

RESOURCE CONSENT APPLICATION

U161124

Todd Ian Edgerley and Temple Trustees Limited

231 Waikawa Road, Picton

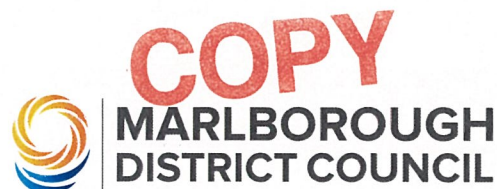
Submissions Close

5.00 pm Wednesday 30 November 2016



Resource Consent Application

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



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 \$ 945.00

Receipt No. 1785334

Consent No. 0161124

Case Officer: Jenny Folster

Date Received:



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

Name:
(full legal name)

Todd Ian Edgerley & Temple Trustees Limited

Mailing Address:
(including post code)

105A Waikawa Road
Picton 7220

Email Address: ruffedge50@gmail.com

Phone: (Daytime) 03 573 6976

Phone: (Mobile) 021 796 618

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

Name:

Mike Hardy-Jones

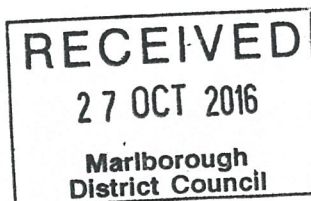
Mailing Address:
(including post code)

C/- Hardy-Jones Clark
76 High Street
Blenheim 7201

Email Address: mike@hjc.co.nz

Phone: (Daytime) 03 578 5339

Phone: (Mobile)



3. **Type of Resource Consent Applied For**

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

4. **Brief Description of the Activity**

To establish and operate an outdoor storage facility on Lot 3 DP 3563.

1686456
5430371

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): 231 Waikawa Road, Picton

Legal description (i.e. Lot 1 DP 1234): Lot 3 DP 3563

PN 502 879

(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.



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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

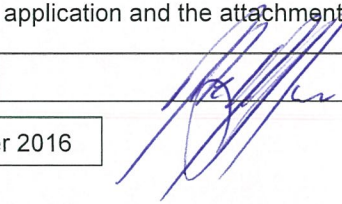
9. Fees

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) Mike Hardy-Jones

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

Signature of applicant or authorised agent: 

Date: 30 September 2016

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



HARDY-JONES CLARK

LAWYERS • NOTARY PUBLIC

27 October 2016

Resource Management Officer
Marlborough District Council
PO Box 443
BLLENHEIM 7240

Attention: Jenny Folster

Dear Jenny

RESOURCE CONSENT APPLICATION - LAND USE CONSENT - 231 WAIKAWA ROAD (U161124)

- 1 Please find attached on behalf of our client an amended resource consent application for U161124. We have made some minor changes which include the hours of operation, removing small machinery to be stored at the site, to include that the owner will store a 20 foot container on site, and written approval is being sought for parties likely to be affected by this application.
- 2 This amended application is being circulated to those parties and written approvals will be submitted upon receipt.
- 3 We would like this application to supersede the application previously submitted.

Yours faithfully
Hardy-Jones Clark



Mike Hardy-Jones
Partner

Email: mike@hjc.co.nz
Ref: 38756.001

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76 High Street
PO Box 646
Blenheim 7240, New Zealand

Tel: +64 3 578 5339
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Web: www.hjc.co.nz



Todd Ian Edgerley

- **Land Use - Activity**
-

Final

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1 Introduction

The applicant is Todd Ian Edgerley.

The applicant owns property located at 231 Waikawa Road, Picton being Lot 3 DP 3563.

Over the past few years there has been a steady growth in the demand to provide storage in Picton. To date the demand has been met by a number of compounds, one at the south end of the Waikawa marina next to the Franklin's boat maintenance yard, another located between Devon and Market Streets.

The applicant has investigated the need for an additional storage facility in Picton and has been encouraged by the positive response.

The derelict dwelling that was on the application site was removed a number of years ago and the applicant has cleared and levelled the site with clean fill (consented by U130563).

With the large site (2241m³) now vacant, the applicant is seeking consent to establish and operate an outdoor storage facility from the property.

Having an outdoor storage facility located on Lot 3 DP 3563 will provide a convenient location for storage where items can be carted from efficiently.

This report provides an assessment of effects on the environment in accordance with the Fourth Schedule of the Resource Management Act 1991 (RMA) for the following activities:

- Land Use – Activity

Attached to this application are the following:

- Appendix 1 – Location Plan;
- Appendix 2 – Site Plan;
- Appendix 3 – Site Photos;

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- Appendix 4 – Certificate of Title;

2 The Proposal

Todd Ian Edgerley seeks resource consent for the following specific activity:

- Land Use – Activity
 - *To establish and operate an outdoor storage facility on Lot 3 DP 3563.*

The facility will be open plan with no sheds.

Access to the site will be off Beach Road via an existing accessway (refer to the Site Plan contained in Appendix 2).

Hours of operation will be:

- 7am – 9pm (daylight savings time) 7 days a week
- 7am – 7pm (non-daylight savings time) 7 days a week

The 2241m² site will be used to store boats, trailers, vehicles, and caravans. The owner will use the site to store a 20 foot container on site.

The central area of the site will be kept clear for manoeuvring.

No storage of fuel will be on the site other than that already in the tanks of the boats and vehicles etc using the facility.

The gravel base will be maintained with stormwater runoff already directed to a soakage pit in the western corner of the site.

A corrugated iron fence is located along the site's boundaries, this is to remain.

No washdown facilities will be provided on the site nor will power or lightening be made available at the site.

Written approval is being sought from the immediate neighbours of the site along with Marlborough Roads and shall be forwarded to Council on receipt.

3 The Existing Environment

The site is located at the corner of Waikawa and Beach Roads and is approximately 2241m² in size.

The section is vacant and flat with a gravel base covering the site.

The site is adjoined by established residential properties.

4 Statutory Framework

4.1 The Resource Management Act 1991

Section 9 of the Resource Management Act 1991 states that no person may use land in a manner that contravenes a district rule unless the use is expressly allowed by a resource consent.

4.2 The Marlborough Sounds Resource Management Plan

The subject site is zoned Urban Residential under the Marlborough Sounds Resource Management Plan (the Plan).

Urban Residential Zone Rule 29.4 states that any activity other than a prohibited activity which is neither a permitted activity, limited discretionary activity nor a discretionary activity shall be deemed to be a non-complying activity.

4.3 The Proposed Marlborough Environment Plan

The proposal involves no rules in the Proposed Marlborough Environment Plan that currently have legal effect.

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5 Consultation and Notification

Written approval for the previous resource application submitted in 2014 had been sought from the parties below. A copy of this new application is being circulated to obtain their written approval and these approvals shall be forwarded to Council upon receipt:

- Owner/occupier of 229 Waikawa Road;
- Owner/occupier of 229A Waikawa Road;
- Owner/occupier of 1 Beach Road;
- Owner/occupier of 4 Beach Road;
- Owner/occupier of 4A Beach Road;
- Marlborough Roads.

Given the nature of this application and that the effects on the surrounding environment would be no more than minor, it is considered that no further consultation is necessary.

The application should rightly be processed on a non-notified basis.

6 Assessment of Effects

6.1 Storage Facility Effects

The location of the proposed outdoor storage facility on the corner of Beach and Waikawa Roads is considered an appropriate location and not out of character with the surrounding environment given the nearby developments including the Waikawa Marina and Parklands Marina Holiday Park.

Noise will not be an issue as the general area is relatively noisy due to traffic loads along Waikawa Road together with the numerous industrial and commercial activities in the neighbouring vicinity.

Operating hours of the storage facility will mostly be confined to daylight hours so as to not unduly disrupt neighbours. The hours of operation will from 7am – 9pm during daylight savings, 7 days a week and 7am – 7pm during non-daylight saving, 7 days a week.

In clearing and levelling the site for the proposed storage facility, the applicants included stormwater control in the form of a soak pit.

There will be no washdown facilities nor will power or lighting be provided.

Therefore, the activity of operating a storage facility from the site would not be incompatible with the surrounding area.

6.2 Traffic Movements and Road Safety

Access to the site will be via Beach Road. Vehicles towing boats and caravans are common on this road as it leads to the Waikawa Marina and Parklands Marina Holiday Park. No concerns in terms of road safety are anticipated due to the limited number and fluctuating nature of vehicle movements that will be generated.

Higher than usual vehicle movements along Beach Road are already tolerated by nearby residents, and the proposal will not create traffic congestion as use would vary considerably from day to day, time of the year and weather conditions.

6.3 Amenity Effects

There will be no loss of privacy for surrounding property owners as the property is well fenced.

7 Other Matters

7.1 Marlborough Sounds Resource Management Plan

The Marlborough Sounds Resource Management Plan (the Plan) has been written in accordance with the provisions of the Marlborough Regional Policy Statement (RPS). As

such, any matters raised through the policies and objectives of the RPS are the same matters raised in the Plan.

Chapter 10 – Urban Environments, Volume 1 of the Plan, contains the following relevant objectives and policies:

Objective 10.2.2.1.1 Maintain and enhance the amenity of the residential environment while enabling the establishment of activities in a manner which is compatible with the residential environment.

Policy 1.1 Enable a range of activities within residential areas are compatible with residential amenity values.

Objective 10.2.3.1.1 Maintenance and enhancement of the amenities and landscape character of residential environments.

Policy 1.2 Enable new developments and activities within established Urban Residential and Sounds Residential areas provided their effects are not incompatible with the landscape character and local amenity qualities including:

- Noise conditions;*
- Privacy;*
- Overall volumes of traffic movements;*
- Building bulk and density; and*
- Access to sunlight.*

The nature of the activity proposed is considered to not significant detract from the character and qualities of the residential environment.

The proposal is not anticipated to generate undo noise.

There will be no loss of privacy for surrounding property owners, as the property is well fenced, and given the nature of the facility it is necessary for items to be stored in a secure area.

The amenity quality of building bulk and density, and access to sunlight, are not relevant to this proposal.

No concerns in terms of road safety are anticipated due to the limited number and fluctuating nature of vehicle movements that will be generated.

Chapter 18 – Land Transport, Volume 1 of the Plan, contains the following relevant objectives and policies:

Objective 8.3.1.1 That any adverse effects of activities on the sustainable management of the land transport infrastructure be avoided, remedied or mitigated.

Policy 1.8 Require appropriate facilities for vehicle and boat trailer parking and loading of vehicles and storage of goods at public wharf and boat launching facilities throughout the Sounds.

The proposal specifically supports Policy 1.8.

7.2 Resource Management Act 1991

Part 2 of the RMA sets out its purpose and principles on which the RMA is founded and from which all other associated statutory framework is derived. The purpose of the RMA is to promote the sustainable management of natural and physical resources.

There are no matters of national importance that are identified in Section 6 of the Act that are of relevance to this application.

In terms of Section 7 of the Act, this application is not considered to cause any more than a minor effect on the amenity values of the area.

Section 8 of the Act relates to the Treaty of Waitangi. The proposal is considered as not compromising iwi values or the Treaty of Waitangi.

Based on the above assessment, it is considered that the proposal will meet the purpose and principles of the RMA.

7.3 Section 104D – Non-Complying Activities

Section 104D of the RMA sets out particular restrictions for non-complying activities. In respect of these restrictions, this proposal will not be contrary to the objectives and policies of the Plan. Consequently, the application passes at least one of the required 'gateway' tests and can be considered and determined by Council in accordance with Section 104 of the RMA.

8 Conclusion

Todd Ian Edgerley seeks resource consent for the following specific activity:

- Land Use – Activity
 - *To establish and operate an outdoor storage facility on Lot 3 DP 3563.*

Any associated potential effects on the environment can be appropriately avoided, remedied or mitigated through the imposition of conditions of consent.

Affected party approval is being sought from Marlborough Roads and the immediately adjoining neighbours and will be forwarded to Council on receipt.

The proposal is considered consistent with Part 2 of the Act, the relevant objectives and policies of the Marlborough Regional Policy Statement and the Marlborough Sounds Resource Management Plan.

Accordingly resource consent should be granted to this proposal.

Appendix 1 – Location Plan

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Appendix 1 - Location Plan

Waikawa Marina

A85F
185m

Camp

Camp

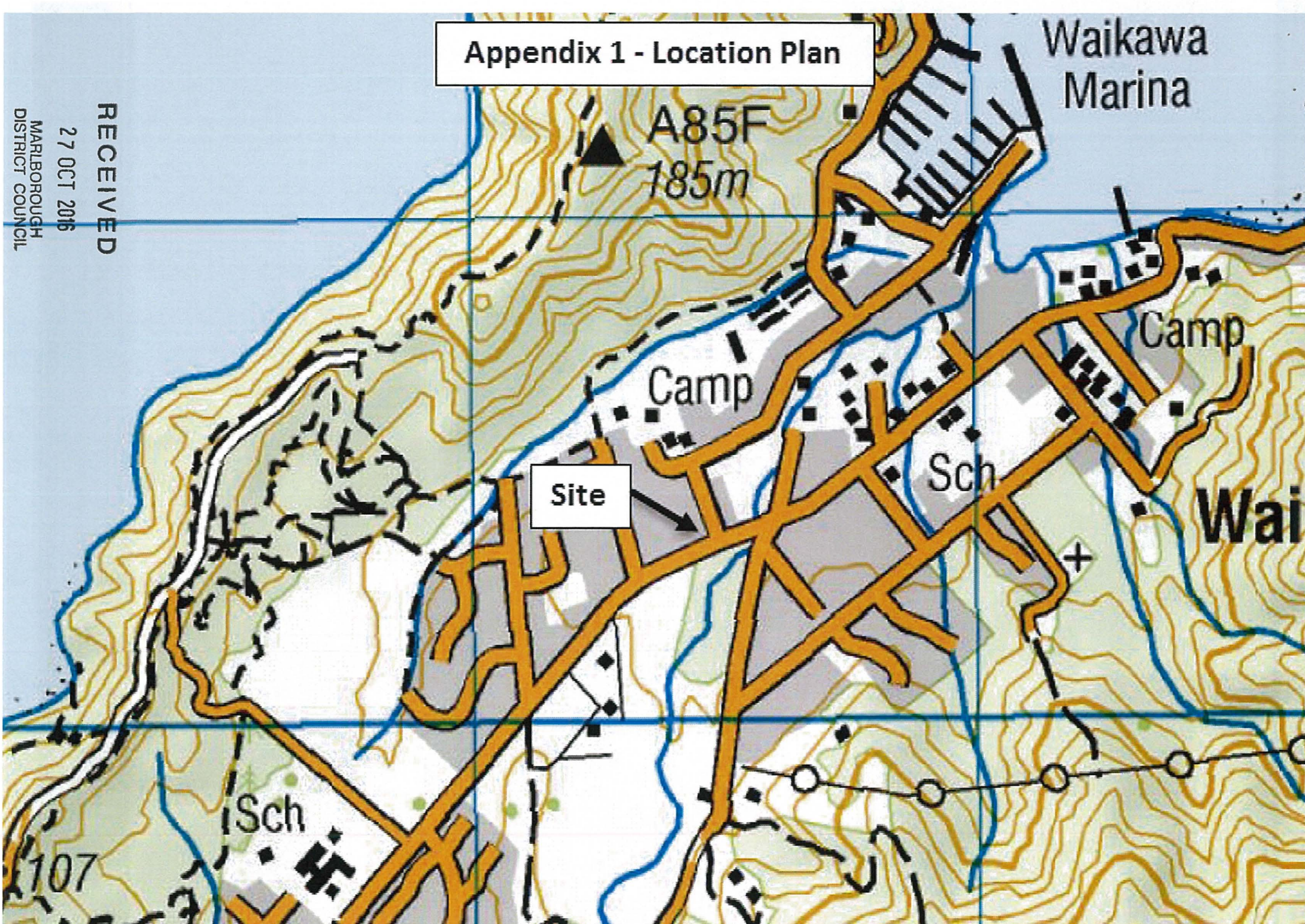
Site

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Wai

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Appendix 2 - Site Plan

Lot 8 DP 5957

Lot 6 DP 5957

Lot 18 DP

6B

Lot 5 DP 5957

Accessway

BEACH ROAD

Lot 3 DP 3563

Lot 1 DP 389710

229A

231

DP 3563

Lot 2 DP 389710

229

20 m

0 ft

227

WAIKAWA ROAD

Waikawa W

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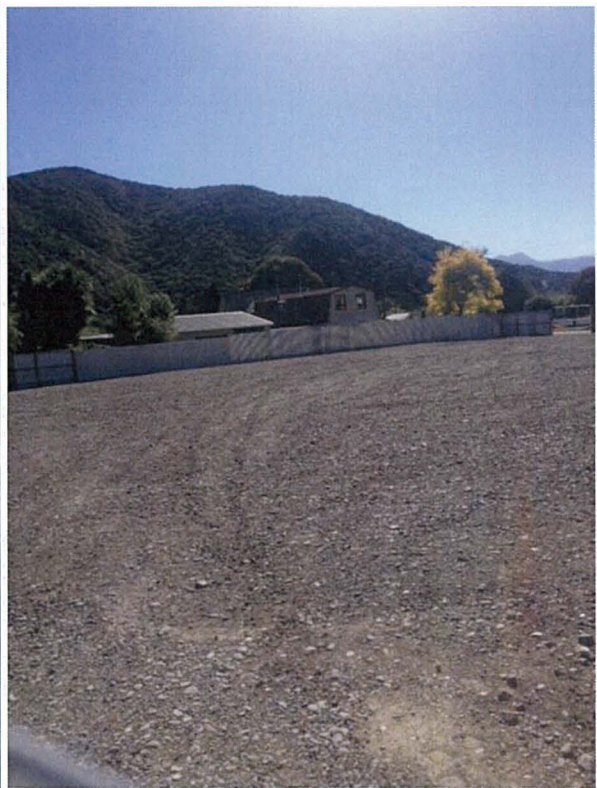
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Appendix 4 – Certificate of Title

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**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**

Search Copy



R. W. Muir
Registrar-General
of Land

Identifier MB2A/802
Land Registration District Marlborough
Date Issued 10 September 1970

Prior References

MB41/49

Estate	Fee Simple
Area	2241 square metres more or less
Legal Description	Lot 3 Deposited Plan 3563

Proprietors

Todd Ian Edgerley and Temple Trustees Limited

Interests

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To: Marlborough District Council
PO Box 443
Blenheim 7240



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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.