



# Tasman Resource Management Plan

## **Growth Plan Change 77 – Murchison**

Notified: 16 September 2022

Original Submissions Received: October 2022

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**From:** Anna McKenzie  
**Sent:** Thursday, 13 October 2022 3:03 pm  
**To:** Narissa Armstrong  
**Subject:** FW: Ricki Leahy TRMP Mangles Valley Murchison  
**Attachments:** Ricki Leahy Submission Plan Change 77.docx

Anna McKenzie | Service & Strategy  
Senior Policy Planner – Environmental Policy  
DDI +64 3 543 7613

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**From:** Ricki Leahy <beechdew@outlook.com>  
**Sent:** Thursday, 13 October 2022 3:00 pm  
**To:** Anna McKenzie <anna.mckenzie@tasman.govt.nz>  
**Subject:** Ricki Leahy TRMP Mangles Valley Murchison

Hi Anna,

Thankyou for you letter (by envelope) dated 28 September 2021 which honestly, I have only just received, or maybe the snail mail is not quite that slow and it should have been dated 28/09/2022.

Anyway, your letter starts by saying ...Further to previous correspondence....but actually I have not had any previous correspondence regarding this matter.

So, this is the first I have heard about the Proposed Plan Change 77, and yes, I am a potentially affected property owner and am very grateful for your correspondence.

FYI. I have done a crash course on swatting up as to what this is all about and am very supportive of the initiatives as presented.

Please find attached a submission I have written and I trust that you may forward it to wherever it should go. I will look forward to your reply email to let me know if the submission is suitable and has indeed been forwarded on.

Thankyou for your work you do for the community.

Cheers  
Ricki

Ricki Leahy | PO Box 330 Westport 7866 | P: 021523930

Ricki Leahy,  
151 Mangles Valley Road  
Murchison.  
13<sup>th</sup> October 2022

Anna McKenzie (Senior Policy Planner)

Tasman District Council

[anna.mckenzie@tasman.govt.nz](mailto:anna.mckenzie@tasman.govt.nz)

Reference to amendments to the Tasman Resource Management Plan

**Submission : Proposed Plan Change 77: Murchison – Residential Growth**

We are neighbours to the proposed rural Residential Site: T-154 (268 Mangles Valley Road) which is over the road from a property we own. The Proposed Plan Change 77, in my opinion, is a great initiative for the Murchison District's severe housing shortage problem and I am supportive of what is proposed for the Mangles Valley elements of it and indeed the other rural initiatives and for that matter also for what is proposed in Murchison.

I do however have two topics I wish to submit on.

Firstly, back in 2011 we approached Cotton and Light Surveyors of Nelson to submit on our behalf a subdivision application to the TDC so that our property Secs 1-3 SO 14888 could be given a separate title for each of the three sections of this Title. It seemed so achievable as each section was already surveyed as such with each section having geographically defined boundaries.

The reason we wanted to do this was twofold. First, we wanted to tidy up the 'tenants in common' arrangement that myself and Alex Hislop have regarding the ownership of this land and secondly, I wanted to develop the opportunity of being allowed to build a dwelling on either of Secs 1 or 2, designated to my ownership, to provide secure family accommodation for our beekeeper employees. It should be noted that we already had the same problem 10 years ago as we have today; you cannot entice workers to Murchison if you cannot find or provide accommodation.

Anyway, Cotton and Light came and surveyed the landscape, assessed the feasibilities of the property, and determined that each section has a suitable building site available that would meet compliance. This was with taking into consideration the Transpower Lines that pass over the land and the required conservation margin required for proximity to the Mangles River etc.

Unfortunately, the TDC District Plan, at that time, did not allow the granting of a separate title for each of the three sections. Rural housing was not being actively encouraged and in consequence only the single existent dwelling on Sec 3, Alex's designated share, was allowable for the title.

The only outcome I could achieve was to switch Sec 1 SO 14888 to be included in the title of my other property at 151 Mangles Valley ( LOT 1 DP 446634 ) which is 500 meters down the valley. However, I always considered this as an unsatisfactory outcome and treated it as a temporary measure that allowed us at least to invest in and develop a storage shed and yard with truck access which was not workable at 151 Mangles Valley where we operate our Trees and Bees beekeeping business and honey processing shed etc.

I would like to submit that Secs 1-3 SO 14888 be added to this Plan Change 77 so that we can go ahead and do what we wanted to do 11 years ago. That is to grant a separate title to each of the 3 sections that will allow us to provide further accommodation within the community.

We always thought that the District Plan would be adjusted at some time and that time, it seems, has now arrived. After all, what we were trying to achieve a decade ago was provision of accommodation exactly for the same reasons as this Plan Change 77 is trying to achieve. Perhaps it would be a good idea to now reconsider our situation as described above and if need be, adjust the Tasman Resource Management Plan to accommodate other similar situations throughout the district to support rather than hinder sensible examples of future planning.

#### **Transmission Lines (Site: T-154 268 Mangles Valley Road)**

The second topic I wish to submit on for council consideration is that within the report there is concern regarding the 'sway' potential of the power lines and a 32-meter setback is discussed. My observation to this discussion is that the closer to a pylon the less line 'sway' there will be, with no sway at all at the pylon because at this point the line is fixed.

Therefore, in terms of the proposed building sites at 268 Mangles Valley, and especially any future building on our 3 sections as I have mentioned above, further consideration should be given to the setback distance as you get closer to the pylons, including consideration of the 'sway' setback as determined to the distance between pylons (some pylons are closer together) and the practicalities of these varying situations. There should definitely not be a blanket restriction of 32-meters fixed within any future planning legislative requirements.

For example, we have built a storage shed much closer to those very same transmission lines but the shed is not far from a pylon (you can see it clearly illustrated in the TDC 'Section 32 Evaluation Report'-page 18). At the pylon the lines are at their highest, securest, and safest point. From memory the roof of the shed needed a minimum of 10 meters clearance from the lines. Anyway, in case my memory serves me badly and to be clear, the shed was built to compliance and certainly was not required to be 32 meters distance. I strongly suggest this be clarified with a more logistical formula to give meaningful guidance for situations that are closer to the actual pylons. I certainly do not propose to suggest that safety be compromised and have no reason to disagree that, because of sway, 32 meters clearance be required at the midway point especially between pylons that are a long distance apart. I would suggest however, that Transpower needs to be reconsulted in regards to these technical details.

Ricki Leahy

beechdew@outlook.com

# Submission on a Change to the Tasman Resource Management Plan (TRMP)

**Note:**

1. 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.
2. It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g., what is supported or opposed, the reason why and the decision sought, contact details, etc.
3. **Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e. Council makes a decision to refuse, amend or accept the changes). Please include specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.**

**COVER SHEET**

Return your submission by the advertised closing date to:

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

**OFFICE USE**

Date received stamp:

Initials: \_\_\_\_\_

Submitter No. \_\_\_\_\_

Submitter Name:

(organisation/individual)

Representative/Contact:

(if different from above)

Postal Address:

Phone:

Fax:

Email:

Date:

Postal address for service of person making submission:

(if different from above)

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

Signed:

Signature of submitter (or person authorised to sign on behalf of submitter). *NOTE: A signature is not required if you make your submission by electronic means.*

**IMPORTANT – Please state:**

This submission relates to Change No.:

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.

Could you gain an advantage in trade competition through this submission? (tick one)  Yes  No

If 'Yes' are you directly affected by an effect of the subject matter of this submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition?

(tick one)  Yes  No

**Remember:** Attach this Cover Sheet to as many Content Sheets as required.

# Submission on a Change to the Tasman Resource Management Plan

## CONTENT SHEET

Sheet No.

of

**OFFICE USE** Submitter Number:

Continue on another Content Sheet, if required, and then attach the Cover Sheet to all Content Sheets.

The **whole** Plan Change (Please tick as applicable)

- I **support** the Plan Change and seek that the Council **retains** it in its entirety.  
 I **oppose** the Plan Change and seek that the Council **deletes** it in its entirety.  
 I **support in part** specific aspects/provisions of the Plan Change **as indicated below**.  
 I **oppose in part** specific aspects/provisions of the Plan Change **and seek amendments as indicated below**.

OFFICE USE:  
Submission No.

**Parts** of the Plan Change (Please list each provision number of the TRMP you wish to submit on, together with its corresponding submission point, as indicated below)

Plan provision or map number(s): <i>State each specific provision (topic) number as addressed in the Plan Change</i>	The aspect of the provisions I support or oppose, together with reasons, are: <i>State the nature of each submission point and indicate whether you:</i> • support or oppose the provision or wish to have it amended; and • the reasons for your view	I seek that Council retains/deletes/replaces/amends the specific Plan Change provisions as follows: <i>For each submission point/provision number, state, specifically, what changes you would like to see.</i>
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**Example:**

<del>17.5.3.1(ca)(iii)</del>	<del>I oppose the restriction of ... because ...</del>	<del>Delete and replace condition 17.5.3.1(ca)(iii) with:</del>



Te Kaunihera o  
**te tai o Aorere**

**Tasman District Council**  
 Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
 Website [www.tasman.govt.nz](http://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**  
 78 Commercial Street  
 PO Box 74  
 Takaka 7142  
 New Zealand  
 Phone 03 525 0020  
 Fax 03 525 9972



Waka Kotahi NZ Transport Agency Reference: 2022-1438

17 October 2022

Tasman District Council  
189 Queen Street,  
Private Bag 4,  
Richmond, 7050

Via email: [tasmanrmp@tasman.govt.nz](mailto:tasmanrmp@tasman.govt.nz)

To whom it may concern

**Submission on Tasman District Council Proposed Plan Change 77 – Murchison**

Attached is the Waka Kotahi NZ Transport Agency submission on Tasman District Council's Proposed Plan Change 77 for Murchison.

We welcome the opportunity to discuss the contents of our submission with the Council as required.

If you have any questions, please contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lea O'Sullivan'.

Lea O'Sullivan  
Principal Planner – Poutiaki Taiao / Environmental Planning  
System Design, Transport Services

Phone: 021 220 8608

Email: [Lea.O'Sullivan@nzta.govt.nz](mailto:Lea.O'Sullivan@nzta.govt.nz)

**FORM 5, CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991**

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**Submission on Tasman District Council Proposed Plan Change 77 – Murchison**

**To:** Tasman District Council  
189 Queen Street,  
Private Bag 4,  
Richmond, 7050

Via email: [tasmanrmp@tasman.govt.nz](mailto:tasmanrmp@tasman.govt.nz)

**From:** Waka Kotahi NZ Transport Agency  
55 Collingwood Street  
Nelson 7010

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**1. This is a submission on the following:**

This is submission on Tasman District Council's (Council) Proposed Growth Plan Change 77 Murchison (the plan change) which seeks to include rural-residential and residential areas in Murchison.

**2. Waka Kotahi NZ Transport Agency (Waka Kotahi) could not gain an advantage in trade competition through this submission.**

**3. Role of Waka Kotahi**

Waka Kotahi is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Rounding Powers Act 1989. The primary objective of Waka Kotahi under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.

An integrated approach to transport planning, funding and delivery is taken by Waka Kotahi. This includes investment in public transport, walking and cycling, local roads and the construction and operation of state highways.

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.



#### 4. Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. For these reasons, Waka Kotahi seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.

To deliver on the outcomes set by the GPS, Waka Kotahi have developed several strategies. A summary below is provided of those strategies relevant to this plan change; Arataki and Toitū Te Taiao.

- Arataki<sup>1</sup> is Waka Kotahi ten-year view on the step changes and actions needed to deliver long-term outcomes for the land transport system. It includes a national view as well as a regional view for the Top of the South (Nelson, Tasman and Marlborough). For Nelson, the identified 'key insights' include:
  - The urban environment is forecast to receive the majority of population growth in the Top of the South. This growth, combined with forecast increases in freight transport is placing the Nelson urban area transport system under increasing strain, especially the corridor through Richmond and into Nelson.
  - A high proportion of journeys to work are by private vehicle. The Nelson urban area has the highest share of people walking and cycling in the country, and public transport use has doubled in the past five years.
  - Coastal communities and transport networks will be impacted by more severe weather patterns, particularly in coastal and hill areas. This is expected to be increasingly impacted by climate change, storms and sea level rise. Seismic risks associated with the Alpine, Waimea and Wairau faults are also significant.
  - The safety record for the Top of the South is particularly poor in the urban areas, at intersections and involving cyclists, and in Nelson involving older road users.
- Toitū Te Taiao<sup>2</sup> is Waka Kotahi sustainability action plan. This seeks to address the strategic challenges of reducing greenhouse gas emissions and improving public health. This strategy identifies an "Avoid Shift Improve" framework which includes:
  - Avoid: reducing the need to travel and/or the time or distance travelled by car, while improving or maintaining accessibility,
  - Shift: changing how we move e.g., shifting from cars to lower-emission types of travel (e.g., public transport, cycling and walking)
  - Improve: improving the emissions efficiency and the use of low-carbon fuels

<sup>1</sup> <https://www.nzta.govt.nz/assets/planning-and-investment/arataki/docs/regional-summary-top-of-south-august-2020.pdf>

<sup>2</sup> <https://www.nzta.govt.nz/about-us/about-waka-kotahi-nz-transport-agency/environmental-and-social-responsibility/toitu-te-taiao-our-sustainability-action-plan/>

## 5. Nelson Tasman Future Development Strategy 2022 – 2052

The Nelson Tasman Future Development Strategy (NTFDS) came into effect on 19 September 2022 which plans for growth across Nelson and Tasman over the next thirty years. The strategy provides capacity for 25,000 houses through intensification, greenfield, and **rural-residential development**.

The feedback provided by Waka Kotahi in the formal submission was largely supportive of the integrated and long-term approach to planning, and the general direction of the NTFDS. Feedback provided included:

- The NTFDS did not include timeframes for staging of the development areas identified, indications of staging support Waka Kotahi to better align investment decisions to support growth. Greenfield development needs to be timed appropriately, staged, with priority given to high density residential housing close to existing urban areas and the associated infrastructure and services; and
- Provision of infrastructure to support safe transport modes for all modes is critical. Waka Kotahi supports the provision of a multi-modal transport network within development areas and linking to nearby services and infrastructure and open space / recreation areas that provides for community cohesion, connectivity and resilience. Plan changes should provide information on how greenhouse gas emissions could be reduced through enabling active and public transport modes; and
- Reverse sensitivity provisions being included; and
- Plan changes should be informed by an assessment on the potential impacts of the wider transport network – such as an Integrated Transport Assessment, which looks at the coordination of land use planning and transport in and around new development.

## 6. The specific provisions of the proposal that this submission relates to are:

Although the plan change may lead to significant effects on the local road network linking Murchison to the town centre and other nearby services, the Waka Kotahi submission focuses on the state highway effects with the purpose of ensuring that the Waka Kotahi roading assets are not adversely affected by the plan change, and that the Waka Kotahi strategic outcomes can be met.

## 7. The submission of Waka Kotahi is:

- (i) Waka Kotahi supports in part the plan change to the extent outlined in this submission.
- (ii) The deferred residential zoning proposed as part of the plan change is in line with the NTFDS. Waka Kotahi supports that the new residential zoned area proposed is on the same side of the state highway as many of the existing urban amenities and is an expansion of the existing urban area, which is consistent with the comments in our submission on the notified NTFDS. Effects on the state highway network are not anticipated as there is no access to the state highway and the development area is removed enough that no adverse noise effects to occupants are anticipated from state highway operations. The provision on the indicative walkway connecting Hotham Street to the recreation reserve at 34 Hampden Street is supported, as it promotes multi-modal connectivity within the urban area of Murchison. Waka Kotahi encourages the Council to consider amenities, and wider multi-modal connectivity within Murchison to support the growth enabled by the plan change, including the initiatives within the Council's Walking and Cycling Strategy.
- (iii) The Murchison rural-residential rezoning for the most part is not adjacent to state highway, which is our preference. Waka Kotahi is neutral on the plan change where this zoning is proposed, except for where it relates to the site that is directly adjacent to the state highway (T-175, 2596 Kawatiri-Murchison Highway). In the submission on the NTFDS, our comments were as follows:

*Previously commented on an additional two rural residential lots here and agreed (given there is currently no rural residential zoning around Murchison) that this could be supported provided that access was located and formed to meet Waka Kotahi Planning Policy Manual standards. This site does not look suited to provide for 30 dwellings – this sort of intensity should be located closer to Murchison township. Potentially could support a rural residential development of an appropriate scale if safe and appropriate access was provided to the state highway. Supportive of safe recreational access to the Buller River through this area if possible as well.*

These comments apply to the plan change, where up to 28 dwellings are proposed to be enabled through the plan change. Waka Kotahi opposes this part of the plan change due to the scale of potential land use change which promotes development solely dependent on private vehicle travel, and the potential implications to the state highway from this number of vehicle movements. Waka Kotahi is concerned that while Waka Kotahi will be consulted with on resource consent applications, the rural-residential zoning will set expectations of how the land may be developed, that Waka Kotahi considers is substantially more than the site can support. Waka Kotahi seek that the plan change is amended and the Council work with Waka Kotahi to adjust the spatial extent of zoning on this site to:

- Reduce the scale of the area to be rezoned to allow for a small amount of rural residential land use, balancing providing for demand while ensuring road user safety and minimising development that is solely dependent on private vehicle travel;
- Ensure there is a safe and suitable access option that complies with the Waka Kotahi Planning Policy Manual (PPM). This could be achieved by including provision in the plan change requiring a 'safe and appropriate singular access to the state highway'; and,
- Include reverse sensitivity provisions to require new dwellings within the buffer and effects area of the state highway (ie within 100m of the state highway white edge line) to meet maximum noise levels outlined in the Waka Kotahi Reverse Sensitivity Guidelines<sup>i</sup>.

Waka Kotahi acknowledge reference to the need for ongoing engagement with Waka Kotahi regarding state highway access in the plan change documentation (section 4.1.1.5) and is committed to working with the Council and landowner to address these outstanding concerns.

**8. Waka Kotahi seeks the following decision from the local authority:**

- (i) The parts of the plan change that relate to residential zoned areas are supported.
- (ii) The rural-residential zoning on 2596 Kawatiri-Murchison Highway is amended as follows:
  - a. The spatial extent of the plan change area is reduced to a level that:
    - i. Can be supported by a single safe access point that complies with the standards in the Waka Kotahi PPM; and
    - ii. Balances meeting demand for rural-residential land with minimising vehicle kilometres travelled.
  - b. Reverse sensitivity provisions are applied to land that is within 100m of the state highway white edge line that require new dwellings to meet the requirements in the Waka Kotahi Reverse Sensitivity Guidelines to protect habitants from human health effects of state highway noise.
- (iii) Any other relief that would provide for the adequate consideration of potential effects on the state highway network, transport network, and its users.

9. Waka Kotahi does wish to be heard in support of this submission.
10. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at the hearing.
11. Waka Kotahi is willing to work with the Tasman District Council in advance of a hearing.



Principal Planner / Senior Planner – Poutiaki Taiao / Environmental Planning  
System Design, Transport Services  
Pursuant to an authority delegated by Waka Kotahi NZ Transport Agency

17 October 2022

Address for service: Waka Kotahi NZ Transport Agency  
55 Collingwood Street  
Nelson 7010

Contact Person: Lea O'Sullivan  
Telephone Number: 021 220 8608  
E-mail: [Lea.OSullivanm@nzta.govt.nz](mailto:Lea.OSullivanm@nzta.govt.nz)  
Alternate Email: [EnvironmentalPlanning@nzta.govt.nz](mailto:EnvironmentalPlanning@nzta.govt.nz)

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<sup>i</sup> Waka Kotahi Reverse Sensitivity Guideline: <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>