



Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

**CONTENT SHEET**

**COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET**

Sheet No.

2

(Please tick one) <input checked="" type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: <b>Matenga West Limited (MWL)</b>		
	Address: <b>517 Abel Tasman Drive RD1 TAKAKA 7183</b>		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 – .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.4190.1 and C73.4190.2	Amend Area Map 77	FC 73.3353.1 & 2
Reasons for Support or Opposition: PTL supports MWL's submission to widen and relocate the indicative road to include stable ground for a two-lane roadway outlined in green on Page 7 of MWL's original submission (Attachment 1). This road title has the potential to act as an alternative road from Ligar Bay to Pohara Valley in an emergency situation. This is an obvious link in a future road network to meet TDC's obligations to address climate change and risk of damage to Abel Tasman Drive (ATD) from rising sea levels. As a community, we have already experienced road closures on ATD caused by roadworks, rockfall, slips, erosion, coastal flooding and road accidents. TDC needs to act now to address the community's future roading needs as prescribed in TRMP policy (Section 6.11.30). The population east of Pohara is growing and this is an opportunity to protect a section of indicative road corridor. A road cannot be built over side-castings (as drawn on TDC's proposed final map) and moving the indicative road to stable land to the south would prevent expensive road repairs in the future.			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: <b>Neighland Nominees Limited</b>		
	Address: <b>Rout Milner Fitchett PO Box 580 NELSON 7040</b>		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 – .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.872.4	Amend Area Map 77	FC 73.3353.3
Reasons for Support or Opposition: PTL does not support the indicative road from PTL land being extended onto the Deeds land between 59 and 75 Pohara Valley Road. This land leads to a redundant indicative road through a working quarry (with a 15 metre high cliff face) that should be deleted from the planning maps.  PTL does support Neighland Nominees Ltd position insofar that proposed Plan Change 73.16 is premature. A feasible indicative roading system has not been identified between Pohara and Ligar Bay and the Section 32 evaluation is inadequate. The plan change proposes to protect a 40m wide corridor over land in places that will never be used for a road, whilst penalising landowners by restricting development. A piecemeal resource consent process over multiple properties will not allow the effective co-ordination of a roading network. If the indicative roads are not repositioned to logical roading corridors, then this entire section of the plan change should be withdrawn until this work is completed.			

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**CONTENT SHEET**

**COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET**

Sheet No.

3

(Please tick one) <input checked="" type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Port Tarakohe Limited (PTL) Address: 517 Abel Tasman Drive RD1 TAKAKA 7183		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.3353.2	Amend Area Map 77	FC 73.3353.4
Reasons for Support or Opposition: PTL supports its original submission. However PTL did not request that the yellow portion of the indicative road at the northern end be removed as surmised by the TDC under Point No. C73.3353.2. This has been misinterpreted by TDC staff. PTL clearly requested on Page 7 of their original submission (Attachment 2) that this section of the indicative road requires consultation from the TDC with both Talleys Limited and PTL. This incorrect summation only benefits Talleys Limited and reflects a solution to their position as stated in their submission. If all the indicative roads and the walkway on the Tarakohe industrial estate are not ground-truthed and relocated or deleted, then the roads should stay in their current position on the maps until the matter is resolved. PTL's map clearly shows that any realignment of the indicative road related to title NL13A/276 being realigned onto land owned by PTL (or future owners) will need to be negotiated and agreed between all parties. A draft plan that may offer a solution for the entrance at Abel Tasman Drive is attached for discussion (Attachment 3).			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Talleys Limited Address: Solutions Law Office PO Box 1329 NELSON 7040		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.4195.1	Amend Area Map 77	FC 73.3353.5 (f over)
Reasons for Support or Opposition: PTL opposes Talleys Limited (Talleys) submission that the indicative road running through land title NL13A/276 owned by Talleys be realigned to the existing private roadway on title NL13A/277 owned by PTL without further negotiation. Talleys purchased this land title in 2002 with an indicative road shown on the planning maps at the time. The title also has a stormwater easement crossing it in favour of PTL. In 2002, the Golden Bay community opposed the sale of the old Golden Bay Cement office block title (NL13A/276) knowing that this land was important to support the TDC's Port. The need to create a safe entry/exit to the Port and adjacent industrial land was identified back then, but TDC chose to proceed with the sale of the land to Talleys. Over the years, PTL has had to significantly upgrade their private road entrance at Abel Tasman Drive (ATD). To further upgrade this entrance to a public road standard, Talleys land would need to be included. PTL is willing to work with the TDC and Talleys to create an indicative road entry onto ATD, but this would include a strip of Talleys land adjacent to the existing private road. (continued on Sheet 4).			

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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  
 62 Fairfax Street  
 Murchison 7607  
 New Zealand  
 Phone 03 523 1013  
 Fax 03 523 1012

Motueka  
 7 Helmott 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

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**CONTENT SHEET**

**COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET**

Sheet No.

4

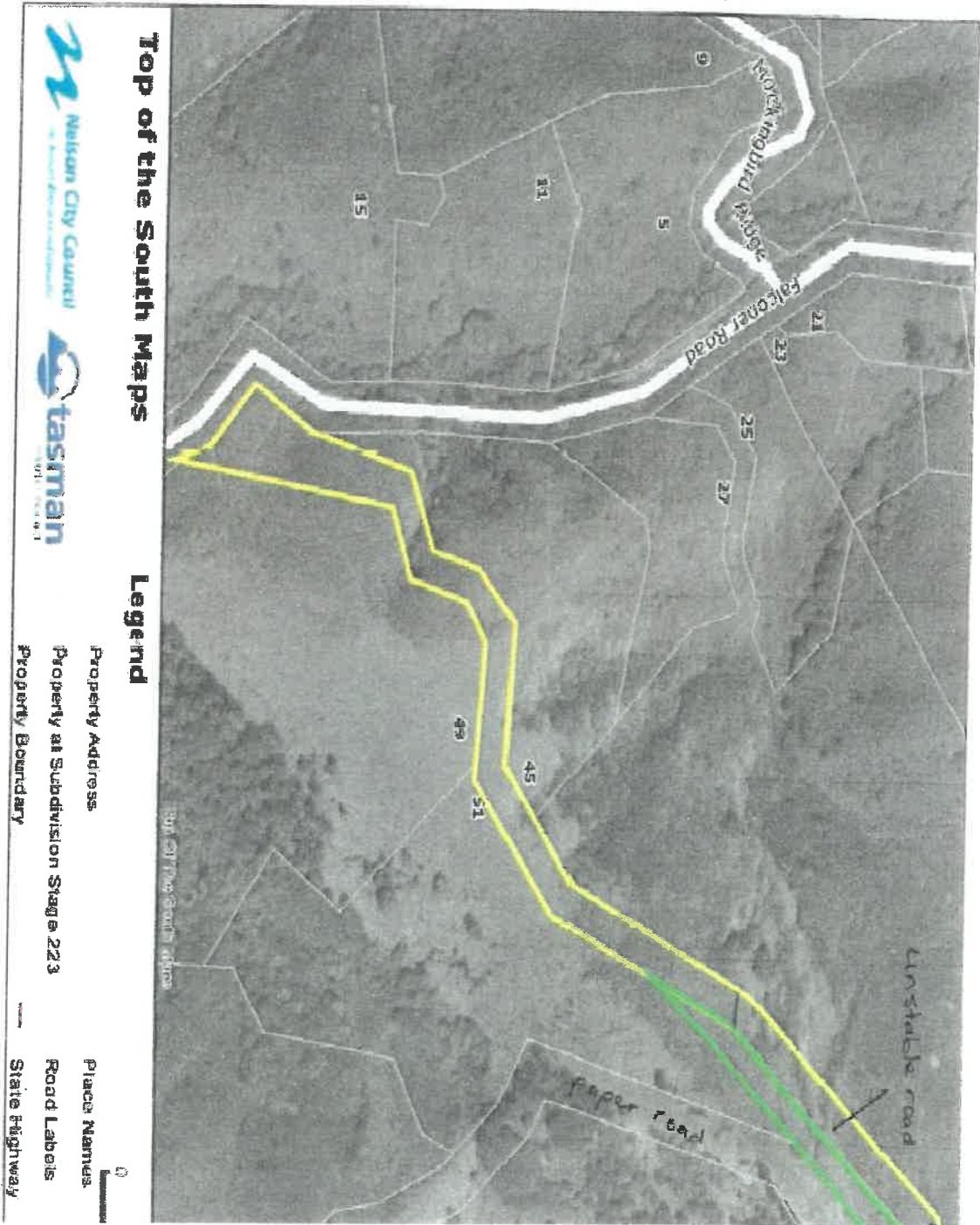
(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Talleys Limited Address: Solutions Law Office PO Box 1329 NELSON 7040		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31 A.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.4195.1	Amend Area Map 77	FC 73.3353 (.5)
Reasons for Support or Opposition: (Continued from Sheet 3) For Talleys to arrogantly move the indicative road to the east off their own land title and expect PTL to accommodate a future public road is simply to benefit one private company at the expense of another. This entrance needs to be wide enough for two lanes, allow good sight lines and also provide for turning semi truck and trailer units (many of which are owned by Talleys). Traffic from Talleys site, the Port and PTL's industrial land will all need to be accommodated. The traffic numbers on ATD will increase as the aquaculture industry expands. Any entrance/exit plan will also need to recognise the growing populations in Ligar Bay, Tata Beach and Wainui and seasonal visitors at Totaranui. Furthermore, PTL would like to advise that the likelihood of PTL or any future owner subdividing the land is considered remote given the size of the land needed for large scale light industrial activities associated with the Port and the growing aquaculture industry. (continued below).			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Talleys Limited Address: Solutions Law Office PO Box 1329 NELSON 7040		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31 A.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.4195.1	Amend Area Map 77	FC 73.3353 (.5)
Reasons for Support or Opposition: (Continued from above) PTL has attached a possible option for the re-siting of the existing indicative road (Attachment 3). The blue dotted line shows the existing stormwater easement over Talleys site and the green outline shows the contentious indicative roading location to be discussed and agreed. PTL will not agree to the location if the road is not 20 metres wide. We have other safer access options available for private use.			

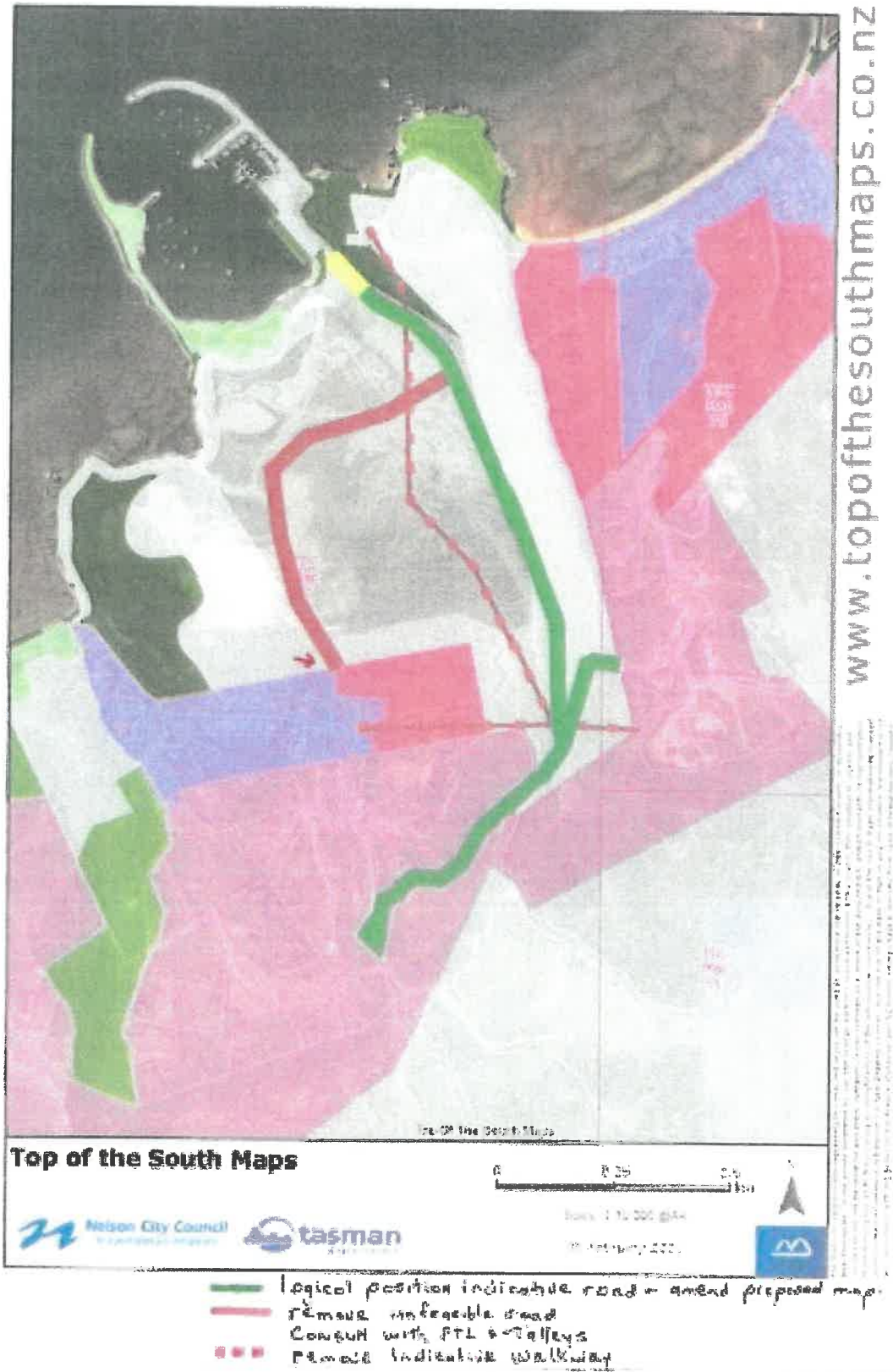
37777 HotHouse Communications

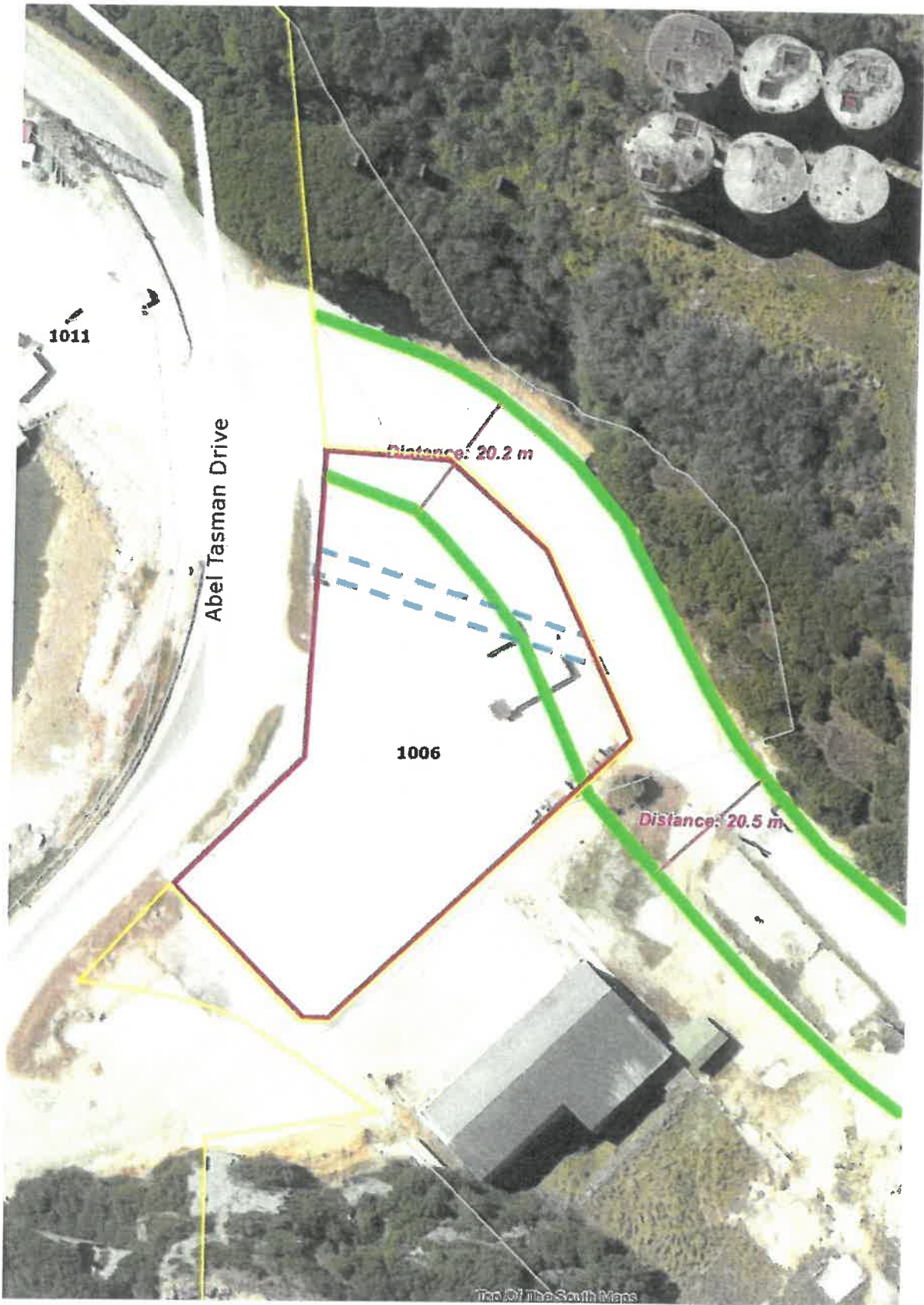
Attachment 1

www.topofthesouthmaps.co.nz



### Attachment 2





COVER SHEET

Return your submission by the advertised closing date to:
Environmental Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 03 543 9524 OR
Email: tasmanrmp@tasman.govt.nz

Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

OFFICE USE

Date received stamp:

14/4/21

Initials:

JM

Submitter No. 3417

Note:

- 1. This form is only for the purpose of supporting or opposing original submissions. It is NOT for making an original submission to the Plan, or for making a submission on a resource consent or on Council's Annual Plan.
2. You may only make a further submission if you or your organisation complies with the requirements below.

Tick to show that you or your organisation is:

- [ ] A person representing a relevant aspect of the public interest.
[ ] A person who has an interest in the proposed Plan Change greater than the general public.

Submitter Name: Paton Rise Ltd
(organisation/individual)

Representative/Contact: Jackie McNae, Staig & Smith Ltd
(if different from above)

Postal Address:

c/- Staig & Smith
PO Box 913
NELSON

Phone: 5484422

Fax:

Email: jackie@staigsmith.co.nz

Date: 14/03/2021

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

J McNae
Staig & Smith Ltd
PO Box 913
NELSON

Total number of pages submitted (including this page):

Signed:

McNae

Signature of submitter (or person authorised to sign on behalf of submitter). NOTE: A signature is not required if you make your submission by electronic means.

IMPORTANT - Please state:

This submission relates to Change No.: C73.16

Change Title/Subject: Indicative Roads

- [ ] Tick if you wish to be heard in support of your further submission.
[ ] Tick if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearings.

Remember:

- 1. Attach this Cover Sheet to as many Content Sheets as required.
2. Within five working days of sending this further submission to the Tasman District Council, send a copy of this further submission to the person who made the original submission.



Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

CONTENT SHEET

COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET

Sheet No.

2 of 8

(Please tick one) <input checked="" type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: <b>Batton Developments Ltd (N &amp; A Cardiff)</b>		
	Address: <b>52 Paton Road, Richmond</b>		
Change No. (e.g. C15)	Original Submitter and Submission Point Nos (e.g. C15.2659.2 - .6)	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
C73	C73.4184.1	73.16 - Indicative Roads Area M	FC 73.3417.1
Reasons for Support or Opposition: See attached for reasons Paton Rise supports the original submission of Batton Developments Ltd			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: <b>Alexander David Johnston</b>		
	Address: <b>28 Collins Road, Hope, Nelson</b>		
Change No. (e.g. C15)	Original Submitter and Submission Point Nos (e.g. C15.2659.2 - .6)	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
C73	C73.1046.1	73.16 Indicative Roads Area M	FC 73.3417.2
Reasons for Support or Opposition: See attached for reasons Paton Rise opposes the original submission of AD Johnston			

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Te Kaunihera o  
**te tai o Aorere**

Tasman District Council  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website [www.tasman.govt.nz](http://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

## 1.0 Reasons for Paton Rise Ltd support for Batton Developments submission

- 1.1 Paton Rise supports the submission of Batton Developments Ltd on indicative roads. Batton Developments Ltd (BDL) opposes Plan Change 73.16 as it relates to the deletion of the indicative road on their land that crosses the proposed indicative reserve to serve the Batton Developments land with roading.
- 1.2 Paton Rise adjoins the original submitters land as shown on Figure 1 below. Paton Rise has been progressively subdividing their property to the north east of the Greenway Reserve into 48 residential allotments. Twenty-four of those allotments are now titled and sold. The remaining allotments are being progressively constructed along with the completion of servicing, in particular the completion of the main subdivision road, Hallmark Drive, in the position of the current indicative road location on the TRMP maps.

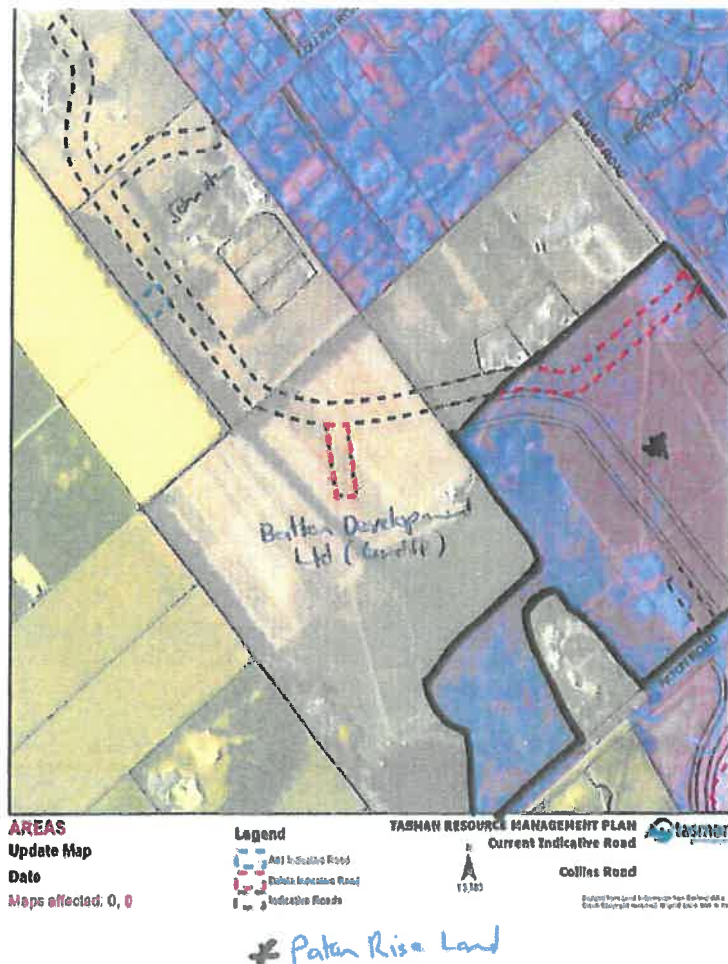


Figure 1: Paton Rise landholding and TRMP Indicative Roads

- 1.2 Paton Rise has been involved in consultation and submissions on the rezoning in Richmond South together with submissions on successive Long-Term Plans in relation to infrastructure provision in Richmond South, since draft Variations for the rezoning were first notified for consultation in 2005. Paton Rise has been heavily involved in

the positioning of the Indicative Roads. The Indicative Road position in relation to the main linking road, now named Hallmark Drive, was confirmed through Environment Court proceedings in 2009. Since that time, Paton Rise has relied on the indicative road positions for their planning of their current subdivision under construction, as well as the ongoing planning of the balance area of their land to the South of the Greenway.

- 1.3 Paton Rise has been involved in countless meetings with Engineering and Planning staff, together with representations to Council Committees and the full Council in relation to the ongoing development of Richmond South.
- 1.4 The issue of Indicative Roads has been an issue of significance to Paton Rise for the planning of their subdivision and has been the topic of specific submissions through the process of confirming the planning and zoning framework for Richmond South. Paton Rise submitted on the formal Variation in 2006 to rezone Richmond South, those submissions included the positioning of Indicative Roads. Those submissions resulted in one connection for an indicative road at the Bateup Road frontage, which was required to traverse Paton Rise land and connect with the MacMillan land. The other indicative road is at the Paton Road frontage.
- 1.5 The position of the Bateup Road connecting indicative road, now Hallmark Drive, was the subject of an Environment Court appeal that was settled and confirmed in 2009. This road has been constructed to serve Stage 2 of the subdivision, and later this year it will be completed to serve Stages 3 and 4 of the subdivision. The full legal road reserve of Hallmark Drive on Paton Rise land vested in Council on Stage 2 of the subdivision.
- 1.6 Beyond the Paton Rise land, Hallmark Drive connects into a previously vested Road Reserve through the adjoining MacMillan land. The indicative road beyond the already vested road corridor on the MacMillans land, then traverses the Batton Developments Ltd land (Cardiffs) and progresses through to the Johnston's land.
- 1.7 Paton Rise as part of the detailed planning for their 48-lot residential subdivision has had many meetings with Council Engineering and Planning staff over the position of roading, including the confirmed position of the indicative road on the planning maps, as well as the other internal roading within the Paton Rise subdivision. The other internal road on the Paton Rise subdivision is Greenway Crescent.
- 1.8 Through the detailed planning and design process of the position of these roads a meeting was held with the Council Engineers as to whether the Council wanted to have a road crossing over the Greenway on Paton Rise land, the emphatic advice from Council's Development Engineer was that the Council did not want any road crossings over the greenway on Paton Rise land, as the Council had already planned for the road crossing over the Greenway on the Batton Developments Ltd land (the Cardiff block). Under Council's direction, Paton Rise Ltd proceeded with the detailed design of their subdivision in accordance with the Council staff requirements on road positions for the current subdivision, as well as following this position on roading through the concept design of their balance land.
- 1.9 Given the long history of planning, in particular the zoning and position of indicative roads that came through the original Variation for Richmond South in 2006, Paton Rise is concerned to see the Council, some 15 years after the positioning of this network, to

seek to make a significant change to the network, in particular the deletion of the Greenway Crossing on the adjoining Batton Developments Ltd (Cardiff) land.

- 1.10 The Submitters fully support the Batton Developments Ltd submission seeking the retention of that crossing as clearly this road is required to service the Batton Developments Ltd landholding, as that landholding does not have the right for a legal road to connect to Paton Road. The majority of the Batton Developments Ltd land area sits to the south of the greenway and therefore a road crossing over the greenway is a necessity because of the position Council has placed the Indicative Greenway Reserve.
- 1.11 Nothing has changed within the planning and infrastructure framework to justify the removal of the indicative road on the adjoining Batton Developments Ltd land. The Plan Change documentation provides no explanation as to why the Indicative Road over the greenway is being removed. The only explanatory statement in the Plan Change documentation for indicative roads is that they are being removed where they are no longer required or have been developed. It is quite clear that the indicative road on the Batton Developments Ltd land is still required.
- 1.12 The Section 32 assessment on indicative roads includes Table 2. This table comments on landowner requests and responses to those requests. Table 2 does not note the original submitters opposition to the Draft Plan Change and does not provide any assessment of the Submitters concerns in the Section 32 report. It is difficult to see why such a major change in a network that has been in place for 15 years would not be specifically assessed. Indeed, the Section 32 assessment report notes that substantial changes to the locational existence of indicative roads or reserves could be considered as part of the full review of the TRMP, indicating that it is not appropriate in this Omnibus Plan Change to consider such major changes in planning of the network.
- 1.13 Paton Rise has, and continues to, rely on the positions of the Indicative Roads. Paton Rise has actively engaged in the formal planning processes for Richmond South so that there was certainty for their own planning for subdivision. Paton Rise is very concerned to see such a major change being made under the guise of this Omnibus Plan Change and cannot understand why this change would be pursued without appropriate consultation with the landowners in this location, particularly given the advanced position of the subdivision on adjoining landholdings, in particular Paton Rise land.
- 1.14 The further submitters are left in the position, like the original submitter, that there are other reasons at play.

### **Decision Sought**

Paton Rise Ltd fully supports the decision sought by the original submitter which is to maintain the position of the Indicative Road on the Batton Developments Ltd (N & A Cardiff) land over the Indicative Greenway Reserve.

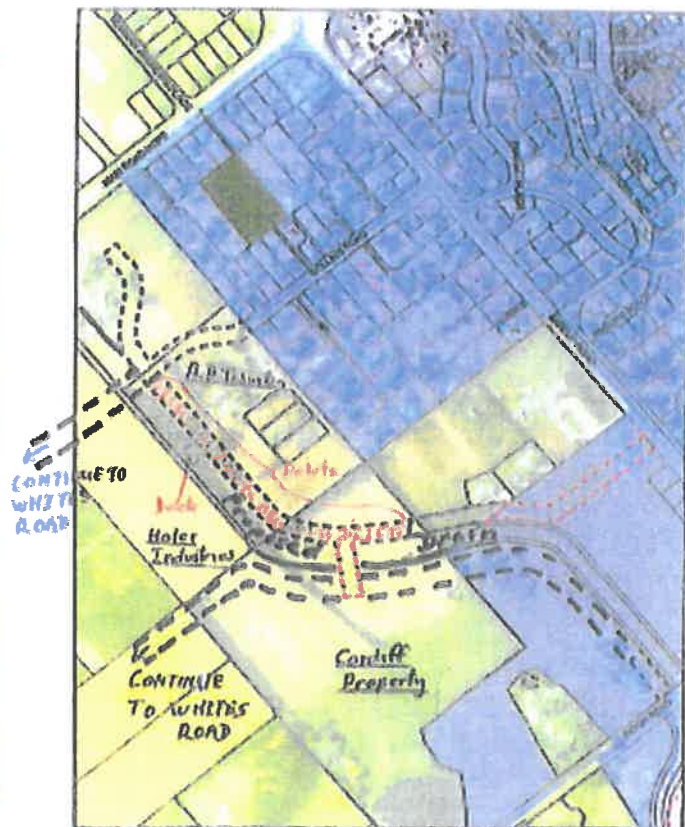
2.0 Reasons for Paton Rise Ltd opposition to AD Johnston submission

- 2.1 Paton Rise Ltd opposes the submission of AD Johnston in respect of the request to delete existing Indicative Road positions and introduce new Indicative Road positions, including over Paton Rise Ltd land.
- 2.2 The background to the Paton Rise subdivision, has been described in the further submitter's submission to the Batton Developments Ltd submission and seeks that background information on Paton Rise subdivision and their involvement in the positioning of the indicative roads, be adopted as part of the background to this submission of opposition to the AD Johnston original submission.
- 2.3 The Johnston submission seeks to delete the Indicative Road through the Batton Development Ltd land and the Johnston land, in favour of a new Indicative Road to traverse Paton Rise land and a significant part of the Batton Development Land (Cardiff) land.
- 2.4 The Johnston submission is out of scope of the Plan Change. The Plan Change did not seek to delete the existing Indicative Road which is the extension of Hallmark Drive, already substantially formed on the Paton Rise land, nor did the Plan Change seek to add new Indicative Roads through Paton Rise land and Batton Developments Ltd (Cardiff) land. The only part of the Johnston submission that is *in scope* is that part of their submission that relates to the proposed new Indicative Road to be added through the Omnibus Plan Change shown in blue dashed lines on the Plan Change map.
- 2.5 Figure 1 below shows the Paton Rise landholding and indicative roads. Figure 2 shows the changes Johnston seeks.



AREAS Update Map Date Maps affected 0, 0  
 Legend Add Indicative Road Delete Indicative Road Indicative Roads  
 TASMAN RESOURCE MANAGEMENT PLAN Current Indicative Road  
 Collins Road  
 Paton Rise Land

Figure 1: Paton Rise landholding & TRMP Indicative Roads



AREAS Update Map Date Maps affected 0, 0  
 Legend Add Indicative Road Delete Indicative Road Indicative Roads  
 TASMAN RESOURCE MANAGEMENT PLAN Current Indicative Road  
 Collins Road  
 CONTINUE TO WHITE'S ROAD  
 CONTINUE TO WHITTS ROAD  
 Indicative Road To Be Deleted  
 New Indicative Road Extension

Figure 2: Johnston Plan of alternative positions for Indicative Roads

- 2.6 Paton Rise Ltd have set out in the reasons for the submission of support on the Batton Developments Ltd submission, that the Indicative Road network for Richmond South was part of the Variation for Richmond South introduced in 2006. When this Variation was Notified there was a public submission process, where all parties could lodge submissions on the position of the Indicative Roads and participate in the process. Any party not satisfied with Council's decisions at the time had the right to make an appeal to the Environment Court. This is the planning process. It is the process that Paton Rise Ltd followed, including taking one of the Council's decision in respect of Indicative Road positions to the Environment Court and the matter was settled by way of consent order between the parties. The same process was open to the Johnstons if they were not happy with the positioning of the Indicative Roads in relation to their property.
- 2.6 It is the position of Paton Rise Ltd that there is no legal scope for the Council as part of this Omnibus Plan Change to delete the Indicative Road positions as requested in the Johnston submission. However, in the event that the Council finds to the contrary, set out below are the reasons why it is inappropriate to change the planned position of the Indicative Roads some 15 years after they were first defined on the Planning Maps.
- 2.7 Paton Rise Ltd, as has been described in their further submission (1), has been planning and progressing their subdivision for their property since 2005. The design of their subdivision has relied on the position of the Indicative Roads. Hallmark Drive has been designed and vested in the Council in accord with the Indicative Road positions. To contemplate at this juncture terminating Hallmark Drive just beyond the MacMillan property and turning it into a cul-de-sac makes no rational sense in respect of the planned roading network. It is too late in the piece to abandon the position of the Indicative Road network, and in particular to abandon the main Collector Loop road for Richmond South which has been agreed and in place in the TRMP for many years and is, as noted, substantially constructed on Paton Rise land.
- 2.8 The standard that Hallmark Drive is constructed to is in effect a type of Collector Road standard. It is a major residential connecting road designed from the outset as the main Connecting road for this part of Richmond South. The standard for a 'cul-de-sac' serving a few sections is substantially less than the standard for a major linking road. This is clear from viewing the standard of Hallmark Drive on the Paton Rise subdivision and comparing the standard and scale of that road with the minor residential road formed as a type of minor Access Place road being Greenway Crescent on the Paton Rise subdivision. The two roads are substantially less in legal width and in formation width and the cost of the construction between the two reflects the differences in standard. It is simply untenable at this juncture to abandon the planned roading network for Richmond South given the network has already been constructed on the Paton Rise land and the road corridor through MacMillan's land has already vested in Council at the required width for a major linking road.
- 2.9 Paton Rise Ltd opposes the position of the new Indicative Road that the Johnston submission has shown over their landholding. Paton Rise Ltd is working on a range of design options for roads servicing their balance land but there are a number of issues to take into account which is clear from the plan in Figure 1. The shape of the balance undeveloped area of Paton Rise land is a very unusual shape and the Indicative Road position that Mr Johnston has designed for Paton Rise land would serve very few sections on Paton Rise land and would go through the stormwater detention basin on Paton Rise land and an existing dwelling on Paton Rise land.

- 2.10 The Johnston submission discusses the 220m section of the Indicative Road along their south western boundary and refers to this position as '*proposed*', however this is the operative TRMP position of the Indicative Road and Indicative Reserve for stormwater that was proposed as part of the Richmond South Plan Change, they are not '*proposed*' under PC73.
- 2.11 The original submission put forward by Mr Johnston notes that the Indicative Roads reduce the availability of land for subdivision in relation to his landholding however this is not a change introduced by the Omnibus Plan Change this is the operative position of the Indicative Road under the TRMP. The only addition is the area shown in blue on the planning map attached to the Omnibus Plan Change.
- 2.12 The Indicative Road and Indicative Reserve network removes land from all landholdings subject to these provisions. However, the Indicative Reserve, at the time of subdivision, would vest in Council and be subject to compensation, compensating for the development area that is lost. In respect of the Indicative Road it would still serve the landholding in question. Notwithstanding the concerns of the original submitter, his solution is to move the Indicative Roads to other landowners causing the exact same impact.
- 2.13 The proposed changes to the Indicative Road network, given that the Indicative Road network is already partially constructed at a standard that reflects the linkage road status, are not sustainable, nor efficient some 15 years after the introduction of the positions of the Indicative Roads into the TRMP. The time to debate the position of the Indicative Road network was when the Variation was Notified to the public in 2006. All landowners in Richmond South had an opportunity to make submissions and to have those submissions heard at Council level, and if not satisfied with the decision, have the matter appealed to the Environment Court. To change course at this juncture results in an inefficient and unsustainable use and development of the roading network that is already partly constructed.
- 2.14 The proposed changes to the position of the Indicative Road network are contrary to the Purpose and Principles of the Resource Management Act.

### **Decision Sought**

Paton Rise Ltd seeks that the submission by AD Johnston be declined.

COVER SHEET

Return your submission by the advertised closing date to:

Environmental Policy  
Tasman District Council  
Private Bag 4, Richmond 7050 OR  
189 Queen Street, Richmond OR  
Fax 03 543 9524 OR  
Email: tasmanrmp@tasman.govt.nz

# Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

OFFICE USE

Date received stamp:

14/4/21

Initials:

*JM*

Submitter No.

4184

Note:

1. This form is only for the purpose of supporting or opposing original submissions. It is NOT for making an original submission to the Plan, or for making a submission on a resource consent or on Council's Annual Plan.
2. You may only make a further submission if you or your organisation complies with the requirements below.

Tick to show that you or your organisation is:

- A person representing a relevant aspect of the public interest.  
 A person who has an interest in the proposed Plan Change greater than the general public.

Submitter Name: Batton Developments Ltd (N & A Cardiff)  
(organisation/individual)

Representative/Contact: Jackie McNae, Staig & Smith Ltd  
(if different from above)

Postal Address:

52 Paton Road  
Hope  
NELSON

Phone: 5484422

Fax:

Email: jackie@staigsmith.co.nz

Date: 14/04/2021

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

Staig & Smith  
PO Box 913  
NELSON  
Attn: J. McNae

Total number of pages submitted (including this page):

Signed:

*JMcn*

Signature of submitter (or person authorised to sign on behalf of submitter). NOTE: A signature is not required if you make your submission by electronic means.

**IMPORTANT – Please state:**

This submission relates to Change No.: C73.16

Change Title/Subject: Indicative Roads

- Tick if you wish to be heard in support of your further submission.  
 Tick if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearings.

**Remember:**

1. Attach this Cover Sheet to as many Content Sheets as required.
2. Within five working days of sending this further submission to the Tasman District Council, send a copy of this further submission to the person who made the original submission.



Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

CONTENT SHEET

COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET

Sheet No.

2 of 7

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input checked="" type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Alexander David Johnston		
	Address: 28 Collins Road, Richmond		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.1046.1	73.16 Indicative Roads	FC73.4184.1
Reasons for Support or Opposition: see attached for reasons for opposition			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name:		
	Address:		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
			FC
Reasons for Support or Opposition:			



Te Kaunihera o te tai o Aorere

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

- 1.0 **Reasons for Batton Developments Ltd (N&A Cardiff) opposition to AD Johnston submission**
- 1.1 Batton Developments Ltd (BDL) opposes the submission of AD Johnston in respect of the request to delete existing Indicative Road positions over the further submitters land and introduce new Indicative Road positions over the further submitters land.
- 1.2 The further submitter also seeks to note a concern over the statutory process of the summary of submissions and decisions requested in this case, as reviewing the Council's summary of the decisions requested published by the Council you are left with the impression that the original submission only relates to positioning of Indicative Roads on the Johnston land. This is not the case, the AD Johnston submission seeks deletion of certain Indicative Roads and seeks addition of certain Indicative Roads not only in relation to their land, but in relation to BDL land and Paton Rise Ltd land. This potentially had serious consequences as review of the summary of decisions requested, did not alert adjoining landowners of the potential impacts on their land.
- 1.3 BDL has its own original submission lodged with the Council opposing the Plan Change as it relates to a proposal to delete the existing Indicative Road shown over the Indicative Reserve on the further submitters land. BDL's landholding is outlined in the solid black line in Figure 1 below. Figure 1 illustrates the position of the existing Indicative Road through the submitters land by the dashed black line and the dashed red line is an Indicative Road under the TRMP, however this dashed red line Indicative Road over the Greenway, is proposed to be deleted and this is the subject of BDL's original submission.

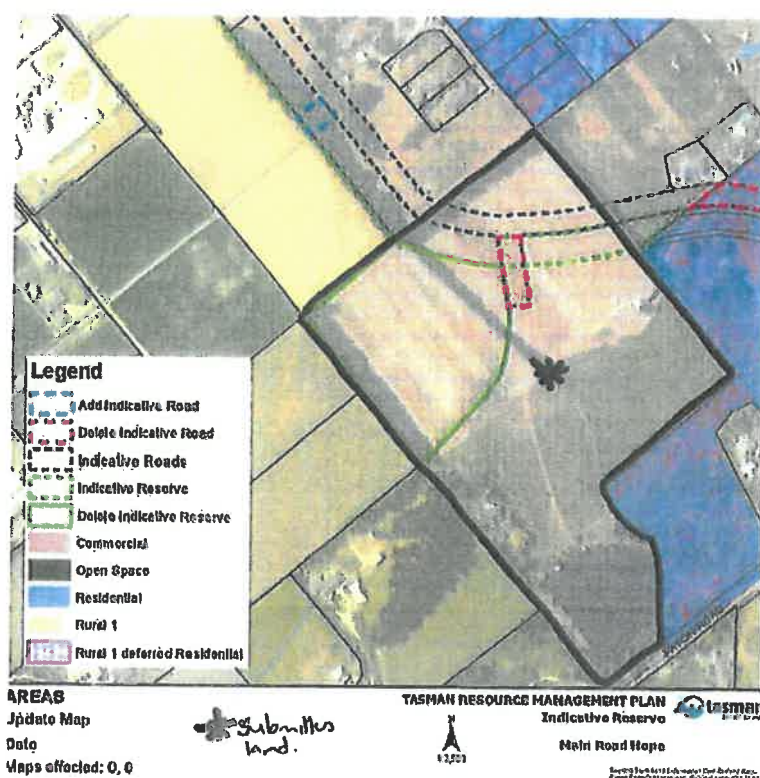
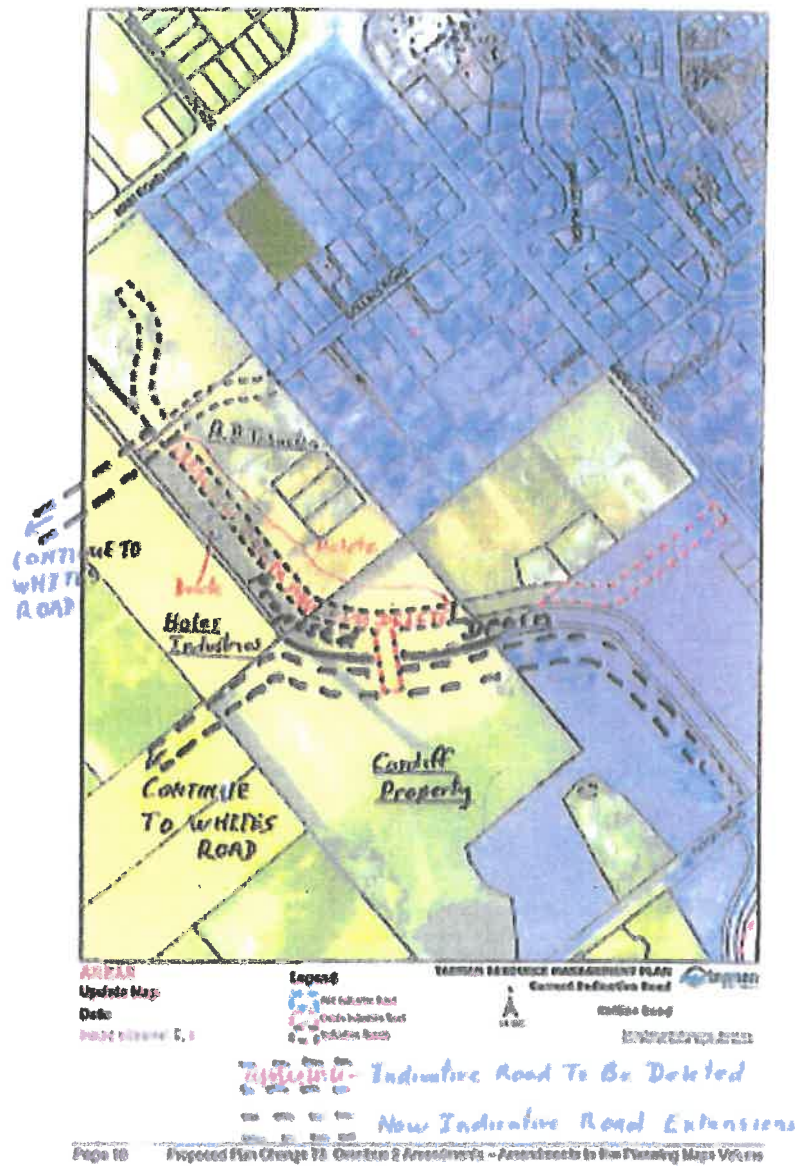


Figure 1: Submitter's landholding outlined in black

1.4 Figure 2 below shows the plan attached to the AD Johnston’s original submission. The AD Johnston plan illustrates the deletions and additions to the Indicative Road network sought by that submitter. As can be seen the deletions and additions have a significant impact on the further submitter’s landholding, BDL (Cardiff).



1.5 It is BDL’s further submission that the original submission of AD Johnston is out of scope in respect of the Omnibus Plan Change 73. The Omnibus Plan Change in respect of Indicative Roads at this location, is confined to the proposal to add a small section of Indicative Road on the AD Johnston land shown in blue in Figure 1 and 2, the deletion of the Indicative Road over the Indicative Reserve on BDL land, deletion of the Indicative Road on Paton Rise land shown in red. Though the reason for the latter

is not because the Council seeks to change the position of the Indicative Road on Paton Rise land, it is because the Indicative Road is now vested in Council and substantially formed.

- 1.6 The deletions and additions of Indicative Roads proposed through the AD Johnston submission are out of scope and the Council has no jurisdiction to consider those matters with the exception of the original submitter's submission in respect of the additional Indicative Road shown in blue on the Johnston land. However, in the event that the Council finds to the contrary, BDL sets out below the reasons why they oppose the additions and deletions of Indicative Roads over their landholding.
- 1.7 The main Indicative Road through Richmond South, introduced through the Variation for the Richmond South Urban zoning, is the road connecting Bateup Road through to Collins Road, which has been partially formed through Paton Rise land and has been named Hallmark Drive. Hallmark Drive is substantially constructed on Paton Rise land, the full indicative road corridor on Paton Rise land has vested in the Council, as has the Indicative Road portion through what was the MacMillan's land vested in Council as Road Reserve. The next section of Hallmark Drive, is the Indicative Road portion shown on BDL land which traverses the land adjoining the Indicative Reserve position, down to the Johnston land. As has been noted there is also an Indicative Road across the Indicative Reserve however that is also the subject of the proposed Plan Change.
- 1.8 BDL opposes the changes sought by AD Johnson as the outcome sought by AD Johnston is to remove all the Indicative Roads off their own land and place these onto BDL land and a portion onto Paton Rise land.
- 1.9 BDL land is a substantial landholding of 8.1815ha, in due course when this land is developed there will be a substantial road network to serve the subject land and connecting land. There will be the formation of what is effectively a type of Collector Road being the main linking road in this area of Richmond South, Hallmark Drive. There will be a number of local roads most likely formed to Access Place standards, servicing BDL's property. There are TRMP rules preventing a road from BDL land to Paton Road, therefore the Indicative Road crossing the Greenway to service the majority of BDL's land is necessary to remain.
- 1.10 BDL has undertaken a range of preliminary investigations in respect of potential roading patterns, stormwater network requirements and other servicing requirements for the future development of the BDL land. Currently that work is on hold as BDL considers the option of selling their landholding. The work to date though has confirmed there are a number of servicing issues to address on BDL's land with one of the major components of that investigation being the requirements for stormwater. Currently there is no capacity in the Council's stormwater network for additional flows until such time as the Council completes the stormwater project through Richmond West up into Richmond South completing the full Greenway network from the hills through to the sea. In the interim the land in Richmond South, where Council has recently uplifted the deferment on Residential zoning, must provide for on-site

detention for stormwater ensuring that post-development flows of stormwater do not exceed flows pre-development.

- 1.11 To ensure no increase in stormwater flows down the network requires detention on BDL site, given the size of the BDL property significant detention is required. Investigations are still ongoing in respect of dealing with existing stormwater catchments flowing through the BDL property, those flows are from three separate catchments. One catchment coming through Paton Rise land onto BDL land, one coming through BDL land from above Paton Road and the last catchment coming through BDL land from landholdings to the west where flows come through the BDL property currently and are part of designation D247.
- 1.12 The suggested relocation of all the Indicative Roads from the Johnston land largely to BDL property, are in locations that are required for stormwater detention or stormwater corridors to pass existing catchment flows to the Reed Andrews drain. The positions suggested in the Johnston's submission are not logical on the BDL land for the Indicative Road network. The positions are not placed in a manner that would efficiently provide for access to sections on BDL's land, though it would provide free access to a fully formed road for adjoining land that is currently not zoned for development.
- 1.13 The Indicative Road network proposed in the Johnston submission is very inefficient in terms of carrying traffic from Richmond South into Central Richmond and through the network to State Highway 6/60 intersection, noting that in the future there is a supermarket planned for the Bateup Road / Gladstone Road (State Highway 6) intersection.
- 1.14 The layout shown by AD Johnston would funnel traffic from BDL's subdivision, and potentially other land beyond currently not zoned for development from Whites Road, through to Paton Road via Paton Rise land. This would provide a circuitous route for traffic seeking to access State Highway 6 or 60 or the proposed new supermarket.
- 1.15 The Johnston alternative Indicative Road layout would lead to an inefficient use of existing resources, including the investment in Hallmark Drive, a substantial Collector type road, together with an inefficient use of the substantial investment Council has made over many years in Bateup Road. The Bateup Road upgrade was planned and implemented specifically as part of the roading network created for this part of Richmond South, linking with the position of Hallmark Drive.
- 1.16 The suggestion of deleting the current Indicative Road extending from the MacMillan land through to Johnston's on BDL's land, still leaves this part of BDL's land to be serviced by a road.
- 1.17 The original submission of AD Johnston is outside the scope of the Plan Change. The time for debating the position of the Indicative Roads was at the time when the Richmond South Zoning framework was introduced in 2006. To remove the Indicative

Road positions some 15 years later is not reasonable when landowners have been relying on the Indicative Road network for their planning for some years.

- 1.18 The alternative Indicative Road layout put forward in the original submission is inefficient and unsustainable for the reasons noted above, and would be contrary to the Purpose and Principles of the Resource Management Act, as the introduction of the new Indicative Roads, and deletion of the long-standing Indicative Road positions will not enable BDL or their successor in title, to develop their land efficiently nor will the alternative positions provide for efficient traffic networks to the residents of the eventual neighbourhood that will be established in this locality.

**Decision Sought**

BDL seeks that the submission by AD Johnson be declined in respect of the existing Indicative Road positions and in respect of the new Indicative Road extensions shown over Batton Developments Ltd (N & A Cardiff) land.

**COVER SHEET**

Return your submission by the advertised closing date to:  
Environmental Policy  
Tasman District Council  
Private Bag 4, Richmond 7050 OR  
189 Queen Street, Richmond OR  
Fax 03 543 9524 OR  
Email: tasmanrmp@tasman.govt.nz

# Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

**OFFICE USE**

Date received stamp:

13/4/21

Initials: AM  
Submitter No. 4192

**Note:**

1. This form is only for the purpose of supporting or opposing original submissions. It is NOT for making an original submission to the Plan, or for making a submission on a resource consent or on Council's Annual Plan.
2. You may only make a further submission if you or your organisation complies with the requirements below.

Tick to show that you or your organisation is:

- A person representing a relevant aspect of the public interest.  
 A person who has an interest in the proposed Plan Change greater than the general public.

Submitter Name: Allan McLean - (Original submission C73.4192.1)  
(organisation/individual)

Representative/Contact: Allan McLean  
(if different from above)

**Postal Address:**

4 Ardilea Avenue  
Stoke  
Nelson  
7011

Phone: 021 243 9833

Fax:

Email: allan.mclean@oprtech.co.nz

Date: 13/04/2021

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

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

Signed:

Signature of submitter (or person authorised to sign on behalf of submitter). *NOTE: A signature is not required if you make your submission by electronic means.*

**IMPORTANT – Please state:**

This submission relates to Change No.: C73

Change Title/Subject: Proposed Plan Change 73: Omnibus 2 Ammendments

- Tick if you wish to be heard in support of your further submission.  
 Tick if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearings.

**Remember:**

1. Attach this Cover Sheet to as many Content Sheets as required.
2. Within five working days of sending this further submission to the Tasman District Council, send a copy of this further submission to the person who made the original submission.

05/16

Pg 1/2

Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

**CONTENT SHEET**

**COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET**

Sheet No.

ONE

(Please tick one) <input checked="" type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: DT King & Co Ltd (per Paul Balneaves)		
	Address: PO Box 18 Tuatapere		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
C73	C73.4188.1	ZM121	FC73.4192.1
Reasons for Support or Opposition: I support this submission as if the requested changes were granted it would at the same time satisfy the requested changes that I have outlined in my own submission (C73.4192.1) to this same plan			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name:		
	Address:		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
			FC
Reasons for Support or Opposition:			

3777 HotHouse Communications



Te Kaunihera o  
**te tai o Aorere**

Tasman District Council  
Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
Website [www.tasman.govt.nz](http://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



COVER SHEET

Return your submission by the advertised closing date to: Environmental Policy Tasman District Council Private Bag 4, Richmond 7050 OR 189 Queen Street, Richmond OR Fax 03 543 9524 OR Email: tasmanrmp@tasman.govt.nz

Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

OFFICE USE

Date received stamp:

14/4/21

Initials:

JM

Submitter No.

4204

Note:

- 1. This form is only for the purpose of supporting or opposing original submissions. It is NOT for making an original submission to the Plan, or for making a submission on a resource consent or on Council's Annual Plan.
2. You may only make a further submission if you or your organisation complies with the requirements below.

Tick to show that you or your organisation is:

- A person representing a relevant aspect of the public interest.
A person who has an interest in the proposed Plan Change greater than the general public.

Submitter Name: Jeff and Sophie Marr (organisation/individual)

Representative/Contact: Jackie McNae, Staig & Smith Ltd (if different from above)

Postal Address:

3 Jessie Street MAPUA

Phone: 5484422

Fax:

Email: jackie@staigsmith.co.nz

Date: 14/04/2021

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

PO Box 913 NELSON 7040

Total number of pages submitted (including this page):

Signed:

Handwritten signature

Signature of submitter (or person authorised to sign on behalf of submitter). NOTE: A signature is not required if you make your submission by electronic means.

IMPORTANT - Please state:

This submission relates to Change No.: PC 73

Change Title/Subject: 73.28 Golden Hills Road, Waimea West, Zoning

- Tick if you wish to be heard in support of your further submission.
Tick if you would be prepared to consider presenting your submission in a joint case with others making a similar submission at any hearings.

Remember:

- 1. Attach this Cover Sheet to as many Content Sheets as required.
2. Within five working days of sending this further submission to the Tasman District Council, send a copy of this further submission to the person who made the original submission.

Further Submission on any Original Submission on a Change to the Tasman Resource Management Plan

**CONTENT SHEET**

**COMPLETE AS MANY CONTENT SHEETS AS REQUIRED AND ATTACH WITH ONE COMPLETED COVER SHEET**

Sheet No.	2 of 5
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(Please tick one) <input checked="" type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: McCliskie, Neil & Sue Address: 272 Golden Hills Road		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
73	C73.4191.1	73.28 - 16.3.5 - Rural 1 zone	FC 73.4204.1
Reasons for Support or Opposition: See attached.			

(Please tick one) <input type="checkbox"/> I/We SUPPORT the original submission of Or <input type="checkbox"/> I/We OPPOSE the original submission of	Original Submitter Opposed or Supported:		
	Name: Address:		
Change No. [e.g. C15]	Original Submitter and Submission Point Nos [e.g. C15.2659.2 - .6]	Topic Number [Tasman Resource Management Plan provision, e.g. 31.4.6 or Schedule 31.1C]	Further Submission No. <b>OFFICE USE ONLY</b>
			FC
Reasons for Support or Opposition:			

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 Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
 Website [www.tasman.govt.nz](http://www.tasman.govt.nz)  
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**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

## **1.0 Reasons for J&S Marr supporting the original submission of N & S McCliskie**

- 1.1 The further submitters, S & J Marr, own land at 326 Golden Hills Road, Lot 2 DP334017 and Lot 2 446909 held together in Record of Title 563506 comprising an area of land of just over 13ha, as shown on Figure 1 below.



*Figure 1: Marr landholding, Golden Hills Road*

- 1.2 The Marr's support the original submission of the McCliskie's, their neighbours, because both landholdings share the same history being part of the same original landholding creating the enclave of seven allotments. The original subdivision created some smaller lifestyle allotments and one large allotment, over time though through a boundary adjustment, two larger blocks were created, the McCliskie and Marr properties of 11.57ha and 13ha respectively.
- 1.3 Originally quite a lot of the Marr property, like the McCliskie property, was planted in grapes but this was reduced to approximately 1ha in grapes on the Marr land. The Marr's intend to remove this 1ha of grapevines in the next few weeks, because like the vines on the McCliskie land, which were planted at the same time, the vines have come to the end of their useful life.
- 1.4 The Marr land is not of comparable productive quality to the Waimea Plains land. The land is in parts quite steep, and while a portion of the land has supported grapes, the production was very low in comparison to typical landholdings on the Waimea Plains. The Marr's, like the McCliskie's, are at a cross roads in terms of their future land use. Their preference is that the land should be zoned Rural Residential reflecting the lifestyle character of the western side of Golden Hills Road. The Marr's over the years

have experienced cross boundary issues when the land was in production over the use of horticulture and agriculture equipment, spraying, and other related productive activity issues. Going forward, the Marr's fully support the position of the original submitters, that the land should be Rural Residential.

- 1.5 The Marr's are concerned that the Council through the Omnibus Plan Change is proposing to remove specific rules from the TRMP which acknowledged the subject lands history and effectively records the Council's agreement to the enclave being developed for Rural Residential purposes, notwithstanding the Zoning Council has chosen to place over the land, which is a Rural 1 Closed zone.
- 1.6 The Rural 1 Closed zone prohibits any consideration of subdivision, other than boundary adjustments, a restriction that does not apply to the general Rural 1 zone that covers the Waimea Plains which is land that has the highest productive potential, considerably better quality land than the subject land.
- 1.7 The Submitters participated in the Draft Plan Change consultation and expressed their concerns through that process over the Rural 1 Closed Zone and sought consideration of a Rural Residential zone, highlighting the ongoing issues of the Closed Rural 1 zone.
- 1.8 Maintaining a Rural 1 Closed zone where subdivision is a prohibited activity is an extreme position for subdivision given as noted, such a planning framework does not even apply to the most productive land in the District being the Waimea, Motueka and Riwaka Plains area. In some limited circumstances, Closed Zoning, can be justified where there are hazards such as Coastal and flooding hazards, or there are outstanding values to be protected such as outstanding natural features or landscapes none of these scenarios are at play in Golden Hills.
- 1.9 The Council has in more recent times made changes to the planning framework in the rural area through Plan Change 60, which introduced different opportunities, including a discretionary subdivision provision for co-operative living. While the submitters are not necessarily considering any such options, these provisions were introduced across the District, but the fact of having the submitters land within the Closed Rural 1 Zone, means that this area is excluded from such opportunities. Yet it is highly unlikely when Council introduced PC60 that there was any intention to deliberately exclude this location from such opportunities. This is the ongoing impact of maintaining the Rural 1 Closed status at this location.
- 1.10 The Section 32 Evaluation Report for PC73.28 notes that the specific provisions for subdivision relating to this area are being removed as the original subdivision is complete. Part and parcel of the rules, was the closed status of the Rural 1 zone. So if the special rules are now redundant, it stands to reason that the Closed status of the Rural zone is redundant, and therefore removal at least of the Closed status of the zone at Golden Hills should be within the scope of the Plan Change.
- 1.11 The Marr's, like the McCliskie's, need to make decisions about the future land use of their landholdings and the current planning framework gives no opportunities to transition from activities where there have been conflicts in the past through to options for lifestyle development. Currently there is no clear planning framework recognising the underlying land quality and the character of the locality leaving these two

landowners with few options. In the case of the Marr's, the options are land that is unutilised or consideration of productive activities, most likely uneconomic, and certainly activities that will continue to be the cause for conflict within this enclave of lifestyle development that is not recognised by the zoning.

### **Decision Sought**

- 1.12 The further submitters support the decisions sought by the McCliskie original submission with their preference being that the site-specific rules in Plan Change 73.28 be deleted and that the land be rezoned Rural Residential. However, in the situation where the Council confirms this is outside the scope of the Plan Change, then the site-specific rules in conjunction with the site-specific Closed nature of the Rural 1 zone should be deleted. Reverting the zoning to Rural 1 zoning, but with a commitment to rezoning the land to a Rural Residential zone as part of the review of the TRMP.