



STAFF REPORT

TO: Environment & Planning Committee

FROM: Stephanie Trevena, Policy Planner

REFERENCE: 1925061908, R430-2-55

SUBJECT: **PROPOSED VARIATION: LAND NOW INCLUDED IN TASMAN DISTRICT AT TOPHOUSE – REPORT EP06/12/06 –**
Report prepared for 6 December 2006 Meeting

1. BACKGROUND

The Council has received a gazette notice which alters the boundary of Tasman District in the vicinity of Tophouse, where it adjoins Marlborough District. The gazette notice (dated 22 May 2003) essentially transfers one lot into Tasman District, and half of the road (State Highway 63) adjoining that lot.

The reason for the transfer is that the owners of the land transferred (Lot 6 DP 13299) also own two other lots (Lot 5 DP 13299 and Section 1, SO 14997), to the west, which are already in Tasman District and which are held in the same title. The landowners are Eric John and Mary Elizabeth Sears. The land was previously in the former Waimea County prior to the local government reorganisation in 1989.

The land is located on the north-western side of State Highway 63, to the east of Tophouse Road and is accessed off Lowther Road. The land is covered in vegetation, including scrub, some native bush and also some tall conifers. The land rises from the road to the lower slopes of the Richmond Range.

2. ISSUES FOR PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

2.1 Both the text of the Plan and the planning maps will require amendments to cater for this additional land. The Proposed Tasman Resource Management Plan planning maps will need to be changed to include this area of land (approximately 24 hectares), which is now part of Tasman District. The text amendment is in relation to the subdivision rules in Chapter 16. It is necessary to notify a proposed Variation to the Plan to bring about these changes.

2.2 Zoning

In the proposed Marlborough District Plan – the Proposed Wairau/Awatere Resource Management Plan 1997, the land is zoned Rural 4. This is one of two rural zones that is used for the southern portion of Marlborough District. Rural 3 is the zone for the productive land in the south, and Rural 4 is for the non-productive land. It is recommended that an equivalent rural zone be applied to the land. In the Tasman Resource Management Plan, this is the Rural 2 Zone.

The land is rural in character and has no buildings on it. It is recommended that the land be zoned Rural 2 Closed Zone to prevent any further subdivision. The Senior Consent Planner, Subdivision has recommended this zone. Approval has recently been granted to subdivide the larger lot (Lot 6 DP 13299) from the two smaller parcels (Lot 5 DP 13299 and Section 1 SO 14997). Although building sites are limited on the large lot due to a number of factors such as topography, proximity to the Alpine Fault, and the presence of a watercourse, two possible building sites are shown on the subdivision consent plan. Access to the site is via a right of way off Lowther Road, as access is prohibited from the State Highway.

The land immediately to the west (in Tasman District) is zoned Rural Residential Closed Zone (Tophouse Road). Further to the west is the Tophouse Road Extension Rural Residential Zone. All rural land in the vicinity (in Tasman District) is zoned Rural 2. Neighbouring land to the north (in Marlborough District) is owned by the Department of Conservation.

Amendments to the Plan, involve adding the proposed zoning to Zone Map 31, and adding reference to the property in the Rural 2 Closed Zone rules (Section 16.3.9B).

2.3 Other Planning Map Changes

Area Map 31 needs to be altered to show this new land in Tasman District and three features which affect it. The high powered Electricity Transmission Line crosses over Lot 6 DP 13299, as does the Alpine Fault, Wairau segment. Both the Electricity Transmission Line and faultline need to be added.

The third aspect is the designation of State Highway 63. Half of the state highway where it adjoins Lot 6 DP 13299 has been added to Tasman District. The state highway is designated in the Marlborough District Plan, and this designation is transferred to the TRMP.

The portion of State Highway 63 that has been added to the District will need to be added to the road hierarchy. A separate Variation is proposed to revise various aspects of the road hierarchy, so this addition will be part of the road hierarchy variation. (Proposed Variation 57 – not yet publicly notified.)

3. CONSULTATION

Discussions have been held with the landowners concerning the zoning of the property. The landowners have verbally given their agreement to the Rural 2 Closed Zone.

4. RECOMMENDATION

It is recommended that a Variation to the TRMP as per the attached be publicly notified at the earliest convenient date. This Variation is to give the land added to Tasman District the Rural 2 Closed Zone, and to alter the planning maps and the text of the Plan as set out above.

S M Trevena
Policy Planner

TASMAN DISTRICT COUNCIL
PROPOSED TASMAN RESOURCE MANAGEMENT PLAN
PROPOSED VARIATION 55

Land now included in Tasman District at Tophouse

EXPLANATORY STATEMENT

The Council has received a gazette notice which alters the boundary of Tasman District in the vicinity of Tophouse where it adjoins Marlborough District. One large lot being 24.57 hectares and half of State Highway 63 adjoining it, are now part of Tasman District.

It is proposed that the land be zoned Rural 2 Closed Zone. The Rural 2 zoning is consistent with other rural land in the vicinity. The closed aspect of the zoning is recommended as this large lot has recently been given subdivision approval to be separated from adjoining land, and it is considered that further subdivision would be inappropriate.

The Council report EP06/12/06 documents the Council's assessment of the issues and management options in compliance with its duties under Section 32 of the Resource Management Act 1991 to have assessed the effectiveness and efficiency of management options in achieving the purpose of the Act.

SCHEDULE OF AMENDMENTS

The Proposed Tasman Resource Management Plan is amended in accordance with the following:

1. VOLUME 1 -TEXT

1.1 Chapter 16 - General Rules

1.1.1 Amend Rule 16.3.9B by adding a new paragraph (b) as follows:

Subdivision of Lot 6 DP 13299 at Tophouse, as shown on the planning map, is a prohibited activity for which no resource consent will be granted.

[The existing paragraph in Rule 16.3.9B becomes paragraph (a).]

2. Volume 2 - Planning Maps

2.1 Zone Maps

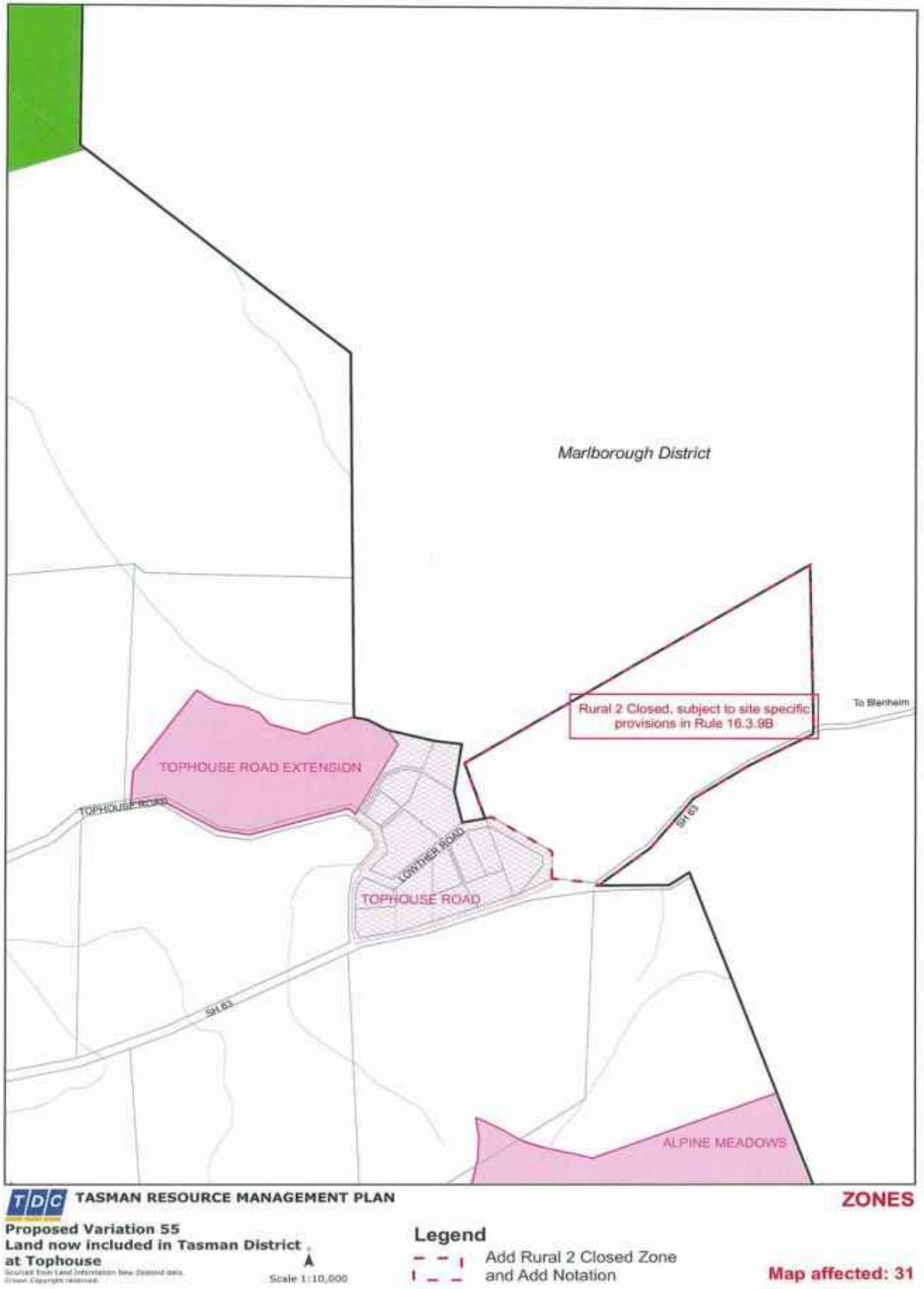
2.1.1 On Zone Map 31, add Lot 6 DP 13299 (and the adjoining road to the centreline), and zone it Rural 2 Closed Zone.

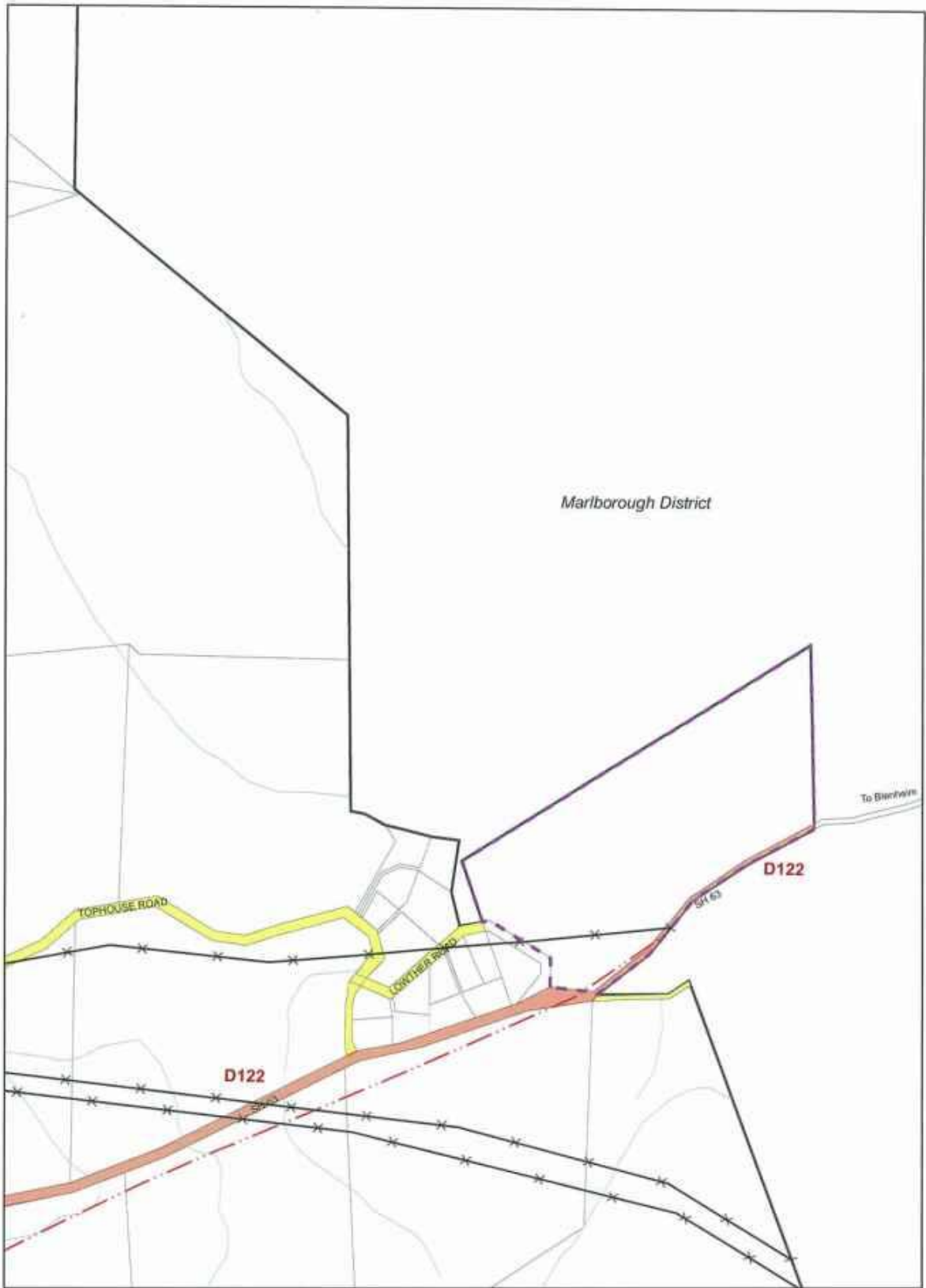
Add the following notation for this land:

"Rural 2 Closed, subject to site specific provisions in Rule 16.3.9B."

2.2 Area Maps





- 2.2.1 On **Area Map 31** add the “Faultline” and “Electricity Transmission Lines” symbols as they apply to Lot 6 DP 13299 and adjoining road. Add Designation D122 for that part of State Highway 63 which adjoins Lot 6 DP 13299.





AREAS

Legend

-  Land now included in Tasman District at Tophouse
-  Extend Faultline
-  Extend Electricity Transmission Line
-  Extend Designation D122

TASMAN RESOURCE MANAGEMENT PLAN 

Proposed Variation 55
Land now included in Tasman District
at Tophouse

Map/s affected: 31

Scale 1:10,000

Sourced from Land Information New Zealand data. Crown Copyright reserved.