

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of

**Proposed Plan Change 74 to the Tasman Resource Management
Plan**

**REPORT AND RECOMMENDATIONS
OF THE
HEARING COMMISSIONERS**

Erratum Version:

Minor changes made to paragraph 47.2 (bullet point 4),

deleted text has a line through it, inserted text noted in bold.

3 November 2021

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Appendix A: Recommendations on submissions

Appendix B: Amended provisions

List of Submitters

Original Submitter	Submission Number
Richard English	4153
Robert & Patricia McTaggart	4198
Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4194
Richmond West Development Co. Ltd	4199
Graham F Rogers	4199
Mr & Mrs Sherlock	4201
Jennifer Treloar	4202

Further Submitter	Submission Number
Richard English	FS 4153
Graham F Rogers	FS 4199

1 Introduction

- 1 On 19 December 2020 the Tasman District Council (TDC) notified proposed Plan Change 74 – Rezoning of Special Housing Areas (PC74) to the Tasman Resource Management Plan (TRMP). The purpose of PC74 is to rezone five areas of land within Richmond and Pohara on which residential development has previously been consented through the Housing Accords and Special Housing Areas Act 2013 (HAASHA).

2 Appointment of hearing commissioners

- 2 The TDC, acting under s34A of the RMA, appointed us the undersigned, as hearing commissioners to hear and make recommendations on the submissions on PC74. The TDC reserved unto itself the authority to approve the proposed plan change pursuant to Clause 17 of Schedule 1 to the RMA.

3 Hearing of submissions

- 3 A total of 7 submissions and 2 further submissions were received on PC74. Both of the further submitters were also original submitters.
- 4 We received a report¹ under section 42A of the RMA on PC74 and the submissions on it authored by Ms Nicola Williams, a consultant planner.
- 5 Expert evidence was provided by Ms Jacqueline M^cNae, a consultant planner representing the submitters Richmond Pohara Holdings Ltd. No other expert evidence was provided by other submitters. Mr Richard English, a qualified and experienced civil engineer, provided a hearing statement to support his own submission and also in support of the submission by Mr Graham Rogers. Mr English's statement confirmed that, whilst he wished to provide comment on land drainage and stormwater matters, his statement was not to be considered as expert evidence.
- 6 Due to the COVID-19 restrictions at the time, a hearing was held via the Zoom platform, on 26 August 2021. Mr David Stephenson, TDC's Team Leader – Stormwater, Rivers and Waste attended the hearing and answered some questions on the TDC's flood mitigation works at Pohara. Other TDC planning officers (Ms Wolter and Ms Honey) also attended. Written statements were tabled by three submitters² who could not

¹ Tasman Resource Management Plan, Plan Change 74: Rezoning of Special Housing Areas, Section 42A Evaluation Report, 23 July 2021, Report prepared by Nicola Williams, Senior Environmental Consultant.

² Mr GF Rogers, Ms J Treloar, Mr and Mrs G & S Sherlock

participate in the hearing, and these were considered by the Panel. Notes were taken from the meeting and a recording of the proceedings was also made, and are available on request from TDC.

- 7 Following the completion of the public hearing, the Panel visited the Pohara site together, noting that we had each independently visited the other sites leading up to the hearing. We then determined that further information was required relating to the Pohara site. Accordingly, Minute 1 was issued on 13 September 2021 requesting responses from Ms McNae (relating to the potential for increased development capacity) and Mr Stephenson (relating to the TDC's flood mitigation works).
- 8 Responses were received from the above, and comments were also received from Mr English. That information was then sent to the parties on 21 September 2021 under cover of Minute 2 for any further comment. Further responses were then received from Mr English and from the reporting officer Ms Williams. The hearing was formally closed on 28 October 2021, and the Panel then deliberated on the matters raised in the submissions, made findings, and prepared this Recommendation Report.

4 Our approach to this Recommendation Report

- 9 The Section 42A Report summarised the submission points and assessed them under a series of headings relating to:
 - General submission requests;
 - Pohara Flood Modelling and Stormwater Issues;
 - Rezoning extent at Pohara; and
 - Rezoning at Richmond West;
 - Appropriate zoning of Lot 1000 at Richmond West.
- 10 To assist readers, we have structured this Recommendation Report using the same sub-headings.
- 11 To avoid unnecessary repetition, and as provided for by section 113(3)(b) of the RMA, we adopt the 'summary of decisions sought' for each submitter as contained in the Section 42A Report. Having carefully considered the submissions and evidence presented, we have recorded our recommendations on each submission and further submission in the Submission Tables in Appendix A of this Recommendation Report.

- 12 The reasons for those recommendations are contained in the body of this Recommendations Report and are not repeated in Appendix A.
- 13 In Appendix B we attach a document that shows the amendments included in the notified version of PC74, which we have retained except for the amendments we have recommended as outlined in the first page (i.e. the Schedule of Amendments).

5 Overview of PC74

- 14 The Section 42A Report includes an overview of PC74 as follows:

*“... to rezone land at Richmond West, central Richmond and Pohara to reflect the resource consents that have been granted for residential and rural residential development and subdivision of these sites in the TRMP. The sites to be rezoned include only those sites where resource consents have been granted and the zoning does not align with the consented residential and rural residential development. It does not include all of the sites included within the HASHAA legislation for Tasman District referred to as Special Housing Areas (“SHA”. In addition to providing the new housing development changes to the zoning, overlays and rules for these sites are proposed to clearly reflect land that is now vested in Council as reserves or land that is to be developed for commercial purposes within the SHA development areas”.*³

6 Proposed Changes to the TRMP

- 15 PC74 proposes to rezone four areas (‘sites’) within Richmond and one site at Pohara. Three of the Richmond sites are located at Richmond West (i.e. in the Lower Queen Street, McShane, and Appleby Highway block of land), and the other is located on Hill Street (between Queen Street and Hart Road)⁴. The zoning of the first three Richmond sites is mainly Rural 1 deferred Mixed Business (with one part of a site in the Meadows SHA zoned Rural 1 deferred Light Industrial). The Hill Street site has mixed zoning, i.e. Rural 2, Rural Residential and Residential. The Pohara site (located on Richmond Road⁵) is zoned Rural 2.
- 16 The sites are to be rezoned to:

³ Section 42A Report, section 1.3.1, page 6

⁴ Refer Figure 1, PC74 Explanatory Statement

⁵ Refer Figure 2, PC74 Explanatory Statement

- Residential (sites within all blocks of land);
- Open Space (parts of Borck Creek and Poutama Drain within the Richmond West sites);
- Commercial (some sites at Richmond West); and
- Rural Residential (some sites within the Hill Street SHA).

17 PC74 proposes to amend the relevant Planning Maps to reflect those changes. It also includes other, associated, changes to the TRMP in order to update:

- Figure 6.8B 'Range of Housing Choices in Richmond Residential Areas' to include the three Richmond West sites;
- Schedule 17.14A 'Deferred Zone Locations' to remove deferred zones from the affected areas;
- Richmond Fire Ban and Fire Sensitive map 270 to uplift the fire ban deferral for the Richmond sites; and
- Pohara Fire Sensitive Area map 260 to extend the fire sensitive area to include the Pohara site.

18 PC74 does not propose any changes to the objectives, policies, or rules in the TRMP.

7 Statutory and planning context for PC74

7.1 RMA Provisions

19 The Section 42A Report describes the statutory and planning context relevant to PC74, as follows:

"PC74 has been prepared in accordance with Council's functions under Section 31 of the RMA, Part 2 of the RMA (and its obligation to have particular regard to an evaluation report prepared in accordance with section 32 of the RMA) and any further evaluation required by Section 32AA of the RMA, and to be in accordance with matters to be considered by a unitary authority as set out in Section 66 of the RMA".⁶

20 At the hearing, Ms Williams expanded on that, and confirmed the following⁷:

⁶ Section 42A Report, section 1.2, page 6

⁷ As recorded in written notes of the Hearing held on TDC files

- The Section 42A Report relies upon the background work done in the Section 32 reporting which provides an overview of the statutory and non-statutory documents;
- PC74 was developed in accordance with the statutory framework outlined in the Colonial Vineyard decision⁸, including Section 74 which sets out the matters that must be considered in preparing a plan change, including for the district plan to be in accordance with the functions described in Section 31 and its duties in Sections 32 and 32AA;
- PC74 aligns with Council's functions under Section 31 to ensure there is adequate development capacity for housing and business to meet expected demand;

21 In relation to the first bullet point above, in compliance with section 32 and Clause 5 of Schedule 1 of the RMA, the TDC prepared and publicly notified an evaluation report dated December 2020 ('the Section 32 Report').

22 On our examination of the Section 32 Report we note that this addresses the relevant statutory considerations for a plan change, and in particular addresses Part 2 matters, Section 32 requirements, Sections 30 and 31, Section 66 and 74, and the relevant national and regional planning documents (i.e. National Policy Statement on Urban Development ('NPS-UD'), NPS for Freshwater, Tasman Regional Policy Statement, and the TRMP).

7.2 NZCPS

23 In response to questions at the hearing, Ms Williams said that the New Zealand Coastal Policy Statement had been considered in the development of PC74 and in its section 32 evaluation. She said that the engineering subdivision development model is required to meet the latest Tasman District Council development standards in the engineering code of practice and in order to comply must take account of sea level rise considerations.

24 From our reading of the section 32 Report we could see no reference to the NZCPS, however in any event we consider that the NZCPS has no particular relevance to the rezoning of land that is elevated and well separated from the coastal area of Pohara.

7.3 NPS-UD

25 Ms Williams explained that PC74 was developed as part of wider initiatives undertaken by TDC to give effect to the National Policy Statement on Urban Development 2020,

⁸ ENV-2012-CHC-108, [2014] NZEnvC 55

which requires councils to plan well for growth and ensure a well-functioning urban environment for all people, communities and future generations. This included work towards a Future Development Strategy in conjunction with Nelson City Council.

26 We consider that PC74 is consistent with the NPS-UD.

7.4 NPS for Freshwater 2020 and NES for Freshwater 2020

27 The Section 32 Report addresses these national instruments as relevant because PC74 includes the rezoning of the open space network in Richmond West (a portion of Borck Creek and Poutama Drain) through the SHA sites. To that extent PC74 is consistent with the NPS and NES.

7.5 TRPS

28 The key considerations in the Tasman Regional Policy Statement for PC74 include managing conflicts between adjacent urban and rural areas. The Section 32 Report notes that the subdivision and land use applications, that have been previously approved by TDC, were carefully considered against the TRPS in their assessment, and we accept that to be the case. PC74 proposes to rezone the same areas of land that have been consented.

7.6 TRMP

29 The objectives of the TRMP that are relevant to the rezoning in terms of PC74 are set out in Table 2 of the Section 32 Report. PC74 does not propose to change any, or introduce any new, objectives or policies in the TRMP.

7.7 Part 2 RMA

30 Ms Williams confirmed that, as there were no changes proposed to the objectives and policies, the Panel is then required to assess whether the plan change is the best way to meet the purpose and principles of the RMA. Ms Williams said that in her view PC74 meets the purpose of the RMA.

31 In particular, as outlined in the Section 32 Report, we accept that the plan change is assisting in providing for the long-term provision of land for urban growth within Tasman District in a way and at a rate which enables people and communities to provide for their social, economic and cultural wellbeing, whilst the potential of natural and physical resources are sustained and any adverse effects on the environment are avoided, remedied or mitigated.

7.8 Section 32AA Assessment

- 32 We have had particular regard to the Section 32 Report.⁹ Section 32AA of the RMA requires a further evaluation of any changes made to PC74 after the initial evaluation report is completed. The further evaluation can be the subject of a separate report, or it can be referred to in the decision-making record.¹⁰ If it is referred to in the decision-making record, it should contain sufficient detail to demonstrate that a further evaluation has been duly undertaken.¹¹
- 33 If the amended PC74 provisions arising from our recommendations on submissions is adopted by TDC, this Recommendation Report (including Appendices A and B) is intended to form part of TDC's decision-making record. Therefore, in compliance with Schedule 1,¹² and electing the second option in RMA section 32AA(1)(d), we record that we have examined and adopted the evaluation of amendments to PC74 as recommended by Ms Williams in her Section 42A Report.

8 General submission requests

8.1 Appointment of an independent commissioner

- 34 The submission by Mr Richard English (supported by a further submission by Mr GF Rogers) requested that an independent commissioner be appointed by Council to determine this matter. This is not a submission on the proposed plan change, and is more an administrative or procedural request. It is a matter of record that a Panel was appointed and was chaired by an independent commissioner. No decision is therefore required on this submission point, however for completeness we have accepted the submission.

8.2 Deleting the proposed rezoning at Pohara

- 35 A submission by Mr English (supported in a further submission by Mr Rogers) requested that the proposed rezoning at Pohara be deleted from PC74. The submitter's reasons were that work should not commence at the Pohara site until all works required to mitigate flood risk have been completed, and have been proven to be successful.

⁹ RMA, s66(1)(e).

¹⁰ RMA, s 32AA(1)(d) and (2).

¹¹ RMA, s 32AA(1)(d)(ii).

¹² RMA, Schedule 1, cl 10(2)(ab).

- 36 The Section 42A Report considered Mr English's submission to be outside of the scope of PC74, in particular as the Panel has no scope to make decisions with respect to already consented on-site stormwater mitigation works, and consented off-site flood mitigation works. In relation to the latter, Ms Williams provided information, supported by Mr Stephenson, on TDC's stormwater infrastructure works at Pohara which were progressing independently of the Richmond Road development, as they address a wider catchments issue than just the development on the Pohara site.
- 37 We consider that Mr English's submission on this point is within the scope of PC74, as it legitimately calls into question the appropriateness of rezoning the land, at this time, as a result of concerns relating to adequacy of mitigation of the stormwater and flooding effects that might arise from the rezoning.
- 38 However, we reject the submission to delete the rezoning of the Pohara site, because as will be seen later in this Recommendation Report, we accept the general tenor of PC74 and consider all of the sites being considered are suitable for rezoning. In particular, we were persuaded by the evidence of Ms Williams and Mr Stephenson that there is no need to delay the rezoning of the Pohara site until such time as the on-site stormwater works, or the off-site TDC flood mitigation works in the wider catchments, are completed.
- 39 The stormwater management and flooding risk issues are now discussed further, in relation to other submission points made by Mr English.

9 Pohara Flood Modelling and Stormwater Issues

- 40 Submissions by Mr English, R & P McTaggart, Mr GF Rogers and Ms J Treloar all expressed a range of concerns related to stormwater management and flooding related issues to the Pohara site. Mr English clarified that he is not objecting to the subdivision but he considers that as the plan change is subject to a separate process under the RMA it is important to consider the effects that could occur through the change in zoning. We agree with Mr English on that point.
- 41 Mr English's contention was that the Tonkin and Taylor flood analysis model and associated report (which was used as a basis for the SHA applications for this site) is now out of date. He said it does not take appropriate account of such matters as sea level rise, rainfall intensities and volumes, downstream flooding mitigation, and re-contouring within the site.

- 42 He noted that the subdivision requirement is for stormwater to flow into the gully and not across Richmond Road. However, as the land is yet to be developed and engineering plans yet to be drawn up, it is not known if the contours and run-off patterns will be retained. Mr English was also concerned that the design of the TDC flood mitigation works downstream from the site were based on this outdated modelling. For those reasons it was requested that the rezoning be delayed until the modelling work had been updated and the downstream works completed.
- 43 The Section 42A Report considered that stormwater matters were appropriately addressed as part of the land use and subdivision consents that have already been granted for the site. Conditions were included at that time to ensure that any stormwater discharged from the site will not cause or contribute to any damage caused by flooding that may affect any adjoining and/or downstream properties, and they include review conditions to address any adverse effects not foreseen at the time consent was granted. Ms Williams said that the decisions made on those consents are now beyond challenge.
- 44 Mr Stephenson, in his response to Minute 2, clarified that the design of the downstream work was “...in the knowledge that any future upstream development would have to mitigate downstream stormwater effects through resource consent requirements”.¹³ Ms Williams produced in evidence the Commissioner’s decision on that project which included the following statement:
- “I noted that the consent conditions for stormwater from the SHA include requirements to manage stormwater flows to pre-development levels and to not contribute to downstream damage caused by flooding. I accept the proposed flood mitigation works, which are the subject of this decision, have been developed on that basis”.¹⁴*
- 45 From the above we are satisfied that the on-site stormwater management and the downstream flood mitigation works have been designed to take account of already consented development on the Pohara site the subject of PC74.
- 46 However, as the proposal is to rezone the land from Rural 2 to Residential, we need to go further than considering the resource consents that have been granted. We need to be satisfied that the proposed rezoning of the land will not create a situation where the

¹³ D Stephenson, Memorandum dated 20 September 2021

¹⁴ Decision of Hearing Commissioner dated 2 August 2021 on RM190876 et al

land could potentially be developed in a more intensive manner, in the event the owners decide not to proceed with the consented SHA development. In particular, this might give rise to stormwater and downstream flooding effects that were not anticipated and need to be addressed as part of PC74. This was an area in which we raised several questions of the expert witnesses at the hearing.

47 Having heard the evidence of Ms McNae¹⁵, which was supported by Ms Williams in her memorandum¹⁶, we are satisfied that this will not be the case, as the evidence was that:

47.1 There has been considerable investment in the development of the land, and at the time of the hearing it was 90% of the way through the pre-construction process, with expectations Stage 1 would be under constructed this coming summer (i.e. 2021/2022);

47.2 If that development was to be unexpectedly abandoned, a more intensive development would be most unlikely to occur, for a range of reasons including:

- any alternative development would be limited to the standard Residential Zone maximum site coverage of 33% (which also applies to the SHA consents);
- the majority of the sites are between 500 – 800m² and the Residential Zone's minimum allotment size is 450m² with an average lot size required of 650m²;
- the larger allotments (i.e. allotment 72 and 75) have slope constraints for any more intensive development on those sites and would require consents for extensive earthworks;
- Allotment 75 (~~which was not part of the SHA consent~~) (**Consented as part of the SHA allotment of SH1800012**) is ~~2,000m²~~ **1.4ha** but is the original landowner's house site, and if developed further it would be restricted by earthworks requirements.

47.3 Any further development of the land, beyond what has already been consented, would be subject to rules in the TRMP relating to earthworks and stormwater

¹⁵ As recorded in the Hearing Notes, section 5

¹⁶ Ms Williams, memorandum dated 28 September 2021

runoff and management. Therefore, any effects on other properties or downstream flood works (including on the properties of submitters Mr and Mrs McTaggart and Ms Treloar on Sandridge Terrace, and Mr Rogers on Waitino Place) would trigger fresh resource consents, assessments, conditions and mitigation measures as might be required.

- 48 We accept the expert planning evidence on this issue, and find that the site at Pohara is suitable for the proposed Residential zoning. Whilst we recommend rejecting these submissions, we consider that the relief sought by the landowner submitters will be met (i.e. development occurring on the rezoned land will be required to either meet the conditions of the resource consent, or otherwise will be required to meet other TRMP rules to mitigate stormwater runoff so that there are no adverse effects on those properties).

10 Rezoning Extent at Pohara and Marahau

- 49 Submissions by Richmond Pohara Holdings Ltd and Properties & Ventures Ltd supported the rezoning of the Pohara site. However, the submitters requested the land to be rezoned as part of PC74 should be extended to include the whole parcel of land owned by them, and gazetted for SHA developments, at Pohara and also at 265 Sandy Bay Road, Marahau. Further submissions were lodged by Mr R English and Mr GF Rogers in opposition to that submission as they considered it to be outside the scope of PC74.
- 50 From the evidence of Ms McNae there is a long history to the development of the land at Pohara. Ms Williams, in her Section 42A Report, noted that those areas of land had not been included in PC74 as its purpose is specifically to rezone SHA gazetted sites that have an approved land use and subdivision consent in place for either residential or rural-residential development. She considered the submission to be out of scope, as the land had been excluded from PC74. However, Ms Williams said it is anticipated that, as part of the review process of the TRMP, there will be further assessments of the suitability of this land for rezoning. In addition, the submitter's land at Marahau is zoned deferred Residential and there is a process in the TRMP for the deferral to be uplifted when the required wastewater services are provided.

51 Ms McNae accepted that the submission requesting further zoning extensions at Pohara, and a new zoning area at Marahau, are out of scope¹⁷. However, she expressed some frustration that, even where there is a resource consent granted in future, another Plan Change would then need to be promoted to similarly rezone those parcels or else it would require a lengthy wait as part of the TRMP review process. Ms McNae asked the Panel to provide this feedback to Council.

52 Our findings on this matter are that the submissions requesting extensions to the zoning at Pohara and new zoning at Marahau are outside of the scope of PC74, for the reasons outlined by Ms Williams, and accordingly should be rejected. Whilst we can acknowledge the concerns expressed by Ms McNae as to the process, which omitted those additional areas of SHA gazetted land, we did not have any evidence before us to be satisfied as to the appropriateness of that additional land being rezoned Residential. Accordingly, we are not in a position to make further recommendations to Council on future re-zonings at Pohara and Marahau.

11 Rezoning at Richmond West

53 The only submission on the rezoning of land at Richmond West was from Richmond West Development Company Ltd ('RWDC'), in support. PC74 proposes to rezone this land to Residential for future land uses authorised through the subdivision and land use consents approved by Council for the Meadows subdivision.

54 The submission is accordingly accepted.

12 Appropriate Zoning of Lot 1000

55 Submissions by Mr and Mrs Sherlock (the landowners), and by RWDC, requested rezoning of Lot 1000, within the Meadows subdivision, to Light Industrial to reflect its future use.

56 The Section 42A Report addresses the planning history pertaining to this site. It recommends that the submission be allowed in part so that the existing deferred Light Industrial Zone is retained over Lot 1000, for the following reasons:

56.1 Resource consent has been granted for Lot 1000 to be used for storage units and outdoor storage in line with its existing underlying zoning;

¹⁷ Hearing Notes, section 5, page 4

56.2 Resource consent has also been granted for Lot 1000 to be amalgamated with the adjoining site which is also zoned deferred Light Industrial, and therefore to rezone Lot 1000 to Residential (as proposed in PC74) would result in a split zoning which does not reflect the existing and consented land uses; and

56.3 Other Richmond West sites included within PC74 adjoin land zoned Rural 1 deferred Mixed Business (which has similar development standards to those in the Light Industrial Zone) and therefore a similar degree of protection will be provided from potentially incompatible activities.

57 Mr and Mrs Sherlock tabled a statement supporting the Officer's recommendation to retain the existing zoning. On that basis the officer's recommendation is accepted.

58 We also adopt the officer's evidence¹⁸ with respect to Section 32AA on the amendment to the zoning of Lot 1000. In essence this will provide greater certainty and reflect the approved land use consents with respect to this site and the adjoining land.

13 Evaluations and Recommendations

59 We have considered and deliberated on the submissions lodged on PC 74 and the reports, evidence and submissions made and given at, and following, our public hearing. In making our recommendations on the submissions we have sought to comply with all applicable provisions of the RMA. The relevant matters we have considered, and our reasons for them, are summarised in the main body of this Recommendation Report. We are satisfied that our recommendations are the most appropriate for achieving the purpose of the RMA and for giving effect to the higher-order instruments.

60 Pursuant to the powers delegated to us by the Tasman District Council under section 34A of the Resource Management Act 1991 we recommend rejecting or accepting submissions on PC 74 as set out in Appendix A. We recommend the resultant amended Tasman Resource Management Plan text set out in Appendix B.

61 Appendix C contains a 'tracked changes' version of the notified provisions of PC18 showing how they would be amended by our recommendations.

¹⁸ Section 42A Report, section 2.6.3, page 21

Cr Kit Maling

Cr Celia Butler

Gary Rae (Chair)

Dated: 3 November 2021

APPENDIX A – COMMISSIONERS’ RECOMMENDATIONS ON SUBMISSIONS

General Submission Requests

Submission No.	Name	Further Submission No.	Name	Decision Requested	Recommendation of commissioners
4153.1	Mr R English	4199.1	<i>Mr G F Rogers</i>	Appointment of an Independent Hearing Commissioner	Accept original and further submissions
4199.1	Mr G F Rogers	4153.1& 2	<i>Mr R English</i>	Deleting the proposed rezoning at Pohara.	Reject original and further submissions

Pohara Flood Modelling and Stormwater Issues

Submission No.	Name	Further Submission No .	Name	Decision Requested	Recommendation of commissioners
4153.2,3,4 & 5	Mr English R	4199.2,3,4 & 5	<i>Mr G Rogers support</i> F	That the construction activity be placed on hold; an independent review of the Tonkin and Taylor flood analysis model be undertaken; proposed stormwater works at Pohara be modified if required by the independent peer review and Council downstream works be completed before the Richmond Road development.	Reject original and further submissions
4198.1	R & P McTaggart	4153.3	<i>Mr English support</i> R	No surface water from the proposed subdivision enters the property at 11 Sandridge Terrace.	Reject original and further submissions
		4199.11	<i>Mr G Rogers support</i> F		Reject original and further submissions
4199.1	Mr G Rogers F	4153.1& 2	<i>Mr English Support</i> R	No upstream work at the SHA development site at 82 Richmond Road, Pohara to commence until all the downstream flood mitigation works are complete and effective.	Reject original and further submissions
4202.1	Ms Treloar J	4153.4	<i>Mr English Support</i> R	Confirm that 13 Sandridge Terrace, Pohara will not receive any heavy rain run-off from the Richmond Pohara Holdings Ltd development.	Reject original and further submissions
		4199.12	<i>Mr G Rogers Support</i> F		

Rezoning Extent at Pohara and Marahau

Submission No.	Name	Further Submission No .	Name	Decision Requested	Recomendation of commissioners
4194.1	Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4199.6	<i>Mr G Rogers Oppose</i> F	Support the rezoning of a portion of the submitters land at 82 Richmond Road, Pohara to Residential	Accept 4194.1 Reject FS4199.6

Submission No.	Name	Further Submission No .	Name	Decision Requested	Recomendation of commissioners
		4153.5	<i>Mr R English</i> <i>Oppose</i>		Reject FS 4153.5
4194.2	Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4153.6	<i>Mr R English</i> <i>Oppose</i>	Extend the proposed Residential zoning on the submitters land at 82 Richmond Road, Pohara, to include all of the SHA gazetted land i.e., the upper southwestern corner with the gully being identified as an Indicative Reserve for walkway and drainage purposes.	Reject 4194.2
		4199.7	<i>Mr G F Rogers</i> <i>Oppose</i>		Accept FS 4153.6 & FS 4199.7
4194.3	Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4153.7	<i>Mr R English.</i> <i>Oppose</i>	Extend the proposed Residential zoning over the full extent of the submitter's land at 82 Richmond Road, Pohara in accordance with the structure plan attached to submission no. 4194.	Reject 4194.3 Accept FS 4153.7
		4199.8	<i>Mr G F Rogers</i> <i>Oppose</i>		Accept FS 4199.8
4194.4	Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4153.8	<i>Mr R English</i> <i>Oppose</i>	Acknowledging that the scope of Change 74 relates to the SHA areas only, Council commits to rezoning the full extent of the submitter's land at 82 Richmond Road, Pohara, for residential development in accordance with the structure plan 2014 attached to submission no. 4194, as part of the TRMP review process.	Reject 4194.4 Accept FS 4153.8
		4199.9	<i>Mr G F English</i> <i>Oppose</i>		Accept FS 4199.9
4194.5	Richmond Pohara Holdings Ltd and Projects and Ventures Ltd	4153.9	<i>Mr R English</i> <i>Oppose</i>	Request that the submitter's land at 265 Sandy Bay, Marahau, SHA T1-04 is zoned Residential.	Reject 4194.5 Accept FS 4153.9
		4199.10	<i>Mr G F Rogers</i> <i>Oppose</i>		Accept FS 4199.10

2.5.1 Rezoning at Richmond West

Submission No.	Name	Decision Requested	Decision of commissioners
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4200.1	Richmond West Development Company Ltd	Support amendment to planning maps 23, 57, 123 and 124 to rezone land Residential, Open Space and Commercial	Accept
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2.6.1 Appropriate Zoning of Lot 1000

Submission No.	Name	Decision Requested	Decision of commissioners
4201.1	Mr & Mrs Sherlock	Rezone the north-eastern corner of Lot 37 McShane Rd (Lot 950 DP552822) marked as Lot 1000 on submission Figure 2 to Light Industrial (not Residential).	Accept in part
4200.2	Richmond West Development Company Ltd ("RWDC")	Support the rezoning of Lot 1000 owned by Mr & Mrs Sherlock to Light Industrial as being appropriate to accurately reflect the future use of that piece of land.	Accept in part

APPENDIX B – SCHEDULE OF AMENDMENTS FROM COMMISSIONER RECOMMENDATIONS

Schedule of Amendments

The following amendments are recommended:

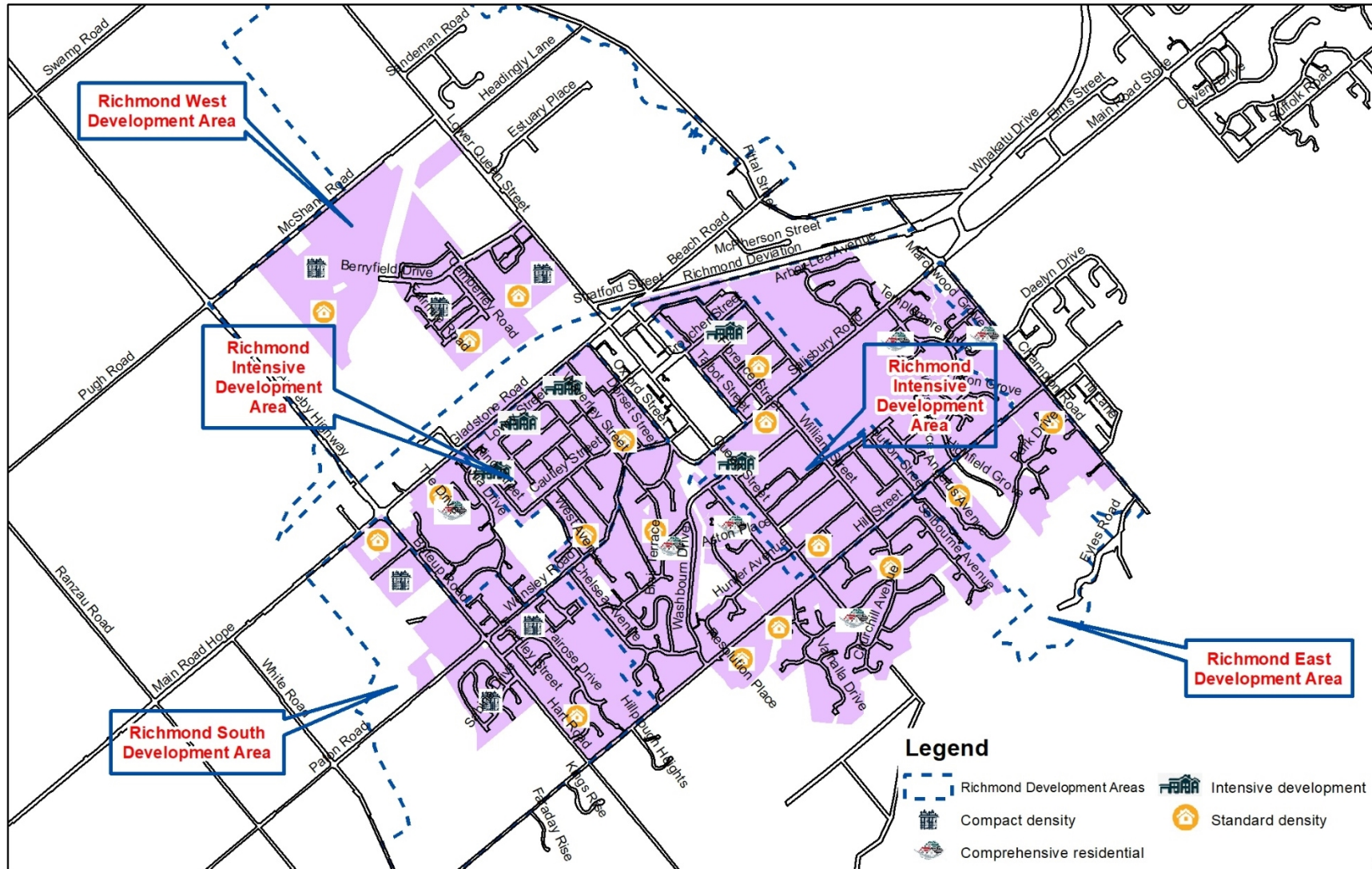
- Amend the TRMP Planning Maps 23, 57, 123 & 124 to **retain Lot 1000 DP 556528 as Rural 1 deferred Light Industrial** (as shown on the attached maps).
- Amend Figure 6.8B to retain **Lot 1000 DP 556528 as Rural 1 deferred Light Industrial**.
- Amend Schedule 17.14A Deferred Zone Locations as follows:

Area H:
All of Area H except Lot 5 DP20409 and Lot 6 470387

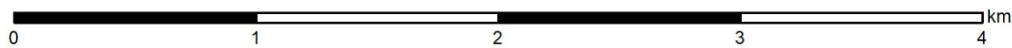
And replace with the amended wording:

Area H:

All of H except Lot 5 DP20409, Lot 6 DP470387 and Lot 1000 DP 556528.



tasman district council **Range of Housing Choices in Richmond Residential Areas**



Note:
This is not a planning map. The purpose of this diagram is to show the range of housing choices provided for in the Richmond Residential areas.

2. Chapter 17

2.1 Amend Schedule 17.14A 'Deferred Zone Locations' as shown below.

SCHEDULES

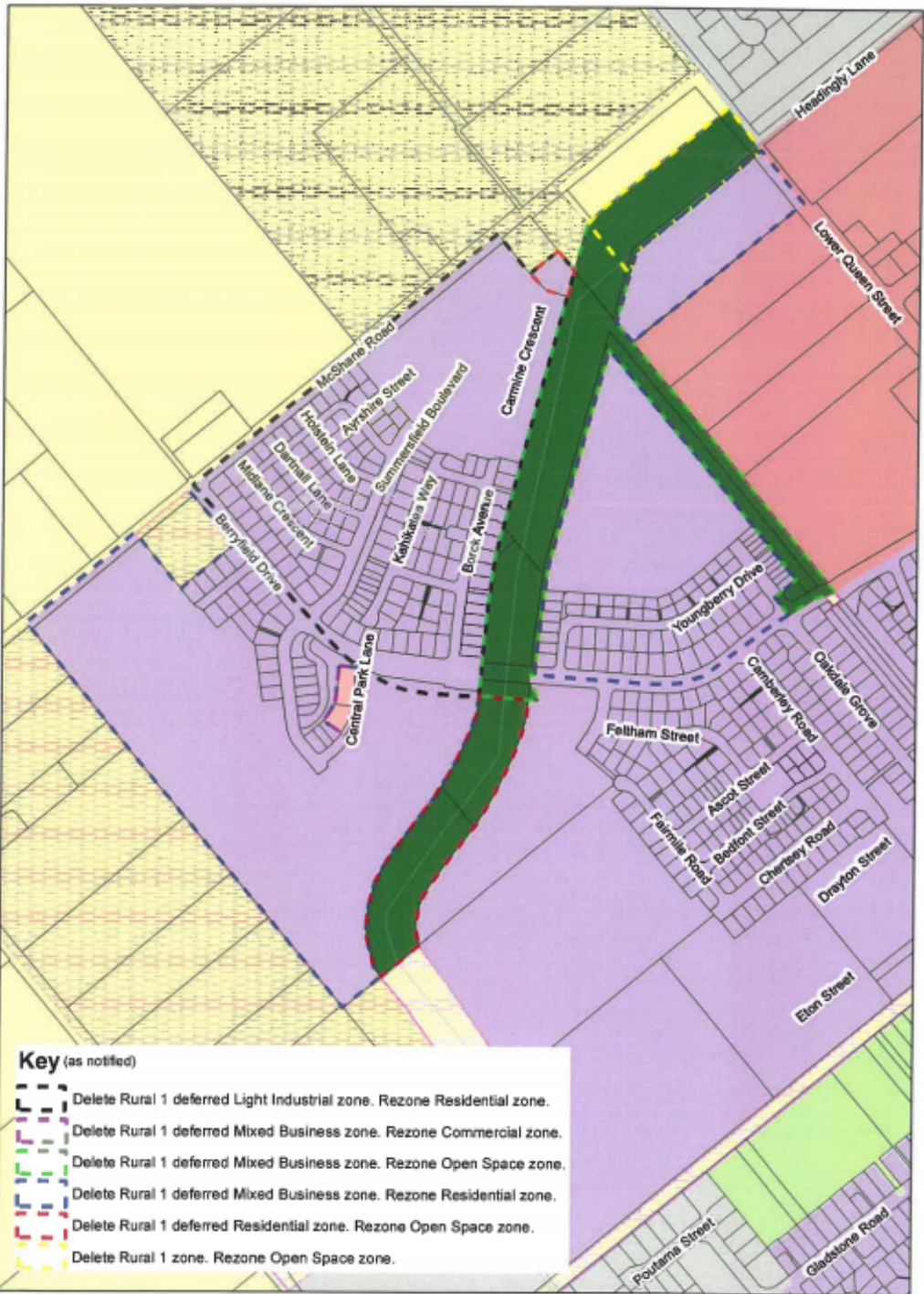
Schedule 17.14A: Deferred Zone Locations

[Unchanged or irrelevant text omitted]

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)						
<i>[Unchanged or irrelevant text omitted]</i>						
Areas notated B (395 Lower Queen Street) on the planning maps	Rural 1	Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	26/7/18	Part Area B: Sections 3 – 5 SO 506258 Section 1 SO 490525 and sections 1 & 2 SO 506258	RM1600673	Residential (served)
Area notated B (Borck Creek) on the planning maps			##20	Part Area B: Part Lot 6 DP 520567		Open Space
Areas notated C on the planning maps	Rural 1	Area C: Stormwater service required.				Mixed Business
Areas notated D on the planning maps	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/9/19	Part Area D: Lot 1 DP 511566		Mixed Business
			##20	Part Area D: All of D except: Lot 1 DP 20409 Sec 2 SO 450816 Sec 1 SO 512154 Sec 28 SO 455144 Sec 2 SO 512154 Lot 1 DP 511566		Residential
			##20	Part Area D: Part Lot 6 DP 520567		Open Space
Areas notated E on the planning maps	Rural 1	Area E: Reticulated water from Richmond South High Level Reservoir, wastewater, stormwater (Borck Creek construction) services required and in respect of Area E, there is substantial take-up of serviced land in the Richmond West Development Area with the same zoning.				Mixed Business
Areas notated E (91 McShane Road) on the planning maps			##20	Part Area E: Part Sec 16 SO 455144 Part Lot 2 DP 467493		Residential
			##20	Part Area E: Part Sec 16 SO 455144 Part Lot 2 DP 467493 Part Sec 13 SO 455144		Commercial
<i>[Unchanged or irrelevant text omitted]</i>						
Areas notated F (part), G, H and I on the planning maps	Rural 1	Area F: Stormwater service required Area G: Reticulated water, wastewater and stormwater services required Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of Area H	31/8/17		6960	Light Industrial
			##20	Area H: All of H except Lot 5 DP20409 and Lot 6 470387 and Lot 1000 DP 556528		Residential

3. Planning Maps

- 3.1 **Amend** Zone maps 23, 57, 123 & 124 (Richmond West Development Area) to show:
- (a) Rural 1 deferred Light Industrial rezoned as **Residential** and **Open Space**.
 - (b) Rural 1 deferred Mixed Business rezoned as **Residential, Open Space** and **Commercial**.
- 3.2 **Amend** Area maps 23, 57, 123 & 124 (Richmond West Development Area) to delete Indicative Reserve.
- 3.2 **Amend** Zone maps 23, 57 & 129 (Richmond) to show Rural 2 rezoned as **Residential** and **Rural-Residential**.
- 3.3 **Amend** Zone maps 10, 51 & 77 (Pohara) to show Rural 2 rezoned as **Residential**.
- 3.4 **Amend** Discharges map 260 to extend Fire Sensitive Area over land to be zoned Residential.
- 3.5 **Amend** Discharges map 270 to uplift deferred Fire Ban Area and extend Fire Ban Area over land to be rezoned Residential and Rural Residential.



- Key (as notified)**
- Delete Rural 1 deferred Light Industrial zone. Rezone Residential zone.
 - Delete Rural 1 deferred Mixed Business zone. Rezone Commercial zone.
 - Delete Rural 1 deferred Mixed Business zone. Rezone Open Space zone.
 - Delete Rural 1 deferred Mixed Business zone. Rezone Residential zone.
 - Delete Rural 1 deferred Residential zone. Rezone Open Space zone.
 - Delete Rural 1 zone. Rezone Open Space zone.



TASMAN RESOURCE MANAGEMENT PLAN
Draft Plan Change 74 Decision
Richmond West

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- Delete Residential zone.
 - Retain Rural 1 deferred Light Industrial zone.
- (as recommended)



ZONES
Update Map 66/00
Date

Maps affected: 23, 57, 123, 124

