1.2 Provide for access to and along the margins of rivers, lakes and the coastline, where appropriate opportunities exist, during the subdivision and/or development processes.

Is met as no margins of rivers, lakes and the coastline are present.

Policy 1.3 Ensure that works associated with land subdivision processes avoid, remedy or mitigate adverse effects on the natural qualities of the environment, particularly natural ground levels, surface vegetation and water quality.

Is met as no works are proposed.

23.4.1 Objectives and Policies

Objective 1

That allotment design size and dimensions created through the subdivision process be determined with regard to the likely activities to be carried out on those allotments, and their effects on amenity values and other resources.

Policy 1.1 Provide for the creation of allotments which protect the natural environment including remnant indigenous vegetation, riparian lands, coastal margins, wetlands, headlands, heritage features, ridges and archaeological and cultural heritage sites.

Is met as no remnant indigenous vegetation, riparian lands, coastal margins, wetlands, headlands, heritage features, ridges and archaeological and cultural heritage sites are present.

Policy 1.2 Ensure that the subdivision of land avoids, remedies or mitigates adverse effects on the natural character of wetlands, lakes, rivers and their margins.

Is met as no wetlands, lakes, rivers and their margins are present.

Policy 1.3 Avoid sprawling or sporadic subdivision in the coastal environment, in order to preserve natural character.

Is met as this is not a coastal environment

Policy 1.4 Enable opportunities to create special purpose allotments that protect the natural environment, in tandem with widening and diversifying land use activities.

Is met as there are no natural environments requiring protection.

Policy 1.5 Ensure that rural character and amenities are protected and enhanced.

Is met as the proposal is compatible and with the existing rural character and amenity values of the locality. No changes to use and activity on the site are expected.

Policy 1.6 Recognise the potential for amenity conflict between the rural environment and the activities on the urban periphery.

Is met as this site is not on the urban periphery

Policy 1.7 Consider the effects on soil conservation from subdivision of land and avoid, remedy or mitigate any adverse effects.

Is met as no soil conservation issues are present

Policy 1.8 Consider the effects of subdivision on the rural environment in so far as this contributes to the character of the Plan Area, and avoid or mitigate any adverse effects.

Is met as the character of the Plan area will not be changed by the proposal. No changes to use and activity of the site will result from this subdivision.

Policy 1.9 Recognise the principles of the Treaty of Waitangi in relation to subdivision and development of land.

Is met as the site has low interest to Tangata Whenua and they will be consulted as part of the notification process.

Policy 1.10 Recognise the potential for innovative subdivision, such as energy efficient subdivision design, which is responsive to landscape character and which avoids, remedies or mitigates adverse effects.

Is met as the subdivision does not adversely affect energy efficiency and is neutral to the landscape character of the area as no changes to the character will occur.

Policy 1.11 To ensure that any adverse effects of subdivision on the functioning of services and other infrastructure and on roading are avoided, remedied or mitigated.

Is met as the proposal has no increased load on road or other infrastructure

Policy 1.12 Avoidance, remedying or mitigation of adverse effects on the functioning of the arterial road network by requiring where practicable, new allotments to gain legal and physical access from the lower classified roads in the road hierarchy.

Is met as all access is to lowly classified roads.

Objective 2

Protection of the environment from the adverse effects of site works associated with subdivision and the promotion of effective and efficient servicing of development.

Policy 2.1 Avoid, remedy or mitigate the adverse effects of site works associated with subdivision by ensuring each proposed site is suitable for its intended use.

Is met as no site works are proposed.

Policy 2.2 Recognise the need to integrate subdivision practice with the environmental requirements for use and development contained throughout this Plan.

Is met as the proposal matches the current good quality use of the site.

23.5.1 Objectives and Policies

Objectives 1 and 2 are met as the proposal does not involve any work or changes to services, nor any changes to the way the sites are used. Therefore no consideration of servicing or additional infrastructure is needed.

Objective 1

Ensure that the direct on-site adverse effects of subdivision/ development are avoided, remedied or mitigated through the necessary supporting framework of services and amenities.

Policy 1.1 Ensure that standards for urban residential subdivision and development are consistent with the availability and receiving/supply capacity of existing and affordable urban servicing infrastructure, and take account of the finite limitations of the available infrastructure.

Policy 1.2 Require that subdividers and/or developers provide all on-site services to avoid, remedy or mitigate any adverse effects arising from the subdivision/development of the land resource.

Policy 1.3 Integrate new subdivision/development roads into the existing network to adequately cater for expected increase of traffic generation and the safe access and movement of vehicles, pedestrians and cyclists.

Policy 1.4 Provide new pedestrian linkages and cycle routes, particularly in larger residential subdivisions, and where practical the extension of existing routes.

Policy 1.5 Require integrated establishment of underground utility services during subdivision/development.

Policy 1.6 Require that water supplies for the demand anticipated following subdivision/development are of sufficient capacity and of a potable standard for human consumption.

Policy 1.7 Encourage connections to public or community reticulated water supply systems wherever such systems are available.

Policy 1.8 Encourage the retention of natural open waterway systems for stormwater disposal as an alternative to piping.

Policy 1.9 Require stormwater disposal in a manner which maintains or enhances the quality of surface and ground waters.

Policy 1.10 Require stormwater disposal in a manner which avoids inundation of land, both within and beyond the boundaries of the site.

Policy 1.11 Require that provision is made for trade waste disposal for industrial uses, either at the time of subdivision of the land, or at the time of development.

Policy 1.12 Require that electrical reticulation is appropriate to the amenities of the area.

Policy 1.13 Require that sewage is disposed of in a manner which is consistent with maintaining public health.

Policy 1.14 That wherever possible, sewer systems be designed so that effluent will flow by gravity.

Policy 1.15 Encourage connections to reticulated sewerage systems, where such systems are available.

Policy 1.16 Where a reticulated system is not available, provision shall be made for the satisfactory disposal of sewage wastes, subject to any adverse effects being avoided, remedied or mitigated.

Policy 1.17 Where indicative layouts for roads have been provided, ensure that the roading proposed at the time of subdivision and development is:

- a) Compatible with the Council's roading hierarchy or alternative design standards approved by Council;
- b) Reflects the density of development; and
- c) Connects to the existing roading network and contains internal connections to the extent that is practicable.
- d) Does not result in a subdivision layout that would cause poor amenity outcomes for individual properties, particularly in terms of property orientation (for solar access or relative to any road or other residential property) and shape.

Policy 1.18 Where indicative locations for open space have been provided, ensure that the open space proposed at the time of subdivision and development:

- a) Reflects the density of development;

- b) Is of sufficient area to provide for the amenity needs of those living and/or utilising the development;
 - c) Is accessible (with the degree of accessibility increasing with increasing density of development).
 - d) Does not result in a subdivision layout that would cause poor amenity outcomes for individual properties, particularly in terms of property orientation (for solar access or relative to any road or other residential property) and shape.
- Policy 1.19 Subdivision and development associated with utility activities, roading projects and the generation of electricity, are generally exempt from the requirements for financial contributions as these activities are not likely to generate any additional demand for services or for open space or recreation.

Objective 2

Ensure that the off-site or downstream adverse effects of subdivision or development are avoided, remedied or mitigated.

Policy 2.1 Require that subdividers/developers make provision for the upgrading of off-site servicing networks to avoid, remedy or mitigate any adverse effects of the subdivision/development e.g. roading and access; water supply; sanitary sewage disposal; stormwater disposal; trade waste disposal and electricity supply.

Policy 2.2 Ensure that the adverse effects of subdivision/development on open space and community facilities are mitigated by requiring contributions towards the provision of additional open space and community facilities.

Policy 2.3 The Council will waive or reduce contributions in relation to any particular proposals where the subdivider/developer suggests alternatives to avoid, remedy or mitigate the adverse effects of that proposal.

Policy 2.4 Subdivision and development associated with utility activities, roading projects and the generation of electricity, are generally exempt from the requirements for financial contributions as these activities are not likely to generate any additional demand for services or for open space or recreation.

Summary : Assessment of Environmental Effects

The proposal is a subdivision to create two lots, one of 1.88 ha and one of 8.04 ha.

The surrounding properties are a mixture of rural residential lots, maximum size, and residential lots down to 800 m² in Grovetown. Generally lots are in the range 5,000 m² to 8.0 ha.

Staces Road is a small and short country Lane. It starts in the Grovetown residential node and extends west for a short distance. It is a self-contained location limited in its extent with a varied range of property types and uses. The proposal is compatible with those existing uses and does not introduce any types of property.

It is not unique on the Wairau Plains and Rowley Crescent and the start of Hillocks Road are two similar examples. These localities function very well as places to live, work and carry out various rural activities. Often the people living on the smaller property there have a strong connection with the rural life and that is true of both Staces Road and Rowley Crescent.

It is its charm, the quiet relaxed rural environment, sense of place that makes Staces Road an attractive location for lifestyle living and rural living in general.

As

- (i) The subdivision pattern is compatible with the surrounding land

- (ii) The productive potential of the land is unaffected.
- (iii) No additional activity will take place particularly any additional residential activity
- (iv) The proposal is acceptable to the adjoining owners
- (v) The existing house site is suitable for lifestyle use
- (vi) The sites can be serviced to a high standard
- (vii) The site helps to meet ongoing demand for lifestyle use close to town.

We believe the effects of the proposal are minor.

11 **STATUTORY ACKNOWLEDGEMENTS and IWI CONSULTATION**

This site is identified as significant to three of the top of the south Iwi. Ngati Rarua, Rangitane and Ngati Toa all list this area in their statutory acknowledgement documents. All three value the waters and adjoining land of the Wairau River and its tributaries as important Mahinga Kai and pa sites.

In this case the property contains a drainage channel that forms part of the network of streams and creeks that feed into the Wairau River and Lagoon and historically provided a rich area to gather food.

The creek runs along part of the east boundary of lot 1 and then turns and runs east towards the Grovetown lagoon. Today the waterway is heavily modified and is effectively an agricultural drain. It is a minor waterway in terms of its flow and significance in the network of waterways that make up the Lower Wairau Plain. The drain is maintained regularly by Council and retains few of its natural values.

It is our assessment that the wider proposal and the underlying land has no special features important to Iwi. We believe the application, being a subdivision of an existing rural site, with existing buildings and vineyard, in a rural zone, and in a neighbourhood with similar small rural properties, has few planning implications for Iwi.

No modification of the waterway is planned.

No earthworks or other works are planned as a result of the application.

The site does not appear to contain any sites of special significance to Iwi.

Therefore no specific Iwi consultation has been carried out. We understand Iwi will be included in the public notification process.

12 **SITE CONTAMINATION**

The property has a long history of rural use. A quick visual assessment indicates that there are no old dump sites or areas where material has been stored.

The property is used as a vineyard base and has had sprays and fuel stored on it. That use will remain following subdivision on lot 1 and lot 1 will remain in productive rural use.

We have checked the Councils resources to see if the site is included as a HAIL site or in the sites at risk register and it is not included in either list.

While the property does not have an identified HAIL site Council has noted that a water permit application from 1983 (MLB830023) indicated a cherry orchard and nursery were possible uses for the water being applied for. We have asked the applicant about the

extent of those two uses as they are on the list of HAIL activities. Mr Palmer has recorded in an email to me

I can absolutely assure the council that neither a cherry orchard nor a nursery were ever established. I have visited the property many times every year, since my parents acquired it in the early 1980's. During their ownership it has only ever been in grass for the sheep or seasonal crops until the vineyard was planted early this century, roughly 10 or so years ago from memory. My father really enjoyed farming and the main activity up until the vineyard was planted was a suffolk sheep stud, that did very well and which was his passion. I am more than happy to confirm that to the council if need be. Others will also be able to confirm the same.

My father was toying with planting a cherry orchard when he first bought the land but he was never particularly convinced on the idea and it didn't go ahead. My mother was a very keen gardener and that may be where the potential thought of a nursery came from but it definitely didn't go ahead either. My mother eventually worked in various nursery businesses for many years and I'm sure that was enough of the nursey business for her. I think you are right that it would have been included in the application just in case they ever went ahead with those ideas.

We have concluded that no HAIL activity has been carried out

The conclusion we reach is that there are no issues to deal with regarding site contamination and the NES on site contamination is met.

13 **Volunteered Conditions**

In order to mitigate potential adverse effects the applicant would like to volunteer one condition.

- (i) A condition prohibiting a dwelling from being erected on lot 1. This can be imposed via a consent notice so that it can only be removed after an application to Council. The consent notice will prevent any residential building unless the zoning of the land is amended to a residential or rural residential zone.

In addition the applicants undertake to register a restrictive covenant to further protect the environment by limiting the ability of residents of lot 2 from complaining about legitimate rural activities on lot 1.

- (ii) A covenant will be registered on lot 2 in favour of lot 1 to prevent complaints from the residents of lot 1 to normal rural activities that meet the RMA standards applying at the time. The purpose of this is to ensure the rural activity on the vineyard continues exactly as it does now.

The applicant does not believe creation of the small lot will create any adverse effects. However imposing the covenant is easy to do and adds an additional layer of protection. So it is proposed out of an abundance of caution to register the covenant in order to remove all possible problems. In order to ensure that this is done the applicant will provide an irrevocable solicitors undertaking to register the covenant as part of the Sec 223 and Sec 224 process.

14. **Summary**

The proposal creates one new lot. The nett effects on the locality are nil given the provision made to prevent any further dwellings on the vineyard land. The new site is at a density that is compatible with the underlying subdivision pattern. This can be achieved with only minor adverse effects on the existing environment, provided the usual range of targeted conditions are applied.

Council's approval is requested accordingly. The application fee has been paid on line.

Enclosed are copies of;

- (a) The Certificate of Title
- (b) A copy of plans 10147/4/B, 5/B, 6C and 7/A.
- (c) An application form
- (d) A photograph of the gateway

AYSON & PARTNERS LTD



T P McGrail

TPM:TM





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Consultants in Surveying, Resource Management, Subdivision and Land Development

LOTS 1 AND 2 BEING PROPOSED SUBDIVISION OF LOT 3 DP 6038

58 STACES ROAD, BLENHEIM

COMPRISED IN : CT 3E/365

APPLICANTS : J M & G J Palmer

SCALE (A3)

1:750

JOB NUMBER

10147

DATE

09.10.2015

SHEET

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ISSUE

B

STACES ROAD 58
ALLEGEDLY 11.700000 SQ YARD
SECTION 11-700000 SQ YARD





Legend

- Title areas less than 0.5 ha
- Title areas between 0.5 - 8.0 ha
- Title areas 8.0 ha or larger
- Land within the Township Residential Zone

LOTS 1 AND 2 BEING PROPOSED SUBDIVISION OF LOT 3 DP 6038
 58 STACES ROAD, BLENHEIM

COMPRISED IN : CT 3E/365
 APPLICANTS : J M & G J Palmer

SCALE (A3)
 1:7500
 DATE
 12.10.2015
 SHEET
 6
 JOB NUMBER
 10147
 ISSUE
 C

SCHEME PLAN ONLY
 Areas and Dimensions are
 subject to final survey

Ayson and Partners Ltd
 4 Nelson Street, P.O. Box 236
 Blenheim, New Zealand
 PH 03 579 2099, Fax 03 578 7028
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 www.aysonandpartners.co.nz
 REGISTERED PROFESSIONAL SURVEYORS
 Consultants in Surveying, Resource Management, Subdivision and Land Development

0 10 20 30 40 50 60 70 80 90 100m



Legend

- Title areas less than 0.5 ha
- Title areas between 0.5 - 8.0 ha
- Title areas 8.0 ha or larger
- Land within the Township Residential Zone
- Land within the Rural Township Zone



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LOTS 1 AND 2 BEING PROPOSED SUBDIVISION OF LOT 3 DP 6038

58 STAGES ROAD, BLENHEIM

COMPRISED IN : CT 3E/365

APPLICANTS : J M & G J Palmer

SCALE (A3)

1:20,000

JOB NUMBER

10147

DATE

09.10.2015

SHEET

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ISSUE

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To: Marlborough District Council
PO Box 443
Blenheim 7240



**MARLBOROUGH
DISTRICT COUNCIL**

ISO 9001:2008
Document Number:
RAF0010-CI1220

SUBMISSION ON APPLICATION FOR A RESOURCE CONSENT

1. Submitter Details

Name of Submitter(s) in full _____

Address for Service *(include post code)* _____

Email _____

Telephone *(day)* _____ Mobile _____ Facsimile _____

Contact Person *(name and designation, if applicable)* _____

2. Application Details

Application Number _____ U _____

Name of Applicant *(state full name)* _____

Application Site Address _____

Description of Proposal _____

3. Submission Details *(please tick one)*

I/we support all or part of the application ☐

I/we oppose all or part of the application ☐

I/we are neutral to all or part of the application ☐

The specific parts of the application that my/our submission relates to are *(give details, using additional pages if required)*



The reasons for my/our submission are *(use additional pages if required)*

The decision I/we would like the Council to make is *(give details including, if relevant, the parts of the application you wish to have amended and the general nature of any conditions sought. Use additional pages if required)*

4. Submission at the Hearing

I/we wish to speak in support of my/our submission

☐

I/we do not wish to speak in support of my/our submission

☐

OPTIONAL: Pursuant to section 100A of the Resource Management Act 1991 I/we request that the Council delegate its functions, powers, and duties required to hear and decide the application to one or more hearings commissioners who are not members of the Council. *(Please note that if you make such a request you may be liable to meet or contribute to the costs of commissioner(s). Requests can also be made separately in writing no later than 5 working days after the close of submissions.)*

☐

5. Signature

Signature _____ Date _____

Signature _____ Date _____

6. Important Information

- Council must receive this completed submission before the closing date and time for submission for this application. The completed submission may be emailed to mdc@marlborough.govt.nz
- You must also send a copy of this submission to the applicant as soon as reasonably practicable, at the applicant's address for service.
- Only those submitters who indicate that they wish to speak at the hearing will be sent a copy of the hearing report.

7. Privacy Information

The information you have provided on this form is required so that your submission can be processed under the Resource Management Act 1991. The information will be stored on a public file held by Council. The details may also be available to the public on Council's website. If you wish to request access to, or correction of, your details, please contact Council.