

Tasman Resource Management Plan - Change 57

Notified : Saturday, 28 November 2015

Summary of Decisions Requested In Change 57

In Submitter Name Order

Summary of Decisions Requested In Change 57 Submissions

Balgowan Investments Ltd

C/o Landmark Lile Ltd P O Box 343 Nelson

3973

- **C57.3973.1** **6.16.3.1** - **Directing Development away from Flood-Prone Lands**
Remedy: Amend policy 6.16.3.1 to recognise that mitigation can address flooding risk, particularly for business land.
 - **C57.3973.2** **6.16.3.3** - **Minimising the Effects of Industrial Land**
Remedy: Amend policy 6.16.3.3 to recognise that mitigation can address flooding risk, particularly for business land.
 - **C57.3973.3** **6.16.20.1** - **Regulatory Method**
Remedy: Retain former wording of method 6.16.20.1(a) regarding Flood Hazard Special Area rules.
 - **C57.3973.4** **6.16.20.1** - **Regulatory Method**
Remedy: Delete method 6.16.20.1(d): "rules relating to closed subdivision and coverage in industrial zones that are subject to flood hazard risk".
 - **C57.3973.5** **6.16.30** - **Principal Reasons and Explanation**
Remedy: Delete new wording about consolidating industrial activities south of SH 6 and closing subdivision in parts of the zone with most flood hazard risk.
 - **C57.3973.6** **16.3.4.1** - **Controlled Subdivision (Business and Industrial Zones)**
Remedy: Delete the Light Industrial Closed Zone provisions from 5, 11 and 13 Factory Road which change status of subdivision so no longer a controlled activity.
 - **C57.3973.7** **16.3.4.4A** - **Discretionary Subdivision (Industrial Closed Zones)**
Remedy: Delete the Light Industrial Closed Zone discretionary subdivision provisions from 5, 11 and 13 Factory Road.
 - **C57.3973.8** **16.3.4.7** - **Prohibited Subdivision (Industrial Closed Zones)**
Remedy: Delete the Light Industrial Closed Zone prohibited subdivision provisions from 5, 11 and 13 Factory Road.
 - **C57.3973.9** **17.4.1** - **Scope of Section**
Remedy: Delete reference to Light Industrial Closed Zone in preamble to Industrial Zone rules.
 - **C57.3973.10** **17.4.3.1** - **Permitted Activities (Building Construction or Alteration)**
Remedy: Reinstate previous provision (a) for buildings as a permitted activity on submitter's site (13 Factory Road).
 - **C57.3973.11** **17.4.3.1** - **Permitted Activities (Building Construction or Alteration)**
Remedy: Delete addition of (c)(iii) regarding maximum building coverage in Brightwater Light Industrial Zone from 90 percent to 60 percent and reference to floodway.
 - **C57.3973.12** **17.4.3.2** - **Controlled Activities (Building Construction or Alteration)**
Remedy: Delete change of maximum building coverage in Brightwater Light Industrial Closed Zone to 15 percent.
 - **C57.3973.13** **17.4.3.3** - **Restricted Discretionary Activities (Building Construction or Alteration)**
Remedy: Delete the addition to matter (3) regarding increased flood hazard risk when considering applications for increased building coverage in Industrial Zones.
 - **C57.3973.14** **17.4.20** - **Principal Reasons for Rules**
Remedy: Delete comments about flood hazard risk in reason for limiting building coverage on Wairoa River flood plain at Brightwater.
 - **C57.3973.15** **ZM 90** - **Zone Map for Brightwater**
Remedy: Delete Closed Zone status from Light Industrial areas where assessed flood risk is low to medium.
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| Further Submissions : <u>Oppose</u> FC57.806.1 NZ Transport Agency |
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- **C57.3973.16** **ZM 90** - **Zone Map for Brightwater**
Remedy: Either delete Rural 1 Deferred Residential Zone on land south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road or change policy to allow management of flood risk in areas of low to medium risk.

Summary of Decisions Requested In Change 57 Submissions

Batten, Garrick

P O Box 102 BRIGHTWATER

■ **C57.336.1 ZM 90 - Zone Map for Brightwater** 336

Remedy: Delete rezoning of Rural 1 land to Residential deferred (southeast of Snowdens Bush and southwest of Wanderers Avenue).

Further Submissions :	<u>Support</u>	FC57.4101.2	Brightwater Community Assn
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■ **C57.336.2 6.16.1.1 - Recognition of Flood Hazard Risk**

Remedy: Delete amendments to issue 6.16.1.1 about flood hazard risk.

■ **C57.336.3 6.16.1.2 - Management of Urban Expansion**

Remedy: Delete amendments to issue 6.16.1.2 about managing urban expansion on land of high productive value.

■ **C57.336.4 6.16.3.2 - Providing for Additional Rural Residential Land**

Remedy: Delete amendments to policy 6.16.3.2 about managing the effects of the expansion of Brightwater on land of high productive value.

■ **C57.336.5 6.16.20.1 - Regulatory Method**

Remedy: Delete method (a) about rezoning land suitable for residential and business use following growth model evaluation.

■ **C57.336.6 6.16.30 - Principal Reasons and Explanation**

Remedy: Delete explanation provided for rezoning Rural 1 to Residential.

■ **C57.336.7 C57 GEN - Change 57**

Remedy: Ensure Section 32 report gives greater consideration to effects on high quality land.

Further Submissions :	<u>Support</u>	FC57.4101.4	Brightwater Community Assn
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■ **C57.336.8 C57 GEN - Change 57**

Remedy: Ensure the rezoning is based on flood modelling using longer term data and complemented with citizen-based science.

■ **C57.336.9 C57 GEN - Change 57**

Remedy: Ensure the Section 32 report considers rezoning Rural 1 land at Brightwater in a regional context.

Further Submissions :	<u>Support</u>	FC57.4101.5	Brightwater Community Assn
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■ **C57.336.10 C57 GEN - Change 57**

Remedy: Provide better justification for additional residential land provision at Brightwater based on anticipated realistic demand.

Further Submissions :	<u>Support</u>	FC57.4101.6	Brightwater Community Assn
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Birt, Damian

60 Pugh Road Richmond

■ **C57.4054.1 ZM 90 - Zone Map for Brightwater** 4054

Remedy: Delete Rural 1 Deferred Residential Zone on land south east of Snowdens Bush.

Brightwater Engineering

(LH & KR Grey Property Ltd) C/o Key Project Management Ltd Nelson

■ **C57.87.1 ZM 90 - Zone Map for Brightwater** 87

Remedy: Retain Brightwater Engineering property accessed off Spencer Place as Light Industrial Zone.

Further Submissions :	<u>Oppose</u>	FC57.806.2	NZ Transport Agency
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■ **C57.87.2 ZM 90 - Zone Map for Brightwater**

Remedy: Retain balance of Brightwater Engineering land (northeast towards Nelson) as Light Industrial Closed subject to removal of Closed zone status when Mt Heslington Stream is diverted.

Further Submissions :	<u>Oppose</u>	FC57.806.3	NZ Transport Agency
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Summary of Decisions Requested In Change 57 Submissions

Brown, George R L (Dick)

11 Waverley St RICHMOND

■ **C57.3525.1 ZM 90 - Zone Map for Brightwater**

3525

Remedy: Delete Rural 1 Deferred Residential Zone south east of Snowdens Bush and rezone no further land of high productive value.

Further Submissions :	Support	FC57.4101.3	Brightwater Community Assn
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■ **C57.3525.2 ZM 90 - Zone Map for Brightwater**

Remedy: Delete new Residential Zone between Wanderers Avenue and Lord Rutherford Road.

BTK Developments Ltd

C/o Landmark Lile Ltd PO Box 343 Nelson

■ **C57.3975.1 6.16.3.1 - Directing Development away from Flood-Prone Lands**

3975

Remedy: Amend policy 6.16.3.1 to recognise that mitigation can address flooding risk, particularly for business land.

■ **C57.3975.2 6.16.3.3 - Minimising the Effects of Industrial Land**

Remedy: Amend policy 6.16.3.3 to recognise that mitigation can address flooding risk, particularly for business land.

■ **C57.3975.3 6.16.20.1 - Regulatory Method**

Remedy: Retain former wording of method 6.16.20.1(a) regarding Flood Hazard Special Area rules.

■ **C57.3975.4 6.16.20.1 - Regulatory Method**

Remedy: Delete provision 6.16.20(d): "rules relating to closed subdivision and coverage in industrial zones that are subject to flood hazard risk".

■ **C57.3975.5 6.16.30 - Principal Reasons and Explanation**

Remedy: Delete new wording about consolidating industrial activities south of SH 6 and closing subdivision in parts of the zone with most flood hazard risk.

■ **C57.3975.6 16.3.4.1 - Controlled Subdivision (Business and Industrial Zones)**

Remedy: Delete the Light Industrial Closed Zone provisions from 5, 11 and 13 Factory Road which change status of subdivision so no longer a controlled activity.

■ **C57.3975.7 16.3.4.4A - Discretionary Subdivision (Industrial Closed Zones)**

Remedy: Delete the Light Industrial Closed Zone discretionary subdivision provisions from 5, 11 and 13 Factory Road.

■ **C57.3975.8 16.3.4.7 - Prohibited Subdivision (Industrial Closed Zones)**

Remedy: Delete the Light Industrial Closed Zone prohibited subdivision provisions from 5, 11 and 13 Factory Road.

■ **C57.3975.9 17.4.1 - Scope of Section**

Remedy: Delete reference to Light Industrial Closed Zone in preamble to Industrial Zone rules.

■ **C57.3975.10 17.4.3.1 - Permitted Activities (Building Construction or Alteration)**

Remedy: Reinstate previous provision (a) for buildings as a permitted activity on submitter's site (11 Factory Road).

■ **C57.3975.11 17.4.3.1 - Permitted Activities (Building Construction or Alteration)**

Remedy: Delete addition of (c)(iii) regarding maximum building coverage in Brightwater Light Industrial Zone from 90 percent to 60 percent and reference to floodway.

■ **C57.3975.12 17.4.3.2 - Controlled Activities (Building Construction or Alteration)**

Remedy: Delete change of maximum building coverage in Brightwater Light Industrial Closed Zone to 15 percent.

■ **C57.3975.13 17.4.3.3 - Restricted Discretionary Activities (Building Construction or Alteration)**

Remedy: Delete the addition of matter (3) regarding increased flood hazard risk when considering applications for increased building coverage in Industrial Zones.

■ **C57.3975.14 17.4.20 - Principal Reasons for Rules**

Remedy: Delete comments about flood hazard risk in reason for limiting building coverage on Wairoa River floodplain at Brightwater.

■ **C57.3975.15 ZM 90 - Zone Map for Brightwater**

Remedy: Delete Closed Zone status from Light Industrial areas where assessed flood risk is low to medium.

Summary of Decisions Requested In Change 57 Submissions

BTK Developments Ltd

Further Submissions : Oppose FC57.806.4 NZ Transport Agency

■ **C57.3975.16 ZM 90 - Zone Map for Brightwater**

Remedy: Either delete Rural 1 Deferred Residential Zone on land south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road or change policy to allow management of flood risk in areas of low to medium risk.

Cameron, Jeremy & Karen and Wheeler, Louise

PO Box 41 Brightwater

■ **C57.3976.1 6.16.1.1 - Recognition of Flood Hazard Risk**

3976

Remedy: Ensure that land located north west of Snowdens Bush to the Wai-iti River is precluded from future subdivision/rezoning to Residential from its Rural 1 status.

■ **C57.3976.2 C57 GEN - Change 57**

Remedy: More management of effects of activities along Wai-iti River margin to reduce impacts on current landowner's privacy and lifestyle (refuse, bank erosion, dogs, motorbikes, etc)

Coutts, R J Family Trust

C/o Landmark Lile Ltd PO Box 343 Nelson

■ **C57.3977.1 6.16.3.1 - Directing Development away from Flood-Prone Lands**

3977

Remedy: Amend policy 6.16.3.1 to recognise that mitigation can address flooding risk, particularly for business land.

■ **C57.3977.2 6.16.3.3 - Minimising the Effects of Industrial Land**

Remedy: Amend policy 6.16.3.3 to recognise that mitigation can address flooding risk, particularly for business land.

■ **C57.3977.3 6.16.20.1 - Regulatory Method**

Remedy: Retain former wording of method 6.16.20.1(a) regarding Flood Hazard Special Area rules.

■ **C57.3977.4 6.16.20.1 - Regulatory Method**

Remedy: Delete provision 6.16.20.1(d): "rules relating to closed subdivision and coverage in industrial zones that are subject to flood hazard risk".

■ **C57.3977.5 6.16.30 - Principal Reasons and Explanation**

Remedy: Delete new wording about consolidating industrial activities south of SH 6 and closing subdivision in parts of the zone with most flood hazard risk.

■ **C57.3977.6 16.3.4.1 - Controlled Subdivision (Business and Industrial Zones)**

Remedy: Delete the Light Industrial Closed Zone provisions from 5, 11 and 13 Factory Road which change status of subdivision so no longer a controlled activity.

■ **C57.3977.7 16.3.4.4A - Discretionary Subdivision (Industrial Closed Zones)**

Remedy: Delete the Light Industrial Closed Zone discretionary subdivision provisions from 5, 11 and 13 Factory Road.

■ **C57.3977.8 16.3.4.7 - Prohibited Subdivision (Industrial Closed Zones)**

Remedy: Delete the Light Industrial Closed Zone prohibited subdivision provisions from 5, 11 and 13 Factory Road.

■ **C57.3977.9 17.4.1 - Scope of Section**

Remedy: Delete reference to Light Industrial Closed Zone in preamble to Industrial Zone rules.

■ **C57.3977.10 17.4.3.1 - Permitted Activities (Building Construction or Alteration)**

Remedy: Reinstate previous provision (a) for buildings as a permitted activity on submitter's site (5 Factory Road).

■ **C57.3977.11 17.4.3.1 - Permitted Activities (Building Construction or Alteration)**

Remedy: Delete addition of (c)(iii) regarding maximum building coverage in Brightwater Light Industrial Zone from 90 percent to 60 percent and reference to floodway.

■ **C57.3977.12 17.4.3.2 - Controlled Activities (Building Construction or Alteration)**

Remedy: Delete change of maximum building coverage in Brightwater Light Industrial Closed Zone to 15 percent.

■ **C57.3977.13 17.4.3.3 - Restricted Discretionary Activities (Building Construction or Alteration)**

Remedy: Delete the addition of matter (3) regarding increased flood hazard risk when considering applications for increased building coverage in Industrial Zones.

Summary of Decisions Requested In Change 57 Submissions

Coutts, R J Family Trust

■ **C57.3977.14 17.4.20 - Principal Reasons for Rules**

Remedy: Delete comments about flood hazard risk in reason for limiting building coverage on Wairoa River floodplain at Brightwater.

■ **C57.3977.15 ZM 90 - Zone Map for Brightwater**

Remedy: Delete Closed Zone status from Light Industrial areas where assessed flood risk is low to medium.

Further Submissions :	<u>Oppose</u>	FC57.806.5	NZ Transport Agency
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■ **C57.3977.16 ZM 90 - Zone Map for Brightwater**

Remedy: Either delete Rural 1 Deferred Residential Zones on land south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road or change policy to allow management of flood risk in areas of low to medium risk.

Eastmond, Kelli-Anne

42 Bryant Road Brightwater

■ **C57.3978.1 6.16.3.5 - Access to and along the Wairoa River**

3978

Remedy: Amend Bryants "Lane" to Bryants "Road".

■ **C57.3978.2 C57 GEN - Change 57**

Remedy: Ensure services such as wastewater and stormwater are upgraded to cope with new residential areas.

Further Submissions :	<u>Support</u>	FC57.4101.1	Brightwater Community Assn
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Fonterra Co-Operative Group Ltd

C/o MWH New Zealand Ltd Christchurch

■ **C57.3886.1 ZM 90 - Zone Map for Brightwater**

3886

Remedy: Retain new residential growth away from flood prone land and away from Brightwater's existing industrial areas.

■ **C57.3886.2 ZM 90 - Zone Map for Brightwater**

Remedy: Rezone strip of land between Factory Road and Wairoa River (Sec 250 Waimea East Dist) from Light Industrial Closed to Rural 1 (map supplied).

■ **C57.3886.3 ZM 90 - Zone Map for Brightwater**

Remedy: Retain proposed zoning of Rural Industrial to Rural 1 on Lot 4 DP 377009 (map supplied).

■ **C57.3886.4 ZM 90 - Zone Map for Brightwater**

Remedy: Delete Rural Industrial Closed Zone from CT115/3, CT9B/133 and CT78/13 on Factory Road. Retain as Rural Industrial (map supplied).

■ **C57.3886.5 6.16.3.1 - Directing Development away from Flood-Prone Lands**

Remedy: Reword policy 6.16.3.1 as: "To avoid significant flood hazard risk when rezoning land to meet residential, commercial and industrial demand".

■ **C57.3886.6 6.16.3.3 - Minimising the Effects of Industrial Land**

Remedy: Reword policy 6.16.3.3 as: "To limit subdivision and manage the extent of buildings on industrial land that is subject to significant flood hazard risk".

■ **C57.3886.7 C57 GEN - Change 57**

Remedy: Explain reasons for preferred option chosen for managing industrial growth and flood hazard risk in Section 32 report.

■ **C57.3886.8 C57 GEN - Change 57**

Remedy: Give reasons for reduced building coverage in the Rural Industrial Closed Zone in Section 32 report.

■ **C57.3886.9 Chapter 2 - Meanings of Words**

Remedy: Add a definition of "floodway".

■ **C57.3886.10 AM 90 - Area Map for Brightwater**

Remedy: Show extent of Wairoa River floodway in and around Brightwater.

■ **C57.3886.11 17.12.2.1 - Permitted Activities (Land Use)**

Remedy: Retain maximum coverage of 75 percent for Rural Industrial Zone in condition (n) and delete lower maximum and floodway provision from Rural Industrial Closed Zone.

■ **C57.3886.12 ZM 90 - Zone Map for Brightwater**

Remedy: Rezone three titles at Factory Road (map supplied) from Rural Industrial Closed to Rural Industrial.

Summary of Decisions Requested In Change 57 Submissions

Fonterra Co-Operative Group Ltd

- **C57.3886.13** 16.3.4.1 (aa) - **Controlled Subdivision (Business and Industrial Zones)**
Remedy: If Rural Industrial Closed zoning is retained at Factory Road, subdivision of three titles (map supplied) is either controlled or discretionary depending on lot size.
- **C57.3886.14** 16.3.4.4A - **Discretionary Subdivision (Industrial Closed Zones)**
Remedy: If Rural Industrial Closed zoning is retained at Factory Road, subdivision of three titles (map supplied) is either controlled or discretionary depending on lot size.
- **C57.3886.15** 16.3.4.7 - **Prohibited Subdivision (Industrial Closed Zones)**
Remedy: If Rural Industrial Closed zoning is retained at Factory Road, subdivision of three titles (map supplied) is either controlled or discretionary depending on lot size.

Johnston, Colin & Hazel

140 Lord Rutherford Road South Brightwater

- **C57.3979.1** AM 90 - **Area Map for Brightwater** 3979
Remedy: Delete any walkways/indicative walkways between Katania Heights and its extension and Lord Rutherford Road South.
- **C57.3979.2** 6.16.3.6 - **Access to the Brightwater School**
Remedy: Amend policy 6.16.3.6 on facilitating access to the Brightwater school so it is done in ways that do not adversely affect the privacy and security of adjacent residential properties.
- **C57.3979.3** 6.16.20.3 - **Works and Services Method**
Remedy: Amend method (a) to ensure privacy and security of adjacent properties are considerations in regard to new walkways and open space.
- **C57.3979.4** 6.16.30 - **Principal Reasons and Explanation**
Remedy: Add new considerations for walkways:
• Significant reduction in foot travel distance
• No adverse effects on adjacent properties privacy and security
- **C57.3979.5** 17.1 - **Residential Zone Rules**
Remedy: Prohibit elevated walkways and recreation development within 50m of residential properties or where screening more than 2 metres high would be required to maintain privacy of residential property.

Knight, David J

4 Laura Lane Nelson

- **C57.4098.1** AM 90 - **Area Map for Brightwater** 4098
Remedy: Delete indicative road adjoining Snowden Place.

Knight, Louise

59 Bryant Road Nelson

- **C57.4099.1** AM 90 - **Area Map for Brightwater** 4099
Remedy: Delete indicative road on 22 Waimea West Road and find alternative access for proposed (residential) development.

Knight, Richard J

PO Box 26 Brightwater

- **C57.4100.1** AM 90 - **Area Map for Brightwater** 4100
Remedy: Delete indicative road on 22 Waimea West Road.
- **C57.4100.2** ZM 90 - **Zone Map for Brightwater**
Remedy: Delete rezoning of rural land with access from Snowden Place.

McDonald, Malcolm

96 Ellis Street Brightwater

- **C57.3980.1** ZM 90 - **Zone Map for Brightwater** 3980
Remedy: Rezone 96A Ellis Street from Residential to Commercial or Light Industrial Zone.

Nelson Diocesan Trust Board

C/o Rout Milner Fitchett PO Box 580 Nelson

- **C57.3981.1** ZM 90 - **Zone Map for Brightwater** 3981
Remedy: Rezone Nelson Diocesan Trust Board land in CFR NL 62/57 from Conservation to Residential Zone (land adjoins Snowdens Bush Scenic Reserve and Waimea West Road).

Summary of Decisions Requested In Change 57 Submissions

NZ Transport Agency

P O Box 5084 WELLINGTON

- **C57.806.1** **6.16.30** - **Principal Reasons and Explanation** 806
Remedy: Provide more explanation of timing of the deferment of residential and industrial zonings.
- **C57.806.2** **16.2.1** - **Scope of Section**
Remedy: Ensure no direct access to State Highway 6 from Deferred Residential Zone located between Wanderers Avenue and Lord Rutherford Road.
- **C57.806.3** **AM 90** - **Area Map for Brightwater**
Remedy: Ensure indicative road (linking Lord Rutherford Road to Wanderers Avenue) has adequate separation distance from State Highway 6 intersection.
- **C57.806.4** **C57 GEN** - **Change 57**
Remedy: Consider traffic impacts of deferred industrial and deferred residential development on the State Highway 6, Ellis Street and River Terrace Road intersection.

Seifried, H & A and Barlow, R & F

PO Box 2144 Stoke Nelson

- **C57.3982.1** **ZM 90** - **Zone Map for Brightwater** 3982
Remedy: Rezone part of R & F Barlow and H & A Seifried properties surrounding the Seifried dam and including the ridgeline behind the Seifried dam from Rural 1 Zone to Residential Zone (approx. 9 ha – map supplied).

Further Submissions : Oppose FC57.806.6 NZ Transport Agency

Seifried, H & A M

Land Dimensions Ltd PO Box 2144 Stoke NELSON

- **C57.2782.1** **ZM 90** - **Zone Map for Brightwater** 2782
Remedy: Rezone additional Rural 1 zoned land to Residential Deferred zone south west of the Deferred Residential Zone between Pitfure Stream and State Highway 6 (map provided).

Further Submissions : Oppose FC57.4102.1 Dunn, Kim FC57.806.7 NZ Transport Agency

Snowdens Bush Vineyard Ltd

C/o Rob Grey PO Box 792 Nelson

- **C57.3983.1** **C57 GEN** - **Change 57** 3983
Remedy: Retain Plan Change 57 (with amendments as sought in specific submissions).
- **C57.3983.2** **ZM 90** - **Zone Map for Brightwater**
Remedy: Rezone balance of Snowdens Bush Vineyard Ltd property between Bryants Road and creek from Rural 1 to Deferred Residential.

Further Submissions : Oppose FC57.806.8 NZ Transport Agency

- **C57.3983.3** **AM 90** - **Area Map for Brightwater**
Remedy: Provide access via 32 Waimea West Road (Lot 1 DP 11913) to Snowdens Bush Vineyard Ltd, M & C Cook and other properties.

Tasman District Council

Private Bag 4 RICHMOND

- **C57.1212.1** **6.16.3.3** - **Minimising the Effects of Industrial Land** 1212
Remedy: Retain old policy 6.16.3.3 about rationalising the provision of industrial land to minimise industrial effects. Retain new policy on resubdivision with a new policy number.

West, Kenneth & Nanette

28 Waimea West Road Brightwater

- **C57.3984.1** **C57 GEN** - **Change 57** 3984
Remedy: Retain Plan Change 57.