

RMA Form 5

Submission on Proposed Plan Change 7 to the Operative Ashburton District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Ashburton District Council

Note to person making submission:

The submission period for Proposed Plan Change 5 closes **5pm Wednesday 1st October 2025**.

Your submission (or part of your submission) may be struck out if the Council is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

1. Submitter Details

Please note: all fields marked with an asterisk () are compulsory:*

Name of submitter(s)* Judith Anthea Kingsbury

Submitter address* 13 Country Place
Allenton

City/Town* Ashburton Postcode* 7700

Contact name (if different from above) _____

Contact organisation (if different from above) _____

Contact email address j.kingsbury@extra.co.nz

Contact address (if different from above) _____

City/Town _____ Postcode _____

Contact phone number 0274841116

Please Note that by making a submission your personal details, including your name and address, will be made publicly available in accordance with the Resource Management Act 1991. This is because, under the Act, any further submission supporting or opposing your submission must be forwarded to you as well as to the Council.

While all information in your submission will be included in papers which are available to the media and public, your submission will be used only for the purposes of the Plan Change Process.

2. Trade Competition Declaration*

Part A

☒ I could not gain an advantage in trade competition through this submission. (If you tick this box please proceed straight to Section 3 of this form).

OR

☐ I could gain an advantage in trade competition through this submission. (If you tick this box please complete Part B).

Part B (please ~~strikeout~~ the following option that does not apply to you).

I **am / am not** directly affected by an effect of the subject matter of the submission that:

- (a) Adversely effects the environment; and
- (b) Does not relate to trade competition or the effects of trade competition.

Note: If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

3. Hearing options*

Do you wish to be heard in support of your submission? *If you choose yes, you can choose not to speak when the hearing date is advertised.*

☒ Yes ☐ No

If others are making a similar submission would you considered presenting a joint case with them at the hearing? *You can change your mind once the hearing has been advertised.*

☒ Yes ☐ No

4. Submission Details *

☒ Yes I am enclosing further supporting information to this submission form.

The specific provisions of the proposal that my submission relates to (please give details):

My position on this provision is:

- ☐ Oppose in part
☒ Oppose in full
☐ Support in part
☐ Support in full

The reason for my/our submission are (please give details):

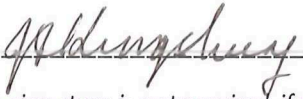
Our residence is in stage 2 of the Coniston Waters Sub-division & we are aware of the storm water flowing into the proposed sub-division & the fact of the water lying around on the proposed land after rain.

The rest of my concerns & my husband's are detailed in the attached letter.

I seek the following decision from the local authority (please give precise details):

We seek the local authority to keep the present status of the land as Rural D which was the decision of the 2007-2010 Council, which was a decision made by many knowledgeable Council staff & Councillors who had vast knowledge of the land & its issues.

Signature of Submitter (or person authorised to sign on behalf of submitter):

 _____ **Date:** 16 - 09 - 2025

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

Please return this form no later than **5pm Wednesday 1st October 2025**

- Scan and email it to info@adc.govt.nz (Subject Line: Proposed Plan Change 7)
- Post it to Ashburton District Council, Planning Team, P.O. Box 94, Ashburton 7740
- Deliver to Council Offices at 2 Baring Square East, Ashburton

Application Number(s) PC0003/23 Plan Change 7

I Judith Anthea Kingsbury and on behalf of my husband Michael Gilbert Kingsbury, object to the re-zoning and subdivision of the land Zoned Residential D to Residential C. which is on the corner of Racecourse Road and Farm Road, Ashburton.

This land adjoins our Residential property at 13 Country Place, Ashburton.

I am a retired Real Estate Agent, who in 2002-2003 Consulted on the Coniston Waters Subdivision with two other colleague Real Estate Agents, being Robert Harnett and Robin Ford, all of us from Wrightson Real Estate, at that time, and at the invitation of Robert Robinson and his daughter Maree and son in law Francis.

When we first met with the three above mention family members of the Robinson family, we were asked what size the sections should be for the subdivision and it was my suggestion which was accepted, that all sections should be as close as possible to the 1012m² as possible, which I believe most of them are.

At that time Mr Robinson informed us that the Council of the day had approved the contour of the subdivision land, starting with Stage one being the highest and the storm/flood waters would flow through stage two to the farm land paddocks owned by the Robinson Family, to Wakanui Creek and should Wakanui Creek ever over flow the water would flow through the Robinson Family Trust Paddocks to Racecourse Road, which we all know has enough problems of its own, with the water races, having been closed, however on looking at the contour of said land from Racecourse Road to Wakanui Creek, I would be inclined to suggest that storm water from both blocks of land will flow into Wakanui Creek during a flood and this has devastating consequences for home owners further down and all the way to the Netherby area, as was the case when water was pumped from the, as I believe at that stage, unsigned off swales at Lochlea Resort some years ago.

Secondly I was a Councillor during the 2007-2010 period and I recall very vividly on the bus tour of the district, with Council staff and Councillors, that a decision was made not to re-zone the land on the corner of Racecourse and Farm Roads due to flooding expectations. This council and staff were extremely familiar with the land and its issues and many of them had farming knowledge also including myself.

After becoming a RMA Commissioner in 2010, which I am now retired from, I understood more fully the reasons for this and as I am along with my husband, are now the owners of a two storied house in Coniston Place, which overlooks the land, the change of zoning is being requested for.

This land is often flooded and the contour of our property is such that you could roller skate, or play marbles down one side of the house, if it was concreted and the water flows quite swiftly down this piece of land in heavy rains, as I believe it does in some neighbouring properties.

This land was always intended to be farm land in the future and the intention of Mr Robinson was for the Family Trust block to remain farmland also. This was probably the reason for the contouring of the subdivision the way it has been done.

When we were visited by Messers Breakwell and Tarbottom some time ago, we were assured that there would only be fifty section on each block of land, a total of one hundred sections for homes to be built on, now we see that there are one hundred and sixty homes to be built on this land, with the possibility of a preschool to be included plus naturally pathways, but also cycle-ways.

Having subdivided our Racecourse Road property, some years ago, I recall Messers Youseff Elhanafy and Ian Hyde saying at a meeting we had with them in a Council Meeting Room, that we could not gain permission to develop our Residential approximately five acre block, because we may build 16 small houses on it and they didn't want to see a whole lot of small houses on that much land. Fortunately that was never our intention and only nine additional houses were built on the five acres. Fortunately that issue was resolved and with as per Council's standard 1.5 metre footpaths plus cycle-ways how many sections are going to be large and how many are going to be 420m²

If you drive down Farm Road towards Racecourse Road, you can see how the road dips down and if you allow this change of zoning, and with the present drainage from Stage one and two of Coniston Waters to Wakanui Creek or Racecourse Road, you are either going to have to build the land up to a much higher level, than it is at present, which will cause flooding in the present Coniston Subdivision or leave the land as its present level, which will definitely cause a huge amount of flooding and that is before we even think about storm water, sewer requirements and swales.

Another issue that I have been made aware of is the cables and man holes that are situated in the three metre easement, that runs from Farm Road along the southern boundary of the block of land adjoining stage two of Coniston Waters. I have not noticed any mention of that anywhere.

I am also sure that none of the present owners purchased their homes with rural views, to have them obliterated or have to deal with flooding problems after heavy rainfalls ,which seem to be happening more frequently these days.



Judith A Kingsbury



Michael G Klingsbury

16-09-2025

16-09-2025