

From: Blair Telford
To: [redacted]
Cc: [redacted] LGOIMA
Subject: RE: LGOMA - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development - [redacted] - reference: 2216
Date: Thursday, 11 July 2024 10:34:47 am
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good morning [redacted]

I have linked the [Resource Management Act 1991](#) for you to review. Below, I have highlighted the specific sections relevant to your enquiry.

The primary sections concerning notification and the basis for such decisions can be found in:

- [Section 95A](#): Public notification of consent applications
- [Section 95D](#): Consent authority decides if adverse effect likely to be more than minor
- [Section 95B](#): Limited notification of consent applications
- [Section 95E](#): Consent authority decides if person if affected person

The consent authority is responsible for making the notification decision for this application. These decisions are delegated to the Principal Planner – Resource Consents, or the Resource Consents Manager.

[redacted] concerns and opinions have been acknowledged and saved in the application file, ensuring our processing planners and other staff are aware of them.

Our staff are also aware of the Future Development Strategy (FDS). Further, in relation to local iwi and any concern they have about the cultural impact of any development in this area, only iwi can speak for iwi on such matters.

Kind regards, Blair

Blair Telford | Environmental Assurance
Principal Planner - Resource Consents

From: [redacted] <[redacted]>
Sent: Wednesday, July 10, 2024 7:43 PM
To: Blair Telford <xxxxx.xxxxxx@xxxxx.xxx.xx>
Cc: [redacted] LGOIMA <xxxxx@xxxxx.xxx.xx>
Subject: RE: LGOMA - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development - [redacted] - reference: 2216

Dear Blair

Thank you for the prompt response and detail, its appreciated

As part of the OIA please can you send through the Resource Management Act 1991 (RMA) and highlight the relevant sections?

Application RM240192, being proposed is a medium density subdivision (141 dwellings in a paddock with no amenities) in a rural 3 zone (min 50 hect) in the middle of rural lifestyle blocks. This development will have significant environmental impact, not just negatively on the outlook but an unacceptable safety impact on those local residents on the no exit Stagecoach Road. A lot of local residents are retirees and have put their hard earned life savings to retire in a peaceful

rural location. In my view, public notification will be mandatory for this application.

Who is responsible for making the notification decision for this consent authority? Please provide the contact email.

I established yesterday that there is no documented plan in the , “NELSON TASMAN FUTURE DEVELOPMENT STRATEGY” 2022 – 2052 published 19 SEPTEMBER 2022, to develop this area so this is promising for concerned residents. Also the local Iwi raised concerns about the significant cultural impact of any development in this area.

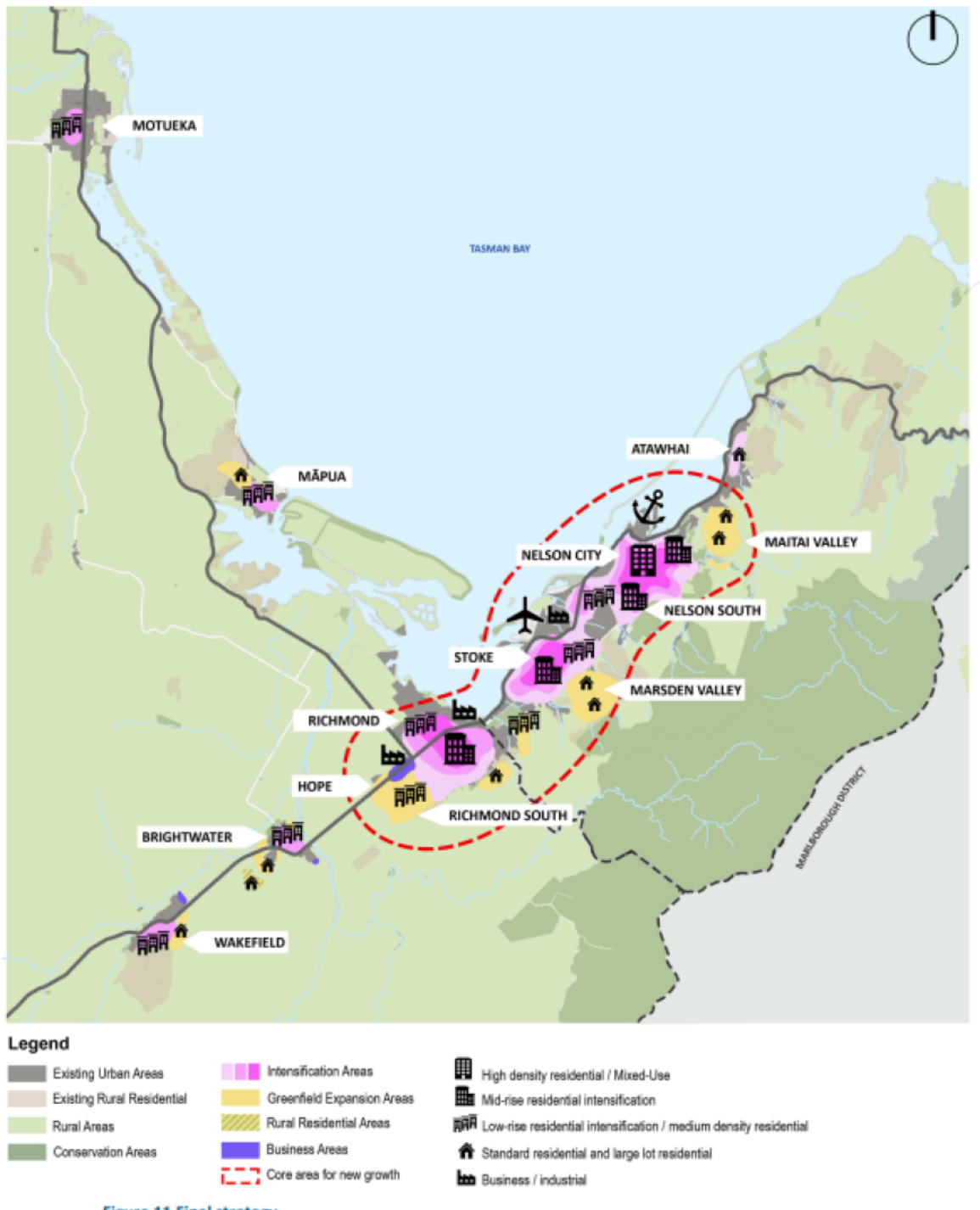


Figure 11 Final strategy

Thank you for the POC for the application, I will make this request today as Section 7(2)(a) - Protection of Privacy

[REDACTED] require a hard copy so I will need to arrange for this to be printed

Kind regards

Section 7(2)(a)

From: Blair Telford <blair.telford@tasman.govt.nz>

Sent: Wednesday, July 10, 2024 4:47 AM

To: Section 7(2)(a) - Protection of Privacy <Section 7(2)(a) - Protection of Privacy>

Cc: Section 7(2)(a) - Protection of Privacy Section 7(2)(a) - Protection of Privacy LGOIMA <xxxxxxx@xxxxxx.xxxx.xx>

Subject: RE: LGOIMA - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development - Section 7(2)(a) - Protection of Privacy - reference: 2216

Dear Section 7(2)(a)

We thank you for your interest in the resource consent application referenced by Council as RM240192 and Ors.

Because each application is different in nature and context, each gets assessed on its own merit. However, any decision-making in that respect must observe the requirements of the Resource Management Act 1991 (RMA).

Under the RMA, a developer has no express duty to consult with any person about their application. However, when making recommendations and decisions for notification in relation to an application, the Council (or consent authority) must follow the steps set out in s95-s95G of the RMA and this is discussed further below. Please also refer to the linked '[A technical guide to Resource Consent Notification](#)' document prepared by the Ministry for the Environment for more specific details, including the notification flow charts / steps breakdown therein.

In short, the first 4 steps of the process in relation to notification concern public notification, with the key tests usually being if the adverse effects on the environment are more than minor, or if special circumstances exist, in which case the application should be publicly notified. If public notification is not required, then the second 4 steps of the process are considered that concern limited notification, with the key tests usually being identifying any affected protected customary rights or customary marine title groups, and determining if the activity may affect land that subject to a Statutory Acknowledgement, if the adverse effects on any other person is greater than less than minor, or if special circumstances exist, in which case notice gets served on those respective groups/persons identified as being adversely affected by the application. Please note that in this context, caselaw has established 'special circumstances' as those *"outside the common run of things which is exceptional, abnormal or unusual, but they may be less than extraordinary or unique"*.

We are not currently inviting or receiving submissions in relation to this specific application, as that can only happen during the official submission period (being a 20-working day window) if the application gets notified in some form. At this point in time, this application has not proceeded to a notification decision. Our planners, supported by our technical specialists, are still considering the associated application documentation, and are also awaiting further information from the applicant, before being in a position to accurately identify and gauge the effects of the activity and proceed to a notification decision.

While we have received a number of queries from 'interested persons' like yourselves, it is important to reiterate that 'affected persons' are only determined by the consent authority. In the event this application is publicly notified, then the general public will be advised via the usual channels and have an opportunity to make a submission if they wish. In the event this application is limited notified, only those groups/persons identified by the consent authority as being adversely affected will have the ability to make a submission in relation to the application. Further, if it is determined that the application can proceed on a non-notified basis, then no group/person will have the ability to make a submission. It is important to note that the notification decision of a consent authority is final and cannot be appealed to the Environment Court, so can only be

challenged by judicial review in the High Court, which is why Council takes particular care with them. A notification decision will be made in due course.

We trust this addresses your initial concerns and queries.

If you or Section 7(2)(a) - Protection of Privacy would like to review a copy of the application, please contact rcadmin@tasman.govt.nz, and they will assist you with this request.

Kind regards, Blair

Blair Telford

Principal Planner - Resource Consents

Call+64 3 543 8400|blair.telford@tasman.govt.nz

Private Bag 4, Richmond 7050, NZ



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From: Section 7(2)(a) - Protection of Privacy <Section 7(2)(a) - Protection of Privacy>

Sent: Monday, July 8, 2024 10:54 PM

To: Jody Connor <jody.connor@tasman.govt.nz>; LGOIMA <LGOIMA@tasman.govt.nz>

Cc: Robyn <Section 7(2)(a) - Protection of Privacy> susiewendelborn <Section 7(2)(a) - Protection of Privacy>

Subject: FW: Tasman District Council - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development

Dear Legal Services

As per Section 7(2)(a) - PR request ref 2210, can you please review Section 7(2)(a) - Protection of Privacy submission attached and the issues raised within the opposing letter be treated as OIA's?

Thank you

Section 7(2)(a) - Protection of Privacy

From: Section 7(2)(a) - Protection of Privacy

Sent: Wednesday, June 26, 2024 8:55 AM

To: Section 7(2)(a) @rmgroup.co.nz! <Section 7(2)(a) @rmgroup.co.nz>; kim.drummond@tasman.govt.nz

Cc: 'mike.kininmonth@tasman.govt.nz' <mike.kininmonth@tasman.govt.nz>;

'Christeen.Mackenzie@tasman.govt.nz' <Christeen.Mackenzie@tasman.govt.nz>;

'maureen.pugh@parliament.govt.nz' <maureen.pugh@parliament.govt.nz>; 'Emily Beaumont'

<Emily.Beaumont@parliament.govt.nz>; Section 7(2)(a) - Protection of Privacy, <Section 7(2)(a) - Protection of Privacy>

'Emily.Lawrence@tasman.govt.nz' <Emily.Lawrence@tasman.govt.nz>; 'Katrina Lee'

<Katrina.Lee@tasman.govt.nz>

Subject: RE: Tasman District Council - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development

Dear Teresa/ Kim

[@kim.drummond@tasman.govt.nz](mailto:kim.drummond@tasman.govt.nz) Emily has kindly confirmed that you will be taking residents concern letters so please see the below my initial submission

Please see below our opposing submission which I am yet to have an acknowledgement, can you please do this? And that timely responses will be provided before any final decision is made? As you can imagine Section 7(2)(a) - Protection of Privacy are very stressed and concerned about this proposal and I am very worried about their welfare due to this.

How are the TDC defining affected persons? All of Stagecoach road, neighbouring properties to the development and all of those on the Mapua/ Ruby Bay water scheme should be as history is seeing an increase of water restrictions.

Is there a deadline for residents to submit letters of concern?

How will the TDC confirm that the LGA S78 and 82 legislation is followed and all views are considered and balanced?

Kind regards

Section 7(2)(a)

From: Section 7(2)(a) - Protection of Privacy

Sent: 18 June 2024 13:53

To: Section 7(2)(a) [@rmgroup.co.nz](mailto:rmgroup.co.nz); Emily.Lawrence@tasman.govt.nz; Katrina Lee <Katrina.Lee@tasman.govt.nz>

Cc: mike.kininmonth@tasman.govt.nz; 'Christeen.Mackenzie@tasman.govt.nz' <Christeen.Mackenzie@tasman.govt.nz>; maureen.pugh@parliament.govt.nz; Emily Beaumont <Emily.Beaumont@parliament.govt.nz>; Section 7(2)(a) - Protection of Privacy <Section 7(2)(a) - Protection of Privacy>

Subject: Tasman District Council - 208 Stagecoach Rd Affected person by proposed Stagecoach Rd Development

Dear Tasman District Council

I am writing this letter on behalf Section 7(2)(a) - Protection of Privacy who are very concerned about the proposed submission at the end of their quiet rural zone 3 road. I am very worried about their health with the increased stress this is putting them through.

This is formal notification that Section 7(2)(a) - Protection of Privacy are significantly affected persons and as part of the local TDC legislation all affected parties must be considered as part of this application.

There has been ambiguity as to who is the accountable person from the TDC is for this development so when this is clarified, please notify

Please can you acknowledge receipt of this email and upload this letter for public viewing as part of the resource consent application

Thank you

Section 7(2)(a) - Protection of Privacy

Section 7(2)(a) - Protection of Privacy

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