

566 **Change 22: Open Space and Reserves**■ **DECISIONS AND REASONS****Final Decision 566.1**

<b>C22.1445.11</b>	<b>Director-General of Conservation</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.15	
<b>C22.2874.10</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<i>Allow</i>	FC22.3721.17	
<b>C22.3702.9</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.33      FC22.3721.4	
<b>C22.3718.13</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.97      FC22.3721.13	
<b>C22.3721.5</b>	<b>Nelson Cycle Trail Trust</b>	<b>Allow In Part</b>
<i>Allow in Part</i>	FC22.3151.115	

**Plan Amendments**

Plan Topic 6.15.3.8

Retain policy 6.15.3.8 but add that accessways are "local and regional accessways".

**Reasons**

1. The policy on creating a well connected network of open spaces and accessways is well supported by submissions.
2. The policy follows the sound urban design principle of connectivity.
3. A minor amendment to the policy has been made to clarify that accessways at Mapua can be an integral part of local and regional accessways.

**Final Decision 566.2**

<b>C22.2874.7</b>	<b>Mitchell, David &amp; Judy</b>	<b>Disallow</b>
<b>C22.2874.9</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow In Part</b>
<b>C22.3702.8</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow In Part</b>
<i>Allow in Part</i>	FC22.3151.32	
<b>C22.3718.10</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow In Part</b>
<i>Allow in Part</i>	FC22.3151.94	

**Plan Amendments**

Plan Topic 6.15.1.4

Delete the word "ample" in issue 6.15.1.4 and add to end: "to recognise its natural features".

**Reasons**

1. The Plan Change has introduced new policies which aim to facilitate public access to and along the coast and to/from and within the surrounding rural and rural-residential areas. Natural features are now referred to in issue 6.15.1.4.
2. The Act itself requires consideration of public access.
3. There are historical circumstances which have had the effect of limiting access at higher states of the tide and the prohibition of subdivision of allotments less than 3 hectares limits future opportunities for the creation of esplanade strips for public access unless landowners undertake boundary adjustments or agree to create strips outside the subdivision process.

**Final Decision 566.3**

<b>C22.2870.1</b>	<b>Gilkison, Bruce J</b>	<b>Allow</b>
<i>Allow</i>	FC22.3721.6	
<b>C22.2870.2</b>	<b>Gilkison, Bruce J</b>	<b>Allow</b>
<i>Allow</i>	FC22.3721.7	

**Plan Amendments**

Plan Topic AM 54

Retain majority of indicative walkways.

Plan Topic AM 87

Retain majority of indicative walkways

**Reasons**

**566 Change 22: Open Space and Reserves****DECISIONS AND REASONS****Reasons**

1. The submitter supports the Council's intention to expand the cycle/walkway network.
2. It is agreed with the submitter that energy conservation and carbon issues will become increasingly significant.

**Final Decision 566.4**

C22.3151.1	BibbySmith, Fiona and Family	Allow
C22.3151.4	BibbySmith, Fiona and Family	Allow
C22.3151.9	BibbySmith, Fiona and Family	Allow

**Plan Amendments**

Plan Topic AM 54

Retain majority of indicative walkways

**Reasons**

1. It is important to provide off road walk and cycle connections between roads within rural, rural residential and residential areas in order to provide linkages that are an alternative to the use of roads.
2. Off road connections are valuable for recreation and energy conservation.

**Final Decision 566.5**

C22.3693.1	Barlow, Kathryn & Martyn	Allow
C22.3693.2	Barlow, Kathryn & Martyn	Allow
C22.3698.1	Dawson Road Residents Group	Allow
<i>Disallow</i>	FC22.3105.1 FC22.3151.20	
C22.3698.2	Dawson Road Residents Group	Allow
<i>Disallow</i>	FC22.3151.21	
C22.3699.1	Dixon-Didier, David & Chilcott, Anne	Allow
C22.3700.1	D'Rose, David C & Jennifer	Allow
C22.3700.2	D'Rose, David C & Jennifer	Allow
C22.3713.1	Lane, M A & A M	Allow
C22.3713.2	Lane, M A & A M	Allow
C22.3714.1	Lavery, Simon B & Deborah L	Allow
C22.3717.1	Lyn, Murray & Rosemary	Allow
C22.3717.2	Lyn, Murray & Rosemary	Allow
C22.3727.1	Robinson, Tim & Catherine	Allow
C22.3727.2	Robinson, Tim & Catherine	Allow
<i>Allow</i>	FC22.3721.19	
C22.3730.1	Schweizer, W & J	Allow
C22.3730.2	Schweizer, W & J	Allow
<i>Allow</i>	FC22.3721.22	
C22.3734.1	Smillie, Pete & Jill	Allow

**Plan Amendments**

Plan Topic AM 54

Delete indicative walkway on mid length of Dawson Road.

**Reasons**

1. The landowners affected are resistant to the walkway link and seek the upgrading of existing walkways in the neighbourhood. The other reasons for objecting to a future walkway include pets, invasion of privacy, unsafe waterways and ponds, and lack of a footpath on Dawson Road.
2. There is a low likelihood of future subdivision and associated opportunity to create a walkway.

**Final Decision 566.6**

C22.1649.1	Lynch, W J & E L	Allow In Part
C22.1649.2	Lynch, W J & E L	Allow In Part
C22.1649.3	Lynch, W J & E L	Allow In Part

**566 Change 22: Open Space and Reserves****■ DECISIONS AND REASONS****Plan Amendments***Plan Topic AM 87*

Delete indicative walkway west of the submitters' property.

**Reasons**

1. There is considerable landowner resistance to the indicative walkway being linked across properties to the west of the submitters' boundary.
2. Since notification of Plan Change 22 there is a subdivision application under consideration which has volunteered a walkway link on the adjoining property to the south east. This provides the most direct route to both the land zoned for future residential development and to Mapua settlement.

**Final Decision 566.7**

<b>C22.911.6</b>	<b>Freilich, D &amp; A</b>	<b>Allow</b>
<i>Disallow</i>	FC22.3151.22	
<b>C22.911.7</b>	<b>Freilich, D &amp; A</b>	<b>Allow In Part</b>
<i>Disallow</i>	FC22.3151.23	
<b>C22.911.8</b>	<b>Freilich, D &amp; A</b>	<b>Allow In Part</b>
<i>Disallow</i>	FC22.3151.24	
<b>C22.3174.1</b>	<b>Freilich, Aidan &amp; Adam</b>	<b>Allow In Part</b>
<b>C22.3174.2</b>	<b>Freilich, Aidan &amp; Adam</b>	<b>Allow</b>

**Plan Amendments***Plan Topic AM 87*

1. Relocate indicative walkway further north of Lot 2 DP 17670 as shown on Map 1.
2. Delete indicative walkway on D&A Freilich property and relocate adjoining the northern boundary of Lot 1 DP 18287 as shown on Map 1.

**Reasons**

1. It is acknowledged that the indicative walkway adjoining the submitters' dwelling and pack house is somewhat redundant due to the relocation of the indicative walkway to the north west and the location of a future road link which will provide connection for future residents to Mapua Drive.
2. The submitter has lodged a subdivision application which includes a walkway link adjoining the northern boundary of the properties referred to in this submission.
3. The bulk of the walking connections for future residents to Mapua can be provided via the future footpath/road links to Mapua Drive (opposite Higgs Road) and Seaton Valley Road. However, a walkway link connecting a future internal road to Mapua Drive will provide a convenient short cut for future residents within the eastern most part of the future development and away from the two busy intersections.

**Final Decision 566.8**

<b>C22.3720.5</b>	<b>Mt Hope Holdings Ltd</b>	<b>Allow</b>
<b>C22.3720.6</b>	<b>Mt Hope Holdings Ltd</b>	<b>Allow</b>

**Plan Amendments***Plan Topic AM 87*

1. Retain walkway along southern boundary of Lot 2 DP 8474.
2. Delete walkway on north east part of Lot 2 DP 8474.

**Reasons**

In response to submissions the Engineering Department has recommended that the indicative road onto Mapua Drive be relocated. This could provide walkway connection onto Mapua Drive which is closer to Aranui Park and, as such, one walkway link in the vicinity of the south eastern corner of the submitter's property connecting the internal road of a future subdivision to the Park is considered to be sufficient to provide access to the Park and the Mapua retail area.

**Final Decision 566.9**

<b>C22.911.9</b>	<b>Freilich, D &amp; A</b>	<b>Disallow</b>
<b>C22.3724.1</b>	<b>Rayward, Mark &amp; van den Berg, Wendy</b>	<b>Allow In Part</b>
<b>C22.3735.1</b>	<b>Stephens, Mark</b>	<b>Disallow</b>
<i>Allow</i>	FC22.3151.124	



**566 Change 22: Open Space and Reserves****DECISIONS AND REASONS**

<b>C22.2870.4</b>	<b>Gilkison, Bruce J</b>	<b>Allow</b>
<i>Allow</i>	FC22.3721.9	
<b>C22.2875.3</b>	<b>Tansley, Mrs Wilma</b>	<b>Allow</b>
<b>C22.3718.9</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.93	

**Plan Amendments***Plan Topic AM 87*

Retain indicative reserves/strips along Mapua/Ruby Bay coastline.

**Reasons**

Maintaining access to and along the coastal marine area is a matter of national importance under Section 6(d) of the Resource Management Act.

**Final Decision 566.13**

<b>C22.342.20</b>	<b>Adventurer Leisure Properties Ltd</b>	<b>Disallow</b>
<i>Allow</i>	FC22.3151.1	
<b>C22.342.21</b>	<b>Adventurer Leisure Properties Ltd</b>	<b>Disallow</b>
<i>Allow</i>	FC22.3151.2	
<b>C22.3736.17</b>	<b>Talley, P; Ryder, J; Fitchett, J</b>	<b>Disallow</b>
<i>Allow</i>	FC22.3151.142	

**Plan Amendments***Plan Topic AM 54*

No Plan amendments.

*Plan Topic AM 87*

No Plan amendments to indicative esplanade strip/reserve notation adjoining the coastline.

**Reasons**

- Section 6 (d) of the RMA 1991 requires that Council recognise and provide for the maintenance and enhancement of public access to and along the coastal marine area as a matter of national importance. Achieving high tide access along the coastline at Mapua, including the Mapua Leisure Park and P Talley, J Ryder and J Fitchett properties, is an important feature in providing continuous all tide access along the coast from Mapua Wharf to Ruby Bay.
- The Council has been creating esplanade strips on subdivision and protecting the Old Mill Walkway esplanade reserve to enhance public walking access in an area where the long term availability of public access is threatened by erosion and sea level rise. It is acknowledged that if subdivision potential in the coastal margin of the Mapua Township is limited then opportunities to enhance public access via the creation of esplanade strips will also be more limited. However, esplanade provisions can be provided if boundary adjustments are undertaken or, alternatively, Council could negotiate with landowners to facilitate access via easements.
- Coastal access is a matter of national priority under the Resource Management Act 1991, NZ Coastal Policy Statement and the Tasman Resource Management Plan.

**Final Decision 566.14**

<b>C22.2874.8</b>	<b>Mitchell, David &amp; Judy</b>	<b>Disallow</b>
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**Plan Amendments***Plan Topic 6.15.20*

No Plan amendments.

*Plan Topic AM 87*

No Plan amendments.

**Reasons**

- Indicative access easements/strips are already shown on the planning maps.
- Investigations of access easements/strips are already included in the budgets of Activity Management Plans.

**Final Decision 566.15**

<b>C22.1445.13</b>	<b>Director-General of Conservation</b>	<b>Allow In Part</b>
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**566 Change 22: Open Space and Reserves****DECISIONS AND REASONS**

<b>C22.1445.13</b> <i>Allow in Part</i>	<b>Director-General of Conservation</b> FC22.3151.17	<b>Allow In Part</b>
<b>C22.1445.14</b> <i>Allow in Part</i>	<b>Director-General of Conservation</b> FC22.3151.18	<b>Allow In Part</b>
<b>C22.1445.15</b> <i>Allow in Part</i>	<b>Director-General of Conservation</b> FC22.3151.19	<b>Allow In Part</b>
<b>C22.3151.8</b>	<b>BibbySmith, Fiona and Family</b>	<b>Allow</b>
<b>C22.3702.3</b> <i>Allow</i>	<b>Friends of Mapua Wetland Inc.</b> FC22.3151.27	<b>Allow</b>

**Plan Amendments***Plan Topic AM 87*

No Plan amendments to indicative reserves.

**Other Action****Reasons**

1. The indicative reserve/strips shown along the coastline on planning maps 54 and 87 already have a width of 20 metres. Submission 1445.13 supports esplanade reserves; however the Council has lost esplanade reserve to coastal processes in this locality so it is recommended that, where possible, esplanade strips are created on subdivision as this mechanism preserves public access regardless of movements in the position of mean high water springs. It also leaves ownership of any erosion protection structures with the landowner rather than the Council.
2. The indicative reserve adjoining Seaton Valley Stream is shown as being in excess of 5 metres wide on either side on Maps 54 and 87.

**Final Decision 566.16**

<b>C22.2874.1</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow In Part</b>
<b>C22.2874.3</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow In Part</b>
<b>C22.2874.6</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow In Part</b>
<b>C22.3151.3</b>	<b>BibbySmith, Fiona and Family</b>	<b>Allow In Part</b>
<b>C22.3672.2</b> <i>Allow in Part</i>	<b>Mapua Community Assn/Waimea Estuary Sub-Committee</b> FC22.3721.16	<b>Allow In Part</b>
<b>C22.3672.3</b>	<b>Mapua Community Assn/Waimea Estuary Sub-Committee</b>	<b>Allow</b>
<b>C22.3702.1</b> <i>Allow in Part</i>	<b>Friends of Mapua Wetland Inc.</b> FC22.3151.25	<b>Allow In Part</b>
<b>C22.3702.7</b> <i>Allow in Part</i>	<b>Friends of Mapua Wetland Inc.</b> FC22.3151.31      FC22.3721.3	<b>Allow In Part</b>
<b>C22.3718.1</b> <i>Allow in Part</i>	<b>Mapua and District Cycle-Walkways Group</b> FC22.3151.85	<b>Allow In Part</b>
<b>C22.3718.3</b> <i>Allow in Part</i>	<b>Mapua and District Cycle-Walkways Group</b> FC22.3151.87	<b>Allow In Part</b>
<b>C22.3718.7</b> <i>Allow in Part</i>	<b>Mapua and District Cycle-Walkways Group</b> FC22.3151.91      FC22.3721.11	<b>Allow In Part</b>
<b>C22.3721.1</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.111	<b>Allow In Part</b>

**Plan Amendments***Plan Topic ZM 54*

No Plan amendments.

**Other Action**

1. Council Property officer to continue to pursue purchase of surplus Ruby Bay bypass land at Dominion Stream locality.
2. Gazetting of Higgs 'reserve' land at Dominion Stream locality.
3. Commence a Plan change to rezone surplus Ruby Bay bypass land to Open Space Zone.

**Reasons**

**566 Change 22: Open Space and Reserves****DECISIONS AND REASONS****Reasons**

1. The community's interest in part of the NZTA land which is surplus to their requirements following the construction and road legalisation associated with the Ruby Bay Bypass is noted. Council has confirmed an interest in the purchase of part of this land and is currently negotiating with the NZTA. At the time of writing no decision had been made as to which areas are to be purchased.
2. The gazettal of Higgs reserve is a sound option to provide ongoing management of this valuable parcel of coastal land. This would be a separate process that Council would need to undertake outside the Plan Change 22 process.

**Final Decision 566.17**

<b>C22.2870.3</b> <i>Allow</i>	<b>Gilkison, Bruce J</b> FC22.3721.8	<b>Allow</b>
<b>C22.2874.4</b> <i>Allow</i>	<b>Mitchell, David &amp; Judy</b> FC22.3105.2	<b>Allow</b>
<b>C22.3151.5</b>	<b>BibbySmith, Fiona and Family</b>	<b>Allow</b>
<b>C22.3690.1</b>	<b>Baker, Dave &amp; Price, Lynn</b>	<b>Disallow</b>
<b>C22.3702.4</b> <i>Allow</i>	<b>Friends of Mapua Wetland Inc.</b> FC22.3151.28	<b>Allow</b>
<b>C22.3718.4</b> <i>Allow</i>	<b>Mapua and District Cycle-Walkways Group</b> FC22.3151.88	<b>Allow</b>
<b>C22.3721.3</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.113	<b>Allow In Part</b>
<b>C22.3725.1</b>	<b>Renshaw, G B &amp; H L</b>	<b>Disallow</b>
<b>C22.3732.1</b>	<b>Shirer, Mike &amp; McLeod, Sarah</b>	<b>Allow In Part</b>

**Plan Amendments**

Plan Topic AM 87

No Plan amendments.

**Reasons**

1. A number of options for a new playing field site were considered in the section 37 report prepared by staff. Council was unable to find a sufficiently large enough space in or adjacent to Mapua Township, nor was there the potential to obtain a water right with sufficient capacity to maintain a future sports field. The area of land immediately to the south east of the indicative reserve was considered to be too low-lying and is anticipated to be subject to increasing flooding and saturated soils in association with sea level rise.
2. Works can be undertaken to minimise some of the effects resulting from the use of future sports fields on nearby landowners including buffer planting, screening and amenity planting and the provision of hoods and directional lighting to minimise light spill if lighting is provided at some time in the future.

**Final Decision 566.18**

<b>C22.2874.11</b> <i>Allow in Part</i>	<b>Mitchell, David &amp; Judy</b> FC22.3721.18	<b>Allow In Part</b>
<b>C22.3151.2</b> <i>Allow in Part</i>	<b>BibbySmith, Fiona and Family</b> FC22.3721.2	<b>Allow In Part</b>
<b>C22.3702.10</b> <i>Allow in Part</i>	<b>Friends of Mapua Wetland Inc.</b> FC22.3151.34 FC22.3721.5	<b>Allow In Part</b>
<b>C22.3718.14</b> <i>Allow in Part</i>	<b>Mapua and District Cycle-Walkways Group</b> FC22.3151.98 FC22.3721.14	<b>Allow In Part</b>
<b>C22.3721.7</b> <i>Allow</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.117	<b>Allow</b>
<b>C22.3721.8</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.118	<b>Allow In Part</b>
<b>C22.3721.10</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.120	<b>Allow In Part</b>
<b>C22.3721.11</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.121	<b>Allow In Part</b>
<b>C22.3721.12</b> <i>Allow in Part</i>	<b>Nelson Cycle Trail Trust</b> FC22.3151.123	<b>Allow In Part</b>

**Plan Amendments**

**566 Change 22: Open Space and Reserves****DECISIONS AND REASONS**

Add a new policy 11.1.3.12 in Chapter 11 (Land Transport Effects)  
"To facilitate a regional cycle trail."

*Plan Topic 16.3.20*

Amend the 'Mapua Development Area' paragraph in Principal Reasons for Rules 16.3.20 to read as follows:  
"The Mapua Development Area .... cycleways to connect with the facilities in Mapua, the Rural 3 community and the wider region."

**Reasons**

1. The policy is amended so that it applies to all the settlements which the Regional Tasman Cycle Trail passes through and to other areas which have similar local trails.
2. There are already indicative walkways and roads shown on the planning maps in the vicinity of the proposed route of the Regional Tasman Cycle Trail.

**Final Decision 566.19**

<b>C22.342.4</b>	<b>Adventurer Leisure Properties Ltd</b>	<b>Disallow</b>
<b>C22.342.5</b>	<b>Adventurer Leisure Properties Ltd</b>	<b>Disallow</b>
<b>C22.2874.2</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<b>C22.3702.2</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.26	
<b>C22.3718.2</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.86	

**Plan Amendments**

*Plan Topic 6.15.3.15*

No Plan amendments.

*Plan Topic ZM 87*

No Plan amendments.

**Reasons**

1. The submissions support the recreation zoning of the Mapua Waterfront Park and the indicative reserve notation on the planning maps.
2. It is apparent that submitter C22.342 is confusing the title Mapua Waterfront Park with the Mapua Leisure Park. No change is recommended to the policy as it is appropriate for the Council-owned site south of Mapua Wharf.

**Final Decision 566.20**

<b>C22.2874.14</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<b>C22.3702.5</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.29	
<b>C22.3718.5</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.89	
<b>C22.3718.15</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.99	

**Plan Amendments**

*Plan Topic 6.15.30*

Add to the end of third to last paragraph on wetlands:  
"The Mapua wetland is a small area of private open space".

*Plan Topic ZM 87*

No Plan amendments to Open Space Zone on Mapua wetland.

**Reasons**

While the submission is supported, for clarity the Plan text has been annotated to show that the Mapua wetland area is private open space so that there is no confusion that it is open to the public.