

Report No:	REP11-11-05
File No:	L303,L305 ,L307
Date:	9 November 2011
Decision Required	

REPORT SUMMARY

Report to: Environment & Planning Committee
Meeting Date: 23 November 2011
Report Author Rose Biss, Policy Planner
Subject: **PROPOSED MINOR ZONE CHANGES: RECREATION, CONSERVATION AND OPEN SPACE ZONE**

EXECUTIVE SUMMARY

The proposed plan change will correct and update the zoning of some small areas of land that includes ex railway reserve at Wakefield, esplanade and road reserve and private land at Riwaka, an exchange of Council land adjoining Jubilee Park Richmond and some farmland at East Takaka.

RECOMMENDATIONS

It is recommended that the Committee approves the attached proposed plan change for public notification

DRAFT RESOLUTION

THAT the Environment & Planning Committee

1. **Receives** the Proposed Minor Zone Changes: Recreation, Conservation and Open Space - Report REP11-11-05; and
2. **Approves** the plan change attached for public notification as part of Update 43.

Rose Biss
Policy Planner

**R
E
P
O
R
T

S
U
M
M
A
R
Y**

Report No:	REP11-11-05
File No:	L303,L305 ,L307
Report Date:	9 November 2011
Decision Required	

Report to: Environment & Planning Committee
Meeting Date: 23 November 2011
Report Author: Rose Biss, Policy Planner
Subject: **PROPOSED MINOR ZONE CHANGES: RECREATION, CONSERVATION AND OPEN SPACE ZONE**

1. Purpose

- 1.1 The purpose of the report is to seek Council approval to a notify a plan change to the Tasman Resource Management Plan (TRMP) to update and correct some inappropriate zoning of Open Space zone at Wakefield, Recreation zone at Riwaka and Richmond and Conservation zone at East Takaka.

2. Background

- 2.1 It has been brought to the Council's attention through landowner enquiry, Property Information Memorandum (PIM) and resource consent applications and through discussion with the Council's reserves and property managers that some existing zonings for open space, recreation and conservation are incorrect or inappropriate.

3. Present Situation/Matters to be considered

- 3.1 The open space, recreation and conservation zones in the TRMP are quite restrictive in the activities they permit. If these zonings are applied inappropriately they can cause unnecessary requirements for resource consent applications which is inefficient for landowners and the Council.
- 3.2 When the TRMP planning maps were being prepared in 1996 some Crown land adjoining rivers was being disposed of to private landowners. These parcels of land had marginal strips on them. The mapping instruction was to zone these strips to open space or recreation but sometimes the whole land parcel was inadvertently rezoned. Some of these errors were picked up by submissions on the TRMP but some have remained in the plan. A small strip of land between the Riwaka River and State Highway 60 at the bottom of the Takaka Hill near Riwaka is in this category.

- 3.3 Also during the subdivision process it is common for the Council to acquire new reserves for an open space or recreation purpose. These reserves need an appropriate zoning once acquired as the previous rural or residential zoning may no longer be appropriate. A subdivision alongside the Riwaka River, immediately to the west of the land referred to in 3.2 has created an esplanade reserve that it is proposed be zoned open space.
- 3.4 Sometimes the Council wishes to exchange parcels of land so it can acquire more suitable areas of land to meet its reserves needs. That has occurred at Jubilee Park Richmond.
- 3.5 These examples of inappropriate zoning that have come to staff attention recently are discussed in more detail below. Copies of TRMP zoning maps showing the subject land areas are attached.

4. Open Space Zoning Wakefield

- 4.1 Some land that the Council owns at Wakefield that is part of the former railway reserve is zoned light industrial. The Reserves Manager has requested that it be zoned as Open Space. Nearby some ex-railway reserve land adjoining the Wakefield service station on Whitby Road has been sold to that landowner and incorporated in his land title. The service station is zoned light industrial while the rear of the service station site is still zoned open space. It would be appropriate for the whole of the service station site to be zoned light industrial as there are development proposals for the land. The Council owns a small strip of land that links across from the ex-railway reserve towards the Wakefield Bowling Club. That would be more appropriately zoned as Open Space.

5. Recreation and Open Space Zoning Riwaka

- 5.1 A 4160 m² strip of ex Crown land (NL11A/1116) between SH 60 and the Riwaka River is zoned as Recreation. When it was disposed of by the Crown in the mid 1990s to the adjoining landowners it had a marginal strip imposed on it because it had a short boundary to the river. A recreation zoning was incorrectly applied to the whole parcel and the error compounded in 2002 by extending the recreation zone to the centreline of the adjoining paper road. The appropriate zoning for both parcels would be Rural 1.
- 5.2 The same affected landowner also undertook a subdivision on neighbouring land to the west of the paper road in 2006. A boundary relocation subdivision was undertaken and a 10 metre esplanade reserve created on the true left bank of the Riwaka River. The esplanade reserve has not been rezoned from Rural 1 yet. It is proposed to be rezoned as open space zone in this plan change.

6. Conservation Zoning East Takaka

- 6.1 An application for a farm shed on a 5.1597 ha parcel of privately owned farm land at 2 East Takaka Road last year highlighted that the land was incorrectly zoned Conservation.
- 6.2 The land was zoned Rural 2 when the Tasman Resource Management Plan was publicly notified in 1996. As all the surrounding land is zoned Rural 1 that would be a more appropriate zoning than Rural 2.

7. Recreation Zoning Richmond

- 7.1 In 2008 the Council's Property Manager completed a land swap where the Council exchanged 1243 m² land at the rear of the Shell Service Station at 8 Gladstone Road Richmond (zoned recreation) for a 834 m² residentially zoned property which protrudes into Jubilee Park behind 26 and 28 Gladstone Road. A payment has been made to the Council for the valuation difference between the properties.
- 7.2 It is proposed that the land protruding into Jubilee Park be zoned as Recreation so it can be developed for park purposes and the land adjoining the rear of the Shell service station be zoned as Light Industrial so it can be developed for light industrial purposes.

8. Evaluation and Consultation

8.1 Status Quo

Retaining the existing zonings would perpetuate unnecessary land use controls and need for consents for each of these areas of land at Riwaka, Richmond, Wakefield and East Takaka. Also there are small areas zoned residential and light industrial that the Council wants to use for open space and recreation. Inappropriate zoning can be costly and inefficient for landowners and the Council.

8.2 Change of zonings

It is appropriate to change the zonings so that efficient and effective use of the land affected can occur. There are very limited options in respect to alternative zonings.

8.3 Consultation

There has been correspondence or telephone contact with landowners and adjoining landowners explaining the anomalies of zoning and seeking their views about the land being rezoned.

9. Recommendations

- 9.1 It is recommended that the proposed plan change attached is publicly notified as part of TRMP Update 43.

10. Draft Resolution

**THAT the Environment & Planning Committee receives the report
REP 11-11-05 and:**

**Approves the Proposed Plan Change for public notification as part of
Update 43.**

Rose Biss
Policy Planner

Minor changes to Recreation, Open Space and Conservation Zones - Proposed Plan Change**TASMAN DISTRICT COUNCIL
TASMAN RESOURCE MANAGEMENT PLAN****PROPOSED PLAN CHANGE NO.
Minor Changes to Recreation, Open Space and Conservation Zones****EXPLANATORY STATEMENT**

The Council proposes to amend the zoning of some small parcels of land at Riwaka, Richmond, Wakefield and East Takaka where inappropriate Recreation, Open Space and Conservation zoning has occurred.

At Riwaka an area of unformed legal road and some private land between State Highway 60 and the Riwaka River are proposed to be zoned to Rural 1 Zone. A small area of esplanade reserve on the adjoining property to the west beside the Riwaka River will be zoned as Open Space Zone.

At Richmond a residential section that protrudes into Jubilee Park is being rezoned as Recreation and a small area at the north-eastern end of the park at the rear of the Shell service station at 8 Gladstone Road is being transferred to the Light Industrial Zone.

At Wakefield part of the former railway reserve at the rear of the service station on Whitby Road has been transferred to that landowner. The land is proposed to be zoned as Light Industrial. A small area of Council land zoned Light Industrial which provides a link from the former railway reserve towards the Wakefield Bowling Club is proposed to be zoned as Open Space.

At East Takaka, a 5.15 hectare block of farmland at 2 East Takaka Road zoned as Conservation is to be rezoned to Rural 1 Zone.

The Council has considered its limited options, and the costs and benefits, and effectiveness, efficiency and appropriateness of these amendments. Council policy report EP11/11/05 provides an assessment and is prepared in compliance with the duties under Section 32 of the Resource Management Act 1991.

Map Amendments:

The Tasman Resource Management Plan is amended in accord with the following schedule:

1. Zone Map 14 Riwaka

Rezone Lot 3 DP 381327 from Rural 1 Zone to Open Space Zone
Rezone Sec 1 SO 15113 from Recreation Zone to Rural 1 Zone
Rezone part of unformed road from Recreation Zone to Rural 1 Zone

2. Zone Maps 124 and 128 Richmond

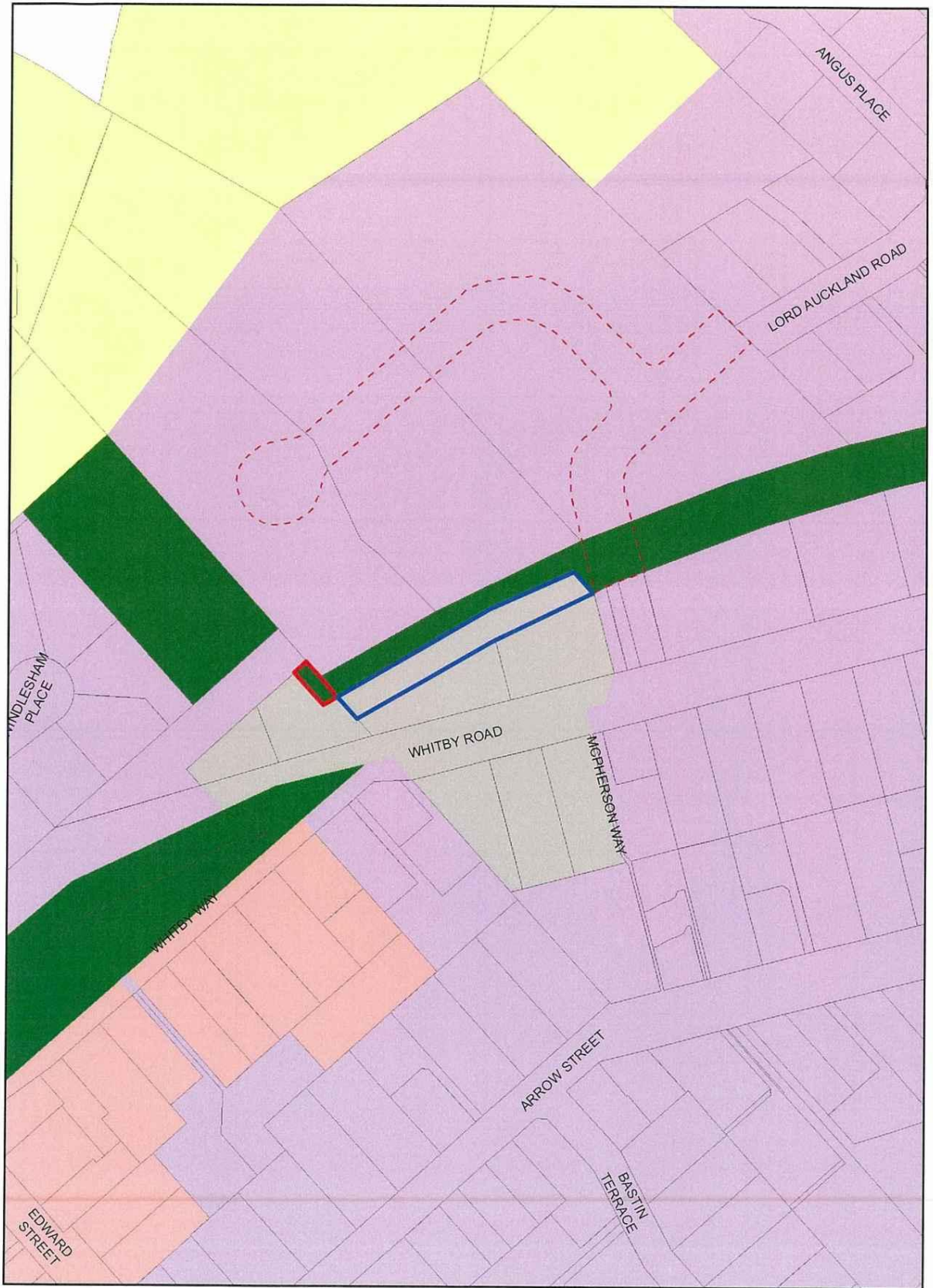
Rezone part of Lot 1 DP 428488 from Recreation Zone to Light Industrial Zone
Rezone Lot 4 DP 414739 from Residential Zone to Recreation Zone



3. Zone Map 91 Wakefield

Rezone rear part of Lot 4 DP 16542 from Open Space Zone to Light Industrial Zone
Rezone part of Lot 3 DP 16542 from Light Industrial Zone to Open Space Zone

4. Zone Map 50 East Takaka

Rezone Pt Sec 115 Sq 11 from Conservation Zone to Rural 1 Zone

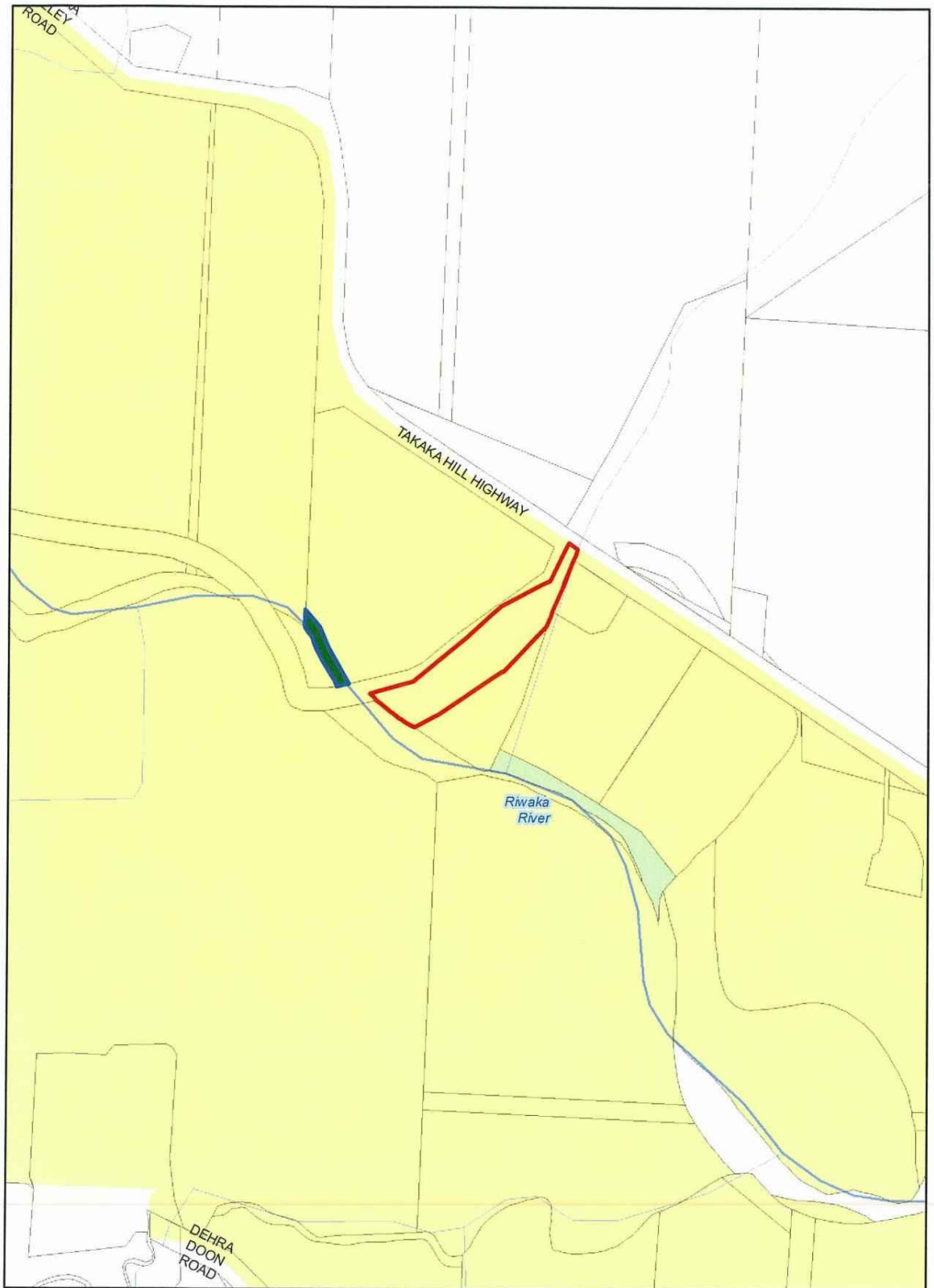


-  Delete Light Industrial. Rezone Open Space
-  Delete Open Space. Rezone Light Industrial

ZONES

Map 4

Map/s affected: 91



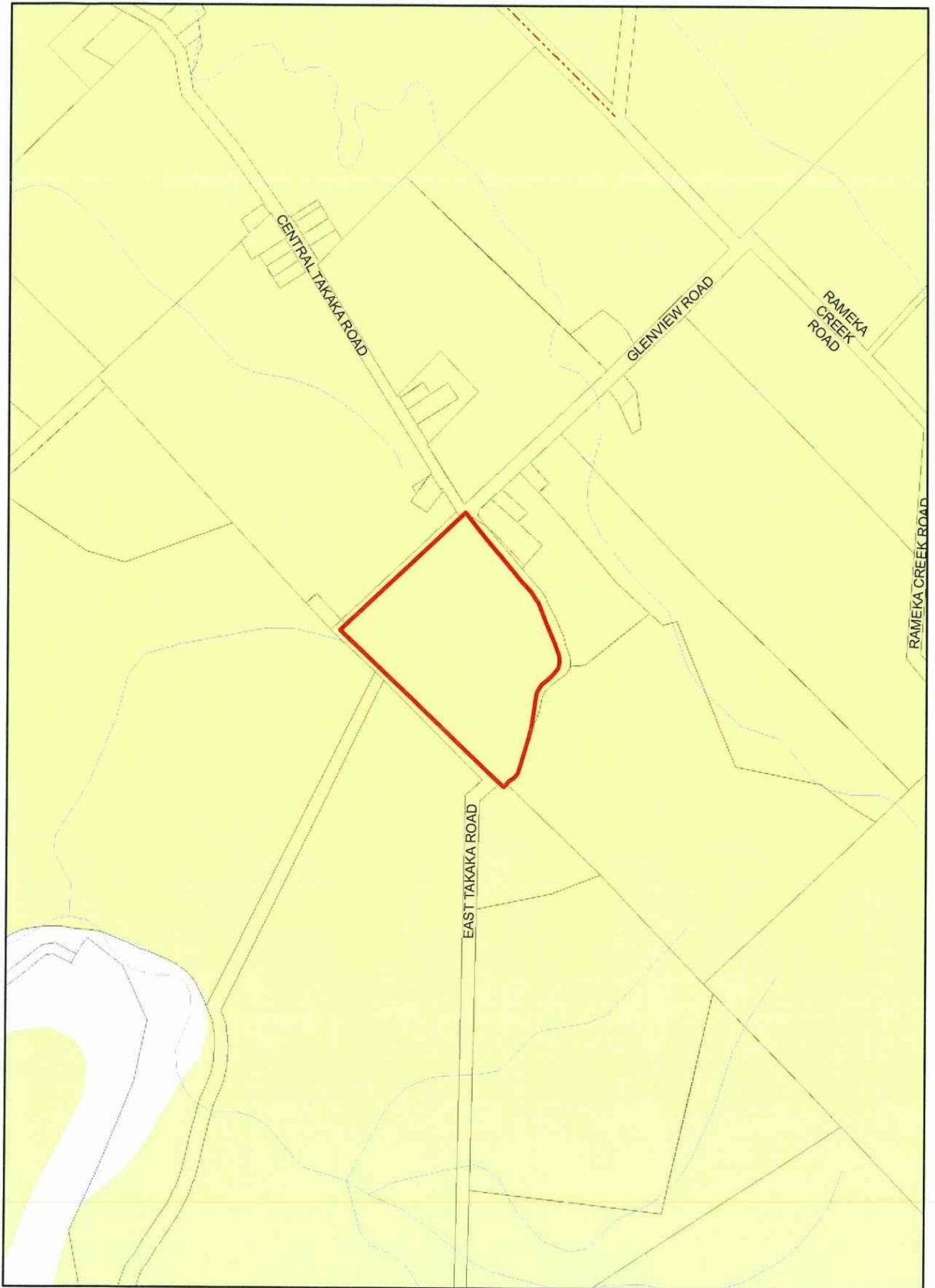
N
 1:4,105
 @A4

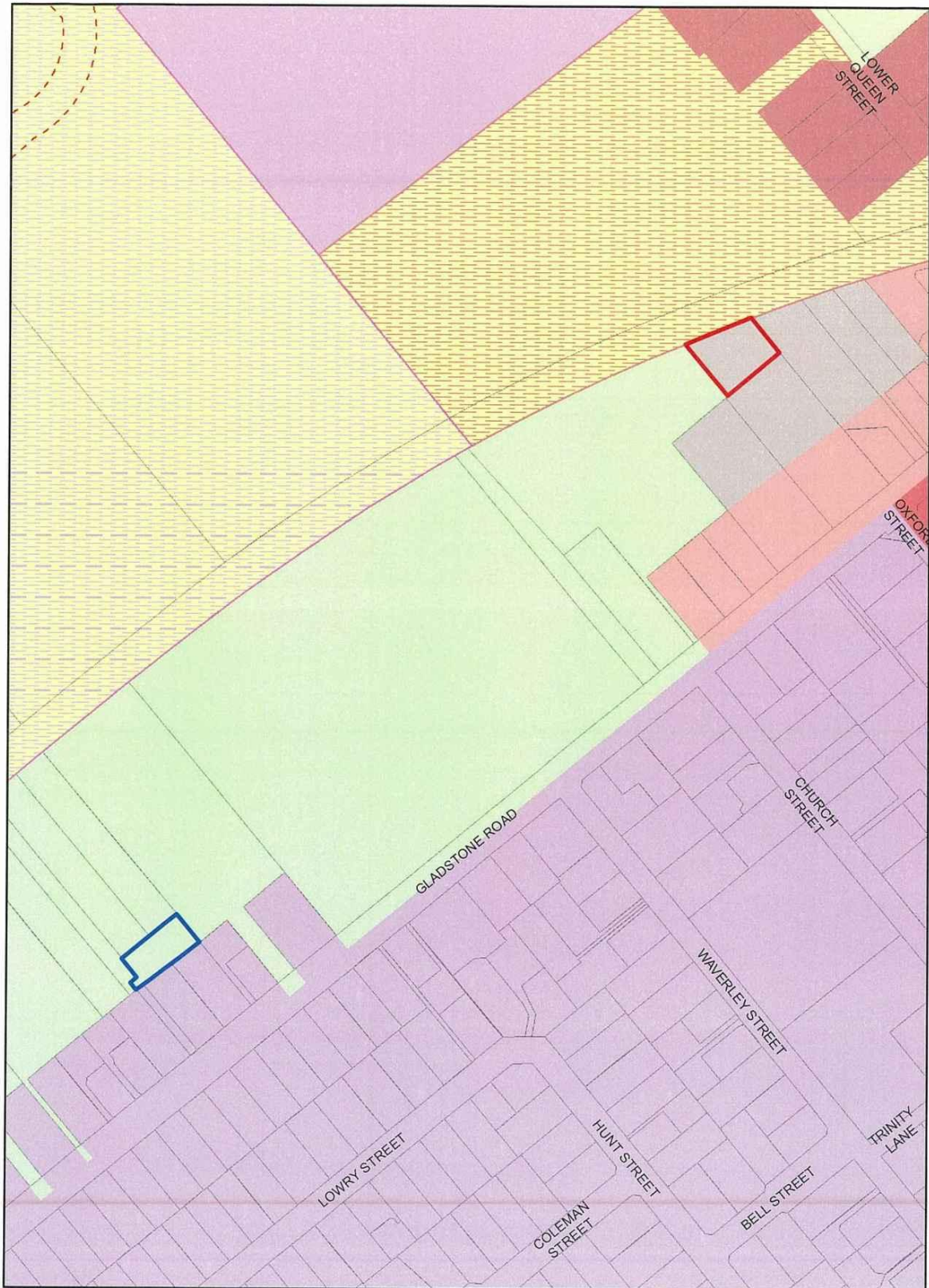
- Delete Recreation. Rezone Rural 1
- Delete Rural 1. Rezone Open Space

ZONES

Map 3

Map/s affected: 14





N
1:2,805
@A4

- Delete Recreation. Rezone Light Industrial
- Delete Residential. Rezone Recreation

ZONES

Map 1

Map/s affected: 124, 128