

Submission on a Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:

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

Cover Sheet

OFFICE USE

Date received stamp:

14.3.16

Initials: RF

Submitter No. 855

Note:

This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.

Submitter Name: Cotton and Light Ltd
(organisation/individual)

Representative/Contact: Rob Ford
(if different from above)

Postal Address:
PO Box 3406
Richmond 7050

Home Phone: _____

Bus. Phone: 5445470

Fax: _____

Email: robford@cottonandlight.co.nz

Date: 14-Mar-2016

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

Signature: _____

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

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

IMPORTANT – Please state:

This submission relates to Change No.: 60

Change Title/Subject:
Building setbacks relating to all zones.

- I/we wish to be heard in support of my/our submission.
- I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Please attach this cover sheet to your supplementary sheet(s) outlining your submission request(s).

R14.3.16 A

Steve Markham

From: Rob Ford <robford@cottonandlight.co.nz>
Sent: Monday, 14 March 2016 6:16 p.m.
To: Steve Markham
Subject: Plan change 60 Submission.
Attachments: Original Submission Form-Interactive-Cover Sheet-May15 (1).pdf

Dear TDC

Cotton and light Ltd's submission is in opposition to the proposed 'dwelling and habitable buildings are setback at least-
 30m from a boundary where the boundary is the Rural 1, Rural 2 and Rural 3 zone.

The issues with this setback is that from correspondence with TDC this will conflict with existing granted consents with designated building sites approved within a subdivision consent and/or shown on a survey plan or other. It is our understanding that to build a dwelling within the 30m setback if this change is adopted, will then require a land use consent. In some cases this could revisit a process which was already completed by limited notified or notified subdivision process to address re address the building site position at some cost and possibly without approval via a land use consent process. Which within a post subdivision process has created approved practical building sites.

This proposed setback change potentially will create a considerable issue for rural residential zones due to the generally small allotments and limited suitable building site areas.

If this setback rule is adopted -

- Could result in current sections/subdivision consents which are not able to be built on.
- An additional council revenue process to approve a building site position which may currently has approval for.
- Restricting the ability to practically position a building site.

There are so many aspects of land development where discretion of an assessment of a building location needs to be considered. A black and white rule of 30m setback has the potential to create an opposite effect of what the basis of the TDC plan is trying to achieve.

The 30m rule will limit development following a practical assessment. Currently the planning staff have the ability to address suitable and practical building site positions. Limiting this process by introducing a 30m setback rule will create a follow on effect or another potential resource consent process which is unwarranted;

- Reduce Productive Potential
- Increase the potential for Fragmentation of productive land
- Reduce avenues to protect Coastal Nature Character

The potential effects pre and post of this setback plan change could be considerable for all parties (TDC included) moving forward.

Regards

Rob Ford

robford@cottonandlight.co.nz

COTTON & LIGHT LTD – RICHMOND

SURVEYORS AND LAND DEVELOPMENT CONSULTANTS

28 Oxford Street – Richmond – Nelson.

PO. Box 3406, Richmond 7050.

Richmond 03 5445470 Nelson 03 5481851

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<http://www.cottonandlight.co.nz>

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SUBMISSION ON PROPOSED TASMAN RESOURCE MANAGEMENT PLAN - PLAN CHANGE 60

To: Manager, Policy
Tasman District Council
Private Bag 4
Richmond 7050

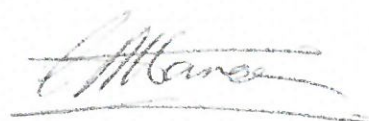
Submission on: Proposed Plan Change 60

Name of Submitter: Ravensdown Fertiliser Co-operative Limited
PO Box 1049
CHRISTCHURCH

Address of Submitter: C/- CHC Ltd
P O Box 51-282
Tawa
WELLINGTON 5249
Attention: Chris Hansen

Phone: 021 026 45108
Email: Chris@rmaexpert.co.nz

1. **The specific provisions of the proposed plan change that Ravensdown's submission relates to are:**
Proposed Plan Change 60 as included in the attached submission below.
2. **Trade Competition**
Ravensdown could not gain an advantage in trade competition through this submission.
3. **Ravensdown's submission is:**
Refer to submission points below. The relief sought by Ravensdown are also outlined in the submission points below.
4. **Ravensdown wishes to be heard in support of this submission.**
Ravensdown would be prepared to present a joint case with others that have made similar submissions at a hearing.



.....
Chris Hansen
Authorised Agent for Ravensdown
Limited
14 March 2016

SUBMISSION ON TASMAN RESOURCE MANAGEMENT PLAN - PROPOSED PLAN CHANGE 60

1 Ravensdown's interest in the Tasman District

The following submission is made on behalf of Ravensdown Fertiliser Co-operative Ltd (Ravensdown) to Tasman District Council's Proposed Plan Change 60 (Proposed PC 60) to the Tasman Resource Management Plan. Submissions to the Proposed PC 60 close on 14 March 2016.

Ravensdown owns and operates three fertiliser-manufacturing plants in Ravensbourne (Dunedin), Hornby (Christchurch) and Awatoto (Napier). Ravensdown also operates 46 bulk fertiliser stores throughout NZ, and has an interest in a further 70 consignment fertiliser stores which are operated by third parties in which Ravensdown products are stored. In the Southland District, Ravensdown has bulk fertiliser stores at Balfour, Winton and Woodlands. All three sites are zoned Rural.

In addition to these facilities, Ravensdown operates a number of quarries that mine and process agriculture lime in various parts of New Zealand. In the Tasman District, Ravensdown has a lime quarry at Ngarua. The quarry is zoned Rural.

Ravensdown takes an interest in regional and district plans from the perspectives of how plan provisions affect its bulk storage and quarrying activities to ensure planning provisions are enabling and are not unduly restrictive.

2 General Comment on the Proposed Plan Change 60 (Proposed PC 60)

Ravensdown has assessed Proposed PC 60 in relation to its quarry operation at Ngarua, and generally supports the intention to review and update the policy and rules for rural land use and subdivision.

Notwithstanding this general support, Ravensdown has three specific points below it wishes to address.

3 Specific Comment on proposed Plan Provisions

The following specific comments follow the format, plan provision heading and page numbering of the relevant sections of the Proposed PC 60 marked up text version. In each case specific comment has been made reflecting Ravensdown's support or concerns.

3.1 Plan Provision: Chapter 2.2 Defined Words – Reverse sensitivity (Page 2/3)

Proposed PC 60 introduces a new definition – reverse sensitivity - which reads:

“means the risk to an existing activity that may generate adverse effects, of receiving complaints or other expressions of sensitivity from any new activity locating nearby.”

Submission: Ravensdown supports the intent of this definition as its activities (such as quarrying) can be subject to reverse sensitivity effects, especially when more sensitive rural-residential activities are allowed within the rural zone.

Relief Sought: Ravensdown seeks for Council to retain the intent of the definition of reverse sensitivity as written. ①

3.2 Plan Provision: Rule 17.6.2.1 (xii) – Permitted Activities (Land Use - General) (Page 17/1)

Proposed PC 60 introduces a new Rule 17.6.2.1 (xii) that does not permit the following activity:

“The maintenance, repair, storing, or parking of more than one heavy vehicle (excluding agricultural machinery) with a gross laden weight of 3,500 kilograms or more, that is being used for or in connection with any commercial, industrial or rural industrial activity.”

Submission: Ravensdown opposes this proposed new rule as it appears to apply to its quarry operation. Such a requirement is considered impracticable for a rural industrial activity (such as a quarry) to meet, meaning consent is required. Ravensdown does not consider the intent of the rule is appropriate for a rural industrial activity in a Rural zone, and does not promote the sustainable management of the quarry site as a physical resource.

Relief Sought: Ravensdown seeks for Council to delete Rule 17.6.2.1 (xii). ②

3.3 Plan Provision: Rule 17.6.2.9 (c) – Discretionary Activities (Land Use)

Proposed PC 60 introduces a new Condition (c) to Rule 17.6.2.9 that reads:

“Where a commercial, industrial or rural industrial activity gains access from a local road, the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic is generated by agricultural machinery.”

Submission: While Ravensdown notes the access to a rural industrial activity is from a ‘local road’ for the rule to apply, it also notes that the term ‘local road’ is not defined in the Tasman Resource Management Plan either in the Defined Words section or on the road hierarchy maps. It is not clear, therefore, when a road is deemed to be ‘local’.

Ravensdown considers clarity on this matter is important for rural industrial activities that may have vehicle movements beyond the times included in the condition. Ravensdown does not consider discretionary activity consent should be required for rural industrial activities that cannot meet this condition.

Relief Sought: Ravensdown seeks for Council to either provide a definition of 'local road' that clearly separates it from a state highway, arterial or collector road; OR deletes Rule 17.6.1.9 (c).

③

HAVE A SAY

You are invited to make a submission on the proposed Plan Change. Submissions close at 4.00 pm on Monday, 14 March, 2016.



Submission on a Variation/Change to the Tasman Resource Management Plan

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Submitter Name: Nelson Forests Limited
(organization/individual)

Representative/Contact: Heather Arnold
(if different from above)

Postal Address: _____

Private Bag 5

Richmond

Nelson 7050

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(if different from above)

Mobile Phone: 021 240 0530

Bus. Phone: 03 970 2898

Fax: -

Email: heather.arnold@nelsonforests.com

Date: 14/3/16

Signature: [Handwritten Signature]
(Signature of person making the submission or person authorised to sign on behalf of person making the submission)

Total number of pages submitted: 7



IMPORTANT – Please state:

This submission relates to Variation/Change No.: 60

Variation/Change Title/Subject: _____

Rural land use + subdivision

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.



58A Gladstone Road,
Private Bag 5,
Richmond,
Nelson 7050,
New Zealand
Telephone 64-3-543 8115
Facsimile 64-3-544 5789

14 March 2016

Submission

Rural Land Use and Subdivision Policy Review

Proposed Plan Change 60

Rural Land Use and Subdivision Policy Review
Tasman District Council
Private Bag 4
Richmond 7050

Submission Please accept this submission on the Rural Land Use and Subdivision Policy Review.

Submitter The submitter is Nelson Forests Limited

Address for service Address for service is:

Heather Arnold
Planner
Nelson Forests Limited
Private Bag 5
Richmond
Nelson 7050

Phone 03 543-8115
Heather.arnold@nelsonforests.com

Hearing Nelson Forests Limited wishes to be heard at the hearing.

Heather Arnold
Planner

This submission relates to:	The Submission is that:	The following decision is sought from Tasman District Council:	Office use
Meaning of words: Community Activity	The definition states that recreational and temporary military activities are excluded from the definition. However, there is no definition for "recreational activities" in the plan (temporary military activities are defined).	Recreational activity is defined.	1
Lack of policy and methods for recreational activities	The plan does not address the adverse effects of recreational activities. This matter was raised by this submitter on the draft plan and discussion paper.	Recreational activities should be provided for in the plan as permitted and restricted discretionary activities. Permitted activity standards and restrictions for temporary military activities are included in the plan.	2
Meaning of words: Plant & animal production	Plant & animal production states that it excludes processing.	Processing of trees into logs occurs on site. It is essential that this part of plantation forestry production is not excluded from the definition of plant and animal production.	3
Meaning of words: Temporary activity	<p>Temporary activity is defined as being "any use of land that is non-repetitive, transient or intermittent nature of limited duration and includes.... (b) sporting events, galas market days, carnivals, shows, concerts and similar events.</p> <p>Dance parties held in rural locations not in buildings pose significant threat to other people and assets, especially if they are undertaken during periods of high fire risk. Nelson Forests Limited does not oppose dance parties, but is very concerned at the threats associated with them (such as fire, which could easily lead to wildfires). In our experience they are often undertaken without wider community knowledge (council, Rural Fire Network, neighbours, even the landowner such as the Department of Conservation), in generally more isolated parts of the region (such as Wairoa Gorge, Golden Downs, Wangapeka Westbank etc) and with little respect for other legitimate land uses and activities taking place on the land (such as plantation forests, the people working in the forests and those legitimately in the forest with permits for recreational events). This was recently highlighted with a dance party in the Wairoa Gorge, the aftermath of which was publicised on the front page of the Nelson Mail.</p>	Ensure "dance parties not held in a building" are excluded from the definition, and therefore would need to obtain resource consent if held outdoors.	4
Meaning of words: Natural hazards	The current definition refers to "fire", while the plan change refers to "wildfire".	Change the definition by replacing "fire" with "wildfire".	5
Meaning of words: wildfire	There is no definition of wildfire.	Define wildfire as: "any unwanted, unplanned, damaging fire burning in forest, scrub or grass" or more fully: "any unwanted, unplanned uncontrolled fire in an area of combustible vegetation	6

		<p>that occurs in the rural area. A wildfire differs from other fires by its extensive size, the speed at which it can spread out from its original source, its potential to change direction unexpectedly, and its ability to jump gaps such as roads, rivers and fire breaks”.</p>	
<p>Policy 7.1.3-5</p>	<p>The policy states: To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities. This logical and will fulfil the goal of the review.</p>	<p>Retain this policy.</p>	<p>7</p>
<p>Policy 7.2.3.1C(a) Policy 7.2.3.1D(b)</p>	<p>It is not consistent with other provisions of the plan to limit the range of natural hazards that should be considered to enable further subdivision and residential development.</p>	<p>Reword this clause to be consistent with wording used in other sections e.g.Is not affected by natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects (or words of like effect).</p>	<p>8 9</p>
<p>Policy 7.2.3-5</p>	<p>The policy states: To ensure that activities which are not involved or associated with plant and animal production do not locate where they may adversely affect or be adversely affected by such activities. Adherence to this policy will minimise cross boundary effects and issues of reverse sensitivity.</p>	<p>Retain this policy.</p>	<p>10</p>
<p>Method 7.2.20</p>	<p>There are no methods to achieve policy 7.2.3-5.</p>	<p>Add an additional regulatory method (7.2.20.1(b)) to have rules that protect existing plant and animal production from the adverse effects of alternate activities.</p>	<p>11</p>
<p>Controlled Subdivision Rural 1 Zone 16.3-5-1</p>	<p>Policy 7.1.3-5 states: To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities. If the policy is to enable adjustments (which meet the specified criteria of the policy), this should be provided for as a controlled activity. It is currently provided for as a restricted discretionary subdivision. (16.3-5-3A(C)).</p>	<p>Add a further condition to 16.3-5.1 to read: The subdivision is an adjustment of the boundaries where this enables improved land management or enable a greater range of plant and animal production activities and no additional titles are created (or words of like effect). Delete condition 16.3-5-3A(c).</p>	<p>12 13</p>
<p>Controlled Subdivision Rural 1 Zone 16.3-5-1 & Rural 2 Zone 16.3-6.1</p>	<p>Matter for control (7A) states: The potential for adverse cross-boundary effects, including reverse sensitivities. Retaining control over this fulfils policies of the plan.</p>	<p>Retain this matter of control.</p>	<p>14 15</p>
<p>Controlled Subdivision Rural 1 Zone 16.3-5-1 & Rural 2 Zone 16.3-6.1</p>	<p>Matter for control (7B) states: Management of natural hazards, within and beyond the boundaries of the site, including wildfire management, slope instability and flood hazard effects. Retaining control over this fulfils policies of the plan.</p>	<p>Retain this matter of control.</p>	<p>16 17</p>

<p>Controlled Subdivision Rural 1 Zone 16.3-5-1</p>	<p>Matter for control (9) states: Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, protected trees and cultural heritage. With regards to the areas of ecological value, landscape value and indigenous trees, there is no specified level of significance.</p>	<p>Add the word "significant" to the following attributes:</p> <ul style="list-style-type: none"> • ecological value • landscape value • indigenous vegetation 	<p>18</p>
<p>Controlled Subdivision Rural 2 Zone 16.3-6.1</p>	<p>Policy 7.1-3.5 states: To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities. If the policy is to enable adjustments (which meet the specified criteria of the policy), this should be provided for as a controlled activity. It is currently provided for as a restricted discretionary subdivision (16.3-6.3A(e)).</p>	<p>Add a further condition to 16.3-6.1 to read: The subdivision is an adjustment of the boundaries where this enables improved land management or enable a greater range of plant and animal production activities and no additional titles are created (or words of like effect).</p> <p>Delete condition 16.3-6.3A(e).</p>	<p>19 20</p>
<p>Controlled Subdivision Rural 2 Zone 16.3-6.1 (d)</p>	<p>Condition 16.3-6.1 (d) states: Where a new allotment contains an existing shelter or spray belt, horticultural plantings or plantation forest, the boundaries of the allotment are drawn relative to these trees so that the shelter belt, horticultural plantings or plantation forest complies as a permitted activity, with all applicable zone rules relating to height and setbacks from boundaries, roads, dwellings, schools and early childhood education facilities.</p> <p>Policy 7.1-3.5 states: To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities.</p> <p>To make this condition more enabling (in line with Policy 7.1-3.5) allow the applicant to provide written approval for reduced internal boundary setbacks from the affected adjacent landowner.</p>	<p>Reword condition 16.3-6.1 (d) to state: Where a new allotment contains an existing shelter or spray belt, horticultural plantings or plantation forest, the boundaries of the allotment are drawn relative to these trees so that the shelter belt, horticultural plantings or plantation forest complies as a permitted activity, with all applicable zone rules relating to height and setbacks from roads, dwellings, schools and early childhood education facilities. If written approval from adjacent land owners is provide, internal boundary setbacks may be reduced (or words of like effect).</p>	<p>21</p>
<p>Controlled Subdivision Rural 3 Zone 16.3-7.1 &</p>	<p>Matter for control (10A) and (11A) states: Management of natural hazards, including wildfire risk, within and beyond the boundaries of the site. This matter is written differently to those in earlier sections of the plan and they provide a wider scope/direction for assessing consents.</p>	<p>To ensure completeness and consistency, reword this matter for control to state: Management of natural hazards, within and beyond the boundaries of the site, including wildfire management, slope instability and flood hazard effects.</p>	<p>22</p>
<p>Rural residential & Closed Zones 16.3-8.1</p>	<p>Restricted discretionary matter 16.3-8.4A (2) states: Any matter relating to geotechnical constraint, earthquake risk, stormwater inundation or flood risk of the site and zone location. It does not mention wildfire, which is a matter for a controlled activity but has not been carried through to the restricted discretionary matters.</p>	<p>Include wildfire in the list of natural hazards in restricted discretion matter 16.3-8.4A (2).</p>	<p>23 24</p>

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<p>Schedule 16.3A</p>	<p>Criterion (3) requires council to have regard to the extent to which the effects of natural hazards will be avoided and mitigated. It highlights wildfire, but no other natural hazards.</p>	<p>25</p> <p>To ensure completeness and consistency, reword this matter for control to state: <i>The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated (or words of like effect).</i></p>
<p>Permitted Activities (Temporary Military Training Activities) 16.8.2.2 & Controlled Activities (Temporary Military Training Activities) 16.8.2.3</p>	<p>There are recent examples of Temporary Military Activities that have resulted in wildfire, which has threatened lives and destroyed assets (eg 350 ha fire in Waiouru 23/1/13 and another caused by the NZ Army in West Melton 23/1/13). The permitted activity conditions and matters for control should include matters in relation to fire preparedness and management.</p>	<p>26</p> <p>Add another condition to 16.8.2.2 and a matter for control to 16.8.2.3, to require the preparation of and adherence to a publicly available fire preparedness and management plan, which would include the cancellation of the event should certain fire risk parameters be triggered (e.g. when Fire Weather measurements are 'very high' or 'extreme' based on initial spread index, fine fuels, moisture content, fire weather index, build up index, drought code etc, and when there is assessed high risk to life and property from fire).</p>
<p>Principal Reasons for Rules 16.8.20</p>	<p>The third paragraph of Temporary Military Training Activities focusses on noise from weapons firing and explosives, which addresses amenity, but there is no recognition of the significant risk to people and assets from wildfire.</p>	<p>28</p> <p>Ensure that wildfire is included in the Principal Reasons for Rules in alignment with the amended consent conditions and matters for controlled activities.</p>
<p>Permitted Activities (Land Use General) Rural 1 Zone Temporary Activities 17.5.2.1 & Permitted Activities (Land Use General) Rural 2 Zone Temporary Activities 17.6.2.1</p>	<p>The permitted activity status for all forms of temporary activities will expose plantation forests to significant risk of wildfire and trespass. There are places that would pose no concern, such as in residential/urban areas. However the broad permitted status for Rural 1 is inappropriate. The Dystopia Outdoor Music Festival in Wairoa Gorge during the weekend of 20/21 February 2016 is a timely reminder of why not all temporary activities should be permitted. While the event did not cause a wildfire, it would appear to have resulted in illegal use of public land. Where there is no required notification/approval of events such as this to fire authorities, affected landowners and regulatory authorities, legitimate users of our forests and forest assets are at risk. This risk can be mitigated by not allowing all temporary activities to be permitted.</p>	<p>29</p> <p>Require temporary activities in areas of high wildfire risk (shown as an overlay on planning maps) to obtain consent as a restricted discretionary activity. It is recognised that this would capture legitimate community and sports groups, but this could be off-set by a modest fixed administration fee for the resource consent. This would ensure that risks have been appropriately identified and controls are planned and can be actioned, and also that appropriate organisations are forewarned of events to enable them to respond appropriately.</p> <p>Any conditions should include the cancellation of the event should certain fire risk parameters be triggered (eg when Fire Weather measurements are 'very high' or 'extreme' based on initial spread index, fine fuels, moisture content, fire weather index, build up index, drought code etc, and when there is assessed high risk to life and property from fire).</p>
<p>Permitted Activities (Land Use General) Rural 1 Zone Temporary Activities 17.5.2.1 & Rural 2 Zone Temporary Activities 17.6.2.1</p>	<p>The Note, following the current Temporary activities permitted activity, states: <i>other legislation or requirements relating to health, food safety, building, traffic management and fire risk management may need to be complied with. Fire risk management needs to be a condition of the permitted activity (in low risk areas) and a matter for restricted discretion in high risk areas.</i></p>	<p>30</p> <p>Delete the note in reference to fire risk management and ensure that wildfire is either a condition of permitted temporary activities (in low risk areas) or a discretion matter for restricted discretionary activities in high risk areas.</p>

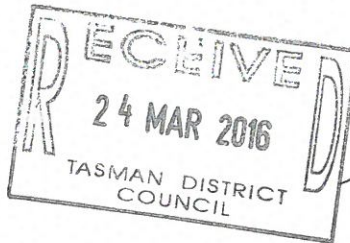
<p>Restricted Discretionary Activities (Cooperative Living) 17.5.2.8A & 17.6.2.8A</p>	<p>Restricted discretion matter 17.5.2.8A (7) states: <i>natural hazards within and beyond the site, including slope instability and flood hazard effects. While 17.6.2.8A(7) states: natural hazards within and beyond the site, including geotechnical and flood hazard effects. Neither includes wildfire, which is inconsistent with other parts of the plan.</i> Matter for control 6A states: <i>effects of natural hazards.</i></p>	<p>Include wildfire in the list of natural hazards in restricted discretion matter 17.5.2.8A (7) and 17.6.2.8A(7).</p> <p style="text-align: right;">31</p>
<p>Controlled Activities (Building Construction, Alteration or Use) Rural 1 Zone 17.5.3.2 & Rural 2 Zone 17.6.3.2</p>	<p>The requirement to ensure that dwellings and habitable buildings are set back at least 30 metres from a boundary where that boundary is to the Rural 1, Rural 2 or Rural 3 Zone, is supported.</p>	<p>To ensure completeness and consistency, reword this matter for control to state: <i>The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated (or words of like effect).</i></p> <p style="text-align: right;">32</p>
<p>Permitted Activities (Building Construction, Alteration or Use) Rural Residential Zone 17.8.3.1(h)</p> <p>Restricted Discretionary Activities (Building Construction, Alteration or Use) Rural Residential Zone 17.8.3.2(e)</p>	<p>Matter for control 8 states: <i>effects of natural hazards.</i></p>	<p>Retain this condition for a permitted activity and restricted discretionary activity.</p> <p style="text-align: right;">33</p>
<p>Controlled Activities (Building Construction, Alteration or Use) Rural Residential Zone 17.8.3.1A</p>	<p>Matter for control (9) states: <i>Alternatives for fire risk management. It is not clear what this means.</i></p>	<p>To ensure completeness and consistency, reword this matter for control to state: <i>The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated (or words of like effect).</i></p> <p style="text-align: right;">34</p>
<p>Controlled Activities (Building Construction, Alteration or Use) Rural Residential Zone 17.8.3.1A</p>	<p>The requirement to provide a Productive Value report for ANY land use and subdivision consent is too stringent. It should not be required for land disturbance or vegetation clearance. It should only be required where there is a proposed change in land use from productive to non-productive.</p>	<p>Clarify what is meant by this matter for control.</p> <p style="text-align: right;">35</p>
<p>Information required for land use or subdivision consent applications 19.2.1 Land Use & 19.2.2 Subdivision</p>	<p>Amend the requirement for all land use and subdivision consents to be accompanied by a productive value report. Limit it to a proposed change in land use from productive to non-productive use.</p>	<p style="text-align: right;">36</p>

Late

Submission on a Variation/Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:

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 189 Queen Street, Richmond, Nelson OR
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Date received stamp:

Initials: _____

Submitter No. _____

1119

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Submitter Name: Andrew Guy
 (organization/individual)

Representative/Contact:
 (if different from above)

Postal Address: 3A Old Wharf Road
MOTUEKA.

Home Phone: 03 52 89312

Bus. Phone: 0212 800440

Fax: _____

Email: _____

Date: 18-3-16

Signature: A. J. Guy
 (Signature of person making the submission or person authorised to sign on behalf of person making the submission)

Total number of pages submitted: _____

IMPORTANT – Please state:

This submission relates to Variation/Change No.: 60

Variation/Change Title/Subject: Rural Land Use
and Subdivision Policy Review

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

(1) My submission relates to: Provision No or Planning Map No. <i>(Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)</i>	(2) My submission is that: <i>(State concisely the nature of your submission and clearly indicate whether you: • support or oppose the specific provisions, or • wish to have amendments made, giving reasons)</i>	(3) I seek the following decisions from the Tasman District Council: <i>(Give precise details of the nature of the decision you seek in relation to the variation number and provision/map number given in column (1), e.g. addition, deletion or alteration. The more specific you can be the easier it will be for Council to understand your concerns.)</i>	OFFICE USE Submission No.

HAVE A SAY

You are invited to make a submission on the proposed Plan Change. Submissions close at 4.00 pm on Monday, 14 March, 2016.



Submission on a Variation/Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:

Manager, Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 543-9524 OR Email steve.markham@tasman.govt.nz

OFFICE USE

Date received stamp:

14.3.16

Initials: [Signature]

Submitter No. 1188

Note:

This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.

Submitter Name: WENDY DRUMMOND
(organization/individual)

Representative/Contact: _____
(if different from above)

Postal Address: Box 30,
COLLINGWOOD 7073
GOLDEN BAY.

Home Phone: 03 52488221

Bus. Phone: 027 3738281.

Fax: _____

Email: shelterbeach@xnet.co.nz

Date: 12th March '16

Signature: [Signature]
(Signature of person making the submission or person authorised to sign on behalf of person making the submission)

Total number of pages submitted: One

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

As above.

IMPORTANT – Please state:

This submission relates to Variation/Change No.: 60

Variation/Change Title/Subject: Rural Land Use
& Subdivision Policy Review.

- I/we wish to be heard in support of my/our submission. in Golden Bay
- I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

(1) My submission relates to: Provision No or Planning Map No. (Please specify, e.g. 34.2.20(a)(iii) or Zone Map 25)	(2) My submission is that: (State concisely the nature of your submission and clearly indicate whether you: • support or oppose the specific provisions, or • wish to have amendments made, giving reasons)	(3) I seek the following decisions from the Tasman District Council: (Give precise details of the nature of the decision you seek in relation to the variation number and provision/map number given in column (1), e.g. addition, deletion or alteration. The more specific you can be the easier it will be for Council to understand your concerns.)	OFFICE USE Submission No.
16.3.6.1.a.	The minimum size for allowing subdivision on Rural 2 land ① That is unproductive needs to be much lower The 30 m. set-back on Rural 2 land is ② inappropriate on narrow strips of land. Subdivision on Rural 2 land should not be limited by land size or out-dated zoning.	Golden Bay needs a separate plan because our circumstances are different. There needs to be greater flexibility to allow family groups, elderly & young families to reside in Golden Bay. A case by case basis where exemptions to address the needs of the Community is essential. ③ ④ & ⑤	
I support the proposals for Co-operative living and low impact development. ⑥ Zoning needs to be urgently reviewed, It is disappointing that this Review is based on out-of-date zoning. Flexibility is needed to allow for this in the absence of a Zoning Review. ⑦ Golden Bay has a large proportion of low income families and young families. Land needs to be made available so that we have a viable society with a cross section of age groups. Many older residents now find they have large acreages (e.g. 10 acre blocks) that they are unable to look after and these people want to share their land either through subdivision or co-operative living. The format of this Review is difficult for a rate-payer to understand. The process needs to be made more user friendly. ⑩ Productive land needs to be defined. In my view land can be productive if occupied by people, orchards, gardens & livestock. As many submissions have been received from Golden Bay I would like the Council to hold a hearing in Takaka and give due consideration to these. ⑧			

Feel free to contact us:



tasman
district council

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 24
 Takaka 7142
 New Zealand
 Phone 03 525 0020
 Fax 03 525 9974

Waimea Rural Fire Committee

CI- Rural Fire Network, P O Box 3578
Richmond, Nelson 7050



Tasman District Council
Private Bag 4
Richmond 7050

R11-3.16
D

Dear Sir,

Submission on Proposed Plan Change 60 Rural Land Use and Subdivision Policy Review

Submitter: **Waimea Rural Fire Authority (WRFA).**
The WRFA has the legislative responsibilities under the Forest and Rural Fires Act 1977 and subsequent regulations for all the land outside of the Tasman District and Nelson City urban fire districts. This amounts to an area of 1,012,841 ha.

Hearing: The Waimea Rural Fire Authority wishes to be heard at future hearings

Contact: Ian Reade
Principal Rural Fire Officer
Waimea Rural Fire Authority
C/- Rural Fire Network
P.O Box 3578
Richmond 7050

lookout@rfn.co.nz

Submission relating to: Controlled Subdivision 16.3.5.1 & 16.3.6.1

Submission is that : The WRFA supports the inclusion of the management of wildfire risk as a reserved control by the council when considering subdivision applications and determining conditions.

Decision required from council: That this clause remains intact to include the management of wildfire risk.

①

Submission relating to: Controlled Subdivision 16.3.7.1 & 16.3.8.4A

Submission is that : The considerations given by council when considering applications and determining conditions is not the same as those for Rural 1 &2 land in 16.3.5.1 & 16.3.6.1.

Decision required from council: That these clauses be kept the same as 16.3.5.1 &16.3.6.1 to include the management of wildfire risk when considering applications and determining conditions for subdivisions in Rural 3 zone and Rural Residential and Closed zones.

2

Submission relating to: Temporary Military training activities 16.8.2.2 & 16.8.2.3

Submission is that : Military exercises are recognised as being high risk activities that have a history of starting fires with live and blank firing. It is important that the planning of military exercises includes the assessment of and mitigation of wildfire risk.

3

Decision required from council: That the permitted activity conditions listed in the plan include the assessment of and mitigation measures implemented to manage the threat of a wildfire starting and the impact it may have on people and assets.

Submission relating to: Permitted Activities (land use general) Rural 15.2.1 & 17.6.2.1

Submission is that : In applying this rule, the events and gatherings held over summer in high fire risk environments during dry weather generate a high level of risk to human life and property. Examples of this occurred this past summer where an outdoor music festival was held in the Wairoa Gorge over a summer weekend when fire danger was high. At the same time a Scout Camp was held nearby. The WRFA had knowledge of the scout camp and had assisted them with their fire management and emergency procedures. The WRFA was unaware of the music festival. Had a wildfire occurred in this situation, potentially there could be multiple loss of life.

4

Other similar events held in the peak of summer in recent years have occurred in other high risk areas such as the Cobb Valley, Wangapeka Valley, Lee Valley, Cannon Downs and Golden Downs Forest.

The WRFA is conscious that events in low risk environments such as open parks and school grounds situated away from high fire fuel loading environments (scrub land and forests) do not need the same level of wildfire management planning.

Decision required from council: That a spatial layer be applied to the TRMP planning maps identifying those areas of high fire risk environment where temporary activities are restricted discretionary between the 1st October and 30th April.

5

That the rule be re written to state that any temporary activity occurring in the high wildfire risk environment area between 1st October and 30th April is a restricted discretionary activity with approval dependent on the assessment of forecast fire risk and mitigation plans put in place by the applicant.

In addition to the request above, that the note at the bottom of the "Temporary activities" conditions have the reference to fire risk management removed as there is currently no legislative ability under the Forest and Rural Fires Act or regulations to manage this type of activity and occurrence.

RECEIVED
14 MAR 2016
TASMAN DISTRICT COUNCIL

Submission on a Variation/Change to the Tasman Resource Management Plan

Return your submission by the advertised closing date to:

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

Cover Sheet

OFFICE USE

Date received stamp:

14.3.16
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Initials:

Further Submitter No.

1227

Note:

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Submitter Name: **DAVIS OGILVIE & PARTNERS**
(organisation/individual)

Representative/Contact: **TONY ALLEY**
(if different from above)

Postal Address: **277 HARDY STREET, NELSON 7010**

Home Phone:

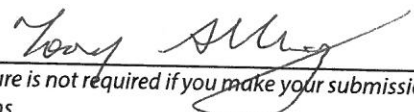
Bus. Phone: **548-4425**

Fax:

Email: **nelson@do.co.nz**

Date: **11-Mar-2016**

Signature:



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

Total number of pages submitted: **2**

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

IMPORTANT – Please state:

This submission relates to Variation/Change No.: **60**

Variation/Change Title/Subject:

I/we wish to be heard in support of my/our submission.

I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Please attach this cover sheet to your supplementary sheet(s) outlining your submission request(s).

11 March 2016

277 Hardy Street
Nelson 7010

1227

SUBMISSION IN OPPOSITION TO PLAN CHANGE 60 BY DAVIS OGILVIE AND PARTNERS

1 **Change of Amenity**

- 1.1 Increasing the set-back from boundaries from 5m to 30m in Rural 1 and 2 Zones is opposed.

Reasons:

It is not stated what this is intended to achieve. The need to have a lot of, at best, 90m in width may render some sites unusable without neighbours consent or notified application.

It may also have the effect of dwellings being forced more to the middle of productive lots with further potential loss of productive land with increased lengths of permanent access and dwelling curtilage. (1)

2 **Set back from Intensive Poultry Farming**

- 2.1 Requiring a dwelling to be 300m from an existing poultry activity is opposed as being unreasonable as it puts mitigation of possible offensive activity onto the neighbour and not the generator of offensive activity.

- 2.2 If the poultry activity is lawfully established then it should be assumed that it has mitigated possible nuisance or offensive effects on its neighbours land. (2)

3 **Minor dwellings**

- 3.1 This demonstrates the perceived need of the Council to control all rural activities whether this is necessary or not. The proposed consent provisions are opposed because the Proposed Plan Change provisions should not require any resource consent for a minor dwelling and because the plan change does not provide criteria for assessing effects of the activity.

- 3.2 It should be any person's right to provide accommodation for dependant relatives or possibly workers engaged on the allotment, or the owner retiring from operating the farm unit. When that use is no longer required it can provide for rental accommodation in rural areas. (3)

- 3.3 It then follows that any further subdivision around the minor dwelling unit should be a prohibited activity. This is because the grounds of assessing the affects could be simply that subdivision of the existing activity would have no greater effect on rural amenity or productivity. (4)

Yours faithfully
DAVIS OGILVIE AND PARTNERS LTD



TONY ALLEY
Senior Associate

Email: nelson@do.co.nz

Submission on a Change to the Tasman Resource Management Plan

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Tasman District Council
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189 Queen Street, Richmond OR
Fax 03 543 9524 OR Email steve.markham@tasman.govt.nz

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Cover Sheet

OFFICE USE

Date received stamp:

14.3.16

Initials:

Submitter No.

1403

Submitter Name: **Frans Muter**
(organisation/individual)

Representative/Contact:
(if different from above)

Postal Address:

**Tui Community
RD1 Takaka**

Home Phone: **03 5258562**

Bus. Phone: **03 5259654**

Fax:

Email: **franstui@gmail.com**

Date: **13-Mar-2016**

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

Signature:

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

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

IMPORTANT – Please state:

This submission relates to Change No.:

Change Title/Subject:

multiple housing on rural land, shared land, co-operative living. Flexibility in regard to rules related to zoning of rural land

- I/we wish to be heard in support of my/our submission.
- I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Please attach this cover sheet to your supplementary sheet(s) outlining your submission request(s).

I'd like to thank Counsel for making the changes that have been made in the latest draft.
I am in support of them.

①

It does however go not far enough.

It is good to see that co-operative living options are still acknowledged, unfortunately it is still not a right to do so. I would like to see full provision made for it (with conditions applied).

②

It is good to see the threshold lowered to a 2 hectare lot, for the option to have a second dwelling, on that land. It is disappointing to see that it is again, a discretionary activity. I like to see that changed to being full provision made for, please.

③

In the light that there were numerous submissions made from the Golden Bay community for greater flexibility in regard to land sharing, co-operative living, I would like counsel to consider catering to the submissions separate from the rest of Tasman District. Possibly seeing it as a pilot scheme to move forward on issues regarding multiple dwellings on (smaller) rural land holdings.

④

Rural land use rules and regulations are based on the zoning of that land. The zoning has not been reviewed for a good 20 years. Some rules for some zones may have become inappropriate, and would prevent optimum use in today's conditions. There needs to be greater flexibility to allow for this in the absence of the zoning review.

⑤

I would like to be allowed to speak to my submission.

Frans Muter
Tui Community
Wainui Bay RD1
Takaka

franstui@gmail.com
03 525 8562 hm
03 525 9654 wk