Tasman Regional Policy Statement and
Tasman Resource Management Plan

Plan Change 81 to TRMP and Plan Change 1 to TRPS
Urban Development
Section 42A Report

Hearing 1 - Preliminary Matters

Report prepared by the Tasman District Council

13 October 2026

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Executive Summary

1. This report addresses preliminary and procedural matters arising from submissions and Further Submissions on Proposed Change 1 to the Tasman Regional Policy Statement (C1) and Proposed Plan Change 81 to the Tasman Resource Management Plan (PC81). Hearing 1 is intended to determine what material may lawfully and fairly proceed to the later substantive hearings. It does not determine the planning merits of the relief sought.

Original Submission scope

2. Council has identified 77 original submission points from 31 submitters requiring a scope determination. These include site-specific rezoning, additional growth area and related spatial submission points that were referred for legal review, as well as other submission points assessed directly by the reporting officer. Appendix A contains the consolidated schedule of all original submission points requiring a scope determination.

3. Of the 77 original submission points, 52 submission points are recommended to be outside scope and 25 submission points are recommended to be within scope. The reporting officer has made a recommendation on all submission points requiring a scope determination through Hearing 1.

4. The C1 scope matters comprise a submission seeking dark sky protections through the TRPS and a series of submissions from the Ministry of Education relating to educational facilities and growth-supporting infrastructure. The officer recommends that C1 submission point 1.1 be determined outside scope because it seeks a new strategic lighting framework beyond the matters notified through C1. The Ministry of Education submissions (C1 14.1-14.5) are recommended to be within scope and proceed to Hearing 2 for consideration on their merits.

5. The officer-assessed PC81 points cover a range of matters, including environmental and district-wide policy requests, community and recreational infrastructure, operational transport matters, housing and occupancy pathways, definitions, Dark Sky controls, the Motueka Community Board request concerning Seaview Heights, and educational facility provisions. The points raise a variety of jurisdictional issues, including requests for new planning frameworks, amendments to operative provisions not altered by PC81, and relief that otherwise extends beyond the changes proposed through the notified proposal. The officer's recommendations on each point are set out in section 5 and Appendix A.

Late submissions and Further Submission matters

6. Council has identified eight late original submissions: Wakatū Incorporation (LS1), Whakarewa (LS2), David Osborne Crarer (LS3), Carl Stockton (LS4), Benjamin Coup (LS5), Karin Winspear (LS6), Bob and Mary Lancaster (LS7), and Tamsin Clark (LS8). The officer recommends that all eight late submissions be accepted. In each case, the submission raises matters already canvassed through the Original Submission process and no material procedural prejudice or other harm from acceptance has been identified. The late submissions are assessed in section 6 and summarised in Appendix B.

7. Overall, Council received 8 Further Submissions on C1 and 44 Further Submissions on PC81. Of those Further Submissions, Council identified 47 points affected by the Hearing 1 scope recommendations. These comprise 44 PC81 submission entries - 26 are associated with original submission points recommended to be outside scope and would fall away to the

same extent, while 18 are associated with points recommended to be within scope. The remaining three entries relate to C1: one would fall away and two may proceed to Hearing 2, in accordance with the scope outcomes for the corresponding original submission points. Appendix C provides the cross-reference between the affected original and Further Submissions.

Key conclusions and recommendations

8. The following points summarise the conclusions and recommendations:

- C1 submission point 1.1 is recommended to be outside scope. C1 submission points 14.1-14.5 are recommended to be within scope and may proceed to Hearing 2.
- PC81 36.2, 121.1, 123.1-123.4, 147.1, 154.1, 155.1, 162.4 and 162.19 are recommended to be within scope and may proceed to the relevant substantive hearing.
- PC81 61.4, 116.2, 138.6, 138.15, 138.17, 138.20, 138.21, 138.32 and 138.34 are recommended to be within scope and may proceed to the relevant substantive hearing.
- All remaining original submission points should be determined in accordance with the officer recommendations in section 5 and Appendix A. Points determined to be outside scope should not proceed to substantive assessment.
- Late submissions LS1 to LS8 should be admitted and allocated to the relevant substantive hearing.
- The 26 PC81 Further Submission entries associated with points determined to be outside scope should fall away to the same extent. The 18 entries associated with points determined to be within scope may proceed. The three C1 Further Submissions should follow the corresponding determinations identified in section 7 and Appendix C.

Interpretation

This report uses a number of abbreviations for brevity, as set out in Tables 1 and 2 below.

Table 1: Abbreviations

Abbreviation or term	Meaning
C1	Proposed Change 1 to the Tasman Regional Policy Statement
Council	Tasman District Council
FDS	Nelson Tasman Future Development Strategy 2022-2052
FS	Further Submission (e.g FSxx.1)
Hearing Panel or Panel	The independent hearing panel appointed to hear and make recommendations on C1 and PC81
LS	Late original submission
MDRZ	Medium Density Residential Zone
NPS-UD	National Policy Statement on Urban Development 2020
OS	Original Submission (e.g. OSxx.1)
PC81	Proposed Plan Change 81 to the Tasman Resource Management Plan
RMA	Resource Management Act 1991
Section 32 report	Evaluation report prepared under section 32 of the RMA for the relevant proposal
SPP	Streamlined Planning Process
TRMP	Tasman Resource Management Plan
TRPS	Tasman Regional Policy Statement

Table 2: Abbreviations of Submitters' Names

Shortened name	Submitter name
Dark Sky Committee	Ralph Bradley / Top of the South Dark Sky Committee and Supporters
Emanuel	John Emanuel
Flathills	Flathills 175 Ltd
Homes for Wakefield	Sonja Lamers / Homes for Wakefield
Kairos	Kairos Trust
Ministry	Ministry of Education
Orange	Orange Family Trust and Orange Building Group Limited
Richmond Pōhara Holdings	Richmond Pōhara Holdings Ltd
Seaton Palms	Seaton Palms Ltd
Seaview Heights	Seaview Heights Ltd
Tākaka Aero Heights	Tākaka Aero Heights Ltd
Tasman Bay Estates	Tasman Bay Estates Ltd
TBEL	Tasman Bay Estates Limited
Wakatū	Wakatū Incorporation
Whakarewa	Whakarewa Te Whānau o Motueka

1. Introduction

1.1. Purpose of the Report

9. This report is prepared under section 42A of the RMA to assist the Hearing Panel in considering preliminary and procedural matters on Proposed Change 1 to the Tasman Regional Policy Statement (C1) and Proposed Plan Change 81 to the Tasman Resource Management Plan (PC81). It provides the Council reporting officer's analysis and recommendations but does not bind the Hearing Panel.

1.2. Overview and scope of the proposals

10. C1 and PC81 form part of Council's response to urban growth and development pressures and the National Policy Statement on Urban Development (NPS-UD).

11. C1 and PC81 are related but separate proposals. C1 proposes amendments to the strategic direction for urban development in the Tasman Regional Policy Statement (TRPS), while PC81 proposes changes to the Tasman Resource Management Plan (TRMP) to provide for urban growth and development at the district-plan level.

12. At a high level, the proposals address the provision and location of residential and business growth, housing choice, well-functioning urban environments, and the integration of land use with infrastructure and environmental constraints.

13. The substantive merits of the notified provisions and relief sought in submissions are reserved for the later substantive hearings. Hearing 1 is confined to preliminary and procedural matters, including whether relief sought in submissions is within the scope of the relevant notified proposal.

14. As C1 and PC81 are separate notified proposals, submission points are assessed against the proposal to which they relate. The legal principles governing that assessment are addressed in Council's legal submissions on scope.

15. This report, therefore, considers scope and other preliminary matters separately for C1 and PC81, while recognising the broader relationship between the two proposals.

1.3. Author and Role of Reporting Officer

16. My name is Jeremy Butler. I am employed by Tasman District Council as Team Leader - Urban & Rural Policy. I was the primary author of the section 32 evaluation that accompanied C1 and PC81. I have a BSc with first class honours and an MSc both in geography from Otago University. I have 21 years of planning experience in both local government and private practice. I have been an accredited commissioner and held the Chairing endorsement, although both have now lapsed.

17. I have read the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note 2023 and agree to comply with it. This section 42A report has been prepared in accordance with the Code.

18. I declare that I am an employee of Tasman District Council. I confirm that the opinions I express in this report are within my expertise and represent my true and complete professional opinions. I have not omitted to consider material facts known to me that might alter or detract from those opinions.

19. The evidence I give is within my area of expertise, except where I state that I rely on the opinion or evidence of others. I understand that it is my duty to assist the Hearing Panel impartially on matters within my area of expertise.

20. Freya Jackson and I jointly authored this report. We worked together on the assessment of the submissions and further submissions, the recommendations to the Hearing Panel, and the reasons for those recommendations. I reviewed the report as a whole and will present the report at the hearing, with Ms Jackson available to assist as required.

21. My name is Freya Jackson. I am employed by Tasman District Council as a Policy Planner. I hold a First Class Bachelor of Arts (Honours) in Urban Planning from the University of Liverpool and have over five years' professional planning experience in the United Kingdom and New Zealand. My experience includes local government policy planning roles in England and New Zealand, private planning consultancy, strategic and spatial planning, preparation of plan changes and section 42A hearing reports and evidence, and advice on resource management matters. Since relocating to New Zealand in 2023, I have worked under the RMA in both local government and private planning practice.

22. I have also read the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note 2023 and agree to comply with it.

23. I declare that I am an employee of Tasman District Council. I confirm that the opinions I express in this report are within my expertise and represent my true and complete professional opinions. I have not omitted to consider material facts known to me that might alter or detract from those opinions.

24. The evidence I give is within my area of expertise, except where I state that I rely on the opinion or evidence of others. I understand that it is my duty to assist the Hearing Panel impartially on matters within my area of expertise.

25. Given the volume of submissions and supporting material addressed in this report, AI tools were used to provide administrative and drafting assistance, including document structuring, summarisation and editorial support. AI was not used to make planning judgments or recommendations. All analysis, assessments, recommendations and conclusions were prepared, reviewed and verified by Council officers, who remain solely responsible for the contents of this report.

1.4. Scope of Hearing 1

26. Hearing 1 addresses preliminary and procedural matters, including the scope of original submissions, late submissions, Further Submissions, implications of relevant new legislation, and associated procedural hearing directions. It does not determine planning merits of relief sought in submissions. A finding that relief is within scope means only that the relief may proceed to the relevant substantive hearing.

1.5. Relationship with Council Legal Submissions

27. Council has filed separate legal submissions addressing the legal principles applicable to scope and applying those principles to selected submission points where a more detailed analysis of scope is warranted. Those legal submissions are intended to be read alongside this report. This report contains the reporting officer's assessment and recommendations on individual submission points, informed where relevant by the legal submissions.

1.6. Structure of the Report

28. Sections 2 to 4 set out the procedural background and assessment approach. Section 5 addresses Original Submission scope. Sections 6 to 8 address Late Submissions, Further Submissions and other procedural matters. Section 9 contains conclusions and recommendations. Appendix A contains the Original Submission scope schedule, Appendix B contains the procedural matters schedule, Appendix C identifies the Further Submissions affected by the Hearing Panel's scope determinations, and Appendix D contains the section 32 evaluation relating to the notified Sunday and public holiday noise provisions.

2. Statutory and Policy Context

2.1. Streamlined Planning Process

29. C1 and PC81 are being progressed through a Streamlined Planning Process (SPP).

2.2. Scope of Original Submissions

30. The legal principles governing whether a submission is within the scope of C1 or PC81 are addressed in Counsel's legal submissions.

31. This report applies those principles in assessing the individual submission points identified as requiring a scope determination. Where relevant, the reporting officer's assessment should be read alongside the analysis of selected submission points in Counsel's legal submissions.

2.3. Further Submissions

32. Further Submissions are addressed in section 7. That section considers whether the Further Submissions and related communications received by Council satisfy the applicable requirements, including in relation to the original submission or submission point supported or opposed, form and timing.

2.4. Late Submissions

33. Council has identified eight late original submissions requiring determination by the Hearing Panel. These are addressed in section 6, including additional documents lodged by Wakatū and Tamsin Clark during the Further Submission period, which the reporting officer recommends treating as late Original Submissions because they elaborate on their respective original submissions.

2.5. Withdrawn Submissions

34. Two Original Submissions were subsequently withdrawn by the submitters. Those submissions therefore no longer require determination through the C1 and PC81 hearing process.

3. Procedural Background

3.1. Notification and Submissions

35. C1 and PC81 were publicly notified on 22 June 2026, with the submission period closing on 3 August 2026. The summary of decisions requested was notified on 18 August 2026, with the Further Submission period closing on 7 September 2026. Following the close of that period, Council identified a small number of errors and omissions in the notified summary of decisions requested. Council subsequently notified corrections to the affected submission summaries and provided a further opportunity for Further Submissions on those matters, closing on 29 September 2026.

36. A total of 33 Original Submissions were received on C1, and 267 Original Submissions on PC81. A total of 8 Further Submissions were received on C1 and 44 on PC81. 8 Late Original Submissions were received, and 0 late Further Submissions were received.

3.2. Hearing Programme

37. The Chair's Minute 1 identifies five hearings for C1 and PC81:

    - Hearing 1 - Preliminary matters
    - Hearing 2 - C1
    - Hearing 3 - PC81 residential growth framework
    - Hearing 4 - PC81 residential growth areas and rezonings
    - Hearing 5 - PC81 commercial, papakāinga, workers' accommodation, and other matters

4. Assessment Method

4.1. Assessment Framework

38. The purpose of Hearing 1 is to determine a range of preliminary and procedural matters before substantive consideration of C1 and PC81. The assessment framework applied in this report varies according to the nature of the matter under consideration.

39. Original submission scope has been assessed in accordance with the legal principles set out in Council's legal submissions on scope.

40. For Further Submissions, the assessment considers whether the Further Submission complies with the relevant requirements and whether any issue arises that requires determination through Hearing 1.

41. For late submissions and other late documents, the assessment addresses admissibility having regard to the timing and extent of delay, the nature of the issues raised, potential prejudice to interested persons, and the efficient conduct of the hearing process.

42. Where a submission seeks more than one form of relief, the scope of each element of the relief is considered separately.

43. Each assessment concludes with an officer recommendation and, where relevant, identifies the consequence for subsequent hearings.

4.2. Recommendation Terminology

44. The recommendation terminology used throughout this report is summarised in Table 1.

Matter	Recommendation / Outcome
Original submission scope	Within scope / Outside scope
Further Submission	Valid / Partly valid / Invalid
Late original submission	Admit / Decline to admit

5. Scope of Original Submissions

5.1. Overview

45. Section 5.2 addresses site-specific rezoning, additional growth area and related spatial submissions. These submissions raise a number of recurring issues concerning the relationship between the relief sought and the growth strategy, planning processes and engagement that informed PC81. Sections 5.3 to 5.11 address the remaining C1 and PC81 submission points requiring a scope determination.

46. The s 32 report[1] included a specific discussion on the scope of PC81. At 2.5 it outlined the key changes proposed by PC81 at Table 1. In preparing that section and analysing the same here, we note legal advice that it is not appropriate for a s 32 report to stifle debate by adopting a narrow approach to the issues.

5.2. Strategic Planning and Growth Context

47. PC81 did not arise in isolation. As explained in sections 2.2 and 2.4 of the PC81 section 32 report, it forms part of Council's response to the NPS-UD, identified housing and business capacity needs, and the strategic growth direction established through the Nelson Tasman Future Development Strategy 2022–2052 (FDS)[2]. Proposed C1 translates that direction into the regional policy framework, while PC81 provides the principal district-plan response through zoning, objectives, policies, rules and spatial planning methods.

48. The section 32 report records that PC81 was also informed by more detailed local planning, including Reimagining Richmond South[3], the Richmond Spatial Plan[4] and the Māpua Masterplan[5]. Those processes refined the location, form, sequencing and infrastructure implications of growth identified at the FDS level. The information sources and consultation underpinning PC81 are summarised in sections 3.1 and 3.2 of the report, with the Māpua-specific strategic and options assessment addressed further in Appendix 28.

49. The extent to which individual sites were considered through these processes, and the outcomes of that consideration, vary between sites.

50. This planning history helps assess whether the relief sought is sufficiently connected to PC81 as notified and whether potentially affected people could reasonably have expected it to be raised through submissions. However, the fact that a site was identified, assessed or consulted on through an earlier strategic planning process does not, on its own, establish that a submission seeking its rezoning is within scope. Similarly, the fact that land was not included in a strategic planning document does not necessarily mean that the relief is outside scope.

51. The assessments below therefore consider the relevant planning history alongside the notified planning maps, provisions and supporting section 32 evaluation for PC81. Particular attention is given to the relationship between the relief sought and the notified spatial

[1] PC81 s32 Report - TDC 2026
[2] Nelson Tasman Future Development Strategy 2022-2025
[3] Reimagining Richmond South Project – TDC 2022
[4] Richmond Spatial Plan – Boffa Miskell for TDC 2024
[5] The Mapua Masterplan – TDC 2025

framework, and whether the notified proposal provided a reasonable opportunity for potentially affected persons to participate in relation to that relief.

5.2.1 White Road T-038 - Orange Family Trust and Orange Building Group Limited: PC81 162.4 and 162.19

52. PC81 162.4 and 162.19 seek deferred Medium Density Residential zoning for FDS site T-038, together with a new Outline Spatial Plan and supporting infrastructure provisions. As both points seek the same outcome, I have assessed them together.

53. The adopted FDS identifies T-038 Richmond South as a greenfield growth area for 900 medium-density dwellings, shown at Figure 1 below.

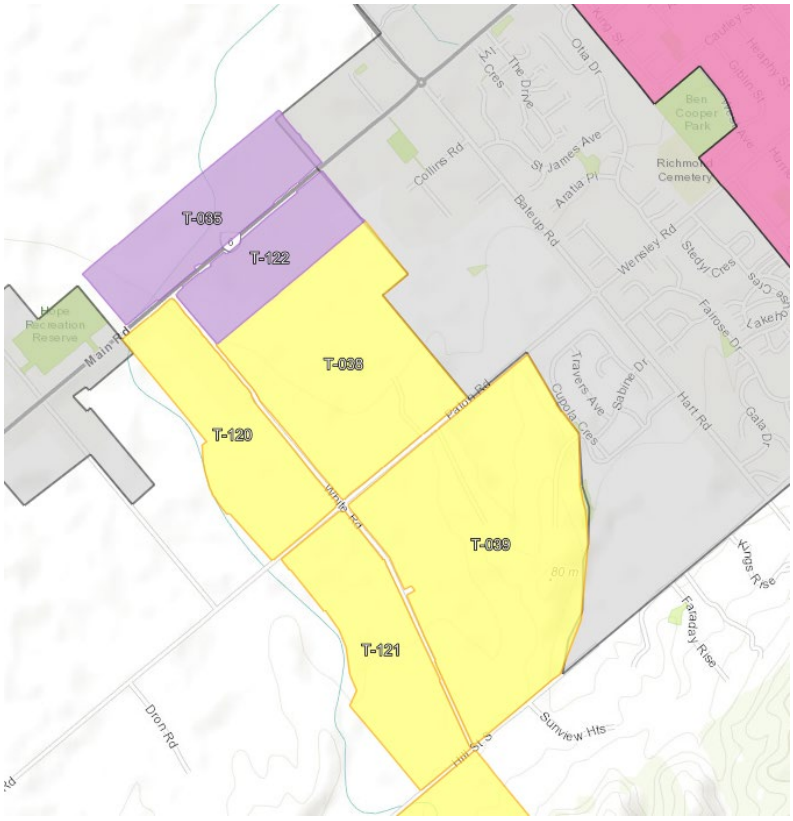


Figure 1: Richmond South[6]

54. The Richmond Spatial Plan builds on the FDS and plans for Richmond's future growth through both intensification and greenfield development, supported by infrastructure and open space.

55. Limb 1: The relief relates directly to the urban growth, deferred zoning, infrastructure and Outline Spatial Plan changes made through PC81. T-038 also adjoins Richmond South land proposed for urban development through PC81. I consider Limb 1 is satisfied.

56. Limb 2: T-038 was identified for future growth in the adopted FDS and forms part of the wider Richmond South growth area. The FDS also anticipated that the final boundaries would be worked through later planning processes.

[6] Image taken from the FDS map viewer at Final Nelson Tasman Future Development Strategy 2022 October 2026

57. The deferred zoning and OSP extend beyond the land included in PC81, so the position is finely balanced. However, T-038 was identified in the adopted FDS, adjoins growth sites included in PC81 and forms part of the wider Richmond South growth area. I consider this gave sufficient notice that relief of this kind could be sought. Limb 2 is satisfied.

58. Recommendation: PC81 162.4 and 162.19 are within scope and should proceed to Hearing 4. This recommendation relates only to scope, not the planning merits of the relief.

5.2.2 Additional Richmond South Growth Sites - Kathryn Hanna, Joshua Rutledge and Jamie Eggers: PC81 121.1, 154.1 and 155.1

59. These submissions seek Residential zoning of land within FDS site T-039 and the Richmond South Development Area, see Figure 1. The relief concerns the remaining Rural 1 portion of 52 Cupola Crescent and land at 169 White Road.

60. The adopted FDS identifies T-039 Paton Road Foothills as a greenfield growth area in Richmond South, with capacity for about 650 dwellings. It sits alongside the other Richmond South growth areas identified in the FDS. The FDS anticipated that later planning would confirm the boundaries, form of development and infrastructure requirements.

61. The sites were also considered within the broader Richmond South planning and engagement processes that informed the FDS and subsequent Richmond growth planning. In the case of PC81 121.1, the property is already partly zoned Residential, and the relief seeks to align the zoning of the remaining part of the property with that existing urban zoning.

62. Limb 1: PC81 addresses housing capacity and urban growth at Richmond, including through the rezoning and deferred zoning of land in Richmond South. The relief concerns land within an adopted FDS growth area and seeks to alter the final extent of Residential zoning within that wider growth framework. I consider the relief responds directly to matters addressed through PC81. Limb 1 is satisfied.

63. Limb 2: T-039 was identified in the adopted FDS and has also been considered through earlier planning for Richmond South. Structure planning for T-039 was undertaken in 2021 with two rounds of public engagement. While the FDS did not set the final boundaries or timing for rezoning, it clearly identified this land for future growth. Together with the existing Residential zoning over part of 52 Cupola Crescent, I consider there was sufficient notice that submissions may seek changes to the extent of Residential zoning in this area. Limb 2 is satisfied.

64. Recommendation: PC81 121.1, 154.1 and 155.1 are within scope and should proceed to Hearing 4 for substantive consideration.

5.2.3 Māpua Growth Area Extension - Seaton Palms Ltd and Flathills 175 Ltd: PC81 123.1-123.4 and 147.1

65. Seaton Palms Ltd seeks the following relief for land at 6 and 6A Seaton Valley Road:

    a. PC81 123.1 - rezone the land from Rural 1 to enable urban development, including Mixed Business, Rural Residential and/or Mixed-Use zoning;

    b. PC81 123.2 - include the land within the Māpua urban growth area and Outline Spatial Plan;

c. PC81 123.3 - provide for walkway, open space, reserve, ecological buffer, stormwater-detention and wetland outcomes through subdivision and development of the land; and

d. PC81 123.4 - make the consequential amendments to the objectives, policies, rules, planning maps and structure plans required to implement the requested rezoning and development outcomes.

66. Flathills 175 Ltd (PC81 147.1) seeks similar rezoning and associated spatial planning, open space, ecological buffer and infrastructure outcomes for 175 and 177 Māpua Drive.

67. The adopted FDS identifies Seaton Valley for the managed expansion of Māpua. It includes T-11 Seaton Valley Flats, T-33 Seaton Valley Hills and T-42 Seaton Valley Northern Hills, with capacity for about 675 dwellings in total. Development of these areas is linked to planned infrastructure, public transport and walking and cycling improvements.

68. The Māpua Masterplan carries this work forward. It identifies Seaton Valley for future development and anticipates zoning changes and ODPs for the greenfield land. It also covers the open space, transport, stormwater, wetland, water and wastewater works needed to support development. These changes are expected to be made through future TRMP plan changes.

69. The properties sit within the Māpua Seaton Valley Outline Spatial Plan notified through PC81, at Schedule 16.3D.10[7]. PC81 does not change their zoning, but it does include them in the wider framework for growth, infrastructure, movement, open space and environmental outcomes in Seaton Valley.

70. Limb 1: The relief relates directly to the Māpua growth, zoning, infrastructure and spatial-planning matters addressed through PC81. The land is within the notified Māpua Seaton Valley Outline Spatial Plan, and the submissions seek a different planning outcome for that land. The related walkway, open space, ecological buffer, stormwater and wetland relief also responds to matters shown in the notified spatial framework. I consider Limb 1 is satisfied.

71. Limb 2: The FDS and Māpua Masterplan identified Seaton Valley for future growth and signalled that further zoning and infrastructure planning would follow. PC81 also included the properties within the notified Outline Spatial Plan. I consider this gave sufficient notice that submissions could seek different zoning or development outcomes for land within that area. Limb 2 is satisfied.

72. Recommendation: PC81 123.1-123.4 and 147.1 are within scope and should proceed to Hearing 4 for substantive consideration.

5.2.4 Tasman Village Growth Proposal - Tasman Bay Estates Ltd: PC81 36.1-36.5

73. Tasman Bay Estates Ltd (TBEL) seeks a package of changes to provide for urban growth north of Māpua. The site is about 2km south of Tasman Village, which is an existing settlement near Kina Beach to the north of Māpua. It is around 6km to the north of the centre of Māpua.

[7] the Māpua Seaton Valley Outline Spatial Plan - TDC 2026

74. The proposed changes include deferred residential, commercial and open space zoning between Horton, Mamaku and Aporo Roads, a change to the centre classification, amendments to the Tasman provisions, a new Outline Spatial Plan and supporting infrastructure provisions.



Figure 1: TBEL landholdings at Tasman. Orange area is the land that has been consented for rural lifestyle development. The remaining land, of approximately 90ha in area, remains available for future development.

Figure 2: TBEL site snipped from primary submission PC81 36

75. Tasman Village was considered through the FDS process, and the draft FDS included a potential new community of about 3,200 dwellings. Following consultation and assessment, this was not included in the adopted FDS.

76. The Māpua Masterplan provided integrated direction for Māpua's growth, including infrastructure, transport, recreation and reserves. It considered existing deferred zones and new growth sites and informed the Māpua components of PC81, focusing growth on Māpua and Seaton Valley rather than Tasman Village.

77. Limb 1: The relief relates generally to matters addressed through PC81, including urban growth, centre zoning, deferred zoning, Outline Spatial Plans and infrastructure.

78. PC81 36.1, 36.4 and 36.5 seek to apply the deferred zoning, Outline Spatial Plan and infrastructure provisions used in PC81 to Tasman Village. I consider this is enough to satisfy Limb 1.

79. PC81 36.2 challenges Tasman's classification as a Local Convenience Centre in the centres hierarchy introduced through PC81. It directly responds to the notified change, so Limb 1 is satisfied.

80. PC81 36.3 seeks changes to the existing Tasman provisions in section 6.21. PC81 did not amend those provisions, so the relief would introduce a new outcome rather than respond to a notified change. Limb 1 is not satisfied.

81. Limb 2: Tasman Village was considered through the FDS process but was not included in the final FDS. PC81 does not identify Tasman Village for urban growth or apply any new zoning, spatial planning or infrastructure provisions to the area. There was therefore no clear indication that the wider relief sought could be raised through submissions on PC81. Limb 2 is not satisfied for PC81 36.1 and 36.3-36.5.

82. PC81 36.2 is different. PC81 classifies Tasman as a Local Convenience Centre, so submissions supporting or opposing that classification could reasonably have been expected. Limb 2 is satisfied for PC81 36.2.

83. Recommendation: PC81 36.2 is within scope and may proceed to substantive consideration. PC81 36.1 and 36.3-36.5 are outside scope and should not proceed to substantive assessment.

5.2.5 Additional Residential Growth Areas - Seaview Heights, Richmond Pōhara Holdings and Robyn Reid: PC81 140.2, 184.1-184.5 and 200.1

84. These submissions seek new or expanded residential growth areas at Seaview Heights, Richmond Pōhara and Upper Moutere, together with related Open Space zoning or future planning directions. PC81's urban-growth framework is spatially targeted and implements selected locations identified through the notified spatial strategy and supporting planning processes.

Seaview Heights

85. Seaview Heights seeks to rezone five contiguous properties at 40 Seaview Avenue, 5 Lindup Road, 81-85 Rowling Loop, 95 Robinson Road and 2399 Coastal Highway from Rural 1 to Rural 1 Deferred Residential. The approximately 84-hectare site is in the Mariri Hills, south of Motueka and separated from the existing Motueka urban area by the Moutere Inlet and surrounding rural land.

86. Whether PC81 140.2 is within scope is ultimately a question of law. Council's legal submissions address the applicable legal principles and their application to the Seaview Heights relief. The following discussion is intended to be read alongside those submissions and provides the relevant factual and planning context, including the site's consideration through earlier strategic planning processes and the approach taken in the notified PC81.

87. The submission promotes Seaview Heights as an alternative residential growth location for Motueka. It relies on the housing-capacity shortfall identified in the PC81 site assessment, the site's elevation and relative exposure to coastal and flooding hazards, its proximity to Motueka, and the submitter's proposed servicing solutions. Deferred zoning is sought so that development could proceed once wastewater infrastructure is available and Council has approved the final design.

88. The Mariri and Lower Moutere hills have previously been considered through Council's strategic growth planning. The 2019 FDS assessed sites T-16 Mariri Hills and T-18 Lower Moutere Hills. T-16 was not included in the adopted strategy because of concerns relating

to productive land, iwi values and the coastal setting. T-18 was initially included but was later found to lack sufficient landowner support.

89. Similar areas were assessed again through preparation of the 2022 FDS as sites T-131 and T-133. Those sites were not included in the adopted FDS. They performed poorly compared with the preferred growth locations because of highly productive land and cultural heritage concerns, the absence and cost of water and wastewater servicing, landscape effects, transport issues and their separation from the existing Motueka urban area. The servicing assessment also depended in part on whether a new settlement near Tasman would proceed, which was not adopted as part of the FDS.

90. The Seaview Heights proposal in its current form was developed after adoption of the 2022 FDS, although it substantially overlaps the locality previously assessed. Council discussed the proposal with the landowners and responded to requests for information about the earlier FDS assessments. During consultation on draft PC81, Council also expressly advised that Seaview Heights was not being included as a priority growth area. Feedback received through that consultation included both support for development at Seaview Heights and opposition based on productive land, rural activities, servicing, transport, landscape and connectivity concerns.

91. For the reasons set out in Council's legal submissions, and having regard to the planning context outlined above, I recommend that PC81 140.2 be determined to be outside scope and not proceed to substantive assessment.

Richmond Pohara land

92. Richmond Pōhara Holdings Ltd seeks Residential and Open Space zoning over land adjoining the existing Pōhara settlement, wider provision for urban growth at Pōhara, and alternative directions concerning future planning processes.

93. Whether OS184.1–OS184.5 are within scope is ultimately a question of law. Council's legal submissions address that issue. The following provides the relevant planning context.

94. Parts of the wider area were identified for possible future development through the earlier Eastern Golden Bay planning work that led to Variation 57 and Plan Change 8. However, the land was later considered as proposed FDS site T-162 and was not included in the adopted FDS. Constraints identified included cultural heritage values, flooding and stormwater, wetlands, wastewater capacity and the site's location relative to existing centres.

95. PC81 does not identify Pōhara for wider residential growth. Its changes at Pōhara are limited to the proposed Papakāinga zoning at Onetahua Marae and provisions concerning Pōhara's role as a local commercial centre. PC81 also does not identify a housing-capacity shortfall at Pōhara.

96. OS184.4 and OS184.5 seek commitments concerning a future plan change and future spatial-planning processes rather than amendments to PC81.

97. For the reasons set out in Council's legal submissions, and having regard to this planning context, I recommend that OS184.1–OS184.5 be determined to be outside scope and not proceed to substantive assessment.

1427 Moutere Highway

98. Robyn Reid seeks Residential zoning of 1427 Moutere Highway or, alternatively, Deferred Residential zoning or recognition of the land as a future urban-growth opportunity. The property adjoins Upper Moutere, and the submission relies on its settlement-edge location, limited productive potential and the ability to manage future development through structure planning and infrastructure and environmental assessments.

99. Whether PC81 200.1 is within scope is ultimately a question of law. Council's legal submissions address that issue. The relevant planning context is that neither Upper Moutere nor 1427 Moutere Highway was identified for additional residential growth through the FDS or PC81. PC81 also did not identify a housing-capacity issue at Upper Moutere or signal that the settlement's future growth pattern was being reconsidered.

100. The submission would therefore introduce an additional settlement growth location rather than amend a growth area advanced through PC81. For the reasons set out in Council's legal submissions, and having regard to this context, I recommend that PC81 200.1 be determined to be outside scope and not proceed to substantive assessment.

101. Recommendation: PC81 140.2, 184.1-184.5 and 200.1 are outside scope and should not proceed to merits assessment.

5.2.6 Additional Site-Specific Rezonings Adjacent to Growth Areas - Hermann Seifried, Kairos Trust, John Emanuel and Tākaka Aero Heights: PC81 180.4, 167.2, 86.1 and 114.1

102. These submissions seek to extend Residential or Rural Residential zoning to land adjoining or near growth areas proposed through PC81. Their proximity to notified growth areas creates a planning connection with PC81 and, for most points, provides a basis for satisfying Limb 1.

Kairos Trust and Emanuel

103. These two sites are grouped together because they are physically adjoining. They do not, however, have any shared history or connection apart from physical proximity.

104. The Silvan Forest area, owned by Kairos Trust is a large and well used mountain bike park which is accessed by the public at the grace and favour of the landowner. As pointed out in the submission, the Silvan Steps is an events site which holds resource consent.

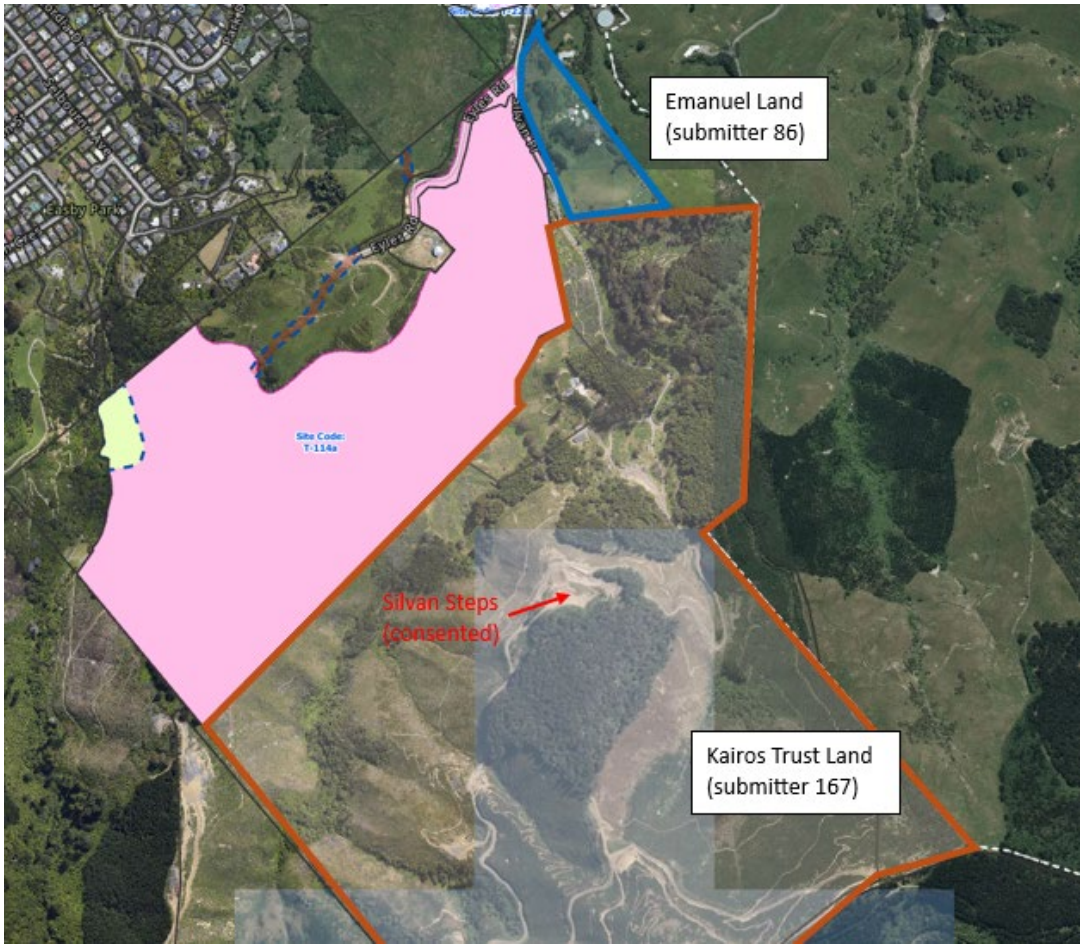


Figure 3 Aerial image of Kairos Trust and Emanuel Sites, Google Maps 2026

105. Figure 3 above shows the relationship between the Kairos Trust and Emanuel properties and the land proposed for Rural Residential rezoning through PC81 at T-114a (Eyles Road). Both submissions seek to extend Rural Residential zoning onto adjoining Rural 2 land and rely on the proximity of their properties to the notified growth area. Kairos Trust describes a longstanding planning history associated with its landholding and points to its relationship with the wider Eyles Road growth area. Similarly, John Emanuel seeks to extend the same zoning outcome proposed for T-114a to a nearby property on the opposite side of the road. In both cases, the submissions seek to expand the spatial extent of a notified rezoning rather than introduce a different form of development or land-use outcome. This proximity to notified growth land provides the principal basis for the Limb 1 connection discussed below.

106. Limb 1: PC81 proposes Rural Residential growth in this locality through the rezoning of T-114a (Eyles Road). Kairos Trust seeks to extend Rural Residential zoning across adjoining Rural 2 land, while John Emanuel seeks the same zoning outcome for nearby land opposite T-114a. In both cases, the relief has a direct spatial relationship with a zoning change proposed through PC81 and seeks an extension of that notified outcome. While neither property was identified for growth through the FDS or PC81, the close relationship with T-114a provides a sufficient connection to the changes advanced through the plan change. I therefore consider Limb 1 is satisfied.

107. Limb 2: Neither the Kairos Trust nor Emanuel properties were identified for Rural Residential zoning through the FDS or PC81. Although their proximity to T-114a provides some indication that the appropriate extent of Rural Residential zoning in this locality may be debated through submissions, PC81 did not signal that additional land beyond T-114a could also be rezoned. The requested relief would extend the spatial reach of the notified proposal and could affect persons who would not reasonably have anticipated that outcome through the plan change process. I therefore consider Limb 2 is not satisfied.

108. For these reasons, I recommend that PC81 167.2 and 86.1 be determined to be outside scope and not proceed to substantive assessment.

Hermann Seifried

109. Hermann Seifried seeks Residential zoning over the less productive hill-country portion of his Rural 1-zoned land adjoining Katania Heights. He considers this would enable an extension of Katania Heights and facilitate construction of the indicative road linking Jeffries Road and Coppermine Crescent, while retaining the flat productive land in rural use.

110. The property adjoins land proposed for Residential zoning through PC81 at T-104b and is also affected by the indicative future road connection shown between Jeffries Road and Coppermine Crescent. The submission argues that extending Residential zoning onto part of the landholding would support the wider development pattern anticipated for the Katania Heights area and assist with delivery of the proposed transport connection.

111. Figure 4 below shows the overall area sought to be rezoned (purple) and the maximum feasible development area identified by the submitter (orange). The submission does not seek rezoning of the entire property, instead focusing on the steeper hill-country land adjoining the proposed growth area while retaining the flatter productive land in rural use. The relief is therefore presented as a logical extension of the adjoining urban-growth pattern rather than a stand-alone growth area.

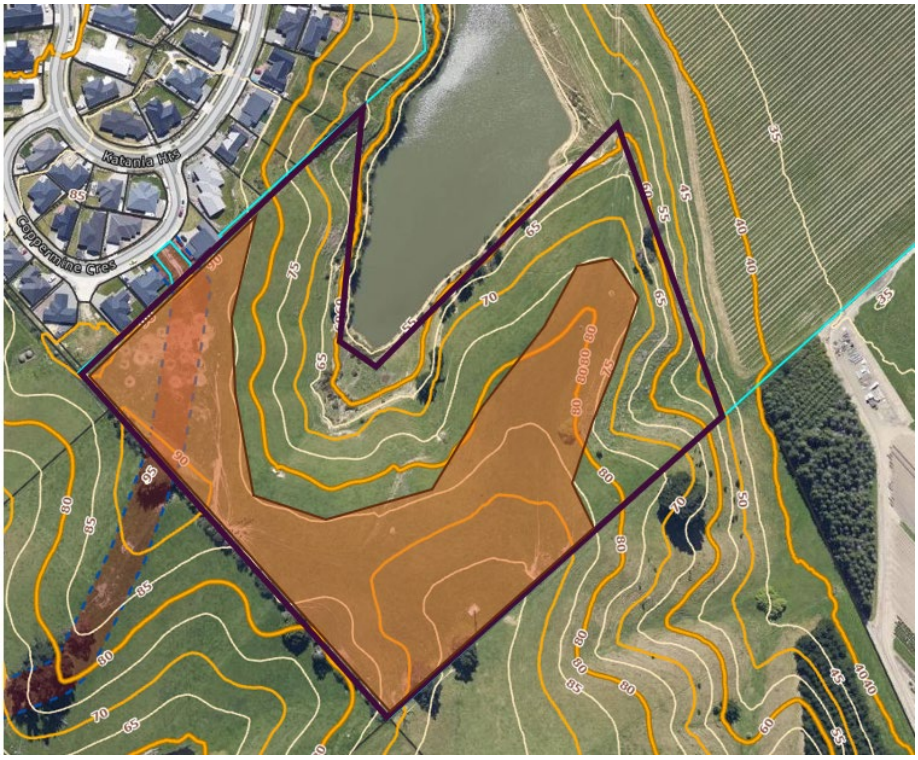


Figure 4 Aerial image of Hermann Seifried's proposed site for PC81 inclusion, Google Maps 2026

112. Limb 1: PC81 rezones adjoining FDS site T-104b from Rural 1 to Residential, extends the Brightwater Development Area, and identifies an indicative road connection through part of the submitter's land. The relief seeks to extend the same Residential zoning outcome onto adjoining land and is directly linked to the growth pattern proposed through PC81. While the land was not identified for development through the FDS, its proximity to notified growth land and relationship to the indicative road corridor creates a sufficient connection with the changes advanced through PC81. I therefore consider Limb 1 is satisfied.

113. Limb 2: The property was not itself identified for residential growth through either the FDS or PC81. While the indicative road provides some notice that the relationship between the land and adjoining growth areas may be relevant to the plan change process, it does not reasonably signal that the land could also be rezoned Residential. The requested relief would extend the spatial reach of PC81 beyond the land identified through notification and could affect persons who would not reasonably have anticipated that outcome. I therefore consider Limb 2 is not satisfied.

114. Accordingly, I recommend that PC81 180.4 be determined to be outside scope and not proceed to substantive assessment.

Tākaka Aero Heights Ltd

115. Tākaka Aero Heights Ltd seeks to rezone approximately 39.3 hectares of land at 262 Tākaka-Collingwood Highway from Rural 2 to Rural Residential. The submitter argues the site is well located for residential growth because it adjoins existing Rural Residential development, is opposite land proposed for Rural Residential rezoning through PC81, and is close to services and facilities within Tākaka.

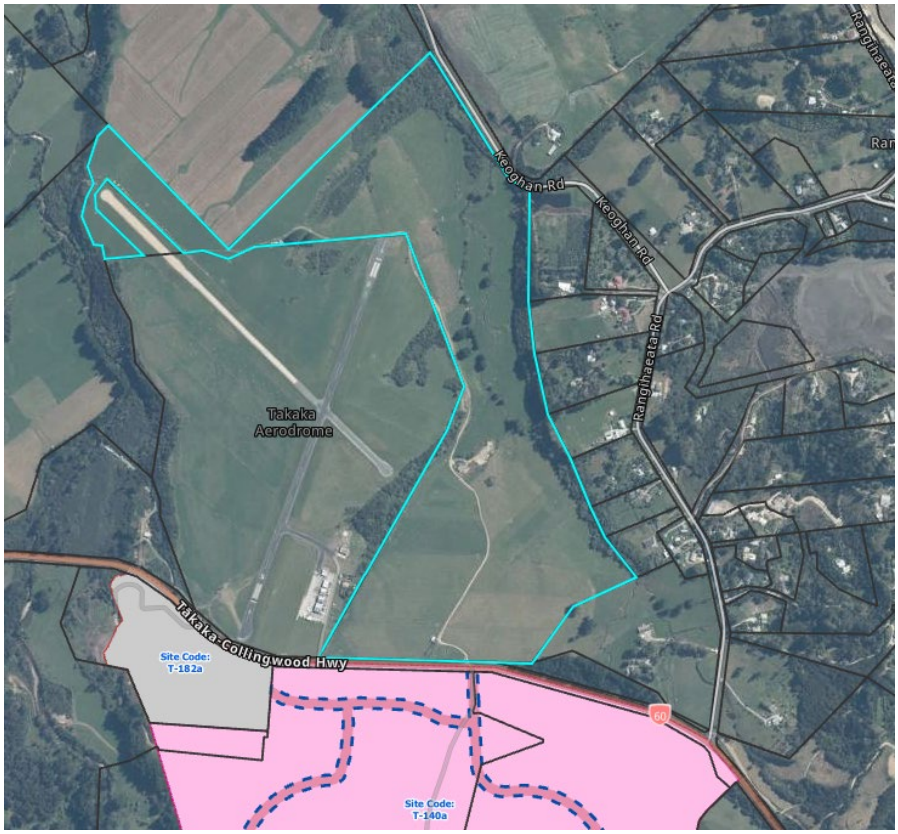


Figure 5 Aerial image of Takaka Aero Heights proposed site for PC81 inclusion, Google Maps 2026

116. Figure 5 above shows the relationship between the submitter's land and the Rural Residential growth proposed through PC81. The site adjoins the Tākaka Aerodrome and lies directly opposite proposed growth area T-140a (Little Ōnahau), which PC81 proposes to rezone from Rural 2 to Rural Residential. The submission therefore seeks to extend the same zoning outcome to a larger adjoining area rather than introduce a different type of development or land-use activity.

117. Limb 1: PC81 proposes Rural Residential growth in this locality, including the rezoning of T-140a immediately opposite the submitter's land. The site also adjoins existing Rural Residential zoning. The relief therefore has a direct spatial and planning connection with the changes advanced through PC81 and seeks an expansion of the same zoning framework proposed through the notified plan change. While the site was not identified for growth through the FDS or PC81, its proximity to both existing and proposed Rural Residential land provides a sufficient connection to the notified proposal. I therefore consider Limb 1 is satisfied.

118. Limb 2: The submitter's land was not identified for Rural Residential growth through either the FDS or PC81. While the proximity of the site to existing and proposed Rural Residential land provides some indication that growth issues in this locality may be debated through submissions, PC81 did not signal that this substantial additional area could also be rezoned. The scale of the requested rezoning, together with potentially affected interests associated with the adjoining aerodrome, State Highway 60 and the surrounding rural environment, means affected persons could not reasonably have anticipated this outcome through the notified proposal. I therefore consider Limb 2 is not satisfied.

119. Accordingly, I recommend that PC81 114.1 be determined to be outside scope and not proceed to substantive assessment.

5.2.7 Site-Specific Relief Unrelated to the Notified Proposal - Kairos Trust and Anna Macfarlane: PC81 167.3, 167.4 and 158.1

120. PC81 167.3 seeks Commercial zoning over the Silvan Steps precinct, PC81 167.4 seeks to enable visitor accommodation and short-term residential stays across the wider Rural 2 landholding, and PC81 158.1 seeks to resolve a site-specific subdivision constraint affecting 170 Stafford Drive.

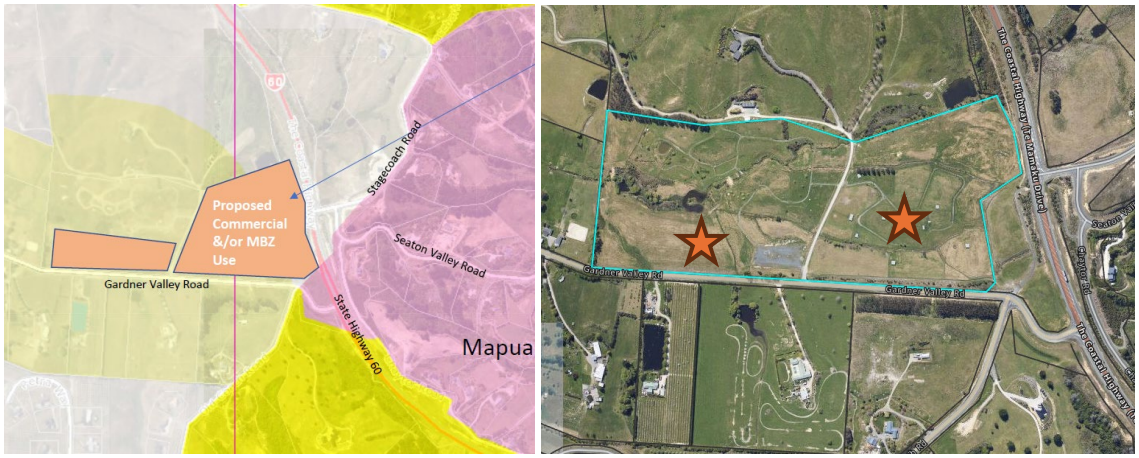
121. While each submission has a broad relationship with land use and development, none responds directly to matters opened through the notified proposal. PC81 did not identify the wider Kairos landholding for Commercial zoning, did not open the operative Rural 2 visitor-accommodation provisions for review, and did not undertake a general review of site-specific subdivision constraints unrelated to the notified growth framework.

122. The relief sought would introduce new planning outcomes or amend operative provisions not opened through PC81. Affected persons would not reasonably have anticipated those changes through the notified proposal.

123. Recommendation: PC81 167.3, 167.4 and 158.1 are outside scope and should not proceed to merits assessment.

5.2.8 Additional Commercial Growth Area - Thomas and Loreley Drach PC81 273.1

124. Thomas and Loreley Drach (PC81 273.1) seek Commercial and/or Mixed Business zoning over land at Gardner Valley Road west of State Highway 60, together with recognition of the area as being suitable for commercial and mixed-use activities to support the future growth of Māpua and surrounding communities. The submitters consider the land would provide an alternative location for commercial services and mixed-use development associated with future growth.



Figures 6 and 7: Land at Gardner Valley Rd – snippet from submission 273.1 and Google Maps 2026

125. Limb 1: The relief has a connection with the subject matter of PC81 because it relates to urban growth, commercial capacity and the location of future development. The submission proposes an alternative commercial growth response intended to support the future needs of Māpua and surrounding settlements.

126. Limb 2: The land subject to the submission was not identified through PC81 as a commercial growth area, Mixed Business area or location for further investigation. The notified proposal did not signal that additional commercial land west of State Highway 60 could be considered through the submission process. The relief would introduce a new commercial growth location beyond the spatial extent of the areas identified through PC81. Persons interested in or potentially affected by commercial development in this locality could not reasonably have anticipated that such an outcome might arise through submissions on PC81. Accordingly, Limb 2 is not satisfied.

127. Recommendation: PC81 273.1 be determined outside scope and not proceed to substantive assessment.

5.2.9 Summary of site-Specific and Spatial Scope Matters

Submission point / submitter	Planning context / relief	Summary of scope assessment	Officer recommendation
PC81 162.4 and 162.19 Orange Family Trust and Orange Building Group Limited	Deferred Medium Density Residential zoning, an Outline Spatial Plan and associated infrastructure provisions for FDS site T-038 at White Road, Richmond South.	Limb 1 and Limb 2 satisfied. The position is finely balanced, but the FDS identification, relationship with Richmond South and adjoining PC81 growth sites provided sufficient notice.	Within scope; proceed to Hearing 4.
PC81 121.1, 154.1 and 155.1 Kathryn Hanna, Joshua Rutledge and Jamie Eggers	Additional Residential zoning within the Richmond South urban-growth framework and FDS site T-039.	Limb 1 and Limb 2 satisfied. The FDS identification, earlier Richmond South planning and existing Residential zoning over part of 52 Cupola Crescent provided sufficient notice.	Within scope; proceed to Hearing 4.
PC81 123.1-123.4 and 147.1 Seaton Palms Ltd and Flathills 175 Ltd	Extensions to the Māpua growth area and associated rezoning, spatial-planning, infrastructure, open-space and environmental provisions.	Limb 1 and Limb 2 satisfied. The land is within the notified Māpua Seaton Valley Outline Spatial Plan and was identified through the FDS and Māpua Masterplan growth framework.	Within scope; proceed to Hearing 4.
PC81 36.1-36.5 Tasman Bay Estates Ltd	Tasman Village growth package comprising deferred zoning, centre classification, amendments to existing	PC81 36.2 satisfies both limbs because it responds directly to the notified centre classification. PC81	PC81 36.2 within scope; proceed to substantive consideration. PC81 36.1 and

	Tasman provisions, an Outline Spatial Plan and infrastructure provisions.	36.1 and 36.3-36.5 do not satisfy both limbs.	36.3-36.5 outside scope.
PC81 140.2, 184.1-184.5 and 200.1 Seaview Heights, Richmond Pōhara Holdings Ltd and Robyn Reid	Additional residential growth areas at Seaview Heights, Pōhara and Upper Moutere, including related zoning and future-planning relief.	PC81 140.2,PC81 184.1-184.5 and 200.1 satisfy neither limb 1 or 2.	Outside scope; do not proceed to substantive assessment.
PC81 180.4, 167.2, 86.1 and 114.1 Hermann Seifried, Kairos Trust, John Emanuel and Tākaka Aero Heights Ltd	Residential or Rural Residential rezonings of land adjoining or near growth areas proposed through PC81.	Limb 1 satisfied because of the spatial relationship with notified growth areas. Limb 2 not satisfied because PC81 did not signal rezoning of the additional land.	Outside scope; do not proceed to substantive assessment.
PC81 167.3, 167.4 and 158.1 Kairos Trust and Anna Macfarlane	Commercial zoning, visitor-accommodation provisions and resolution of a site-specific subdivision constraint unrelated to the notified proposal.	Limb 1 and Limb 2 not satisfied. The relief would introduce new site-specific outcomes or amend operative provisions not opened through PC81.	Outside scope; do not proceed to substantive assessment.
PC81 273.1 Thomas and Loreley Drach	Commercial and/or Mixed Business growth area at Gardner Valley Road, west of State Highway 60.	Limb 1 satisfied because the relief concerns commercial capacity and future business growth. Limb 2 not satisfied because the location was not selected through the FDS, Māpua Masterplan or PC81.	Outside scope; do not proceed to substantive assessment.

5.3. C1 Scope Matters

5.3.1 Dark Sky Protections - Top of the South Dark Sky Committee and Supporters: C1 1.1

128. Top of the South Dark Sky Committee and Supporters (C1 1.1) seek the introduction of Dark Sky protections and new lighting requirements through C1. The submission seeks a new strategic framework for managing light pollution associated with future development.

129. Limb 1: Although lighting can be associated with urban development, C1 concerns the strategic urban-development changes actually notified. A new regional policy framework

for light pollution is materially different from the notified subject matter. The submission itself recognises that lighting requirements are not addressed by C1. On this basis, the relief fails Limb 1.

119. Limb 2: Persons interested in or affected by district-wide or region-wide lighting controls would not necessarily have been alerted by the notified C1 provisions that such regulation could be introduced. Granting the relief could therefore create procedural unfairness, and therefore Limb 2 is also not met.

120. Recommendation: C1 1.1 be determined outside scope and not proceed to Hearing 2 on its planning merits.

5.3.2 Ministry of Education: Additional Infrastructure and Educational Facilities - C1 14.1-14.5

121. The Ministry of Education (C1 14.1-14.5) seeks greater recognition of educational facilities as infrastructure required to support planned urban growth. Unlike the Ministry's PC81 submissions, which seek amendments to operative definitions, activity frameworks and rural-zone provisions not part of the notified proposal. Schools can be considered infrastructure and are contemplated by the NPSUD as part of well-functioning urban environments. The Ministry's C1 submissions are directed at the strategic relationship between urban growth and supporting infrastructure.

122. Limb 1: The relief sought relates directly to the growth, infrastructure and well-functioning urban environment outcomes addressed by C1. The submissions have a sufficient connection to the notified proposal.

123. Limb 2: A person reading the notified proposal could reasonably anticipate submissions concerning the infrastructure required to support growth, including social infrastructure such as schools. The requested amendments are reason ably foreseeable within the scope of the notified proposal.

124. Recommendation: C1 14.1-14.5 to be determined within scope and proceed to merits assessment in Hearing 2.

Submission Point	Planning Context / Relief	Officer View	Reason
C1 14.1	Recognition of future educational facilities and school infrastructure required to support urban growth.	Within scope	Relates to the role of supporting infrastructure within the notified urban growth framework. No specific amendment is sought.
C1 14.2 & 14.4	Definition and recognition of "additional infrastructure", including educational facilities, within the urban growth framework.	Within scope	Directly relates to infrastructure planning and growth management addressed by the notified proposal and the NPS-UD.
C1 14.3	Amendment to Objective 5.1C to explicitly recognise	Within scope	Seeks amendment to a notified objective and is directly connected

	additional infrastructure supporting urban growth.		to the urban growth and infrastructure outcomes addressed by C1.
C1 14.5	Recognition of educational infrastructure planning and engagement with the Ministry of Education as part of integrated growth planning.	Within scope	Relates to infrastructure planning and urban growth outcomes addressed by the notified proposal, although the appropriateness of singling out one infrastructure provider is a merits matter.

5.4. PC81 Environmental and Strategic Policy Requests

5.4.1 Dark Sky and Lighting Controls - Top of the South Dark Sky Committee and Supporters, Homes for Wakefield, and Scott Nicol: PC81 1.1, 61.4 and 116.2

125. The submission points from Top of the South Dark Sky Committee and Supporters (PC81 1.1), Homes for Wakefield (PC81 61.4) and Scott Nicol (PC81 116.2) seek amendments relating to outdoor lighting, light pollution and the effects of development on night-sky values. The submissions differ in scope and relief and have therefore been assessed separately.

126. Top of the South Dark Sky Committee and Supporters (PC81 1.1) seek new lighting requirements and Dark Sky protections applying across all new development in the District. While the submission identifies a relationship between urban growth and increased lighting effects, the relief sought would introduce a new district-wide lighting management framework that was not evaluated through PC81. Recommendation: PC81 1.1 be determined outside scope.

127. Homes for Wakefield (PC81 61.4) seek downward-directed outdoor lighting and warmer colour temperatures to address the cumulative lighting effects associated with increased residential density. The relief is directed at managing the effects of development enabled by PC81 and seeks an alternative method within the MDRZ and other residential development provisions opened through the plan change, rather than introducing a new district-wide lighting framework. I therefore consider there is a sufficient connection between the relief sought and the notified proposal, and that amendments of this nature could reasonably have been anticipated through the submission process. Recommendation: PC81 61.4 be determined within scope.

128. Scott Nicol (PC81 116.2) seeks amendment of amenity policies so that lighting effects on the night sky are recognised and considered. The relief is directed to the amenity policy framework opened through PC81 and proposes an alternative policy response to the effects of urban development, rather than a new district-wide lighting management framework. I therefore consider there is a sufficient connection between the relief sought and the notified proposal, and that amendments of this nature could reasonably have been anticipated through the submission process. Recommendation: PC81 116.2 be determined within scope.

5.4.2 Catchments, Riparian Protection and Water-Sensitive Design - Jan Heijs: PC81 246.3 and 246.6

129. Jan Heijs (PC81 246.3 and 246.6) seeks stronger provisions relating to stream and riparian protection, stormwater management, wetland protection and water-sensitive design. The submission is not directed to notified MDRZ, Outline Spatial Plan or amenity provisions. Instead, it seeks new stream, riparian, wetland, stormwater and water-sensitive design controls that would apply more broadly across development in the district. The relief therefore seeks to introduce a separate environmental management framework rather than an alternative method within provisions opened through PC81.

130. Limb 1: While these matters have a relationship with urban development, the relief sought is not confined to the urban growth provisions introduced through PC81. Instead, it would introduce broader environmental management controls and a new planning framework for managing freshwater, stormwater and ecological effects. The relief therefore goes beyond the extent to which PC81 changes the status quo of the TRMP and cannot pass limb 1 of the legal tests.

131. Limb 2: The relief could affect landowners and development opportunities beyond the growth areas and provisions notified through PC81. Persons with an interest in district-wide stream, riparian, wetland, stormwater or water-sensitive design controls would not reasonably have anticipated those matters being introduced through this plan change. There is therefore a risk that the TRMP could be amended without affected persons having had an opportunity to participate in the process. Accordingly, the relief also cannot pass limb 2.

132. Recommendation: PC81 246.3 and 246.6 be determined outside scope and not proceed to merits assessment.

5.4.3 Ridgelines and Elevated Sites - Dan Montgomery: PC81 215.2

133. Dan Montgomery (PC81 215.2) seeks controls for ridgelines and elevated sites across the district.

134. The relief would introduce a new landscape or visual-amenity framework not opened by the urban-development provisions of PC81. It therefore does not alter the extent to which C1 or PC81 changes the status quo of the Plans and cannot pass limb 1 of the legal tests and seeks to impose a new management regime on land that is not otherwise altered by the Changes.

135. It is likely also to affect properties not identified through notification to be affected by the proposed amendments. There is therefore a risk the TRPS or TRMP would be amended without the ability for interested persons to be involved. Thus, it likewise cannot pass limb 2.

136. Recommendation: PC81 215.2 be determined outside scope and not proceed to merits assessment.

5.4.4 Summary of PC81 Environmental and Strategic Policy Requests

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 1.1	Introduction of Dark Sky, lighting and night-sky protection provisions to manage lighting effects associated with urban growth and development.	Outside scope - does not proceed to substantive assessment.	Introduces a new district-wide lighting management framework not opened through PC81.
PC81 61.4	Lighting controls associated with the cumulative effects of increased residential density, including downward-directed lighting and warmer colour temperatures.	Within scope	Responds to amenity effects arising from residential intensification enabled through PC81.
PC81 116.2	Amendment of amenity policies to recognise lighting effects on night-sky values.	Within scope	Seeks an alternative policy response within the notified amenity framework addressed by PC81.
PC81 246.3	Enhanced stream, riparian margin and ecosystem protection measures associated with urban growth and development.	Outside scope - does not proceed to substantive assessment.	Broad stream and riparian framework
PC81 246.6	Additional stormwater management, wetland protection and water-sensitive design measures associated with urban growth and development.	Outside scope - does not proceed to substantive assessment.	Broad stormwater/wetland framework
PC81 215.2	Landscape and visual amenity controls relating to ridgelines and elevated sites.	Outside scope - does not proceed to substantive assessment.	New ridgeline/elevated-site controls not proposed to be changed by C1 or PC81

5.5. Community, Recreation and Public-Space Requests - Colin Walker (PC81 248.9), Ian and Mary-Jane Reade (PC81 88.2), Terence Lomax (PC81 8.4) and Melanie Cloutier (PC81 204.8)

137. Colin Walker (PC81 248.9) and Ian and Mary-Jane Reade (PC81 88.2) seek boat ramps, floating marinas or additional boat-launching capacity. Terence Lomax (PC81 8.4) seeks a fenced off-leash dog exercise area. Melanie Cloutier (PC81 204.8) seeks edible trees in reserves and open spaces. Collectively, the submissions seek operational, asset-management or capital works outcomes rather than amendments to the urban-development provisions notified through PC81.

138. Limb 1: While some of the submissions relate generally to public open space, recreation or community infrastructure, the relief sought is not directed to the objectives, policies, rules, zoning provisions or planning mechanisms amended through PC81. Instead, the submissions seek decisions on the provision, design, management or funding of specific facilities and assets. These matters fall within separate operational or asset-management frameworks and do not relate to the extent to which PC81 changes the status quo of the TRMP. Accordingly, the submissions cannot pass Limb 1.

139. Limb 2: The notified proposal did not signal that decisions relating to boat ramps, marina facilities, dog exercise areas or reserve planting programmes would be considered through the plan change process. Persons with an interest in those facilities, associated funding priorities, public land management or neighbouring properties could not reasonably have anticipated those matters being introduced through submissions on PC81. Accordingly, the submissions also cannot pass Limb 2.

140. Recommendation: PC81 248.9, PC81 88.2, PC81 8.4 and PC81 204.8 be determined outside scope and not proceed to merits assessment.

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 248.9	Additional boating infrastructure, including all-tide boat ramps and floating marina facilities.	Outside scope - does not proceed to substantive assessment.	Boat-ramp/marina capital or operational outcome. C1 and PC81 do not propose changes, beyond incidental changes, to the marine and coastal area, where boating infrastructure is likely to be located.
PC81 88.2	Additional boat-launching capacity and	Outside scope - does not proceed to	Boat-ramp/marina capital or operational outcome.

	associated marine-access infrastructure.	substantive assessment.	C1 and PC81 do not propose changes, beyond incidental changes, to the marine and coastal area, where boating infrastructure is likely to be located.
PC81 8.4	Additional public recreation infrastructure in the form of a fenced off-leash dog exercise area.	Outside scope - does not proceed to substantive assessment.	Dog-exercise facility is operational/public-space relief and not directly controlled by the TRMP
PC81 204.8	Reserve and open-space planting outcomes, including the use of edible species within public open space areas.	Outside scope - does not proceed to substantive assessment.	Reserve planting programme not a notified PC81 method

5.6. Transport Operations - Peter and Jane Duncan (PC81 212.1)

141. Peter and Jane Duncan (PC81 212.1) seek speed-warning signs on Hill Street.

142. Limb 1: The relief sought is an operational road-safety measure rather than an amendment to a notified objective, policy, rule, zone, planning map or other provision altered through PC81. PC81 does not propose changes to the transportation network in the manner sought by the submission, nor does it introduce a framework for determining the location of traffic-calming devices or road signage. The relief therefore does not relate to the extent to which PC81 changes the status quo of the TRMP and cannot pass limb 1 of the legal tests.

143. Limb 2: The relief concerns the installation of site-specific traffic management infrastructure on a local road. Persons with an interest in traffic engineering, road operations or properties potentially affected by such measures would not reasonably have anticipated that a decision on speed-warning signage could arise through the PC81 process. There is therefore a risk that an operational outcome could be determined without affected persons having had an opportunity to participate. Accordingly, the relief also cannot pass limb 2.

144. Recommendation: PC81 212.1 be determined outside scope and not proceed to merits assessment.

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 212.1	Road safety and transport management measures associated	Outside scope - does not proceed to substantive assessment.	Operational road-safety request, not plan-change relief

	with urban growth and development.		

5.7. New Housing and Occupancy Pathways - Ray Hellyer (PC81 87.1) and Nicholas Hughes (PC81 186.1)

5.7.1 Ray Hellyer: PC81 87.1 - Tiny Homes

145. Ray Hellyer (PC81 87.1) considers PC81 should provide for tiny homes and requests that the plan change be halted until provision for tiny homes is included.

146. Limb 1: While housing choice and residential development are matters addressed through PC81, the submission does not seek an amendment to a particular objective, policy, rule, or other provision notified through the plan change. Instead, the submission seeks the inclusion of a new planning response for tiny homes without identifying amendments to the provisions opened through PC81. The relief therefore seeks consideration of a new housing framework rather than an alternative method within the notified proposal. Accordingly, I consider the submission is not directed to the extent to which PC81 changes the existing planning framework and cannot pass Limb 1.

147. Limb 2: The notified proposal did not signal that a separate planning framework for tiny homes would be introduced or assessed through the submission process. Persons participating in PC81 could reasonably have anticipated submissions concerning the residential provisions notified through the plan change, but not the introduction of a new district-wide planning response for tiny homes. Accordingly, the relief also cannot pass Limb 2.

148. Recommendation: PC81 87.1 be determined outside scope and not proceed to merits assessment.

5.7.2 Nicholas Hughes: PC81 186.1 - Eight-Week Occupancy Restriction

149. Nicholas Hughes (PC81 186.1) seeks amendment or removal of an existing eight-week occupancy restriction applying within the TRMP. The submitter considers the restriction is outdated and should be changed to allow greater flexibility in the occupation of dwellings.

150. Limb 1: PC81 does not propose to amend the existing occupancy restriction, nor does it open the underlying occupancy framework for review. The submission is directed to an operative provision that remains unchanged by PC81 and does not seek an amendment to any objective, policy, rule or development standard notified through the plan change. The relief therefore does not relate to the extent to which PC81 changes the status quo of the TRMP and cannot pass Limb 1.

151. Limb 2: Persons reading the notified proposal could not reasonably have anticipated that the existing occupancy restriction would be reconsidered through PC81. The relief would alter the operation of an existing regulatory framework that was not identified through notification. Accordingly, affected persons may not have had an opportunity to participate on that issue and the relief also cannot pass Limb 2.

152. Recommendation: PC81 186.1 be determined outside scope and not proceed to merits assessment.

5.7.3 Summary of Tiny Homes and Occupancy Pathways Requests

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 87.1	Provision for tiny homes through a bespoke regulatory framework for residential development and housing choice.	Outside scope - does not proceed to substantive assessment.	The submission seeks a distinct planning framework rather than an amendment to a notified provision. The relief is therefore insufficiently connected to the notified proposal and would not have been reasonably anticipated by affected persons.
PC81 186.1	Amendment of an existing occupancy restriction applying to residential development.	Outside scope - does not proceed to substantive assessment.	The relief is not sufficiently connected to a notified provision and affected persons would not reasonably anticipate amendment of the restriction through this plan change process.

5.8. Definitions and Other Regulatory Amendments - Jan Heijs (PC81 246.5) and Homes for Wakefield (PC81 61.2)

5.8.1 Jan Heijs: PC81 246.5 - Definition for Overland Flow/Paths

153. Jan Heijs (PC81 246.5) seeks the introduction of new definitions and clarification of stormwater-related terminology, including "overland flow paths".

154. Limb 1: Stormwater management is relevant to urban development and the effects of growth enabled through PC81. However, the submission does not seek amendment of a notified objective, policy, rule or development standard. Instead, it seeks the introduction of new definitions and terminology that would apply more broadly across the TRMP. The definitions chapter and wider interpretive framework were not opened for review through PC81. The relief therefore seeks amendment of a broader regulatory framework rather than

an alternative method within provisions notified through the plan change and cannot pass Limb 1.

155. Limb 2: Persons reading the notified proposal could reasonably have anticipated submissions concerning stormwater management within the urban-development framework established by PC81. However, they would not reasonably have anticipated the introduction of new plan-wide definitions and terminology applying beyond the provisions altered through the plan change. The relief could therefore affect the interpretation and application of provisions outside the scope of the notified proposal and accordingly cannot pass Limb 2.

156. Recommendation: PC81 246.5 be determined outside scope and not proceed to merits assessment.

5.8.2 Homes for Wakefield: PC81 61.2 - Financial Burden of Medium-Density Development

157. Homes for Wakefield (PC81 61.2) seeks relief from the financial burden associated with medium-density development, including development contributions, additional dwelling consents and building consent costs.

158. Limb 1: While the submitter links these matters to the viability of medium-density housing enabled through PC81, the relief sought is not directed to any notified objective, policy, rule, development standard or zoning provision. Instead, it relates to Council funding, charging and consenting processes, including development contributions and building consent fees, which are administered through separate statutory and regulatory frameworks. PC81 does not propose amendments to those frameworks. The relief therefore does not relate to the extent to which PC81 changes the status quo of the TRMP and cannot pass Limb 1.

159. Limb 2: Persons reading the notified proposal could reasonably have anticipated submissions concerning the form, scale and operation of medium-density development enabled through PC81. However, they would not reasonably have anticipated that Council funding mechanisms, development contributions or building consent fees would be reconsidered through this plan change process. The relief therefore extends beyond the matters signalled through notification and cannot pass Limb 2.

160. Recommendation: PC81 61.2 be determined outside scope and not proceed to merits assessment.

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 246.5	New stormwater-related definitions and clarification of water-sensitive design terminology.	Outside scope - does not proceed to substantive assessment.	Definitions require direct link to notified provisions

PC81 61.2	Amendments to reduce the financial and regulatory costs associated with medium-density residential development.	Outside scope - does not proceed to substantive assessment.	Development contributions and consent costs fall outside the notified provisions of PC81 and would not reasonably have been anticipated through this plan change process.

5.9. Motueka Community Board (PC81 51.6): Seaview Heights Pathway

161. The Motueka Community Board (PC81 51.6) seeks clarification of the constraints affecting Seaview Heights and a pathway for progressing development of the area.

162. Limb 1: The relief is directed toward facilitating future urban development at Seaview Heights. However, Seaview Heights is not identified as a growth area in PC81, nor does PC81 propose provisions addressing the development of that locality. The submission therefore does not seek amendment to the extent of change proposed through PC81 but instead seeks consideration of an additional growth location not opened by the notified proposal. Accordingly, the relief is not sufficiently connected to the notified provisions and cannot pass Limb 1.

163. Limb 2: The notified proposal did not signal that Seaview Heights could be considered for future urban development through the PC81 process. Persons interested in or affected by development in that locality could not reasonably have anticipated that a development pathway for Seaview Heights might be introduced through submissions. Accordingly, the relief also cannot pass Limb 2.

164. Recommendation: PC81 51.6 be determined outside scope and not proceed to merits assessment.

Submission Point	Planning Context/Relief	Officer View	Reason
PC81 51.6	Clarification of development constraints and a pathway for future residential development at Seaview Heights.	Outside scope - does not proceed to substantive assessment.	Seaview Heights was not identified as a notified growth area and reconsideration through PC81 was not reasonably signalled to affected persons.

5.10. Ministry of Education (PC81 138.1, 138.5, 138.6, 138.15, 138.17, 138.20, 138.21, 138.32-138.48): Educational-Facility Provisions

165. The Ministry of Education seeks a new definition of "educational facility" and related amendments to methods, subdivision provisions, assessment criteria, activity provisions and rural-zone rules. The submission points do not all raise the same scope issue. They have therefore been assessed according to the nature of the relief and whether the relevant provision was opened for consideration through PC81.

5.10.1 PC81 138.1 - New Plan-wide Definition

166. PC81 138.1 seeks to introduce a new definition of "educational facility". The proposed definition has broader application than the PC81 references to schools and educational activities and could affect the interpretation and operation of provisions throughout the Plan.

167. Limb 1: The introduction of a new plan-wide definition, and its wider regulatory implications, was not evaluated through PC81. The relief would introduce a broader planning concept rather than amend a definition or issue opened through the notified proposal. The submission is therefore not on the extent to which PC81 changes the status quo.

168. Limb 2: Persons reading PC81 would not reasonably have anticipated the introduction of a new definition capable of affecting provisions throughout the TRMP. Parties affected by those wider consequences may not have had a fair opportunity to participate.

169. Recommendation: PC81 138.1 be determined outside scope and not proceed to merits assessment.

5.10.2 PC81 138.6, 138.15, 138.17, 138.20, 138.21 and 138.32 - Amendments to Provisions Opened Through PC81

170. PC81 138.6, 138.15, 138.17, 138.20, 138.21 and 138.32 seek amendments concerning educational facilities within methods, subdivision provisions, assessment criteria and activity provisions addressed through PC81. These points can be considered separately from the proposed definition in PC81 138.1. The notified amendment schedule opens the relevant community-facilities, subdivision and Rural 1 provisions for consideration.

171. Limb 1: The relief is directed to provisions opened through PC81 and may represent alternative wording within those provisions. The requested amendments therefore have a sufficient connection with the notified proposal, provided they rely on the existing TRMP framework and do not introduce the broader definition sought through PC81 138.1.

172. Limb 2: Persons reading the notified provisions could reasonably have anticipated submissions seeking alternative wording concerning the activities, facilities or connections addressed by those provisions. Confined in this way, the relief does not create wider planning consequences beyond those signalled through notification.

173. Recommendation: these points are within scope.

5.10.3 PC81 138.34 - Retention of Notified Provision

174. PC81 138.34 supports retention of Rule 17.5.2.4 as notified.

175. Limb 1: The submission is directed to a provision amended through PC81 and does not seek relief beyond the notified proposal. The submission therefore relates directly to the extent of change proposed through PC81 and passes Limb 1.

176. Limb 2: A person reading the notified proposal could reasonably have anticipated submissions supporting, opposing or seeking amendments to Rule 17.5.2.4. As the submission seeks retention of the rule as notified and does not introduce any additional planning outcome, no separate procedural fairness concerns arise. The submission therefore also passes Limb 2.

177. Recommendation: PC81 138.34 be determined within scope.

5.10.4 PC81 138.5, 138.33 and 138.35-138.48 - Amendments to Operative Rural-Zone Provisions

178. The remaining Ministry points, PC81 138.5, 138.33 and 138.35-138.48, seek amendments to rural-zone activity and setback provisions to better accommodate educational facilities in rural areas, including changes to existing separation distances from farming and horticultural activities. While the submissions are advanced in support of educational facilities, they are directed at operative rural-zone frameworks rather than the urban-development provisions altered through PC81.

179. Limb 1: The relevant operative provisions were not opened for review through PC81. Using the existing meaning of educational facilities does not overcome this issue because the underlying activity and setback frameworks were not part of the notified proposal.

180. Limb 2: Rural landowners, growers, farming operators and other affected persons would not reasonably have anticipated that PC81 could alter these operative provisions or change the activities protected by existing separation distances. Those parties may not have had a fair opportunity to participate.

181. Recommendation: PC81 138.5, 138.33 and 138.35-138.48 be determined outside scope and not proceed to substantive assessment.

5.10.5 Summary of Ministry Requests

Submission Point	Planning Context / Relief	Officer View	Reason
PC81 138.1	Introduction of a new plan-wide definition of “educational facility”.	Outside scope - does not proceed to substantive assessment.	Introduces a new plan-wide educational-facility framework with wider implications beyond the provisions opened through PC81.
PC81 138.6, 138.15, 138.17, 138.20, 138.21 and 138.32	Amendments concerning educational facilities within methods, subdivision provisions, assessment criteria and activity provisions opened through PC81.	Within scope - can proceed to substantive assessment	Relief is directed to provisions opened through PC81 and may be considered as alternative wording within the existing TRMP framework.

PC81 138.34	Retention of Rule 17.5.2.4 as notified.	Within scope - can proceed to substantive assessment	Supports retention of a notified provision and does not seek additional relief beyond the notified proposal.
PC81 138.5, 138.33 and 138.35 - 138.48	Separate educational-facility activity treatment, a new consent pathway, and amendments to operative intensive farming, horticultural planting, spray and setback provisions across the rural zones.	Outside scope - does not proceed to substantive assessment.	Seeks amendments to operative rural-zone provisions that were not opened for review through PC81 and were not reasonably signalled through the notified proposal.

5.11. Heritage Protection - Margaret Clark (PC81 78.2)

182. Margaret Clark (PC81 78.2) seeks the introduction of a process to identify and protect heritage properties.

183. Limb 1: While historic heritage is a matter recognised under section 6 of the RMA and can arise in the context of urban development, PC81 does not propose amendments to the TRMP heritage provisions or notify a review of the heritage framework. The submission seeks the introduction of a new heritage identification and protection process rather than an amendment to provisions opened through PC81. The relief therefore introduces a separate planning framework that is not connected to the extent to which PC81 changes the status quo of the TRMP and cannot pass Limb 1.

184. Limb 2: Persons reading the notified proposal could reasonably have anticipated submissions relating to the urban-development provisions altered through PC81. However, they would not reasonably have anticipated the introduction of a district-wide heritage identification or protection process through the submission process. Such relief could affect heritage property owners and other interested parties who were not alerted through notification that these matters might be considered. Accordingly, the relief also cannot pass Limb 2.

185. Recommendation: PC81 78.2 be determined outside scope and not proceed to merits assessment.

Submission Point	Planning Context/Relief	Officer view	Reason
PC81 78.2	Additional heritage identification and protection provisions.	Outside scope - does not proceed to substantive assessment.	New heritage-protection process not proposed by PC81

6. Late Submissions

6.1. Approach

186. Council has identified eight late original submissions. Each submission has been assessed having regard to the timing and extent of delay, the nature of the relief sought, whether comparable issues were raised through valid original submissions, potential prejudice to interested persons, and the efficient conduct of the hearing process.

187. I recommend that all eight late submissions be admitted. In each case, the submission raises matters already canvassed through the Original Submission process and no material procedural prejudice or other harm from acceptance has been identified. Admission does not determine whether the relief is within scope or should ultimately be accepted on its merits.

6.2. C1 Late Submissions

6.2.1 Wakatū Incorporation (LS1)

188. Wakatū Incorporation's late submission, received on 7 September 2026, supports C1 in part and seeks amendments concerning the description of Māori ancestral land, recognition of Wakatū landholdings, distinctions between iwi, hapū, whānau and Māori landholding entities, and te reo Māori spelling and macron use.

189. The submission develops matters already raised in Wakatū's original C1 submission and raises no materially new issue. Although no Further Submission opportunity arose in relation to the late submission, interested persons could have responded to the comparable original submission. No procedural prejudice or other harm from acceptance is identified.

79. Recommendation: Admit LS1.

6.2.2 Whakarewa (LS2)

190. Whakarewa's late submission, received on 21 September 2026, supports C1 in principle but seeks amendments to Chapter 4 and related explanatory material concerning Māori ancestral landholdings, governance arrangements, terminology, and te reo Māori spelling and macron use.

191. The submission is closely related to and extends matters raised in Wakatū's original C1 submission. It raises no materially new issue. Although no Further Submission opportunity arose in relation to the late submission, interested persons could have responded to the comparable original submission. No procedural prejudice or other harm from acceptance is identified.

192. Recommendation: Admit LS2.

6.3. PC81 Late Submissions

6.3.1 Rototai Road: David Osborne Crarer, Benjamin Coup and Karin Winspear (LS3, LS5 and LS6)

193. The late submissions from David Osborne Crarer, Benjamin Coup and Karin Winspear oppose the proposed rezoning of land at Rototai Road. They raise concerns including the loss of productive land, flood risk, stormwater and wastewater servicing, groundwater

effects, traffic and wider infrastructure capacity. David Osborne Crarer's submission was received on 21 August 2026. The submissions from Benjamin Coup and Karin Winspear were received separately on 31 August 2026.

194. Comparable matters were raised through valid original submissions and interested persons had an opportunity to respond to those issues. No procedural prejudice or other harm from acceptance is identified.

195. Recommendation: Admit LS3, LS5 and LS6.

6.3.2 Māpua: Carl Stockton and Bob and Mary Lancaster (LS4 and LS7)

196. Carl Stockton's late submission, received on 4 August 2026, opposes PC81 and proposed residential and industrial development in and around Māpua Village. The joint late submission from Bob and Mary Lancaster, received on 31 August 2026, opposes the scale of growth proposed in Māpua, particularly the Seaton Valley Road development. The submissions raise concerns including village character and amenity, traffic, infrastructure, productive land, pollution, and effects on the natural environment and nearby properties.

197. The submissions raise no materially new issue. Comparable matters were raised through valid original submissions and interested persons had an opportunity to respond to those issues. No procedural prejudice or other harm from acceptance is identified.

198. Recommendation: Admit LS4 and LS7.

6.3.3 Tamsin Clark (LS8)

199. Tamsin Clark lodged a document on 30 August 2026 as a Further Submission. However, the document was not lodged in the prescribed Further Submission form and does not support or oppose an identifiable original submission by another person. Instead, it supplements Ms Clark’s original submission concerning the T-33 growth area.

200. I consider the document is more appropriately treated as a late original submission. The relief is closely related to the matters raised in Ms Clark’s original submission and can be considered alongside that submission. Given this relationship, and the limited nature of the additional relief, I have identified no material procedural prejudice or other harm arising from its admission.

201. Recommendation: Admit LS8 as a late original submission.

6.4. Overall Recommendation

202. I recommend that the Hearing Panel admit LS1 to LS8 as late original submissions. If admitted, LS1-LS8 should be allocated to the relevant substantive hearing, subject to any jurisdictional or scope matter or matters arising from the relief sought.

7. Further Submissions

7.1. Overview

204. Council has reviewed the further submissions relating to the original submission points that raise issues of scope.

205. A further submission cannot confer jurisdiction where the original submission is out of scope. Where an original submission point is determined to be outside scope, any associated further submissions cannot be considered to the extent that they relate to that relief. Conversely, where an original submission point is determined to be within scope, associated further submissions may proceed to the relevant substantive hearing, provided they satisfy the requirements of clause 8 of Schedule 1 to the RMA and remain within scope of the original submission.

206. Appendix C identifies the further submissions associated with the original submission points addressed at Hearing 1 and the consequences of the recommended scope determinations.

7.2. PC81 Further Submissions

207. Council identified 38 numbered further submission points associated with PC81 original submission points requiring determination at Hearing 1. In addition, six emails supporting Seaview Heights submission point OS.140.2 have been identified as potential further submissions. Accordingly, 44 further submission entries, including those six emails, are addressed in this section.

208. 26 further submission entries relate to original submission points recommended to be outside scope. These comprise:

    a. one Further Submission associated with PC81 1.1;

    b. ten entries associated with submission 140.2, comprising four further submissions and six supporting emails Further Submission entries associated with PC81 140.2;

    c. one Further Submission associated with PC81 167.2;

    d. one Further Submission associated with PC81 167.3;

    e. two Further Submissions associated with PC81 215.2;

    f. two Further Submissions associated with PC81 246.3;

    g. two Further Submissions associated with PC81 246.5;

    h. four Further Submissions associated with PC81 246.6; and

    i. three Further Submissions associated with PC81 273.1.

209. If the Hearing Panel determines that those original submission points are outside scope, the associated further submissions cannot be considered to the extent that they relate to relief determined to be outside scope.

210. The remaining 18 further submission entries relate to original submission points recommended to be within scope. These comprise:

a. one Further Submission associated with PC81 61.4;

a. one Further Submission associated with PC81 116.2;

b. three Further Submissions associated with PC81 121.1;

c. four Further Submissions associated with PC81 123.1-123.4;

d. two Further Submissions associated with PC81 154.1;

e. one Further Submission associated with PC81 155.1; and

f. six Further Submissions associated with PC81 162.4 and 162.19.

211. Subject to the Hearing Panel accepting the recommendations in this report, further submissions associated with original submission points determined to be within scope may proceed to the relevant substantive hearing.

7.3. C1 Further Submissions

212. Council identified three numbered further submission points associated with C1 original submission points requiring a scope determination at Hearing 1.

213. One Further Submission point, FS36.1, relates to C1 1.1 submitted by Top of the South Dark Sky Committee and Supporters. As C1 1.1 is recommended to be outside scope, the associated Further Submission also falls away if that recommendation is accepted by the Hearing Panel.

214. Two Further Submission points, FS38.14 and FS38.15, support Ministry of Education submission points C1 14.2 and C1 14.4 respectively. As those original submission points are recommended to be within scope, the associated further submissions may proceed to Hearing 2 if the Hearing Panel accepts that recommendation.

215. No numbered further submissions were identified in relation to C1 14.1, 14.3 or 14.5.

7.4. Seaview Heights Supporting Communications

216. Council received six communications during the further submission period expressing support for PC81 140.2 (Seaview Heights). The communications were submitted by:

- Paul Roberts;
- Neville Greaney;
- Graham and Sarah Wilson;
- Mark McClelland;
- Paul Heywood; and
- Jenny Bell.

217. Although the communications were not submitted using the prescribed further submission form, each identifies the original submission being supported and the outcome sought. The reporting officer considers the communications substantially comply with the prescribed form requirements and provide sufficient notice of the position being advanced, without causing procedural prejudice to other participants. Accordingly, the reporting officer recommends that the Hearing Panel accept the communications as valid further submissions, subject to the scope determination for PC81 140.2.

7.5. Recommendations

218. I recommend that the Hearing Panel:

a. determine that the 26 further submission entries associated with original submission points found to be outside scope cannot be considered to the extent that they relate to relief outside scope;

b. determine that the 18 further submission entries associated with original submission points found to be within scope may proceed to the relevant substantive hearing;

c. determine that FS36.1 cannot be considered if C1 1.1 is found to be outside scope;

d. determine that FS38.14 and FS38.15 may proceed to Hearing 2 if the associated Ministry of Education submission points are found to be within scope; and

e. accept the six supporting communications associated with Seaview Heights Submission 140.2 as valid further submissions, noting that they cannot be considered further if 140.2 is found to be outside scope.

8. Other Procedural Matters

8.1. Section 32 Evaluation for Sunday and Public Holiday Noise Provisions

219. During preparation of the section 42A reporting for the substantive hearings, Council officers identified that the notified PC81 amendments relating to Sunday and public holiday noise limits were not accompanied by a sufficient section 32 evaluation. While the amendments formed part of the publicly notified proposal, the s 32 evaluation report addressing those changes was not prepared at the time of notification.

220. A supplementary section 32 evaluation has since been prepared to address this omission. The evaluation relates to the notified amendments concerning the application of daytime noise limits on Sundays and public holidays and clarification of the operation of LAmax limits. It does not introduce any new provisions, policy approaches, issues, or relief beyond those contained in the notified proposal.

221. The notified noise amendments did not attract submissions in opposition through the submission process and were generally supported by submitters. The supplementary evaluation is provided to assist the Hearing Panel and ensure the statutory record is complete and that all participants have access to the material before the substantive hearings.

222. The section 32 evaluation is attached as Appendix D.

9. Conclusions and Recommendations

223. The purpose of Hearing 1 is to determine which matters may lawfully proceed to substantive assessment through the C1 and PC81 hearing process. This report identifies the recommended outcomes on scope, late submissions, Further Submissions and other procedural matters. The recommendations below are intended to provide a clear framework for the Hearing Panel's determinations and the allocation of matters to subsequent hearings.

9.1. Formal Recommendations

224. I recommend that the Hearing Panel:

9.1.1 Scope determinations

a. determine that C1 submission point 1.1 is outside scope and should not proceed to Hearing 2 for substantive assessment;

b. determine that C1 submission points 14.1-14.5 are within scope and may proceed to Hearing 2 for substantive consideration;

c. determine that PC81 submission points 36.2, 121.1, 123.1-123.4, 147.1, 154.1, 155.1, 162.4 and 162.19 are within scope and may proceed to substantive assessment;

d. determine that PC81 submission points 61.4 and 116.2 are within scope and may proceed to Hearing 5 for substantive consideration;

e. determine that PC81 submission points 138.6, 138.15, 138.17, 138.20, 138.21, 138.32 and 138.34 are within scope and may proceed to the relevant substantive hearing;

f. determine that all remaining original submission points identified in sections 5.2 to 5.11 and Appendix A are within or outside scope in accordance with the officer recommendations in this report, and that points determined to be outside scope do not proceed to substantive assessment.

9.1.2 Late Submissions

g. admit Late Submissions LS1 to LS8 and allocate them to the relevant substantive hearing, subject to any jurisdictional or scope matters arising from the relief sought.

9.1.3 Further Submissions

h. determine that the 26 PC81 Further Submission entries associated with original submission points determined to be outside scope fall away to the same extent;

i. determine that the 18 PC81 Further Submission entries associated with original submission points determined to be within scope may proceed to the relevant substantive hearing, subject to their validity and remaining within the ambit of the original relief sought;

j. determine that FS36.1 follows the Hearing Panel’s determination on C1 1.1;

k. determine that FS38.14 and FS38.15 may proceed to Hearing 2 if C1 14.2 and C1 14.4 are determined to be within scope; and

l. determine that the six supporting communications associated with Seaview Heights Submission 140 follow the Hearing Panel's determination on PC81 140.2.

9.1.4 Other Procedural Matters

m. receive the section 32 evaluation in Appendix D as completing the evaluation record for the notified Sunday and public holiday noise provisions.

9.2. Appendix A: Original Submissions subject to Scope Assessment

This schedule records the reporting officer's recommendation for each original submission point requiring a scope determination through Hearing 1. It includes matters informed by Council's legal advice and matters assessed directly by the reporting officer. The recommendation concerns jurisdiction only. A finding that a submission point is within scope does not indicate support for the relief sought. It means only that the relief may proceed to the relevant substantive hearing for assessment on its planning merits.

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
C1 1.1	Top of the South Dark Sky Committee and Supporters	Dark Sky protections and new lighting requirements through the TRPS.	Introduces a new regional lighting framework not opened or reasonably signalled through C1.	Outside scope. Do not proceed to Hearing 2.	C1 did not notify a regional lighting or Dark Sky framework. The relief introduces a new strategic planning issue beyond the notified urban-development provisions and would not reasonably have been anticipated by affected parties. The submission is therefore recommended to be outside scope.
C1 14.1	Ministry of Education	Recognition of future educational facilities and school infrastructure required to support urban growth.	Directly relates to growth-supporting infrastructure within the notified C1 framework.	Within scope. Proceed to Hearing 2.	The relief relates directly to infrastructure required to support urban growth and has a clear connection with the growth and infrastructure outcomes addressed by C1. Persons participating in the process could reasonably have anticipated submissions of this nature. The submission is therefore recommended to be within scope.
C1 14.2	Ministry of Education	Recognition of "additional infrastructure", including educational facilities.	Infrastructure supporting urban growth is directly connected to C1 and was reasonably foreseeable.	Within scope. Proceed to Hearing 2.	Recognition of educational facilities as infrastructure supporting urban growth is directly connected to the infrastructure planning matters addressed by C1. The relief was reasonably foreseeable within the notified proposal and is recommended to be within scope.
C1 14.3	Ministry of Education	Amend Objective 5.1C to recognise additional infrastructure supporting growth.	Seeks alternative wording for a notified objective addressing growth and infrastructure.	Within scope. Proceed to Hearing 2.	The submission seeks amendment to a notified objective and is directly related to the infrastructure and growth outcomes addressed by C1. The relief falls within the ambit of the notified proposal and is recommended to be within scope.
C1 14.4	Ministry of Education	Define and recognise "additional infrastructure" within the C1 framework.	Directly relates to the notified growth and infrastructure framework.	Within scope. Proceed to Hearing 2.	The requested recognition of additional infrastructure within the C1 framework relates directly to the notified urban growth and infrastructure provisions. The relief is sufficiently

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
					connected to the proposal and is recommended to be within scope.
C1 14.5	Ministry of Education	Recognise educational-infrastructure planning and engagement with the Ministry.	Relates to integrated growth and infrastructure planning; precise wording is a merits matter.	Within scope. Proceed to Hearing 2.	The submission relates to integrated infrastructure planning associated with urban growth. While the appropriateness of the specific wording is a merits matter, the relief has a sufficient connection to the notified proposal and was reasonably foreseeable through the submission process. It is recommended to be within scope.
PC81 162.4	Orange Family Trust and Orange Building Group Ltd	Deferred MDRZ zoning and an Outline Spatial Plan for FDS site T-038, White Road.	Limb 1 and Limb 2 are satisfied. The FDS identified T-038 for future growth, the site forms part of the wider Richmond South growth area and adjoins PC81 growth sites. Although finely balanced, this provided sufficient notice that relief of this kind could be sought.	Within scope. Proceed to Hearing 4.	The relief directly relates to the urban growth, deferred zoning, infrastructure and Outline Spatial Plan changes made through PC81. T-038 was identified in the adopted FDS, forms part of the wider Richmond South growth area and adjoins growth sites included in PC81. Although the position is finely balanced, I consider this gave sufficient notice that relief of this kind could be sought. The submission is recommended to be within scope and proceed to Hearing 4.
PC81 162.19	Orange Family Trust and Orange Building Group Ltd	Associated deferred-zone, spatial-planning and implementation provisions for T-038.	Limb 1 and Limb 2 are satisfied. The associated deferred-zone, spatial-planning and implementation provisions are directly connected to PC81, and the FDS and Richmond South planning context provided sufficient notice.	Within scope. Proceed to Hearing 4.	The relief seeks deferred-zone, spatial-planning and implementation provisions for FDS site T-038. It has a direct connection with PC81 and the wider Richmond South growth framework. The adopted FDS identification, adjoining PC81 growth sites and earlier planning context provided sufficient notice that relief of this kind could be sought. The submission is recommended to be within scope and proceed to Hearing 4.
PC81 121.1	Kathryn Hanna	Residential rezoning within FDS site T-039 and the Richmond South Development Area.	FDS identification and previous structure planning made consideration of the site reasonably foreseeable.	Within scope. Proceed to Hearing 4.	The relief relates to land within FDS site T-039 and the Richmond South Development Area. It responds directly to the urban-growth and housing-capacity matters addressed by PC81, and earlier strategic planning and public engagement made consideration of the site reasonably foreseeable. The submission is recommended to be within scope and proceed to Hearing 4.

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PC81 154.1	Joshua Rutledge	Residential rezoning of additional Richmond South land within T-039.	Directly connected to the Richmond South growth framework and reasonably foreseeable from earlier planning.	Within scope. Proceed to Hearing 4.	The requested rezoning relates to land within FDS site T-039 and the Richmond South growth area. Earlier strategic planning and public engagement provided sufficient notice that the appropriate extent of urban development in this area could be raised through submissions. The submission is recommended to be within scope and proceed to Hearing 4.
PC81 155.1	Jamie Eggers	Residential rezoning of additional Richmond South land within T-039.	Directly connected to the Richmond South growth framework and reasonably foreseeable from earlier planning.	Within scope. Proceed to Hearing 4.	The relief seeks additional residential zoning within the Richmond South urban-growth framework and concerns land previously identified through strategic planning processes. The submission is recommended to be within scope and proceed to Hearing 4.
PC81 140.2	Seaview Heights	Deferred residential rezoning of Seaview Heights.	Connected to urban growth, but Seaview Heights was not selected or notified as a growth area.	Outside scope. Do not proceed to merits assessment.	Seaview Heights was not included in the FDS or selected for implementation through PC81. The requested rezoning would introduce a new growth location that affected persons would not reasonably have anticipated through the notified proposal. The submission is therefore recommended to be outside scope.
PC81 184.1	Richmond Pōhara Holdings	Residential rezoning at Pōhara.	Seeks growth, zoning or future-planning outcomes not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The land was not identified as a PC81 greenfield growth area and the notified Pōhara amendments did not reopen wider residential growth for consideration. The submission is therefore recommended to be outside scope.
PC81 184.2	Richmond Pōhara Holdings	Open Space or associated zoning at Pōhara.	Seeks growth, zoning or future-planning outcomes not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The requested Open Space or associated zoning relief is connected to proposed residential growth at Pōhara. As the underlying growth area was not opened through PC81, the relief would introduce planning outcomes beyond the notified proposal and is recommended to be outside scope.
PC81 184.3	Richmond Pōhara Holdings	Additional zoning relief associated with Pōhara growth.	Seeks growth, zoning or future-planning outcomes not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The relief would introduce a new growth and zoning outcome not opened through PC81 and is recommended to be outside scope.

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
PC81 184.4	Richmond Pōhara Holdings	Commitment to a future plan-change or growth-planning process.	Seeks growth, zoning or future-planning outcomes not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks a commitment concerning a future plan change or growth-planning process rather than an amendment to PC81 itself. The relief falls outside the notified proposal and is recommended to be outside scope.
PC81 184.5	Richmond Pōhara Holdings	Commitment to future spatial planning or growth investigations.	Seeks growth, zoning or future-planning outcomes not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The relief is not directed to provisions opened through PC81 and is recommended to be outside scope.
PC81 200.1	Robyn Reid	Residential or deferred residential zoning at Upper Moutere.	Introduces an additional settlement growth location not identified through PC81 or the FDS.	Outside scope. Do not proceed to merits assessment.	The land was not identified through the FDS or selected for implementation through PC81. The relief would introduce a new growth location not signalled through notification and is recommended to be outside scope.
PC81 180.4	Hermann Seifried	Residential rezoning near notified Brightwater growth land.	Proximity creates a planning connection, but the land itself was not identified or notified for rezoning.	Outside scope. Do not proceed to merits assessment.	While proximity to a notified growth area creates some connection with PC81, the land was not itself identified or notified for rezoning. The relief would extend the spatial reach of PC81 and could affect interests not alerted through notification. The submission is recommended to be outside scope.
PC81 167.2	Kairos Trust	Extend Rural Residential zoning across additional land within the wider landholding.	Has a locational connection with nearby growth proposals, but the wider landholding was not notified for rezoning.	Outside scope. Do not proceed to merits assessment.	While the land has some connection to nearby notified growth areas, it was not identified or notified for Rural Residential rezoning. Affected parties would not reasonably have anticipated the extension of zoning through PC81. The submission is therefore recommended to be outside scope.
PC81 86.1	John Emanuel	Extend Rural Residential zoning to land near T-114a.	Proximity alone did not reasonably signal that additional land could also be rezoned.	Outside scope. Do not proceed to merits assessment.	The submission seeks Rural Residential zoning of additional land not identified through PC81. Proximity to notified growth land did not provide sufficient notice that the property could also be rezoned. The submission is therefore recommended to be outside scope.
PC81 114.1	Tākaka Aero Heights	Rural Residential rezoning at Tākaka Aero Heights.	Introduces a substantial additional growth area not identified through PC81 or the FDS.	Outside scope. Do not proceed to merits assessment.	The requested Rural Residential rezoning would introduce additional growth land not identified through the FDS or notified through PC81. The relief extends beyond the ambit of the notified proposal and is recommended to be outside scope.

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
PC81 167.3	Kairos Trust	Commercial zoning over the Silvan Steps precinct.	Commercial zoning of the wider landholding was not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	PC81 did not identify this land for Commercial zoning or open a wider review of the area. The relief introduces a new planning outcome and is recommended to be outside scope.
PC81 167.4	Kairos Trust	Visitor accommodation and short-term residential stays across Rural 2 land.	The operative Rural 2 accommodation framework was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks visitor-accommodation and short-term residential-stay provisions across the wider Rural 2 landholding. The operative visitor-accommodation framework was not opened for review through PC81. The submission is therefore recommended to be outside scope.
PC81 158.1	Anna Macfarlane	Resolve a site-specific subdivision constraint at 170 Stafford Drive.	The constraint was not created or amended by PC81 and is unrelated to the notified growth programme.	Outside scope. Do not proceed to merits assessment.	The submission seeks resolution of a site-specific subdivision constraint unrelated to the urban-growth framework addressed by PC81. The matter was not opened through the notified proposal and is recommended to be outside scope.
PC81 1.1	Top of the South Dark Sky Committee and Supporters	New lighting requirements and Dark Sky protections across the District.	Introduces a district-wide lighting framework not opened or reasonably signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks a new district-wide Dark Sky and lighting-management framework. PC81 did not notify or evaluate such a framework, and affected parties would not reasonably have anticipated its introduction through the plan-change process. The submission is recommended to be outside scope.
PC81 61.4	Homes for Wakefield	Downward-directed lighting and warmer colour temperatures to manage effects of increased residential density.	Responds to amenity effects arising from residential intensification enabled through PC81.	Within scope. Proceed to Hearing 5.	The relief is directed to amenity effects associated with the increased residential density enabled through PC81. As an alternative response within the notified residential and amenity framework, the submission is recommended to be within scope and proceed to Hearing 5.
PC81 116.2	Scott Nicol	Amend amenity policies to recognise lighting effects on night-sky values.	Seeks an alternative response within the notified amenity-policy framework.	Within scope. Proceed to Hearing 5.	The submission seeks amendment to notified amenity policies to recognise lighting effects on night-sky values. The relief is sufficiently connected to the amenity framework opened through PC81 and is recommended to be within scope and proceed to Hearing 5.
PC81 246.3	Jan Heijs	Stream, riparian-margin and ecosystem protection measures.	Introduces a broad stream and riparian-management framework beyond PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks broad stream, riparian-margin and ecosystem-protection provisions. These matters were not opened through PC81 and would introduce

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
					a wider environmental framework. The submission is recommended to be outside scope.
PC81 246.6	Jan Heijs	Stormwater treatment, wetland protection and water-sensitive design.	Seeks a broader environmental framework than was evaluated or signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks additional stormwater, wetland-protection and water-sensitive-design provisions beyond those notified through PC81. The relief introduces a broader environmental framework and is recommended to be outside scope.
PC81 215.2	Dan Montgomery	Landscape and visual-amenity controls for ridgelines and elevated sites.	Introduces a new landscape-management framework affecting land not identified through notification.	Outside scope. Do not proceed to merits assessment.	The submission seeks a new landscape and visual-amenity framework for ridgelines and elevated sites. These matters were not opened through PC81 and could affect land and interests not identified through notification. The submission is recommended to be outside scope.
PC81 248.9	Colin Walker	All-tide boat ramps, floating marinas and marine-access infrastructure.	Seeks operational or capital-project outcomes rather than amendments to notified planning provisions.	Outside scope. Do not proceed to merits assessment.	The submission seeks additional boating infrastructure, including boat ramps and marina facilities. The relief is operational or project-focused rather than an amendment to notified PC81 provisions. The submission is recommended to be outside scope.
PC81 88.2	Ian and Mary-Jane Reade	Additional boat-launching capacity and marine-access infrastructure.	Operational infrastructure outcome not opened or geographically signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks additional boat-launching capacity and marine-access infrastructure. The relief is directed at an operational outcome rather than an amendment to notified PC81 provisions and is recommended to be outside scope.
PC81 8.4	Terence Lomax	Fenced off-leash dog exercise area.	Operational public-space outcome rather than relief directed to a notified planning provision.	Outside scope. Do not proceed to merits assessment.	The submission seeks a fenced off-leash dog exercise area. The relief relates to public-space management and operational outcomes rather than notified planning provisions. The submission is recommended to be outside scope.
PC81 204.8	Melanie Cloutier	Edible-species planting in reserves and public spaces.	Reserve planting and operational open-space management were not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks reserve-planting outcomes, including edible species in public spaces. Reserve management and planting programmes were not opened through PC81. The submission is recommended to be outside scope.

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PC81 212.1	Peter and Jane Duncan	Speed-warning signage and road-safety measures on Hill Street.	Operational transport request not directed to a notified objective, policy, rule, zone or map.	Outside scope. Do not proceed; refer operational concern separately if appropriate.	The submission seeks speed-warning signage and road-safety measures on Hill Street. The relief is an operational transport matter rather than an amendment to a notified objective, policy, rule, zone or map. It is recommended to be outside scope and referred operationally if appropriate.
PC81 87.1	Ray Hellyer	Bespoke planning provisions enabling tiny homes.	Introduces a distinct regulatory framework rather than amending a notified provision.	Outside scope. Do not proceed to merits assessment.	The submission seeks provision for tiny homes through a bespoke planning framework. While housing choice is broadly relevant to PC81, the relief would introduce a distinct regulatory framework not opened through the notified proposal. The submission is recommended to be outside scope.
PC81 186.1	Nicholas Hughes	Amend or remove an existing eight-week occupancy restriction.	The operative restriction was not opened through PC81 and reconsideration was not signalled.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment or removal of an existing occupancy restriction that was not proposed to be amended through PC81. The relief is not sufficiently connected to the notified proposal and is recommended to be outside scope.
PC81 246.5	Jan Heijs	New stormwater definitions and clarification of water-sensitive-design terminology.	The definitions are not directly linked to provisions opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks new stormwater-related definitions and clarification of water-sensitive-design terminology. The requested definitions were not opened through PC81 and are not sufficiently connected to the notified provisions. The submission is recommended to be outside scope.
PC81 61.2	Homes for Wakefield	Reduce financial and regulatory costs associated with medium-density development.	Concerns charging, funding and consenting processes rather than PC81 provisions.	Outside scope. Do not proceed to merits assessment.	The submission seeks relief from development contributions, consent costs and other financial requirements associated with medium-density development. These matters relate to Council charging, funding and consenting processes rather than provisions proposed through PC81. The submission is recommended to be outside scope.
PC81 51.6	Motueka Community Board	Clarify constraints and establish a future development pathway for Seaview Heights.	Has a thematic growth connection, but reconsideration of Seaview Heights was not reasonably signalled.	Outside scope. Do not proceed to merits assessment.	While the submission has a thematic connection to urban growth, Seaview Heights was not identified as a notified growth area through the FDS or PC81. Reconsideration of the area was not reasonably signalled to affected persons. The submission is recommended to be outside scope.

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
PC81 138.1	Ministry of Education	New plan-wide definition of "educational facility".	Introduces a definition with wider regulatory implications not evaluated or signalled through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks a new plan-wide definition of "educational facility". The definition would have wider regulatory implications beyond the provisions opened through PC81 and was not reasonably signalled through notification. The submission is recommended to be outside scope.
PC81 138.5	Ministry of Education	Amend school references in a Rural Residential horticultural-planting provision.	The underlying operative rural provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to an operative Rural Residential horticultural-planting provision. The underlying provision was not opened for review through PC81 and the submission is recommended to be outside scope.
PC81 138.6	Ministry of Education	Recognise educational facilities in Method 5.4.20.1.	Directed to a method opened through PC81 and capable of consideration as alternative wording.	Within scope. Proceed to Hearing 5.	The submission is directed to a method opened through PC81 and may be considered as alternative wording within the existing TRMP framework. The submission is recommended to be within scope on a limited basis and proceed to Hearing 5.
PC81 138.15	Ministry of Education	Amend educational-facility wording in business and industrial subdivision provisions.	Directed to a subdivision provision opened through PC81.	Within scope. Proceed to Hearing 5.	The submission is directed to subdivision provisions opened through PC81 and may be considered as alternative wording to the notified provisions. It is recommended to be within scope on a limited basis and proceed to Hearing 5.
PC81 138.17	Ministry of Education	Amend educational-facility wording in Rural Residential subdivision provisions.	Directed to a subdivision provision opened through PC81.	Within scope. Proceed to Hearing 5.	The submission seeks amendments to Rural Residential subdivision provisions opened through PC81. The relief may be considered as alternative wording within the existing framework and is recommended to be within scope on a limited basis and proceed to Hearing 5.
PC81 138.20	Ministry of Education	Amend educational-facility wording in subdivision setback provisions.	Alternative drafting within provisions opened through PC81 was reasonably foreseeable.	Within scope. Proceed to Hearing 5.	The submission seeks amendments to subdivision setback provisions opened through PC81. The relief may be considered as alternative wording within the notified framework and is recommended to be within scope on a limited basis and proceed to Hearing 5
PC81 138.21	Ministry of Education	Amend educational-facility wording in subdivision assessment criteria.	Directed to assessment criteria opened through PC81.	Within scope. Proceed to Hearing 5.	The submission is directed to assessment criteria opened through PC81. The relief may be considered as alternative wording within the notified framework

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
					and is recommended to be within scope on a limited basis and proceed to Hearing 5.
PC81 138.32	Ministry of Education	Separate educational-facility treatment within a Rural 1 activity provision.	Directed to an activity provision opened through PC81, using the existing TRMP framework.	Within scope. Proceed to Hearing 5.	The submission seeks separate educational-facility treatment within a Rural 1 activity provision opened through PC81. The relief may be considered within the existing TRMP framework and is recommended to be within scope on a limited basis and proceed to Hearing 5.
PC81 138.33	Ministry of Education	Amend Rural 1 intensive-livestock-farming setbacks.	The operative setback provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to an operative Rural 1 intensive-livestock-farming setback provision. The provision was not opened for review through PC81 and the submission is recommended to be outside scope.
PC81 138.34	Ministry of Education	Retain Rule 17.5.2.4 as notified.	Supports retention of notified text and raises no additional fairness concern.	Within scope. Proceed to Hearing 5.	The submission supports retention of Rule 17.5.2.4 as notified and does not seek additional relief beyond PC81. The submission is recommended to be within scope and proceed to Hearing 5.
PC81 138.35	Ministry of Education	Amend Rural 1 horticultural-planting and spray setbacks.	The operative rural setback provisions were not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 1 horticultural-planting and spray setbacks not opened for review through PC81. The submission is recommended to be outside scope.
PC81 138.36	Ministry of Education	Amend Rural 1 horticultural-planting setbacks.	The operative setback provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 1 horticultural-planting setbacks not opened through PC81. The submission is recommended to be outside scope.
PC81 138.37	Ministry of Education	Separate educational-facility activity treatment in Rural 2.	Introduces activity treatment in an operative framework not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks separate activity treatment for educational facilities within the Rural 2 Zone. The operative activity framework was not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.38	Ministry of Education	Amend Rural 2 intensive-livestock-farming setbacks.	The operative farming setback provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 2 intensive-livestock-farming setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
PC81 138.40	Ministry of Education	Amend Rural 2 horticultural-planting and spray setbacks.	The operative setback framework was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 2 horticultural-planting and spray setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.41	Ministry of Education	Amend Rural 2 horticultural-planting setbacks.	The operative setback provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 2 horticultural-planting setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.42	Ministry of Education	Separate educational-facility activity treatment in Rural 3.	Introduces activity treatment in an operative framework not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks separate educational-facility activity treatment within the Rural 3 Zone. The operative activity framework was not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.43	Ministry of Education	Amend Rural 3 intensive-livestock-farming setbacks.	The operative setback provision was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 3 intensive-livestock-farming setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.44	Ministry of Education	Create a restricted discretionary educational-facility activity in Rural 3.	Creates a new consent pathway and assessment framework not evaluated through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks a new restricted discretionary activity pathway for educational facilities in Rural 3. This would introduce a new consent pathway not evaluated or notified through PC81. The submission is recommended to be outside scope.
PC81 138.45	Ministry of Education	Amend Rural 3 horticultural-planting and spray setbacks.	The operative setback provisions were not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 3 horticultural-planting and spray setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.46	Ministry of Education	Amend Rural 3 horticultural-planting setbacks.	The operative setback framework was not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural 3 horticultural-planting setbacks. The relevant provisions were not opened through PC81 and the submission is recommended to be outside scope.
PC81 138.47	Ministry of Education	Separate educational-facility activity treatment in Rural Residential.	Introduces activity treatment in an operative zone framework not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks separate educational-facility activity treatment within the Rural Residential Zone. The operative activity framework was not opened

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
					through PC81 and the submission is recommended to be outside scope.
PC81 138.48	Ministry of Education	Amend Rural Residential tree, horticultural-planting and spray setbacks.	The operative rural setback provisions were not opened through PC81.	Outside scope. Do not proceed to merits assessment.	The submission seeks amendment to operative Rural Residential tree, horticultural-planting and spray setback provisions. The relevant provisions were not opened for review through PC81 and would not reasonably have been anticipated through the notified proposal. The submission is therefore recommended to be outside scope.
PC81 78.2	Margaret Clark	New heritage-identification and protection process.	PC81 did not notify a general heritage review, and affected heritage-property owners were not alerted.	Outside scope. Do not proceed to merits assessment.	The submission seeks a new heritage-identification and protection process. PC81 did not notify a general heritage review or a new heritage-protection framework, and affected property owners would not reasonably have anticipated such changes through the notified proposal. The submission is therefore recommended to be outside scope.
PC81 123.1	Seaton Palms Limited	Rezone 6 and 6A Seaton Valley Road from Rural 1 to enable urban development, including Mixed Business, Rural Residential and/or Mixed-Use zoning.	The relief directly relates to the urban-growth and spatial-planning matters addressed through PC81. The site is within the immediate Māpua growth context, where changes to the extent and form of urban development were reasonably foreseeable.	Within scope. Proceed to Hearing 4.	The relief directly challenges the notified spatial response for Māpua and proposes an extension of urban zoning within the same growth context. Previous strategic planning and engagement concerning Māpua provided sufficient notice that changes to the extent and form of urban development could be raised through submissions. The point is recommended to be within scope and proceed to Hearing 4.
PC81 123.2	Seaton Palms Limited	Include 6 and 6A Seaton Valley Road within the Māpua urban growth area and applicable Outline Spatial Plan.	The relief seeks an extension of the Māpua urban-growth and spatial-planning framework addressed through PC81. The site's location and previous planning processes made relief of this nature reasonably foreseeable.	Within scope. Proceed to Hearing 4.	Inclusion of the site within the Māpua urban growth area and Outline Spatial Plan relates directly to the growth boundaries and settlement pattern addressed through PC81. Given the site's location and previous Māpua planning processes, affected persons could reasonably have anticipated submissions seeking changes of this nature. The point is recommended to be within scope and proceed to Hearing 4.
PC81 123.3	Seaton Palms Limited	Provide walkway, open-space, reserve, ecological-buffer, stormwater-detention and wetland outcomes through	The relief forms part of the wider rezoning and spatial-planning package and addresses infrastructure, environmental and open-space	Within scope. Proceed to Hearing 4.	The requested infrastructure, open-space and environmental outcomes are directly associated with the proposed inclusion and development of the site within the Māpua urban-growth framework. The

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
		subdivision and development of the rezoned land.	outcomes associated with urban development of the site.		point forms part of the broader spatial-planning relief and is recommended to be within scope and proceed to Hearing 4.
PC81 123.4	Seaton Palms Limited	Make consequential amendments to the objectives, policies, rules, planning maps and structure plans necessary to implement the requested rezoning and development outcomes.	The requested amendments are consequential to the proposed rezoning, urban-growth inclusion and associated development outcomes and remain linked to the primary relief sought.	Within scope. Proceed to Hearing 4.	The consequential amendments sought are directly associated with implementing the rezoning, urban-growth and spatial-planning relief sought through PC81 123.1-123.3. The point is recommended to be within scope and proceed to Hearing 4 for consideration on its planning merits.
PC81 147.1	Flathills 175 Ltd	Rezone 175 and 177 Māpua Drive, include the land within the Māpua urban growth area and structure plan, and enable associated walkway, open-space, ecological-buffer and stormwater infrastructure.	The relief directly relates to the urban-growth, spatial-planning and settlement-pattern matters addressed through PC81. The site is within the immediate Māpua growth context, where changes to the extent of urban development were reasonably foreseeable.	Within scope. Proceed to Hearing 4.	The relief directly challenges the notified spatial response for Māpua and proposes an extension of the urban-growth and structure-planning framework within the same locality. Previous strategic planning and engagement concerning growth at Māpua provided sufficient notice that changes to the extent and form of urban development could be raised through submissions. The point is recommended to be within scope and proceed to Hearing 4.
PC81 36.1	Tasman Bay Estates Ltd	Amend the planning maps to apply deferred Residential, Medium Density Residential, Commercial and Open Space zoning to Tasman Bay Estates land between Horton, Mamaku and Aporo Roads.	The relief advances an alternative response to the housing-capacity and urban-growth matters addressed through PC81, satisfying Limb 1. However, deferred urban zoning at Tasman was not reasonably signalled through the notified proposal, and Limb 2 is not satisfied.	Outside scope. Do not proceed to substantive assessment.	PC81 addresses housing capacity, urban growth and the location of future development, and the requested zoning advances Tasman Village as an alternative means of accommodating growth. Limb 1 is satisfied. However, PC81 did not identify or signal the land for deferred urban zoning. Potentially affected persons had no clear reason or reasonable opportunity to participate on that outcome through the Schedule 1 process. Limb 2 is not satisfied, and the point is recommended to be outside scope.
PC81 36.2	Tasman Bay Estates Ltd	Amend the centres hierarchy so that Tasman has the role of a Local Service Centre rather than a Local Convenience Centre.	Limb 1 and Limb 2 are satisfied because PC81 introduced Tasman's Local Convenience Centre classification, so submissions supporting or opposing that classification were reasonably foreseeable.	Within scope. Proceed to Hearing 5.	The relief directly responds to Tasman's Local Convenience Centre classification introduced through PC81. Submissions seeking a different classification were reasonably foreseeable. PC81 36.2 is therefore recommended to be within scope.
PC81 36.3	Tasman Bay Estates Ltd	Amend section 6.21 concerning Tasman to reflect urban growth	The operative Tasman-specific provisions in section 6.21 were not opened for review through PC81. The relief seeks a	Outside scope. Do not proceed to substantive assessment.	PC81 did not amend Tasman-specific provisions to support redevelopment of Tasman Village for urban growth. The relief therefore seeks a new planning

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
		and redevelopment of the Tasman Bay Estates land.	new planning outcome for urban growth at Tasman Village beyond the changes advanced by PC81 and therefore does not satisfy Limb 1. Urban growth at Tasman Village was also not reasonably signalled through the notified proposal and Limb 2 is not satisfied.		outcome beyond the changes advanced through PC81 and does not satisfy Limb 1. In addition, urban growth at Tasman Village was not reasonably signalled through the notified proposal, and potentially affected persons would not have had a reasonable opportunity to participate on that outcome. The submission is recommended to be outside scope.
PC81 36.4	Tasman Bay Estates Ltd	Amend Schedule 16.3D to include an Outline Spatial Plan for Tasman Village, informed by the submitter's preliminary master planning.	The proposed Outline Spatial Plan uses a spatial-planning mechanism associated with the urban-growth matters addressed through PC81, satisfying Limb 1. However, application of that mechanism to Tasman was not reasonably signalled, and Limb 2 is not satisfied.	Outside scope. Do not proceed to substantive assessment.	The requested Outline Spatial Plan forms part of an alternative spatial response to future growth and therefore has a sufficient connection to PC81. However, the notified proposal did not identify Tasman as a growth location or signal that an Outline Spatial Plan might be introduced for this area. Affected persons could not reasonably have anticipated that outcome through the submission process. The point is recommended to be outside scope.
PC81 36.5	Tasman Bay Estates Ltd	Amend Schedule 17.14A to identify the infrastructure upgrades required to implement the proposed destination-zone provisions for Tasman Village.	The infrastructure relief is associated with the alternative urban-growth response and satisfies Limb 1. However, infrastructure changes enabling urbanisation at Tasman were not reasonably signalled through PC81, and Limb 2 is not satisfied.	Outside scope. Do not proceed to substantive assessment.	The requested infrastructure and implementation provisions support the proposed urbanisation of Tasman and have a sufficient connection to PC81's growth and infrastructure-integration purpose. However, PC81 did not signal urban development or associated infrastructure changes at this location. Potentially affected persons did not have a reasonable opportunity to participate on those outcomes. The point is recommended to be outside scope.
PC81 273.1	Thomas and Loreley Drach	Commercial and/or Mixed Business zoning at Gardner Valley Road west of SH60 to support future growth of Māpua and surrounding communities.	The relief proposes a new commercial growth location not identified through PC81. While it has a sufficient connection to commercial growth and development matters addressed by PC81, the location was not notified, assessed or signalled as part of the proposed commercial growth framework. Limb 2 is not satisfied.	Outside scope. Do not proceed to substantive assessment.	The submission seeks Commercial and/or Mixed Business zoning on land west of SH60. While the relief has a connection to growth and commercial capacity matters addressed by PC81, the land was not identified as a commercial growth area or location for further investigation through the notified proposal. Granting the relief would introduce a new commercial growth location beyond the spatial extent of PC81, and persons interested in or affected by development in this locality could not reasonably

Submission point	Submitter	Planning context / relief	Scope analysis	Officer recommendation	Council's Response
					have anticipated such an outcome through the submission process. The submission is recommended to be outside scope

9.3 Appendix B. Procedural Matters Schedule

Submission	Classification	Summary	Prejudice Assessment	Officer Recommendation	Council's Response
LS1 - Wakatū Incorporation	Late original submission; received 7 September 2026.	Develops matters raised in Wakatū Incorporation's original C1 submission; no materially new issue.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. It develops matters already raised in Wakatū's original C1 submission concerning the accurate description of Māori ancestral land, landholding entities, governance interests and terminology. It raises no materially new issue. Although no Further Submission opportunity arose on this late submission, any person wishing to address these matters could have responded to the comparable original submission. No procedural prejudice or other harm from acceptance is identified, and the submission should be considered on its merits.
LS2 - Whakarewa	Late original submission; received 21 September 2026.	Closely related to Wakatū Incorporation's original C1 submission; no materially new issue.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The Whakarewa submission is closely related to, and extends, the matters raised in Wakatū's original C1 submission concerning Māori ancestral landholdings, governance arrangements and terminology. It raises no materially new issue. Although no Further Submission opportunity arose on this late submission, interested persons could have responded to the comparable original submission. No procedural prejudice or other harm from acceptance is identified, and the submission should be considered on its merits.
LS3 - David Osborne Crarer	Late original submission; received 21 August 2026.	Rototai Road rezoning concerns are comparable to matters raised in valid original submissions.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The late timing appears consistent with awareness spreading through the affected rural community rather than the introduction of a new issue. Interested persons had an opportunity to respond to

Submission	Classification	Summary	Prejudice Assessment	Officer Recommendation	Council's Response
					comparable original submissions, so no procedural prejudice or other harm from acceptance is identified. The submission should be considered on its merits.
LS4 - Carl Stockton	Late original submission; received 4 August 2026.	Māpua growth and development concerns are comparable to matters raised in valid original submissions.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The submission raises no materially new issue, and interested persons had an opportunity to respond to comparable original submissions. No procedural prejudice or other harm from acceptance is identified, and the submission should be considered on its merits.
LS5 - Benjamin Coup	Late original submission; received 31 August 2026.	Rototai Road rezoning concerns are comparable to matters raised in valid original submissions.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The late timing appears consistent with awareness spreading through the affected rural community rather than the introduction of a new issue. Interested persons had an opportunity to respond to comparable original submissions, so no procedural prejudice or other harm from acceptance is identified. The submission should be considered on its merits.
LS6 - Karin Winspear	Late original submission; received 31 August 2026.	Rototai Road rezoning concerns are comparable to matters raised in valid original submissions.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The late timing appears consistent with awareness spreading through the affected rural community rather than the introduction of a new issue. Interested persons had an opportunity to respond to comparable original submissions, so no procedural prejudice or other harm from acceptance is identified. The submission should be considered on its merits.

Submission	Classification	Summary	Prejudice Assessment	Officer Recommendation	Council's Response
LS7 - Bob and Mary Lancaster	Joint late original submission; received 31 August 2026.	Māpua and Seaton Valley Road growth concerns are comparable to matters raised in valid original submissions.	No material procedural prejudice identified.	Admit. Proceed to the relevant substantive hearing.	Recommend accepting the late submission. The late timing appears consistent with awareness spreading through the affected rural community rather than the introduction of a new issue. Interested persons had an opportunity to respond to comparable original submissions, so no procedural prejudice or other harm from acceptance is identified. The submission should be considered on its merits.
LS8 - Tamsin Clark	Late original submission; received 30th August 2026 as a Further Submission but not in the prescribed Further Submission form.	Supplements the submitter's original submission concerning the T-33 growth area. Opposes the indicative walkway alignment adjoining 101 Dawson Road and raises related concerns about access over private land, removal of native vegetation, privacy, amenity, medium-density development, building height and development near the property boundary.	No material procedural prejudice or other harm from admission has been identified.	Admit as a late original submission. Consider alongside the submitter's existing original submission at Hearing 4.	Recommend accepting the document as a late original submission. Although lodged during the Further Submission period, it does not support or oppose an identifiable original submission by another person. Instead, it supplements Tamsin Clark's existing original submission by raising additional concerns about the effects of the proposed T-33 development. The submission should be considered on its merits.

9.3. Appendix C. Further Submissions Affected by Hearing 1 Scope Determinations

This schedule identifies the Further Submissions corresponding to C1 and PC81 original submission points. The six Seaview Heights supporting emails are included as unnumbered Further Submissions.

C1 Further Submissions

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
C1 1.1 Top of the South Dark Sky Committee and Supporters	Outside scope	FS36.1	Scott Burnett / Forest & Bird	Support	Falls away to the same extent if Panel determines original point is outside scope.
C1 14.2 Ministry of Education	Within scope	FS38.14	Andrew and Susan / Talley / Stout Street Chambers	Support	May proceed to Hearing 2 if Panel confirms original point is within scope.
C1 14.4 Ministry of Education	Within scope	FS38.15	Andrew and Susan / Talley / Stout Street Chambers	Support	May proceed to Hearing 2 if Panel confirms original point is within scope.

PC81 Further Submissions

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
PC81 1.1 Top of the South Dark Sky Committee and Supporters	Outside scope	FS284.1	Scott Burnett / Forest & Bird	Support	Falls away to the same extent if Panel determines original point is outside scope.

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
PC81 140.2 Seaview Heights	Outside scope	FS285.1	John Woodman / Prolam Engineered Laminated Timber	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 140.2 Seaview Heights	Outside scope	FS296.2	Wayne and Keren Barcas	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 140.2 Seaview Heights	Outside scope	FS301.23	Lynette Graham / Flathills 175 Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 140.2 Seaview Heights	Outside scope	FS303.26	Gary Clark / Seaton Palms Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Paul Roberts	Support	Falls away to the same extent if the Panel determines PC81 140.2 is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Neville Greaney	Support	Falls away to the same extent if the Panel determines PC81 140.2 is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Graham and Sarah Wilson	Support	Falls away to the same extent if the Panel

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
					determines PC81 140.2 is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Mark McClelland	Support	Falls away to the same extent if the Panel determines PC81 140.2 is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Paul Heywood	Support	Falls away to the same extent if the Panel determines PC81 140.2 is outside scope.
PC81 140.2 Seaview Heights	Outside scope	Unnumbered email FS	Jenny Bell	Support	Falls away to the same extent if the Panel determines PC81 140.2 is outside scope.
PC81 167.2 Kairos Trust	Outside scope	FS315.2	Rob Ford. / Cotton & Light Ltd Surveyors / John and Karen Heslop	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 167.3 Kairos Trust	Outside scope	FS315.3	Rob Ford. / Cotton & Light Ltd Surveyors / John and Karen Heslop	Oppose	Falls away to the same extent if Panel determines original point is outside scope.
PC81 215.2 Dan Montgomery	Outside scope	FS301.8	Lynette Graham / Flathills 175 Limited	Oppose	Falls away to the same extent if Panel determines original point is outside scope.

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
PC81 215.2 Dan Montgomery	Outside scope	FS303.11	Gary Clark / Seaton Palms Limited	Oppose	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.3 Jan Heijs	Outside scope	FS278.19	Elspeth Collier / Waimea Inlet Forum Working Group	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.5 Jan Heijs	Outside scope	FS278.21	Elspeth Collier / Waimea Inlet Forum Working Group	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.6 Jan Heijs	Outside scope	FS278.22	Elspeth Collier / Waimea Inlet Forum Working Group	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.6 Jan Heijs	Outside scope	FS301.58	Lynette Graham / Flathills 175 Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.6 Jan Heijs	Outside scope	FS303.58	Gary Clark / Seaton Palms Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.3 Jan Heijs	Outside scope	FS319.9	Duncan Ballinger / Andrew and Susan Talley	Support	Falls away to the same extent if Panel

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
					determines original point is outside scope.
PC81 246.5 Jan Heijs	Outside scope	FS319.11	Duncan Ballinger / Andrew and Susan Talley	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 246.6 Jan Heijs	Outside scope	FS319.12	Duncan Ballinger / Andrew and Susan Talley	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 273.1 Thomas and Loreley Drach	Outside scope	FS301.21	Lynette Graham / Flathills 175 Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 273.1 Thomas and Loreley Drach	Outside scope	FS303.24	Gary Clark / Seaton Palms Limited	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 273.1 Thomas and Loreley Drach	Outside scope	FS305.18	Alan Steffret / Julie Nielsen	Support	Falls away to the same extent if Panel determines original point is outside scope.
PC81 61.4 Homes for Wakefield	Within scope	FS284.2	Scott Burnett / Forest & Bird	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
PC81 116.2 Scott Nicol	Within scope	FS284.3	Scott Burnett / Forest & Bird	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 121.1 Kathryn Hanna	Within scope	FS298.7	Jamie Eggers / David Ogilvie & Partners Ltd	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 121.1 Kathryn Hanna	Within scope	FS299.2	Joshua Rutledge / Davis Ogilvie & Partners Ltd	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 121.1 Kathryn Hanna	Within scope	FS308.15	Stephen Malcolm	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 123.1 Seaton Palms Ltd	Within scope	FS319.1	Duncan Ballinger / Andrew and Susan Talley	Oppose	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 123.2 Seaton Palms Ltd	Within scope	FS319.16	Duncan Ballinger / Andrew and Susan Talley	Oppose	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 123.3 Seaton Palms Ltd	Within scope	FS319.17	Duncan Ballinger / Andrew and Susan Talley	Oppose	May proceed to relevant substantive hearing if

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
					Panel confirms original point is within scope.
PC81 123.4 Seaton Palms Ltd	Within scope	FS319.18	Duncan Ballinger / Andrew and Susan Talley	Oppose	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 154.1 Joshua Rutledge	Within scope	FS295.43	Claire McKeever and Emily Lawrence / Orange Family Trust and Orange Building Group Ltd	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 154.1 Joshua Rutledge	Within scope	FS308.24	Stephen Malcolm	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 155.1 Jamie Eggers	Within scope	FS308.25	Stephen Malcolm	Support	May proceed to relevant substantive hearing if Panel confirms original point is within scope.
PC81 162.4 Orange Family Trust and Orange Building Group Ltd	Within scope	FS289.2	M Lile / Hope Land Limited ('Ewings')	Not Stated	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.
PC81 162.19 Orange Family Trust and Orange Building Group Ltd	Within scope	FS289.3	M Lile / Hope Land Limited ('Ewings')	Not Stated	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.

Original submission	Scope recommendation	Further Submission	Further submitter	Position	Hearing 1 consequence
PC81 162.4 Orange Family Trust and Orange Building Group Ltd	Within scope	FS292.3	M Lile / Hope Horizon Limited	Not Stated	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.
PC81 162.19 Orange Family Trust and Orange Building Group Ltd	Within scope	FS292.4	M Lile / Hope Horizon Limited	Not Stated	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.
PC81 162.4 Orange Family Trust and Orange Building Group Ltd	Within scope	FS308.29	Stephen Malcolm	Support	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.
PC81 162.19 Orange Family Trust and Orange Building Group Ltd	Within scope	FS308.44	Stephen Malcolm	Support	May proceed to Hearing 4 if the Panel accepts the within-scope recommendation.

9.4. Appendix D. Supplementary s32 on Sunday and Public Holiday Noise Provisions

PC81: Urban Growth Plan Change to the Tasman Resource Management Plan

Supplementary Section 32 Evaluation of Sunday and Public Holiday Noise Limit Amendments

Report prepared to fulfil the requirements of Section 32 of the Resource Management Act 1991

13 October 2026

Author	Reviewer	Revision	Date
Myaan Bengosi	Jeremy Butler	02	13 October 2026

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1. Introduction and Purpose

This report has been prepared to provide a supplementary Section 32 evaluation of the Sunday and public holiday noise limit amendments included within Proposed Plan Change 81 (PC81) to the Tasman Resource Management Plan (TRMP).

The amendments form part of the notified proposal and were publicly notified in accordance with Schedule 1 of the Resource Management Act 1991 (RMA) on 19 June 2026.

The amendments apply to noise provisions throughout Chapter 17 of the TRMP. They change the application of daytime noise limits so that they apply from Monday to Sunday inclusive, including public holidays, and clarify that L_{max} noise limits apply during night time periods only.

Following notification of PC81, it was identified that while the amendments were included within the notified proposal and were supported by technical advice (PC81 Section 32 Appendix 7), a dedicated Section 32 evaluation of the Sunday and public holiday noise limit amendments had not been prepared. This report provides that evaluation.

The purpose of this report is to assess whether the amendments are the most appropriate way to achieve the relevant objectives of the TRMP, having regard to the requirements of section 32 of the RMA. In particular, the report evaluates the efficiency and effectiveness of the amendments, the benefits and costs of the environmental, economic, social and cultural effects anticipated from their implementation, including opportunities for economic growth and employment, and the risk of acting or not acting if there is uncertain or insufficient information.

This report should be read alongside the notified Section 32 Evaluation Report for PC81 and Appendix 7, *TRMP Noise Limit Changes Memorandum*, both of which were publicly notified as part of Proposed Plan Change 81 on 19 June 2026.

2. Description of the Amendments

Proposed PC81 amends noise conditions throughout several zone chapters of Chapter 17 of the TRMP. The amendments change the days on which the daytime L_{eq} noise limit applies from Monday to Friday to Monday to Sunday inclusive, including public holidays. The amendments also clarify that daytime noise limits apply between 7.00 am and 9.00 pm Monday to Sunday inclusive, including public holidays, with night-time limits applying at all other times. The amendments further clarify that L_{max} noise limits apply during night-time periods only, consistent with recognised acoustic practice.

The amendments are intended to address inconsistencies within the existing noise framework, improve alignment with recognised acoustic standards, and provide greater certainty for plan users, landowners and Council officers when applying and administering the noise provisions.

The provisions affected by the amendments are identified in Table 1. The proposed changes involve the wording amendments set out below, with red underlining indicating text to be inserted into the TRMP and blue strikethrough indicating text to be deleted.

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

N.B. Day = 7.00 am to 9.00 pm Monday to ~~Friday~~ Sunday inclusive ~~and 7.00 am to 6.00 pm Saturday~~ (~~but excluding~~ including public holidays).

Night = All other times ~~plus public holidays~~.

Table 1: Provisions affected by noise limit amendments

Zone or activity	TRMP provision
17.1 Residential Zone Rules	17.1.2.1 (m-n) Permitted Activities (Land Use- General)
17.2 Central Business and Commercial Zone Rules	17.2.2.1 (m) Permitted Activities (Land Use – Central Business and Commercial Zones)
17.4 Industrial Zone Rules	17.4.2.1 (m) Permitted Activities (Land Use)
17.5 Rural 1 Zone Rules	17.5.2.1 (c-d) Permitted Activities (Land Use General)
17.6 Rural 2 Zone Rules	17.6.2.1 (c-d) Permitted Activities (Land Use – General)
17.7 Rural 3 Zone Rules	17.7.2.1 (d) Permitted Activities (Land Use – General)
17.8 Rural Residential Zone Rules	17.8.2.1 (k) Permitted Activities (Land Use – General)
17.12 Rural Industrial Zone Rules	17.12.2.1 (j-k) Permitted Activities (Land Use)
17.13 Papakainga Zone Rules	17.13.2.1 (b) Permitted Activities (Land Use)

3. Resource Management Issue

Appendix 7 – TRMP Noise Limit Changes Memorandum (appendix to the original PC81 Section 32 posted on the Council's website as part of the original notification of the plan change) identifies an inconsistency in the operative TRMP noise framework. In a number of zones, the wording of the relevant conditions means that the night-time noise limits apply throughout Sunday, rather than only during the night-time period. The affected provisions are identified in Table 1 above.

The practical effect is that activities undertaken during the day on Sundays are subject to limits of 40 dBA L_{eq} and 70 dBA L_{max} in the affected zones. These limits are more commonly associated with the protection of night-time amenity and sleep. Appendix 7 advises that 40 dBA L_{eq} is a very low limit for daytime activity and that ordinary activities, such as operating a lawnmower, may exceed it when assessed at the location specified in the relevant rule. It also advises that L_{max} is generally used to manage discrete noise events during night-time periods for sleep protection and is not normally applied as a general daytime control.

The operative wording therefore has the potential to constrain a range of otherwise ordinary residential, rural and business activities on Sundays, despite comparable activities being subject to the daytime limits on other days. Examples may include property maintenance, use of domestic equipment, rural production activities, construction or servicing work, and the operation of established businesses.

The inconsistency also creates implementation difficulties. The operative limits cause problems when Council officers investigate Sunday noise complaints and reviews resource consent applications because activities that would be assessed against daytime limits from Monday to Saturday may be subject to materially lower limits on Sunday. This can create uncertainty for residents and businesses about what activities are permitted, and for Council officers about how the provisions should be administered and enforced.

At the time the TRMP was notified as a proposed plan in 1996, a lower level of activity and noise on Sundays was more widely expected and the provisions sought to reflect and maintain that distinct Sunday environment. Social and economic patterns have since changed, and Sundays are now commonly used for ordinary residential, rural and business activities in much the same way as other days. The operative limits therefore reflect the expectations of an earlier period and no longer align well with current community behaviour, contemporary acoustic practice or the practical administration of the TRMP.

The resource management issue is therefore not simply a matter of terminology. It is that the operative provisions apply a materially more restrictive noise regime during the daytime on Sundays in the affected zones, without a clearly identified acoustic or policy basis, and apply an L_{max} control during a period for which that metric is not generally intended. This creates potential effects on the reasonable use of land, inconsistent treatment of comparable daytime activities, and uncertainty in plan administration.

4. Scale and Significance

The scale and significance of the amendments are assessed as having a moderate scale and significance. The amendments do not introduce any new objectives or alter the overall policy approach to noise management within the TRMP. Although they do not alter the TRMP's overall policy approach to noise management, they have a substantive effect by increasing the permitted Sunday and public holiday daytime noise limit in the affected zones from 40 dBA L_{eq} to 55 dBA L_{eq}. The daytime limit would apply from 7.00 am to 9.00 pm, a period of 14 hours, and the L_{max} limit would apply only during the night-time period outside of these hours.

The amendments have a broad geographic application because they affect provisions applying across Residential, Central Business, Commercial, Industrial, Rural 1, Rural 2, Rural 3, Rural Residential, Rural Industrial and Papakāinga zones. The exact number of affected properties has not been quantified, but the changes potentially affect a wide range of residential properties, businesses and rural operations throughout the District.

The amendments would enable ordinary residential, rural and business activities to occur on Sundays and public holidays subject to the existing daytime limit. This may benefit residents undertaking property maintenance and domestic activities, as well as construction, servicing, rural production and established business activities. It would also provide greater certainty for plan users and Council officers. Conversely, the change would reduce the existing level of acoustic protection for people who value a quieter environment on Sundays and public holidays.

The proposed wording is expected to improve enforceability by providing a clearer distinction between daytime and night-time limits and removing the separate Sunday regime that currently creates uncertainty when complaints and resource consent applications are assessed.

Overall, the amendments primarily seek to improve consistency with recognised acoustic standards, as well as the clarity, certainty and enforceability of the noise provisions. The amendments relate to the application of existing noise standards and do not fundamentally change the way noise effects are managed under the TRMP.

Furthermore, no PC81 submissions sought amendments to the Sunday and public holiday noise provisions. Accordingly, a focused and proportionate level of evaluation is considered appropriate.

5. Relevant Objectives

The noise limit amendments themselves do not introduce any new objectives. The relevant objectives are the existing objectives of the TRMP relating to the maintenance of amenity values and mitigating adverse off-site effects. The Sunday and public holiday noise limit amendments are intended to support the achievement of these objectives by providing a clearer and more consistent framework for the management of noise effects, improving alignment with recognised acoustic standards, and providing greater certainty regarding the application of daytime and nighttime noise limits. Accordingly, this evaluation focuses on whether the amendments are the most appropriate method of achieving the relevant existing objectives in accordance with section 32(1)(b) of the RMA.

The principal relevant objective is **Objective 5.1.2**, which seeks:

"Avoidance, remedying or mitigation of adverse effects from the use of land on the use and enjoyment of other land and on the qualities of natural and physical resources."

The most directly relevant implementing provision is **Policy 5.1.3.9**, which seeks to avoid, remedy or mitigate the effects of noise and vibration beyond the boundary of the site generating the effect. **Policy 5.1.3.14** is also relevant to the rural zones because it seeks sufficient flexibility in standards and methods to provide for the range of amenity effects typically associated with rural activities. These provisions are implemented through rules controlling nuisance effects, including noise.

Objective 5.2.2 is also relevant. It seeks:

"Maintenance and enhancement of amenity values on site and within communities throughout the District, while recognising and allowing for amenity values in areas planned for intensification to develop and change over time." (black text is operative, red underline is proposed per PC81)

Noise forms part of the amenity experienced within residential, rural and other receiving environments. The amendment therefore needs to balance the maintenance of acoustic amenity on Sundays and public holidays against enabling the reasonable use of land for ordinary daytime activities.

The proposed amendments contribute to Objective 5.1.2 and Policy 5.1.3.9 by retaining measurable and enforceable daytime and night-time noise limits. They do not remove the requirement to manage off-site noise effects. Instead, they apply the existing daytime limit of 55 dB L_{eq} between 7.00 am and 9.00 pm on Sundays and public holidays and retain the more restrictive limits outside those hours. This provides a clearer distinction between daytime amenity and the greater protection required at night. The amendments also clarify that the L_{max} limit applies during the night-time period, when discrete noise events may affect sleep.

The amendments also support Policy 5.1.3.14 by providing greater flexibility for ordinary rural activities during the daytime. The amendments avoid unnecessarily constraining ordinary residential, commercial, industrial and rural activities through the application of limits intended principally to protect night-time amenity.

There is, however, a potential tension with Objective 5.2.2. Increasing the applicable Sunday and public holiday daytime limit from 40 to 55 dB L_{eq} reduces the level of protection currently provided to people who value a quieter daytime environment on those days. Conversely, retaining the operative provisions would continue to apply night-time limits to ordinary daytime activities and would maintain the uncertainty and implementation difficulties identified in the technical assessment.

Overall, the amendments are considered to contribute to the relevant TRMP objective and policy framework by retaining controls on adverse off-site noise while providing a clearer and more practicable distinction between daytime and night-time amenity. The amendments are therefore an effective method of implementing Objective 5.1.2 and Policy 5.1.3.9.

6. Reasonably Practicable Options

Three reasonably practicable options have been identified.

Option A is to amend the noise rules as notified so that the daytime noise limit of 55 dB L_{eq} applies from 7.00am to 9.00pm Monday to Sunday inclusive, including public holidays, and L_{max} limits apply during night time periods only.

Option B is to retain the operative provisions, under which night time noise limits effectively apply throughout Sunday in a number of Residential and Rural Zones.

Option C: Retain the Sunday daytime 40 dBA L_{eq} limit but remove the daytime application of the 70 dBA L_{max} limit, so that L_{max} applies only during night-time periods.

7. Assessment of Efficiency and Effectiveness

Table 2 compares the efficiency and effectiveness of the reasonably practicable options, including their anticipated environmental, economic, social and cultural effects.

Table 2: Comparative assessment of efficiency, effectiveness, benefits and costs

Assessment matter	Option A: Apply daytime limits on Sundays and public holidays	Option B: Retain the operative provisions	Option C: Retain L_{eq} limit but change L_{max} limit	Scale, incidence and evidence	Comparative assessment
Effectiveness	Provides a clear distinction between daytime and night-time noise periods, aligns with NZS 6801:2008 and NZS 6802:2008, and directly addresses the identified inconsistency in the operative noise framework. It provides a more appropriate and consistent approach to managing noise on Sundays and public holidays.	Retains the separate Sunday regime under which night-time limits effectively apply throughout Sunday in affected zones. It does not resolve the identified inconsistency or provide the same alignment with recognised acoustic practice.	Partially addresses the identified issue by removing the daytime application of the 70 dB L_{max} limit, consistent with its primary purpose of managing discrete noise events that may disturb sleep. However, retaining the 40 dB L_{eq} limit would continue to subject Sunday and public holiday daytime activities to a substantially lower limit than applies on other days.	District-wide application across the affected zones. Supported by Appendix 7.	Option A is more effective because it directly addresses the identified issue while retaining enforceable daytime and night-time limits.
Environmental effects	Provides a clearer and more appropriate distinction between daytime and night-time noise environments and	Maintains the lower operative Sunday limits and therefore provides greater protection from daytime noise on Sundays	Retains the greater protection of quieter Sunday and public	Effects are expected during 7.00 am to 9.00 pm on Sundays and public holidays.	Option A may reduce the degree of Sunday acoustic amenity

	greater consistency with recognised acoustic standards. A daytime limit of 55 dB L_{eq} would continue to manage adverse noise effects.	in the affected receiving environments. However, the limits are more commonly associated with night-time amenity and sleep protection.	holiday amenity provided by the 40 dB L_{eq} limit, while removing the daytime L_{max} limit. This would permit individual noise peaks during the day but continue to tightly control average noise levels.		protection but continues to manage effects through the 55 dB L_{eq} limit.
Social effects	Allows residents to undertake normal daytime activities on Sundays and public holidays with greater certainty. It reduces the risk that ordinary property maintenance and other routine activities technically breach limits intended for night-time periods.	Maintains a quieter Sunday regime but continues to constrain ordinary daytime activities and may not reflect current community behaviour and expectations.	Provides some additional flexibility for activities involving occasional noise peaks. However, ordinary activities may still exceed the retained 40 dB L_{eq} limit, meaning that the practical constraints and uncertainty associated with routine Sunday activities would remain.	Benefits accrue to residents undertaking activities; costs are experienced by neighbouring residents who value lower Sunday and public noise levels.	Option A better reflects contemporary use of Sundays, while Option B provides greater protection for those expecting a quieter Sunday environment. Option C provides limited additional flexibility but retains the principal constraint created by the 40 dB L_{eq} limit.
Economic effects	Improves regulatory certainty and reduces unnecessary restrictions on lawful residential, commercial and rural activities during daytime hours. It supports the efficient operation of activities contributing to	Continues uncertainty for businesses, rural operators and other landowners whose routine Sunday and public holiday activities may technically exceed the operative limits, with potential consent, compliance or operational costs.	May reduce compliance concerns associated with individual daytime noise peaks. However, businesses, rural operators and other landowners would remain subject to the 40	The economic effects of all options are expected to be district-wide but generally low in magnitude and dispersed across a large number of residents, businesses, contractors and rural operators. The	Option A provides a modest economic benefit through improved certainty and fewer unnecessary restrictions. It is not expected to materially affect the wider district

	district wellbeing and may reduce consent and compliance costs.		dB L_{eq} limit, so potential consent, compliance and operational costs could continue.	available evidence is primarily qualitative and is based on Appendix 7 and the identified administration and implementation issues. The effects have not been quantified and no sector-specific economic analysis has been undertaken.	economy. Option C may provide a limited benefit, but it would not remove the potential costs associated with the 40 dB L_{eq} limit. Option B retains the existing costs and uncertainty.
Economic growth and employment	Not expected to have a significant influence on district-wide growth or employment. It may support businesses and rural activities that operate on Sundays by providing a clearer and more practical regulatory framework.	Not expected to materially affect district-wide growth or employment, but may retain avoidable constraints or uncertainty for Sunday and public holiday operations.	Is unlikely to materially affect district-wide growth or employment. It may provide limited assistance to Sunday and public holiday activities involving intermittent noise but would retain the more restrictive average noise limit.	Likely minor and diffuse.	Option A has a modest advantage, although none of the options are expected to generate significant growth or employment effects.
Administration and enforcement	Improves certainty for plan users and Council officers, removes the need to administer a separate Sunday and public holiday regime, and improves the clarity and enforceability of the TRMP provisions.	Continues the implementation and enforcement difficulties identified in Appendix 7, including different treatment of comparable daytime activities depending on the day of the week.	Council officers would need to administer a separate 40 dB L_{eq} daytime limit on Sundays and public holidays, and comparable daytime activities would continue to be treated differently	Benefits accrue to Council, residents and businesses.	Option A is more efficient and easier to administer because it uses established standards and avoids an anomalous separate Sunday and public holiday regime.

			depending on the day of the week.		
Principal costs	A higher level of daytime noise may be permitted on Sundays and public holidays than under the operative provisions, potentially reducing amenity for neighbouring properties. Compliance with the 55 dB L_{eq} daytime limit would still be required.	Ordinary activities remain subject to restrictive limits during Sunday and public holiday daytime, with continuing uncertainty and potential compliance, consent or operational costs.	Retains restrictions on ordinary activities arising from the 40 dB L_{eq} limit. Removing the daytime L_{max} control may also permit individual noise peaks that affect neighbouring properties, although average noise levels would remain subject to the lower limit.	The effects of all options are district-wide and are expected to be moderate in scale but dispersed across a large number of residents, businesses and rural operators. The assessment is based primarily on qualitative evidence contained in Appendix 7 and the identified administration and implementation issues. No quantitative assessment has been undertaken.	Option A has the greatest potential effect on quieter Sunday amenity. Option C retains most of the existing amenity protection but does not fully address constraints on ordinary daytime activities. Option B retains both the existing amenity protection and the existing regulatory constraints.
Overall efficiency and effectiveness	Uses established acoustic standards, provides a clearer and more practical framework, improves administration and enforcement, and does not create an additional regulatory process.	Retains a more protective Sunday and public holiday noise environment but does not address the identified inconsistency, uncertainty or administrative difficulty.	Provides a narrower response by correcting the daytime application of L_{max} while retaining the lower Sunday L_{eq} limit. It would partly improve the acoustic basis and clarity of the provisions but would not resolve the main implementation and land-use difficulties	Assessment is primarily qualitative and relies on Appendix 7.	Overall, the benefits of Option A are considered to outweigh its costs. Option A is the more efficient and effective option for achieving the relevant TRMP objectives.

			associated with applying a 40 dB L_{eq} limit during the day.		

8. Risk of Acting or Not Acting

There is sufficient information available to assess the amendments. The amendments are supported by the technical advice contained in *Appendix 7 TRMP Noise Limit Changes Memorandum*, and are based on recognised standards and established noise management practice.

The risk of acting is low because the amendments retain enforceable daytime and night time noise limits and continue to manage adverse noise effects while providing a more appropriate distinction between daytime and night time noise environments.

The risk of not acting is that the current inconsistency with NZS 6802:2008 would remain, together with the uncertainty and implementation difficulties identified in the technical assessment. This would continue to create uncertainty for residents, businesses and Council officers when applying and administrating the noise provisions and may result in routine daytime activities remaining subject to noise limits that are more appropriately associated with night time periods.

9. Conclusion

The Sunday and public holiday noise limit amendments under Option A are considered the most appropriate way to achieve the relevant objectives and policies of the TRMP. The amendments address an identified inconsistency by clearly distinguishing between daytime and night-time noise limits, improving the clarity and enforceability of the provisions, and enabling reasonable daytime activities while continuing to manage adverse noise effects.

On balance, Option A is the most efficient and effective option. The benefits of clearer provisions, consistent treatment of daytime activities, and improved administration and enforcement are considered to outweigh the potential reduction in quieter Sunday and public holiday amenity. The available technical evidence is considered sufficient to support the amendments. The notified amendments should therefore be retained.