Ministry for the Environment
Manatū Mō Te Taiao

Tasman District Council's application for a Streamlined Planning Process for Plan Change 81/Change 1 - Stage One (Part One)

Date submitted: 23 October 2025
Tracking number: BRF-6981
Sub Security level: In-Confidence
MfE priority: Urgent

Actions sought from Ministers		
Name and position	***Action sought***	***Response by***
To Hon Chris BISHOP **Minister Responsible for RMA Reform**	**Agree** to request further information from TDC **Sign** the draft letter in Appendix 3	30 October 2025
CC Hon Penny SIMMONDS **Minister for the Environment**	For noting only	n/a

Actions for Minister's office staff

Return the signed briefing to the Ministry for the Environment (ema.pct@mfe.govt.nz and advice@mfe.govt.nz).

Send the signed letter in Appendix 3 to Tasman District Council if the Minister agrees to seek further information from them.

Appendices and attachments

1. Application from Tasman District Council for a Streamlined Planning Process
2. Streamlined Planning Process flowchart
3. Draft letter to Tasman District Council requesting further information

Key contacts at Ministry for the Environment

Position	***Name***	***Cell phone***	***First contact***
Principal Author	Alison McLaughlin		
Responsible Manager	Rebecca Partridge	027 268 8864	✓
General Manager	Sara Clarke		

Minister's comments

Note: Final version of letter in Appendix 3 provided as a separate document

Tasman District Council's application for a Streamlined Planning Process for Plan Change 81/Change 1 - Stage One (Part One)

Key messages

1. Tasman District Council (TDC) is applying to the Minister for the Environment[1] for a Direction to use a Streamlined Planning Process (SPP) for Plan Change 81 (PC81) to the Tasman Resource Management Plan and Change 1 (C1) to the Tasman Regional Policy Statement. The intent of using a SPP for PC81/C1 is to expedite rezoning of housing and business land to address capacity shortfalls identified for the Nelson Tasman Tier 2 urban environment.

2. Stage One of our advice covers:

    a. whether the application contains sufficient information

    b. whether to proceed with consulting on use of a SPP and your draft Direction

    c. who to consult with

    d. whether to appoint members of the SPP Panel.

3. Our recommendation is that you request further information from TDC before proceeding to consultation. The current application does not contain sufficient detail to meet all of the statutory requirements,[2] in particular:

    a. the description of the planning issue and how the proposal meets the “entry criteria”

    b. the persons that TDC considers are likely to be affected

    c. the number of independent commissioners proposed for the SPP Panel

    d. the implications of using the process for any relevant iwi participation legislation.

4. TDC’s application touches on these points but the analysis is high level and/or there are discrepancies and inconsistencies between the various documents provided. If these are not clarified or resolved before you consult on the draft Direction the risk of further delays at later stages is increased.

5. Due to the number of matters requiring clarification and the extent of additional analysis required, we recommend that you make a request for further information under Schedule 1, clause 76(3) rather than the alternative approaches.

6. If you agree with our assessment, we have prepared a draft letter (in Appendix 3) requesting this information. A week should provide sufficient time to respond. Longer will

[1] Decision making on SPP applications has been delegated to the Minister Responsible for RMA Reform with support from the Minister for the Environment (BRF-6643 refers).
[2] Resource Management Act 1991 (RMA) Schedule 1, clause 75

make it difficult to consult on a draft Direction before the holiday shutdown period. Once we have the response, we can provide advice on your other Stage One decisions.

Recommendations

We recommend that you:

a. **note** that the purpose of the Streamlined Planning Process, as set out in section 80B of the Resource Management Act 1991, is to "achieve an expeditious planning process that is proportionate to the complexity and significance of the planning issues being considered."

Noted

b. **agree**, under Schedule 1, clause 76(3) of the Resource Management Act 1991, to require Tasman District Council to provide further information in support of its application for a Streamlined Planning Process for Plan Change 81 to the Tasman Resource Management Plan and Change 1 to the Tasman Regional Policy Statement, namely:

   i. clarification of the specific development capacity numbers that PC81 will enable, and the specific shortfalls these changes are addressing

   ii. whether and how the information provided has taken into account updated development capacity modelling by Nelson City Council and how the two councils propose to meet shortfalls across the shared urban environment

   iii. analysis of how the proposed medium density design matrix will impact the feasibility and intensity of development and the potential for the proposed planning instruments to address projected development capacity shortfalls

   iv. analysis of the quantum of land proposed for rezoning that meets the definition of highly productive land, the breakdown of Land Use Capability classifications for that land, and analysis of the pathway through the National Policy Statement for Highly Productive Land 2022, particularly the assessment required under clause 3.6(1)(b) and (c)

   v. whether any amendments to the proposals would be required if the National Policy Statement for Highly Productive Land 2022 is amended to remove Land Use Capability 3 land

   vi. assessment of which of the eligibility criteria Tasman District Council considers that the provisions for workers' accommodation on rural land meet, with supporting evidence

   vii. information on any current Court processes on matters that intersect with the proposed changes and any parties that should be considered directly affected by the changes as a result of those processes

   viii. clarification of how many Streamlined Planning Process Panel members are proposed, noting that under Schedule 1, clause 83(2) the local authority must not appoint to the Panel an independent commissioner who is an elected member of the local authority

ix. analysis of the specific Treaty of Waitangi Settlement Act requirements that may apply to this process and how those obligations could be impacted by the proposed Streamlined Planning Process.

Agree

c. **agree** to sign and send the draft letter in Appendix 3 to Tasman District Council requiring this additional information.

Agree

d. **agree** that this briefing and its appendices can be released proactively on the Ministry for the Environment's website after you have made a decision on whether or not to issue the Direction (ie, once you have made a decision on the Stage Two briefing).

Agree

OR

e. **meet** with officials for further discussion.

Yes/No

Signatures



Sara Clarke
General Manager – System Enablement
Partnerships, Investments and Enablement
23 October 2025

Hon Chris BISHOP
Minister Responsible for RMA Reform
31 October 2025

Tasman District Council's application for a Streamlined Planning Process for Plan Change 81/Change 1 - Stage One (Part One)

Background

Change 1 (C1) to the Tasman Regional Policy Statement (TRPS) and Proposed Plan Change 81 (PC81) to the Tasman Resource Management Plan (TRMP) are intended to address housing and business land capacity shortfalls and to give effect to the National Policy Statement on Urban Development 2020 (NPS-UD).

1. The current TRPS, made operative in 2001, and TRPM, made operative in 2008, are outdated in parts. They do not currently meet NPS-UD requirements for sufficient provision of housing and business land to meet expected demand and to plan for a well-functioning urban environment.

2. C1 would incorporate the objectives agreed through the Future Development Strategy (FDS) for future urban development in the Nelson Tasman region.

3. PC81 would, among other matters:

    a. rezone land in nine towns to enable several thousand new homes and commercial and light industrial businesses. The application states that this would provide for the next 10 years of housing and business land capacity

    b. require spatial plans to guide development of large greenfield development areas

    c. introduce a Medium Density Residential Zone (MDRZ) to enable a greater range of housing typologies, particularly more affordable ones

    d. amend provisions for papakāinga development

    e. revise rules for workers' accommodation

    f. establish a hierarchy of commercial centres.

At this stage, you are considering whether the application is complete and meets the 'entry criteria' for a Streamlined Planning Process (SPP). If it does, you would proceed to consult on the draft Direction.

4. Tasman District Council (TDC) needs to provide sufficient information it is satisfied the application meets the 'entry criteria' (section 80C(2)) and the information requirements (Schedule 1, clause 75).

5. If you consider that they have, you would then consult on use of a SPP and the draft Direction including your Statement of Expectations with TDC, other Ministers with relevant portfolios, and any other persons you consider relevant.

Briefing	Ministerial decisions required
Further information briefing	• Whether to formally request further information under Schedule 1, clause 76(3)
Stage One Decision to consult on use of a SPP (RMA Schedule 1 clause 76)	• Whether the application for a SPP is complete or if further information is required. • If complete, whether to proceed to consult on a draft Direction, the contents of that Direction, and which parties to consult. • Initial indication of whether to appoint members of the SPP Panel. If so, how many and in what areas of expertise.
Stage Two Decision to direct a SPP (RMA Schedule 1 clause 77)	• Whether to give a Direction to the local authority to use a SPP, or whether to decline the request. • If a Direction is to be issued, the final content of that Direction. The Direction would also include how many SPP Panel members would be appointed by the Minister. • Terms of reference for appointees if applicable.
Stage Three Confirmation of appointees	• Decision on shortlisted candidates for appointments and consultation on the appointments decision. • This would be followed by a Cabinet Paper to the Appointments and Honours Committee (APH) to confirm the appointments.

Your statutory considerations are set out in Schedule 1, Part 5 of the Resource Management Act 1991 (RMA)

6. At this stage, you must have regard to:[3]

   a. TDC's written request (see Appendix 1)

   b. whether TDC has provided sufficient information in support of its request

   c. any relevant obligations set out in any iwi participation legislation or Mana Whakahono a Rohe

   d. any other matters that you consider relevant

   e. the purpose of a SPP.

7. There are no specific statutory timeframes for your decision making. However, as the statutory decision maker on a SPP, you are required to use timely, efficient, consistent

[3] RMA, Schedule 1, clause 76(2)

and cost-effective processes that are proportionate to the functions and powers being exercised[4] and avoid unreasonable delay.[5]

8. In addition, your decisions on the SPP application must have regard to the purpose of a SPP which is "to achieve an expeditious planning process that is proportionate to the complexity and significance of the planning issues being considered."[6]

TDC needs either a Direction for a SPP or an exemption to the plan stop provisions to notify these plan changes. They have applied for both but have indicated a preference to use a SPP.

9. Following amendments introduced by the Resource Management (Consenting and Other System Changes) Amendment Act 2025 (the Amendment Act), TDC can only notify these plan changes if they qualify for an automatic exemption under section 80U (ie, by using a SPP) or if they apply to you for an exemption under section 80V.

10. TDC have applied for both a SPP (their first choice) or an exemption under section 80V if the SPP is not approved. This advice only relates to the SPP option. If you decide not to direct a SPP, we can provide separate advice to you on the exemption application.

Analysis and advice

From a preliminary assessment, the proposed SPP appears likely to meet the entry criteria and to be broadly consistent with the purpose of a SPP.

11. While noting the need for further information as discussed below, our preliminary assessment did not identify matters that would require you to decline the application.

However, inconsistencies and gaps in the information provided make it difficult to reconcile identified housing capacity shortfalls with the capacity PC81 is proposing to enable. This makes it difficult to determine whether the planning instrument will implement the NPS-UD.

12. To determine if the application meets the SPP entry criteria, you need sufficient information that TDC is satisfied that the planning instrument will implement the NPS-UD. There are some inconsistent and contradictory statements across the various documents provided on key matters including:

    a. The number of dwellings enabled is 3,047 in the application and 4,382 in the summary document

    b. The application states that even with the changes proposed in PC81/C1 there would still be a housing shortfall of 360 (on page 1) or 365 (on page 4) dwellings in Tasman and 243 in Nelson in 2028-2034. But the summary document says PC81 will "provide sufficient residential and business land capacity in Tasman for the next 10 years".

[4] RMA, section 18A
[5] RMA, section 21
[6] RMA, section 80B

13. We are also aware that Nelson City Council has recently undertaken updated development capacity modelling. It is unclear if the information provided on PC81/C1 has taken this into account.

14. TDC is proposing a statutory medium density design matrix which is a scoring system that developers 'pass' by achieving a minimum number of points. If a developer 'passes' the matrix the Council must grant the consent. If a developer 'fails', the Council retains discretion to decline the consent and/or publicly notify the application.

15. It is unclear how the matrix may affect development feasibility and in practice, whether it would restrict the intensity of development. This may therefore have an impact on addressing projected development capacity shortfalls.

The application indicates that some of the land proposed for rezoning is highly productive but does not say how much, what classification it is, or demonstrate how alternatives have been considered.

16. There is a pathway through the National Policy Statement for Highly Productive Land 2022 (NPS-HPL) for rezoning land to provide sufficient development capacity. However, TDC needs to show that there are no other reasonably practicable and feasible options and that the benefits of rezoning outweigh the loss of highly productive land.

17. TDC's view is that these matters were considered through the development of the FDS and Housing and Business Capacity Assessments (HBA). However, those processes did not go through a statutory Schedule 1 consultation process. PC81/C1 needs to not just give effect to the NPS-UD but also the NPS-HPL and balance the competing demands for urban growth and protection of HPL. The evidence that supports how that balance has been struck should be included with the section 32 evaluation reports that TDC is proposing to consult on.

18. Changes to the NPS-HPL including the proposed removal of land use capability (LUC) 3 land will be determined by Cabinet in December 2025. TDC notes this but does not analyse what the implications might be for the proposals. This is relevant to the appropriate timing if you were to issue a Direction for a SPP. Amending the proposal to take into account the potential that LUC 3 land could be rezoned to allow for urban growth could remove the need for a variation to the plan change shortly after creating unnecessary complexity for the process.

PC81/C1 include more enabling provisions for workers' accommodation in rural zones but it is unclear which eligibility criteria TDC considers that these provisions meet.

19. TDC considers that PC81/C1 as a whole are eligible for a SPP because they are implementing the NPS-UD, are urgent, and meet a significant community need. However, the majority of the workers' accommodation provisions are on rural land, which is not addressed by the NPS-UD. The application only notes the changes to workers' accommodation provisions in the context of noting that a benefit of the SPP is to support economic growth and employment. It does not provide evidence that this issue is urgent or meeting a significant community need, if that is their position.

TDC has not provided information on current Court processes that could intersect with decisions on PC81/C1 and whether as a result parties to those processes should be considered directly affected by the planning instrument.

20. Previous SPP Directions have included a specific process step requiring consultation with appellants on pending Court processes where there is a risk that decisions on the SPP and the related processes could cut across each other.

21. TDC's application does not provide any information that would assist with identifying those processes or parties, if any.

The application proposes two different versions of the SPP Panel and TDC is proposing to have elected members on the SPP Panel. This is no longer enabled under the RMA.

22. The draft Direction provided by TDC proposes either:

    a. a five-person panel with two independent commissioners, two elected representatives, and one iwi representative appointed by you

    b. a hearing with at least two independent commissioners and one iwi representative chaired by an independent commissioner

23. The Amendment Act introduced a restriction that TDC "must not appoint to the SPP panel an independent commissioner who is an elected member of the local authority."[7]

24. TDC's view is that because the elected members would not be independent commissioners, they can still sit on the Panel. Our view is that all members of the Panel must be independent commissioners and therefore no elected members can sit on the Panel.

25. It is important before moving to consultation on the draft Direction to clarify how many members TDC is seeking and to clarify your position, if you agree, that they cannot be elected members.

The analysis of relevant iwi participation legislation is not at a level of specificity that would enable an understanding of the requirements arising for TDC and how those requirements have been met.

26. The application notes that engagement on the proposed planning instruments has been undertaken to date with iwi and that Tasman has a formal agreement "with the eight Te Tauihu iwi and Ngati Wae Wae called the "Tasman Environmental Policy Iwi Working Group Partnership Agreement".

27. However, the application does not note the specific Treaty Settlement Acts that apply, what provisions of those Acts (if any) would be relevant to a SPP, and how the SPP that they are proposing would be consistent with their obligations under those Acts.

28. As the RMA specifies that you "must ensure that the streamlined planning process… is not inconsistent with obligations under any relevant iwi participation legislation", we consider that you would need more detailed analysis from TDC to determine this.

Requesting further information on these matters is consistent with procedural requirements and with the purpose of the SPP.

[7] RMA Schedule 1, clause 83(2)

29. The matters highlighted above are critical for TDC to clarify and/or provide more detailed information on so that you can make an informed and robust decision on the application. TDC should be able to respond to these matters within approximately 5 working days.

30. Your request for further information will potentially push back the Stage One decisions by approximately three weeks. However, in our view this is proportionate to the matters being considered, will still result in an expeditious process, and does not represent an unreasonable delay. You should still be able to consult on the draft Direction before the holiday shutdown period but would need to issue the Direction in January if that is your decision.

Alternately, you could proceed to consult on a draft Direction without this information.

31. However, we would likely recommend declining the application due to insufficient information. We would also be interpreting which of multiple versions of the request or information is the intended one. This would create unnecessary risk.

32. You could consult on a draft Direction now. TDC is one of the parties you are required to consult. You could seek through that consultation to resolve the matters above or you could specify in your draft Direction additional work that TDC must undertake before it can notify PC81/C1.

33. However, your consultation with other parties will be more robust, productive and efficient if it is based on the most up-to-date and clear information possible. It also reduces the risk of needing a second round of consultation.

Te Tiriti analysis

34. The following Treaty settlements are relevant:

    - Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014
    - Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014
    - Ngāi Tahu Claims Settlement Act 1998

35. The settlement Acts contain statutory provisions pertaining to TDC in the form of statutory acknowledgements and the requirement to establish a river and freshwater advisory committee (the latter contained in the first two settlement Acts noted above). The settlement Acts do not contain a specific requirement for you to engage with the relevant settlement entity.

36. As the decisions in this briefing relate to seeking clarification and further information from TDC, we do not consider there is a need to consult or engage settlement entities or iwi. We can provide a more detailed analysis of your obligations in drafting your Direction, Statement of Expectations, and consultation in the Stage One (Part Two) advice.

37. There are no relevant Mana Whakahono ā Rohe/Iwi participation arrangements.

Other considerations

Consultation and engagement

38. No additional consultation or engagement was required or undertaken in relation to the recommendations in this briefing. The Stage One (Part Two) advice will include recommendations on further consultation on your decision to issue a Direction for a SPP as well as the contents of a draft Direction.

Risks and mitigations

39. TDC has already made a decision to notify PC81/C1. It is required to apply for a SPP before the planning instrument is actually publicly notified but was not required to wait for your decision on the SPP before the Council decision. We advised TDC of the risks associated with this approach however they are intending to hold off actually notifying the planning instrument until they have a decision either approving a SPP or a plan stop exemption. TDC staff will be under pressure to action their Council's decision, however.

40. Because TDC has already made their notification decision on the proposed planning instruments and the supporting consultation materials, it will be more procedurally complex for them to amend them to address the gaps identified above. They would need to seek further Council decisions to update documents subject to the previous notification decision.

41. However, our view is that seeking further information at this time is consistent with your statutory obligations and with the purpose of a SPP to provide for an expedited process. Changes that might result from that request would likely improve the clarity, consistency and accuracy of the information provided to submitters and decision makers. This would result in greater efficiencies later in the process, if you decide to issue a SPP Direction.

9(2)(h)

Financial, regulatory and legislative implications

45. No financial, regulatory, or legislative implications are associated with the proposals in this briefing.

Next steps

46. If you choose to request further information, the next step is to sign the letter to TDC attached in Appendix 3 and for your office to send it.

47. Once we have received the response, we will prepare further advice to support the remainder of your Stage One decisions.

SPP Supporting Document – PC81 and TRPS Change 1

Part I: Description of the Planning Issue

Tasman District Council seeks approval to use the Streamlined Planning Process (SPP) for two interrelated planning instruments:
- Plan Change 81 (PC81) to the Tasman Resource Management Plan (TRMP)
- Change 1 (C1) to the Tasman Regional Policy Statement (TRPS)

These planning changes are a targeted response to acute housing and business land shortages across Tasman District. They operationalize national direction under the National Policy Statement on Urban Development (NPS-UD) and deliver the strategic outcomes of the Nelson Tasman Future Development Strategy (FDS) 2022–2052. Tasman District Council together with Nelson City Council has a legal obligation to provide sufficient capacity of the right type of housing and business land to meet demand within its urban environment, e.g. sufficient denser, attached dwellings whether they be duplexes, townhouses or terraced houses or papakāinga

Specifically, the proposals will rezone land in nine towns to unlock development capacity, establish a Medium Density Residential Zone (MDRZ) to enable more diverse and affordable housing, and introduce provisions for papakāinga to support Māori housing aspirations.

Infrastructure and transport rules are updated to ensure new growth areas are well-serviced, resilient, and contribute to well-functioning urban environments. Collectively, these changes are designed to address immediate demand, support long-term regional growth, and ensure planning aligns with community needs and national policy.

Background

Tasman's latest housing and business assessment (HBA) identifies that population in Tasman is projected to grow by 7,400 residents between 2024-2034 and almost a further 11,000 residents by 2054. The ageing population is driving a change in the average household size across the district. The average household size is projected to decrease from 2.43 to 2.23 over the next 30 years. The HBA shows in which towns dwellings are likely to be provided but that there will still be a shortfall of approximately 360 dwellings between 2028-2034 to meet the expected growth demands.

When Tasman's dwelling shortfall is combined with Nelson City Council's shortfall, identified in its HBA, this grows to a combined shortfall of 600 dwellings in the medium term (2028-2034). In terms of dwelling typology, Tasman will also have a shortfall of 735 attached dwellings over the 30-year period, (semi-detached or duplex, terraced house or apartment), based on current zoned land in the TRMP and developer historical preferences.

This Plan Change seeks to ensure that some of the newly zoned land in and around main towns will provide smaller houses, via a new Medium Density Residential Zone.

The 2023 census results show that between 2018-2023, Tasman was the fastest growing region in New Zealand at 10.3%. The district grew by an extra 5,418 people, reaching 57,810 in 2023. During the same period, Tasman's dwelling count increased by 11% from 23,733 to 26,352 (+2,619). Latest subnational population estimates from Stats NZ in October 2024 show that Tasman's population grew by 1.16% year ending June 2024, to reach 60,000.

The 2023 census reports that almost half of Tasman's population growth since 2018 was in the Richmond ward, growing at 15% but predominantly in Richmond West. The Lakes Murchison ward and Golden Bay ward grew at 10%. Motueka ward has the highest proportional ethnic diversity, having a higher proportion of residents who identify as Māori, Pacific Peoples and Asian than the rest of the wards. Motueka's Māori population represents 16% of the total, a rise from 15% in 2018.

Projections for business land demand suggests no surplus business land capacity exists in the HBA. In addition, Nelson City Council has identified a shortfall of commercial, retail and industrial land in the medium and long term (2028-2054). This means Tasman needs to provide for this shortfall as part of the shared tier 2 urban environment.

Key Changes Proposed

Tasman Regional Policy Statement

In summary an amendment to the TRPS is required to address the requirements of the NPS UD and to incorporate the objectives of the FDS 2022-2052. Section 7.0 of the S32 assessment provides more detail on the proposed changes to the TRPS.

The changes to the TRPS have the following key components:

- Amending the TRPS, particularly the Urban Development chapter (5.0), so that it is up to date in terms of growth trends and is giving effect to the NPS UD for Tasman's urban environment. This in turn will enable PC81 to the Tasman Resource Management Plan to give effect to the updated TRPS.
- Updating the TRPS to embed the FDS 2022's objectives for future urban development, for example reflected in the new objective and policy on Council being responsive to 'significant' urban development capacity that contributes to well-functioning urban environments.
- Updating the TRPS' interpretation of amenity values of the urban environment in line with the NPS UD's interpretation
- Update the TRPS to provide for a hierarchy for commercial centres

Tasman Resource Management Plan

PC81 introduces a comprehensive suite of amendments to the TRMP, including:

Rezoning of Land for Urban Growth:
Application of new or amended zones to a range of sites across the district, including both greenfield and brownfield locations. This includes sites identified through the FDS and MMP, as well as selected deferred zones to be released for development when servicing is available. The rezoning aims to provide for future housing and business land capacity in line with strategic growth objectives.

Introduction of the Medium Density Residential Zone (MDRZ):
Establishment of a new MDRZ and associated provisions, applying to selected areas in key towns. This includes new rules, standards, and a design matrix to enable and manage higher-density residential development, supporting a greater range of housing types and more efficient use of land.

Urban Intensification Provisions:
Amendments to enable more intensive residential development in existing urban areas, including updated rules for subdivision, building heights, site coverage, and design outcomes in the MDRZ and other relevant zones. These changes are intended to facilitate a shift towards more compact, well-designed urban environments.

Business and Industrial Land Supply:
Rezoning of land for commercial and light industrial purposes in key locations to address business land shortages and support economic growth. This includes new sites and amendments to existing zones, ensuring that sufficient business land is available to meet projected demand.

Papakāinga Provisions:
Introduction of new objectives, policies, and rules to better enable papakāinga development on Māori land, including a new chapter and amendments across relevant zones. These provisions are designed to empower tāngata whenua to live on and develop their ancestral land, reflecting both local aspirations and national direction.

Urban Centres Hierarchy:
Establishment of a formal hierarchy of commercial and neighbourhood centres within Richmond and other towns, including associated objectives, policies, and rules. This hierarchy clarifies the role and function of each centre, guiding future growth and investment, and supporting the vibrancy and efficiency of town centres.

Deferred Zoning Framework:
Use of deferred zoning for sites where infrastructure is not yet available, with provisions for the transition to urban or rural residential zoning once servicing is confirmed. Deferred zoning applies the original zone rules (e.g., rural) until required services are available; installation or construction of the required services triggers a switch to the rules that enable development.

Outline Spatial Plans (OSPs):
Requirement for OSPs for larger greenfield sites and specific locations, to guide the layout of

roads, reserves, infrastructure, and development sequencing. OSPs are intended to ensure coordinated and integrated development outcomes.

Consequential and Supporting Amendments:
Updates to transport-related objectives, policies, and rules; amendments to existing residential, commercial, rural, and rural residential zone rules; introduction of new and amended definitions; corrections and refinements to rules for large format retail in the Mixed Business Zone; updates to the Urban Design Guide; amendments to information requirements for resource consent applications; updates to planning maps and schedules; and removal of superseded or duplicated provisions.

The above changes are supported by a range of consequential amendments throughout the TRMP to ensure consistency, clarity, and effective implementation of the new provisions

Part II: Eligibility Criteria under Section 80C(2)

In accordance with Section 80C(2), the following eligibility criteria have been considered to determine the suitability of the Streamlined Planning Process for PC81 and TRPS Change 1. The assessment points below address the proposal's alignment with national policy, its urgency as a public matter, and its capacity to meet significant community needs.

This application meets the eligibility criteria for the Streamlined Planning Process under section 80C(2) of the RMA. The scale, urgency, and strategic importance of the proposed changes make SPP the most efficient and proportionate process.

(a) Implements a national direction

PC81 and TRPS C1 directly implement the National Policy Statement on Urban Development (NPS-UD) by enabling substantial intensification, supporting well-functioning urban environments, and ensuring development capacity meets projected demand. The NPS-UD requires councils to provide sufficient, flexible land supply for housing and business over all timeframes.

Through targeted rezoning in nine towns and the introduction of new planning provisions—including the Medium Density Residential Zone and business land—the proposals unlock capacity for thousands of new homes and significant commercial development, aligning with both national direction and the Nelson Tasman Future Development Strategy.

The proposed rezoning and planning provisions will not only increase capacity but also enhance competition in land and development markets, supporting a wider range of housing and business options.

(b) Urgency as a matter of public policy

Tasman is a Tier 2 urban environment and among New Zealand's fastest-growing regions. The 2024 Housing and Business Assessment (HBA) projects a shortfall of 365 dwellings in

Tasman and 243 in Nelson for 2028–2034, even with these changes. Without PC81 and TRPS C1, the housing deficit would be far greater, exacerbating affordability issues, constraining supply, and undermining economic development. The urgency is clear: prompt action is required to avoid deepening the housing crisis and to support sustainable regional growth.

Without these changes progressing rapidly, the district risks fragmented, ad hoc development, failure to meet statutory obligations under the NPS-UD, and further deterioration in housing affordability and supply.

(c) Meets a significant community need

PC81 will enable 3,047 new homes and 82 hectares of business land, directly addressing urgent needs for affordability, housing diversity, and employment. This scale of capacity responds to quantified demand and is strongly supported by developers, landowners, and the wider community. Engagement has shown broad consensus on the need for action, with public consultation, workshops, and forums revealing a shared commitment to livability, choice, and long-term sustainability. Councillors have consistently endorsed the planning direction, reflecting both community mandate and strategic priorities. The proposed changes have widespread backing, with all stakeholders recognising the urgency and opportunity they present.

Part III: Why the SPP Process is Appropriate

The Streamlined Planning Process (SPP) is the most efficient and proportionate mechanism to progress PC81 and TRPS Change 1, given the scale, urgency, and strategic importance of the proposed changes. It will enable the changes to be processed and come into effect faster thnt through Sch 1 to ensure there is adequate development capacity. It will also mean Tasman will be in a better position to move quickly to the new RM system.

Being ready to move to the new planning system

PC81 is critical for Tasman. Using the SPP will mean that we can get through the process more quickly and efficiently to get the Plan Change operative. This will mean that we are in good shape to move towards the new planning system under replacement legislation.

Also, we note that all of the zones used in PC81 are “conventional” and will be readily able to transition to a new standardized zoning system.

Substantial groundwork and robust engagement:

The vast majority of sites proposed for rezoning have already been identified and rigorously assessed through the Nelson Tasman Future Development Strategy (FDS) process, which included extensive public engagement, technical review, and alignment with long-term growth objectives. Any additional sites have been evaluated using the same multi-criteria framework, ensuring consistency and transparency. Direct engagement with landowners and stakeholders on the draft plan change has ensured practical input and broad support.

Additionally, Richmond and Mapua have also been subject to spatial planning processes that involved multiple rounds of consultation.

The aim of the Māpua Masterplan is to develop an integrated plan, in collaboration with the community and iwi, that brings together Council planning processes to address key issues and opportunities. More importantly, it should reflect the aspirations of this growing coastal community.

The Richmond Spatial Plan sets the strategic direction and vision for how growth and development can occur in the town. The Plan sets a framework to enable growth within the existing urban area, while reducing sprawl into the surrounding area.

Avoiding unnecessary delay and appeals:
Given the comprehensive preparatory work—including technical assessments, infrastructure planning, and public release of Draft PC81—further appeals or extended processes would introduce unnecessary delay. The SPP enables Council to respond rapidly to urgent housing and business land needs, while maintaining transparency and accountability through public notification and hearings.

Proportionate to the scale and significance of the issues:
The issues at stake—housing affordability, infrastructure capacity, and regional growth—are significant and time-sensitive. The SPP provides a fit-for-purpose process that balances the need for robust scrutiny with the imperative for timely delivery of outcomes.

Technically robust and future-focused:
The proposal is underpinned by multi-criteria site assessments, infrastructure and social impact reports, and a clear alignment with national and regional policy. The SPP will allow Council to implement well-functioning urban environments, as required by the NPS-UD, and deliver on the first decade of the FDS.

Efficient, transparent, and accountable:
The SPP process retains key safeguards—public notification, submissions, and hearings—while streamlining steps to avoid duplication and delay. This ensures that affected parties are heard, decisions are well-informed, and urgently needed housing and business capacity can be delivered without unnecessary barriers.

Part IV: Description of the Proposed Process

A proposed process is set out in the table below. In summary:

- The FDS was completed in 2022 and included extensive consultation with the community
- The Richmond Spatial Plan 2024 and Mapua Master Plan 2025 both involved extensive consultation with the respective communities

- Two rounds of consultation, including the release of a draft plan change, have already been undertaken for PC81 and C1.
- Schedule 1 statutory consultation has been completed

Because of the amount of preparatory work that has been completed we propose:

- a 30-day submission period, and no further submissions. Notification can occur within four weeks of a decision from the minister.
- Submissions to be heard by a panel of two independent commissioners, two elected representatives, and one iwi representative appointed by the Minister.

On this basis, we expect the timeframe for the process to be completed in 200 days.

	Procedural requirement (process step)	**Description**	**Timeframes**
1	*Community consultation on a draft of the plan change*	*Two rounds of community engagement:* • *Initial discussions on sites for rezoning and intensification* • *followed by consultation and feedback on draft PC.*	*Completed*
2	*Consultation with affected parties on the proposed planning instrument,*	*Prenotification consultation under cl 3 and cl 4, including any applicable Crown Agency and iwi authorities.*	*Completed*
3	Public notification of the proposed planning instrument in accordance with clause 5.	This process is the same as the Schedule 1, Part 1 process. We propose standard notification and submission process. But no further submissions under clause 8.	Expected to be **within 20 working days** after receiving Minister's decision
4	An opportunity for written submissions under clause 6 or 6A.	Propose 30 days due to size of plan change.	**30 working days** after the public notification date in Step 3
5	Summary of submissions made publicly available	Summary of the submissions received under Step 4 will be made publicly available on the Council's website so the submissions can be easily referred to by the public, s42A officers and hearing panel at the hearing	**No more than 15 working days** after the close of the public submission period This time is needed to allow for a potentially large number of submissions
6	Resolution of disputes	If considered appropriate (either following a request or on the initiative of Council) undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA.	
7	Public hearing in accordance with clause 8B	Hearing with at least two independent commissioners and one iwi representative. Chaired by independent commissioner. Length to be determined by the number of submissions received and the outcome of expert conferencing.	Commence no later than 85 working days after the close of submissions in Step 4. • This time is considered necessary to allow for the administration and logistics associated with a potentially

		The hearing panel may choose to permit cross-examination.	large number of submissions, such as: • Expert conferencing and resolution of submission points outside of hearing process • Commissioner availability • Section 42A report preparation (including underlying expert reports) • Any timetable steps that the hearing commissioners may require (i.e. exchange of expert evidence from the submitters, and any rebuttal evidence.)
8	SPP Panel makes recommendations	SPP Panel considers submissions and evidence and prepares a report and recommendations to Council. This report must include how the hearing panel gave particular regard to the section 32 evaluation report and any additional report prepared under section 32AA (as may be relevant)	50 working days after commencement of the hearing.
9	Council considers recommendations and notifies decision	Council to consider report & recommendations and accept or reject each recommendation and make any changes it considerers necessary in line with s32 and sch 1 - cl 86. Then notify its decsion.	30 working days from receipt of recommendations.
	Total time required for the SPP to be completed.		Steps 1–9 to be completed no later than 200 working days after the Direction notice in the *New Zealand Gazette* takes effect

Part V: Consultation and Affected Parties

A comprehensive programme of consultation and engagement has underpinned the development of PC81 and TRPS Change 1. This process has ensured that the proposed planning changes are informed by the views and expertise of a wide range of stakeholders, affected parties, and the broader community.

Stakeholder Engagement

Pre-public notification engagement was undertaken with key agencies, infrastructure providers, iwi, neighbouring councils, and the development sector. This included:

Central Government Agencies:

- Ministry of Education (MoE): Multiple meetings and correspondence to discuss rezoning sites and projected yields, informing future school planning. MoE provided feedback on draft changes, highlighting interest and concerns about the effects of

intensive development and industrial activities near schools, including noise, traffic, and safety risks.

- Ministry of Housing and Urban Development (MHUD): Regular updates and invitations to provide feedback on draft changes.

Infrastructure Providers:

- Network Tasman, Transpower, Nelson Regional Sewerage Business Unit (NRSBU), NZTA/Waka Kotahi, Chorus, Delta, Fire and Emergency NZ: Engaged through meetings, emails, and technical feedback. For example, Network Tasman confirmed reliable power supply in St Arnaud and advised on upgrades; Transpower and NZTA provided input on infrastructure and reverse sensitivity issues; NRSBU requested recognition of regionally significant infrastructure in the RPS.

Health and Social Agencies:

- Te Whatu Ora Nelson Marlborough, Nelson Bays Primary Health: Provided feedback on social impact and health service implications.

Neighbouring Councils and Regional Entities:

- Nelson City Council (NCC): Ongoing engagement, including meetings and updates on all workstreams. NCC expressed support for intensification and highlighted the importance of managing reverse sensitivity and noise effects.

Development Community:

- Regular engagement with housing, construction, architecture, and planning companies to ensure industry perspectives were considered.

Community and Public Engagement

Information Campaigns:

Broad communication via Council channels (Newsline, letters, flyers, emails, posters) to inform the public about the proposed changes and how to access information, including GIS viewers showing rezoning sites.

Drop-in Sessions and Meetings:

Series of drop-in sessions and targeted meetings across affected towns, providing opportunities for direct feedback and discussion.

Online Engagement:

Interactive website portals and surveys enabled wide participation and collection of feedback, with hundreds of responses received and summarised in engagement reports.

Targeted Stakeholder Engagement (e.g., Māpua Masterplan):

Engagement with local businesses, community groups, environmental organisations, and service providers. Feedback included support for intensification, requests for habitat restoration, and input on community facilities and infrastructure needs.

Key Themes from Feedback

Support for Intensification:

Many stakeholders and the public expressed support for enabling more housing and business land, provided that infrastructure, transport, and amenity issues are addressed.

Concerns and Recommendations:

Feedback highlighted the need to manage reverse sensitivity (e.g., noise near schools and highways), ensure adequate infrastructure and services, and protect environmental and community values.

Iterative Engagement:

The process was iterative, with feedback loops and updates provided to stakeholders, ensuring concerns were addressed and the plan was refined accordingly.

Affected Parties

Affected parties include:

- Landowners in rezoning areas
- Iwi authorities
- Infrastructure and service providers
- Community groups and local businesses
- Neighbouring councils and regional agencies

Summary

The consultation process for PC81 and TRPS Change 1 has been extensive, multi-layered, and responsive. It has involved early and ongoing engagement with all relevant parties, robust public participation, and targeted technical input. The feedback received has directly shaped the proposed planning changes, ensuring they are well-informed, balanced, and supported by those most affected.

Part VI: Implications for Iwi Participation Legislation

The proposed plan changes and the use of the Streamlined Planning Process (SPP) have significant implications for iwi participation, both in terms of process and outcomes.

Recognition and Enablement of Iwi Interests

The SPP process has been designed to ensure that iwi are not only consulted but are active partners in shaping the plan changes. This is reflected in:

- Early and ongoing engagement with representatives from all relevant iwi and Māori entities across the region.
- Direct involvement of iwi in the identification of sites, the development of papakāinga provisions, and the refinement of plan change wording.
- Specific mechanisms for iwi to review, propose, and refine provisions relating to Māori housing, papakāinga, and sites of significance.

Additionally, Tasman has a formal agreement with the eight Te Tauihu iwi and Ngati Wae Wae called the "Tasman Environmental Policy Iwi Working Group Partnership Agreement" that sets out the principles of partnership working and how all parties will work together. This is the basis for joint working on environmental policy matters.

Collaborative Drafting and Co-Development

The plan change process has moved beyond statutory minimums, with iwi and Māori entities participating in working groups, hui, and targeted workshops. This has resulted in:

- Co-development of new and amended papakāinga provisions, including objectives, policies, and rules that reflect iwi aspirations and practical needs.
- Agreement to continue collaboration on unresolved issues, with regular hui scheduled to ensure ongoing input right up to notification.
- Commitment to integrate iwi feedback into the notified version of the plan change, particularly for papakāinga and Māori Purpose Zones.

Implications for Mana Whakahono ā Rohe and Treaty Settlements

- The process respects existing arrangements through participation agreements and Treaty settlement obligations, ensuring that iwi participation is meaningful and not overridden or diminished by the SPP. Note there is currently no Mana Whakahono ā Rohe agreements in Te Tauihu.
- The plan changes are designed to give effect to Treaty principles by embedding Māori values, cultural heritage, and customary rights in both the process and the outcomes.

- The SPP process has been structured to allow iwi sufficient time and opportunity to shape provisions, even within the expedited statutory framework.

Enhanced Outcomes for Māori Housing and Cultural Values

- The plan changes will result in more enabling and flexible provisions for papakāinga, with new zones and clearer pathways for Māori housing development both within and outside designated zones.
- The process has ensured that sites of significance to Māori are identified and protected, and that cultural heritage is embedded in planning for areas such as Māpua.
- The collaborative approach has led to the development of guidance materials and the commitment to ongoing support for Māori entities navigating the planning system.

Risks and Mitigations

- The expedited nature of the SPP could, in theory, limit opportunities for extended engagement. However, this risk has been mitigated by front-loading engagement, scheduling regular hui, and providing for iwi-only meetings and working groups.
- Any outstanding issues at notification will continue to be addressed through ongoing collaboration, with mechanisms in place for further input prior to final decisions.

Summary

In summary, the implications of the SPP process for iwi participation are positive and substantial. The process has enabled a high level of iwi involvement, ensured that Māori interests are embedded in both process and outcomes, and provided for ongoing collaboration to resolve outstanding matters. The plan changes will give practical effect to iwi aspirations for housing, cultural heritage, and partnership in planning, consistent with Treaty principles and statutory obligations.

Part VII: Consequences of Not Proceeding

If Plan Change 81 (PC81) and Change 1 to the Tasman Regional Policy Statement do not proceed, the following consequences are anticipated:

Housing Shortfall and Affordability:
The district will continue to face a significant shortfall in housing capacity, especially for smaller, attached dwellings and papakāinga. This will worsen affordability, limit housing choice, and constrain the ability of the community—including Māori—to meet their housing needs.

Infrastructure Inefficiency and Increased Costs:
When capacity is exhausted, development will occur in an ad hoc and uncoordinated manner. This makes it extremely difficult for Council to plan, fund, and deliver bulk infrastructure in a cost-effective and timely way. Unplanned growth leads to piecemeal infrastructure extensions, duplication of assets, and higher per-dwelling costs for both Council and ratepayers.

Barriers to Māori Housing and Papakāinga:
Existing TRMP provisions are overly complex and restrictive, creating significant barriers for tāngata whenua seeking to develop papakāinga. Not proceeding would perpetuate inequities in housing access for Māori and fail to give effect to Treaty principles and national policy direction.

Business Land Shortages and Economic Impacts:
The status quo would not provide sufficient commercial and business land to meet projected demand, limiting economic growth, employment opportunities, and the vibrancy of town centres. Ad hoc development could undermine the role and function of existing centres.

Missed Opportunities for Urban Design and Infrastructure Efficiency:
Without the proposed provisions, opportunities to achieve well-functioning, compact urban environments, integrated transport, and efficient infrastructure delivery would be lost. This would result in higher long-term costs and less resilient communities.

Regulatory and Policy Risks:
Council would not be fulfilling its statutory obligations under the National Policy Statement on Urban Development (NPS-UD), the Future Development Strategy, or Treaty principles. This could risk central government intervention or legal challenge.

Part VIII: Benefits of Proceeding

Proceeding with PC81 and Change 1 to the TRPS will deliver substantial benefits for the Tasman District:

Increased Housing and Business Capacity:
The plan changes will unlock capacity for thousands of new homes—including medium density and papakāinga—and provide additional business and industrial land, directly addressing identified shortfalls.

Enabling Māori Aspirations:
The new papakāinga provisions will empower tāngata whenua to develop housing on their ancestral land, supporting cultural revitalisation and intergenerational wellbeing.

Economic Growth and Employment:
Sufficient business land and a clear commercial centre hierarchy will support economic

development, job creation, and the resilience of town centres. Enabling workers accommodation is critical to ensuring there is adequate capacity to house seasonal worker who underpin Tasman primary sector which drives the regions economy.

Social and Cultural Benefits:
Greater housing choice, affordability, and support for papakāinga will enhance social cohesion, equity, and cultural expression across the district.

Regulatory Certainty and Alignment:
The plan changes will ensure the TRMP and TRPS are aligned with national and regional policy, providing clarity and certainty for landowners, developers, iwi, and the community.

Future-Proofing the District:
The changes will position Tasman to respond proactively to growth pressures, infrastructure needs, and changing community expectations, ensuring sustainable and resilient outcomes for current and future generations.

Supporting Documents

Summary Document

1. PC81 Summary Document

Plan Change Documents (Tasman Resource Management Plan - PC81)

2. PC81 Schedule of Amendments
3. PC81 Planning Map (Zones) Amendments
4. PC81 Section 32 Assessment
5. PC81 Site-Specific Background Report

Plan Change Documents (Tasman Regional Policy Statement - C1)

6. TRPS C1 Schedule of Amendments
7. TRPS C1 Section 32 report

Supporting documents:

8. Housing and Business Assessment (2024)
9. Nelson Tasman Future Development Strategy (2022–2052)
10. Ngā Iwi Engagement Summary
11. Stakeholder Engagement Summary

Declaration

I declare that the information provided in this application is accurate and complete.

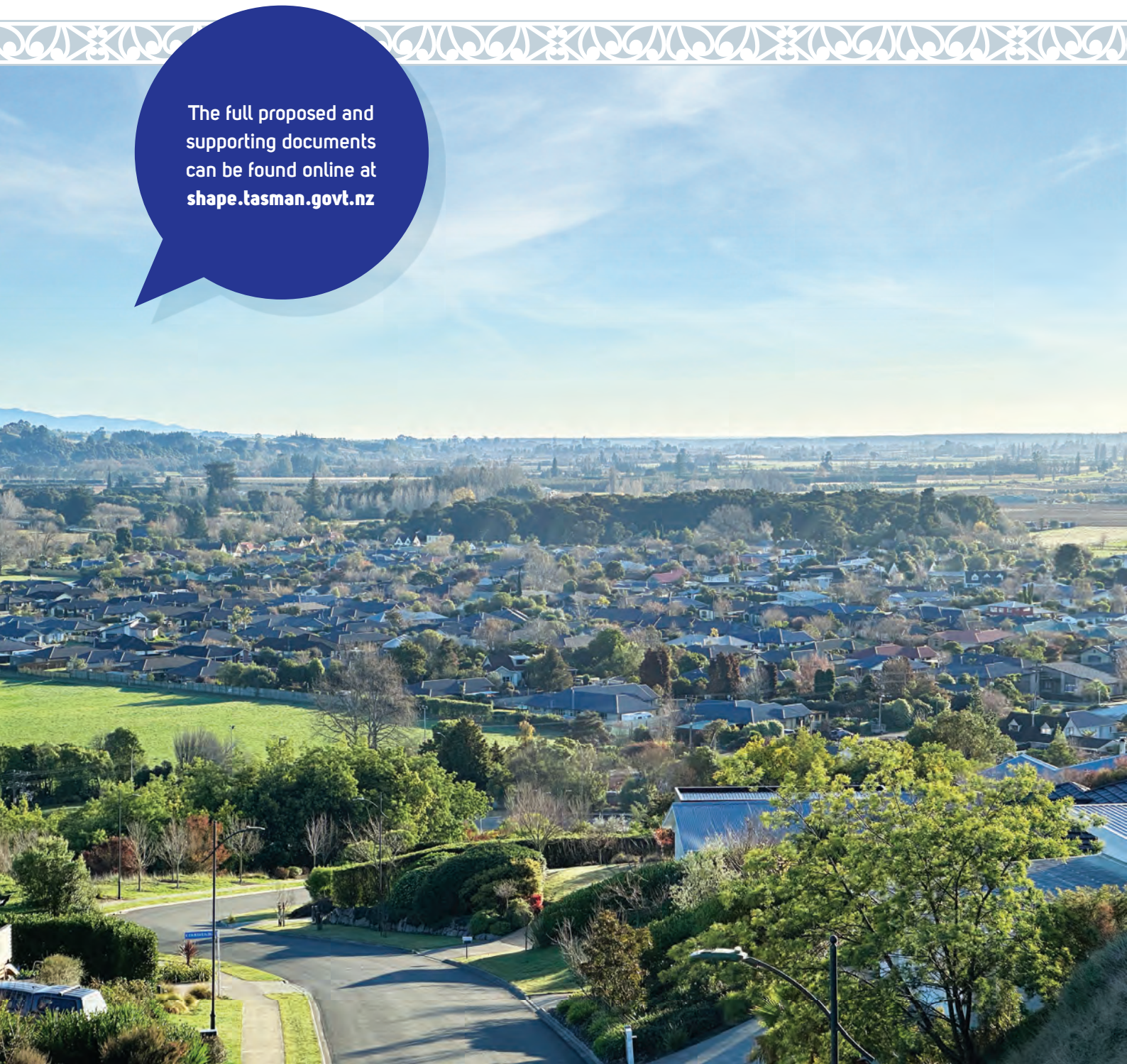
Name	Jeremy Butler
Position	Team Leader – Urban and Rural Policy
Local authority	Tasman District Council
Signature	
Date	24 September 2025

tasman district council | Te Kaunihera o te tai o Aorere

PROVIDING FOR GROWTH

A guide to Tasman's Draft Change 1 to the Regional Policy Statement and Draft Plan Change 81 to the Tasman Resource Management Plan

The full proposed and supporting documents can be found online at **shape.tasman.govt.nz**



This booklet provides information on Draft Change 1 to the Regional Policy Statement and Draft Plan Change 81 to the Tasman Resource Management Plan. These are being undertaken concurrently.

IN A NUTSHELL: WHAT'S CHANGING?

Where growth will happen

Rezoning land in Richmond, Motueka, Māpua, Brightwater, Wakefield, Tākaka, Murchison, St Arnaud and Tapawera to provide space for homes and businesses.

More housing choices

New Medium Density Residential Zones in key towns to allow townhouses, duplexes, and smaller homes.

Better rules for workers' accommodation

Updating the plan to make it easier to provide on-farm housing for seasonal and permanent workers.

Thriving town centres

Allowing three storey commercial buildings in Richmond and Motueka to support more housing and business growth.

Supporting local business

Rezoning land for light industry and commercial spaces to create more jobs and opportunities.

Stronger support for papakāinga

Adapting existing provisions in the Plan to make them more usable and help whānau live on and care for their ancestral land.

Smart growth, well-planned infrastructure

Ensuring roads, water, parks, and services keep up with development.

Better transport options

Updated rules to support walking, cycling, and public transport-friendly communities.

PLAN CHANGE FOR URBAN GROWTH

Tasman is highly valued and sought after by new and returning residents, land and service-based sectors, innovators, and creatives.

PROVIDING FOR GROWTH

- Regional Policy Statement (RPS) Change 1 amends the regional plan so that it gives effect to the National Policy Statement on Urban Development, embeds the Future Development Strategy's (FDS) objectives in the plan and plans for growth.
- Tasman Resource Management Plan Change 81 is proposed concurrently with the RPS Change 1. The Plan Change will rezone some of the FDS sites to provide land capacity for housing and business and make it easier to build up in some of our towns. Some sites will be zoned deferred until infrastructure in provided.

HOUSING AND BUSINESS OPTIONS

Plan Change 81 will:

- Provide sufficient residential and business land capacity in Tasman for at least the next 10 years.
- Ensure these new locations develop into high-quality living and working environments.
- Offer a more diverse range of housing options and living environments and provide for more business land where it is short.

Plan Change 81 includes ten towns where zoning more land for housing and business is proposed: Richmond, Wakefield, Brightwater, Motueka, Motueka Valley, Māpua, St Arnaud (Tophouse), Tapawera, Tākaka and Murchison. A new Medium Density Residential Zone is proposed for central Richmond and parts of Brightwater, Wakefield, Māpua and Motueka, as well as a new location in Tākaka, to provide for intensification of existing built-up areas.



Key actions

- **Zoning:** housing and business land will be rezoned in key towns facing housing shortages.
- **Infrastructure planning:** introduce indicative walkways, roads, and stormwater corridors, and outline development plans into the TRMP to ensure rapid and efficient development.
- **Medium Density Residential Zone (MDRZ):** establish a new MDRZ to enable intensification and smaller dwellings in central Richmond and parts of Wakefield, Brightwater, Motueka and Tākaka.
- **Update transportation:** update some urban transportation policies and rules to support more intensive living.
- **Enable papakāinga:** improve the policies and rules to enable papakāinga developments on Māori land.
- **Enable workers' accommodation:** simplify the process for constructing workers' accommodation, reflecting modern requirements.
- **Taller commercial buildings:** increase the height limit in the Commercial and Central Business Zone in Richmond and Motueka to enable three storey commercial buildings (13 metres) to enable living opportunities above the ground floor.





BASIC CONDITIONS FOR MDRZ
(Rule 17.1A.3.2)

- Minimum density
- Max. site coverage
- Max. building coverage
- Setbacks
- Servicing
- Building envelope
- Building height
- Outdoor living space
- Flooding and hazards

DESIGN MATRIX

- Effects on neighbours
- Contribution to a high quality neighbourhood
- On-site safety and functionality

RESOURCE CONSENT GRANTED







A NEW MEDIUM DENSITY RESIDENTIAL ZONE

To help meet the growing need for housing in Richmond, Brightwater, Wakefield, Motueka, Māpua and Tākaka, a new Medium Density Residential Zone (MDRZ) is being introduced. This new zone will encourage a greater variety of housing, such as townhouses, duplexes and smaller homes, in areas close to shops, schools, and public transport. The MDRZ will allow for more homes to be built in places where people want to live, while keeping our towns vibrant and focussed on their urban centres.

Our towns are growing, and with that growth comes the need to plan carefully for the future. By introducing this zone, we can make better use of land in central areas, reduce urban sprawl, and support sustainable growth. The new housing options will make it easier for people of all ages and incomes to find a place to live, whether they're young families, retirees, or first-home buyers.

Comprehensive development

The main purpose of the Medium Density Residential Zone is to introduce some significant changes which will enable and incentivise more compact and well-designed housing. Our urban areas are already quite fragmented and so in a lot of locations we don't have the luxury of designing spaces from scratch. So, we have developed a set of rules and policies which will work well for our existing urban residential areas in central Richmond and our other larger towns.
The key features are:

- The ability to comprehensively redevelop a site with fewer limitations on setbacks, heights, daylight angles, and outdoor living spaces.
- A requirement to meet certain basic conditions that will ensure a good quality of design.

So how will it work?

A novel approach is being proposed to ensure good design is achieved for future intensification projects.

If the basic conditions can be achieved, then there is a points system where developers must achieve a minimum number of points to ensure that their development can proceed. Points must be achieved in the three crucial areas:

- Minimising the effect on neighbours;
- The contribution to a high-quality neighbourhood (this will only apply to front sites); and
- Ensuring on-site safety and functionality.

In each of these three areas there are several ways that points can be gained, and therefore the point system will incentivise a way for developers to achieve good design. **If the points are achieved, resource consent for their development is guaranteed to be granted, and without public or limited notification.**





A NEW APPROACH FOR PAPAKĀINGA

We're making it easier for whānau to live on and care for their ancestral land by introducing new policies and rules for papakāinga. This includes:

- A dedicated section of supportive policies for papakāinga;
- Clearer, updated and more enabling rules for Papakāinga Zone; and
- Clearer, updated and more enabling rules for papakāinga in other zones.

These changes aim to enable culturally appropriate housing that strengthens connections to whenua and whānau while meeting the needs of growing communities.

ENABLING WORKERS' ACCOMMODATION

The definitions and rules about where workers can live on farms, orchards and vineyards etc in Tasman are outdated and too restrictive.

We're making changes to enable a wider range of workers' accommodation, including accommodation where the sleeping facilities and sanitary and eating facilities are all contained within the same building, and allowing farmers and growers to utilise existing buildings for accommodating workers.

We will introduce a new total maximum design occupancy of 35 people (for a controlled activity). This is anticipated to allow smaller worker accommodation buildings to move through the resource consent process easily. While also allowing Council to maintain some control over larger workers' accommodation being established in our rural environment.

THREE STOREY COMMERCIAL BUILDINGS IN RICHMOND AND MOTUEKA

We're making changes to allow three storey (13 metres) commercial buildings in the town centres of Richmond and Motueka. These changes respond to feedback from previous public engagement, which showed that people are generally supportive of increasing building heights in these areas.

The higher building heights will create opportunities for more inner-urban living, with the potential for two upper floors to be used for residential apartments above ground-floor commercial spaces. This supports more diverse housing options and helps create vibrant, walkable town centres.

ESTABLISHING AN URBAN CENTRES HIERARCHY

TRPS C1 and PC81 introduce an Urban Centres Hierarchy to provide a clear framework for the future growth, investment and development of commercial areas across the region. At the top of the hierarchy is Nelson, which remains the primary city centre and the central hub for the wider region. Richmond is positioned as the next metropolitan centre, reflecting its growing role as a major urban area and service centre for Tasman's communities.

Within Richmond, the hierarchy also identifies and defines the roles of its neighbourhood centres, ensuring each is supported to thrive in a way that complements the others. This approach helps protect the vibrancy and economic health of these centres while maintaining their individual identities.



SUMMARY OF POSITIVE GROWTH-RELATED CHANGES BY TOWN

Total expected homes **4,382**

Total area of business land **82 HECTARES**

RICHMOND

Approx. homes **2,047** | Approx. business land **38 HA**

- Introduce the MDRZ in central Richmond to support higher-density housing.
- Establish a new Intensive Development Precinct for even greater density in the town centre.
- Rezone land for additional residential and business capacity, including converting light industrial land to residential.
- Enable three-storey commercial buildings to support mixed-use development and urban living.

WAKEFIELD

Approx. homes **320** | Approx. business land **13 HA**

- Apply the MDRZ in central Wakefield to allow for more housing options.
- Create a new greenfield growth area off Whitby Road with an Outline Development Plan.
- Rezone land off Higgins Road to Residential Zone for increased housing capacity.
- Plan for long-term growth with deferred zoning pending infrastructure upgrades.

BRIGHTWATER

Approx. homes **32** | Approx. business land **7 HA**

- Apply the MDRZ in central Brightwater to support intensification.
- Add the Brightwater Development Area overlay to enable new greenfield housing development.
- Introduce a Rural Residential Zone off Higgins Road for balanced growth.
- Address zoning legacy issues to improve land use efficiency.

MĀPUA

Approx. homes **971** | Approx. business land **5.3 HA**

- Apply MDRZ in key areas to support compact housing.
- Enable greenfield development guided by the Māpua Masterplan 2025.
- Use deferred zoning to align growth with infrastructure readiness.
- Support mixed-use growth with new residential and commercial capacity.





MOTUEKA AND MOTUEKA VALLEY

Approx. homes **750**

- Apply the MDRZ south of Whakarewa Street with an Outline Development Plan.
- Expand papakāinga opportunities to support Māori housing and community development.
- Enable higher buildings in commercial zones to support mixed-use development.
- Support rural residential growth in Motueka Valley and College Street.

TĀKAKA AND GOLDEN BAY

Approx. homes **175** | Approx. business land **13.5 HA**

- Rezone land at Park Avenue and Rototai Road to Residential and MDRZ with an Outline Development Plan.
- Provide Light Industrial Zone capacity in Golden Bay / Mohua.
- Rezone Onetahua Marae to Māori Purpose Zone to support cultural development.
- Enable Rural Residential zoning for housing choice.

TAPAWERA, ST ARNAUD (TOPHOUSE) AND MURCHISON

Approx. homes **24** | Approx. business land **22 HA**

- Convert a light industrial section in Tapawera to Residential Zone for housing.
- Rezone land in Tophouse to Rural Residential Zone with environmental protections.
- Create a new Light Industrial Zone in Murchison to support economic growth.
- Rezone central Murchison properties to Commercial Zone to address business land shortages.



Appendix 1: Schedule of Amendments

Tasman Resource Management Plan

Proposed Plan Change No. 81

Urban Development

Without Legal Effect

The Tasman Resource Management Plan is amended in accordance with the attached annotated portions of the plan.

NOTE:

- Red underlined text (in this colour) denotes new text proposed through Plan Change 81
- Red underlined text (in this colour) denotes new text proposed from other current Plan Changes.
- Blue text ~~crossed out~~ proposes text to be deleted
- Purple text ~~crossed out~~ denotes operative text proposed to move to a new location
- Purple text not crossed out (and not underlined) denotes operative text in its new proposed location
- Green ~~strikeout~~ text denotes currently proposed (not yet operative) text to be deleted through this plan change.

Notified: TBC

DRAFT

CHAPTER 2: MEANINGS OF WORDS

[unchanged or irrelevant text omitted]

B

Base quantity (B) – means the amount (mass in tonnes or cubic metres measured at 101.3 kilopascals and 20 degrees Centigrade for compressed gases) of any hazardous substance that has been assessed as generating no significant off-site effects on a notional heavy industrial site before site and substance specific consideration have been taken into acco6.4Aunt.

Bed *– means:*

(a) In relation to any river:

(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;

(ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and

(b) In relation to any lake, except a lake controlled by artificial means:

(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;

(ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and

(c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and

(d) In relation to the sea, the submarine areas covered by the internal waters and the territorial sea.

Bedroom – in the Medium Density Residential Zone means any habitable space within a residential unit capable of being used for sleeping purposes and can be partitioned or closed for privacy including but not limited to "games", "family", "recreation", "study", "office", "sewing", "den", or "works" rooms. but excluding:
any kitchen or pantry bathroom or toilet

- laundry or clothes-drying room
- walk-in wardrobe
- corridor, hallway, or lobby
- garage; and
- any other room smaller than 6m2.

Where a residential unit has any living or dining rooms that can be partitioned or closed for privacy, all such rooms, bar one, shall be considered a bedroom.

A habitable space may or may not have ablution facilities attached, and is built to a habitable standard.

Benefits and costs *– includes benefits and costs of any kind, whether monetary or non-monetary.*

Berm land – means land located between the bank of a river and a stopbank on the same side of the river, and includes the land between the western Peach Island stopbank and West Bank Road.

[unchanged or irrelevant text omitted]

Brightwater Development Area – means the area between State Highway 6, Pitfure Stream and Lord Rutherford Road; and the area between Katania Heights Road and the Brightwater Deviation State Highway as shown on the planning maps. **C75 9/22 Op 10/23**

[unchanged or irrelevant text omitted]

C

[unchanged or irrelevant text omitted]

Compact density development - means residential development in the Richmond South, Richmond West, Brightwater, Wakefield, and ~~Māpua Special development areas~~ and the Motueka West Compact Density Residential Area that is two or more dwellings on any site, and where the buildings and open space, parking, storage, and amenity values, including privacy and outlook, have been planned and designed comprehensively.

Comprehensive residential development – means a comprehensively planned and designed collection of three or more dwellings on one site in the Residential Zone, or two or more dwellings on one site in the Medium Density Residential Zone.

[unchanged or irrelevant text omitted]

G

Green roof – means engineered structures that are designed to provide a waterproof covering to a building while maintaining a living vegetation surface and significantly (>80% of annual rainfall) reduced runoff through the action of retention within, and evapotranspiration from, the constructed substrate.

I - J

[unchanged or irrelevant text omitted]

Impervious surface – means ~~any man-made or modified land surface that prevents or significantly reduces the infiltration of water into the soil or any naturally occurring ground surface during a rainfall event, and includes buildings, concrete, asphalt, and sealed pavers~~ any artificial, constructed or modified land surface, or any naturally occurring ground surface, that prevents or significantly reduces the infiltration of water into the soil. Impervious surfaces include buildings, concrete, asphalt, chip seal, sealed pavers, rock, heavy clay and compacted gravel, but do not include pervious surfaces.

[unchanged or irrelevant text omitted]

Inshore coastal water means – **RCP Op 10/11**

(a) the water in the coastal marine area south of a line drawn south-east from the Farewell Spit lighthouse; and

(b) the water in the Big River estuary and Whanganui Inlet, being areas 1 and 2 of Schedule 25D, and the water in the Anaweka River estuary;

as shown on the planning maps.

Integrated Transport Assessment – Integrated transport assessments consider the proposed impact of a development on the transport network and the effectiveness of any potential mitigation measures to address adverse impacts. The Integrated Transport Assessment should include a review of relevant planning documents and infrastructure plans, needs to consider all modes of transport and should incorporate methods of reducing reliance on private cars. **C80 12/23 (D4/25)**

~~**Intensive development** – means medium density residential housing development in the Medium Density Residential Zone Richmond Intensive Development Area, where there is one or more dwellings on any site.~~ **C66 10/17 Op 12/18**

Intensive livestock farming – means the intensive keeping of livestock, either in a building or on a permanent feedlot.

[unchanged or irrelevant text omitted]

M

[unchanged or irrelevant text omitted]

Mean high water springs – in relation to its location, means the position or line of mean high water spring tides wherever that position or line happens to be from time to time, irrespective of any representation of mean high water springs on any plan, map or other instrument. **RCP Op 10/11**

Medium density development - means residential development ~~with a dwelling density between 20 – 30 dwellings per hectare on sites averaging between 200 – 300 square metres in extent~~ where a dwelling density greater than 30 dwellings per hectare is enabled, including Compact Density~~,~~ and Comprehensive ~~and Intensive housing~~ development. **C66 10/17 Op 12/18**

Micromobility – means transport modes other than travelling in a vehicle, and includes walking using mobility assistance such as a wheelchair, bicycle, scooter, skateboard and using electric cycles or personal transportation devices, which are small, lightweight, mobility devices that can occupy space alongside cycles, operate at speeds typically below 30 km/h and are driven by the user personally, but excludes, without limitation, motorbikes, light vehicles, heavy vehicles, devices with internal combustion engines and devices with top speeds above 45 km/h.

Mineral *– means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945.*

Minimum flow – means the flow regime that is required as set out in the policies and rules of this Plan, as a minimum, to maintain or provide for the specified uses and values identified for that river, but which, during severe droughts may be further reduced through a combination of reduced water flows and water abstraction.

[unchanged or irrelevant text omitted]

N

Net density – means the number of lots or household units per hectare (whichever is the greater). The area (ha) includes land for:

- Residential purposes including all on-site open space and parking associated with residential development;
- Local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and major arterial roads;
- Local (recreation, local purpose) reserves

The area (ha) excludes land that is:
- Stormwater retention and treatment areas
- Constrained by natural hazards (e.g. earthquake, slope instability, ground subsidence, inundation)
- Set aside to protect significant ecological, cultural, historic heritage or landscape values;
- For community activities and retail facilities, or for schools, hospitals or other District, Regional or sub-regional facilities.

P

[unchanged or irrelevant text omitted]

Pervious surface – means ~~any natural or modified land surface that allows for the infiltration of water into the ground~~ any natural or modified land surface that allows for the infiltration of water into the ground. This includes planted areas that facilitate the soakage of rainwater, and any constructed surfaces that are designed, constructed and maintained to allow for the infiltration of water into the ground.

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Constructed surfaces include loose gravel areas, permeable paving, porous concrete, and decks that have gaps between decking boards and a pervious surface underneath.

[unchanged or irrelevant text omitted]

S

Site coverage – means the proportion of a site that is covered by ~~buildings, decks and paving, including concrete, asphalt, brick, stone and precast concrete slabs~~ impervious surfaces. Engineered green roofs are excluded from site coverage.

[unchanged or irrelevant text omitted]

Small-scale solid fuel-burning appliance – means any appliance having a net heat output of up to 40 kilowatts using solid fuels, and includes any open fire, pot belly and domestic range or stove, woodburner, pellet fire, multi-fuel (coal/wood and waste burning system), and any similar appliance.

Small Unstaffed Network Utility Buildings – has the same meaning as Network Utility Building except small unstaffed means a building (which is not or does not contain a substation) which is directly part of a network utility, and it and any equipment it holds is unstaffed, and the building does not exceed 20m2 in ground floor area and does not exceed 5m in height. For the purpose of this meaning the above height limitation does not apply to aerials, masts and poles.

Soil – means earth material at or below the surface of the ground in any undisturbed situation, that:

(a) may have value for biomass production; and

(b) is sufficiently weak to form sediment through the action of wind or water;

and includes any weathered or disaggregated rock.

W - Z

[unchanged or irrelevant text omitted]

Wood pellets – means solid fuel used in pellet-burning appliances that is made of wood that has not been treated with preservatives or impregnated with chemicals (except for negligible amounts of anti-sapstain) and that complies with the following standards:

Average moisture content (as delivered):	4% – 8% of the wet mass
Bulk density:	No less than 640kg/m^3
Ash content:	No more than 0.5% by oven dry weight
Gross calorific value:	18 – 21 MJ/kg
Pellet size:	No more than 10mm diameter by 38mm long
Fines:	No more than 1% by weight passing through a 3mm mesh screen

Workers' accommodation – means ~~a collection of buildings that:~~

~~(a) provides the functional requirements of one or more self-contained housekeeping units; and~~

~~(b) locates in separate buildings, sleeping facilities from sanitary and eating facilities; and~~

~~(c) is used for the residential accommodation of persons employed.~~ The use of land and buildings for accommodating the short-term seasonal labour requirements for activities on a farm. Workers' accommodation does not include residential activity.

CHAPTER 5: SITE AMENITY EFFECTS

[unchanged or irrelevant text omitted]

5.2 AMENITY VALUES

5.2.1 Issues

5.2.1.1 Amenity can be compromised in site development and site use.

5.2.2 Objective

Maintenance and enhancement of amenity values on site and within communities throughout the District.

5.2.3 Policies

Refer to Rules sections 16.1,16.3, 17.1, 17.2, 18.1.

5.2.3.1 To maintain privacy in residential properties, and for rural dwelling sites, but also recognise that amenity may develop and change over time with increasing residential density, particularly medium density.

5.2.3.2 To ensure adequate daylight and sunlight to residential properties, and rural dwelling sites, but also recognise that sunlight admittance may decline with increasing residential density, particularly medium density.

5.2.3.3 To promote opportunity for outdoor living on residential properties, including rural dwelling sites, but also recognise that space for outdoor living may decline with increasing residential density, particularly medium density.

5.2.3.4 To promote amenity through vegetation, landscaping, street and park furniture, and screening.

5.2.3.5 To promote amenity and convenience for people in commercial areas.

5.2.3.6 To maintain and enhance natural and heritage features on individual sites.

5.2.3.7 To enable a variety of housing types in residential and rural areas.

5.2.3.8 To avoid, remedy or mitigate the adverse effects of traffic on the amenity of residential, commercial and rural areas.

5.2.3.8A To avoid, remedy or mitigate the adverse effects of road noise on the amenity of dwellings in the Medium Density Residential Zone

5.2.3.9 To avoid, remedy or mitigate the adverse effects of signs on amenity values.

5.2.3.10 To allow signs in residential, rural residential, recreation and rural areas that are necessary for information, direction or safety.

5.2.3.11 To enable a range of signs in commercial and industrial areas, subject to safety and access needs and visual considerations.

5.2.3.12 To support the consolidation of information and "welcome to . . ." signs at the entrances to towns.

5.2.3.13 To limit lighting of rural and residential subdivisions and development, including rural signs, to that which is necessary for safety and security, including public safety and security.

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5.2.20 Methods of Implementation

5.2.20.1 Regulatory

(a) Rules and the Medium Density Residential Design Matrix relating to:

- allotment size and intensity of development;
- sunlight and shading;
- outdoor living space on dwelling sites;
- vegetation, fences and screening;
- verandahs, retail frontage, pedestrian areas, garden areas and landscaping in commercial areas;
- natural and cultural heritage features;
- number, size, location and nature of signs in different areas of the District;
- provision of roads and on-site vehicle needs.

5.2.20.2 Education and Advocacy

(a) Advice and information on amenity issues, including landscaping.

(b) Promotion of standards for signs through design guides and awards.

5.2.20.3 Works and Services

(a) Street and park works and furniture.

(b) Multi-sign structures and advertising kiosks.

(c) Landscape planting, including increasing the tree cover within street corridors and other public land areas in the Medium Density Residential Zone to, at least, offset any loss of tree cover from private land.

5.2.30 Principal Reasons and Explanation

Allotment size and intensity of site development affect the perception of whether buildings or open space are dominant in any locality. They also affect the degree of amenity (including privacy) possible between sites, the proportion of sunlight and shade occurring on any site, and the options for using outdoor parts of a site.

These two factors also affect options for servicing sites, especially effluent disposal.

There is tension between the advantages of higher density urban development in reducing demands on limited land resources (such as coastal land, or land of high productive value), and people's expressed preference for low density development in which open space is prominent. Trees and gardens are important in that open character.

The National Policy Statement on Urban Development 2020 (NPS-UD) acknowledges that urban environments are dynamic and must evolve to support growth and changing community needs. It emphasises that change occurs in urban environments and amenity values develop in response to the diverse and changing needs of people, communities and future generations. The NPS-UD encourages local authorities to enable development, including intensification, to ensure urban environments function well and are sustainable. The Medium Density Residential Zone provides opportunities for intensive residential development in specific locations where amenities such as a centre, employment, entertainment and education are in close proximity and offer opportunities for higher densities of development while managing privacy, shading and dominance effects on adjoining sites.

Shelter from sun and rain is sought for pedestrians in the major commercial areas. Policy 5.2.3.8 recognises the effects of traffic on safety, convenience, and noise levels.

Several of these policy matters are subjective. Information and advice will be useful in addition to rules to help people achieve the policies.

A variety of housing types is permitted to cater for the changing household types in the District, including single person households, communal housing and transient accommodation.

Signs are an important part of the District in their role in giving information and advertising products. However, they affect safety and visual amenity if not properly designed and located, especially at the entrance to townships.

Signs are generally acceptable in the commercial and industrial areas because they are needed to advertise products and services. For this reason there is a more liberal approach to signage in these areas. However, signs on roofs and verandahs are restricted for amenity reasons.

Advertising in rural, recreation and residential areas is often a detraction from the amenity of these areas and in these areas, signs are restricted as to scale and positioning.

Traffic safety policies for signs are in Chapter 11. Signs on Council roads are controlled by Council bylaw. Signs on state highways are subject to controls specified in New Zealand Transport Agency (Signs on State Highways) Bylaw 2010.
Excessive or unnecessary lighting can be intrusive in rural and rural-residential areas. The policy intention is to permit only such lighting as is necessary for safety and security.

5.2.40 Performance Monitoring Indicators

(a) Surveyed degree of satisfaction of residents and users concerning the on-site amenity values of living and urban environments in the District.

5.3 VISUAL AND AESTHETIC CHARACTER

5.3.1 Issues

5.3.1.1 Some localities exhibit special characteristics which people wish to retain.

5.3.2 Objective

Maintenance and enhancement of the special visual and aesthetic character of localities.

5.3.3 Policies

Refer to Rules sections 16.3, 17.5 – 17.8, 18.1, 18.3, 18.12.

5.3.3.1 To maintain the low or medium density residential character within the existing urban areas, except in the Medium Density Residential Zone, and where higher residential density is provided for in specified development areas. **C5 3/06 Op 10/10**

5.3.3.1A To enable medium density housing with a high standard of amenity in specified locations. **C66 10/17 Op 12/18**

5.3.3.2 To maintain the open space value of rural areas.

5.3.3.3 To avoid, remedy or mitigate the adverse effects of the location, design and appearance of buildings, signs and incompatible land uses in areas of significant natural or scenic, cultural, historic or other special amenity value.

5.3.3.4 To avoid, remedy or mitigate the adverse effects of activities on the character and sets of amenity values in specific urban locations.

5.3.3.5 To maintain and enhance features which contribute to the identity and visual and aesthetic character of localities, including:

(a) heritage sites and buildings;

(b) vegetation;

(c) significant landmarks and views.

5.3.3.6 To provide clear and distinctive boundaries to urban areas in relation to main highway routes.

5.3.20 Methods of Implementation

5.3.20.1 Regulatory

(a) Rules and the Medium Density Residential Design Matrix relating to:

- allotment size and intensity of site development;
- location, design and appearance of buildings and signs;
- location of classes of activities and effects;
- heritage, vegetation and landscape features.

5.3.20.2 Education and Advocacy

(a) Development and promotion of guidelines or design codes for buildings and subdivision in areas of high natural, scenic, historic or amenity value.

(b) Advice and information on amenity issues, including landscaping, retaining and enhancing natural character.

5.3.20.3 Works and Services

(a) Street and park works and furniture.

(b) Landscape planting.

5.3.30 Principal Reasons and Explanation

The ongoing expansion of urban areas can conflict with the need to limit urban encroachment onto two of the District's land resources: the limited amount of land of high productive value; and the coastline, where natural character is prominent. Enabling increased and varied housing densities in specified Development Areas reflects the need to use land more efficiently where expansion does occur.

C75 9/22
Op 10/23
C76 9/22
D9/24

In locations such as St Arnaud, Marahau, Lake Rotoroa and Awaroa, natural and scenic values also warrant limits on the nature and scale of development (see Chapter 6.13). Elsewhere, heritage sites or other landmarks may warrant preservation.

As areas are developed within the controls applying to various locations, they take on the character allowed by those controls. These areas may need to be protected against new controls, or new activities, which would cause a departure from that character. For example, the removal of indigenous forest in areas where it is now rare in the coastal environment will adversely affect the character of the locality. Sprawling development along main highway routes leading into settlements may undermine the visual amenity of those settlements.

[unchanged or irrelevant text omitted]

5.4 ~~Residential Activities and~~ Community Facilities

5.4.1 Issue

5.4.1.1 ~~Residential and c~~Community facilities and services which enable people to provide for their social, economic and cultural well-being and for their health and safety.

5.4.2 Objective

Accommodation of a wide range of ~~residential activities and~~ accessible community facilities in urban areas.

5.4.3 Policies

Refer to Rule section 17.1.

Note: The purple text below is operative and proposed to move to location 6.4A.3.1

~~5.4.3.1 To enable a variety of housing types, recognising different population growth characteristics,~~

~~age, family and financial circumstances and the physical mobility of, or care required by, residents.~~

5.4.3.~~2~~1 To allow for health care, educational and cultural facilities and other local community activities, including in ~~residential~~ urban areas, providing these do not compromise the character or amenity of the ~~residential neighbourhood~~ urban environment.

5.4.20 Methods of Implementation

5.4.20.1 Regulatory

Note: The purple text below (a) is operative and proposed to move to location 6.4A.3.1

~~(a)~~ ~~Rules which permit a variety of residential activities but set performance standards to protect the amenity of residential neighbourhoods.~~

~~(b)~~ (a) Rules which permit community activities subject to meeting performance standards.

5.4.30 Principal Reasons and Explanation

Note: The purple text below is operative and proposed to move to location 6.4A.30

~~There is a need for a variety of housing forms – for example, permanent living accommodation, refuge or emergency housing, rental flats and boarding houses, or housing for people with special needs – to provide for the varied households of the District.~~

Community facilities such as halls, schools, health care facilities or hospitals may be of local or regional importance. They must be readily accessible to the ~~residential~~ community which they serve if they are to contribute effectively to the overall amenity or well-being of the community. However, because they have the potential to create adverse effects such as noise, traffic and long hours of operation, a high standard of amenity will be sought.

[unchanged or irrelevant text omitted]

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CHAPTER 6: URBAN ENVIRONMENT EFFECTS

[unchanged or irrelevant text omitted]

6.0 INTRODUCTION

The District contains a dispersed pattern of over 30 small settlements in a mainly rural setting - with only Richmond and Motueka having a population of over 5,000. Population growth requires careful monitoring so that the reasonably foreseeable needs of future generations for land and other resources can be predicted and met.

There has been rapid growth in the settlements of Richmond, Brightwater and Wakefield on the Waimea Plains (which contain some of the District's most versatile land), at Māpua, Motueka and at coastal settlements in Golden Bay such as Pohara and Parapara since 1985. **C58 11/15 Op 7/17**

The population of some inland towns such as Murchison and Tapawera has declined slightly in recent years. New residents have been attracted to the District because of its intrinsic qualities such as good climate and attractive environment. The major urban area of Nelson City lies a few kilometres to the north east of the District and many residents of the Waimea Basin settlements commute to work in industrial and commercial areas in Nelson.

The key locational and urban form issues are:

(a) Urban development that provides a liveable and sustainable environment for the community through the use of careful design. **C5 3/06 Op 10/10**

(b) Urban growth that minimises the loss of the most productive and versatile land in the District.

(c) Urban development that avoids locations where it has the potential to be adversely affected by loss or damage from natural hazards.

(d) The ability to service urban growth (including new residential subdivision) cost effectively and sustainably. Compact urban form can promote efficient use of existing utility services, energy and infrastructure.

(e) The effect of urban expansion on the character of coastal locations.

(f) The efficient use and development of the scarce industrial land resource.

(g) Effective use of commercial land resources.

(h) Maintenance and enhancement of environmental character and design features in towns. The relationship between buildings and ridgeline features is an issue in some towns.

(i) The extent of urban expansion bordering national parks.

(j) The cumulative effect of more dense development on stormwater quality and flood risk. **C7 7/07 Op 10/10**

(k) Residential development that provides for a diversity and choice of housing density and form to cater for a growing population, a changing demographic profile and a range of living options. **C66 10/17 Op 12/18**

(l) The effect of urban development and expansion on historic and cultural heritage.

Six general urban objectives and related policies cover all broad urban issues and some settlements have further policies which relate to particular local land issues.

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6.1 SUSTAINABLE URBAN DESIGN AND DEVELOPMENT

6.1.1 Issue

C5 3/06
Op 10/10

How to ensure that growth and development of towns and urban areas have socially and economically liveable and environmentally sustainable design features.

C5 3/06
Op 10/10
C75 9/22
OP 10/23

There is a growing realisation of the importance in encouraging future urban development to incorporate design features that make a more liveable and sustainable environment to accommodate the increasing numbers of people within the District. Design features, through good urban design, can have a positive effect on the efficiency of servicing and transport networks, and can address risks such as contamination and hazards, as well as amenity issues, whether the urban development involves urban expansion or intensification, or a combination of both. There are a number of principles for sustainable urban design that have been recognised by Council in more recent strategic urban development planning, particularly in Richmond. These principles have application over all urban areas in the District.

6.1.2 Objectives

C5 3/06
Op 10/10

C66 10/17
Op 12/18

6.1.2.1 Urban environments including buildings, places, spaces and networks are well-functioning and ~~that~~ together, by design, sustain towns as successful places to live, work and play.

6.1.2.2 A wide range of living opportunities in urban locations that incorporate urban design principles.

6.1.3 Policies

Refer to Policy sets 8.1, 11.1, 11.2.
Refer to Rule sections 16.2, 16.3, 16.4, 17.14, 18.8.

C5 3/06
Op 10/10

6.1.3.1 To encourage subdivision and development to incorporate sustainable urban design principles by:

(a) encouraging a sense of place and identity;

(b) working with the natural characteristics of sites;

(c) creating opportunities to enhance natural values;

(d) providing a high degree of connectivity within road networks;

(e) providing for safe walking and cycling;

(f) designing local roads to ensure a safe low traffic speed environment on local streets and accessways;

(g) creating a streetscape which enhances perceptions of safety;

(h) managing stormwater run-off on site where possible, and ensuring off-site stormwater run-off does not increase flood risk nor adversely affect water quality in waterways and the coastal marine area for aquatic ecosystems and recreation; and

(i) locating and designing development to address cross-boundary effects between land uses.

(j) Within any comprehensive development of four or more dwellings within an outline spatial plan area, the design of buildings must incorporate a range of forms and finishes to avoid uniform repetition.

~~C22 2/11~~
~~Op 1/15~~

Note: The purple text below for Policies 6.1.3.1 (j) & (k) are operative and proposed to move to location 6.4A.3.2

~~C66 10/17~~
~~Op 12/18~~
~~C75 9/22~~
~~op 10/23~~
~~C76 9/22~~

~~(j) encouraging medium density housing development in the forms of compact density and comprehensive housing and intensive residential development within walking or cycling distance of or close to town centres and urban facilities, including public transport.~~

~~C66 10/17 Op 12/18~~

~~(k) providing for a choice of residential density and form within the District, taking into account people's preferences, the existing character of neighbourhoods, topography, proximity to town centre, the capacity of infrastructure and the constraints of the land resource.~~

~~(l)~~ (j) enabling protection of heritage sites, items and values, cultural heritage and protected trees.

Note: The purple text below is operative 6.1.3.1A (a) and (b) and it is proposed to move it to location of 6.4A.3.3

C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

~~6.1.3.1A~~ ~~To encourage medium density housing developments that achieve a high standard of amenity in areas identified on the planning maps as the Richmond South, Brightwater, Richmond West, Wakefield, and Māpua Special and Richmond Intensive development areas and the Motueka West Compact Density Residential Area by:~~

~~(a) ensuring the suitable and compatible location, height, density, scale and bulk of intensive residential development relative to its context and adjacent land uses, including streets and reserves.~~

~~(b) encouraging best practice and design through the use of the Council's Urban Design Guide.~~

C75 9/22 Op 10/23

~~6.1.3.1B~~ ~~To ensure that higher density housing options in the Brightwater Development Area achieve a high standard of amenity through design in accordance with the Urban Design Guide (Part II, Appendix 2).~~

~~6.1.3.1C~~ ~~To ensure that development in the Wakefield Development Area achieves a high standard of amenity through design in accordance with the Urban Design Guide (Part II, Appendix 2).~~

6.1.3.2 To integrate the management of stormwater run-off with the maintenance and enhancement of natural waterways, vegetation and wetlands, and co-locate provision of passive recreational opportunities, and pedestrian and cycle access.

C5 3/06 Op 10/10

6.1.3.3 To ensure the establishment of riparian planting along urban waterways to maintain and enhance water quality and natural habitats, improve indigenous biodiversity of the catchment, and reduce stream bank erosion while providing access for channel maintenance.

C5 3/06 Op 10/10

6.2 LAND EFFECTS FROM URBAN GROWTH

6.2.1 Issues

6.2.1.1 How to provide for urban growth that keeps the loss of land of high productive value to a minimum and that avoids or mitigates the risks of extending onto land subject to natural hazards.

6.2.1.2 How to use existing urban land and infrastructure effectively and efficiently to accommodate the growing population, the changing demographic profile and a diversity of living opportunities.

C66 10/17 Op 12/18

6.2.2 Objectives

6.2.2.1 Urban growth that avoids or mitigates the loss of land of high productive value and the risks of extending onto land subject to natural hazards.

6.2.2.2 Urban growth and sufficient opportunities, including redevelopment opportunities that encourage more efficient use of land, energy and provision of infrastructure, services and amenities.

C66 10/17 Op 12/18

6.2.2.3 For the period 2024 to 2054, the minimum sufficient development capacities for housing in the Tasman portion of the Nelson-Tasman Tier 2 Urban Environment are provided. **NPS-UD 09/21 NPS-UD 09/24**

Note:
The minimum sufficient development capacities to meet housing demand, including the competitiveness margin, over a 30-year period are:

Urban Environment	Short Term Years 1-3 (2024-2027) Number of Dwellings
Richmond	355
Brightwater	79
Māpua/Ruby Bay	68
Wakefield	82
Motueka	238
Total	**822**

Urban Environment	Medium Term Years 4-10 (2028-2034) Number of Dwellings
Richmond	1,027
Brightwater	211
Māpua/Ruby Bay	162
Wakefield	216
Motueka	535
Total	**2,151**

Urban Environment	Long Term Years 11-30 (2035-2054) Number of Dwellings
Richmond	2,480
Brightwater	681
Māpua/Ruby Bay	404
Wakefield	659
Motueka	1,257
Total	**5,481**

6.2.3 Policies

Refer to Policy sets 6.4, 7.1, 7.2, 7.4, 13.1.
Refer to Rule sections 16.3, 16.10, 17.1, 18.9, 18.10, 18.12, 18.13, 18.14.

6.2.3.1 To allow infill development of existing allotments in the serviced townships that have an urban zoning as a means of minimising encroachment on the most versatile land in the District.

6.2.3.2 To enable smaller residential lot sizes in the townships of Motueka, Richmond, Brightwater, Wakefield and ~~part of~~ Māpua. **C22 2/11 Op 1/15 C75 9/22 Op 10/23 C76 9/22 (D9/24)**

6.2.3.2A To enable ~~encourage~~ and promote medium density development that achieves a high standard of amenity in the Medium Density Residential Zone, and areas specified on the planning maps as the Richmond South, Richmond West, Brightwater and Wakefield~~., and~~ Māpua ~~Special and Richmond Intensive~~ development areas and the Motueka West Compact Density Residential Area. **C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)**

~~**6.2.3.2B** To ensure efficient land use in the Brightwater Development Area Development Area by requiring subdivisions that result in a variety of lot sizes, including higher density housing options.~~

Note: The purple text below (6.2.3.2C) is proposed through Plan Change 76 Growth – Wakefield and not yet operative. It is now proposed to move it to location 6.17.3.7AA.

~~**6.2.3.2C** To ensure efficient land use in the Wakefield Development Area by requiring subdivisions and developments which enable increased and varied housing densities and types, including two dwellings on certain lots.~~ **C76 9/22 D9/24**

6.2.3.3 To minimise the loss of land of high productive value in allowing for further urban development, while having regard to:

(a) the efficient use of resources, including land, infrastructure, and energy;

(b) the quality of the urban environment.

6.2.3.4 To avoid extending urban development onto natural flood plains with a moderate to high risk of flooding or areas that have a moderate to high risk of river or coastal erosion or inundation or land instability.

6.2.3.5 To require new areas of residential development to be adequately buffered from the effects of rural activities on the urban-rural interface.

6.2.3.6 To avoid, remedy, or mitigate the adverse effects of urban growth on natural stormwater drainage processes within catchments and infrastructure services. **C7 7/07 Op 10/10**

6.2.3.7 To identify and designate principal stormwater flow routes in urban catchments prior to development and after consultation with affected landowners. **C7 7/07 Op 10/10**

Note: The purple text below is operative and is proposed to move it to location 6.11.3.1A

~~**6.2.3.8** To avoid inappropriate expansion of existing residential settlement areas in the Tākaka-Eastern Golden Bay Area where the land is of high productive value.~~ ~~**C8 7/07 Op 10/10 C60 1/16 Op 5/19**~~

Note: The purple text below (6.2.3.9) is operative and is proposed to move it to location 6.10.3.2.m

~~**6.2.3.9** To avoid inappropriate further expansion of the existing Tākaka urban area, where this land is found to be affected by flood risk.~~ ~~**C8 7/07 Op 10/10**~~

~~**Note:** Tākaka-specific policies are set out in 6.10.~~

Note: The purple text below is operative and is proposed to move it to location 6.8.3.13A

~~**6.2.3.10** To avoid or mitigate the expansion of the urban area in Richmond West Development Area on land subject to sea level rise and flooding by:~~ ~~**C10 10/07 Op 3/14**~~

~~(a) providing an Open Space Zone adjacent to the Waimea Inlet generally below the 3-metre contour above mean sea level (datum reference: NVD55);~~

~~(b) managing the actual and potential risks of development between the 3- to 4.6-metre contour above mean sea level (datum reference: NVD55) through assessment as part of the subdivision and land use consent process, including a building platform level and reserves for stormwater management, and monitoring changes in coastal patterns;~~

~~(c) widening Borck Creek to 70 metres to accommodate future stormwater flows in the larger Borck Creek catchment, equivalent to a '1 in 100 year' flood.~~

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6.2.20 Methods of Implementation

6.2.20.1 Regulatory

(a) Subdivision rules permitting small residential allotments in urban zones, except on the urban-rural interface unless in the Brightwater and Wakefield Development Areas. **C75 9/22 Op 10/23 C76 9/22 (D9/24)**

(b) Subdivision rules enabling small residential lots in Motueka, Brightwater, Wakefield, Māpua and Richmond. **C75 9/22 Op 10/23 C76 9/22 (D9/24)**

~~(ba) In the Brightwater Development Area subdivision rules which ensure that a variety of lot sizes and higher density housing options are provided for, and that implement the Urban Design Guide (Part II, Appendix 2).~~ **C76 9/22 D9/24**

~~(bb) In the Wakefield Development Area subdivision rules which ensure that a variety of housing density and types are provided for, and that implement the Urban Design Guide (Part II, Appendix 2).~~

(c) Zones that contain urban development away from land of high productive value.

(d) Zones that contain urban development away from land with a moderate to high risk of natural hazard.

(e) Subdivision and land use rules limiting development where inundation cannot be mitigated. **C10 10/07 Op 3/14**

(f) Subdivision and land use rules requiring minimum ground levels above mean sea level for buildings and allotments.

(g) Subdivision and zone rules and an urban design guide and Medium Density Housing Design Matrix that manage medium density development. **C66 10/17 Op 12/18**

(h) Standards of any Council Land Development Manual that ensure the design and construction of effective and efficient network asset infrastructure. **C69 6/19 Op 6/20**

6.2.20.2 Investigations and Monitoring

(a) Monitoring of lands of different quality and changes in the extent and location of land uses, including buildings.

(b) Monitoring changes in coastal patterns of seawater inundation and erosion. **C10 10/07 Op 3/14**

6.2.30 Principal Reasons and Explanation

The townships on the Waimea, Motueka and Riwaka plains are located on land with the highest productive value in the District, which coincides with a favourable climate for horticultural, viticultural and agricultural production. Such production contributes significantly to the regional economy.

Land with high productive value is a scarce resource in the District (estimated at only 5.4 percent of the land area of the District) that should be kept available to meet the needs of future generations. **C60 1/16 Op 5/19**

Any urban expansion onto these lands should be minimised as much as practicable.

Where a township is entirely surrounded by high productive value soils, some urban encroachment may be necessary from time to time when there are no other practical options. **C60 1/16 Op 5/19**

Options for future urban expansion in each of the main settlements have been assessed, taking into account factors such as traffic effects, access to utility services, hazard effects, landscape effects and effects on productive value. **C60 1/16 Op 5/19**

Each of these factors should be considered in assessing the effects of urban development. **C66 10/17 Op 12/18**

Urban expansion needs to be sensitive to natural drainage processes within catchments. Areas that have significant drainage issues, such as high groundwater, areas that are low-lying, and areas that may be flood prone, are generally not suitable for urban expansion and intensification. Inappropriate residential, recreational, commercial and industrial development will result in downstream stormwater effects such as flooding and a reduction in water quality for ecosystem, human health and recreational values and uses. **C7 7/07 Op 10/10**

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While the low density and low-rise character and scale of the settlements is to be maintained compared with larger centres outside the District, resubdivision of existing allotments or in specific areas subdivision of medium density land use development is encouraged to make more efficient use of the existing land resource in serviced settlements zoned urban. The smallest residential allotment size is permitted in the larger settlements that are located on the most versatile soils to lessen the demand for growth onto greenfield sites. Also, Motueka and Richmond are characterised by a relatively high proportion of elderly residents who often prefer small lot sizes.

Medium density development is encouraged in the Medium Density Residential Zone and the development areas shown on the planning maps and identified in the rules in the forms of compact density and intensive residential development. The specified areas are Richmond South, Richmond West, Brightwater, Wakefield, ~~Māpua~~ ~~Special~~, and Motueka West Compact Density ~~and the Richmond Intensive~~ development areas. Outside of the above areas, medium density development is provided for in the form of comprehensive development. **C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)**

Intensive residential development is promoted and encouraged within walking and cycling distance or close to town centres and urban facilities as it increases lifestyle and housing choices and uses urban land and services, including public transport, efficiently and effectively.

Subdivision and zone Plan rules, together with the Urban Design Guide or Medium Density Housing Design Matrix, are designed to ensure that medium density development achieves a high standard of amenity.

Note: The purple text below is operative and is proposed to move it to location 6.11.30.

~~The Tākaka-Eastern Golden Bay Area is defined as the Tākaka Valley lowland area from Tata Beach in the east to Rangihaeata in the west, and south to Upper Tākaka at the base of the Tākaka Hill.~~ **~~C8 7/07 Op 10/10~~**

~~The loss of land of high productive value to residential development in the Tākaka-Eastern Golden Bay Area is an issue that must be addressed in relation to the expansion of settlement areas.~~ **~~C60 1/16 Op 5/19~~**

~~Many existing settlement areas such as Tākaka, Clifton and Motupipi are located on such land, and further expansion of them should be avoided.~~ **~~C8 7/07 Op 10/10~~**

~~In the case of the existing Tākaka Township, as well as being located on lands of high productive value, if the land is subject to flood risk, then both issues need to be taken into account when considering future development in this area.~~ **~~C60 1/16 Op 5/19~~**

The hazard generated by rising sea level requires consideration in the Richmond West and Māpua development area~~s~~ in respect of land closest to the present mean sea level. Already in high tide events combined with high rainfall events, there is a susceptibility to flooding. Sea level rise mitigation measures need to be built into the design of an expanded urban area and new development in combination with stormwater catchment improvements. **C10 10/07 Op 3/14** **C22 2/11 Op 1/15**

6.2.40 Performance Monitoring Indicators

6.2.40.1 Area and type of land taken up for urban and rural residential purposes. **C60 1/16 Op 5/19**

6.2.40.2 Percentage of consents issued that waives any urban building setback from rural zones.

6.2.40.3 The type and percentage of consents issued that involve comprehensive, intensive and compact density residential development. **C66 10/17 Op 12/18**

6.3 URBAN INFRASTRUCTURE SERVICES

6.3.1 Issue

Planning and provision of servicing infrastructure is essential for the sustainable management of the effects of urban growth. The District has many small settlements – some of which have minimal, incomplete or inadequate servicing that results in inconvenience, contamination and health risks. **C51 1/15 Op 9/16**

Services are a physical resource, the efficient and effective provision and use of which has important economic and environmental effects for the community.

Demand for urban growth requires the identification of rural land for future urban purposes. Such land will have servicing needs, and the lack of efficient and effective provision of urban infrastructure services is the main reason for deferring for urban zoning purposes. While such rural land remains deferred subject to services provision, ongoing demand for rural subdivision and development poses the risk that such land may become compromised for successful urban use. Mitigating this risk, and ensuring the adequacy of servicing proposals for urban rezoning and development, are both further issues.

6.3.2 Objectives

6.3.2.1 Sustainable urban growth that is consistent with the capacity of services and has access to the necessary infrastructure such as water supply, roading, wastewater and stormwater systems.

6.3.2.2 Retention of opportunities for efficient future urban purposes on rural land that is identified for future urban use and development but deferred for this purpose, while enabling rural activities for the time it remains deferred. **C51 1/15 Op 9/16**

6.3.2.3 Development within deferred zones is appropriately sequenced so that it provides: **C79 11/24**

(a) a safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities, and enables active and public modes of transport and a shift to renewable energy sources; and

(b) necessary servicing infrastructure (water, wastewater stormwater, power and internet) that is delivered so that it integrates with adjoining land and surrounding networks, and minimises adverse effects on the natural and built environment.

6.3.3 Policies

Refer to Policy sets 6.4, 8.1, 8.2, 9.2, 11.1, 11.2, 33.3.
Refer to Rule sections 16.2, 16.3, 16.5, 16.6, 17.1, 17.14, 18.8, 36.4.

6.3.3.1 To ensure that utilities and services are adequate to avoid, remedy, or mitigate adverse effects of urban development and population growth on both existing and future urban areas.

6.3.3.2 To require financial contributions towards the provision of servicing infrastructure at the time of subdivision or development.

Note: The purple text below is operative and it is proposed to move it to location 6.13.3.1A.

~~**6.3.3.3** To promote the establishment of a reticulated servicing system for wastewater treatment and disposal and water supply at Marahau by ensuring the design of the water and wastewater systems for the tourism development at Marahau (Section 111 Block VI and Block XII) can incorporate the necessary upgrades to service the wider settlement.~~

6.3.3.4 Where future urban development is proposed and existing services require upgrading, to defer and stage development to avoid adverse effects on the environment.

6.3.3.4A Where rural land is identified as being subject to a ~~deferral~~ deferred zone for any urban or rural residential zoned purpose, despite the land's original rural zoning, to restrict activities requiring a consent for subdivision or development by: **C51 1/15 Op 9/16 C79 11/24**

(a) considering the scale, location, design, and servicing features; and

(b) limiting any potential adverse effects of such features on efficient future urban subdivision, use, and development opportunities as indicated by the urban or rural residential end use ~~zone that is deferred~~, for the transition period until the infrastructure has been delivered and provision 17.14.2.2 has been satisfied ~~deferral is removed~~; and

(c) where the period of transition until the expected removal of the deferral is significantly long or is uncertain, to enable potential rural activities. **C51 1/15 Op 9/16 C79 11/24**

6.3.3.4B Where any rural land is identified as deferred for any urban zoned purpose until adequate provision of any infrastructure service, to enable:

(a) the provision of the necessary service by any person or by the Council for any part or all of that land ~~either before or after rezoning by the removal of the deferral~~; but:

(b) to ensure that the concept servicing plans that are approved by Council ~~before the removal of the deferral~~, are required to be implemented under the urban zone through subsequent subdivision or development.

~~**6.3.3.4C** Where rural land is subject to a deferral for any urban purpose subject to adequate provision of any infrastructure service, to enable:~~

~~(a) the provision of the necessary service by any person or by the Council for any part or all of that land, and~~

~~(b) whether this is done before or after rezoning by the removal of the deferral, but: to ensure that the servicing plans that are approved by Council, prior to the removal of the deferral, are required to be implemented under the urban zone through subsequent subdivision or development.~~

6.3.3.4D The urban development anticipated by a deferred zoning is avoided unless:

(a) any necessary intersections, connections and upgrades of roads (as identified in Schedule 17.14A) to an appropriate standard have been delivered; and

(b) the necessary servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard has been delivered; and

(c) where relevant, development is sequenced with Council strategic planning, infrastructure delivery and land release programmes.

6.3.3.5 To promote a pattern of roading in urban areas that maximises choice of route through a network, with recognition of the contributions of individual extensions to the network pattern and of the constraints of topography.

6.3.3.5A To promote a well-connected and efficient road and active transport network through the use of Outline Spatial Plans and Indicative Roads, Reserves and Walkways on the planning maps.

6.3.3.6 To allow development to occur only where adequate provision is made for:

(a) control of sediment discharges;

(b) control of stormwater discharges to avoid adverse downstream erosion or flooding effects;

(c) protection of fresh water and coastal water quality, including through source control techniques, stream management, and where necessary, stormwater treatment, including aquifers and karst drainage systems and caves; **C7 7/07 Op 10/10**

(d) retention or establishment of appropriate vegetation wherever practicable adjacent to water bodies and coastal waters;

(e) maintenance of natural, cultural and intrinsic values of aquatic systems, including aquifers and karst drainage systems and caves;

(f) protection of riparian margins;

(g) the use of Low Impact Design solutions for the management of stormwater run-off where practicable. **C7 7/07 Op 10/10**

6.3.3.7 To require developers to adopt appropriate management methods to avoid or mitigate the adverse effects of stormwater run-off.

6.3.3.7A To ensure effective and efficient network asset infrastructure within urban communities by implementing the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

6.3.3.8 To consider options for treatment in all or parts of the Special Domestic Wastewater Disposal Areas where there are:

(a) significant actual or potential adverse effects from on-site domestic wastewater systems on receiving water quality, habitats, human health and amenity values; or

(b) site limitations which may create increased risk of adverse effects either by individual systems or cumulatively.

[Unchanged or irrelevant text omitted]

6.3.20 Methods of Implementation

6.3.20.1 Regulatory

(a) Rules, Outline Spatial Plans and indicative roads, reserves and walkways shown on planning maps establishing what works, services, land or money are to be provided by developers, including for the upgrading of existing facilities.

C79 11/24

(aa) A trigger mechanism (in Section 17.14) to enable the deferred zone land to be developed efficiently and without unnecessary delay once necessary servicing has been delivered.

(b) The location, scale and staging of urban development shown on planning maps.

(c) Rules regarding connection to Council utility services or whether alternative means of managing effects are acceptable.

(d) Rules that require roads to be formed to standards of connectivity as a result of subdivision in urban or rural-residential areas.

(e) Rules that encourage the use of Low Impact Design solutions in the management of stormwater. **C7 7/07 Op 10/10**

(f) Standards of the Nelson Tasman Land Development Manual 2019 that ensure the design and construction of effective and efficient network asset infrastructure. **C69 6/19 Op 6/20**

6.3.20.2 Investigations and Monitoring

(a) Investigations into the capability of utility services to support further urban development.

(b) Investigation into options for domestic wastewater treatment and disposal in all risk areas, including:

(i) Tasman
(ii) Marahau
(iii) Upper Moutere
(iv) Patons Rock
(v) Brooklyn
(vi) karst

(c) Monitoring the performance of utility services in avoiding, remedying and mitigating adverse effects on the environment.

(d) Regular preparation of a "State of the Environment" report.

6.3.20.3 Works and Services

(a) Provision, extension or upgrading of utilities and services by Council.

(b) Establishment of current and deferred standards of service or performance in terms of both community expectation and environmental performance for infrastructure services, including requirements for the quality of stormwater discharged into the Council's stormwater network.

(c) Council liaison with infrastructure service providers to promote and plan for effective infrastructure service development.

6.3.30 Principal Reasons and Explanation

The infrastructure services such as roads, water, and wastewater and stormwater systems are a valued physical resource generally owned and maintained by the community. They are essential for the efficient operation of the District and the well-being of its residents. New users will be expected to contribute to the sustainable development of the resource through funding mechanisms, including the development impact levy programme (see Chapter 16, Section 16.5).

In ~~some~~ most settlements ~~such as Motueka, Māpua, Richmond, Kaiteriteri, Marahau and Patons Rock,~~ future growth will necessitate further upgrading of services and a series of deferments will enable a staged provision of these, rather than creating a false expectation that all areas will be immediately available for development. The logical pattern to service development in a hilly area such as Richmond is to proceed from the bottom to the top of a catchment. The deferment and staging proposed emphasises such a pattern of development. **C22 2/11 Op 1/15 C79 11/24**

Where new development is proposed, an integrated, catchment-based approach to the management of stormwater is to be used. **C7 7/07 Op 10/10**

The use of Low Impact Design solutions is encouraged where the site and surrounding environment permit. Low Impact Design principles are concerned with minimising the adverse effects of development by protecting, incorporating, or mimicking natural drainage features to manage the flow and quality of stormwater run-off where practicable.

Where land adjacent to urban areas is identified as suitable and appropriate for urban growth, but is not adequately serviced for infrastructure, including water supply, wastewater, stormwater and transportation, this land is deferred for an urban zoning. In the transition to its release for urban purposes, there is a need to retain efficient urban development opportunities, where a variety of subdivision or development proposals may be considered by Council under the existing rural zoning. **C51 1/15 Op 9/16 C79 11/24**

Deferred zoned lands may ~~be the subject of servicing proposals from any developer, or may be~~ programmed for extensions or upgrades of existing urban services ~~by Council itself.~~ Council or any person may provide the services or upgrades required to enable development. Adequate standards of all necessary services will be required for deferred zoned land, whether or not the services are provided before or after the trigger in Section 17.14.2 has been satisfied (i.e. regardless of whether 17.14.2.2(a) or 17.14.2.2(b) applies). ~~removal of the deferral.~~

Once ~~land becomes urban zoned~~, the trigger in Section 17.14.2 has been satisfied and 17.14.2.2(b) applies, existing uses on the land will be able to continue.

Note: The purple text below is operative and it is proposed to move it to location 6.13.30.

~~At Marahau the tourist services zoning of the land at Section 111 Blk VI and Blk XII is allowed for as it is provided for in the Marahau Strategic Development Review (July 1998) and the site's servicing for water and wastewater treatment and disposal will be designed to allow for upgrades that can provide reticulated services for Marahau in the future.~~

~~In the Richmond West Development Area the rezoning of most land identified for urban development (except the development of some existing zoned land: Light Industrial Zone northwest of Headingly Lane) is deferred until the required infrastructure of water, wastewater, and stormwater) is provided. *(Refer to Section 17.14)*~~ **C10 10/07 Op 3/14**

The information gathered by Council about services infrastructure will enable reappraisal of areas available for urban or rural-residential development, any specified sequence of development, and the infrastructural requirements that any proposed development may need to address.

In catchments served by inadequate stormwater networks, any proposed development will not be allowed to increase peak run-off further.
Where necessary, regulation of stormwater discharges will be reviewed in these areas. Council will be able to make decisions on urban development proposals and the allocation of funds for stormwater infrastructure in a co-ordinated, consistent and efficient manner.

Council will ensure that risks of contamination of stormwater are considered and avoided, remedied or mitigated as necessary and appropriate. It will also address matters of quantity, including impacts on the capacity of the existing systems as well as provisions for secondary flows.

Actual and potential adverse effects from the on-site treatment and disposal of domestic wastewater will be managed both by land use and discharge rules. However, in some parts of the District the cumulative adverse

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effects of such systems requires that Council consider other options for wastewater treatment and disposal. These may include small-scale package treatment plants or large-scale reticulation schemes.

Note: The purple text below is operative and it is proposed to move it to location.

~~C8 7/07~~ ~~Op 10/10~~

~~The Tākaka-Eastern Golden Bay Area is defined as the Tākaka Valley lowland area from Tata Beach in the east to Rangihaeata in the west, and south to Upper Tākaka at the base of the Tākaka Hill.~~

~~In the Tākaka-Eastern Golden Bay Area, it is important that issues and options for efficient and effective infrastructure services provision are discussed with the local community, and that this occurs prior to the re-zoning of land for settlement purposes.~~

~~This may occur in the form of a structure planning exercise or through an integrated approach to Long Term Council Community Plan and resource management planning discussions.~~

~~C8 7/07~~ ~~Op 10/10~~

All policies, objectives and location options should be used to inform other Council processes, such as the Nelson Tasman Land Development Manual 2019 and the Long Term Plan.

C69 6/19 **Op 6/20**

Where Council network asset infrastructure is to be created or affected by new development, Council's Land Development Manual can ensure a standard of design and construction that is effective and efficient in meeting the needs of communities while at the same time ensuring sustainable environmental outcomes.

6.3.40 Performance Monitoring Indicators

6.3.40.1 Area of land deferred because of constraints on the availability of services in different settlements.

6.4 COASTAL URBAN DEVELOPMENT

6.4.1 Issue

Avoidance of inappropriate subdivision in the coastal environment.

6.4.2 Objective

Containment of urban subdivision, use and development so that it avoids cumulative adverse effects on the natural character of the coastal environment.

6.4.3 Policies

Refer to Policy sets 6.2, 6.3, 6.5, 8.2, 13.1
Refer to Rule sections 18.12

6.4.3.1 To avoid the creation of new settlement areas in the coastal environment.

6.4.3.2 To provide for future growth of key coastal settlements landward rather than along the coast.

6.4.3.3 To protect the coastal environment from sprawling or sporadic subdivision, use and development.

Note: The purple text below is operative and it is proposed to move it to location 6.11.3.

~~C8 7/07~~ ~~Op 10/10~~

~~**6.4.3.4** In the Tākaka-Eastern Golden Bay Area, to ensure that:~~

~~(a) the long-term limits of coastal settlement areas are defined and then protected, in all directions, to prevent inappropriate sprawl;~~

~~(b) new coastal development is concentrated within and inland of existing coastal settlement areas to avoid coastal ribbon development and help to protect natural heritage and coastal landscape values;~~

~~(c) alternative solutions to continued expansion along the coast are considered, such as more compact forms of low impact design building, to address the demand to live in proximity to the coast;~~

~~(d) new residential settlement in low-lying coastal areas at risk from coastal hazards are avoided;~~

~~(e) outstanding coastal landscapes are protected from built development and land uses;~~

~~(f) low impact design building solutions for all built development within the coastal environment are encouraged;~~

~~(g) legal and physical protection of the margins of coastal landscapes that have high natural heritage values, such as estuaries and coastal wetland environments, is required;~~

~~(h) opportunities for low density, low impact design building development are considered, where landscape values are protected, where the land has low productive value (Class D lands or poorer), and where there are net gains for protection and enhancement of the coastal environment, such as public access opportunities, cultural heritage protection and restoration of natural heritage values.~~

6.4.20 Methods of Implementation

6.4.20.1 Regulatory

(a) Zones that limit the extent of settlements in the coastal environment.
(b) Rules that limit the effects of residential lots in the rural coastal margin.

6.4.20.2 Investigations and Monitoring

(a) Monitoring of the number of residential lots approved in the coastal environment.

6.4.30 Principal Reasons and Explanation [6.3.30 Proposed]

Proposed as at 1 November 2008 C2 2/97

The coastal environment is a finite resource within the District. There are numerous small to medium sized settlements which lie in the coastal environment. Some of these settlements such as Pohara and Pakawau already extend a considerable distance along the coastline. It is acknowledged that there is a strong demand for coastal allotments with a sea view and access to the coast. However, such allotments cannot be created indefinitely without adversely affecting natural character. It is proposed to encourage urban development in depth at key coastal serviced settlements such as Māpua, Kaiteriteri, Ligar Bay, Pohara, Patons Rock and Collingwood where natural character has already been compromised, and so avoid sporadic development. Objective 6.4.2 and its related policies give effect to the New Zealand Coastal Policy Statement 2010, Policy 13.

6.4.40 Performance Monitoring Indicators

6.4.40.1 Number of new lots created for residential activities in the coastal environment.

6.4A LAND FOR RESIDENTIAL ACTIVITIES

6.4A.1 Issue

6.4A.1.1 The provision and availability of suitably located housing land capacity within the shared Tier 2 urban environment to meet Tasman District's and Nelson City's needs, over the long term.

6.4.A 2 Objectives

6.4A.2.1 Sufficient residential capacity to meet demand in the urban environment and rural centres.

6.4A.2.2 Intensification achieves a variety of housing types and sizes – close to centres and within identified areas – that responds to:

(a) housing needs and demand; and
(b) the town's planned urban built character;

and promotes and incorporates density and quality urban design outcomes into development.

6.4A.3 Policies

Refer to Rule section 17.1.

Note: The purple text below is operative and it is proposed to relocate it from 5.4.3.1 to this location.

6.4A.3.1 To enable a variety of housing types, recognising different population growth characteristics, age, family and financial circumstances and the physical mobility of, or care required by, residents.

Note: The purple text below is operative and it is proposed to relocate it from 6.1.3.1 (j) & (k) to this location.

6.4A.3.2

(a) To enable ~~encouraging~~ medium density ~~housing~~ development in the forms of compact density and comprehensive development ~~housing~~ ~~and intensive residential development~~ within walking or cycling distance of or close to town centres and urban facilities, including public transport. C22 2/11 Op 1/15 C66 10/17 Op12/18 C75 9/22 Op10/23 C76 9/22

(b) To provide ~~providing~~ for a choice of residential density and forms within the District, taking into account people's preferences, the existing character of neighbourhoods, topography, proximity to town centre, the capacity of infrastructure and the constraints of the land resource. C66 10/17 Op 12/18

6.4A.3.3 To enable ~~encourage~~ medium density ~~housing~~ developments that achieve a high standard of amenity in the Medium Density Residential Zone, and areas identified on the planning maps as the Richmond South, Brightwater, Richmond West, Wakefield, ~~Māpua~~ ~~Special and Richmond Intensive~~ development areas and the Motueka West Compact Density Residential Area by: C66 10/17 Op12/18 C75 9/22 Op10/23 C76 9/22 (D9/24)

(a) ensuring the suitable ~~and compatible location~~ design, height, ~~density,~~ scale and bulk of intensive residential development relative to its context and adjacent land uses, including streets and reserves~~.~~;

(b) encouraging best practice and design through the use of the Council's Urban Design Guide~~.~~;

(c) recognising that housing intensification cannot be acceptable without successful urban design and amenity outcomes being achieved;

(d) recognising that successful urban design outcomes result from the way multiple site variables interact and combine, and that there will always be a variety of acceptable solutions available on a development site that cannot be achieved by way of development standards alone; and

(e) additional assessment personnel may be required in situations where minimum urban design standards are not met, or for larger, more significant, or more complex development proposals.

6.4A.3.4 To enable, promote and support medium density development within the walkable catchment of centres or in areas with an Outline Spatial Plan, including:

(a) enabling and promoting developments with a high standard of design;

(b) managing the design, location and bulk of development adjoining neighbouring sites to integrate new housing in the neighbourhood and within its immediate environment;

(c) requiring development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance;

(d) requiring housing to be designed to meet the day-to-day needs of residents;

(e) enabling a variety of housing types with a mix of densities, including attached and detached dwellings, and low-rise apartments; and

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(f) supporting additional building height where this is well designed, is well-separated from adjoining sites and provides opportunities for intensification.

6.4A.3.5 Prior to subdivision or comprehensive development of sites in the Medium Density Residential Zone, to:

(a) Limit the extent of the built environment to maintain and maximise the potential for future comprehensive development.

(b) Not allow activities or buildings that may compromise the ability of the land to be developed in accordance with the relevant objectives and policies, and any Outline Spatial Plan in Schedule 16.3D.

6.4A.3.6 To require the use of Outline Spatial Plans:

(a) for sites or groups of sites that have an undeveloped Medium Density Residential Zone area of 5000 square metres or greater; and

(b) in other circumstances when it will be of benefit for the efficient and effective development of the land;

In order to:

(a) coordinate the spatial layout of development, including roads, blocks, open space, and infrastructure;

(b) guide the location, density and form of future subdivision and land use;

(c) support the integration of development with existing settlements and landscape features; and

(d) achieve quality urban design outcomes through planned, coherent development.

6.4A.3.7 In Medium Density Residential Zone locations that are subject to an Outline Spatial Plan to:

(a) enable comprehensive developments which are land-use led.

(b) using the net area of the site, require an overall minimum density of:

(i) 20 dwellings per hectare, except where otherwise specified in the Outline Spatial Plan, and

(ii) 40 dwellings per hectare it the Richmond Intensive Development Precinct;

by using a variety of lot sizes, including larger lots that are reserved for comprehensive development.

(c) ensure that each site or landholding within an Outline Spatial Plan area individually meets the densities specified in (b).

(d) to require that comprehensive developments achieve a minimum density of:

(i) 30 dwellings per hectare, and

(ii) 40 dwellings per hectare in the Richmond Intensive Development Precinct.

(e) require subdivisions and developments to be in accordance with an Outline Spatial Plan in Schedule 16.3D, whilst recognising that there may

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be other ways of achieving the outcomes sought by the Outline Spatial Plan.

(f) where lots are reserved for future comprehensive development, to utilise consent notices and any other tools necessary at the time of subdivision to ensure that they are developed as intended.

6.4A.3.8 In Medium Density Residential Zone locations that are not subject to an Outline Spatial Plan to:

(a) Enable comprehensive developments which are land-use led and which achieve a minimum density of:

(i) 30 dwellings per hectare, and

(ii) 40 dwellings per hectare in the Richmond Intensive Development Precinct.

.(b) Require the use of the Medium Density Design Matrix to achieve, at least a moderate standard of design, subject to Policy 6.4A.3.4(a).

(c) Enable subdivision to create allotments for uses that are in accordance with an approved land use resource consent and where there is compliance with the rules.

(d) Avoid standard density subdivision which:

(i) will not achieve sufficient density;

(ii) may not achieve the outcomes of Policy 6.4A.3.4;

(iii) precludes realistic opportunities for future comprehensive development.

(e) To offset any reduction in tree cover by increasing the extent of tree cover on public land, particularly through the greening of streets, and where practicable to increase the overall tree coverage.

6.4A.3.9 To enable taller buildings in the Commercial and Central Business Zones of Richmond and Motueka, where these will support residential living opportunities above the ground floor.

6.4A.3.10 Recognise that engineering and infrastructure considerations, and the overall adverse effects of intensification projects, must be addressed in a flexible, case-by-case manner.

6.4A.20 Methods of Implementation

6.4A 20.1 Regulatory

Note: The purple text below is operative and it is proposed to relocate it from 5.4.20.1(a) to this location.

(a) Rules which permit a variety of residential activities but set performance standards to protect the amenity of residential neighbourhoods.

(b) Rules for the Medium Density Residential Zone which require developments to be comprehensively designed through a land use-led approach, with subdivision creating allotments that implement the land use consent.

(c) Use of a Medium Density Housing Design Matrix to promote good design outcomes that balances these outcomes with certainty for the developer but also implements the Matrix in a transparent and consistent manner including where consent must and must not be granted by the Council.

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(d) Rules to generally avoid standard density subdivision of land in the Medium Density Residential Zone, except where it is consistent with an Outline Spatial Plan.

(e) Rules to provide for subdivision in accordance with a land use resource consent to enable allotments where Council is satisfied that relevant matters are addressed by the land use consent including but not limited to servicing, access and natural hazard matters.

(f) Outline Spatial Plans to guide the development of sites, including where roading, reserves and infrastructure may be required to contribute to a well-functioning urban environment.

6. 4A.20.2 Advocacy

(a) Promote the Medium Density Residential Zone opportunities to developers outside Nelson and Tasman to attract a more diverse and well-capitalised developer community.

6.4A 20.3 Works and Services

(a) Continue to invest in the resilience and capacity of the infrastructure services for the Medium Density Residential Zone to enable greater housing densities.

(b) Increasing the tree cover within street corridors and other public land areas in the Medium Density Residential Zone to, at least, offset any loss of tree cover from private land.

6.4A.30 Principal Reasons and Explanation

Note: The purple text below is operative and it is proposed to relocate it from 5.4.30

There is a need for a variety of housing forms – for example, permanent living accommodation, refuge or emergency housing, rental flats and boarding houses, or housing for people with special needs – to provide for the varied households of the District. Policies 6.4A.3.1 and 6.4A.3.2 support this outcome by promoting a variety of housing types, sizes and densities.

In addition to enabling a variety of housing forms, the Medium Density Residential Zone introduces a structured approach that supports both greenfield development and brownfield intensification. Greenfield development incorporating medium density residential developments progress through a two-stage process that ensures land is used efficiently while maintaining flexibility and design quality.

For larger, unsubdivided sites Outline Spatial Plans are an important tool for guiding development and their use in appropriate circumstances is required (Policy 6.4A.3.6) to guide the initial subdivision layout. These plans coordinate the spatial arrangement of roads, blocks, open spaces, and infrastructure, and help integrate new development with existing settlements and landscape features. The Outline Spatial Plan sets the framework for breaking land into standard lots and superlots, with the latter reserved for future comprehensive development. Minimum density targets—20 dwellings per hectare generally, and 40 dwellings per hectare in the Richmond Intensive Development Precinct—are achieved through a mix of lot sizes. Consent notices and other planning tools are used to secure the intended future use of superlots, ensuring that the development vision is carried through to later stages.

For sites without an Outline Spatial Plan, Policy 6.4A.3.8 enables comprehensive, land-use-led development that must precede or accompany subdivision. It sets minimum densities and requires the use of the Medium Density Housing Design Matrix to ensure basic design quality. Subdivision that fragments land ownership or precludes future comprehensive development is discouraged unless exceptional circumstances exist. This approach preserves opportunities for well-designed, efficient land use and avoids premature subdivision that undermines long-term planning goals.

Together, these policies reinforce the Medium Density Residential Zone's purpose: to enable comprehensive development that is responsive to context, promotes safe and attractive public spaces, and meets the day-to-day needs of residents. By sequencing development through Outline Spatial Plans and land-use consents, the plan provides clarity and certainty for developers, investors, and the community, while supporting sustainable urban growth.

In existing urban areas, the greater building mass resulting from intensification is likely to reduce urban tree cover on private land. It is necessary for the Council to support the further greening of street corridors to offset this loss of tree cover. With increasing summer temperatures, increasing tree cover overall in intensification areas is highly desirable. Additionally, this increase in tree cover should be in the immediate vicinity of locations that prove popular for intensification, and which may, therefore, suffer a loss of tree cover on private land.

Limitations on infrastructure capacity and availability exist in most of Tasman's towns. This is likely to remain a challenge for intensification. Stormwater and flooding are also significant challenges when intensification will increase the extent of hard surfacing. Management of stormwater and wastewater onsite prior to release from the site is likely to be necessary in many circumstances.

6.5 LAND FOR INDUSTRIAL ACTIVITIES

6.5.1 Issues

The key issues relating to land for industrial activities are: **C10 10/07 Op 3/14**

6.5.1.1 There is a limited availability of land for industrial activities where adverse effects can be adequately avoided or mitigated.

6.5.1.2 The provision, availability and ongoing supply of suitably located industrial land within the District to accommodate the Nelson City's and Tasman District's needs in the medium ~~term to 2026~~ and long term to ~~2051.~~ **C10 10/07 Op 3/14**

6.5.2 Objectives

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6.5.2.1 Accommodation of a wide range of industrial activities in locations where adverse effects on other values and activities are avoided, remedied or mitigated.

6.5.2.2 A supply of suitably located industrial land to provide for the medium to long-term needs of the Tasman and Nelson region. **C10 10/07 Op 3/14**

6.5.3 Policies

Refer to Policy sets 8.2, 11.1, 33.1, 34.2, 35.1.
Refer to Rule sections 17.1, 17.3, 17.4, 36.1 – 36.7.

6.5.3.1A To provide a supply of suitable land for regional and district industrial needs for the medium to long term, to at least 2054.

6.5.3.1 To promote a form of settlement that identifies areas where industry can operate with the required services and without adverse effects on or from other activities.

6.5.3.2 To identify areas where heavy industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.3 To identify areas where light industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.4 To avoid the adverse effect of residential and retailing activities consuming the land resource that is made available for industry through lower standards of environmental effects.

6.5.3.5 To avoid a reduction of amenity standards in residential areas by industrial activities.

6.5.3.6 To avoid the adverse effects of industrial activities that are unrelated to the rural environment on the amenity and character of rural areas.

6.5.3.7 To prevent the expansion of industrial zones, or the creation of new industrial zones, in sensitive environments such as aquifer recharge areas and margins of lakes, rivers and wetlands.

6.5.3.8 To prevent the expansion of industrial zones, or the creation of new industrial zones, in the coastal environment.

6.5.3.9 To provide a ~~medium term~~ supply of suitable industrial land close to urban areas and strategic road networks. **C10 10/07 Op 3/14**

6.5.3.10 To ensure that within the Richmond West Development Area, a long-term land bank of industrial land is provided to meet regional needs.

6.5.3.10A In the Light Industrial Zone location that is subject to Schedule 17.4A: **C79 11/24**

(a) to enable industrial activities and buildings that are temporary, relocatable or readily removable in the short to medium term;

(b) to avoid industrial buildings that are not temporary, relocatable or readily removable;

(c) to ensure that industrial activities and buildings are removed from the land that is subject to Schedule 17.4A (as identified on the planning maps) when inundation risks and coastal hazards are unacceptable;

(d) to only grant resource consent for industrial activities and buildings where the applicant has a plan that satisfactorily addresses how the activities and structures are able, both physically and financially, to be removed from the site.

For the purpose of this policy, "readily removable", means that the building is designed to be deconstructed with minimal destructive demolition. For example, it is made with panels which are bolted together and can be unbolted.

6.5.3.10B In the Light Industrial Zone location in Māpua and that is subject to Schedule 17.4A, to recognise that different land uses have different vulnerabilities to inundation and coastal hazards due to sea level rise, and to assess proposed activities on a case-by-case basis.

6.5.3.10C To require the relocation or removal of industrial activities and buildings in the Light Industrial Zone location that is subject to Schedule 17.4A as part of a long-term sustainable risk reduction approach, to avoid their exposure to long-term inundation and coastal hazards due to sea level rise.

6.5.3.11 To enhance the amenity values of new industrial areas for employees, customers and for the public when viewed from public areas such as roads, and open space. **C10 10/07 Op 3/14**

6.5.3.12 To avoid the establishment of community activities within the Light Industrial Zone.

6.5.3.13 To limit the nature and scale of retail activities within the industrial zones to those that directly relate to products produced or processed as part of an industrial activity on site and that are ancillary to the industrial activity, with the exception of food and beverage outlets below 100 square metres gross leasable floor area.

6.5.20 Methods of Implementation

6.5.20.1 Regulatory

(a) Zoning of separate heavy, light industrial and rural industrial areas.

(b) Rules that limit retailing activities and other non-industrial activities in industrial zones.

(c) Rules that limit industrial activities in residential areas.

(d) Zones that limit the extent of industrial development in the coastal environment.

(e) Rules that require time-limited resource consents for industrial activities and buildings where they are established in the Light Industrial Zone location that is subject to Schedule 17.4A. C79 11/24

6.5.30 Principal Reasons and Explanation

Industrial land is a scarce resource. Industry has specific locational requirements and the following criteria are indicative of general industry needs:

(a) Proximity to main access roads.

(b) Adequate roading for heavy vehicles.

(c) Proximity to labour force.

(d) Separation from sensitive environments, including residential areas, rivers, streams, the coast and aquifer recharge areas.

(e) Services such as sewer and water.

(f) Flat land.

Specific areas have been set aside for industry and this would be advantageous for industry because these needs have been taken into account. The grouping of industries recognises there is often a working relationship between different industries. There may also be a need to separate incompatible industries. Heavy industry is characterised by more intense environmental effects than light industry. The Council has had a wide variety of industrial zones, with some recognising specific industries - especially resource processing industries in the rural area. This Plan continues with that approach where there is a community benefit from the industry remaining in the rural area. Small-scale rural service businesses may be able to be permitted through the resource consent process in appropriate circumstances.

From the point-of-view of market demand, Richmond and Nelson urban areas together provide a single supply of land for industrial development, within which potential developers make choices on the basis of location, cost and availability of key servicing needs. The close proximity to the Port and strategic road networks make Richmond and Nelson prime locations for industrial development. **C10 10/07 Op 3/14**

Increasingly there has been pressure on industrial land for use by commercial activities, including office and large format retail and this has contributed to a reduction in available land area. In general, there is a trend of a mixed commercial/industrial use in most urban industrial zones.

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Increasingly there has been pressure on industrial land for use by commercial activities, including office and large format retail and this has contributed to a reduction in available land area. In general, there is a trend of a mixed commercial/industrial use in most urban industrial zones. **C10 10/07 Op 3/14**

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Since the consideration of the long-term growth needs for Richmond, commencing with the Richmond Development Study in 2003, ongoing investigation into the future demand and supply for industrial land has centred on the Richmond West Development Area. Because of its urban proximity and infrastructure features compared with all other undeveloped regional locations, this area has a permanent regional significance for business land, including industrial and commercial needs. Adoption of an approximate 50-year time horizon for a land bank for industrial and other business development, secures the long-term value of the Richmond west location in the context of the regional need.

"Greenfields" or unbuilt land, such as that in the Richmond West Development Area (but not in ecologically sensitive parts of the coastal environment) offers the opportunity of tailored site layout and building development to meet specific needs.

The relative shortage and constrained land supply of suitable industrial land (lack of new large affordable sites) in Nelson means that the Tasman District, particularly Richmond, is accommodating an increasing proportion of the region's industrial growth, and this trend is set to continue.

However, some areas of land zoned Light Industrial are subject to future sea level rise. These areas are unlikely to be suitable for industrial activities and buildings, and associated servicing, in the long-term. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. **C79 11/24**

Industrial zoned land in smaller towns such as Motueka, Brightwater, Wakefield and Tākaka provides for local needs and contributes to a wider need.
The Rural Industrial zones, particularly Eves Valley, will provide the localities for rural industrial and heavy industrial activities.

Effort has been made to have some compatibility with the policies and rules in Nelson City, especially in relation to the location and availability of industrial land in the eastern part of the District.

Retailing is limited in industrial zones to encourage consolidation of retailing in the Central Business and Commercial zones. The lower standard of amenity permitted in industrial areas compared with commercial areas is likely to cause conflict over allowable effects, with large-scale retailing inhibiting the operation of legitimate industrial activities. Exceptions are provided for goods made on the premises and retail activities requiring very large sites for the storage and display of bulky items. It is important that residential and retailing activities that do not rely on a close association with other industrial activities do not occupy land in industrial zones. Residential activities are not encouraged in industrial zones, unless they are for on-site custodial purposes, because of the lower environmental standards that apply. In sensitive environments such as coastal margins, industry will be limited to existing industrial zones.

There are many sites in the rural area which contain rural industries which have had a resource processing zoning in the previous District Plan. Many are wood or gravel based industries with elements of noxiousness such as noise, dust and heavy traffic generation, which would not fit comfortably into a general industrial zone. However, the Council still wishes to maintain a minimum standard of environmental quality, so minimum standards in relation to noise, dust and landscaping apply. There are also former depots and workshops which are a physical resource that could be put to good use.

6.5.40 Performance Monitoring Indicators

6.5.40.1 Changes in the area of land available for industrial activities.

6.6 Land for Commercial Activities

6.6.1 Issues

6.6.1.1 Effective management of land for commercial activities minimises adverse effects on surrounding land. While there has been some small-scale tourism development in the rural area, a general dispersal of commercial activities will undermine the vitality of the District's commercial centres.

It is important to sustainably manage these town centres as physical resources that are convenient, attractive and safe. C44 4/13 Op 1/15

6.6.1.2 A reduction in the ability to provide for a range of business opportunities and environments to meet the needs of the business community and the wider community has arisen from changes in business trends. Some of these trends include: a mixing of business activities; a move to larger format retail outlets, either stand alone or in combination; selling single or multiple lines; and establishment of themed business parks (technology, office, education, industry) with high quality and high amenity environments. C10 10/07 Op 3/14

6.6.1.3 The provision and availability of suitably located commercial land within the District to accommodate the Nelson City's and Tasman District's needs in the long term to at least 2051.

6.6.1.4 As urban areas grow and change, there is a risk that the vibrancy and efficiencies of town centres may be compromised by sprawling or ad hoc developments. Acknowledgement of the role and function of existing town (and neighbourhood centres in the larger towns) including their contribution to the wider urban environment context may assist to retain and enhance the vibrancy, and efficiencies of town centres as compact hubs of economic, social and cultural activity and to realise efficiencies relating to the maintenance, upgrades and extension of network infrastructure.

6.6.2 Objectives

6.6.2.1 Effective accommodation of a wide range of commercial activities on appropriately located sites, including a strong, vibrant commercial focus in the main towns of the District.

6.6.2.2 A high quality, high amenity ~~business~~ commercial environment with minimal environmental effects within and beyond the zone boundary. C10 10/07 Op 3/14

6.6.2.3 A supply of suitably located commercial land to provide for the medium to long-term needs of the Tasman and Nelson region.

6.6.2.4 An established hierarchy of existing commercial centres that provides a focus for retail, commercial, community and entertainment activities and that serves the social, cultural, economic and environmental needs of the community.

6.6.3 Policies

Refer to Policy sets 8.2, 11.1.
Refer to Rule sections 17.2, 17.4, 17.5.

Note: The purple text below is operative and it is proposed to relocate it from location 6.6.3.13

6.6.3.1 To provide a supply of suitable land for regional and district commercial ~~business~~ needs for the medium to ~~in long term~~ long term. ~~to at least 2051.~~

~~**6.6.3.1**~~

6.6.3.2 To retain a compact identifiable grouping of ~~business~~ commercial activities in defined areas in ~~settlements,~~ urban and rural centres with due regard to the needs, convenience and safety of customers and the community.

6.6.3.3 To establish a hierarchy for existing commercial centres in the district that provides a focus for retail, commercial, community and entertainment activities as shown in Table X .

Table X

Town / Centre	Role	Function	Commercial Zone Hierarchy
Nelson	Regional Centre	Nelson City Centre is the principal commercial centre for the region (Nelson,	City Centre

		Marlborough and Tasman) and is the premier tourist destination	
Richmond	District Centre	Richmond Metropolitan Centre (Metro centre) is the main ~~business~~ / commercial (and industrial) centre for Tasman district and the focal hub for commercial and community activities and employment in Tasman.	Metropolitan Centre with Neighbourhood Centres: 1. Richmond North 2. Three Brothers Corner 3. Richmond South 4. Berryfields Junction 5. The Meadows
	Neighbourhood Centre	Neighbourhood Centres which are provided for in Richmond, Motueka and Tākaka are for small scale commercial and community activities that service the needs of the immediate residential area.	
Brightwater	Local Service Centre	Local Centres are for medium to small scale commercial and community activities that service the needs of the local community.	Local Centre
Wakefield	Local Service Centre		Local Centre
Māpua / Ruby Bay	Local Service Centre with tourist precinct	Tourist precincts are for streets / localities where management of locality requires additional or different provisions to the relevant zone due to high visitor numbers, seasonally or throughout the year	Local Centre with tourist precinct
Tasman	Local Convenience Centre		Local Centre
Upper Moutere	Local Convenience Centre		Local Centre
Motueka / Riuwaka	Town Centre		Town Centre -Motueka with Neighbourhood Centre - Riuwaka
Tapawera	Local Convenience Centre		Local Centre
St Arnaud	Local Convenience Centre with tourist precinct	Tourist precinct only if management of locality requires additional or different provisions to the relevant zone.	Local Centre with tourist precinct
Lake Rotoroa	Local Convenience Centre with tourist precinct		Local Centre with tourist precinct

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Murchison	Local Service Centre		Local Centre
Kaiteriteri	Local centre with tourist precinct		Local Centre with tourist precinct
Marahau	Local centre with tourist precinct		Local Centre with tourist precinct
Tākaka	Town Centre		Town Centre with Neighbourhood Centre - Park Avenue
Pohara	Local Centre		Local Centre
Collingwood	Local Convenience Centre		Local Centre

6.6.3.4 To realise efficiencies relating to the maintenance, upgrades and extension of network infrastructure through retaining a hierarchy for existing commercial centres.

6.6.3.5 To ensure that the Metropolitan Centre for Tasman District, Richmond, continues to provide for a broad range of commercial, community, recreational and residential activities and is the primary urban centre in the district.

6.6.3.~~2~~ 6 To ensure that the Richmond metropolitan and Motueka and Tākaka town centres (Central Business Zone) ~~continue~~ to develop as the central focus for pedestrian-oriented intensive retail and office commercial development in the district. ~~and the core pedestrian oriented area.~~ **C10 10/07 Op 3/14**

6.6.3.7 To ensure that Local Centres (as shown in Table X) continue to provide predominantly for a range of commercial and community activities that service the needs of the residential catchment.

6.6.3.8 To ensure that Neighbourhood Centres in Richmond, Motueka and Tākaka (as shown in Table X) provide predominantly for small scale commercial and community activities that service the needs of the immediate neighbourhood.

6.6.3.9 To allow for and enable commercial activities in locations adjoining or very near to Council-maintained reserves and open spaces, where they will increase the use and vibrancy of the reserves and open spaces, and where the commercial activity is not inappropriate in a residential environment.

6.6.3.10 To allow for and enable commercial activities in the Medium Density Residential Zone where those activities contribute to the vibrancy of the area and are not inappropriate in a residential environment and where it does not compromise the vibrancy and economic vitality of the commercial centres.

6.6.3.~~8~~ 11 To avoid disruption to the convenience of a continuous frontage of commercial activities at street level in central business and commercial locations.

6.6.3.~~9~~ 12 To avoid the adverse effect of industrial activities on the amenity of the Central Business Zone.

Mixed Business Activities

6.6.3.~~3~~13 To enable business growth in the Mixed Business Zone that is complementary to, but does not compromise the vibrancy and economic vitality of the Richmond and Motueka Central Business Zone.

6.6.3.~~4~~14 To ensure that commercial activities and activities in the Mixed Business Zone operate in a manner and in a setting likely to provide a high standard of safety, amenity and efficiency.

6.6.3.~~11~~15 To provide for a range of large format retail activities in the Mixed Business Zone whilst ensuring that the vibrancy and economic viability of the commercial centres are not undermined or compromised.

6.6.3.~~12~~16 To enable a range of commercial activities and light industrial activities to locate within the Mixed Business Zone where adverse effects can be avoided, remedied or mitigated, and the quality of the environment and high amenity values can be maintained or enhanced.

~~6.6.3.13~~ Note: The purple text below is operative and it is proposed to move it to location 6.6.3.1

~~To provide a supply of suitable land for regional and district business needs in the long term to at least 2051.~~

6.6.3.~~14~~17 To provide a mixed use business environment that accommodates a range of business opportunities for commercial activities, large format retail, trade-related supply, and small-scale light industrial activities where:

(a) adverse environmental effects within and beyond the zone boundary can be avoided, remedied or mitigated;

(b) a high quality, high amenity business environment can be maintained;

(c) the scale, nature and intensity of activities are compatible with maintaining a high quality, high amenity business environment.

(d) the role of the existing Richmond Metropolitan ~~town~~ ~~c~~Centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction, and the core pedestrian-oriented area for Richmond.

6.6.3.~~15~~18 To avoid heavy industrial activities and incompatible trade and light industrial activities from locating in the Mixed Business Zone.

6.6.3.~~16~~19 To enable business activities with clean technology and low emissions to land, air and water to locate within the Mixed Business Zone.

6.6.3.~~17~~20 To enable community activities within the Mixed Business Zone where adverse effects on adjoining residential and rural zones can be avoided, remedied or mitigated and where these are compatible with surrounding activities within the zone.

6.6.3.20A To avoid smaller format, pedestrian focused retail activities which are more appropriately located within the commercial centres, particularly the Richmond Metropolitan Centre and Motueka Town Centre, unless it can be demonstrated that the activity will not compromise or undermine the vibrancy and economic viability of the commercial centres.

Tourist Activities in Rural Areas

6.6.3.~~5~~21 To ensure that the intensity and scale of tourist development in rural areas does not adversely affect the character, amenities and image of surrounding rural resources.

6.6.3.~~6~~22 To provide opportunity for tourist activities to be grouped, and their effects contained, in key tourist areas.

6.6.3.~~7~~23 To avoid, remedy, or mitigate adverse effects from incompatible activities in the special tourist areas so that an attractive and coherent environment is maintained.

Note: The purple text below is operative and it is proposed to move to location 6.11.3.1C.

~~6.6.3.10~~ ~~In the Tākaka-Eastern Golden Bay Area, to ensure that:~~ **C8 7/07 Op 10/10**

~~(a) defined commercial and service centres, such as Tākaka, are the hub of the community, providing goods and services, community amenities, sustainable economic opportunities and social interaction;~~

~~(b) de-centralised business opportunities in other established locations, such as Tarakohe and Pohara, are provided for in order to service those communities;~~

~~(c) commercial centres are safe, high amenity areas that people and communities can use and enjoy for a range of service and social activities.~~

Note: The purple text below is operative and it is proposed to move them from locations 6.7.3.5 and 6.7.3.6.

6.6.3.24 To enhance the design of shopping centres.

6.6.3.25 To encourage the development of shopping centres that suits the character of their environment.

6.6.20 Methods of Implementation

6.6.20.1 Regulatory

C10 10/07 Op 3/14

(a) Delineate the different types of Commercial zones on the Planning Maps. Currently the planning maps show the Central Business, Commercial, Mixed Business and Tourist Services zones on planning maps. Planning maps will be amended to show Metropolitan Centre, Local Centre, Neighbourhood Centre and Commercial zones and the Light Industrial Zone.

(b) Rules limiting non-commercial activities in Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Central Business, Commercial and Mixed Business zones.

(c) Rules that seek to avoid the establishment of specific retailing activities in the Mixed Business Zone that have the potential to undermine the vitality and function of the Central Business Zone in the Richmond Metropolitan and Motueka Town Centres as the central focus for intensive retailing activity.

6.6.30 Principal Reasons and Explanation

For the larger towns of the District, it is important for the social and economic wellbeing of the residents to retain a commercial centre that is convenient, pleasant and provides a desirable range of products and services. Retaining a compact, identifiable grouping of commercial and community activities is an effective way of improving their vitality, convenience and availability to residents. It also assists in reducing travel distances and energy consumption.

Commercial areas provide the major location for businesses supplying goods and services in the community. Commercial zones typically achieve:

(a) Convenience to customers (which include other businesses) by the grouping of commercial activities.

(b) Transport and other network service efficiencies when compared with individual commercial activities being located randomly throughout urban areas for the whole District, although traffic requires careful management in commercial areas.

(c) Containment of activities which could have adverse effects in residential areas (e.g. traffic; noise; "after hours" activities and the passage and assembly of people).

C10 10/07 Op 3/14

Metropolitan, Town, Local and Neighbourhood Centres, currently zoned as Central Business~~,~~ and Commercial ~~and Mixed Business~~ zones are the primary areas of retail and office space, employment opportunities and entertainment (social, cultural and educational). They provide the business sector and the wider community with convenient employment, visitor accommodation, and shopping hubs. The Mixed Business Zone provides opportunities for additional commercial and business activities with retail limited to specific car orientated activities such as trade, landscaping and building supply outlets, the sale of goods produced on site and larger format retail stores to ensure the viability and amenity of the core Centres are not undermined or compromised.

There is a distinction between the character of the commercial ~~business~~ zones and the nature and scale of activities. In this respect, the zones are considered to be complementary to one another.

In some locations, such as the ~~Richmond~~ Central Business ~~District, the distinction whilst present is not fully developed. In time it is anticipated that the primary retail and entertainment focus of the Central Business Zone~~ Zone locations in Richmond, Motueka and Tākaka, the distinction whilst present is not fully developed. In time it is anticipated that the primary retail and entertainment focus of the Metropolitan Centre of Richmond and the Town Centres of Motueka and Tākaka will be reinforced and commercial and trade supply activities that do not contribute to that function will relocate to more appropriate localities such as the Commercial or Mixed Business zones.

The Central Business Zone locations in Richmond, Motueka and Tākaka is generally characterised by smaller-scale specialty retail outlets, food and grocery stores, continuous shopping frontages, pedestrian oriented movement networks, large centrally located vehicle parking areas and street-side parking alongside retail frontages and offices. **C44 4/13 Op 1/15**

A hierarchy of commercial centres provides structure and context to the role and function of the urban areas across the district (as well as within the largest towns) and associated network infrastructure services, particularly transport. It provides a clear framework within which public and private investment can be prioritised and made as well as providing a basis for the regeneration and intensification of activities.

Significant commercial development outside of Richmond Metropolitan Centre, Motueka and Tākaka Town Centres or a Local Centre such as Brightwater or Wakefield that may undermine the role and function of the existing commercial Centre as a compact, vibrant and focal point of commercial and community activity is not envisaged.

Significant commercial development in a neighbouring centre of Richmond, or surrounding rural area that may undermine the role and function of the Richmond Metropolitan or the other Town Centres (Motueka and Tākaka) as compact, vibrant and focal points of commercial and community activity is not envisaged or supported.

The Commercial Zone is generally characterised by more open space than the Central Business Zone, on-site parking and a mix of business activities, including trade supply outlets and automotive services. **C10 10/07 Op 3/14**

The Mixed Business Zone is characterised by the predominance of vehicle orientated activities, generally requiring larger areas of on-site parking, a large format retail activity focus which tends to be destination oriented, with larger areas of open space and higher amenity values as a consequence. The zone accommodates those business activities that do not have the potential to undermine the vitality and function of the Central Business Zone as the central focus for retailing activity and are not able or do not need to be centrally located within the town, and provides flexibility for their requirements and convenience for customers and the wider community.

A range of other activities common to ~~both the Central Business and~~ the Commercial zones such as support services, including offices (professional and personal services, health and social services), are also located within the Mixed Business Zone. **C43 4/13 Op 1/15**

These activities are not likely to result in re-distribution of activities from the central business area. **C10 10/07 Op 3/14**

The distinction between the Central Business, Commercial and Mixed Business zones should be encouraged with the vehicle-oriented business opportunities located in the Mixed Business Zone or on the outer edge of town centres complementing the specialty retailing and entertainment focus, and office activities located centrally.

The layout of the three central business zone~~s~~ locations within the urban environments of the District are likely to differ in response to the existing pattern of development in towns and man-made and natural constraints, such as the presence of main highways and flooding hazards.

Generally, the commercial zones allow more open areas than the Central Business Zone, where more compact, focused building development is sought.

Low-key tourist accommodation and adventure tourism are already established in the rural area. The impact on rural resources such as landscape, roads and waterways will continue to be monitored to ensure a high standard of visual amenity, traffic safety and water quality is maintained.

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The key tourist areas such as Kaiteriteri, Marahau and Lake Rotoroa have locations where tourist activities with compatible effects may locate.

6.6.40 Performance Monitoring Indicators

6.6.40.1 Changes in the area of land available for commercial activities.

6.7 ~~SETTLEMENT~~ URBAN AND RURAL CENTRE CHARACTER, ~~AND~~ DESIGN AND DEVELOPMENT

6.7.1 Issue

Changes occur to the design, appearance and character of ~~settlements~~ urban and rural centres, including their relationship with their landscape settings, as ~~settlements~~ centres grow.

6.7.2 Objective

Maintenance and enhancement of the distinctive characters of urban and rural centres ~~settlements~~ and integration between ~~settlements~~ centres and their adjoining landscapes.

6.7.3 Policies

Refer to Policy sets 8.1, 8.2, 14.1, 14.2.
Refer to Rule sections 16.1, 17.2, 18.1, 18.2.

6.7.3.1 To retain and enhance existing significant vegetation, wetlands, lakes and waterways within and adjoining ~~settlements~~ centres to the maximum possible extent.

6.7.3.2 To identify land for future subdivision, and regulate the form of development, so that the particular character and appearance of each existing ~~settlement~~ centre is not compromised.

6.7.3.3 To identify and protect key landscape features in ~~settlements~~ centres, especially in those which are gateways to areas of special landscape or natural value.

6.7.3.4 To seek a consistency in the design and appearance of signs at the entrance to ~~settlements~~ centres.

Note: The purple text below is operative and it is proposed to move them to location 6.6.3.23 and 6.6.3.24.

~~**6.7.3.5** To enhance the design of shopping centres.~~

~~**6.7.3.6** To encourage the development of shopping centres that suits the character of their environment.~~

6.7.20 Methods of Implementation

6.7.20.1 Regulatory

(a) Pattern of urban zoning that takes account of topographical and natural features and significant landscape areas.

(b) Rules limiting development on identified ridgelines.

(c) Performance standards for commercial street appearance (height, landscaping, coverage, verandahs).

(d) Rules requiring esplanade reserves.

6.7.20.2 Investigations and Monitoring

(a) Investigate design options through Mainstreet programmes.

(b) Landscape assessment for major developments at St Arnaud, Rotoroa, Awaroa and Torrent Bay.

6.7.20.3 Works and Services

(a) Street works incorporating design features in residential and commercial areas.

(b) Design guides for buildings in areas of special character such as St Arnaud, Awaroa and Torrent Bay.

6.7.30 Principal Reasons and Explanation

Some of the ~~settlements~~ urban and rural centres in the District are growing quite rapidly. As ~~settlements~~ centres grow, character can be lost if enhancing features are not identified and protected. The issue is particularly pertinent where ~~settlements~~ centres adjoin national parks (see Issue 6.12). Existing waterways and significant planting on the periphery of ~~settlements~~ centres enhance the setting of towns and need to be maintained.

Some localities display a distinct character, which may result from factors such as the intensity of development, or the amount and type of vegetation present.

Development of land for future urban activities should avoid damage to key natural features such as significant stands of indigenous trees and wetlands.

Some ridgelines in settlements such as Kaiteriteri and Wakefield were protected from obtrusive development in the previous district plan. These restrictions will be continued but with a degree of rationalisation and with extension of the provision to other key areas such as Tarakohe.

Many of the District's communities seek to erect "welcome" signs and landscaping at the entrance to their town. Some consistency of design elements rather than ad hoc design is sought to enhance township amenity.

The character of the commercial areas of the District is of buildings one or two storeys high, except for Richmond which is enabled to grow up, built up to front and side boundaries with large display windows, some advertising and car parking. To maintain the visual character it is important that building development in the main shopping centres does not exceed two storeys, except in Richmond and Motueka where higher buildings will enable central urban living and greater density, or include expanses of car parking and access across the frontage that disrupts building continuity. Verandahs are a feature of the main shopping areas and provide shelter to pedestrians.

6.7.40 Performance Monitoring Indicators

6.7.40.1 Assessed degree of retention of landscape features and design themes that contribute to urban character and amenity, in ~~settlement areas~~ urban and rural centres subject to growth.

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6.8 RICHMOND

6.8.1 Issues

The key issues for the future development of Richmond are:

6.8.1.1 The management of peripheral growth in a manner that enables Council to progressively upgrade services on the western, south-eastern and north-eastern margins of Richmond. **C10 10/07 Op 3/14**

6.8.1.2 Industrial and mixed business land located to minimise adverse effects on neighbours, on the Waimea estuary, watercourses and their margins, and on the productive potential of land.

6.8.1.3 Enhancement of the setting of Richmond, especially the coastal margin and the hill backdrop.

6.8.1.4 Upgrading of the amenity of the central business area, main highway routes and town entrances. **C10 10/07 Op 3/14**

6.8.1.5 Maintaining the Central Business Zone of the Richmond Metropolitan Centre as the central focus for intensive retailing, administration and community interaction, and as the core pedestrian-oriented area in Richmond and the District.

6.8.1.6 Meeting the demand for a range and choice of residential housing within the Medium Density Residential Zone and the Residential Zone in Richmond. **C66 10/17 Op 12/18**

6.8.3 Policies

6.8.3.1 To provide serviced residential and rural-residential land on the less versatile land on the north-east fringe of Richmond and to establish higher performance standards for the use of on-site disposal of domestic wastewater systems in the Richmond Foothills Special Domestic Wastewater Disposal Area. **C20 8/10 Op 8/12**

6.8.3.2 To extend business zoning on Gladstone Road south-west of the existing Commercial Zone from Lower Queen Street to the northern end of Jubilee Park.

6.8.3.4 To develop a reserve network along the coastal margin where practicable to protect the wetlands and high conservation values of the Waimea Inlet and to provide reserve linkages between the coastline and the Richmond hills.

6.8.3.5 In the north-east Richmond Residential and Rural Residential Serviced zones, to utilise as far as practicable natural watercourses in an unenclosed and natural state for stormwater disposal. **C20 8/10 Op 8/12**

6.8.3.6 To enable the expansion to the south of Richmond, limited by the spur ridges between Hart Road and White Road, while ensuring: **C5 3/06 Op 10/10**

(a) a range of housing densities with high amenity levels is encouraged;

(b) the efficient use of land and infrastructure; and

(c) the provision of high levels of amenity and public access within the area; and

(d) the reverse sensitivity of existing rural activities to residential development arising from adverse cross-boundary effects and amenity values across the interface of urban and rural areas is addressed.

6.8.3.7 To retain a rural environment on the spur ridge hill land between Hart Road and White Road but to consider appropriate provision for future residential development to some degree on the land, following structure planning and the provision of an appropriate level of infrastructural servicing.

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6.8.3.~~8~~9 To establish in the Richmond South Development Area a linked open space network with public access, integrated with: **C5 3/06 Op 10/10**

(a) walkways and cycleways; and

(b) waterway networks to ensure effective stormwater management.

6.8.3.~~8~~9 To require residential development in the Richmond South, Richmond West and Richmond East development areas to occur in a staged manner based on the provision of infrastructure, including water, wastewater and stormwater, and so defer development until these services can be provided or upgraded to the Council's satisfaction **C5 3/06 Op 10/10 C10 10/07 Op 3/14 C20 8/10 Op 8/12 C10 10/07 Op 3/14**

Urban Expansion

6.8.3.10 To provide for the expansion and intensification of the Richmond urban area over a ~~2~~30-year timeframe from 2006 to 20~~2~~36 within a contained footprint and clearly identified urban boundaries in the following localities:

Richmond South
Limited southward residential expansion between State Highway 6 north of Hope and Hill Street, and a local commercial node, with Stage 1 being defined by Spur Ridges between Hart Road and Whites Road.

Central Richmond
Residential and business intensification of central Richmond. **C66 10/17 Op 12/18**

The ~~Richmond Intensive Development Area~~ Medium Density Residential Zone provides for residential intensification through a combination of infill and redevelopment in the existing central residential area close to the town centre.

Richmond East **C10 10/07 Op 3/14**
Limited residential intensification in suitable locations in Richmond east, including land south of Champion Road and east of Hill Street, where this is not limited by identified natural hazards. **C20 8/10 Op 8/12**
Limited serviced rural residential expansion in Richmond east on the south east hill slope fringe of Richmond, where this is not limited by identified natural hazards.

Richmond West **C10 10/07 Op 3/14**
Limited urban expansion in Richmond west in the Lower Queen Street area northwest of State Highway 6 to accommodate residential, business and industrial land, with the exception of industrial development which is to occur north of McShane Road and west of Lower Queen Street, and north of Headingly Lane and east of Lower Queen Street.

6.8.3.11 To provide for the extension of the Richmond urban area beyond 2026 in the following localities:

Hope
Limited expansion in Hope to accommodate residential and business development.

Richmond West
Limited expansion in Richmond West to McShane Road as the town edge and boundary between urban and rural land uses, with the exception of a light industrial park to be located outside the town boundary opposite the MDF plant. This light industrial park is limited in extent and will need to retreat from lower lying land over time in response to its exposure to inundation, coastal hazards and sea level rise. **C79 11/24**

6.8.3.12 To provide for development in a planned way and ensure that the pattern of development ~~being set to 2026~~ serves the town over the longer term~~: 2026 to 2051~~.

6.8.3.13 In the Richmond West Development Area to ensure a choice and a regular supply of land through:

(a) planning development in stages that integrate servicing and economic development efficiencies;

(b) providing for a sufficient long term land bank;

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(c) providing for a Mixed Business Zone that complements, and in relation to retail activities does not compromise or undermine, the Richmond Central Business and Commercial zones.

Note: Purple text below is operative and is proposed to move to this location from 6.2.3.10.

6.8.3.13A To avoid or mitigate the expansion of the urban area in Richmond West Development Area on land subject to sea level rise and flooding by: **C10 10/07 Op 3/14**

(a) providing an Open Space Zone adjacent to the Waimea Inlet generally below the 3-metre contour above mean sea level (datum reference: NVD55);

(b) managing the actual and potential risks of development between the 3- to 4.6-metre contour above mean sea level (datum reference: NVD55) through assessment as part of the subdivision and land use consent process, including a building platform level and reserves for stormwater management, and monitoring changes in coastal patterns;

(c) widening Borck Creek to 70 metres to accommodate future stormwater flows in the larger Borck Creek catchment, equivalent to a '1 in 100-year' flood.

Commercial Activities

6.8.3.13B To ensure that Richmond, the Metropolitan Centre for Tasman District, continues to provide for a broad range of commercial, community, recreational and residential activities and to remain the primary urban centre in the district.

6.8.3.13C To ensure that the Richmond (Central Business Zone) continues to develop as the central focus for pedestrian-oriented intensive retail and office commercial development and the core pedestrian-oriented area for the Richmond Metropolitan Centre.

6.8.3.13D To ensure that Neighbourhood Centres in Richmond, (as shown in Table X) provide predominantly for small scale commercial and community activities that service the needs of the immediate neighbourhood.

6.8.3.13E To ensure the role of the existing Richmond Metropolitan Town Centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction, and the core pedestrian-oriented area in Richmond by activities located in the Richmond West Mixed Business Zone locations, the Richmond Neighbourhood Centres (as shown in Table X) or the surrounding rural area.

Mixed Business Activities – Zone

6.8.3.14 To provide for a mixed use business environment that accommodates a range of business opportunities for commercial activities, large format retail, trade-related supply and small-scale light industrial activities where:

(a) adverse environmental effects within and beyond the zone boundary can be avoided, remedied and mitigated;

(b) a high quality, high amenity business environment can be maintained;

(c) the scale, nature and intensity of activities are compatible with maintaining a high quality, high amenity business environment;

(d) the role of the existing Richmond town centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction and the core pedestrian-oriented area for Richmond.

~~**6.8.3.15** To provide for large format retail 'only' activities along the frontage of Lower Queen Street in a Retail Precinct.~~

6.8.3.16 To promote an attractive appearance of the mixed business environment when viewed from Lower Queen Street, the residential environment, Borck Creek and other local purpose reserves, and the Open Space environment, through the planting and retention of street trees, riparian vegetation, landscaped areas, building setbacks from boundaries, and sensitive building design.

6.8.3.18 To manage existing industrial activities in the Beach Road area that do not meet the Mixed Business Zone objectives for clean industry by:

(a) providing for their continuation for a limited period of time consistent with the uplifting of the deferment on industrial zoned land in the Richmond West Development Area; or

(b) requiring a reduction in contaminant discharges to air to a level acceptable in the zone;

(c) requiring a higher level of performance for the management of contaminant discharges to water, and storage and use of hazardous substances.

6.8.3.19 To provide a network of urban open space and amenity reserves, through the subdivision consent process, within residential and business environments to serve the needs of local residents and employees.

Industry

6.8.3.20 To provide for a light industrial park opposite Nelson Pine Industries (MDF Plant) and the co-location of activities with similar effects.

6.8.3.21 To provide a buffer around the perimeter of the industrial park to assist with noise attenuation at the interface of the rural zone and to reduce visual impacts of large buildings when viewed from Lower Queen Street, McShane Road and the rural zone.

6.8.3.22 To manage the cumulative effects of contaminated stormwater runoff from hard-surfaced areas and potential hazardous substance spills from adversely affecting the Waimea Inlet through the establishment of dedicated stormwater treatment areas and provision of on-site interceptor traps.

6.8.3.23 To provide a future location for the expansion of industrial land within the Richmond West Development Area to avoid adverse effects on the coastline and the Waimea Inlet, productive land and sensitive activities.

6.8.3.23A To avoid the long-term industrial use of land that is at risk of exposure to inundation, coastal hazards and sea level rise in the long term. **C79 11/24**

Open Space and Reserve Network

6.8.3.24 ~~To establish an open space network that links the hills to the sea and creates a perimeter pedestrian and cycleway network linking the residential environments of Richmond East, West and South with one another.~~ To establish an open space network that links the hills to the sea, incorporating green infrastructure and ecological corridors to enhance recreation, biodiversity, and climate resilience, while creating a perimeter pedestrian and cycleway network that connects the residential environments of Richmond East, West, and South.

6.8.3.24A To prioritise the acquisition of new neighbourhood reserves in areas identified as underprovided for open space, particularly in high-growth and intensifying areas of Richmond's Medium Density Residential Zone. Newly acquired neighbourhood reserves should:

(a) Be appropriately sized (minimum 2,500m²) to support a range of recreational activities, including informal sport, play, and passive recreation.

(b) be accessible and well-connected to the surrounding community through pedestrian and cycling links.

(c) Provide a balance of open grassy areas, tree canopy cover, and amenities such as seating, shade, and picnic infrastructure.

(d) Contribute to ecological corridors and local biodiversity where possible.

6.8.3.24B To work with developers to incorporate open space contributions as part of new subdivisions and intensification projects, ensuring reserves are well-integrated into the urban fabric.

6.8.3.25 To promote multi-purpose use of open space for recreation, non-motorized transport networks, ecological corridors, and stormwater management. **C10 10/07 Op 3/14**

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6.8.3.25A To ensure that any stormwater management infrastructure or design:

(a) maintains or enhances recreational access, safety, and useability;

(b) maintains or enhances the ecological values; and

(c) does not significantly compromise the open space character or amenity.

6.8.3.26 To define the urban and rural edge of the Richmond West Development Area through the use of a planted amenity setback at McShane Road and at the interface of the Light Industrial and Rural 1 zones to protect rural land from urban encroachment and to mitigate adverse visual effects of built development.

Residential Activities – Zone

6.8.3.27 To provide for community activities and facilities within the Medium Density Residential Zone and the Residential Zone where the nature, scale and intensity of the development is compatible with the residential environment, and adverse effects on visual amenity, noise and traffic safety can be avoided, remedied or mitigated.

Residential Density **C66 10/17 Op 12/18**

6.8.3.27A To provide for a range of housing choices in the Residential Zone in Richmond in specified locations.

Residential Intensification

6.8.3.27B To provide for medium density residential housing ~~in the Residential Zone~~ in Richmond as follows:

(a) In the Richmond South and Richmond West development areas, in the form of compact density development.

(b) In the Medium Density Residential Zone ~~Richmond Intensive Development Area~~, in the form of ~~intensive~~ comprehensive development.

(c) In the Residential Zone outside of the Richmond South~~,~~ and Richmond West ~~and the Richmond Intensive~~ development areas, in the form of comprehensive development.

(d) On larger (greater than 5000 square metres) greenfield sites to utilise the Medium Density Residential Zone and guide development through Outline Spatial Plans.

~~**Richmond Intensive Development Area**~~

~~**6.8.3.27C**~~ ~~In the Richmond Intensive Development Area:~~

~~(a) to provide for medium density residential development in the form of intensive housing.~~

~~(b) to encourage and promote intensive housing with a high standard of amenity through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets.~~

~~(c) to manage development in the Medium Density Residential Zone so that stormwater does not cause flooding or contribute to any damage caused by flooding.~~

6.8.3.27D In locations within the Richmond Medium Density Residential Zone where intensification occurs, to increase the extent of tree cover on public land, particularly through the greening of streets, and where practicable to increase the overall tree coverage.

6.8.3.27E To enable taller buildings in the Metropolitan Centre (see Section 6.6.3) of Richmond, where these will support residential living opportunities above the ground floor.

Electricity Transmission Corridor **C10 10/07 Op 3/14**

6.8.3.28 In the Richmond West and Richmond East development areas, to ensure that the national grid for electricity transmission is taken into account in all resource management decision-making, and that any incompatible use or activity affecting the grid is avoided, remedied or mitigated. **C20 8/10 Op 3/12**

6.8.20 Methods of Implementation

6.8.20.1 Regulatory

(a) Provision of a serviced Rural Residential Zone.

(b) Deferred Residential Zone north west of Hill Street.

(c) Medium Density Residential Zone in locations that are appropriate for comprehensive development.

(d) Outline Spatial Plans for sites within the Medium Density Residential Zone.

6.8.20.2 Investigations and Monitoring

(a) Investigate opportunities for industrial and business development through the Coastal Tasman Area Strategic Development Review.

6.8.20.3 Works and Services

(a) Develop a riparian and coastal reserves network for Richmond.

6.8.30 Principal Reasons and Explanation

[First paragraph deleted (re further growth to the south east of Wensley Road and east of Hill Street (North)] **C66 10/17 Op 12/18**

Options for the growth and development of Richmond were first identified and discussed in the Richmond Development Study (2003). Denser growth and development was identified by Council as part of a package of options, which included outward expansion onto new greenfield land and intensification of existing urban areas. Implementation of the Future Development Strategy (2022) has taken this further through a dedicated Medium Density Residential Zone. **C66 10/17 Op 12/18**

The Study identified more compact forms of urban growth as important for the following reasons:

- Encroachment onto rural productive land is reduced.
- The extent of adverse effects associated with urban development can be better managed.
- Services such as water, wastewater, and stormwater can be provided more efficiently.
- Better energy efficiency can be achieved, particularly where associated with urban transportation.

An aging population and reduced household sizes are resulting in an increased demand for small and compact properties.

Greenfield expansion was provided for in Richmond South, Richmond West and Richmond East Plan Changes (through Plan Changes 5, 10 and 20). A framework for more compact density development was introduced into the Plan for the South and West Richmond greenfield locations. Development standards, assessment matters and an Urban Design Guide enable and support denser development in the new Residential zones.

[unchanged or irrelevant text omitted]

Integrated servicing and economic or business development efficiencies are intended to be achieved through the method of zone deferrals for specific servicing and, for some land, until serviced land with the same zoning, in a defined area shown on the planning maps and identified in the rules, is substantially taken up. This will result in a sequence of supply of serviced land in the Richmond West Development Area over the very long term.

Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once the Schedule 17.4A sea level rise trigger is reached. **C79 11/24**

Soil and topography limitations in the Special Domestic Wastewater Disposal Area result in increased risks of adverse effects from on-site disposal systems.

Watercourses on the north-east side of Richmond in an area of rural-residential development have been identified as a landscape feature that could enhance future subdivision. Where practicable, these should be utilised for stormwater disposal in an unenclosed and natural state.

The Richmond coastline has inherent conservation values that could be enhanced. Reserves linking the coast with the Richmond hills will continue to be developed to enhance the town's character and recreational opportunities.

C66 10/17 Op 12/18

The ~~Richmond Intensive Development Area~~ Medium Density Residential Zone provides for more intensive residential development through ~~a combination of infill in and~~ redevelopment ~~of the existing Residential Zone~~ particularly where close to the town centre, or along major transportation routes. In acknowledging an aging population, incorporation of universal design principles in the initial design of dwellings ~~in the Richmond Intensive Development Area~~ is encouraged in rules and the Urban Design Guide (Part II, Appendix 2).

Much of Richmond is highly fragmented which limits the efficiency with which the land can be used, and the opportunity for future well-designed developments. Ongoing fragmentation by way of low density subdivision in the Medium Density Residential Zone (unless part of a comprehensively designed development) is therefore strongly discouraged in order to retain the potential of sites for future comprehensive development.

C75 9/22 Op 10/23 C76 9/22 (D9/24)

Figures 6.8A and Figure 6.8B show how the range of housing choices are provided for in the Richmond residential area. Figure 6.8A also shows the range of housing choices that are provided for in specified development areas elsewhere in the District.

Outline Spatial Plans (OSPs) may be used to guide the expected form of future development to achieve the outcomes sought. The OSPs are provided in Schedule 16.3D

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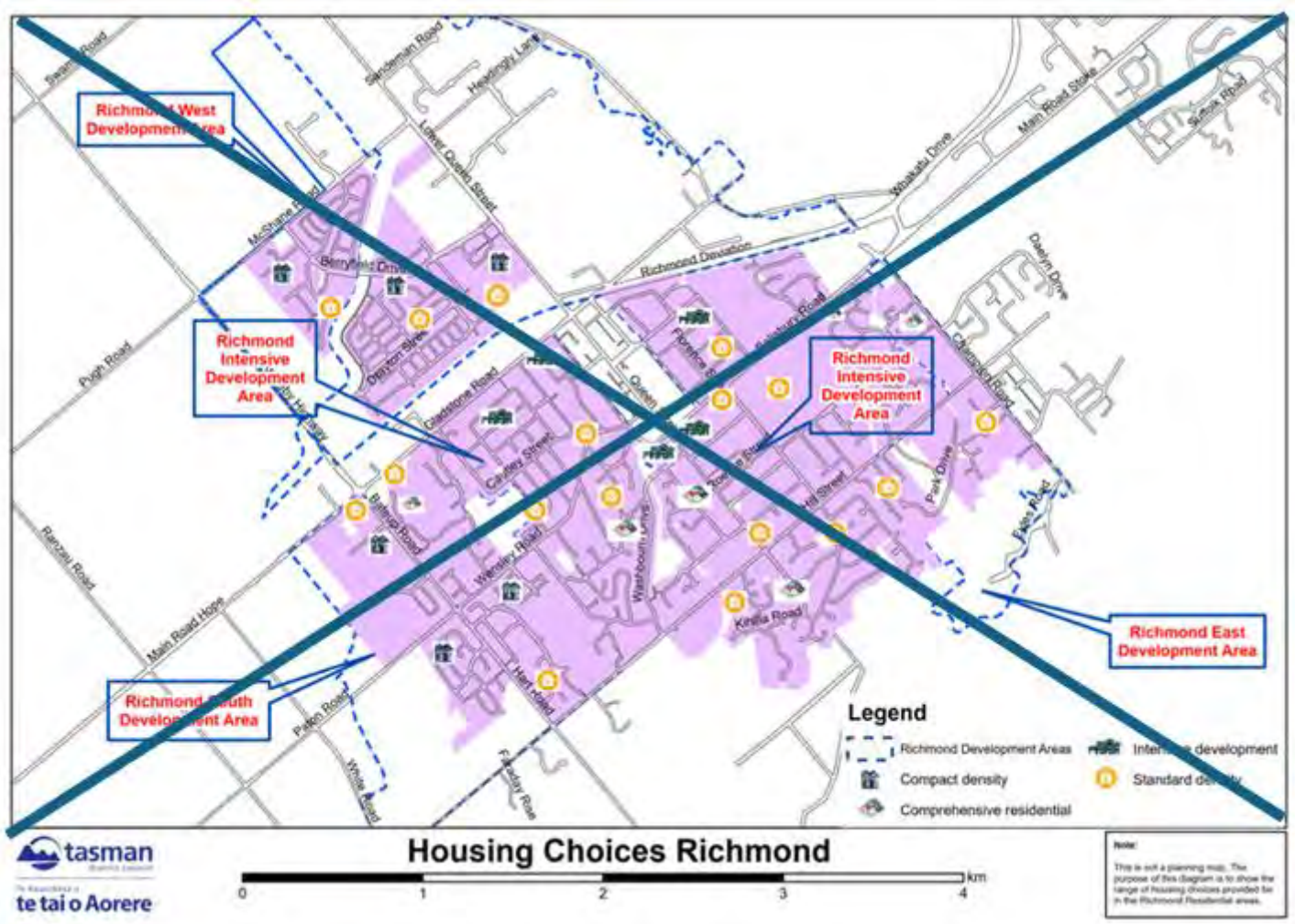
Figure 6.8A: Residential Housing Choices

C66 10/17
Op 12/18
C75 9/22
Op 10/23
C76 9/22
(D9/24)

Type of Residential Development	District: Everywhere except 'development areas' and exceptions	Development areas: Richmond South, Richmond West, Richmond East, Brightwater, Wakefield, Motueka West, and Māpua Development Areas~~, Māpua Special Development Area~~ and Motueka West Compact Density Area	~~Richmond Intensive Development Area~~ Medium Density Residential Zone
Standard - Average density - 3 or 4 bedroom house (220 m^2) on a 350m^2 - 600m^2 site.	✓	✓	✓
Comprehensive ~~Three or more dwellings on a site~~ ~~Building coverage – 40%~~ - ~~Minimum site size = 280m^2 in Richmond and Motueka and 350m^2 elsewhere~~	✓ - Three or more dwellings on a site - Building coverage – 40% - Minimum site size = 280m^2 in Richmond and Motueka and 350m^2 elsewhere	**X** Except for Richmond East below Hill Street and Māpua Development Area where allowed	~~X~~ ✓ - Two or more dwellings on a site - Land use consent lodged before or concurrently with subdivision
Compact - One or more dwellings on a site - All consents (subdivision, and building) applied for together - No minimum lot size	**X**	✓ Except for Richmond East; Motueka West Development Area outside of the Motueka West Compact Density Residential Areas; and Māpua Development Area ~~outside of the Māpua Special Development Area~~	**X**
~~**Intensive**~~ ~~One or more dwellings on a site~~ ~~Minimum lot size 200m2~~	~~X~~	~~X~~	~~✓~~

C80 12/23
(D4/25)

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This map is proposed to be removed as part of Plan Change 81 – Urban Development.

6.9- MOTUEKA

6.9.1 Issues

The key issues for future development in Motueka are:

6.9.1.1 Availability of suitable land for future residential, commercial and industrial growth in Motueka, providing for a range of housing opportunities to meet the different socio-economic needs of the urban community.

6.9.1.1B The need to provide medium density housing options and a variety of dwelling sizes in central Motueka.

6.9.1.2 Much of the land that Motueka could expand onto is a versatile and productive resource of prime quality land. Consolidation of the urban form of Motueka between the existing arms of development between Pah Street and King Edward Street is the preferred alternative to extending the town lengthways or developing unconnected satellite areas. **C43 4/13 Op 1/15**

6.9.1.3 The existence of drainage problems in parts of Motueka, including low-lying parts of Motueka West near High Street and the potential effects of sea-level rise on low-lying land east of Thorp Street. **C43 4/13 Op 1/15**

6.9.1.4 The effect of demand for rural-residential sites on the retention of land of high productive value.

6.9.1.5 Poor traffic management, access, parking and amenity in the central commercial area.

6.9.1.6 Opportunity for business and employment growth that supports, rather than competes, with the existing town centre. **C43 4/13 Op 1/15**

6.9.1.7 Opportunities for recreation and conservation on coastal and river margins with appropriate linkage to existing and new urban areas. **C43 4/13 Op 1/15**

6.9.1.8 Recognition of the risk of overtopping and scouring of the Motueka River stopbanks and the need to retain secondary flowpaths. **C43 4/13 Op 1/15**

6.9.1.9 Potential for contamination of the Motueka groundwater resource from poorly sited or managed urban land uses.

6.9.1.10 Potential adverse traffic and safety effects of the Motueka West Development Area on the SH60 (High Street) / Whakarewa Street / Woodland Avenue intersection and wider effects across the transport network. C80 12/23 (D4/25)

6.9.3 Policies

6.9.3.1 To provide opportunities for consolidated urban growth away from areas of versatile and productive land, where practicable.

6.9.3.2 To provide for the extension of residential development east of Woodlands Avenue, south of Fearon Street, south of Parker Street on both sides of Wilkie Street and north of Courtney Street East, subject to minimum floor height requirements and adequate stormwater disposal.

6.9.3.3 To enable further residential development west of Grey Street and south of Whakarewa Street with opportunities for a higher density of development on sites within walking distance of the Motueka town centre and within the Motueka West Compact Density Residential Areas. **C43 4/13 Op 1/15** C80 12/23 (D4/25)

6.9.3.3A To require medium density development in the Motueka West Compact Density Residential Areas to achieve a high standard of residential amenity through design in accordance with the Urban Design Guide (Part 11, Appendix 2). C80 12/23 (D4/25)

6.9.3.3B To provide for comprehensive developments in the Medium Density Residential Zone in Motueka.

6.9.3.4 To encourage larger allotments with appropriate frontage and depth requirements fronting Thorp Street and Motueka Quay to assist in maintaining the semi-rural amenity of the area.

6.9.3.5 To provide for future residential zoning in parts of the Thorp Street Rural Residential Zone, subject to an overall stormwater and drainage plan that takes account of potential sea-level rise.

6.9.3.6 To avoid further commercial ribbon development on High Street, development opportunities are provided in depth in Tudor Street, Wallace Street and Greenwood Street, and in a ~~large format retail~~ mixed business precinct north of King Edward Street. **C43 4/13 Op 1/15**

6.9.3.6A To enable taller buildings in the Commercial and Central Business Zones, where these will support residential living opportunities above the ground floor.

6.9.3.7 To ensure rear servicing access and off-street parking are provided to enhance the development of the central section of High Street as a shopping street of high pedestrian amenity.

6.9.3.8 To locate appropriately zoned land for a wide range of industrial activities within a business park between Queen Victoria Street and King Edward Street and provide a green buffer to minimise adverse effects on neighbours. **C43 4/13 Op 1/15**

6.9.3.9 To avoid the adverse effects of industrial and commercial activities on the Riwaka/Motueka groundwater resource.

6.9.3.10 To allow for the development and the extension of the marae as a focal point for the tangata whenua of the district. **C43 4/13 Op 1/15**

6.9.3.11 To provide for a range of activities in marae areas, while ensuring that activities do not adversely affect and are not adversely affected by adjoining activities.

6.9.3.12 To control land use in areas subject to risk of flooding.

6.9.3.13 To direct new areas for residential development away from Motueka Aerodrome.

6.9.3.14 To ensure the Motueka Aerodrome retains airspace free of obstacles in the vicinity of the runway so that aircraft can manoeuvre safely at low altitude. **C43 4/13 Op 1/15**

6.9.3.15 To protect a future road alignment as indicated on Zone Map 119 for an access road between Courtney Street and King Edward Street that will: **C43 4/13 Op 1/15**

(a) primarily have a property access function; and

(b) incorporate traffic calming and control devices and signage to discourage the use of the road by traffic generated from non-residential activities; and

(c) not be formed to complete the link until the King Edward Street/High Street intersection has been upgraded.

6.9.3.16 To manage any potential capacity and safety effects of the Motueka West Development Area on the SH60 (High Street) / Whakarewa Street / Woodland Avenue intersection, and wider effects across the transport network. C80 12/23 (D4/25)

6.9.20 Methods of Implementation

6.9.20.1 Regulatory

(a) Rules relating to:

(i) flood hazard special area and minimum floor height of buildings (under the Building Act);

(ii) hazardous substances;

(iii) obstacle limitation surfaces in proximity to Motueka aerodrome. **C43 4/13 Op 1/15**

(b) Zoning for marae and associated activities (Papakāinga Zone).

(c) Zoning for Rural Residential land at Thorp Street and on the foothills.

C43 4/13
Op 1/15

(d) Industrial zoning extension – King Edward Street and Queen Victoria Street.

(e) Residential zoning extensions – away from aerodrome.

C80 12/23
(D4/25)

(f) Provision of compact density residential areas in Motueka West Compact Density Residential Areas.

~~(f)~~ (g) Commercial zoning – containment High Street.

(h) Medium Density Residential Zone in locations that are appropriate for comprehensive development

6.9.20.2 Monitoring

(a) Monitoring of discharges and water permits.

(b) Monitoring of groundwater quality.

6.9.20.3 Works and Services

(a) Acquisition of land for service lanes and car parking.

C80 12/23
(D4/25)

6.9.20.4 Traffic

An Integrated Transport Assessment to understand, assess and mitigate the potential traffic and safety effects of the proposed development as a whole (not of individual stages) on the SH60 (High Street) / Whakarewa Street / Woodland Avenue intersection and wider transport network is to be prepared by a transport planner, transport engineer or other suitably qualified professional. The Integrated Transport Assessment should include a staging plan and/or trigger points for any proposed mitigation.

6.9.30 Principal Reasons and Explanation

A number of factors have influenced Motueka's development. Most of the urban area of Motueka apart from the Thorp Street area is located on fertile Riwaka silt and sandy loam which supports intensive horticulture that contributes to the economic and social well-being of the District. Its use for urban and rural residential purposes will be discouraged where there are other options. Land for rural residential purposes has been zoned at ey and Thorp Street. A significant proportion of the land in the town is in leasehold tenure but recent progress has been made in freeholding residential land.

The Medium Density Residential Zone provides for comprehensive residential development through redevelopment in appropriate locations.

C80 12/23
(D4/25)

Urban expansion is provided for within the Motueka West Development Area to the west of High Street. Identified areas of higher density residential development are provided for within the Motueka West Compact Density Residential Areas to the east of Kerei Street and south of Whakawera Street. These areas provide for compact density development to accommodate a range of housing choice to meet the current and future needs of the community.

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Motueka West Compact Density Residential Area south of Whakarewa Street applies to Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use. This responds to the objectives and policies in the Tasman Resource Management Plan which:

i) Seek efficient use of land and infrastructure,
ii) Encourage medium density housing development of a high standard in suitable locations,

iii) Seek a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external.

boundaries of the development site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone. C80 12/23 (4/25)

Motueka is a relatively low-lying area. Parts of the town have problems with the disposal of stormwater owing to inadequacies in the existing drainage systems. These factors have made it difficult to provide for future growth of the urban area in the most desirable manner, that is: avoiding land with high quality and versatility for farming, and keeping a compact urban area. Historic ribbon development of housing along arterial routes has further distorted a desirable compact urban area. However, major improvements undertaken in the Lower Thorp Drain area have eased drainage constraints somewhat and are allowing development of residential land east of Woodlands Avenue, and alleviating other flooding problems affecting parts of the Thorp Drain catchment.

Residential zoning on the east side of Thorp Street has been reconsidered but development will be deferred until an overall stormwater and drainage plan is approved by Council.

The Motueka aerodrome is a major transport asset in the Motueka area that contributes to the economic base of the region. It is also an educational and recreational facility. Detailed management of the aerodrome is provided through the Motueka Aerodrome Management Plan. To minimise conflict in areas close to the aerodrome there is some restriction on further residential development for noise and safety reasons. An obstacle limitation surface limits the height of trees and buildings in the vicinity of the aerodrome runway. **C43 4/13 Op 1/15**

Additional land provision for industrial activities was not proceeded with in the last review of the Motueka Plan. Industrial development has been in scattered locations on the north and south sides of the town. The closure of some major industries previously used for primary produce processing has resulted in some large industrial buildings and sites being occupied by many small-scale industries. Some expansion of the industrial area is proposed between Queen Victoria Street and King Edward Street.

Motueka's water supply comes from a large number of wells that tap the Motueka Gravel Aquifer beneath the town. It is intended to provide a fully reticulated water supply because the shallow parts of the aquifer are vulnerable to spillages and contamination from overlying land uses which can affect downstream wells. Two major greenway stormwater features will bisect Motueka West and provide new recreational opportunities for walking and cycling.

Improved amenities, parking and service lane provision is required to enhance the future development of the central commercial area. Some intersection improvements on High Street and new linkages from King Edward Street to Whakarewa Street and from Green Lane to High Street have been planned to relieve congestion on High Street and facilitate development at Motueka West.

Some additional land for commercial activities is likely to be required and the Tudor Street area is considered suitable because of its proximity to existing commercial activities and the possibility of providing more public car parking in this area. Further land for large format retailing of large and bulky goods has been made available to the north of the existing Industrial Zone in King Edward Street. **C43 4/13 Op 1/15**

Although the marae may be located on fertile land, the social advantages to the tangata whenua outweigh the need to protect a relatively small amount of fertile land.

While a range of activities and an extended land area is provided for in the Papakāinga Zone, performance standards have been set to ensure that cross-boundary effects do not occur. **C43 4/13 Op 1/15**

DRAFT

6.10 TĀKAKA

6.10.1 Issues

The key issues for future development in Tākaka are:

6.10.1.1 Recognition of flood hazard in Tākaka.

6.10.1.2 Provision of land for light industrial activities.

6.10.1.3 The need to separate the adverse effects of activities associated with the dairy factory site from other activities.

6.10.1.4 Improved opportunities for adequate amenities (including open space), car parking and access to service a compact central commercial area.

6.10.1.5 The need to provide for a greater variety of dwelling sizes in and around Tākaka.

6.10.3 Policies

Refer to Policy set 13.1.

6.10.3.1 To ensure that land that is made available for residential settlement is either not subject to flood risk, or the flood risk can be mitigated. **C8 7/07 Op 10/10**

[Policy 6.10.3.2 deleted]

Note: The purple text below is operative and it is proposed to relocate it from location 6.2.3.9

6.10.3.1A To avoid inappropriate further expansion of the existing Tākaka urban area, where this land is found to be affected by flood risk. **C8 7/07 Op10/10**

~~**Note:** Tākaka-specific policies are set out in 6.10.~~

6.10.3.1B To provide medium density housing options and a variety of dwelling sizes in the Medium Density Residential Zone at Rototai Road.

~~**6.10.3.3**~~ ~~To rezone part of the Commercial Zone in Motupipi Street for light industrial activities.~~ To enable residential activities, including on the ground floor, in the Commercial Zone in Motupipi Street, where flood risks are appropriately mitigated.

6.10.3.4 To provide a buffer area of rural land around the Tākaka dairy factory site.

6.10.3.5 To ensure service lane access and off-street parking are provided to enhance development of the Tākaka central commercial area.

6.10.3.6 To avoid, remedy or mitigate the adverse effects of on-street parking, loading and unloading in the commercial area of Tākaka.

6.10.20 Methods of Implementation

6.10.20.1 Investigations

(a) Investigate possible heavy traffic bypass for Tākaka using Motupipi and Meihana streets.

(b) Complete investigation of service lanes and car parking and implement recommendations

(c) Investigate possible opportunities for residential and rural residential development at Central Tākaka.

6.10.30 Principal Reasons and Explanation

The supply of residential land in Tākaka is limited by regular flooding, and peripheral urban expansion has not been allowed apart from an addition of land located between Te Kakau Stream and Commercial Street, and on an area of land at Meihana Street. New residential growth opportunities have been provided for at Park Avenue. The Medium Density Residential Zone at Rototai Road provides for comprehensive residential development through development in appropriate locations.

It is intended to provide opportunities for new residential growth at other locations such as at Pohara. Future expansion of the dairy factory will result in more industrial land being required. This needs to be as far away as possible from Residential zones because of possible noise effects. Further provision is needed for light industrial activities in Tākaka.

Recent studies have indicated there is a problem with inadequate service lanes and car parking, causing congestion in the town centre on Commercial Street. There is a need to formalise and improve some existing commercial accesses and to provide new pedestrian accessways on the east side of Commercial Street. Additional amenities such as seating and tree planting could enhance Tākaka's role as the key commercial area in Golden Bay.

6.11 TĀKAKA-EASTERN GOLDEN BAY

Refer to Policy set 10.1.

6.11.1 Issues

C8 7/07
Op 10/10

The Tākaka-Eastern Golden Bay Area is defined as the Tākaka Valley lowland area from Tata Beach in the east to Rangihaeata in the west, and south to Upper Tākaka at the base of the Tākaka Hill. It includes the settlement areas of Ligar Bay, Pohara, Motupipi and Tākaka.

Key issues for residential settlement planning in the Tākaka-Eastern Golden Bay Area are:

6.11.1.1 How to ensure that land of high productive value is retained for current or future use in rural production. — C60 1/16, Op 5/19

6.11.1.2 How to discourage dispersed settlement and ribbon development along roads (including State Highway 60) and/or the coastline. — C8 7/07, Op 10/10

6.11.1.3 How to avoid risks associated with development in areas that are flood prone or low lying. — C8 7/07, Op 10/10

6.11.1.4 How to make sure that coastal values, including natural, landscape and heritage values, are not adversely affected by settlement. — C8 7/07, Op 10/10

6.11.1.5 How to protect rural open space, green space areas and rural landscapes from expanding settlement. — C8 7/07, Op 10/10

The key issues specifically for Pohara and environs, which has experienced rapid growth in recent years, are:

6.11.1.6 The need for a coherent pattern of development that includes additional land for residential and rural residential purposes and that is adequately separated from the effects of industrial development.

6.11.1.7 Provision for commercial activities within the development pattern.

6.11.1.8 Recognition of high quality landscape setting and the protection of special features.

6.11.1.9 Rationalisation of industrial activities at Tarakohe and enhanced amenity.

6.11.1.10 The need to improve services, including formation of a comprehensive roading pattern between Pohara and Ligar Bay.

6.11.3 Policies

6.11.3.1 In the Tākaka-Eastern Golden Bay Area, to ensure: **C8 7/07 Op 10/10**

(a) the community has a variety of different residential settlement locations to choose from;

(b) residential settlement opportunities are provided for in coastal and inland locations;

(c) choices in development density and character in appropriate locations have been provided for, including low density residential development and more compact forms of residential development;

(d) local communities and landowners are involved in structure planning for locations identified in Policy 6.11.3.2, prior to the zoning of that land for residential or rural-residential purposes.

Note: The purple text below is operative and was moved from location 6.2.3.8 **C8 7/07 Op 10/10**

6.11.3.1A To avoid inappropriate expansion of existing residential areas in the Tākaka-Eastern Golden Bay Area where the land is of high productive value.

Note: The purple text below is operative and it is proposed to relocate it from location 6.4.3.

6.11.3.1B In the Tākaka-Eastern Golden Bay Area, to ensure that:

(a) the long-term limits of coastal settlement areas are defined and then protected, in all directions, to prevent inappropriate sprawl;

(b) new coastal development is concentrated within and inland of existing coastal settlement areas to avoid coastal ribbon development and help to protect natural heritage and coastal landscape values;

(c) alternative solutions to continued expansion along the coast are considered, such as more compact forms of low impact design building, to address the demand to live in proximity to the coast;

(d) new residential settlement in low-lying coastal areas at risk from coastal hazards are avoided;

(e) outstanding coastal landscapes are protected from built development and land uses;

(f) low impact design building solutions for all built development within the coastal environment are encouraged;

(g) legal and physical protection of the margins of coastal landscapes that have high natural heritage values, such as estuaries and coastal wetland environments, is required;

(h) opportunities for low density, low impact design building development are considered, where landscape values are protected, where the land has low productive value (Class D lands or poorer), and where there are net gains for protection and enhancement of the coastal environment, such as public access opportunities, cultural heritage protection and restoration of natural heritage values.

Note: The purple text below is operative and it is proposed to relocate it from 6.6.3.10

6.11.3.1C In the Tākaka-Eastern Golden Bay Area, to ensure that:

(a) ~~defined commercial and service centres, such as Tākaka, are the hub of the community, providing goods and services, community amenities, sustainable economic opportunities and social interaction,~~

the Tākaka Town Centre (Central Business Zone) continues to develop as the main hub for commercial and service activities for the community, providing goods, services and community amenities, sustainable economic opportunities and social interaction;

(b) de-centralised business opportunities in the other established ~~locations~~ local centres of Collingwood ~~such as Tarakohe~~ and Pohara, are provided for in order to service ~~those communities;~~ the needs of the residential catchment;

(c) commercial centres are safe, high amenity areas that people and communities can use and enjoy for a range of service and social activities

6.11.3.2 In the Tākaka-Eastern Golden Bay Area, to: **C8 7/07 Op 10/10**

(a) provide for denser residential development at Rangihaeata, subject to appropriate wastewater management, management of airfield cross-boundary effects, and an assessment of coastal landscape and natural heritage values, and protection of them from inappropriate subdivision and residential development, and the effects on State Highway 60;

(b) provide for a residential settlement area centered at the existing Park Avenue location, subject to: particular consideration of appropriate residential development standards; safe car, pedestrian and cycleway access to Tākaka; low impact design solutions; infrastructure services provision (including that of State Highway 60); community amenities; and possible future commercial development opportunity;

(c) provide for some more development opportunity in the Pohara area, subject to an assessment of natural heritage, character and amenity values; infrastructure servicing requirements (including that of State Highway 60); access and roads; commercial development; parks and reserves; and the identification and appropriate protection of coastal landscape values;

(d) provide for more development opportunity in Ligar Bay and Tata Beach areas (including the coastal catchments), subject to an assessment of natural heritage, character and amenity values; infrastructure servicing requirements (including that of State Highway 60); access and roads; commercial development; parks and reserves; and the identification and appropriate protection of coastal landscape values;

(e) consider low impact building design, low-density rural-residential development at the Motupipi Hill location, subject to the assessment, identification, long-term protection and restoration of coastal values, especially sensitive estuarine margins; public access opportunities; the assessment, identification and protection of significant landforms; and appropriate infrastructure services (including that of State Highway 60), including suitable access;

(f) provide for mixed use development opportunities at Tarakohe, subject to: particular consideration of the proximity of Port Tarakohe; potential for adverse cross-boundary effects; the protection and enhancement of landscape values; and appropriate infrastructure servicing;

(g) consider low-density residential development of the eastern flank of the Rototai Hill – Hambrook road landform, subject to particular consideration of: landscape values; ridgeline protection; and the management of karst terrain.

6.11.3.3 To allow for a range of urban land uses at Pohara and Ligar Bay, including additional land for residential and rural residential purposes.

6.11.3.4 To allow for commercial activities at Pohara.

6.11.3.5 To promote a coherent pattern of development by encouraging extension of the existing roading network between Pohara and Ligar Bay in the general alignment identified on the planning maps.

6.11.3.6 To promote the protection of significant landscape features including indigenous vegetation remnants and rock outcrops at Pohara, Tarakohe and Ligar Bay/Tata from inappropriate subdivision, use and development.

6.11.3.7 To reduce the extent of industrial zoning at Tarakohe but to retain land to service the port at Tarakohe.

6.11.3.8 To enhance the amenity and safety of the remaining Tarakohe industrial area through a programme of works including amenity planting, removal of waste material and equipment, and demolition and removal of redundant structures.

6.11.20 Methods of Implementation

6.11.20.1 Regulatory

(a) Rules limiting subdivision at Tata Headland and preventing subdivision at Tata Heights.

(b) Rules controlling the removal of indigenous forest.

(c) Rules to require developers to construct roading infrastructure in general accord with the indicative roading pattern on the planning maps.

(d) Rules requiring landscaping of industrial subdivisions.

6.11.20.2 Advocacy

(a) Advocating for the protection of natural features through covenants or reservation.

6.11.20.3 Works and Services

(a) Identify an indicative roading corridor between Pohara, Pohara Valley and Ligar Bay.

6.11.30 Principal Reasons and Explanation

The Tākaka-Eastern Golden Bay Area is defined as the Tākaka Valley lowland area from Tata Beach in the east to Rangihaeata in the west, and south to Upper Tākaka at the base of the Tākaka Hill. C8 7/07 Op10/10

C8 7/07 Op 10/10

The loss of land of high productive value to residential development in the Tākaka-Eastern Golden Bay Area is an issue that must be addressed in relation to the expansion of settlement areas. C60 1/16 Op 5/19

Note: Purple text below is operative and is proposed to be moved from location 6.2.30.

Many existing settlement areas such as Tākaka, Clifton and Motupipi are located on such land, and further expansion of them should be avoided. C8 7/07 Op10/10

In the Tākaka-Eastern Golden Bay Area, requiring that settlement take place in defined locations can prevent dispersed and inappropriate development. This can help in avoiding adverse effects on rural values, coastal values and productive land resources, as well as establishing settlements that are more cost-effective to service and less dependent on private vehicles for transport.

A range of locations and different densities of development can ensure that the lifestyle demands of different people can be met, and can help to ensure that more affordable locations are provided for.

Settlement patterns are guided by the objectives and policies of this section.

Promotion of urban development in a defined area at Pohara/Tarakohe/Ligar Bay is an alternative to development elsewhere where adverse effects on the natural character of the coastal environment are regarded as inappropriate and unacceptable. Pohara/Ligar Bay has been and will continue to be a growth centre in Golden Bay. It is an attractive area for future development as it has good recreational facilities and is close to extensive, safe and sandy beaches and a deep water port. It is proposed that future development should consolidate around the existing settlement and provide for some commercial or tourist activities, with

compatible industrial activities at Tarakohe. Some essential services such as water supply and roading need upgrading.

Coherent growth of the Pohara/Tarakohe/Ligar Bay area depends on improvements to the local roading network, to provide an alternative link between Pohara and Ligar Bay. An investigation has identified appropriate corridors that will lead to an integrated roading pattern with minimal adverse effects on the environment.

Note: The purple text below is operative and it is proposed to relocate it from location 6.3.30. C8 7/07 Op 10/10

The Tākaka-Eastern Golden Bay Area is defined as the Tākaka Valley lowland area from Tata Beach in the east to Rangihaeata in the west, and south to Upper Tākaka at the base of the Tākaka Hill.

In the Tākaka-Eastern Golden Bay Area, it is important that issues and options for efficient and effective infrastructure services provision are discussed with the local community, and that this occurs prior to the re-zoning of land for settlement purposes.

This may occur in the form of a structure planning exercise or through an integrated approach to Long Term Council Community Plan and resource management planning discussions. **C8 7/07 Op 10/10**

Since the closure of the Golden Bay Cement Works in 1988, site-clearing works have proceeded slowly. The extent of industrial zoning on the attractive limestone formations between Ligar Bay and Tarakohe, and Pohara and Tarakohe, has been reduced in recognition of their high landscape and ecological values and inappropriateness for industrial development. However, Port Tarakohe is expected to have a significant role as the principal port in Golden Bay, servicing marine farming and tourist industries. Some industrial land is being retained at Tarakohe to provide for new port-related industries and other light industries. Where feasible and safe, worked over areas of the former quarry will be developed for utilisation by new industry.

At Tata Heights and on the Tata tombolo, subdivision is limited to prevent adverse effects on indigenous vegetation remnants and geological features in the coastal environment.

6.12 COLLINGWOOD

Refer to Policy sets 8.1, 8.2, 13.1.

6.12.1 Issues

The main issues in Collingwood are:

6.12.1.1 A need to upgrade services, including roading, and ensure the provision of a public water supply and a stormwater system to cope with the proposed pattern of development.

6.12.1.2 Ensuring any boating facilities in the Ruataniwha Inlet are integrated with appropriate onshore facilities and the natural character of the inlet.

6.12.1.3 Recognition of natural hazards such as flooding, coastal erosion and slope instability.

6.12.1.4 The need for the maintenance and enhancement of the character of Collingwood - including protecting natural values of the hill backdrop to the town, the coastal margin of the inlet, and the sandspit.

6.12.1.5 Protection of Collingwood's heritage values and enhanced urban design of Tasman Street.

6.12.1.6 The appropriate direction of future development in Collingwood.

6.12.3 Policies

6.12.3.1 To progressively upgrade the urban roading network and provide an alternative emergency route for State Highway 60 and stop inappropriate paper roads that have no practical or safe access function.

6.12.3.2 To enhance proposed mooring facilities in the Aorere estuary with appropriate onshore facilities such as parking and amenities such as landscaping.

6.12.3.3 To promote the concept of an amenity plan for the rear yards of Tasman Street, Collingwood properties which adjoin the Ruataniwha Inlet to enhance public use of the adjoining estuarine margin.

6.12.3.4 To avoid, remedy or mitigate the adverse effects of locating development on natural hazard areas.

6.12.3.5 To encourage any future development for residential and rural residential purposes to locate behind the existing developed area and to avoid its spread along the coastline or into areas that are highly visible or have high natural values.

6.12.3.6 To protect and enhance Collingwood's heritage values and improve the appearance of the main street.

6.12.3.7 To protect bush remnants on the coastal scarps at Collingwood.

6.12.20 Methods of Implementation

6.12.20.1 Regulatory

(a) Rules limiting development in the Slope Instability Risk Area.

(b) Rules limiting alteration of heritage buildings.

(c) Consent required to remove indigenous forest in the Coastal Environment Area.

6.12.20.2 Works and Services

(a) Concept plan for inlet foreshore and main street.

6.12.20.3 Investigations

(a) Investigate opportunities for public access along unformed legal roads, particularly as routes for public walkways, and consider safety at public road interfaces.

6.12.30 Principal Reasons and Explanation

The roading pattern for Collingwood was laid out last century and it bears little relationship to the topographical constraints that exist. However, before any road is closed, opportunities for pedestrian access will be investigated as visitors and residents are seeking access to and along the coast. The investigations will include the consideration of safety at interfaces with the formed road network. The walkway routes shown in the Collingwood Strategic Plan will be used as a guide. An alternative route is needed to the one existing access to Collingwood around the Aorere estuary as it is prone to flooding and this risk is likely to increase with predicted sea-level rise. The continued growth in recreational fishing has resulted in a demand for further facilities in and adjoining the Aorere estuary. Adequate parking is required in close proximity to the boat ramp and mooring area and the commercial wharf.

The coastal scarps which separate the upper and lower parts of Collingwood are unstable and have not been zoned urban. They also add to the character of the town in their vegetated and unbuilt state. The end of the Collingwood sandspit is a mobile feature that is unsuitable for permanent structures. The long-term development of Collingwood should be directed away from sensitive locations.

6.13 ~~SETTLEMENTS~~ URBAN AND RURAL CENTRES IN OR ADJOINING NATIONAL PARKS

Refer to Policy sets 8.1, 8.2, 10.1.

6.13.1 Issues

There are a number of ~~settlements~~ urban and rural centres in the District which are located inside or close to national park boundaries. The main locational issues are:

6.13.1.1 The extent, type and location of additional development at Marahau - consolidation at Marahau township or scattered development near the national park boundary.

6.13.1.2 The extent, type and location of additional development at St Arnaud (including Tophouse/Wairau Saddle) and Lake Rotoroa – provision for alternative growth areas that minimises the adverse effects on Nelson Lakes National Park. The main effects are likely to be loss of indigenous vegetation and inappropriate buildings.

6.13.1.3 The extent and type of development at Awaroa - consolidation of existing urban activities.

6.13.1.4 The density and extent of development at Torrent Bay.

6.13.3 Policies

6.13.3.1 To provide additional land at Marahau for residential and business development, consolidating between the existing arms of development, and for recreational and tourist development at the beachfront, in keeping with the special rural and coastal character of the area.

Note: The purple text below is operative and it is proposed to relocate it from location 6.3.3.3.

6.13.3.1A To promote the establishment of a reticulated servicing system for wastewater treatment and disposal and water supply at Marahau by ensuring the design of the water and wastewater systems for the tourism development at Marahau (Section 111 Block VI and Block XII) can incorporate the necessary upgrades to service the wider settlement.

6.13.3.2 To support and encourage an appropriate coastal management process in conjunction with beachfront tourist and recreational development at Marahau.

6.13.3.3 To protect a future road alignment generally as indicated on Zone Map 82 for an access road (refer to *AS/NZS 2890.1* and *AS/NZS 2890.6 - Parking Facilities*.~~as defined in Schedule 16.2D~~) at Marahau that will:

(i) primarily serve land to the rear of the Marahau settlement which is zoned for future residential development;

(ii) primarily have a property access function;

(iii) incorporate traffic calming and control features to discourage use of the road by traffic generated from non-residential activities.

6.13.3.4 To provide a small area of additional land for residential opportunities at Lake Rotoroa.

6.13.3.5 To protect ecosystems, indigenous vegetation and other outstanding natural features adjoining and within Marahau, Rotoroa, Awaroa and St Arnaud townships to enhance their settings close to a national park.

6.13.3.6 To enable a limited amount of new residential growth at St Arnaud adjacent to Borlase Avenue and in depth on the north side of State Highway 63 behind existing development, subject to the implementation of wastewater measures designed to avoid contamination of Lake Rotoiti or any stream draining to the lake, and to retention of the natural character of the margins of the lake and the national park.

6.13.3.7 To provide an alternative growth area for St Arnaud in the form of two rural-residential areas in the Tophouse locality.

6.13.3.8 To retain a clear rural character which avoids ribbon development between Tophouse junction and St Arnaud.

6.13.3.9 To maintain a residential lot size at St Arnaud township sufficient to retain the area's natural character.

6.13.3.10 Resubdivision of existing residentially-zoned allotments crossed by the Alpine Fault in Robert Street, Holland Street and Borlase Avenue at St Arnaud will not be permitted.

6.13.3.11 To promote consolidation of commercial development and tourist accommodation near the centre of St Arnaud.

6.13.3.11A To provide for cultural land use activities in St Arnaud within an identified Papakāinga Zone**.** **C78 9/22 Op 3/23**

6.13.3.12 To avoid adverse visual effects of buildings and site development works on the amenity and character of Marahau, Awaroa, St Arnaud, Rotoroa and Torrent Bay.

6.13.3.13 To avoid, remedy or mitigate the adverse effects of tourist activities and of the scale of tourist development at Awaroa, St Arnaud, Rotoroa, Marahau and Torrent Bay.

6.13.3.14 To ensure facilities servicing visitors to Marahau and the Abel Tasman National Park are compatible with the natural environment and do not adversely affect public access to the foreshore.

6.13.3.15 To establish higher performance standards for the use of on-site disposal of domestic wastewater in the Marahau Special Domestic Wastewater Disposal Area.

6.13.20 Methods of Implementation

6.13.20.1 Advocacy and Education

(a) Promotion of information about the effects of cats on indigenous wildlife and discouraging the keeping of cats at St Arnaud and Rotoroa.

(b) Council to prepare an advisory pamphlet listing trees and shrubs and other vegetation appropriate for the St Arnaud area, consistent with those occurring naturally in the area.

6.13.20.2 Works and Services

(a) Any plants provided by Council to landowners for street frontage enhancement in new urban subdivisions in St Arnaud are appropriate indigenous species.

6.13.20.3 Regulatory **C78 9/22 Op 3/23**

(a) Pāpakāinga zoning in St Arnaud to provide for cultural activities.

6.13.30 Principal Reasons and Explanation

Marahau

Many small-scale tourist ventures have established in the small Marahau settlement and its environs near the southern entrance to the Abel Tasman National Park since the Riwaka-Sandy Bay road to the Abel Tasman National Park has been upgraded. More attention to parking, access, coastal management processes and open space provision along the Marahau foreshore area will be necessary as development continues. An indicative road alignment has been shown on Zone Map 82 for Marahau to ensure future integrated development of land to the rear of the Marahau settlement. The purpose of this notation is to protect the future road alignment

for an access road ~~(as defined in Schedule 16.2D)~~ to provide a property access function primarily serving land which is zoned for future residential development. Some of the land

Note: The Purple text below is operative and it is proposed to relocate it from location 6.3.30.
At Marahau the tourist services zoning of the land at Section 111 Blk VI and Blk XII is allowed for as it is provided for in the Marahau Strategic Development Review (July 1998) and the site's servicing for water and wastewater treatment and disposal will be designed to allow for upgrades that can provide reticulated services for Marahau in the future.

which the indicative road will serve is also zoned for future tourist services. It is intended that this road will be developed as a low impact residential access road incorporating constraints to through traffic (making use of traffic calming and control features).

Further ventures will be encouraged to locate in or adjoining the township and so as to avoid the low-lying, flood-prone land in the Marahau Valley and the unstable coastal margin. Marahau settlement has an attractive setting of native bush and coastline. The Council will endeavour to have the bush protected by covenant or reserve.

St Arnaud

St Arnaud services and is the gateway to Nelson Lakes National Park. While it has long been a small summer holiday resort, it is developing facilities to cater for increasing winter recreation at the nearby ski-fields.

The most significant constraints on development are surveyed support for only moderate township growth and environmental matters such as protection of native vegetation and the water quality of Lake Rotoiti.

An alternative growth area has been developing at Tophouse, providing for low density residential allotments. The extent of land zoned Rural Residential at Tophouse/Wairau Saddle is sufficient for those seeking larger lots in an alpine environment without adversely impacting on the national park or the setting of St Arnaud township. St Arnaud is expected to remain the main focus for services and facilities.

It is necessary to restrict development (including subdivision) in the vicinity of the Alpine Fault, an active fault that crosses the township.

Additional commercial zoning is provided in the centre of St Arnaud to serve the Lake Rotoiti area and minimise effects of commercial development on other areas.

Provision for new residential development on land adjacent to Borlase Avenue and to the rear of existing residential development on the north side of the State Highway is subject to the development of an approved reticulated wastewater system. With this, a slightly higher density than some other parts of the township is expected to occur while maintaining the existing character of the area.

There is Papakāinga zoning on Massey Street to provide for cultural activities. The Papakāinga Zone provides for a range of activities and includes performance standards to ensure that adverse cross-boundary effects do not occur. **C78 9/22 Op 3/23**

Soil or geology limitations in the Marahau Special Domestic Wastewater Disposal Area result in increased risks of adverse effects from on-site domestic wastewater systems.

Lake Rotoroa

Rotoroa is a small urban settlement partly surrounded by national park and has a limited capacity to absorb other than moderate growth.

Awaroa and Torrent Bay

Awaroa and Torrent Bay are small settlements surrounded by national park, with limited capacity to absorb environmental effects of further development.

6.14 KAITERITERI

Refer to Policy sets 8.1, 8.2, 10.1, 13.1.

6.14.1 Issues

The main issues in Kaiteriteri are:

6.14.1.1 Upgrading water supply services to cope with the scale of development.

6.14.1.2 Management of effects which cross the boundary between activities occurring on the land and those occurring on the water.

6.14.1.3 Recognition of natural hazards such as slope instability, coastal erosion and other hazards such as fire.

6.14.1.4 Opportunity for the establishment of land use activities related to the visitor industry.

6.14.1.5 Enhanced amenity of the main beachfront, particularly access to it.

6.14.1.6 Protection of natural features such as wetlands and native forest remnants and archaeological sites.

6.14.1.7 Consolidation of development within existing urban boundaries.

6.14.3 Policies

6.14.3.1 To require provision for full servicing of new subdivisions and staging of development between Stephens Bay and Little Kaiteriteri.

6.14.3.2 To pursue the provision of car parking at Kaiteriteri, especially in relation to commercial activities, including those which occur on the water.

6.14.3.3 To control land use activities and subdivision to avoid any adverse environmental effects in terms of sedimentation, erosion, instability and loss of visual amenity.

6.14.3.4 To provide for commercial activities, tourist services and recreation at appropriate locations that minimise adverse effects within Kaiteriteri.

6.14.3.5 To redesign the main Kaiteriteri beachfront access to improve parking and visual amenity.

6.14.3.6 To provide for reserves and pedestrian access at key locations.

6.14.3.7 To encourage the efficient use of land and infrastructure within Kaiteriteri, including the development of a large area of residentially zoned land between Stephens Bay and Little Kaiteriteri.

6.14.20 Methods of Implementation

6.14.20.1 Regulatory

(a) Rules requiring
connection to services
contributions to car parking from commercial activities on land
engineering certification of sites and works

6.14.20.2 Works and Services

(a) Design project for Kaiteriteri beachfront.

(b) Additional reserves and walkways in the Little Kaiteriteri/Stephens Bay area.

6.14.30 Principal Reasons and Explanation

It is Council policy to provide a reticulated water supply to the whole Kaiteriteri settlement as soon as possible and subdivisions will be expected to be designed accordingly.

The Kaiteriteri beachfront becomes very congested at times and parking is at a premium. It is proposed to redesign the road between the beach camp and the beach and improve parking access and amenities in the current planning period.

To make provision for day-trippers, Council will provide short-term parking spaces adjoining Kaiteriteri, Little Kaiteriteri and Stephens Bay beaches. Long-term parking for boat trailers and national park visitors' vehicles will be provided on the former tip site as an interim use, until such time as the tip site has consolidated and the permanent population justifies some other zoning such as for further commercial land.

Because of Kaiteriteri's scenic quality, limited areas of the beaches and safety considerations, water-related structures such as boat ramps and jetties will need to be located away from the centre of the beach areas. A co-ordinated approach on these matters will be pursued with the Kaiteriteri Recreation Reserve Board and the Department of Conservation.

The natural attractions of the area are its climate, golden sandy beaches, sea views, clear waters, rocky and bushed headlands and pockets of bush, wetlands and estuary. The conservation of these features and provision of access to them is important.

To encourage access both along and to the coast, between and within residential areas and recreational areas, the provision of walking tracks will be an important consideration in the design of future subdivisions. Subdividers will be encouraged to design in such a way that physical access to the coast penetrates deep into the subdivision.

Adequate provision for reserves at key locations at Kaiteriteri is important to help protect views and recreational opportunities. It is intended that reserves provision be made on the headland at the southern end of Little Kaiteriteri and at Dummy Bay.

Much of the land at Kaiteriteri is highly erodible Separation Point Granites that require particular care when earthworks and vegetation removal are undertaken. Developers and builders will be required to carry out erosion mitigation measures. The Kaiteriteri area has a history of Māori settlement, with defended pa sites at Kaka Point, Anawhakau and Pa Point. There are also wāhi tapu sites.

6.15 MĀPUA/RUBY BAY

Refer to Policy set 18.1.

6.15.1 Issues

C22 2/11
Op 1/15

The Māpua/Ruby Bay area is defined as the area east of the Ruby Bay Bypass and Old Coach Road extending to the coastline at Ruby Bay/Te Mamaku, northwards to the Brabant Drive subdivision and southwards to the Waimea Estuary. It is characterised by a diverse mix of lifestyle properties, orchards, cottage industries, low-lying rural land and the village settlements of Māpua and Ruby Bay. It is flanked by the Rural 3 Zone on the hills to the north and south.

Key issues for settlement planning in Māpua and Ruby Bay are:

6.15.1.1 Sustainable management of major coastal hazards of erosion and inundation that takes account of existing coastal protection structures, current projections on sea level rise, land levels and demand for public access.

6.15.1.2 Management of the extent of urban development so that the unique character of the area is retained, including the protection of many archaeological sites, ecological values, natural vegetation features and some orchard land.

6.15.1.3 Identification of some suitable areas for more intensive residential development to provide for changing lifestyles and to make more efficient use of land and energy.

6.15.1.3A The need to provide higher density housing options and a variety of dwelling sizes and form in Māpua.

6.15.1.3B The need to provide sufficient business and industrial land in Māpua close to where people live where it can support the growth of the Māpua community.

6.15.1.4 To have well-connected open space in new development areas and adjoining the Waimea Estuary to recognise its natural features.

6.15.1.5 Redevelopment of the remediated previously contaminated site adjoining the Tahi Street/Aranui Road intersection with an appropriate mix of well-designed ~~residential,~~ commercial and recreational ~~activities~~ land.

6.15.1.6 The management of cross boundary effects of buildings on the coastal plain at Ruby Bay.

6.15.1.7 Integration of Māpua/Ruby Bay community with adjoining parts of the rural residential community.

6.15.1.8 The need for the rate of urban development to be aligned with the servicing provisions in the Long Term Plan.

6.15.1.9 Integrated management of stormwater using low impact design solutions, where practicable, and maintaining low-lying flood prone land for ponding during major flood events.

6.15.1.10 The need to recognise the vulnerability of areas to coastal inundation risk including the Māpua Light Industrial Area.

6.15.3 Policies

6.15.3.1 Maintain and enhance the character of Māpua by directing growth to defined areas, while applying urban design requirements and restricting residential and commercial building heights (within the coastal commercial zone) to ensure development is consistent with the existing character and landscape setting. ~~To maintain and enhance the character of Māpua by accommodating growth within specified limits on the surrounding hill land, including urban design requirements and restricting residential building heights and in such a way that it retains its village scale, its heritage and natural vegetation and wildlife features.~~ **C22 2/11 Op 1/15**

6.15.3.2 To accommodate rural residential growth at Ruby Bay on the hill slopes above the Bay to retain a transition between urban and rural landscapes and to avoid exacerbating the risks from coastal erosion, inundation and the loss of archaeological sites on the coastal plain. **C22 2/11 Op 1/15**

6.15.3.3 To provide improved management of the cross-boundary effects of buildings and structures on the Ruby Bay flats.

6.15.3.4 To maintain Māpua wharf, and its historic wharf buildings, and the commercial sites at the south-eastern end of Aranui Road as a vibrant and active visitor destination, incorporating the eastern part of the ex Fruitgrowers Chemical Company site to provide for a limited extension of visitor attractions that complements the historic and low key maritime atmosphere and enhances public access to and along the foreshore.

6.15.3.5 To support residential growth, ~~To~~ develop and extend the Māpua commercial area ~~as the retail and community facilities centre~~ and integrate ~~it~~ with the development of ~~the~~ adjoining reserve~~s~~, particularly in respect of parking, landscaping and ensuring a safe traffic environment on Aranui Road and Māpua Drive.

6.15.3.5A To avoid the long-term industrial use of land that is at risk of exposure to inundation, coastal hazards and sea level rise in the long term.

6.15.3.6 To avoid new buildings on those parts of the coastal margins, Māpua channel entrance, and Ruby Bay/Te Mamaku cliffs which are most at risk from erosion, slips and inundation.

6.15.3.7 To identify a Coastal Risk Area between Māpua and Ruby Bay where all subdivision and development will be limited to avoid the long-term adverse effects of coastal erosion and inundation.

6.15.3.8 To create a highly connected network of open spaces and local and regional accessways through and around Māpua and Ruby Bay that encourages people to walk and cycle.

6.15.3.9 To retain a natural buffer between the edge of the Waimea estuary, the coastal vegetated gullies and scarps and surrounding land use.

6.15.3.10 To ensure streets are well connected to reduce travel distances for vehicle, cycle and pedestrian traffic in Māpua and Ruby Bay.

6.15.3.11 To encourage heavy industrial activities to locate outside the Māpua township and to enable a modest extension of the Warren Place business area as a light industrial park based on principles of waste minimisation and sustainable energy.

6.15.3.12 To minimise stormwater runoff through catchment-wide management and utilize low impact stormwater design, where practicable, that provides for stormwater as well as open space and recreational needs.

6.15.3.13 To enable a range of housing types that meet different household needs such as for more energy-efficient housing and for smaller households.

6.15.3.13A To provide for comprehensive developments in the Medium Density Residential Zone and in Outline Spatial Plan areas in Māpua.

6.15.3.14 To develop and maintain high quality, enduring public spaces both at the water's edge and within Māpua.

6.15.3.15 To provide specific management of land disturbance at the Māpua waterfront park site, the ex landfill site and adjacent creek, and Tahi Street roadway.

6.15.3.16 To defer development in areas where three-water and transport services require upgrading or a dam break risk exists ~~and to indicate an area on the southwest side of Seaton Valley Road where very long-term development beyond 2031 could take place~~.

6.15.3.17 To ensure a high quality visual experience and a gateway environment on the Māpua Drive route from the Ruby Bay bypass (Te Mamaku Drive) to Māpua.

6.15.3.18 In locations within the Medium Density Residential Zone where intensification occurs, to increase the extent of tree cover on public land, particularly through the greening of streets, and where practicable to increase the overall tree coverage.

6.15.3.19 To ensure suitable land and infrastructure is available in Māpua for residential and business use, and for active and passive recreation.

6.15.3.20 Within any comprehensive development of four or more dwellings in Māpua, the design of buildings must incorporate a range of forms and finishes to avoid uniform repetition.

6.15.3.21 To prioritise the ecological values of the Seaton Valley Stream and newly wetland at 49 Seaton Valley Road by avoiding the keeping of domestic cats on properties that are within the adjoining new residential development.

6.15.20 Methods of Implementation

6.15.20.1 Regulatory

(a) Setbacks from identified cliffs and the coastline. **C22 2/11 Op 1/15**

(b) Coastal Risk Area rules limiting permanent buildings close to the coast.

(c) Rules limiting subdivision at Ruby Bay.

(d) Rules limiting removal of bush in the Coastal Environment Area.

(e) Rules limiting the removal of and alteration to archaeological sites prior to gaining archaeological authority and, if required, Council consent. *(See rule 16.13.6.1)*. **C22 2/11 Op 1/15**

(f) Rules allowing smaller residential lots in the Medium Density Residential Zone and Māpua~~-Special~~ Development Areas.

(g) Medium Density Residential Zone in locations that are appropriate for comprehensive development.

(h) Outline Spatial Plans for large greenfield areas within Residential and Medium Density Residential Zones in Māpua.

(i) Establish a domestic cat exclusion area in the Outline Spatial Plan for Seaton Valley.

6.15.20.2 Investigations

(a) Concept plan for integration of Aranui Rd/Toru St commercial area, hall and adjoining reserve. **C22 2/11 Op 1/15**

(b) Concept plan for integrating the waterfront park with the wharf area.

6.15.20.3 Works and Services

(a) Indicative walkway network to be implemented with parking where appropriate.

(b) Maintenance of viewpoints. **C22 2/11 Op 1/15**

(c) Streetscaping of Aranui Road and landscape plan for Māpua Drive.

(d) Site Management Plan for Waterfront Park.

(e) Site Management Plan for ex landfill site.

6.15.30 Principal Reasons and Explanation

Māpua/Ruby Bay is a popular place to live and visit with its attractive views and access to the sea and surrounding hills. It also provides a service centre for central parts of the Rural 3 Zone nearby. **C22 2/11 Op 1/15**

In recent years it has sustained quite a high rate of growth and services, such as water supply, have become stretched at times. Low-lying parts of Māpua and Ruby Bay are susceptible to flooding during high rainfall events.

To keep pace with and ensure sustainable development in the Māpua Ruby Bay area wastewater, stormwater, water supply and roading systems are being upgraded. A programme of works is included in the Council's Long Term Plan. While low impact stormwater systems are encouraged, they may not be appropriate on some areas such as hill or clay soil areas.

Coastal erosion and inundation are significant hazards experienced on the coastal plain extending from McKee Domain to the Māpua Leisure Park. A report prepared for the Council by Professor R M Kirk and Dr J C Allan in November 1998 presented the results of an investigation into coastal erosion and sea water inundation hazards at Ruby Bay. This report found that chronic erosion has occurred at Ruby Bay for at least most of the twentieth century. It states that some 13.2 hectares of land were lost to the sea between 1912 and 1988 at an average coastal retreat rate of 0.48 metres per year. Since the report, coastal erosion and inundation protection structures have been erected along a substantial length of this coastline. Many of these are privately owned, have variable degrees of effectiveness and do not fully prevent inundation. Almost all have affected public access to and along the coast, particularly at the time of high tide. Land adjoining parts of Tahi and Iwa streets is low lying and susceptible to future coastal inundation.

~~The latest advice from the Intergovernmental Panel on Climate Change and the Ministry for the Environment is that base sea level will continue to rise, to 0.50 metres above the 1980-1999 average by 2090-2099. Within this timeframe, the consequences of at least a further 0.30 metre sea level rise also need to be considered.~~ On land most at risk from coastal erosion and inundation, further permanent building development will not be permitted and some areas closed to further subdivision. Residential development at Ruby Bay is closed and in parts of Tahi and Iwa streets is limited to further subdivision to minimize the hazard risk to additional dwellings. The Coastal Risk Area, previously based only on long-term erosion rates occurring until 2040 on a natural coastline, has been reassessed and adjusted to account for present works and also for when further planned protection works have been completed. It also takes account of inundation.

On land occupied by the Māpua Leisure Park the coastline is dynamic and subject to coastal erosion and accretion and possible inundation. Existing development is of a relocatable nature and therefore appropriate in this environment. The Tourist Services Zone controls are therefore designed to ensure that future development is also appropriate. This area of the coastline experiences extremes of both erosion and accretion which makes future scenarios difficult to predict. In considering any proposal, the rather transient nature of the coastline must be able to be accommodated within the proposal with minimal risk to the investment.

Māpua wharf and its related historic buildings have redeveloped as a vibrant area for specialist shops and cafes while the adjoining boat ramp provides access to the Māpua Channel. The remediated site nearby provides opportunities for a mix of ~~residential~~, commercial and recreational developments which complement the wharf area. ~~The western side of the site has been remediated to a sufficient standard to allow residential activities. Because the site is within walking distance of many facilities, it is considered suitable for a slightly higher density of residential development that is less car-dependent.~~ The design of the remediated area should emphasise the creation of a pedestrian-friendly precinct with appropriate development that responds to the coastal setting and historic character and allows pedestrian access from the Māpua Channel frontage across the site to the Waimea estuary frontage.

On the east side of Tahi Street, the site has high potential visual amenity, with views over the channel and towards Rabbit Island/Moturoa. Council wishes to see new development capitalise on this value in activities such as tourism and recreation at a scale that will not compromise adjoining residential areas.

C22 2/11
Op 1/15

~~The main commercial area at Aranui Road/Toru Street has the potential to expand and be better integrated with the adjoining hall and reserve land. Future streetscaping is expected to calm traffic and improve the appearance of Aranui Road once pipe services beneath the street have been renewed.~~

Wetlands and pockets of bush (in coastal gullies, on ridges and scarps) contribute to the landscape character of Māpua and Ruby Bay and provide a natural edge to the Waimea estuary, a wetland of international importance. They should be retained wherever possible. The Māpua wetland is a small area of private open space.

There are opportunities to enhance ecological values as new reserves are developed in new subdivisions on the hillsides and near the coast and Seaton Valley Stream, and as existing older reserves are redeveloped. Buffers of varying widths are required on the estuary edge to allow for future restoration planting and sea level rise, to minimise bird disturbance and sedimentation in the estuary and its shellfish beds.

Access to and along the coast is sought by residents and visitors to Māpua/Ruby Bay. Where new access for walkways is formed, it may be necessary to minimise adverse effects on the road network by providing parking in appropriate locations.

The Medium Density Residential Zone provides for comprehensive residential development through redevelopment in appropriate locations that are walkable to the village centre.

The comprehensive design of Residential and Medium Density Residential Zoned land in Seaton Valley and Higgs Road is required through the use of Outline Spatial Plans (ODPs) which guide the expected form of future development to achieve the outcomes sought. The ODPs are provided in Schedule 16.3D.

As sea levels rise, the Māpua Light Industrial Area is progressively vulnerable to coastal inundation hazards. Development design needs to take into account the coastal inundation hazards.

6.16 BRIGHTWATER

Refer to Policy set 13.1.

6.16.1 Issues

Brightwater, one of the earliest European settlements on the Waimea Plains, ~~is projected to have a population of 2412 by 2039, and~~ has experienced significant population and employment growth in recent years. The current issues are: **C57 11/15 Op 12/18**

6.16.1.1 Recognition of flood hazard risk on the low-lying land in the vicinity of the Wairoa and Wai-iti rivers and the Pitfure and Mt Heslington streams, and possible dam break hazard on the land between Katania Heights Road and the Brightwater Deviation State Highway in the Brightwater Development Area.

6.16.1.2 The need to manage urban expansion on land of high productive value. **C75 9/22 Op 10/23**

6.16.1.2A The need to provide higher density housing options that achieves a high standard of amenity, and variety of lot sizes on land where urban expansion does occur.

6.16.1.2B The need to provide higher density housing options and a variety of dwelling sizes in central Brightwater

6.16.1.3 Adverse amenity effects from the dispersed pattern of industrial activities in Brightwater and need for better separation and management of effects.

6.16.1.4 Providing recreation and community facilities in response to demand projections, existing supply and Council's priorities across the district. **C57 11/15 Op 12/18 C75 9/22 Op 10/23**

6.16.1.5 Improved connectivity between the residential area and the school.

6.16.1.6 Protection of Brightwater's heritage values and enhanced urban design of Ellis Street and adjoining open space.

6.16.1.7 Management of road noise received from State Highway 6 within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road, and land between Katania Heights Road and the Brightwater Deviation State Highway. **C75 9/22 Op 10/23**

6.16.3 Policies

6.16.3.1 To manage the effects of the expansion of Brightwater on land of high productive value by providing for future residential areas south east of Snowdens Bush and for further lots on Watertank Hill, and by ensuring efficient use of land in the Brightwater Development **C57 11/15 Op 12/18 C75 9/22 Op 10/23**

Area (between Pitfure Stream, State Highway 6, and Lord Rutherford Road; and between Katania Heights Road and the Brightwater Deviation State Highway).

6.16.3.1A To require higher density housing options and a variety of lot sizes on land within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road; and the area between Katania Heights Road and the Brightwater Deviation State Highway which achieves a high standard of residential amenity through design in accordance with the Urban Design Guide (Part II, Appendix 2). **C75 9/22 Op 10/23**

6.16.3.1B To require higher density housing options and a variety of lot sizes on land within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road; and the area between Katania Heights Road and the Brightwater Deviation State Highway through the use of a mandatory mix of lot sizes and encourage Compact Density Development in this area through the use of a non-notification provision. **C75 9/22 Op 10/23**

6.16.3.1C To provide for comprehensive developments in the Medium Density Residential Zone in Brightwater.

6.16.3.2 To rationalise the provision of industrial land so that the effects of industrial activities are minimised.

6.16.3.3 To manage subdivision and development of industrial land in Brightwater to avoid significant flood hazard risks on the site or beyond the site. **C75 9/22 Op 10/23**

6.16.3.3A To manage subdivision and development of residential land in the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road to avoid significant flood hazard risks on the site and beyond the site, and possible dam break hazard in the Brightwater Development Area between Katania Heights Road and the Brightwater Deviation State Highway.

6.16.3.4 To ensure suitable land and infrastructure is available in Brightwater for residential and business use, and for active and passive recreation.

6.16.3.5 To develop access to and along the Wairoa River between the former railway reserve and Bryant Road. **C75 9/22 Op 10/23**

6.16.3.6 To facilitate additional access from the residential area to the Brightwater school.

6.16.3.7 To support landscape and streetscape initiatives and the retention of heritage buildings and trees that contribute to the character and amenity of Brightwater.

6.16.3.8 To manage road noise received from State Highway 6 in the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road, and land between Katania Heights Road and the Brightwater Deviation State Highway, through mitigation methods at the time of subdivision and building.

6.16.20 Methods of Implementation

6.16.20.1 Regulatory

(a) Rezoning land suitable for residential and business use following evaluation of development areas outlined in the Council's growth model. **C57 11/15 Op 12/18**

(b) Zoning Rural Residential land at Wakefield rather than Brightwater, with the exception of Higgins Road in Brightwater.

(c) Rules requiring setbacks and noise standards for industrial activities to manage cross-boundary effects on residential land adjoining industrial zones.

(d) Rules relating to subdivision and building coverage in industrial zones that are subject to flood hazards.

(e) Rules to require a variety of lot sizes and enable higher density housing options on land within the Brightwater Development Area. **C75 9/22 Op 10/23**

(ea) Medium Density Residential Zone in locations that are appropriate for comprehensive development. **C75 9/22 Op 10/23**

(f) Rules to manage road noise received from State Highway 6 in the Brightwater Development Area

6.16.20.2 Monitoring

(a) Monitoring of noise and other industrial effects.

6.16.20.3 Works and Services

(a) Acquisition and development of land for recreation, open space and cycle/walk ways. **C57 11/15 Op 12/18**

(b) Heritage grants for owners for approved work on listed heritage buildings.

(c) Streetscape works in Ellis Street.

6.16.30 Principal Reasons and Explanation

Flooding from the Pitfure Stream and Wairoa and Wai-iti Rivers is a limiting factor which constrains future growth at Brightwater. All the land on the east side of Brightwater is subject to flooding. In the vicinity of Pitfure Stream at the north-western end of the township, it is proposed that flood-prone land be retained for rural or recreational purposes where the flood effects cannot be reasonably managed to enable residential use. Additional land for playing fields is sought and a new site northeast of Lord Rutherford Road North will be developed, which avoids residents having to cross the Brightwater Bypass - a proposal in the previous District Plan. **C75 9/22 OP 10/23**

There is a modest increase in the amount of urban land provided at Brightwater compared with the previous Plan. There has been a rearrangement of the location of new residential land so that some is located northwest of the Brightwater Bypass and an area is being investigated on Watertank Hill. The latter site will require traffic issues, including safe access across the Brightwater Bypass to be addressed.

Some existing scattered industrial activities have the potential to create effects that are incompatible with residential neighbours. While existing use rights protect existing activities, it is intended to change the emphasis to activities more compatible with residential uses.

There has been little demand for the resource processing zone adjoining River Terrace Road so some of this land is proposed for light industry. Compatibility with the adjoining dairy factory will be an important factor and all new activities will be discretionary to ensure this is taken into account.

New playing fields are required to accommodate the needs of organised sport in Brightwater and the adjoining rural area. The relatively young population of Brightwater contrasts with some of the other townships of the District. Access to and alongside the nearby Wairoa River would provide for active and passive recreation.

Flooding from the Pitfure and Mt Heslington streams and the Wairoa and Wai-iti rivers is a limiting factor which constrains future growth at Brightwater. Much of the land on the north, west and east sides of Brightwater is prone to flooding. Close to the Pitfure Stream at the north-western end of the township, the flood-prone land has value for rural or recreational purposes where the flood effects cannot be reasonably managed to enable residential use. Walking and cycling on the Great Taste Cycle Trail are popular activities along the banks of the Wairoa River. The Brightwater Bypass provides an edge on the south side of the town. **C57 11/15 Op 12/18 C75 9/22 Op 10/23**

There is a modest increase in the amount of urban land provided at Brightwater compared with the previous Plan. There has been a rearrangement of the location of new residential land so that some is located south east of Snowdens Bush that takes into account the results of the Council's 2013 flood hazard mapping project.

Some existing scattered industrial activities have the potential to create effects that are incompatible with residential neighbours. While existing use rights protect existing activities, it is intended to consolidate industrial activities south of State Highway 6 on an area of land adjoining River Terrace

Road that has been identified as flood free. Flood hazard risk in the industrial zones is recognised by controlling the location and extent of development, and subdivision in specified sites in the zones most at risk.
Some business-zoned land in Charlotte Lane that has been developed for housing has been rezoned to recognise its current use.

New playing fields have been developed at Lord Rutherford Park to accommodate the needs of organised sport in Brightwater and the adjoining rural area. The relatively young population of Brightwater contrasts with some of the other townships of the district. Access to and alongside the nearby Wai-iti and Wairoa rivers provides for active and passive recreation. Several indicative walkways and a reserve extension will integrate new residential developments with the existing residential area, the school, Snowdens Bush and the Lord Rutherford Memorial Reserve, and provide access to Pitfure Stream. **C75 9/22 Op 10/23**

Identified areas of urban expansion are expected to be developed with higher density housing options and a variety of lot sizes so that the rural land is more efficiently utilised for residential purposes. This provides for a more varied neighbourhood of differing types of housing. The Brightwater Development Area is intended to develop in this manner while managing noise from the state highway and the flood flows from Pitfure Stream and Watertank Hill (the Katania Heights area). **C75 9/22 Op 10/23**

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies. This responds to the objectives and policies in the Tasman Resource Management Plan which:

i) Seek efficient use of land and infrastructure,

ii) Encourage medium density housing development of a high standard in suitable locations,

iii) Seek a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Brightwater Development Area because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone.

The Medium Density Residential Zone provides for comprehensive residential development through redevelopment in appropriate locations that are walkable to the town centre.

6.17 WAKEFIELD

6.17.1 Issues

Wakefield, a well-established rural service centre, has experienced rapid growth in recent years. Current issues are: **C58 11/15 Op 7/17**

6.17.1.1 Securing suitable land for future residential and business growth and providing for recreation and community facilities in response to demand projections, existing supply and Council's priorities across the district.

6.17.1.2 Addressing flood hazard risk on low-lying land adjacent to the Wai-iti River and the Pitfure Jenkins, Gossey and Eighty-Eight Valley streams, and possible dam break hazard in the north-eastern section of the Wakefield Development Area. **C76 9/22 D9/24**

6.17.1.3 Promoting Wakefield as a destination on Tasman's Great Taste Trail.

6.17.1.4 Enhancing the character of the heart of Wakefield around the Village Green.

6.17.1.5 Supporting the retention and use of heritage buildings and trees that contribute to the character of the village.

6.17.1.6 Facilitating housing choice and affordable housing options on land suitable for residential development.

6.17.1.6A Ensuring a variety of housing options, including housing densities and types that achieve a high standard of amenity and make efficient use of land where urban expansion occurs. **C76 9/22 D9/24**

6.17.1.7 Improving connectivity between the residential area north west of State Highway 6 and the heart of Wakefield.

6.17.1.7A Ensuring the provision for emergency vehicle access to the Wakefield Development Area via Higgins Road.

6.17.1.6B The need to provide higher density housing options and a variety of dwelling sizes in central Wakefield.

6.17.1.6C The need to provide sufficient business and industrial land in Wakefield close to where people live and where it can support the growth of the Wakefield community.

6.17.1.8 Accounting for cross-boundary effects between residential and industrial activities in proximity to the Light Industrial Zone on Bird Lane. **C76 9/22 D9/24**

6.17.1.9 Addressing potential remaining contamination in association with the former Brookside sawmill site on Bird Lane.

6.17.1.10 Potential adverse traffic and safety effects on the transport network including State Highway 6 and Pitfure Road from the Wakefield Development Area.

6.17.3 Policies

6.17.3.1 To ensure suitable and sufficient land and infrastructure is available in Wakefield for residential and business use, and active and passive recreation needs. **C58 11/15 Op 7/17**

6.17.3.2 To avoid flood hazard risk when enabling urban development of land.

6.17.3.2A To manage subdivision and development of residential land in the Wakefield Development Area between Pitfure Road, Edward Street, and Higgins Road to avoid significant flood hazard risks on and beyond the site, and to manage dam break hazard risk in the north-eastern corner of the Development Area. **C76 9/22 (D9/24)**

6.17.3.3 To support a range of ~~rural~~ residential options on land zoned ~~Rural~~ Residential within the Wakefield Development Area adjacent to the Great Taste Cycle Trail; to ensure access is designed to mitigate conflict with the cycle trail; and to require adequate stormwater mitigation to manage any overflow from uphill dams in an extreme rainfall or other event. **C58 11/15 Op 7/17** **C65 10/17 Op 4/18** **C76 9/22 (D9/24)**

6.17.3.4 To support landscape and streetscape initiatives to enhance the heritage character of the heart of Wakefield; and apply good urban design principles to all development in the private and the public domain. **C58 11/15 Op 7/17**

6.17.3.5 To monitor the condition of protected trees and manage the schedule in the Plan accordingly.

6.17.3.6 To facilitate the maintenance and protection of historic heritage places listed in the Plan.

6.17.3.7 To encourage a diversity of lot sizes and a range of housing forms to facilitate well-designed, lower cost housing development close to the village centre, including within the Wakefield Development Area. **C76 9/22 (D9/24)**

Note: **6.17.3.7AA** below in purple text was moved from 6.2.3.2C. It is still proposed text through Plan Change76 and not yet operative. **C76 9/22 D9/24**

6.17.3.7AA To ensure efficient land use in the Wakefield Development Area by requiring subdivisions and developments which enable increased and varied housing densities and types, including two dwellings on certain lots

6.17.3.7A To require a variety of lot sizes and housing densities and types on land within the Wakefield Development Area between Pitfure Road, Edward Street, and Higgins Road, which achieves a high standard of residential amenity through design in accordance with the Urban Design Guide (Part II, Appendix 2). **C76 9/22 D9/24**

6.17.3.7B To require a variety of lot sizes and housing densities and types on land within the Wakefield Development Area between Pitfure Road, Edward Street, and Higgins Road, through the use of a mix of lot sizes and encourage Compact Density Development through the use of a non-notification provision. **C76 9/22 D9/24**

C76 9/22 D9/24

6.17.3.7C To ensure that smaller lots and more compact housing typologies in the Wakefield Development Area are included in appropriate stages throughout developments, and are not left to the final stage.

6.17.3.7D To ensure that potential traffic and safety effects including on the Pitfure Road and SH6 intersection from the Wakefield Development Area are effectively mitigated.

6.17.3.7E To provide for comprehensive developments in the Medium Density Residential Zone in Wakefield.

6.17.3.8 To liaise with NZ Transport Agency to upgrade existing crossings on State Highway 6 and create a new crossing close to the Village Green. **C58 11/15 Op 7/17**

6.17.3.9 To require larger residential lot sizes adjacent to the boundary of the Light Industrial Zone on Bird Lane, and require a greater setback of dwellings from the Light Industrial Zone boundary. **C58 11/15 Op 7/17** **C65 10/17 Op 4/18**

[Policy 6.17.3.10 is deleted] **C65 10/17 Op 4/18**

6.17.3.11 To mitigate any adverse effects from stormwater on the state highway and associated infrastructure. **C58 11/15 Op 7/17**

6.17.3.12 To manage the effects of the expansion of Wakefield on land of high productive value by providing for future residential development that makes efficient use of land in the Wakefield Development Area. **C76 9/22 (D9/24)**

6.17.20 Methods of Implementation

6.17.20.1 Regulatory **C58 11/15 Op 7/17**

(a) Rezoning land suitable for residential use following evaluation of development areas outlined in Council's growth model.

(b) Rules to manage cross-boundary effects on land adjoining the Light Industrial Zone on Bird Lane.

(c) Rules to manage flood hazard risk.

(d) Rules to enable a variety of lot sizes and enable higher housing density and types on land within the Wakefield Development Area between Pitfure Road, Edward Street, and Higgins Road, and policies that direct that smaller lots and more compact housing types should be staged throughout the development. **C76 9/22 D9/24**

(e) Medium Density Residential Zone in locations that are appropriate for comprehensive development, and which does not compromise the existing and potential heritage character of Edwards Street and Whitby Way.

6.17.20.2 Advocacy

(a) Indicative roads and walkways in undeveloped residential areas to ensure safe and efficient routes are secured in advance.

(b) Encourage smaller lots and a range of housing forms in appropriate locations as part of larger subdivision proposals.

6.17.30 Principal Reasons and Explanation

The Wai-iti River, the Eighty-Eight Valley Stream and the Pitfure Stream are prone to flooding. For this reason, development is directed to the upper river terraces, or is required to be suitably designed to manage flood risk. Low-lying land still has value for recreational and rural purposes where the flood effects cannot be reasonably managed to enable residential use. **C58 11/15 Op 7/17 C76 9/22 (D9/22)**

Council, in 2013, completed a flood hazard mapping project for the area. This information assists Council in assessing the suitability of land for future growth based on demand and capacity for efficient servicing.

There are two irrigation dams located to the north-east of the Wakefield Development Area. In 2017, Council had a dam break assessment undertaken to understand the potential flood effects. This information assists in mitigating dam break hazard risk within the Wakefield Development Area. The Wakefield Development Area is required to develop in a manner that manages flood flows from Pitfure Stream, Jenkins Creek and Gossey Stream, and dam break hazard risk from the two irrigation dams located to the north-east. **C76 9/22 D9/22**

The residential area north of the bowling club has limited access. The planning maps indicate additional access points to Whitby Road that may be implemented when vacant land is taken up for residential subdivision. Safe access across Whitby Road (State Highway 6) can be improved by upgrading the existing pedestrian refuges. **C58 11/15 Op 7/17 C65 10/17 Op 4/18**

Wakefield has a growing population of families with young children. There is also a demand for smaller, more affordable properties for older people. In the development of the Wakefield Development Area and of a specified location on Edward Street, close to the heart of Wakefield, it is desirable to create smaller lots and encourage innovative housing forms to cater for single people and couples without children, as well as older people who wish to downsize their house and garden or move back to Wakefield in their later years. In the Wakefield Development Area, a variety of housing options, including housing densities and types will ensure that the rural land is more efficiently utilised for residential purposes, while the variety of housing sizes will provide for a more varied neighbourhood. **C58 11/15 Op 7/17 C76 9/22 (D9/24)** **C76 9/22 D9/24**

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Wakefield Development Area applies. This responds to the objectives and policies in the Tasman Resource Management Plan which: **C76 9/22 (D9/24)**

- Seek efficient use of land and infrastructure,
- Encourage medium density housing development of a high standard in suitable locations,
- Seek a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Wakefield Development Area because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone.

There are opportunities for further residential development between the existing residential area and Bird Lane, provided larger lots and dwelling setbacks are in place to limit cross-boundary effects from the industrial activity. While the Bird Lane industrial site has been partially remediated, and is suitable for continuing industrial use, some of the land between the site and State Highway 6 was previously used for timber storage. Further testing is advised prior to any intensification of residential activity.

The industrial area zoned Heavy Industrial Pigeon Valley Road is at risk of flooding. Closed zone status enables activities to continue on the land but prevents further subdivision of the land. **C58 11/15 Op 7/17**

With all new residential development, advance planning for road and walking/cycling connections ensures optimum access to the heart of Wakefield and around the village. Indicative roads and walkways are shown on the planning maps (both zone maps and area maps). Demand for community facilities is managed through Council's Long Term Plan. This includes the three waters (wastewater, drinking water and stormwater), roads, footpaths, reserves and other community infrastructure, such as pools, halls, public toilets, cemeteries, and playgrounds.

Tasman's Great Taste Cycle Trail arrives in Wakefield along Higgins Road. Some flood-free flat land to the west of Higgins Road is suitable for a range of rural residential options, with adequate stormwater mitigation to manage any overflow from uphill dams in an extreme rainfall or other event. Future owners may take advantage of opportunities for home occupations and visitor accommodation in support of the cycle trail. **C65 10/17 Op 4/18**

6.18 MURCHISON

Refer to Policy set 13.1.

6.18.1 Issues

Murchison is a rural service centre supported mainly by farming, tourism and mining. The main issues are:

6.18.1.1 Effect of river erosion on the township.

6.18.1.2 Adequacy of parking in commercial area.

6.18.1.3 Lack of an integrated stormwater system.

6.18.1.4 A lack of housing options to cater for growth and people at various stages of life, including a lack of residential and rural residential zoned land within the Murchison township and in the wider area. **C77 9/22 Op 10/23**

6.18.1.5 A lack of suitable land for light industrial purposes in Murchison to meet the needs of the trade, business and farming communities.

6.18.3 Policies

6.18.3.1 To restrict land uses at the northern end of Fairfax and Grey streets to rural purposes to minimise possible loss of assets in an area at risk from riverbank erosion by the Buller River.

6.18.3.2 To provide additional public parking areas for the commercial area of Murchison.

6.18.3.3 To enable a variety of housing options on suitably zoned land. **C77 9/22 op 10/23**

6.18.20 Methods of Implementation

6.18.20.1 Regulatory

(a) Rural zoning of land closest to the Buller River at Murchison.

(b) Residential and Rural Residential zoning in suitable locations. **C77 9/22 op 10/23**

6.18.20.2 Works and Services

(a) Provision of public car parking area in Murchison.

6.18.30 Principal Reasons and Explanation

Rapid bank erosion by the powerful Buller River places properties at the ends of Fairfax and Grey streets at some risk. Further urban development is inappropriate in these areas.

There is a need to ensure sufficient Residential and Rural Residential zoned land in Murchison to support the growth of the community and provide housing options to suit people at various stages of life. **C77 9/22 op 10/23**

There is a need to ensure sufficient industrial land is zoned in Murchison to support the growth of the trade, business and farming communities.

Parking becomes congested along the state highway (State Highway 6) at times. Some additional parking is proposed behind the museum in Fairfax Street.

6.19 BEST ISLAND

6.19.1 Issues

The main issues at the small coastal settlement of Best Island are the provision of adequate access and the extent of development.

6.19.3 Policies

6.19.3.1 To provide formed legal road access to the Best Island settlement.

6.19.3.2 To avoid, remedy or mitigate any adverse effects of residential development on the present rural character of Best Island.

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6.19.20 Methods of Implementation

6.19.20.1 Regulatory

(a) Zoning that limits the extent of residential development on Best Island.

(b) Indicative roading pattern that will assist the formation of a legal road access to the existing settlement.

6.19.30 Principal Reasons and Explanation

Best Island is not seen as a major growth area.

While a small residential subdivision can be undertaken to assist with solving the lack of formed legal road access within the settlement, major new developments are not provided for.

The island is close to Bell Island regional sewage ponds and has suffered occasional odour problems. Also, some properties are prone to inundation and there is only one causeway road access to the island. There is a possibility the road could be overtopped if sea-level rise occurs.

Some properties on the margin of Best Island are prone to inundation during exceptionally high tides. This problem will increase if predicted sea-level rise occurs.

6.20 TAPAWERA

6.20.1 Issues

Tapawera is a small rural service centre in the Motueka Valley. The surrounding land is of high productive value. The main issues are:

6.20.1.1 Recognition of under-utilised buildings in the locality.

6.20.1.2 Improved visual amenity of vacant land in the town centre.

6.20.1.3 Avoiding inefficient use of the rural land resource in allocating land for urban activities.

6.20.3 Policies

6.20.3.1 To avoid, remedy or mitigate the effects of urban expansion on land of high productive value.

6.20.3.2 To enable development of the former Forest Service headquarters site for industrial or business activities.

6.20.3.3 To encourage suitable landscape and design measures in the Tapawera town centre.

6.20.20 Methods of Implementation

6.20.20.1 Regulatory

(a) Reduced extent of urban zoning on Rural 1 land and reduced residential lot sizes.

(b) Zoning for industry and tourist services on ex Forest Service land.

6.20.20.2 Works and Services

(a) Enhancement of the commercial area.

6.20.30 Principal Reasons and Explanation

The uptake of residential land in Tapawera has been slow. There is a generous supply of vacant allotments in the town. To encourage use of these allotments the extent of land zoned on the periphery has been reduced.

Significant usable buildings remain on the former Forest Service headquarters site on the outskirts of Tapawera. The Council wishes to encourage their use for commercial or industrial purposes. While the site is now in private ownership, only part of the buildings on the site are utilised.

The town through changing land uses related to central and local government restructuring has a supply of vacant land. To enhance the visual amenity of unused land in the town centre, further landscaping should be undertaken.

6.21 TASMAN

6.21.1 Issues

Tasman is a small rural service centre surrounded by land of high productive value. The main issue is that the lower part of Tasman is located on poorly drained clay loam which causes severe drainage difficulties, especially for effluent disposal and limits infill development.

The proximity of the main highway has had an adverse effect on Tasman township in terms of speeding and heavy traffic. It is expected that these effects will be addressed during the planning period.

6.21.3 Policies

6.21.3.1 To remedy the existing effluent overflow and groundwater contamination problems.

6.21.3.2 To avoid, remedy or mitigate the adverse effects of urban development on land of high productive value.

6.21.3.3 To contain the effects of urban development of Tasman to the western side of State Highway 60.

6.21.3.4 To establish higher performance standards for the use of on-site disposal of domestic wastewater in the Tasman Special Domestic Wastewater Disposal Area.

6.21.20 Methods of Implementation

6.21.20.1 Regulatory

(a) Rules relating to on-site wastewater disposal.

(b) Urban zoning contained to one side of the main highway.

6.21.20.2 Education

(a) Information on the care of on-site waste disposal systems.

6.21.20.3 Investigations

(a) Investigate reticulated wastewater system for Tasman.

6.21.30 Principal Reasons and Explanation

The existing system of septic tank effluent disposal at Tasman is unsatisfactory and there is a risk of damage to health and contamination of water. Some existing land has been unable to be fully utilised because of the poor effluent disposal conditions in Tasman. A rezoning to permit smaller allotment sizes will be considered if and when a reticulated sewage scheme is available. Containment of urban development enables the continued use of the surrounding productive and versatile land. For traffic safety reasons, it is desirable that urban development at Tasman is contained on the west side of the main highway.

6.22 UPPER MOUTERE (SARAU)

6.22.1 Issues

Upper Moutere is a small rural community with an attractive setting on the rolling Moutere Hills, with views of Mt Arthur from some sites. Surrounding land is versatile and productive. The main issues are:

6.22.1.1 There is no reticulated wastewater system and severe problems associated with septic tank failures are common.

6.22.1.2 The location of commercial activities on either side of the Moutere Highway creates potentially hazardous traffic effects.

6.22.1.3 Protection of the historic and scenic character of Upper Moutere.

6.22.3 Policies

6.22.3.1 To establish higher performance standards for the use of on-site disposal of domestic wastewater in the Upper Moutere Special Domestic Wastewater Disposal Area.

6.22.3.2 To consolidate new commercial development on the western side of the Moutere Highway and industrial development on the eastern side and within this area to promote traffic safety through control over parking and access and improvements to speed patterns.

6.22.20 Methods of Implementation

6.22.20.1 Regulatory

(a) Special rules for wastewater disposal in Upper Moutere Special Domestic Wastewater Disposal Area.

(b) Location of Commercial zoning in relation to the Moutere Highway.

6.22.30 Principal Reasons and Explanation

Particular attention to appropriate methods of effluent disposal at Upper Moutere is necessary to avoid public health and nuisance problems arising. Consolidation of commercial development on the west side of the Moutere Highway should reduce a potential traffic hazard that exists if commercial zoning is retained on opposite sides of the highway.

6.50 Environmental Results Anticipated

6.50.1 Compact and coherent urban form which recognises the need to achieve:

(a) sustainable management of versatile and productive land on the urban fringe;

(b) protection of property and lives from the effects of known natural hazards;

(c) protection of the natural character of the coastal environment, wetlands; lakes, rivers, and their margins;

(d) efficiency in the provision of urban infrastructure;

(e) adequacy of provision of residential, industrial and commercial land.

6.50.2 Retention and enhancement of the particular identity of each urban community in the District.

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Chapter 7: Rural Environment Effects

[unchanged or irrelevant text omitted]

7.1 CUMULATIVE EFFECTS OF LAND FRAGMENTATION ON PRODUCTIVE OPPORTUNITIES

[unchanged or irrelevant text omitted]

7.1.3 Policies

Refer to Policy sets 5.1, 6.2, 7.2, 7.3, 7.4, 9.1, 9.2, 10.1.
Refer to Rule sections 16.3, 17.5 – 17.12, 18.1 – 18.13.

7.1.3.1 To avoid, remedy or mitigate the adverse effects of subdivision of rural land, particularly land of high productive value.

7.1.3.2 To avoid, remedy or mitigate the effects of activities that reduce the area of land available for plant and animal production purposes in rural areas. **C60 1/16 Op 6/19**

7.1.3.3 To avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource.

7.1.3.4 To avoid, remedy or mitigate the potential for reverse sensitivity on plant and animal production in the Rural 1, Rural 2 and Rural 3 zones. **C60 1/16 Op 6/19**

7.1.3.5 To require land parcels upon subdivision to be of a size and shape that retains: **C60 1/16 Op 6/19**

(a) the land's productive value, having regard to its actual and potential productive value; and

(b) its contribution to ecosystem values and to the management of cross-boundary effects, access, and the availability of servicing.

7.1.3.6 To facilitate the amalgamation of land parcels and enable adjustments of the boundaries of land parcels in rural areas where this would enable improved land management or enable a greater range of plant and animal production activities.

7.1.3.7 To encourage a long-term approach to rural subdivision that reduces further land fragmentation by avoiding the re-subdivision of allotments created by way of an initial subdivision.

7.1.3.8 To limit further subdivision and residential development of existing small allotments in the Rural 1 and Rural 2 zones to avoid the potential for reverse sensitivity and increasing value of surrounding land that cumulatively adversely affect the potential of that land to be used for plant and animal production.

7.1.3.9 To protect land of high productive value from residential activity, except for that directly associated with plant and animal production.

7.1.3.10 To avoid further subdivision and development of existing allotments in the Rural 1 and Rural 2 zones that were created by boundary adjustment or amalgamation.

7.1.3.11 To discourage commercial, industrial and rural industrial activities in the Rural 1 and Rural 2 zones, except where the activity is directly associated with plant and animal production in the District or is required for a business activity having a significant functional need to locate in the rural area.

7.1.3.12 To accommodate rural living, commercial and rural industrial activities in the Rural 1 Zone where the activity is wholly undertaken within existing buildings and the effects on plant and animal production are avoided.

7.1.3.13 To enable rural living opportunities and workers' accommodation in the Rural 1 and Rural 2 zones where actual or potential productive value of the land is retained and further subdivision opportunities are avoided.

7.1.3.14 To enable use of land for plant and animal production by providing for associated accessory buildings and activities, including workers' accommodation.

7.1.3.15 To protect areas of specific resource value, such as hard rock quarry resources, and to avoid, remedy, or mitigate adverse effects of subdivision and residential development on these areas.

7.1.3.16 In the Tākaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10** **C60 1/16 Op 6/19**

(a) subdivision and development for residential purposes of land that is of high productive value is actively discouraged; and

(b) opportunities for title amalgamation and boundary adjustment are provided to enable small landholdings on such land to rationalise existing title boundaries around existing dwellings without further fragmenting land of high productive value.

7.1.3.17 Where rural land is deferred for any urban purpose, policies 7.1.3.1 to 7.1.3.16, as applicable, are subject to policy 6.3.3.4A. **C51 1/15 Op 9/16**

[unchanged or irrelevant text omitted]

7.2 PROVISION FOR ACTIVITIES OTHER THAN PLANT AND ANIMAL PRODUCTION **C60 1/16 Op 6/19**

[unchanged or irrelevant text omitted]

7.2.3 Policies

Refer to Policy sets 5.1, 6.2, 6.5, 7.1, 7.3, 7.4, 8.2, 9.1, 9.2, 9.3, 11.1, 12.1, 13.1,14.1 – 14.4.
Refer to Rule sections 16.3, 17.5 – 17.12, 18.1 – 18.13.

7.2.3.1 To enable activities that are not dependent on plant and animal production to be located on land that is not of high productive value. **C60 1/16 Op 6/19**

7.2.3.2 To identify locations for Rural Residential and Rural 3 zones for rural residential activities in rural, coastal and peri-urban areas that are appropriate locations for their variety of qualities and features to allow for rural lifestyle living and which will not adversely affect plant and animal production activities, including potential reverse sensitivity effects.

7.2.3.3 To encourage low impact design solutions for subdivision and building development in all rural zones.

7.2.3.4 To enable further subdivision and residential development within any existing Rural Residential Zone location where the land:

(a) is not affected by natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards; and

(b) can accommodate the proposed development without adverse effects on landscape or rural, rural residential or coastal character and amenity values and adjacent plant and animal production; and

(c) can be adequately serviced for water, wastewater, stormwater and road access and by the road network.

7.2.3.5 To enable further subdivision and residential development to urban densities within any existing Rural Residential Zone location where the land:

(a) is in close proximity to an urban residential area and is appropriate to become part of the urban form of that settlement; and

(b) is not affected by natural hazards within and beyond the boundaries of the site, including wildfire risk, and coastal, flood, stormwater or geotechnical hazards; and

(c) can accommodate built development without adverse effects on character and amenity values; and

(d) can be adequately serviced for water, wastewater, stormwater and road access and by the road network.

7.2.3.6 To minimise the potential for conflict between rural and residential activities by way of setbacks from boundaries and separation between incompatible uses.

7.2.3.7 To limit residential activity in rural locations outside the Rural Residential Zone and the Rural 3 Zone, on land having high productive value in the Rural 1 and Rural 2 zones. **C60 1/16 Op 6/19**

7.2.3.8 To enable cooperative living opportunities in the Rural 1 and Rural 2 and Rural Residential zones where: **C60 1/16 Op 6/19**

(a) the land is held collectively, wholly or in part, by one or more persons, including by way of unit titles; and

(b) the visual effects of building on landscape and rural character and amenity values are minimised; and

(c) the potential productive value of the land is maintained in the Rural 1 and 2 zones, particularly land of high productive value; and

(d) actual and potential adverse effects on neighbouring properties are minimised; and

(e) all standards for stormwater management and road access can be achieved, and

(f) the development does not adversely affect the road network.

7.2.3.9 To enable sites in specific locations to be used primarily for rural industrial, tourist services and papakainga purposes, having regard to:

(a) the productive values of the land;

(b) natural hazards;

(c) outstanding natural features and landscapes, and the coastal environment;

(d) cross-boundary effects, including any actual and potential adverse effects and potential reverse sensitivity effects on existing activities from new or future activities; **C60 1/16 Op 6/19**

(e) servicing availability;

(ea) in relation to rural-industrial development, the efficient location of the activity in association with sources of plant and animal production, existing development capacity, and the transportation network; **C60 1/16 Op 6/19**

(f) the availability of specific productive natural resources, such as aggregates or other mineral sources;

(g) transport access and effects;

(h) potential for cumulative adverse effects from further land fragmentation;

(i) maintaining variety of allotment size;

(j) efficient use of the rural land resource;

(k) cultural relationship of Māori to their land.

7.2.3.10 To use a whole-catchment approach to the management of stormwater, and to apply low impact design to address the stormwater effects and changes in drainage patterns arising from rural land development. **C7 7/07 Op 10/10**

7.2.3.11 To enable the subdivision of land, including by way of boundary adjustment, or amalgamation of land parcels for the preservation of: **C60 1/16 Op 6/19**

(a) significant natural values, including natural character, features, landscape, habitats and ecosystems;

(b) heritage and cultural values;

where preservation is assured through some statutory instrument and statutory manager.

7.2.3.12 To ensure that activities which are not involved or associated with plant and animal production do not locate where they may adversely affect or be adversely affected by such activities. **C60 1/16 Op 6/19**

7.2.3.13 To avoid adverse off-site effects, including cumulative effects and water contamination effects, resulting from the disposal of domestic wastewater to land arising from inappropriate scale, design, or location of subdivision and development of land for rural residential purposes in the Wastewater Management Area.

7.2.20 Methods of Implementation

7.2.20.1 Regulatory

(a) Zones which have been established to manage effects of specific types of activities or built development within the rural area, and which incorporate rules to provide for these activities. The zone framework applies as follows:

(i) The Rural Residential Zone covers a wide range of types of rural areas. The provision of these zones has largely been demand-driven over many years and the range of Rural Residential Zone locations incorporated in the Plan meets many lifestyle needs. The specific rules for each zoned area take into account rural character and amenity, availability of servicing, landscaping, access, potential visual and ecological impacts of development, development history and other matters that may be particularly relevant to particular parts of the zone.

The specific rules for each zoned area take into account rural character and amenity, availability of servicing and effects on the road network, landscaping, access, potential visual and ecological impacts of development, development history and other matters that may be particularly relevant to particular parts of the zone. **C60 1/16 Op 6/19**

(ii) The Rural Industrial Zone covers a limited range of locations, largely as a result of historical development or on the basis of analysis of the need for specific new or growing types of industrial activities in a rural context. Limiting effects on rural amenities and surrounding activities is a key consideration in the provision of these zones.

(iii) The Tourist Services Zone covers locations that are generally small in scale and often environmentally sensitive. Suitable locations for this type of zone have been determined on the basis of special characteristics of the zoned area or its environment, or the area's suitability to provide support services for tourism over a wider area.

(iv) The Papakainga Zone covers limited areas which have been identified in consultation with location is so zoned.

(v) The Rural 3 Zone has been introduced to the Plan to meet the demand for residential living in a rural context in an area close to main urban centres, transport routes and the coast. Lying within the Coastal Tasman Area, development in the area is subject to specific policies, and is intended to absorb

and thus reduce pressure for rural residential and residential subdivision in other rural parts of the District, particularly Rural 1 areas and other areas of high landscape and rural character values.

(b) Rules that:

identify subdivision and development opportunities and requirements in the different rural zones, including the rural residential, rural industrial, tourist services and papakainga zones; **C60 1/16 Op 6/19**

govern lot size;

establish on-site and site-to-site amenity standards, including servicing requirements;

limit development in relation to natural hazards;

define access and effects on the road network; **C60 1/16 Op 6/19**

protect natural and heritage values, including allowing subdivision for conservation purposes;

(c) Design guidance for subdivision and development in specified zones.

(d) A list of matters that decision-makers will take into account in addition to those set out in relevant sections of the Act when considering resource consent applications.

7.2.20.2 Education and Advocacy

(a) Promoting awareness of natural, cultural and heritage values, and means of protecting those values.

(b) Promoting awareness of natural hazards and options in relation to them.

(c) Promoting self-management of on-site effects of rural activities.

(d) Encouraging early liaison between Council staff and developers on innovative and appropriate subdivision and development within zones where design guides apply.

(e) Promote good design through the provision of design guidance. **C60 1/16 Op 6/19**

7.2.30 Principal Reasons and Explanation

People and communities value rural locations for purposes other than plant and animal production, and where these purposes can be achieved without compromising productive values, rural character and amenity values, provision can be made for them. This objective, and associated policies, establishes a framework within which Plan provisions such as rules and zones are developed, and consent applications can be evaluated. The policy is supported by methods to encourage responsible management by resource users. **C60 1/16 Op 6/19**

This objective, and associated policies, establishes a framework within which Plan provisions such as rules and zones are developed, and consent applications can be evaluated. The policy is supported by methods to encourage responsible management by resource users.

Opportunities for lifestyle and housing choice in rural areas are provided for in the District. There is demand for living in rural areas in different locations and for different forms of housing. Providing for the Rural Residential Zone is one of the ways in which this demand is addressed. Some opportunities for additional housing in the Rural 1 and Rural 2 zones on a small scale (by way of a minor dwelling as an alternative to a second housekeeping unit within the principal dwelling) are provided. Cooperative living is another form of rural living provided for as a rural lifestyle option. **C60 1/16 Op 6/19**

Cooperative living opportunities in the Rural 1 and Rural 2 zones can provide for lifestyle and productive land use choices in rural areas. Council supports innovative cooperative solutions to living and working on the land provided that landscape, rural character and amenity, productive potential, cross-boundary effects and effects on servicing, including effects on the road network, can all be adequately managed.

Opportunities for rural industry, which supports plant and animal production, are provided for in the District, including for new development in appropriate locations with growing demand for processing and distribution.

Conservation and ecosystem values may be ranked equivalent to, or higher than, production values, and subdivision or amalgamation for protection purposes is enabled.

Where a land use is proposed that may significantly change the existing land cover, particular attention to the effects of changes in stormwater run-off rates, flows and quality may be required. **C7 7/07 Op 10/10**

A whole-catchment approach to stormwater drainage and for addressing stormwater effects is encouraged to ensure that activities occurring both above and below the proposed land use are taken into account when considering the potential adverse effects of an activity on drainage patterns, stormwater flows and surface water quality. **C7 7/07 Op 10/10**

A whole of catchment approach is also relevant to a change in use of rural land from plant and animal production to rural residential, commercial or industrial activity. **C60 1/16 Op 6/19**

Where there is potential for adverse stormwater effects, a Low Impact Design approach to managing those effects should be taken. This approach requires that natural drainage features of the site are maintained or enhanced where possible to avoid, remedy or mitigate the potential adverse effects of stormwater run-off. **C7 7/07 Op 10/10**

Tangata whenua seek opportunities to establish forms of development such as papakainga that meet their particular needs on ancestral land, and communal living is also a lifestyle choice in the District.

Identification of specific areas zoned for industry and tourist services in rural areas and rural-residential use should allow more sustainable management of land with high productive or natural values, with fewer cross-boundary conflict incidents and minimal investment in areas subject to natural hazards.

Policies and thresholds allow for the consideration of activities and effects which are not otherwise provided for in rural zones.

Complementary to the Rural 1 and 2 zones, the Plan includes Rural Residential, Rural Industrial, Tourist Services and Papakainga zones. These zoned areas have been identified on the basis of existing development, traditional or cultural considerations in the case of papakainga, or the appropriateness of the land for the type and intensity of effects associated with the development provided for within the zone. Where new areas of land have been incorporated in these zonings in the Plan, this has taken into account the other objectives in this chapter.

The Rural 3 Zone applies to an area where there is a desire to live near the coast or with coastal views. The zoning is seen to be an opportunity for innovative residential development, while retaining the overall rural amenity values and character of the area, including natural character, and ongoing opportunities to utilise land of high productive value. In this area, residential development proposals will be evaluated through consent processes in terms of their effects on landscape and productive, amenity and other values, including natural and cultural values; the availability of appropriate infrastructure and services, including the road network; and cumulative effects. The Coastal Tasman Area Subdivision and Development Design Guide provides criteria for the evaluation of specific proposals. **C60 1/16 Op 6/19**

The different Rural Residential Zone areas have different threshold subdivision sizes that take into account the character and attributes of the land (including servicing capability). Along with smaller parcels of land already existing in the Rural 1 and 2 zones, these areas enable a range of rural living opportunities. Rural Industrial Zone locations are widely found throughout the area and provide a land resource with associated effects, which enable a range of rural industrial activities. Tourist Services Zone locations provide for relatively intensive tourist and visitor service activities in areas where such uses have been traditionally established, or where they can be accommodated with minimal impact on the natural qualities and characteristics of the nearby rural areas and are accessible without generating adverse effects on the road network. Other activities in rural areas that are not directly provided for in any of the rural zones will be addressed through the resource consent or plan change process. **C60 1/16 Op 6/19**

Generally, the identification of areas suitable for specific zones within the wider rural environment seeks to achieve objective 7.2.2 without conflicting with the other objectives in this chapter or elsewhere in the Plan. However, not all demands or needs for land for activities other than plant and animal production in the rural environment will necessarily be able to be met over the life of the Plan within zoned areas. The Council will consider these needs over time or assess consent applications or Plan changes proposed by others. **C60 1/16 Op 6/19**

7.2.40 Performance Monitoring Indicators

7.2.40.1 Area of land taken up for urban and rural residential purposes, rural industrial, rural tourist facilities, particularly in relation to land of high productive value, including allotments created through amalgamation or the use of the subdivision averaging provisions. **C60 1/16 Op 6/19**

7.2.40.2 The number and size range of allotments in rural zones available for plant and animal production purposes, including allotments created through amalgamation or the use of the subdivision averaging provisions.

7.2.40.3 The number and size range of allotments subdivided for production activities other than plant and animal production, including allotments created through amalgamation or the use of the subdivision averaging provisions.

7.2.40.4 Number of subdivision consents approved because of natural, historic and cultural preservation.

7.2.40.5 Number of complaints associated with plant and animal production activities and activities other than plant and animal production.

7.3 Rural Residential Development in Coastal Tasman Area

7.3.1 Issues

There is a desire in the community for residential development opportunities within a rural part of the District, used productively and having some existing rural residential development. Managing the pressure for and cumulative effects of residential development in the Coastal Tasman Area which is a rural area close to the coast, to the District's main urban centres, and to major transport routes, while protecting the productive value of the rural land resource, coastal and rural character, and amenity values.

7.3.3 Policies

Refer to Policy sets 5.1 – 5.5, 6.4, 7.1, 7.2, 7.4, 8.1, 8.2, 9.1, 9.2, 9.3, 11.1, 11.2, 13.1, 14.1 – 14.4.
Refer to Rule sections 16.2, 16.3, 16.4, 17.5 – 17.12, 18.1 – 18.13.

[unchanged or irrelevant text omitted]

7.3.3.10 To ensure that adverse effects arising from servicing of subdivision and residential development are avoided, whether by way of on-site management, or provision of off-site reticulation.

7.3.3.11 To improve access and progressively upgrade the road network throughout the Coastal Tasman Area in accordance with development, while avoiding or mitigating adverse effects on landscape, natural character and amenity. **C60 1/16 Op 6/19**

7.3.3.12 To progressively develop a network of interconnected pedestrian, cycle and equestrian routes, and reserves within the Coastal Tasman Area, including to and along the coast.

7.3.3.13 To mitigate adverse effects on rural landscape and character by evaluating subdivision, development and wastewater discharge proposals together, when providing for further residential and rural residential development in the Coastal Tasman Wastewater Management Area.

7.3.3.14 To take into account, and avoid or mitigate potential cumulative adverse effects on rural character, rural landscapes and amenity values, including the potential impact that complaints from new residential activities can have on existing plant and animal production activities, arising from adverse cross-boundary effects, when assessing the effects of subdivision and development in the Coastal Tasman Area. **C60 1/16 Op 6/19**

7.3.3.15 To support proposals to restore, enhance or protect natural features and areas such as wetlands and coastal indigenous vegetation, with weed control and indigenous plantings appropriate to the area, as part of subdivision and development design in the Coastal Tasman Area.

7.3.3.16 To protect from further subdivision and development, land that has been retained as open space either within any allotment or as an allotment, in an approved subdivision in the Rural 3 Zone, for its productive, rural or coastal character, landscape, amenity, or wastewater discharge management value.

7.3.3.17 To avoid or mitigate exposure of subdivision and development to road noise, including from State Highway 60 and the designated Ruby Bay Bypass.

7.3.3.18 To enable additional development in the Māpua Rural Residential Zone, subject to servicing requirements, and evaluation of the effects of specific proposals in accordance with the 'Coastal Tasman Area Subdivision and Development Design Guide'. **C6 7/07 Op 10/10**

7.3.3.19 To allow for limited development beyond that provided for as a controlled activity within the Waimea Inlet Rural Residential Zone, subject to availability of services and evaluation of the effects of specific proposals, in accordance with the 'Coastal Tasman Area Subdivision and Development Design Guide' **C6 7/07 Op 10/10**

7.3.3.20 To avoid potential effects of past land contamination on future residential and rural residential activities.

7.3.3.21 To provide for the servicing of the Rural Residential Zone locations in the vicinity of Permin Road in the longer (post 15-year) term. **C60 1/16 Op 6/19**

7.3.3.22 To avoid adverse off-site effects, including cumulative effects and water contamination effects, resulting from the disposal of domestic wastewater to land arising from inappropriate scale, design, or location of subdivision and development of land for residential purposes in the Wastewater Management Area.

7.3.3.23 To enable use of land for plant and animal production by providing for associated accessory buildings and activities, including workers' accommodation.

7.3.3.24 To enable workers' accommodation in the Rural 3 zone where actual or potential productive value of the land is retained and further subdivision opportunities are avoided.

7.3.20 Methods of Implementation

7.3.20.1 Regulatory

(a) Zones that are delineated on the basis of appropriateness for the uptake of development opportunities defined by rules and through consent processes including zones where little or no future development is anticipated.

The zone framework within the Coastal Tasman Area applies as follows:

(i) The Rural 1 and Rural 2 zones are as described under 7.1.20.1(a).

(ii) The Rural 3 Zone is an area where development is expected to take place within the years 2004 to 2024.

(iii) A range of Rural Residential Zones as described under 7.2.20.1(a), where opportunities for more intensive development in a small number of specified zones will be assessed through the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). **C6 7/07 Op 10/10**

(b) Rules, including rules that:

allow or limit activities;
provide opportunities for development;
require subdivision and development to be considered together;
address effects on the environment through a range of requirements;
require payment of a financial contribution for the provision of reticulated services, roading and reserves and community services.

(c) A list of matters which decision-makers will take into account when considering resource consent applications.

(d) Consideration of consistency of applications with the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). **C6 7/07 Op 10/10**

[unchanged or irrelevant text omitted]

CHAPTER 10A: PAPAKĀINGA DEVELOPMENT

10A.0 INTRODUCTION

This section provides specific guidance relating to:

- Activities in the Papakāinga zone, which is addressed in chapter 17.13, and
- Papakāinga development and the construction or alteration of buildings associated with a papakāinga development in zones other than the Papakāinga Zone, which is addressed in chapter 16.14.

10A.1 Issues

10A.1.1 Tāngata whenua face ongoing barriers to using and developing their land in ways that reflect tino rangatiratanga. These barriers stem from colonisation and the imposition of a European land tenure system that individualised land ownership and undermined traditional Māori communal and decision-making structures. This has led to land fragmentation, alienation, and reduced development opportunities on remaining ancestral land.

10A.1.2 Māori land held under Te Ture Whenua Māori Act 1993 is fundamentally different from general land and presents unique ownership and governance challenges. Planning frameworks must recognise these differences and avoid applying one-size-fits-all rules designed for general land.

10A.1.3 The costs and complexity of obtaining approvals from Council and other agencies can be a significant barrier to papakāinga development. Planning provisions should reduce these burdens and support tāngata whenua aspirations to live on and develop their ancestral land.

10A.2 Objectives

10A.2.1 Papakāinga development is enabled as a taonga that:
(a) empowers and enables tāngata whenua to live on their ancestral land;
(b) sustains their culture, traditions, and connection to place; and
(c) supports their social, economic, and cultural wellbeing in accordance with tikanga Māori.

10A.2.2 Tangata whenua are supported to exercise rangatiratanga over the development and use of their ancestral land through papakāinga that reflect their aspirations, tikanga and values.

10A.3 Policies

Refer to Rule sections 16.14, and 17.13.

10A.3.1 Papakāinga development will be led by tāngata whenua and guided by tikanga Māori and kaupapa Māori.

10A.3.2 The Council will support tāngata whenua to prepare design guides and development plans for papakāinga, where they choose to do so.

10A.3.3 Papakāinga will be enabled in the Papakāinga Zone, Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, and Rural Residential Zones.

10A.3.4 Papakāinga will be enabled on land owned by tāngata whenua, recognising the enduring relationship between tāngata whenua and their ancestral land.

10A.3.5 The design and scale of papakāinga developments will reflect tāngata whenua aspirations, subject to the capacity and limitations of the site, including:

(a) provision of necessary infrastructure (on-site or off-site);
(b) management of adverse effects on adjoining properties and the environment;
(c) recognition that papakāinga may involve a scale or mix of uses not typical in surrounding areas.

10A.3.6 A range of activities may be part of a papakāinga, including social, cultural, educational, recreational, health, temporary, and commercial activities, where they:

(a) are consistent with tāngata whenua aspirations and kaupapa Māori; and
(b) maintain a scale and intensity appropriate to the papakāinga context.

10A.3.7 Papakāinga development will be designed and undertaken in a manner that protects and enhances ecological, cultural, and environmental values.

10A.20 Methods of Implementation

10A.20.1 Regulatory

(a) Papakāinga Zoning that takes account of sustained occupation by tāngata whenua.
(b) Rules enabling papakāinga development.
(c) Performance standards for commercial activities, and off site effects.

10A.20.2 Monitoring

(a) Monitor applications for, and implementation of resource consents for papakāinga development.

10A.30 Principal Reasons and Explanation

The purpose of the objectives and policies under the heading of papakāinga is to assist tāngata whenua in the development and use of papakāinga on their ancestral land in the Papakāinga Zone, Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zones. Ancestral land is land that belonged to tipuna/tūpuna. It was a base upon which the hapū was nurtured and was handed down in succession through generations by continuous occupation. This is known as ahi kā or ahi kā roa.

In the context of the TRMP provisions, ancestral Māori land includes, but is not limited to, land held under the Te Ture Whenua Māori Act 1993, Māori customary land, Māori freehold land, general title land owned by Māori, and land held by legal entities set up to represent tāngata whenua, including Wakatū Incorporation, Whakarewa Te Whānau o Motueka, or a post-settlement governance entity, including land described in Schedule 1 of Ngati Rarua-Atiawa Iwi Trust Empowering Act 1993.

Provision for papakāinga development acknowledges the differing housing needs of the Māori community and the likelihood that this type of development will not conform with the standards and terms for traditional New Zealand low density subdivision and housing developments as set out in the Residential or Rural Zones.

By making papakāinga developments a permitted activity in the Papakāinga, Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zones, or else a restricted discretionary activity, the Plan is providing greater flexibility whilst ensuring discretion is reserved over matters that have the potential to adversely affect adjoining landowners.

10A.40 Performance Monitoring Indicators

10A.40.1 Changes in number and residential density of papakāinga (five yearly).

10A.40.2 Changes in non-residential activities associated with papakāinga developments (five yearly).

CHAPTER 11: LAND TRANSPORT EFFECTS

11.0 INTRODUCTION

The District's land transport system consists of an extensive network of roads linking over 30 small dispersed settlements and rural areas. The District contains a more limited network of walkways and few cycleways. It provides an access service for a number of transport modes, including private and commercial vehicles, heavy freight vehicles, passenger transport services, cyclists and pedestrians.

The District has no rail service, so it is entirely dependent upon roading for its land transport needs, supported by air and sea links. The land transport system is, therefore, an important utility service within the District, and both the Council and New Zealand Transport Agency fund its maintenance and development. The Council has a Regional Land Transport Strategy implemented jointly with Nelson City Council for the purpose of strategic management of the transport system.

Roading, parking and other traffic infrastructure is provided in the District largely through works, services and financial levies on new development. New development also adds traffic to existing infrastructure. That additional traffic may be within the design and capacity parameters of existing facilities. Where it exceeds them, requiring maintenance or upgrading earlier than otherwise scheduled, it may be appropriate that new development contributes to those costs.

Parking in commercial areas is likely to be an issue if parking is only provided through a levy on new commercial development. Many shops and offices will be able to accept an increase in their volume of business without having to enlarge their premises. Unless businesses voluntarily increase their customer parking, Council will need to look at means other than Plan rules and development levies to avoid adverse effects of inadequate parking.

11.1 EFFECTS ON TRANSPORT SAFETY AND EFFICIENCY

[unchanged or irrelevant text omitted]

11.1.2 Objective

A safe, efficient, and resilient transport system that integrates with land use, supports a range of travel modes, and where any adverse effects of the subdivision, use, or development of land on the transport system are avoided, remedied, or mitigated.

11.1.3 Policies

Refer to Policy sets 5.1, 6.1, 6.3, 6.5, 6.6, 6.9 6.12, 6.14, 6.18, 6.19, 6.21, 7.2, 7.3, 13.1
Refer to Rule sections 16.2, 16.3, 17.1 17.12, 18.7, 18.8, 18.9, 19.2

11.1.3.1 To promote the location and form of built development, particularly in urban areas, that:

(a) avoids, remedies or mitigates adverse effects of traffic generation;

(b) provides direct and short travel routes by vehicle, cycling and pedestrian modes between living, working, service, and recreational areas;

(c) avoids an increase in traffic safety risk;

(d) allows opportunities for viable passenger transport services to be realised;

(e) provides a clear and distinctive transition between the urban and rural environments;

(f) segregates roads and land uses sensitive to effects of traffic.

11.1.3.2 To ensure that land uses generating significant traffic volume:

(a) are located so that the traffic has access to classes of roads that are able to receive the increase in traffic volume without reducing safety or efficiency;

(b) are designed so that traffic access and egress points avoid or mitigate adverse effects on the safety and efficiency of the road network.

11.1.3.3 To avoid, remedy or mitigate adverse effects of high traffic-generating land uses on the community cost of the road network resource of the District.

11.1.3.4 To avoid, remedy or mitigate adverse effects of traffic on amenity values.

11.1.3.5 Except in the Medium Density Residential Zone, t~~T~~o ensure that all subdivision design including the position of site boundaries, has the ability to provide each allotment with vehicle access and a vehicle crossing sited to avoid adverse effects on the safety and efficiency of the road network.

11.1.3.5A In the Medium Density Residential Zone, ensure every site has an access that provides safe entry and exit for pedestrians, micromobility users OR vehicles from the site to a road, without compromising the safety or efficiency of the road network, the safety of different types of road users or the streetscape values.

11.1.3.5B In the Medium Density Residential Zone, to limit additional accesses to key arterial roads

11.1.3.6 To control the design, number, location and use of vehicle accesses to roads; including their proximity to intersections and any need for reversing to or from roads; so that the safety and efficiency of the road network is not adversely affected.

11.1.3.6A To avoid or mitigate the adverse effects of vehicles by promoting more intensive development and co-location of housing, jobs, shopping, leisure, education and community facilities and services to minimise the number and length of vehicle trips and encourage the use of transport modes other than private motor vehicle.

11.1.3.7 ~~To ensure that adequate and efficient parking and loading spaces are provided, either on individual sites or collectively, to avoid or mitigate adverse effects on the safety and efficiency of the road network.~~
Sites should provide onsite parking, loading, turning for vehicles, or have access to those facilities sufficient to avoid any adverse effects on the safe and efficient operation of the roading network as appropriate to the type, function and speed environment of the road being accessed. Any use of off-site facilities shall not compromise pedestrian, micromobility, cycle or vehicle safety, or the safe and efficient operation of the road network..

11.1.3.7A Sites that provide onsite parking shall provide accessible parking where appropriate.

11.1.3.8 To avoid, remedy or mitigate adverse effects from the location, design and operation of intersections.

11.1.3.9 To ensure rural structures and vegetation do not cause or aggravate:

(a) restricted visibility at road intersections; or

(b) icing on roads.

11.1.3.10 To avoid or mitigate likely adverse effects on the integrity of the road network arising from sea-level rise, climatic change and natural hazards.

11.1.3.11 To ensure that signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of motorists or pedestrians.

11.1.3.12 To facilitate a regional cycle trail and a safe, pleasurable and convenient network for pedestrian, micromobility and bicycle traffic should be developed and maintained as an integral part of the land transport system, and to encourage the use of transport modes other than private motor vehicles. **C22 2/11 Op 1/15**

11.1.3.13 Ensure that the specific needs of electric vehicles are implemented at the building design stage.

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11.1.20 Methods of Implementation

11.1.20.1 Regulatory

(a) Rules and zones limiting the location of residential and ruralresidential development to areas in close proximity to established town centres.

(b) Rules limiting the location and traffic generation effects of rural workplaces.

(c) Rules defining the form and density of urban subdivision and development.

(d) Rules that control the potential effects of activities on the environment and amenity, including their traffic generation and effects on the safety and efficiency of the roading network.

(e) Rules limiting the location of certain activities which are not suitable adjoining major roads due to their sensitivity to traffic volumes.

(f) Rules relating to the size, shape, location and size of lettering, illumination and message on signs.

(g) Rules regarding the size and design (surfacing) of car parking spaces, loading and manoeuvring areas for each activity, based on the traffic generation and duration of stay of vehicles associated with the site. Such rules to specify requirements for staff, visitors, goods deliveries, customers and residents. **NPS-UD 09/21**

(h) Rules relating to queueing space on site for car parks containing more than 20 spaces.

[Method (i) deleted] **NPS-UD 09/21**

(j) Rules regarding car parking requirements for people with disabilities.

(k) Rules requiring the setback of structures and trees from the road boundary in rural areas to ensure that the carriageway can receive full sun between 10.00 am and 2.00 pm on the shortest day.

(l) Standards of the Nelson Tasman Land Development Manual ~~2019~~ that address network layout and design, access, vehicle crossings, intersections and sight distances to ensure the safety, efficiency and effective functioning of the transportation network. **C69 6/19 Op 6/20**

(m) Rules that take into account and promote the needs of pedestrian, micromobility users and cyclists.

(n) Requiring the specific needs of electrical vehicles to be implemented.

(o) Rules requiring every site to have an access that provides safe entry and exit for, micromobility users or vehicles.

11.1.20.2 Investigations and Monitoring

(a) Investigation of and support for layby kiosks for signs.

(b) Monitoring of accident rates, causes and locations.

(c) Establish the means to be used in assessing the road maintenance or repair impacts of activities subject to resource consents.

(d) Develop, in consultation with road users, a procedure for determining fair and reasonable contributions for upgrading roads.

11.1.20.3 Education and Advocacy

(a) Promotion of a sustainable form and sustainable operation of the transport system through means such as the local Agenda 21 initiative, the Healthy Communities programme.

11.1.20.4 Works and Services

(a) Continuing provision of funds and bids for government funding support for the Annual District Land Transport Programme, including maintenance and upgrade of the roading

network, safety improvements, monitoring and research, and expenditure on planning, construction and maintenance of the land transport system.

(b) Continuation of Council's tourist facility symbol scheme.

(c) The provision of car parking, service lanes and other traffic management facilities.

11.1.30 Principal Reasons and Explanation

The location and form of built development and other traffic-generating activities is a strong determinant of the form of the transport system, a major physical resource of the District. Compact urban form, with a minimum of ribbon development, enables development of an efficient network for through traffic. There is a legacy of ribbon development in parts of the District, such as at Hope, Wakefield and Ruby Bay. Any more intensive development in such areas will need to avoid adversely affecting traffic safety and efficiency.

To promote a compact urban form and efficiency of land use, medium density residential development in zoned locations may not require on-site vehicle access. However, a safe entry and exit must be provided for micromobility and pedestrian access from sites to a road to ensure a well-functioning urban environment.

In order to minimise potential hazards created by traffic movement and traffic generation it is important that each site fronting a classified road provides adequate space on site so that any parking, loading, and manoeuvring of vehicles can be contained within the boundaries of the site. The arrangement should not lead to a hazard to vehicle traffic, micromobility users or pedestrians.

To encourage and support electric vehicle use in the district, it is important that new buildings are designed to include the appropriate infrastructure.

Walking and cycling are widely recognised as healthy, enjoyable and environmentally sustainable ways to travel, and offer convenient and efficient options for short to medium distance trips. Designing sites to support cycle parking and access and also waste collection is important to support a well functioning urban environment.

Intensive traffic-generating activities such as commercial and industrial activities need convenient access to major routes. Because access causes a reduction in the carrying capacity of roads and a potential conflict with passing vehicles, the location and detailed design of access is important. Accesses that are too wide or too narrow, at a position of impaired visibility or located too close to intersections, can cause traffic conflict.

~~Adequate on-site parking is required for activities to prevent the spread of on-street parking, which can interfere with the safe operation of the transport network and property access to the network.~~

To reduce accident risk on rural roads where traffic speed tends to be higher, clear visibility needs to be maintained and shading which could cause icing problems avoided.

Other hazards, such as a predicted sea-level rise of up to 25 centimetres by the year 2025 indicates a need for prudence in expenditure on road infrastructure in areas such as Ruby Bay, which may be affected most by sea-level rise.

Signs adjacent to roads have the potential to cause driver distraction. Traffic signs should be easily read. To achieve the highest degree of safety, roadside information directed at road users needs to be kept to a minimum, located in positions with adequate visibility and have clear and concise messages that can be rapidly read by road users.

[unchanged or irrelevant text omitted]

CHAPTER 16: GENERAL RULES

[unchanged or irrelevant text omitted]

16.2 TRANSPORT (ACCESS, PARKING AND TRAFFIC)

Refer to Policy sets 5.2, 6.1, 6.3, 6.5, 7.3, 7.4, 8.1, 8.2, 9.1 – 9.3, 11.1, 11.2, 13.1.
Refer to Rule sections 16.3, 17.1 – 17.8, 17.12, 18.8.

16.2.1 Scope of Section

This section deals with access, parking and traffic effects of land uses throughout the District. Information required with resource consent applications is stated in Chapter 19.

16.2.2 Land Use

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16.2.2.1 Permitted Activities (Land Use – Vehicle Access Considerations)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Access and Vehicle Crossings

(a) In the Medium Density Residential, Commercial and Central Business Zones: access to a site either by micromobility or vehicle is provided, (except for small unstaffed network utility buildings). For all other zones accessways and vehicle crossings are provided (except for small unstaffed network utility buildings).

Vehicle access including vehicle crossings or micromobility access is provided, formed and maintained on each site in accordance with Chapter 4 of the Nelson Tasman Land Development Manual and where;

(i) a building is constructed or substantially reconstructed altered or added to; or
(ii) it is proposed to construct, erect or alter one or more buildings or other works in stages and the total proposed construction, erection or alteration would, if carried out other than in stages, constitute a substantial reconstruction, alteration or addition. Provided that stage works that occurred two calendar years prior to the current proposal needs not be counted; or
(iii) there is a change in the use of any land or building; or
(iv) otherwise required by a rule in this plan.

~~The site of the activity is provided with an access and crossing,~~

(b) Any access and crossing must be designed and ~~laid out~~ constructed in accordance with relevant matters specified in Chapter 4 of the Nelson Tasman Land Development Manual and as listed in ~~the matters listed in~~ Figure 16.2A, except in the Medium Density Residential Zone where a shared private vehicle access for between 7 to 20 dwellings is permitted provided the private vehicle access complies with the formation standards specified in Table 4-7 M*inimum Provision and Width of Elements for Unclassified Roads* of the Nelson Tasman Land Development Manual, with the exception that the residential lane does not need to be vested with Council as a public road.

Note: In the Medium Density Residential Zone, Residential, Commercial and Central Business Zones a shared private access for more than 20 dwellings is a restricted discretionary activity (16.2.2.6 (7)).

(c) Where they are in the Medium Density Residential Zone, no additional vehicle crossings are created onto the following roads:
(i) Gladstone Road;
(ii) Salisbury Road
(iii) Champion Road

(iv) Hill Street
(v) Queen Street
(vi) Wensley Road
(vii) Higgs Road
(viii) High Street

For the avoidance of doubt, this means that existing vehicle access crossings can continue to be used, and any new dwellings will either need to use the existing vehicle access crossing or a relocated vehicle access crossing. In the latter situation, the original vehicle access crossing would need to be disestablished.

Figure 16.2A: Nelson Tasman Land Development Manual ~~2019~~ Access and Vehicle Crossing Standards

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MATTER	NTLDM REFERENCE
General	4.10.2.1 (a) – (e), 4.10.2.3 and 4.10.2.4 – 4.10.2.8
Higher speed environments	4.10.2.2
Grade and gradient design	4.10.3.2 – 4.10.3.4
Spacing	4.10.2.3 and 4.10.7
Tracking and turning	4.10.6
Sight distances	4.10.4

~~(b)~~(c) Visibility for all ~~from the~~ vehicle access and crossing complies with; EITHER

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~~(c) The design of the vehicle access and crossing complies with:~~

C69 6/19 Op 6/20

(i) Standard 4.10.5.1 of the Nelson Tasman Land Development Manual ~~2019~~ and the following conditions:

(a) is located in the Residential, Medium Density Residential, Papakāinga, Rural Residential, Rural 3, Rural 1 or Rural 2 zone;

(b) gains access from a residential lane, local road or sub-collector road;

(c) does not cross a cycle path that is less than 3 metres from the property boundary; and

(d) is not a commercial activity,

OR

(ii) Figure 4-11 of the Nelson Tasman Land Development Manual ~~2019~~

(d) There is no direct access onto the Richmond Deviation (SH6).

(e) The site of the activity is in the Open Space, Recreation or Conservation zone, and the access and crossing complies with the following:

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(i) The set of standards in Table 4-11 of the Nelson Tasman Land Development Manual ~~2019~~ that are applicable to the zone adjoining or surrounding the Open Space, Recreation or Conservation Zone site; and

(ii) Where more than one other zone adjoins or surrounds the site, the applicable standards are the set with the widest crossing.

Advice Notes:

1. Where the state highway is a Limited Access Road, it is not considered a road for the purposes of access and approval is required from the NZ Transport Agency for an access under the Government Roading Powers Act 1989.

2. Where private access is required from the state highway, or where the development will impact on an intersection or any part of the state highway, the NZ Transport Agency standards require consideration. Consultation with the NZ Transport Agency is recommended in these cases.

(f) Stormwater from any access is either: **C10 10/07 Op 3/14**

(i) discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater; or

(ii) the discharge complies with section 36.4 of this Plan.

(g) Any stormwater drainage feature that forms part of the stormwater drainage network is physically and legally protected from future development that may adversely affect the efficient functioning of the network. **C7 7/07 Op 10/10**

(h) Stormwater from any access with an area greater than 200 square metres in the Richmond West Development Area Mixed Business, Rural Industrial and Light Industrial zones (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be present in the stormwater is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. **C10 10/07 Op 3/14**

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council's Engineering Standards and Policies.

(i) Where a vehicle crossing from an arterial or distributor road gives access to a car parking area containing more than 20 spaces, a queuing area at least 15 metres long is provided for vehicles entering the site. The queuing area length is measured from the road boundary of the site to the first point at which a vehicle can turn into a parking space or aisle. **C10 10/07 Op 3/14**

On-site Turning **C69 6/19 Op 6/20**

(j) Where vehicle access is provided, on-site manoeuvring space is provided on any site for the largest class of vehicle likely to need access to the site on a weekly or more ~~regular,~~ frequent ~~or predictable~~ basis, so that a vehicle does not need to reverse to or from any road; except that this requirement does not apply to a site containing only a single dwelling that has access from a collector, access road or access place.

Location of Gates **C69 6/19 Op 6/20**

(k) Any gate is hung to open into the site, and is set back sufficiently to ensure that the largest class of vehicle likely to need access to the site on a regular, frequent or predictable basis can be stopped off the road carriageway while the gate is being opened or shut.

Design of micromobility access

(l) In the Medium Density Residential, Commercial and Central Business Zones, where vehicle access to a site or dwelling is not provided, a micromobility access is provided from a road carriageway to the front door of each dwelling. The micromobility access shall:

(i) have a 1.8m minimum sealed width with a further 200mm clearzone both sides of the 1.8m path where vegetation shall have a mature height of no taller than 0.5m; and

(ii) not exceed the maximum gradient specified in Table 16.2B; and

(iii) be illuminated during the hours of darkness and incorporate Crime Prevention Through Environmental Design principles; and

(iv) have a surface treatment which is firm, stable and slip resistant in any weather conditions; and

(v) be unobstructed for its full length up to a height of 2.4m; and

(vi) where the micromobility access includes steps, provide a step-free option as specified in NZS 4121:2001: *Design for access and mobility: Buildings and associated facilities*; and

(vi) where the micromobility access adjoins a building, a minimum 1m setback from the building shall be provided for landscaping to provide physical buffer between the micromobility access and buildings for opening windows and to contribute to privacy and amenity.

Table 16.2B - Maximum micromobility access gradient requirements

Maximum micromobility access gradient	Required rest area at either end of the gradient
Up to 1 in 33.3 (3%)	No rest area required
Between 1 in 33.3 (3%) and 1 in 20 (5%)	Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3%) must be provided at intervals not exceeding 45m
Between 1 in 20 (5%) and 1 in 12.5 (8%)	Rest area with a minimum length of 1.2m and with a maximum gradient of 1 in 33.3 (3%) must be provided at intervals not exceeding 9m

Note: It is recommended that developments with 10 or more dwellings be designed in accordance with NZS 4121:2001: *Design for access and mobility*: *Buildings and associated facilities.*

16.2.2.2 Permitted Activities (Land Use – Traffic)

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Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) Activities undertaken on RT 3C/906 (Appleby Highway, Appleby) do not exceed 60 vehicle trips per day. Compliance with this rule will be demonstrated by the maintenance of records of vehicle trips by the site operator, to be available for inspection on the request of the Council or the NZ Transport Agency at any reasonable time.

Frontage to Unformed Legal Roads

(b) Vehicular access to the site of any activity is by formed legal road, or by an existing right-of-way or other legally enduring instrument over another property.

Traffic Sensitive Activities

(c) Any elderly persons' housing, or any hospice, rest home or day care facility is not located on a site with frontage or access to an arterial road.

(d) The activity is not a public transport depot.

16.2.2.3 Permitted Activities (Land Use – Provision for Parking and Loading)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The activity is not car parking in the:

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(i) Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps);

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(ii) Māpua public car parks; or

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(iii) Māpua Commercial Zone;

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where more than five parking spaces are provided under condition (d) of this rule.

(b) The activity does not use parking spaces on another site, except where the title of the site of the activity and the title of the site on which the parking for that activity is provided, are amalgamated or otherwise encumbered so that one site cannot be disposed of independently of the other.

[Condition (c) deleted]

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(d) Condition (b) above does not apply to the activities permitted by rule 17.12.2.1 for the Golden Edge Rural Industrial Zone where: **C69 6/19 Op 6/20**

(i) all vehicle parking is to be off road and contained within Lot 1 DP 18146 and Lots 1, 2 and 4 DP 18918 (Lower Queen Street, Richmond) as shown in the annotated area on the planning maps and subject to condition (b) of this rule. **NPS-UD 9/21**

[Condition (d)(ii) and Figure 16.2C deleted]

Size of Parking Spaces

(e) Any parking space and associated manoeuvring area (other than for residential activities) is designed to accommodate a ~~90~~ 85-percentile design motor car in accordance Schedule 16.2A. **C69 6/19 Op 6/20 NPS UD 9/21**

(f) Any residential car park is 5 metres x 3 metres, but where two car parks are side-by-side, the combined area may be 5 metres x 5 metres.

h

Provision for Loading

(g) Except as exempted below, loading spaces are provided within the net area of every site in accordance with Table 16.2C. Whenever a building is increased in floor area, or undergoes a partial or total change in activity, loading requirements for the existing part of the building or that part remaining in the existing activity, shall remain unaltered. In this case the requirements relevant when the original activity, or part of it, was obtained shall continue to apply. Loading requirements for the increased floor area or that area with a new or altered activity shall be calculated in accordance with Table 16.2C.

(h) Loading spaces are not required for any of the following activities, unless otherwise required by a resource consent:

(i) Residential developments with up to six residential units.
(ii) Residential Activities (including Home Occupations) in zones other than Medium Density Residential, Residential, Commercial and Central Business Zones;
(iii) Farming Activities;
(iv) Activities in the Coastal Marine Area or Conservation Zone;
(v) Small Unstaffed Network Utility Buildings.

~~Any non-residential activity contains a loading area for vehicles servicing the activity.~~

~~(h) Any loading area is at least 7.5 metres long and 3.5 metres wide, with a clear height of not less than 3.8 metres; except for activities of less than 1500 square metres gross floor area, where a loading area must not be less than 6 metres x 3.5 metres x 2.6 metres.~~

(i) Any industrial or commercial activity, where the access frontage road is an arterial, distributor or collector road, contains a loading area with on-site turning for at least a 90-percentile truck as defined in Schedule 16.2A.

(j) Where loading is provided, it must comply with the standards outlined in Table 16.2C.

Table 16.2C: Loading Space, Size and Design Vehicle Specification

Gross Floor Area of Activity/number of residential units	**No. of Loading Spaces Required**	**Minimum Loading Space Size**	**Design vehicle**
Commercial, Educational, Health Facilities and other similar non goods handling activities:			
Activities with gross floor area of $30m^2$ up to $200m^2$	1	6m length 3m wide 2.6m high Provided this loading space may be positioned behind an existing	85 percentile car tracking curve

		parking space on-site as long as it does not obstruct any other parking or loading space or required vehicle access or manoeuvring	
Activities with gross floor area over 200m² up to 2,500m²	1	6m length 3m wide 2.6m high	85 percentile car tracking curve
Activities with gross floor area > 2,500m²	1	8m length 3.5m wide 4.4m high	Medium rigid truck 8m 2 axle truck tracking curve
Residential activities in a Residential, Medium Density Residential Zone where vehicle access is not provided			
Residential activities that have less than one carpark space per residential unit and more than 6 residential units	1	6.4m length 3.5m wide 2.8m high	6.4m van
Retail, Retail Services, Industrial and similar goods handling activities:			
Activities with gross floor area of 10m² up to 100m²	1	6m length 3m wide 2.6m high	85 percentile car tracking curve
Activities with a gross floor area 100m² to 2,500m²	1	8m length 3.5m wide 4.4m high	Medium rigid truck 8m 2 axle truck tracking curve
Activities with a gross floor area>2,500m²	1	20m length 3.5m wide 4.4m high	Semi Trailer tracking curve
Freight Depots, Carrier Depots, Land Transport Terminals, Bulk Stores, Warehouses, and similar activities			
Activities with gross floor area up to 200m²	1	8m length 3.5m wide 4.4m high	85 percentile 2 axle truck tracking curve
Activities with a gross floor area >200m² to 2,500m²	1	20m length 3.5m wide 4.4m high	Semi Trailer tracking curve
Activities with a gross floor area > 2,500m²	1/2,500m² (1 space min)	20m length 3.5m wide 4.4m high	Semi Trailer tracking curve

~~Figure 16.2D: Size of Parking Spaces~~

~~Type of User~~	~~Parking Angle~~	~~Stall Width O (metres)~~	~~Aisle Width (metres)~~	~~Stall Depth O (metres)~~	~~Overhang (metres)~~
~~Class 1 O~~	~~90 degrees~~	~~2.4 2.5 2.6~~	~~7 6.6 6.2~~	~~5 5 5~~	~~0.8 0.8 0.8~~
~~Class 2 O~~	~~90 degrees~~	~~2.5 2.6 2.7~~	~~8 7 6.6~~	~~5 5 5~~	~~0.8 0.8 0.8~~
~~People with disabilities~~	~~90 degrees~~	~~3.6~~	~~8~~	~~5~~	~~0.8~~

All	0 degrees	2.5	3.5 O 5.5 O	6.1	
All	30 degrees	2.5	3.5	4.4	0.6
All	45 degrees	2.5 2.7	3.8 3.5	5 5	0.7 0.7
All	60 degrees	2.5 2.7 2.9	4.5 4 3.5	5.4 5.4 5.4	0.8 0.8 0.8

Footnotes:

O Class 1 users are medium to long term parking including areas such as places of work.

O Class 2 users are short-term parking and where goods can be expected to be loaded to or from vehicles.

O Spaces adjacent to walls or columns are 300 millimetres wider.

O One-way aisle only.

O Two-way aisle.

O Stall depth is 5.8 metres where vehicles park nose-to-nose or tail-to-tail.

Cycle Parking

(j)(k) Cycle parking must be provided and designed laid out in accordance with Table 16.2E and Schedule 16.2B and the design guidance outlined in the Nelson Tasman Land Development Manual is provided. and be; **C10 10/07 Op 3/14 NPS UD 9/21**

(i) fully sheltered from the weather; and
(ii) lockable and secure; and
(iii) not part of any required outdoor living space or landscaped area; and
(vi) artificially lit where the parking is located inside or operates outside of daylight hours.

(l) In the Medium Density Residential, Residential, Commercial, Central Business, Mixed Business and Industrial Zones, the activities specified in Table 16.2E must provide at least the minimum number of cycle parking spaces specified.

Table 16.2E - Cycle Parking

Activity	Visitor Cycle Parking	Secure Long Stay Cycle Parking
Education Facilities:		
Preschool	1 per 10 children	1 per 3 FTE staff; and 1 per 7 children
Primary	1 per 30 students	1 per 3 FTE staff; and 1 per 5 children
Secondary	1 per 100 students	1 per 3 FTE staff; and 1 per 5 students
Tertiary	1 per 100 FTE students	1 per 4 FTE staff; and 1 per 4 students
Veterinary clinics and health facilities (excluding hospitals)	1 per 10 FTE staff	1 per 8 FTE Staff
Hospitals	1 per 30 beds	1 per 15 beds
Industrial activity	1 per 1,000m2 GFA	1 per 750m2 GFA
Offices	1 per 1,500m2 GFA	1 per 150m2 GFA
Places of Entertainment and Assembly	1 per 100m2 Public Floor Area	1 per 1000m2 Public Floor Area
Restaurants and Cafes	1 per 300m2 Public Floor Area	1 per 100m2 Public Floor Area
Residential Activities	1 per 10 dwellings	In dwellings without a garage; 1 per dwelling plus 1 per 2 bedrooms
Retail:		
Large Format Retail/ Service Stations	1 per 1,000m2 GFA	1 per 750m2 GFA
All other retail	1 per 500m2 GFA	1 per 200m2 GFA

When the assessment of the total number of cycle parking spaces results in a part space being involved, any fraction under one half will be disregarded. Fractions of one half or more will be counted as one space.

(m) Visitor cycle parking spaces shall not be required where:

(i) the building frontage extends for the full length of the subject site, or
(ii) a publicly available cluster of cycle spaces is located within 25 m of the public entrance of the activity in sufficient quantities to meet the level otherwise required in Table 16.2E.

End of Trip Facilities

(n) In the Commercial, Central Business, Mixed Use and Industrial Zones end of trip facilities (intended for staff use) are provided as outlined in Table 16.2F.

Table 16.2F End of Trip Facilities

Number of cycle and micromobility parking spaces provided by staff	Minimum number of standard shower cubicles required	Minimum number of accessible shower cubicles required*	Minimum number and type of changing rooms required**
1-9	0	1	0
10-50	1 per 25 cycle spaces	No less than 10% of the total shower cubicles must be accessible	1 ungendered
51-150	1 per 40 cycle spaces	No less than 10% of the total shower cubicles must be accessible	2 ungendered
Each additional 100 cycle spaces	2 additional cubicles	No less than 10% of the total shower cubicles must be accessible	1 additional ungendered

*Each shower cubicle and accessible shower cubicle must have its own dry area for changing.

**The changing rooms specified in this table are additional to the dry area for changing required to be provided with each shower cubicle.

When the assessment of the total number of facilities results in a part space being involved, any fraction under one half will be disregarded. Fractions or one half or more will be counted as one.

(o) One secure gear locker per cycle parking space is provided.

Parking for People with Disabilities

~~(k)~~(p) A carparking area must be included for people with disabilities in accordance with Table 16.2G. The dimensions of spaces for disabled people are detailed in ~~Figure 16.2D~~ AS/NZS 2890.6 Parking Facilities; part 6 off-street parking for people with disabilities.

Note: In accordance with provision D1.3.6 of the Building Act 2004 ~~Code~~, vehicle spaces for use by people with disabilities shall be provided in sufficient numbers.

~~(l) Car parking for people with disabilities is located as close as practicable to the activity or building entrance. Each space should be on a level surface and be clearly signed.~~

Table 16.2G Accessible Parking Spaces – Residential Activities

Number of Residential Units	Minimum number of accessible parking spaces
10-19	Not less than 1
For every additional 10 dwellings or units	Not less than 1 additional space

(q) For the medium density residential zone, accessible parking spaces must be provided for developments including 10 or more residential units at a rate of at least 1 accessible park for 10% of the number of residential units on a site.

(r) Accessible car park spaces must be provided as close to the accessible building entrance to the associated activity, and the most direct route from the accessible car park spaces to the activity must be accessible. The accessible spaces must be clearly signed and located to avoid conflict between vehicles and people using or moving to or from the space.

(s) In carparking buildings or basements there must be a vertical clearance of not less than 2.5m at accessible parking spaces and along the full length of any route providing vehicle access to or from those parking spaces.

Electric Vehicle Supply Equipment

(t) In the Medium Density Residential, Residential, Commercial and Central Business Zone any residential unit with a dedicated resident car parking space must provide the following for a minimum of 1 car parking space to support the charging of electric vehicles;

(i) sufficient space on the switchboard(s) for residual current device; and
(ii) appropriately sized and located mains; and
(iii) the necessary conduit, cable route and/or cable ladders whichever is appropriate

This requirement does not apply to visitor car parking.

Surface of Parking Areas

(~~m~~)(u) The surface of any parking area in the Residential, Medium Density Residential, Central Business, Commercial, Mixed Business, Tourist Services, Light Industrial and Heavy Industrial zones, and for allotments of 5000 square metres or less in the Papakāinga and Rural Residential zones, is formed and sealed, and spaces marked on the ground, except that: **C10 10/07 Op 3/14** **C69 6/19 Op 6/20 NPS-UD 9/21**

(i) sealing is not required for parking areas for residential development if no more than two spaces are provided for that development; and

(ii) marking of spaces is not required for residential development other than compact and comprehensive residential developments where there are more than two units. **C22 2/11 Op 1/15**

(~~n~~)(v) The surface of any parking area for any permitted activity in the Rural 1, 2 and 3 zones, and for allotments of more than 5000 square metres in the Papakāinga and Rural Residential zones, is formed to an all-weather surface standard and spaces marked out if the number of car parks provided for the activity exceeds four. **C69 6/19 Op 6/20 NPS-UD 9/21**

Stormwater for Parking, Manoeuvring and Loading Areas **C10 10/07 Op 3/14**

(~~o~~)(w) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, stormwater from any parking, manoeuvring, and loading area is either: **C7 7/07 Op 10/10** **C10 10/07 Op 3/14**

(i) discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater; or

(ii) the discharge complies with section 36.4 of this Plan.

(~~p~~)(x) Any stormwater drainage feature that forms part of the stormwater drainage network is physically and legally protected from future development that may adversely affect the efficient functioning of the network. **C7 7/07 Op 10/10**

~~(q)~~(y) Stormwater in the Richmond West Development Area, Māpua Commercial Zone and Māpua public car parks from: C10 10/07 Op 3/14 C22 2/11 Op 1/15

(i) any parking and manoeuvring area greater than 200 square metres; and

(ii) any loading area where any substance loaded or unloaded has the potential to contaminate the stormwater drainage network;

is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be present in the stormwater is able to be substantially retained by such a device before there is any discharge to the Council maintained stormwater drainage network.

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems are provided in the current Council Engineering Standards and Policies.

16.2.2.4 Controlled Activities (Land Use - Carparking Layout and Landscape Design in Māpua Public Car Parks, Māpua Commercial Zone and Richmond West Development Area)

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Construction and landscape design of a car park in Māpua public car parks, the Māpua Commercial Zone or the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) is a controlled activity, if it complies with the following conditions:

(a) The activity complies with conditions (d) to (q) of rule 16.2.2.3.

(b) Where more than five car parks are provided, the carparking area includes the following features:

(i) One specimen tree is planted for every five parking spaces, or where parking spaces are facing in pairs, one specimen tree for every five pairs of parking spaces.

(ii) Any trees planted under (i) comply with the following:

(a) are species capable of reaching a height of at least 8 metres;

(b) are no less than 1.8 metres high at the time of planting, and with a diameter of no less than 50 millimetres at a height of 1 metre;

(c) are species capable of growing to 5 metres within 10 years;

(d) are located within a protection area having a diameter or dimension of at least 1.8 metres (a minimum area of 2.5 square metres);

(e) are distributed throughout the carpark area;

(f) comprise a mix of evergreen and deciduous trees.

(c) Any part of a carparking area (excluding access points) fronting to a road features one specimen tree, meeting conditions (b)(ii)(a) – (d) and (f) along every 10 metres of carparking frontage.

(d) Trees planted to meet the requirements of condition (c) are planted to separate carparking area activities from pedestrian activities on the street.

(e) Trees required under conditions (b) and (c), and other plantings where provided, are maintained and replaced where dead, damaged, or diseased. C10 10/07 Op 3/14

(f) Compliance with condition 16.2.2.3(q).

A resource consent is required and may include conditions on the following matters over which the Council has reserved its control.

Carpark Location

(1) The location of the car park in relation to:

(a) ease of access to the building or outdoor area;

(b) integration with the building and street frontage;

(c) visual dominance when viewed from the road or adjoining Residential Zone;

(d) separation from loading, manoeuvring and storage areas.

Carpark Layout and Design

(2) The layout and design of the car park in relation to:

(a) provision of safe and efficient pedestrian access from the car park to the activity, including the use of design elements such as drop down kerbs, paths and raised crossing points to provide safe and comfortable pedestrian access;

(b) where the car park is intended to be used during the evenings, the illumination of the car park, adequacy of lighting, including lux levels, position of lighting and avoidance of contrasting light pools of light and darkness;

(c) the degree of visibility and passive surveillance of the car park, such as being viewed from windows;

(d) the shape of the car park and the ease and safety of entry and egress, and traffic circulation;

(e) the extent of separation of pedestrians from vehicles and dedicated pedestrian access and walkways.

Carpark Landscaping

(3) The landscaping of the car park in relation to:

(a) the tree species, spacing, height and location within the parking area;

(b) tree height and proximity of trees to buildings, and shading effects;

(c) the mix of deciduous and evergreen species;

(d) the degree of contribution that landscaped areas, including tree planting, makes to breaking up the scale of the car park, creating a pedestrian scale environment, and reducing the visual dominance and stark appearance of large areas of hard surface;

(e) the degree of contribution that planting makes to the integration of the car park with the building and assists with reducing visual impacts of bulk and scale; (f) the provision of trees for shading vehicles and creating a comfortable environment, and for lowering stormwater runoff temperatures;

(g) the appropriateness of species to the local environment, such as suitability and hardiness;

(h) provision of other planting;

(i) planting methods; **C10 12/09 Op 3/14**

(j) plant protection methods; **C10 10/07 Op 3/14**

(k) tree root management, including root pit dimensions, soil structure, aeration, irrigation, and proximity to underground services. **C10 12/09 Op 3/14**

16.2.2.5 Controlled Activities (Land Use – Transport Depots) **C19 5/10 Op 8/12**

Any public transport depot is a controlled activity, if it complies with the following conditions:

(a) The activity is not on a site in or adjoining a Residential Zone or Medium Density Residential Zone. **C69 6/19 Op 6/20**

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Location and design of accesses and on-site parking in order to provide for safe vehicle and pedestrian activity at the site.

(2) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(3) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

16.2.2.6 Restricted Discretionary Activities (Land Use - General)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 16.2.2.1 to 16.2.2.5 is a restricted discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Access and Vehicle Crossings

C69 6/19 Op 6/20

(1) The location and design of on-site access and vehicle crossings, including dimensions, gradient, surface standard and any effect on the safety and efficiency of traffic on the adjoining road.

(2) The need to secure registered easements for the use of an access off the site of the activity.

(3) The adverse effects of an overlength access.

(4) The adverse effects of an access for more than six users.

(5) Any mandatory and good practice matters of chapter 4.10 (access, etc.) and 4.12 (parking) of the Nelson Tasman Land Development Manual ~~2019~~.

Design of Micromobility Access

(6) In the Medium Density Residential, Residential, Commercial and Central Business Zone a micromobility users access that does not meet the permitted activity standards (16.2.2.1) is restricted to the following discretion;

(a) the extent to which the safety of pedestrians and micromobility users, both on and off the site will be affected.

(b) the effects of lighting on pedestrian safety, wayfinding and access, including whether the number, location, design and orientation of light fittings and light support structures provide adequate lighting for the safety and wayfinding of people, including pedestrians moving, residing, working or visiting sites or neighbours.

Note: Adequate lighting is the amount of lighting at eye level for a person with average eyesight so they can identify any potential threat approaching them from at least 15m.

(c) Crime Prevention Through Environmental Design principles.

(d) The extent to which the proposal minimises conflicts between users both within the site and any adjoining road.

(e) The extent to which the proposal priorities the accessibility needs of the mobility and vision-impaired, young children and the elderly.

(f) The extent to which the proposal priorities the accessibility needs of the mobility and vision-impaired, young children and the elderly.

(g) The extent to which the proposal considers the operational requirements of the proposal.

Access for more than 20 dwellings

(7) In the Medium Density Residential Zone, Residential, Commercial and Central Business Zones a shared vehicle access for more than 20 residential units is restricted to the following discretion:

(a) The extent to which the safety of pedestrians and active transport users, both on and off the site will be affected.

(b) The extent to which the proposal:
- (i) Integrates with and minimises adverse effects on the safe and efficient functioning of the transport network and infrastructure.
- (ii) minimises conflicts between users both within the site and any adjoining transport corridor.
- (iii) Encourages easy and safe access and circulation for those not arriving by vehicle.
- (iv) Provides convenient and safe circulation for connections and/or the provision of facilities for passenger transport modes of travel relative to the scale of the proposal.
- (v) Provides for the accessibility needs of all users of the site.
- (vi) Provides for integration with neighbouring activities to reduce the need for separate traffic movements on the transport network.
- (vii) Provides for the operational requirements of the proposal such as waste collection, public transport, fire appliances, and loading (relative to the scale of the proposal).

(c) The extent to which the proposal and the traffic generated by the proposal requires improvements, modifications or alterations to the transport network and infrastructure to mitigate its effects.

(d) The recommendations and proposed conditions of any integrated transport assessment prepared to accompany the application.

(e) Issues and outcomes arising from consultation with the relevant road controlling authorities.

(f) The extent to which the proposal incorporates travel demand management and is well-located to be served by passenger transport, or encourages other active modes of travel such as walking or cycling.

Parking Areas

~~(6)~~ (8) The effects of the trip generation and demand for and supply of parking.

~~(7)~~ (9) The securing of rights to use any parking off the site of the activity.

~~(8)~~ (10) Special parking needs, such as for people with disabilities, and for cyclists. **C69 6/19 Op 6/20**

~~(9)~~ (11) Surface standard for parking areas.

~~(10)~~ (12) Any adverse effects from the scale or form of a parking area.

Roads

~~(11)~~ (13) The appropriateness and cost-effectiveness of the formation of any unformed legal road.

~~(12)~~ (14) The location and design of any new road formation, including visibility between any intersection or property access and traffic on the road.

~~(13)~~ (15) Determining the road hierarchy class of any new road or newly formed road, or any required upgrading of an existing road. **C69 6/19 Op 6/20**

~~(14)~~ (16) The need for and extent of any contributions towards the formation of any unformed legal road.

~~(15)~~ (17) The location and design of road formation, including driving visibility and any need for improvements at intersections.

Traffic Effects

~~(16)~~ (18) The effects of the design of the road and its traffic flows and types on the adjoining activity.

~~(17)~~ (19) The effects of traffic to, from, and within the site on safety and amenity (including dust and noise) for occupants or users of the site and adjoining properties. **C69 6/19 Op 6/20**

~~(18)~~ (20) The potential effect of the activity on the safety and efficiency of the road network.

~~(19)~~ (21) The effects of trip generation.

~~(20)~~ (22) Traffic effects beyond the site, including effects on carriageway width, alignment and intersections.

~~(21)~~ (23) The ability of the site to accommodate parking, loading, manoeuvring and access requirements. **C69 6/19 Op 6/20**

~~(22)~~ (24) Effects of traffic on the pleasantness and vitality of commercial centres and on the environment, in terms of noise, generation of fumes and the safety and efficiency of the road network.

Stormwater

~~(23)~~ (25) The location and design of any road, crossing, access or parking area, and associated structures, to manage stormwater quality.

Duration

~~(24)~~ (26) The duration of the consent (Section 123 of the Act).

Review

~~(25)~~ (27) The purpose and timing of any review of conditions of consent (Section 128 of the Act).

~~(26)~~ (28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Cycle Parking

(29) Cycle parking considerations.

(a) Safety of the cycle parking area, considering Crime Prevention Through Environmental Design Principles

(b) The practicality and adequacy of the cycle parking proposed given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

(c) effects on the safe and efficient operation of the transport network.

Waste

(30) In the Medium Density Residential Zone, consideration of suitability of servicing on the site, including whether storage areas for rubbish and recycling are sufficiently sized and conveniently located and appropriately screened.

(31) In the Medium Density Residential Zone, consideration of safe servicing by collection vehicles including a maximum distance of 20 metre reverse length and a maximum three manoeuvres on private roads and no reversing on or onto public roads.

16.2.20 Principal Reasons for Rules

Dust-free Vehicular Access

The rule will avoid conflict between users of land either side of an unsealed access where dust effects are an issue. Traffic on unsealed roads can cause dust nuisance for residents and activities alongside roads. In most instances the severity of the dust effect is related to the numbers using the road. However, in the case of dust sensitive crops grown adjacent to unsealed roads, damage may be caused at low levels of vehicle activity.

Access and Vehicle Crossings

C69 6/19
Op 6/20

The Nelson Tasman Land Development Manual ~~2019~~ provides mandatory and good practice matters, for the design and construction of vehicle crossings and access points from private property to the transportation network. The implementation of these matters can ensure that safety, effectiveness and efficiency objectives and policies of the Plan can be met.

Micromobility access

Where vehicle access to a site or residential unit is not provided, pedestrian and micromobility user access needs to be provided. The design of this access should provide for people of all abilities, incorporate CPTED design principals to ensure the safety of all users, enable wayfinding and dwelling identification, and provide for privacy and amenity.

Parking Requirements

The rule requires that sufficient parking spaces be provided on a given site in order to reduce cross-boundary and on-street effects arising from the parking generated by the activities on the site. The quantity and location of parking provided in accordance with those rules may not be sufficient for the total growth in parking demand that occurs in the District, nor will the rules ensure that parking is provided where it will most efficiently meet the parking needs of the District. Strategies outside the Plan are needed to meet those goals.

In the larger and busier towns of the District, the Council provides public car parking using funds from financial contributions. The increasing provision of outdoor dining facilities generates a car parking need that is not met by a formula that is related only to the area of buildings.

Size of Parking Spaces

Specific dimensional measurements for parking and manoeuvring of motor cars are provided to ensure ease of movement and safety in car parking areas.

Surface of Parking Areas

The appropriate surfacing of parking and loading area ensures that any adverse effects such as dust, mud or noise, created by manoeuvring vehicles are mitigated. These areas also require drainage to ensure that runoff does not cause inundation or scouring on the property or adjoining properties.

Queuing Space on Site

Queuing space at the entrance to car parking areas provides an area off the road for cars to queue while waiting for manoeuvring vehicles, or for a parking space. This protects the safety and efficiency of the frontage road by reducing blocking of traffic lanes and footpath crossings.

Parking for People with Disabilities

The parking provision for disabled persons reflects the need to cater for a specific minority of the population which is dependent on vehicles.

Cycle Parking
The rule encourages the use of cycles for local travel to and from developments of a size that have the potential to attract reasonable numbers of cyclists.

Provision for Loading
The rules will reduce the occurrences of loading vehicles adversely affecting health and safety, and the efficient use of roads.

Traffic Sensitive Activities
The appropriate location of sensitive activities will provide most effectively for both the health and safety of people and their social and economic well-being.

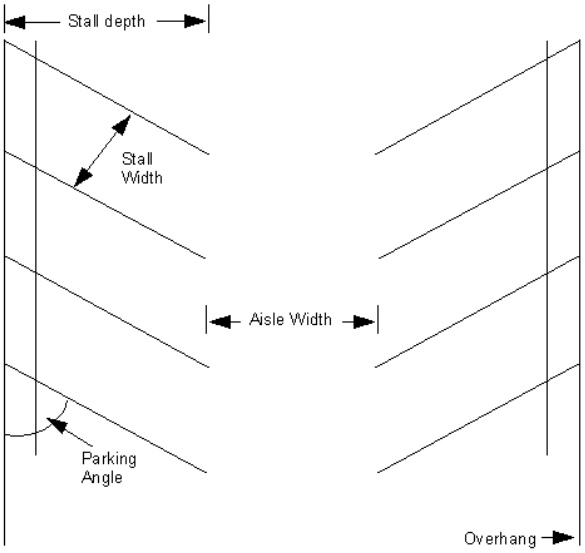
High Traffic-Generating Activity
The principal reason for the rules is to ensure that activities, which generate more than 40 vehicle trips per day, do not conflict with road safety or efficiency.

Electric Vehicle Charging
The principal reason for the rule is to ensure that the specific needs of electrical vehicles are considered at the building design stage when it is cheaper and more effective to implement, rather than the challenges of retrofitting at a later stage.

SCHEDULES

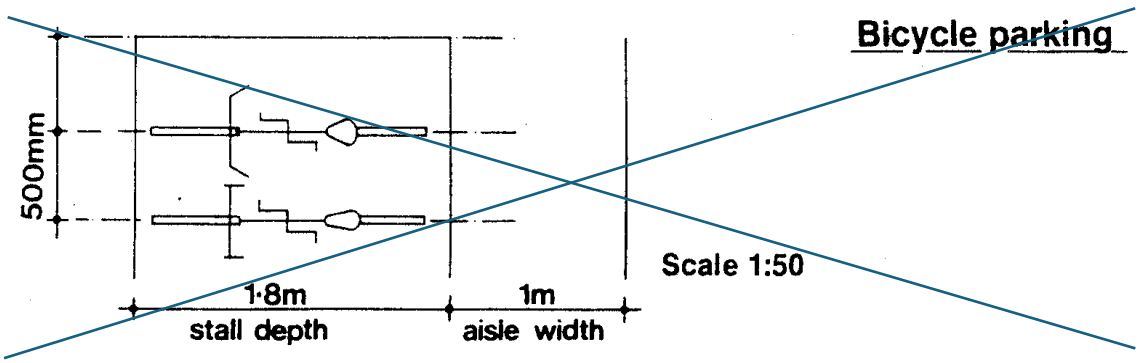
Schedule 16.2A: Example of Parking Layout

Refer to rule 16.2.2.3(e).



~~Schedule 16.2B: Bicycle Racks~~

Refer to rule 16.2.2.3



[unchanged or irrelevant text omitted]

16.3 SUBDIVISION

Refer to Policy sets 5.1 - 5.3, 6.1 – 6.6, 7.1 7.4, 8.1, 8.2, 9.1 9.3, 10.1 10.3, 11.1, 11.2, 13.1, 14.1 - 14.4, 21.4, 27.5, 33.3, 33.4.
Refer to Rule sections 16.2, 16.4 - 16.6, 16.11,18.8, 18.12, 18.13, 36.2, 36.4.

[unchanged or irrelevant text omitted]

16.3.3 Residential Zone

16.3.3.1 Controlled Subdivision (Residential Zone — Standard Density Development)

C66 10/17 Op 12/18

Subdivision for standard density development in the Residential Zone is a controlled activity, if it complies with the following conditions:

Allotment Area

(a) Except as provided for in condition (n), every allotment has a minimum net area as set out in Figure 16.3A.

Figure 16.3A: Minimum Allotment Areas in the Residential Zone

DESCRIPTION OF LAND TO BE SUBDIVIDED	MINIMUM NET AREA (M^2)	
Without reticulated wastewater servicing Except Milnthorpe	1,000 1,800	
With reticulated wastewater servicing Except: (i) Motueka and Richmond complying with rule 16.3.3.1(c).	450 350	
(ii) Allotments adjoining Rural 1 or Rural 2 zones except that on that part of land in Lot 1 DP20082 (Old Wharf Road) and as shown on the planning maps at Motueka as zoned Residential.	1,000 700	
(iia) Allotments at Rototai Road Residential Zone.	600	
(iii) Allotments adjoining Industrial Zones.	800	
(iiia) Allotments adjoining the Light Industrial Zone at Bird Lane, Wakefield	1,000	**C58 11/15 Op 7/17**
(iv) Allotments in St Arnaud Residential Zone not crossed by Alpine Fault (except as specified in (v)).	1,000	
(v) Allotments in St Arnaud on Lake Road, Robert Street, Holland Street, Arnaud Street and Bridge Street, south of Black Valley Stream in St Arnaud.	1,800	
(vi) Allotment to be used exclusively as a site for a network utility or public work.	1, with no minimum diameter	
(vii) Waimea Village	*Refer Schedule 17.1D*	
(viii) Richmond South, Richmond West, and Motueka West and Māpua-development areas.	*Refer rule 16.3.3.1 (n)(i)(a) – (d)*	**C10 10/07 Op 3/14 C22 2/11 & C43 4/13 Op 1/15**
(ix) Richmond East Development Area south east of Hill Street.	600	**C20 8/10 Op 8/12**
(x) Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900	**C20 8/10 Op 8/12**
(xi) Māpua Outline Spatial Plan Areas	Refer to Schedule 16.3D	

DESCRIPTION OF LAND TO BE SUBDIVIDED	MINIMUM NET AREA (M^2)	
(xi) Tahi St and Iwa St Residential Coastal Zone	One new allotment of at least 650m^2 with a balance allotment of at least 650m^2 may be created from a record of title existing as at 26 February 2011	**C22 2/11 Op 1/15**
~~(xii) Richmond Intensive Development Area~~	~~*Refer rule 16.3.3.1(n)(i)(a) – (d)*~~	~~**C66 10/17 Op 12/18**~~
(xiii) Brightwater Development Area where the parent title has a net area of 2 hectares or less.	450	**C75 9/22 Op 10/23**
(xiv) Brightwater Development Area where the parent title has a net area greater than 2 hectares, and Wakefield Development Area.	Refer to rule 16.3.3.1B *Residential Zone – Specific Location: Brightwater and Wakefield Development Areas*	**C75 9/22 Op 10/23 C76 9/22 D9/24**

(b) Except as provided in condition (n) and Figure 16.3A (ix), and (x) ~~and (xii)~~, the minimum net area for new allotments (except for network utilities) in Motueka and Richmond is 350 square metres if reticulated wastewater servicing is available to the allotment and the following applies: **C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18**

(i) the land to be subdivided comprises less than 1 hectare and two or more allotments are to be created and the average net allotment area is at least 500 square metres in Motueka and 450 square metres in Richmond;

(c) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (x) ~~and (xii)~~, for subdivision in Motueka and Richmond where the land to be subdivided comprises more than 1 hectare: **C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18**

(i) at least 20 percent of residential allotments have a net area of 700 square metres or more;

(ii) at least 60 percent of residential allotments have a net area between 550 and 800 square metres;

(iii) not more than 20 percent of residential allotments have a net area of 550 square metres or less.

(d) Except as provided in condition (n) and Figure 16.3A (ix), and (x) ~~and (xii)~~, the land to be subdivided does not include any allotment in Motueka or Richmond of less than 1,000 square metres created by a subdivision approved since 1 January 1987, unless the subdivision is for a network utility. **C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18**

Average Net Area

(e) Except at St Arnaud and Waimea Village and as provided in condition (n) and Figure 16.3A (ix), and (x) ~~and (xii)~~, for subdivisions producing three or more allotments the average net area of each allotment is: **C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18**

(i) 1,200 square metres in areas without reticulated wastewater servicing;

(ii) 600 square metres in areas with reticulated wastewater servicing;

(iii) 500 square metres in areas with reticulated wastewater servicing in Motueka and 450 square metres in Richmond, where the land to be subdivided comprises less than one hectare;

(iv) 800 square metres in areas shown as Rototai Road Residential Zone.

Frontage

(f) Except as provided for in condition (n), every allotment that has a frontage has a minimum frontage width of 3.5 metres, except for Waimea Village (*see Schedule 17.1D*).

Shape Factor

(g) Every allotment is capable of containing, within its net area, a circle with a diameter of 16 metres, except for Waimea Village (*see Schedule 17.1D*).

Lot Width

(h) Allotments created by a subdivision that adjoins any Rural or Industrial zone have a width of at least 30 metres between the zone boundary and the farthest boundary of the allotment.

Services

(i) Every allotment in the Richmond West, Brightwater, Motueka West, Wakefield, and Richmond East~~, Richmond Intensive~~ and Māpua development areas (excluding the Residential Coastal Zone) is provided with services as set out in Schedule 16.3C, except for allotments created for access, utility, segregation, road or road reserve purposes. The appropriate trenches, ducts, cables, pipes and other necessary works are provided to the internal boundary of each allotment.

C10 10/07 Op 3/14 C20 8/10 Op 8/12 C22 4/13 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 OP 10/23 C76 9/22 (D9/24)

Comprehensive Residential Development

(k) The subdivision is not part of a comprehensive residential development.

Existing Buildings

(l) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity with the relevant zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the relevant general rules.

Heritage Site or Item Present

(m) The land being subdivided does not include:

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or

(ii) a protected tree referred to in Schedule 16.13B in the Richmond West, Brightwater, Motueka West, Wakefield, Richmond East~~, Richmond Intensive~~ or Māpua development area.

C10 10/07 Op 3/14 C16 9/09 Op 8/12 C20 8/10 Op 8/12 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

Cultural Heritage Sites

(ma) An authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an authority is not considered necessary.

C16 9/09 Op 8/12 C66 10/17 Op 12/18

(mb) Where the listed cultural heritage site is a wāhi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

C16 9/09 Op 8/12 C66 10/17 Op 12/18

Stormwater

(mc) In the Residential Zone:

(i) EITHER:

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

C7 7/07 Op 10/10 C10 10/07 Op 3/14 C66 10/17 Op 12/18

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(iii) A planting plan and design statement by an appropriately competent person in landscape architecture is provided with any plan submitted showing a stormwater retention area in Motueka West Development Area. **C43 4/13 Op 1/15** **C66 10/17 Op 12/18**

Note: A discharge consent may be required where new stormwater infrastructure is being created. **C7 7/07 Op 10/10 C10 10/07 Op 3/14 C66 10/17 Op 12/18**

~~(md) In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the Part II Special planning map:~~ **C66 10/17 Op 12/18**

~~(i) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;~~

~~(ii) the flood flow path surface is constructed or treated to prevent erosion of the surface.~~

Cross Boundary Effects **C10 10/07 Op 3/14**

(me)

(i) Sites adjoining and within 60 metres of Designation 127 are subject to a consent notice to ensure compliance with condition 17.1.3.1(c). **C66 10/17 Op 12/18 C75 9/22 Op 10/23**

(ii) In the Brightwater Development Area

a) A resource consent application for subdivision within 100m of the state highway's white edge line must be accompanied by an acoustic design report, prepared by a suitably qualified and experienced acoustic specialist which details the following:

i) The measured or predicted outdoor road traffic noise level, determined in accordance with NZS 6801:2008 *Acoustics – Environmental Noise* and NZS 6806:2010 *Acoustics – Road Traffic Noise – New and Altered Roads*.

ii) Where the measured or predicted outdoor road traffic noise level exceeds 57 dB L_{Aeq} (24h), the report must recommend how the subdivision can best include measures to mitigate the effects of road traffic noise on the inhabitants of any future dwellings and achieve an internal noise level of 40 dB L_{Aeq} (24h) in habitable rooms. The report must add 3 dB to the measured or predicted noise level to take into account future growth and peaks in road noise.

For the purpose of (a):

. Habitable room is defined as per the National Planning Standards – Any room used for the purpose of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

- As a minimum, noise levels must be measured or predicted within the subdivision area at the boundary closest to the state highway, and at a point furthest from the state highway that is still within 100m of the state highway's white edge line.
- Any extraneous noise sources such as abnormal events (e.g., cicadas and crickets, or a neighbour mowing the lawn or doing construction work) must be removed from the noise analysis.

b) All lots (except network utility lots) within 20m of the state highway's white edge line must be demonstrated to be of sufficient size and dimension for a complying dwelling to be setback at least 20m from the state highway's white edge line.

Transport C66 10/17 Op 12/18

(mf) The transport conditions in Schedule 16.3B are complied with, unless the subdivision is for a single allotment for a network utility.

Richmond South, Richmond West, Brightwater, Motueka West, Wakefield, and Māpua ~~and Richmond Intensive~~ Development Areas C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

(n) Subdivision for standard density development in the Richmond South, Richmond West, Motueka West, Wakefield, ~~Māpua,~~ and Brightwater ~~and Richmond Intensive~~ development areas, as shown on the planning maps, complies with the following conditions:

(i) **Allotments** C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 D9/24

(a) The minimum net area of every allotment is at least 350 square metres, except in the Māpua Development Area where each allotment is at least 450 square metres and in the Brightwater and Wakefield Development Areas where Rule 16.3.3.1B(a) and 16.3.3.1B (b) applies.

(b) The minimum average net area for all allotments is 550 square metres, except in the Motueka West area where the minimum average net area is 500 square metres ~~and in the Richmond Intensive Development Area, and in the Brightwater and Wakefield Development Areas, where there is no average~~. C10 10/07 Op 3/14 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

(c) Every allotment is capable of containing a circle with a diameter of 16 metres or greater.

(d) ~~Except for the Richmond Intensive Development Area, n~~No fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres wide. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage. C66 10/17 Op 12/18

(ii) **Allotment Access and Road Network**

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules). C69 6/19 Op 6/20

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C11 10/07 Op 10/10

(d) Except for the indicative roads shown in the Richmond South and the Richmond West development areas on the planning maps~~,~~:. C10 10/07 Op 3/14

(i) no road in the Richmond South Development Area is designed to connect directly with Hart/Bateup roads, Wensley/Paton roads, Hill Street or State Highway 6; C66 10/17 Op 12/18 C75 9/22 Op 10/23

(ii) no road in the Richmond West Development Area is designed to connect to State Highway 6 or Lower Queen St; and

~~(iii) no road in the Richmond Intensive Development Area is designed to connect to Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.~~

~~(iv)~~(iii) no road in the Brightwater Development Area is designed to connect to State Highway 6.

[Items (e) and (f) are deleted] C69 6/19 Op 6/20

(g) The transport conditions in Schedule 16.3B are complied with.

(h) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area, except that existing lawful access crossings may continue to be used. C10 10/07 Op 3/14

(i) No allotment in the Motueka West Development Area created after public notification of Motueka West plan change gains direct access on to Queen Victoria Street except that existing lawful crossings may continue to be used. **C43 4/13 Op 1/15**

(j) No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points.

(k) No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area, except that existing lawful access crossings may continue to be used. **C10 10/07 Op 3/14**

(l) No allotment created after 28 August 2010 gains direct access from Champion Road or from Salisbury Road if the allotment is located within 215 metres or 100 metres respectively of the intersection of Champion and Salisbury roads as measured from the intersection of the extension of the road boundary tangent point, except that existing lawful crossings may continue to be used. **C20 8/10 Op 8/12**

~~(m) No allotment in the Richmond Intensive Development Area created after 14 October 2017 gains direct access onto Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.~~ **C66 10/17 Op 12/18**

~~(n)~~(m) No allotment in the Brightwater Development Area gains direct access onto State Highway 6. Lawful existing accessways may continue to be used. **C75 9/22 Op 10/23**

(iii) **Reserves** **C5 3/06 Op 10/10**

Subject to but not limited by rule 16.4.2.1: **C10 10/07 Op 3/14**

(a) land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows: **C5 3/06 Op 10/10** **C10 10/07 Op 3/14**

- 70 metre wide reserve along Borck Creek from the Light Industrial Zone to the Mixed Business Zone
- 15 metre wide reserve along Poutama Drain
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek
- 10-metre-wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions. **C79 11/24**

(b) except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. **C5 3/06 Op 10/10** **C10 10/07 Op 3/14**

c) within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40-metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). **C76 9/22 D9/24**

(iv) **Indicative Stormwater Retention Area** **C5 3/06 Op 10/10**

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in the Richmond South and Motueka West development areas on the **C43 4/13 Op 1/15**

planning maps to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4.

Notes: C5 3/06 Op 10/10

(1) The Urban Design Guide (Part II, Appendix 2) should be considered in preparing applications under this rule. C10 10/07 Op 3/14

(2) In the Richmond South and Māpua development areas, it is intended that all existing reservoirs not expressly forming part of the stormwater network or included in an Outline Spatial Plan will be dewatered at the time of subdivision. C22 2/11 Op 1/15

Allotment Access and Road Network – Richmond East C66 10/17 Op 12/18

(o) Subdivision in the Richmond East Development Area complies with conditions 16.3.3.1 (n)(ii)(a), (n)(ii)(c), and (n)(ii)(l). C20 8/10 Op 8/12

Sites in the Coastal Environment Area - Little Kaiteriteri

(q) For residential sites on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles between Cook Crescent at Stephens Bay and Rowling Road at Little Kaiteriteri and within the Coastal Environment Area, no more than 20 percent of indigenous coastal shrubland or coastal forest on a site may be cleared. C73 12/20 Op 6/23

In the notated area shown on the planning maps on Record of Title NL 13A/194 (Talisman Heights) or its successive titles, there shall be no more than three residential allotments.

Landscape Treatment – Old Wharf Road (Motueka) and Māpua Drive C22 2/11 Op 1/15 C66 10/17 Op 12/18

(r) Where allotments are created within 150 metres of the boundary of the Heavy Industrial Zone in Old Wharf Rd (Motueka), subdivision of Pt Lot 3 DP 1654, Lot 2 DP 424497 and Lot 1 DP 20082 (High Street and Old Wharf Road) incorporates a 12-metre wide landscaped earth mound at least 3 metres high along the boundary with the Heavy Industrial Zone.

(s) Where allotments adjoin Māpua Drive between the Ruby Bay bypass (Te Mamaku Drive) and Aranui Park, amenity plantings 3 metres wide are provided, and there is no close-boarded or solid fencing. C22 2/11 Op 1/15

Amenity Plantings within a Boundary Setback – Richmond West Development Area C10 10/07 Op 3/14

(t) In the Richmond West Development Area, amenity plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) Adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain southwest to the point where Poutama Drain intersects with the designation.

(ii) Adjoining the ~~Indicative Collector Road and~~ indicative walkway that separates the Residential Zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide. C79 11/24

Amenity Plantings – Richmond West and Māpua Development Area C66 10/17 Op 12/18

(u) In the Richmond West and Māpua development areas, a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback or adjoins Māpua Drive at Māpua. C10 10/07 Op 3/14 C22 2/11 Op 1/15

(v) In the Richmond West and Māpua development areas, the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. **C10 10/07 Op 3/14** **C22 2/11 Op 1/15**

A resource consent is required. The Council has reserved control over the following matters:

Traffic

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including: **C69 6/19 Op 6/20**

- the number of intersections between the frontage of any site and the nearest of those roads;
- the driving time between any site and the nearest of those roads;
- the walking distance between any site and an arterial or principal road, along public roads, pedestrian ways, or footpaths through reserves. **C69 6/19 Op 6/20**

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access. **C69 6/19 Op 6/20**

(5) The relationship of any new road with existing roads, adjoining land, and any future roading requirements.

Services

(6) Availability and provision of services, including the appropriate trenches, ducts, cables, pipes and other ancillary works provided to the road boundary for each allotment, except for rear allotments or those located off shared accesses where the services shall be provided to an internal boundary.

Stormwater Management

(7) Any matter necessary to manage stormwater run-off, including low impact design solutions where appropriate. **C7 7/07 Op 10/10**

(8) The physical and legal protection of primary and secondary stormwater flow paths and indicative reserves. **C10 10/07 Op 3/14**

(9) Any mandatory or good practice matters of chapter 5 of the Nelson Tasman Land Development Manual ~~2019~~ necessary to ensure the efficient and effective provision of stormwater network reticulation. **C69 6/19 Op 6/20**

Open Space/Reserves

(10) The extent and location of indicative reserves. **C10 10/07 Op 3/14**

(11) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse. **C7 7/07 Op 10/10**

Access for Earthworks

(12) Location and effects of earthworks necessary to achieve (1) and (7). **C10 10/07 Op 3/14**

Natural Heritage

(13) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(14) Potential adverse effects on wetland values.

(15) Potential adverse effects on indigenous coastal vegetation and fauna values at Little Kaiteriteri/Stephens Bay.

(16) The degree of compliance with any mandatory requirements of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Cultural Heritage **C16 9/09 Op 8/12**

(17) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C66 10/17 Op 12/18**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

Richmond South, Richmond West, Brightwater, Motueka West, Wakefield, and Māpua ~~and Richmond Intensive~~ Development Areas **C5 3/06 Op 10/10**

(18) For subdivision for standard density development in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, and Māpua ~~and Richmond Intensive~~ development areas, control over the following matters apply: **C10 10/07 Op 3/14** **C22 2/11 & C43 4/13 Op 1/15** **C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D/24)**

(a) The extent to which the road network is interconnected within the subdivision and with adjoining networks, including the street network, walkways and cycleway connectedness.

(b) ~~Except for the Richmond Intensive Development Area, t~~The layout of allotments in terms of providing for a range of allotment densities, street-facing frontages and with access to public spaces, walkways and reserves.

(c) The extent to which the proposed subdivision provides for reserves and public open spaces for the use and enjoyment of communities.

(d) The visibility of all public spaces, including roads, walkways and reserves, and the degree of passive surveillance from future dwellings.

(e) The degree to which the proposed subdivision has used landscaping and vegetation plantings within public spaces, including road reserve, to provide for a high amenity environment.

(f) The ability of each allotment to accommodate a dwelling, accessory buildings, on-site parking and access in accordance with rule 17.1.3.1.

(g) The effective management of stormwater, including the use of low impact design solutions, where practicable.

(ga) In the Wakefield Development Area, and in the Brightwater Development Area between Katania Heights Road and the Brightwater Deviation SH, any matter necessary to manage flood and dam break hazard risk. **C76 9/22 (D/24)**

(h) The proposed management of any temporary or permanent effects arising from vegetation removal, earthworks and landscaping.

(i) The management of risk of property damage or nuisance from potential natural hazards.

(j) ~~Except for the Richmond Intensive Development Area, t~~The degree to which the potential for reverse sensitivity of existing rural activities arising from adverse cross-boundary effects on new residential development has been accounted for in the subdivision design.

((k) The extent of retention and integration of existing trees and groups of trees into the subdivision design.

(l) The degree of application of the design guidelines in the Urban Design Guide (Part II, Appendix 2) to the matters identified within the document, where relevant.

(m) Ensuring adequate ongoing maintenance and replacement of amenity plantings.

(n) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads and Hill Street has been minimised.

(o) In the Brightwater Development Area, where dwellings will be located within 100m of the state highway's white edge line, the type and extent of methods utilised to manage potential noise and vibration effects from the state highway. **C75 9/22 Op 10/23**

(p) In the Wakefield Development Area, the recommendations of the Integrated Transportation Assessment. **C76 9/22 D9/22**

(q) The extent that the requirements of the Outline Spatial Plan (Schedule 16.3D) are achieved.

Note: Further guidance about good urban design and low impact development can be found in the Urban Design Guide (Part II, Appendix 2).

Richmond East Development Area **C20 8/10 Op 8/12**

(19) For subdivision in the Richmond East Development Area, the following matter applies: **C66 10/17 Op 12/18**

(a) The extent to which the number of individual allotment accesses onto Champion Road or Salisbury Road, if located within 215 metres or 100 metres respectively of the intersection of Champion and Salisbury roads, has been minimised.

Amenity Plantings - Richmond West Development Area **C10 10/07 Op 3/14**

(20) For subdivision in the Richmond West Development Area, the following matters apply: **C66 10/17 Op 12/18**

(a) Landscaping and amenity plantings for the identified allotments, including the type, height (at planting time and at maturity), girth at planting, location of species to be planted, planting plan, planting and maintenance programme, and bunding.

(b) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(c) The extent to which the amenity plantings create a visually attractive appearance when viewed from public roads and reserves, and adjoining zones.

(d) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Residential and Mixed Business zones, and reserves.

(e) The depth and height of plantings.

(f) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth.

(g) The appropriateness of the species to the local environment and conditions.

(h) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

(21) The degree to which the width and height of planting and bunding mitigates adverse effects arising from the operation of the State Highway network and contributes to the enhancement of major traffic corridors. **C10 10/07 Op 3/14** **C66 10/17 Op 12/18**

(22) Financial contributions. C66 10/17 Op 12/18

(23) All matters referred to in Section 220 of the Act.

(24) Bonds and covenants. C10 10/07 Op 3/14 C66 10/17 Op 12/18

~~16.3.3.1A Controlled Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)~~ ~~C66 10/17 Op 12/18~~

~~Subdivision for intensive development in the Richmond Intensive Development Area is a controlled activity, if it complies with the following conditions:~~

~~Allotment Area~~

~~(a) The minimum net allotment area is 200 square metres.~~

~~Allotment Access and Road Network~~ ~~NPS-UD 9/21~~

~~(b) The subdivision meets the controlled conditions (n)(ii)(a) (d), (n)(ii)(g), (n)(ii)(m) and (n)(iii)(b) of rule 16.3.3.1.~~

~~Complying Building Envelope~~

~~(c) Each application is accompanied by a complying building envelope showing a building location area and compliance with the conditions contained in rule 17.1.3.4C relating to building and site coverage, building setbacks from internal and external boundaries, building envelope, outdoor living space, fences, building height, building length and the parking and access conditions for the Richmond Intensive Development Area in Figures 16.2A.~~

~~Services, Heritage Site or Item Present, Cultural Heritage Sites, Protected Trees, Stormwater and Transport~~ ~~C66 10/17 Op 12/18~~

~~(d) The subdivision meets controlled conditions 16.3.3.1(i), (m) to (mf).~~ ~~C73 12/20 Op 6/23~~

~~Existing Buildings~~ ~~C73 12/20 Op 6/23~~

~~(e) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a Restricted Discretionary activity with the 17.1.3.4C zone rules relating to site and building coverage, fences, outdoor living space, setbacks, building envelope, building height and length, stormwater; and with parking and access requirements under the relevant general rules.~~

~~A resource consent is required.~~ ~~The Council has reserved control over the following matters:~~

~~(1) Matters (2) and (3) listed in 16.3.3.3 relating to site layout.~~

~~(2) Matter (4) listed in 16.3.3.3 relating to solar access and privacy.~~

~~(3) Matters (6) and (7) listed in 16.3.3.3 relating to servicing.~~

~~(4) Matters (8) and (9) listed in 16.3.3.3 relating to landscape treatment.~~

~~(5) Matter (12) listed in 16.3.3.3 relating to open space/reserves.~~

~~(6) Matters (29) and (30) listed in 16.3.3.3 relating to energy efficiency.~~

~~General~~

~~(7) Taking into account local land form, whether allotments are of a regular shape that will maximise the range and efficiency of potential activities that may take place on the land in the future.~~

~~(8) The granting or reservation of an easement over any private land for the purpose of locating stormwater systems to convey stormwater to any reticulated network utility under the control of the Council.~~

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(9) The vesting in Council of any allotment in connection with the servicing of any other land by a stormwater network utility under the control of the Council.

Earthworks

(10) The extent to which any earth cut or fill will remove existing vegetation, alter existing landforms, affect water quality, or affect existing natural features, such as water courses.

(11) Whether the proposed earthworks will increase or decrease the risks from natural hazards either on, or outside, the land being subdivided.

Stormwater

(12) The actual and potential adverse effects of the subdivision in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:

(a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(b) The extent to which the subdivision design has taken into account changes in land cover and the proposed measures to avoid, remedy or mitigate the effects of those changes on stormwater flows and water quality.

(c) The degree to which the subdivision has used Low Impact Design solutions in the management of stormwater.

(d) The degree of maintenance or enhancement of natural drainage characteristics in the overall subdivision design and allotment layout.

(e) The regard for existing and reasonably expected future land use changes within the catchment of the subdivision.

(f) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

(g) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been applied to the subdivision design.

(h) The methods proposed to avoid damage to downstream properties from altered stormwater flows and effectiveness of those methods.

Archaeological or Heritage Sites

(13) In relation to land, including a heritage site or item referred to in Schedules 16.13A, 16.13C or 18.1A:

(a) whether the proposed subdivision would have an adverse or beneficial effect on the integrity or heritage value of the site or item, and the extent of that effect;

(b) the extent to which land integral to the significance of an archaeological site or site of significance to Māori would be separated from that site;

(c) the provisions of any relevant management plan.

Protected Trees

(13A) In relation to a protected tree referred to in Schedule 16.13B:

(a) whether the proposed subdivision would have an adverse or beneficial effect on the protected tree, and the extent of that effect;

(b) the provisions of any relevant management plan.

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~~**Access and Roads**~~

~~(14) The extent to which an existing road needs to be upgraded to manage effects of traffic generated by the subdivision, taking into account the existing state and use of the road and the construction standards of section 18.8 rules for that particular class of road.~~

~~(15) The ability to comply with the site access and vehicle crossing requirements of rule 16.2.2.1.~~

~~(16) Financial contributions.~~

~~(17) All matters referred to in Section 220 of the Act.~~

~~(18) Bonds and covenants.~~

~~**Non-Notification**~~ ~~C66 10/17 Op 12/18~~

~~Applications for resource consent that comply with the conditions of this rule (16.3.3.1A) will be decided without limited notification and without public notification.~~

~~In respect of non-compliance with condition 16.3.3.1(n)(ii)(b) [cul-de-sac length], applications for resource consent for an activity under this rule will be decided without limited notification and without public notification.~~

16.3.3.1B Controlled Subdivision (Residential Zone – Specific Location: Brightwater and Wakefield Development Areas)

C75 9/22 Op 10/23 C76 9/22 D9/24

Subdivision in the Brightwater and Wakefield Development Areas is a controlled activity, if it complies with the following conditions:

Allotment Area

(a) In the Brightwater Development Area every allotment created by the subdivision has a net area as stated in Figure 16.3AB, except where Compact Density Provisions are used in which case there are no minimum allotment area requirements for the Compact Density Development.

(b) In the Wakefield Development Area, at least 15% of the allotments have an average net site area of 360m2 or less, with a minimum of 200m2 and a maximum of 450m2 (reserve lots are excluded from these calculations). The minimum net area for the remaining allotments is 200m2. However, these provisions do not apply where Compact Density Provisions are used in which case there are no minimum allotment area requirements for the Compact Density Development.

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Figure 16.3AB: Minimum Allotment Areas in the Brightwater Development Area:

DESCRIPTION OF LAND TO BE SUBDIVIDED		NET AREA REQUIREMENTS (M^2)
(i)	Where the land to be subdivided has a net area of 2 hectares or less	Refer to Rule 16.3.3.1 Figure 16.3A (xiii) *Standard Density* Subdivision
(ii)	Where the land to be subdivided has a net area greater than 2 hectares	a) A minimum of 20% of the allotments created have a net area of between 270m^2 and 350m^2. And b) A minimum of 20% of the allotments created have a net area of between 350m^2 and 450m^2. A maximum of 50% of the allotments created can utilise the allowances under (ii)(a) and (ii)(b) above. The minimum net area for the remaining allotments is 450m^2. NOTE: The net area requirements do not apply to Compact Density, however, Compact Density subdivision and land use rules (16.3.3.3 and 17.1.3.3) can contribute to achieving the requirements of this rule in both size categories (ii)(a) and (ii)(b).

Allotment Access and Road Network C75 9/22 Op 10/23 C76 9/22 D6/24

~~(b)~~(c) The subdivision meets ~~the controlled~~ conditions: ~~16.3.3.1(n)(i)(c-d),~~ (n)(ii)(g), and (n)(ii)(n) of Rule 16.3.3.1. ~~*Allotment Access and Road Network.*~~

Services, Existing Buildings, Heritage Site or Item Present, Cultural Heritage Sites, Protected Trees, Stormwater, Transport and Reserves C75 9/22 Op 10/23

~~(c)~~(d) In the Wakefield Development Area, no fewer than 85 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres wide. For the avoidance of doubt, this means that no more than 15 percent of allotments may be rear allotments without any road or reserve frontage. C76 9/22 D6/24

~~(c)~~(e) The subdivision meets the conditions of:

(i) 16.3.3.1(i) *Services*

(ii) 16.3.3.1(l) *Existing Buildings*

(iii) 16.3.3.1(m) *Heritage Site or Item Present*

(iv) 16.3.3.1(ma)-(mb) *Cultural Heritage Site*

(v) 16.3.3.1(mc) *Stormwater*

(vi) 16.3.3.1(me)(ii) *Cross Boundary Effects (this applies to the Brightwater Development Area only and not the Wakefield Development Area).*

(vii) 16.3.3.1(mf) *Transport*

(viii) 16.3.3.1(n)(iii)(a),16.3.3.1(n)(iii)(b), 16.3.3.1(n)(iii)(c) *Reserves*

(ix) 16.3.3.2A (f) *Comprehensive Development*

Matters of Control C75 9/22 Op 10/23 C76 9/22 D6/24

(i) Matters (1)-(18) and (22) (24)listed in 16.3.3.1

(ii) The ability to achieve a variety of housing ~~density~~ options.

(iii) Financial Contributions.

(iv) All Matters referred to in Section 220 of the Act

(v) Bonds and covenants.

16.3.3.2 Restricted Discretionary Subdivision (Residential Zone – Listed Cultural Heritage Site) C16 9/09 Op 8/12

Subdivision in the Residential Zone that does not comply with controlled condition (ma) of rule 16.3.3.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction;

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

16.3.3.2A Restricted Discretionary Subdivision (Residential Zone - Standard Density Development) C66 10/17 Op 12/18

C75 9/22 (d 6/23) C76 9/22 D6/24

Subdivision for standard density development in the Residential Zone that does not comply with the controlled conditions of rules 16.3.3.1 or 16.3.3.1B is a restricted discretionary activity, if it complies with the following conditions:

Stormwater

(a) In the Residential Zone:

(i) EITHER:

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan. C66 10/17 Op 12/18

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Note: A discharge consent may be required where new stormwater infrastructure is being created.

~~(b) In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the Part II Special planning map:~~

~~(i) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;~~

~~(ii) the flood flow path surface is constructed or treated to prevent erosion of the surface.~~

Richmond South, Richmond West, Brightwater, and Wakefield, ~~and Richmond Intensive~~ Development Areas

C10 10/07 Op 3/14

C66 10/17 Op 12/18

C75 9/22 Op 10/23 C76 9/22 D9/24

(c) Land to be subdivided for standard density development in the Richmond South, Richmond West, Brightwater, and Wakefield ~~and Richmond Intensive~~ development areas that does not comply with the conditions of rule 16.3.3.1 is a restricted discretionary activity, if it complies with the following conditions:

Minimum Allotment Size

(i) The minimum net area for each allotment is 350 square metres, except in the Brightwater Development Area where the minimum net area for each allotment is 270 square metres, and in the Wakefield Development Area where the minimum net area for each allotment is 200 square metres.

- ~~The minimum net area for each allotment is 450 square metres if the land to be subdivided comprises 2 hectares or less in net area.~~
- ~~The minimum net area for each allotment is in accordance with Rule 16.3.3.2C *Restricted Discretionary Subdivision (Residential Zone – Specific Location: Brightwater and Wakefield Development Areas)* if the land to be subdivided is greater than 2 hectares in net area.~~

Allotment Access, Road Network, Reserves and Indicative Stormwater Retention Area

(ii) The subdivision meets conditions 16.3.3.1(n)(ii)(a), n(ii)(b), (n)(ii)(c) to (n)(ii)(n), (n)(iii) and (n)(iv).

CL20A 6/24

~~(iii) Except in the Richmond Intensive Development Area, the subdivision meets condition 16.3.3.1(n)(ii)(b).~~

Reverse Sensitivity

C76 9/22 (D9/24)

(iii) The subdivision must comply with 16.3.3.1(me)(ii) and (iii) Cross Boundary Effects. (This applies to the Brightwater Development Area *and not the Wakefield Development Area).*

C10 10/07 Op 3/14 C66 10/17 Op 12/18

Amenity Plantings within a Boundary Setback – Richmond West Development Area

(d) In the Richmond West Development Area amenity, plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain south west to the point where Poutama Drain intersects with the designation.

(ii) adjoining the ~~Indicative Collector Road and~~ indicative walkway that separates the Residential Zone from Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide. C79 11/24

(iii) a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback.

(iv) the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Tahi and Iwa Streets, Māpua

C22 2/11
Op 1/15
C66 10/17
Op 12/18

(e) The subject land is not in the Residential Coastal Zone at Tahi Street or Iwa Street, Māpua.

Comprehensive Development

C66 10/17
Op 12/18

(f) The subdivision is not part of a Comprehensive Development.

C75 9/22
Op 10/23

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters (1) to (37) of rule 16.3.3.3 *Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations).*

Non-Notification

In respect of non-compliance with condition (c)(iii) [cul-de-sac length], applications for resource consent for an activity under this rule will be decided without limited notification and without public notification.

~~16.3.3.2B Restricted Discretionary Subdivision (Residential Zone — Specific Location: Richmond Intensive Development Area)~~ ~~C66 10/17 Op 12/18 C73 12/20 Op 6/23~~

~~Subdivision for intensive development in the Richmond Intensive Development Area that does not comply with the controlled conditions of rule 16.3.3.1(mc) is a restricted discretionary activity, if it complies with the following conditions:~~

~~(a) The subdivision meets controlled conditions 16.3.3.1(i), (m) to (mb), (md) to (mf) and 16.3.3.1A (a) to (e).~~ ~~C66 10/17 Op 12/18 C73 12/20 Op 6/23~~

~~(b) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a Restricted Discretionary activity with the 17.1.3.4C zone rules relating to site and building coverage, fences, outdoor living space, setbacks, building envelope, building height and length; and with parking and access requirements under the relevant general rules.~~

~~**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:~~

~~(1) Matters (1) to (18) of rule 16.3.3.1A.~~

~~(2) The layout and design of a subdivision in relation to stormwater.~~

~~**Non-Notification**~~

~~Applications for resource consent that comply with the conditions of this rule will be decided without public notification.~~

16.3.3.2C Restricted Discretionary Subdivision (Residential Zone — Specific Location: Brightwater and Wakefield Development Areas)

C75 9/22 Op 10/23 D9/24

(a) Subdivision in the Brightwater Development Area and Subdivision in the Wakefield Development Area, that does not comply with the controlled conditions of rule 16.3.3.1B is a restricted discretionary activity, if it complies with the following conditions:

i) 16.3.3.1B(a)-(b) *Minimum Allotment Size*
ii) 16.3.3.1(n)(ii)(a), (n)(ii)(b), (n)(ii)(c), (n)(ii)(g) and (n)(ii)(n) *Allotment Access and Road Network*
iii) 16.3.3.1 (me)(ii) *Cross Boundary Effects.*
iv) 16.3.3.2A(a) *Stormwater*
v) 16.3.3.2A (f) *Comprehensive Development*

(b) Matters of control

Matters (1) to (37) of Rule 16.3.3.3 *(Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)*

16.3.3.3 Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)

C5 3/06 Op 10/10
C66 10/17 Op 12/18

Subdivision for compact density development in the Residential Zone is a restricted discretionary activity, if it complies with the following conditions:

Compact Density Development in Richmond, Brightwater, Wakefield, ~~Māpua~~ and Motueka

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

(a) Land to be subdivided for compact density development in the Richmond South, Richmond West, Brightwater, Wakefield ~~and Māpua Special development areas~~ and the Motueka West Compact Density Residential Area, as shown on the planning maps, complies with the following conditions:

(i) **Land Requirements**

C5 3/06 Op 10/10 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

(a) The subject land comprises (either in one or more existing titles) at least 1500 square metres in the Richmond South, Richmond West, Brightwater, Wakefield, ~~and Māpua Special development areas~~ and the Motueka West Compact Density Residential Area.

(ii) **Allotments**

C5 3/06 Op 10/10

Allotment Area

C22 2/11 Op 1/15
C43 4/13 Op 1/15
C80 12/23

(a) There is no minimum net allotment area, ~~except that in the Māpua Special Development Area the minimum allotment area is 200 square metres and~~ except that in the Motueka West Compact Density Residential Area to the west of Kerei Street the minimum allotment area is 270 square metres.

Allotment Layout

(b) The design and layout of each allotment has been established by reference to the siting of the dwelling and any other building on the allotment, to be authorized by land use consent under rule 17.1.3.3. For the avoidance of doubt, this means that both land use and subdivision consents must be applied for and processed at the same time.

Note: Council will ensure that this standard can be complied with by requiring the lodgement of all land use consent applications at the same time as the subdivision consent application, under Section 91 of the Act.

Allotment Frontage

(c) No fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres. For the avoidance of doubt, this

means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

(iii) **Allotment Access and Road Network**

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules). **C69 6/19 Op 6/20**

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. **C11 10/07 Op 10/10**

(d) Except for the indicative roads shown in the Richmond South and Richmond West development areas on the planning maps: **C11 10/07 Op 10/10**

(i) no road in the Richmond South Development Area is designed to connect directly to Hart/Bateup roads, Wensley/Paton roads, Hill Street and State Highway 6; and

(ii) no road in the Richmond West Development Area is designed to connect directly to State Highway 6, State Highway 60, Lower Queen Street and McShane Road.

[Items (e) and (ea) are deleted] **C69 6/19 Op 6/20**

(f) The transport conditions in Schedule 16.3B are complied with.

(g) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area. Existing lawful access crossings may continue to be used. **C11 10/07 Op 10/10**

(h) No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points.

(i) No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area. **C10 10/07 Op 3/14**

(j) No allotment gains direct access from State Highway 6 in the Brightwater Development Area. Existing lawful access crossing may continue to be used. **C75 9/22 Op 10/23**

(iv) **Reserves** **C5 3/06 Op 10/10 C10 10/07 Op 3/14**

Subject to but not limited by rule 16.4.2.1:

(a) Land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows: **C5 3/06 Op 10/10** **C10 10/07 Op 3/14**

- 70 metre wide reserve along Borck Creek from Light Industrial Zone to the Mixed Business Zone;
- 15 metre wide reserve along Poutama Drain;
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek;
- 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions. **C79 11/24**

(b) Except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, Iindicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. C79 11/24 C5 3/06 Op 10/10 C10 10/07 Op 3/14

(c) within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40 metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). C76 9/22 D9/24

(v) **Indicative Stormwater Retention Area** C5 3/06 C7 7/07 Op 10/10

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in Richmond South and Motueka West development areas on the planning maps, to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4. C43 4/13 Op 1/15

(vi) **Reverse Sensitivity** C75 9/22 Op 10/23

The subdivision must comply with 16.3.3.1(me)(ii) *Cross Boundary Effects.*

Amenity Plantings within a Boundary Setback – Richmond West Development Area C66 10/17 Op 12/18

(c) The subdivision meets condition (d) of rule 16.3.3.2A.

Stormwater C5 3/06 Op 10/10

(f) In the Residential Zone: C10 10/07 Op 3/14

(i) EITHER:

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

AND C5 3/06 Op 10/10

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C10 10/07 Op 3/14

Note: A discharge consent may be required where new stormwater infrastructure is being created.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion: C5 3/06 Op 10/10

Site Layout

(1) The extent to which the mix of allotment sizes can provide for different housing types and densities.

(2) Whether each allotment has appropriate area and shape to enable efficient siting and construction of one or more dwellings and any ancillary buildings, provision of private outdoor space, convenient vehicle access to a public road, and adequate on-site parking.

(3) Where the subject land adjoins any developed site with a different density character, the extent to which the allotment layout and location of any dwelling or building location area avoids or mitigates adverse amenity effects across the property boundary.

Privacy and Solar Access

(4) In the case of compact density developments, whether allotments and proposed dwellings are designed and shaped to protect the privacy of and solar access for future occupiers. **C22 2/11 Op 1/15**

Safety

(5) The extent to which the subdivision will enhance personal safety by providing urban open spaces to be fronted and overlooked by housing and actively used facilities.

Servicing

(6) The extent to which the street and allotment layout enables efficient provision of infrastructure to new areas.

(7) The likely effects of the subdivision in relation to the location of significant infrastructure facilities and networks and any related constraints on nearby development, and whether they have been identified and protected.

Landscape Treatment

(8) The extent to which the use of landscape treatment will enhance street amenity, the use and enjoyment of public spaces, and differentiate street hierarchy.

(9) The ability to use landscaping to direct run-off from impervious areas into vegetated landscaped areas to filter and soak up stormwater.

Open Space/Reserves

(10) The extent to which the subdivision provides well-distributed small neighbourhood reserves that contribute to the legibility and character of the area, provide for a range of uses and activities, and are cost-effective to maintain.

(11) The extent to which greenway reserves incorporate stormwater management and use low impact stormwater management principles.

(12) The extent and location of reserves, sportsgrounds, and urban open space and amenity reserves. **C10 10/07 Op 3/14**

(12A) The extent to which mandatory and good practice matters of chapter 10 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of parks and reserves. **C69 6/19 Op 6/20**

Traffic (streets, access, parking, manoeuvering, loading)

(13) Whether the road network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and cycle movements, incorporating traffic management to control vehicle speed and create safe conditions for all street users.

(14) The ability of roads to provide multi-purpose public spaces that are designed to balance their role for traffic with their other roles as community spaces, pedestrian environments with easy access to the town centre, parking, and as settings for residential and commercial uses. **C43 4/13 Op 1/15**

(15) The extent to which roads provide an attractive streetscape which enhances the amenity of adjacent housing and development.

(16) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads, Hill Street, Salisbury Road, Wensley Road, Oxford Street, Gladstone Road and Queen Street has been minimised. **C66 10/17 Op 12/18**

Stormwater Management

(17) Whether an integrated approach to stormwater management is used, by creating areas of open space (including reserves along watercourses and some streets with swales), that can be used for effective stormwater management, including enhancing water quality without compromising an efficient urban structure. ~~In the Māpua Special Development Area, the provisions of the Site Management Plan will need to be complied with.~~ **C22 2/11 Op 1/15**

(18) The extent to which natural and artificial watercourses, wetlands and riparian vegetation are retained and enhanced, while also making alignment modification that may be appropriate to enhance the urban structure.

(19) Any matter set out in Schedule 16.3A. **C7 7/07 Op 10/10**

(19A) The extent to which mandatory and good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of stormwater networks. **C69 6/19 Op 6/20**

(19B) In the Wakefield Development Area and in the Brightwater Development Area between Katania Heights Road and the Brightwater Deviation State Highway, manage flood risk on and beyond the site, and dam break hazard risks. **C76 9/22 D9/24**

Richmond West Development Area Amenity Plantings **C10 10/07 Op 3/14**

(20) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding.

(21) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(22) The extent to which the amenity plantings create a visually attractive appearance when viewed from roads, reserves and adjoining zones.

(23) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Residential and Mixed Business zones, and reserves.

(24) The depth and height of plantings from the Open Space Zone and the Borck Creek indicative reserve.

(25) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth within the buffer in front of screen planting.

(26) The appropriateness of the species to the local environment and conditions.

(27) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

(28) The degree to which the width and height of planting and bunding mitigates adverse effects arising from the operation of the state highway network and contributes to the enhancement of major traffic corridors.

Energy Efficiency

(29) The extent to which street and allotment orientation and dimensions facilitate the siting and design of dwellings that are energy efficient.

(30) The extent to which the orientation and design of buildings facilitates energy efficiency.

Urban Design Guide (Part II, Appendix 2) **C10 10/07 Op 3/14**

(31) Consistency with the Urban Design Guide (Part II, Appendix 2). **C22 2/11 Op 3/14**

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Reverse Sensitivity Effects

(32) Where the allotment adjoins any rural zone, the extent to which the potential for adverse cross-boundary effects from rural activities have been avoided, remedied or mitigated.

(32A) In the Brightwater Development Area where dwellings will be located within 100m of the state highway's white edge line, the type and extent of methods utilised to manage potential noise and vibration effects from the state highway. **C75 9/22 Op 10/23**

Cul-de-sac Road Access **C5 3/06 Op 10/10**

(33) The extent to which road access by a cul-de-sac that is greater than 80 metres is appropriate, due to physical or legal constraints such as land topography and geographical features, restrictions on road access to the external network, sight, shape and size, and land ownership.

Miscellaneous

(34) Any relevant matter in Schedule 16.3A.

(35) Financial contributions.

(36) All matters referred to in Section 220 of the Act.

(37) Any matters relevant to the current Engineering Standard.

(38) In the Motueka West Density Residential Area south of Whakarewa Street the effects on sites of cultural significance to Māori. C80 12/23 (D4/25)

Non-Notification **C5 3/06 Op 10/10**

Where condition (b) of this rule applies, and only in respect of non-compliance with condition 16.3.3.1(n)(ii)(b) (being cul-de-sac length), applications for resource consent for an activity under this rule will be decided without public notification and without limited notification. **C75 9/22 Op 10/23 C76 9/22 (9/24)**

In the Brightwater, ~~and~~ Wakefield Development Areas, and Motueka West Compact Density Residential Area south of Whakarewa Street applications for resource consent that comply with the conditions of this rule (16.3.3.3) will be decided without limited notification (RMA s95B) or public notification (RMA s95A). C80 12/23 (D4/25)

16.3.3.4 Discretionary Subdivision (Residential Zone)

(a) Except as provided for in conditions (b), (ba) and (c) of this rule, subdivision in the Residential Zone that does not comply with the restricted discretionary conditions of 16.3.3.2A for standard density development or the restricted discretionary conditions of rule 16.3.3.2 is a discretionary activity. **C66 10/17 Op 12/18**

(aa) Subdivision which is part of a comprehensive residential development and is the subject of concurrent resource consent applications for all other resource and building consents required for the development is a discretionary activity.

Richmond South, Richmond West, Wakefield, Motueka West, Māpua, Brightwater, and Māpua ~~Special~~ Development Areas **C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18) C75 9/22 Op 10/23 C76 9/22 D9/24**

(b) Subdivision in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Māpua development areas ~~and Māpua Special Development Area~~ that does not comply with rules 16.3.3.2A, 16.3.3.2C and rule 16.3.3.3, rule 16.3.3.1B, or 16.3.3.2C is a discretionary activity, if it complies with the following conditions:

EITHER **C10 10/07 Op 3/14**

i) The subdivision has a minimum net area of 350 square metres for each allotment, except that the Māpua Development Area has a minimum net area of 450 square metres ~~and the Māpua Special Development Area has a minimum net area of 200 square metres~~ and Motueka Compact Density Residential Area has a minimum net area of 270 square metres, and the Brightwater and Wakefield Development Areas has site areas complying with 16.3.3.1B.a. and 16.3.3.1B.b. **C22 2/11 Op 1/15 C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 D9/24**

(d) Subdivision in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Māpua development areas ~~and Māpua Special Development Area~~ that does not comply with rules 16.3.3.2A, 16.3.3.2C and ~~rule~~ 16.3.3.3, ~~rule 16.3.3.1B, or 16.3.3.2C~~ is a discretionary activity, if it complies with the following conditions:

EITHER

(i) The subdivision has a minimum net area of 350 square metres for each allotment, except that the Māpua Development Area has a minimum net area of 450 square metres ~~and the Māpua Special Development Area has a minimum net area of 200 square metres~~ and Motueka Compact Density Residential Area has a minimum net area of 270 square metres, and the Brightwater and Wakefield Development Areas has site areas complying with 16.3.3.1B(a) and 16.3.3.1B(b).

OR

(ii) The subdivision is a compact density subdivision proposal and complies with rule 16.3.3.3(a)(iii)(a), (a)(iii)(c) to (a)(iii)(j), (a)(iv), and (a)(v). **C10 10/07 Op 3/14 C75 9/22 Op 10/23 ~~C66 10/17 Op 12/18~~**

~~Richmond Intensive Development Area~~

~~(ba) Subdivision in the Richmond Intensive Development Area that does not comply with the restricted discretionary conditions of rule 16.3.3.2A for standard density development or the restricted discretionary conditions of rule 16.3.3.2B for intensive development is a discretionary activity, if it complies with the following conditions:~~

~~(i) The subdivision proposal complies with conditions 16.3.3.1(n)(ii)(c) and 16.3.3.1(n)(iii)(b).~~

Tahi and Iwa Streets, Māpua **C22 2/11 Op 1/15**

(c) Subdivision is not in the Māpua Residential Coastal Zone at Tahi Street or Iwa Street, Māpua. **C66 10/17 Op 12/18**

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act. In considering applications and determining conditions, Council will have particular regard to the following matters: **C10 10/07 Op 3/14 C43 4/13 Op 1/15 C66 10/17 Op 12/18**

(1) The degree of compliance with the applicable conditions of rules 16.3.3.1, 16.3.3.1A, 16.3.3.1B, 16.3.3.2, 16.3.3.2A, 16.3.3.2B, 16.3.3.2C, and 16.3.3.3. **C66 10/17 Op 12/18 C75 9/22 Op 10/23**

(2) The reasons for non-compliance with the conditions of rules 16.3.3.1, 16.3.3.1A, 16.3.3.1B, 16.3.3.2 16.3.3.2A, 16.3.3.2B, 16.3.3.2C, and 16.3.3.3 that have not been met.

(3) The extent to which the matters in Schedules 16.3A and 16.3B have been met.

(4) Consistency with the Urban Design Guide (Part II, Appendix 2). **C10 10/07 Op 3/14 C22 2/11 Op 1/15 C76 9/22 D9/24**

(5) In the Wakefield Development Area, the ability to achieve a variety of lot and house sizes.

Council may also consider any other relevant matter in the Plan or the Act.

Non-Notification **C58 11/15 Op 7/17**

Applications for resource consent for an activity on two specified locations close to the centre of Wakefield, shown on Zone maps 91 and 58, will be decided without public notification and without limited notification.

16.3.3.5 Discretionary Subdivision (Residential Zone – Specific Location)

C20 8/10 Op 8/12

Subdivision in the Residential Zone in the Richmond East Development Area that does not comply with rule 16.3.3.1 is a discretionary activity, if it complies with the following condition:

(a) Conditions 16.3.3.1(i) and (n)(ii)(a), (n)(ii)(c) and (n)(ii)(l).

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.3.6 Discretionary Subdivision (Residential Closed Zone)

Subdivision by means of the relocation or adjustment of an allotment boundary in the Residential Closed Zone is a discretionary activity, if it complies with the following conditions:

(a) It does not create any additional allotments on which a dwelling can be built.

(b) Following subdivision, existing buildings and dwellings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.
Council may also consider any other relevant matter in the Plan or the Act.

16.3.3.7 Non-Complying Subdivision (Residential Zone)

Subdivision in the Richmond South, Richmond West, Richmond East, ~~Richmond Intensive,~~ Brightwater, Wakefield, Motueka West, Māpua ~~and Māpua Special~~ development areas and comprehensive subdivision that does not comply with rule 16.3.3.4 or rule 16.3.3.5 is a non-complying activity.

C10 10/07 Op 3/14
C20 8/10 Op 8/12
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C51 1/15 Op 9/16
C66 10/17 Op 12/18
C75 9/22 Op 10/23)
C76 9/22 (D9/24)
C5 3/06 Op 10/10

A resource consent is required. Consent may be refused or conditions imposed.

16.3.3.8 Prohibited Subdivision (Residential Closed Zone)

Except as provided for in rule 16.3.3.4, subdivision in the Residential Closed Zone at Anchorage and Ruby Bay is a prohibited activity for which no resource consent will be granted.

C22 2/11 Op 1/15

16.3.3.9 Prohibited Subdivision (Residential Coastal Zone at Tahi or Iwa Street, Māpua)

C22 2/11 Op 1/15

Except as provided for in rule 16.3.3.1, subdivision in the Residential Coastal Zone at Tahi Street or Iwa Street at Māpua is a prohibited activity for which no resource consent will be granted.

[unchanged or irrelevant text omitted]

16.3.3A Medium Density Residential Zone

16.3.3A.1 Controlled Subdivision – Medium Density Residential Zone – Land Use Led

Subdivision in the Medium Density Residential Zone is a controlled activity, if it complies with the following conditions:

Land Use Consent

(a) The design and layout of each allotment has been established by reference to the siting of the dwelling and any other building on the allotment to be authorised by land use consent under rule 17.1A.3.2, Rule 17.1A.3.3 or Rule 17.1A.3.5. The application is lodged alongside the land

use consent application for the construction of dwellings, or a land use consent for the construction of the dwellings to be subdivided has already been granted.

Note: If necessary the Council will ensure that this standard can be complied with by requiring the lodgement of all land use consent applications at the same time as the subdivision consent application, under Section 91 of the Act.

(b) Any subdivision relating to an approved land use consent must comply with that resource consent

A resource consent is required. The Council retains discretion over the following matters:

Land Use

(1) Whether land use consent has been issued for proposed site development, and any conditions or requirements of that land use consent.

(2) The effect of the design and layout of the proposed allotments created

(3) Whether appropriate easements for services and access are proposed to be provided at the time of subdivision

Urban Design Guide (Part II, Appendix 2)

(4) Consistency with the Urban Design Guide (Part II, Appendix 2).

Miscellaneous

(5) The degree of compliance with the Nelson Tasman Land Development Manual.

(6) Any relevant matter in Schedules 16.3A, 16.3B and 16.3C.

(7) Financial contributions.

(8) All matters referred to in Section 220 of the Act.

(9) Bonds and covenants.

16.3.3A.2 Controlled Subdivision – Medium Density Residential Zone – Vacant Allotment in Outline Spatial Plan area

Subdivision in the Medium Density Residential Zone that creates a vacant allotment in an Outline Spatial Plan area is a controlled activity, if it complies with the following conditions:

(a) The subdivision is in an area that is covered by Outline Spatial Plan in Schedule 16.3D, and subdivision is in accordance with the development requirements specified in the relevant Outline Spatial Plan.

(b) The subdivision achieves a minimum net density of:
(i) 20 dwellings per hectare; or
(ii) 40 dwellings per hectare in the Richmond Intensive Development Precinct: or
(iii) Notwithstanding (i) or (ii) above, the density specified in the Outline Spatial Plan.

(c) Every allotment is provided with services as set out in Schedule 16.3C, except for allotments created for access, utility, segregation, road or road reserve purposes. The appropriate trenches, ducts, cables, pipes and other necessary work are provided to the internal boundary of each allotment

(d) The transport conditions in Schedule 16.3B are complied with, unless the subdivision is for a single allotment for a network utility.

Reserves

(e) Subject to but not limited by Section 16.4.2:

(a) land that is identified as indicative reserve on the OSP is set aside as reserve and vested in the Council upon subdivision in general accordance and alignment with the OSP

(b) Indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4.

Cross Boundary Effects

(f) Sites adjoining and within 60 metres of Designation 127 are subject to a consent notice to ensure compliance with condition 17.1.3.1(c).

(g) A resource consent application for subdivision within 100m of the state highway's white edge line must be accompanied by an acoustic design report, prepared by a suitably qualified and experienced acoustic specialist which details the following:

(i) The measured or predicted outdoor road traffic noise level, determined in accordance with NZS 6801:2008 Acoustics – Environmental Noise and NZS 6806:2010 Acoustics – Road Traffic Noise – New and Altered Roads.

(ii) Where the measured or predicted outdoor road traffic noise level exceeds 57 dB LAeq (24h), the report must recommend how the subdivision can best include measures to mitigate the effects of road traffic noise on the inhabitants of any future dwellings and achieve an internal noise level of 40 dB LAeq (24h) in habitable rooms. The report must add 3 dB to the measured or predicted noise level to take into account future growth and peaks in road noise.

For the purpose of (i):

- Habitable room is defined as per the National Planning Standards – Any room used for the purpose of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

- As a minimum, noise levels must be measured or predicted within the subdivision area at the boundary closest to the state highway, and at a point furthest from the state highway that is still within 100m of the state highway's white edge line.
- Any extraneous noise sources such as abnormal events (e.g., cicadas and crickets, or a neighbour mowing the lawn or doing construction work) must be removed from the noise analysis.

b) All lots (except network utility lots) within 20m of the state highway's white edge line must be demonstrated to be of sufficient size and dimension for a complying dwelling to be setback at least 20m from the state highway's white edge line.

Cultural Heritage Sites

(h) An authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an authority is not considered necessary.

(i) Where the listed cultural heritage site is a wāhi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

Heritage Sites or Items

(j) The land being subdivided does not include:

(a) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or

(b) a protected tree referred to in Schedule 16.13B.

(k) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity with the relevant zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the relevant general rules.

(l) The minimum dimension of each allotment is at least 15m x 25 m except for allotments created for access, utility, segregation, road or road reserve purposes.

Māpua Servicing Capacity

(m) In the areas subject to Schedules 16.3D.9, 16.3D.9 or 16.3D.10:

(a) Sufficient Council-supplied water capacity for the proposed lots is available; and

(b) Sufficient Council wastewater capacity for the proposed lots is available; and

(c) Māpua Drive / SH60 intersection trigger

A resource consent is required. The Council retains control over the following matters:

(1) Matters (1) – (9) in Rule 16.3.3A.1

Outline Spatial Plan

(2) That the subdivision achieves a variety of allotment sizes in order to achieve the required density, and that allotments intended for future development of higher density housing are appropriately located and are identified as such with consent notices.

(3) Whether the proposal adequately provides for, or integrates with, existing and planned infrastructure, including roads, public transport, water supply, stormwater, and wastewater systems.

(4) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual necessary to ensure the safe, efficient and effective provision of transportation and access.

(5) Potential impacts on the broader transportation network, including pedestrian and cyclist connectivity.

(6) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes/stops and arterial roads.

(7) Compliance with stormwater management requirements.

(8) How the proposal addresses urban design principles, public spaces, and overall amenity.

(9) Compatibility with the surrounding land use and character of the area when considering the location of allotments for future higher density development.

(10) The adequacy of open spaces provided within the development, including alignment with the OSP's vision for public and recreational spaces.

(11) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse.

Site Layout

(12) Maintaining the potential for a future comprehensive development on the site, including but not limited to:

- (a) minimising the number and maximising the size of lots that have future comprehensive development potential;
- (b) maximising the size and versatility of lots that have future comprehensive development potential, whether or not they contain a building.
- (c) Providing access and servicing to any future comprehensive development.
- (d) Ensuring that the conditions of Rule 17.1A.3.2 for any future comprehensive development can be achieved, including the ability to score the necessary number of points in the Medium Density Housing Design Matrix.
- (e) Allotments with road frontage are oriented to face the road reserve.

(13) Whether each allotment has appropriate area and shape to enable efficient siting and construction of one or more dwellings and any ancillary buildings, provision of private outdoor space, convenient access to a public road, and adequate on-site parking (if appropriate).

(14) Where the subject land adjoins any developed site with a different density character, the extent to which the allotment layout and location of any dwelling or building location area avoids or mitigates adverse amenity effects across the property boundary.

Privacy and Solar Access

(15) Whether allotments and proposed dwellings are designed and shaped to protect the privacy of and solar access for future occupiers.

Safety

(16) The extent to which the subdivision will provide for personal safety by providing urban open spaces to be fronted and overlooked by housing and actively used facilities.

Servicing

(17) The extent to which the street and allotment layout enables efficient provision of infrastructure to new areas.

(18) The likely effects of the subdivision in relation to the location of significant infrastructure facilities and networks and any related constraints on nearby development, and whether they have been identified and protected.

(19) Availability and provision of services, including the appropriate trenches, ducts, cables, pipes and other ancillary works provided to the road boundary for each allotment, except for rear allotments or those located off shared accesses where the services shall be provided to an internal boundary.

Landscape Treatment

(20) The extent to which the use of landscape treatment will enhance street amenity, the use and enjoyment of public spaces, and differentiate street hierarchy.

(21) The ability to use landscaping to direct run-off from impervious areas into vegetated landscaped areas to filter and soak up stormwater.

Open Space/Reserves

(22) The extent and location of indicative reserves and reserve areas identified on an OSP.

(23) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse.

Natural Environment

(24) The extent to which the development mitigates adverse environmental effects, including effects on natural features, ecosystems, and water quality.

Natural Heritage

(25) Potential effects on heritage protection and protected trees.

Cultural Heritage

(26) Where there is a listed cultural heritage site present on any part of the land being subdivided:

- (a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;
- (b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;
- (c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;
- (d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;
- (e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

(27) Effects on sites of cultural, historical, or archaeological significance, particularly where these are identified in the TRMP or relevant iwi management plans.

Traffic (streets, access, parking, manoeuvring, loading)

(28) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including the number of intersections between the frontage of any site and the nearest of those roads; the driving time between any site and the nearest of those roads. The walking distance between any site and an arterial or principal road, along public roads, pedestrian ways, or footpaths through reserves.:

(29) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(30) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual necessary to ensure the safe, efficient and effective provision of transportation and access.

(31) The relationship of any new road with existing roads, adjoining land, and any future roading requirements.

Stormwater Management

(32) Any matter necessary to manage stormwater run-off, including low impact design solutions where appropriate.

(33) The physical and legal protection of primary and secondary stormwater flow paths and indicative reserves.

(34) Any mandatory or good practice matters of chapter 5 of the Nelson Tasman Land Development Manual necessary to ensure the efficient and effective provision of stormwater network reticulation.

Flooding

(35) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event;

(36) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so that any identified building location is not subject to inundation; and

(37) the effects of any proposed mitigation on other properties.

Energy Efficiency

(38) The extent to which street and allotment orientation and dimensions facilitate the siting and design of dwellings that are energy efficient.

(39) The extent to which the orientation and design of buildings facilitates energy efficiency.

16.3.3A.3 Restricted Discretionary Activity Subdivision (Medium Density Residential Zone – Vacant Allotment in Outline Spatial Plan area)

Subdivision in the Medium Density Residential Zone that does not comply with condition (a) of Rule 16.3.3A.2 is a restricted discretionary activity, if it complies with the following conditions:

(a) The subdivision is in an area that is covered by Outline Spatial Plan in Schedule 16.3D.

(b) The subdivision complies with conditions (b) to (m) of Rule 16.3.3A.2.

A resource consent is required. The Council retains discretion over the following matters:

(1) Matters (4) – (9) in Rule 16.3.3A.1

(2) Matters (2) – (39) in Rule 16.3.3A.2

OSP Matters of discretion

(3) The extent of consistency with the OSP.

(4) Whether the development provides logical and efficient connections to adjacent properties and aligns with the intended development pattern.

(5) The extent and adequacy of proposed measures to mitigate adverse effects resulting from non-compliance with the OSP.

16.3.3A.4 Restricted Discretionary Activity Subdivision (Medium Density Residential Zone – Vacant Allotment not in Outline Spatial Plan area)

Subdivision in the Medium Density Residential Zone that creates a vacant allotment not in an Outline Spatial Plan area is a restricted discretionary activity, if it complies with the following conditions:

(a) The subject land is greater (either in one or more existing titles) than 5000 square metres in area.

(b) The subdivision will achieve a minimum net density of
- (i) 30 dwellings per hectare; or
- (ii) 40 dwellings per hectare in the Richmond Intensive Development Precinct

Note: There is a requirement in Chapter 19 for a density assessment to be provided.

(c) The subdivision complies with conditions (c) to (m) of Rule 16.3.3A.2.

(d) Every allotment can contain a circle with a diameter of 12 metres or greater.

(e) Frontage allotments shall be designed and orientated such that future dwellings shall be able to face the street,

Stormwater

(f) EITHER:
Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR
The discharge complies with section 36.4 of this Plan.

(g) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network

A resource consent is required. The Council retains discretion over the following matters:

(1) Matters (4) – (9) in Rule 16.3.3A.1

(2) Matters (12) – (39) in Rule 16.3.3A.2

16.3.3A.5 Discretionary Activity Subdivision (Medium Density Residential Zone)

Subdivision in the Medium Density Residential Zone that does not comply with Rules 16.3.3A.3 or 16.3.3A.4 is a discretionary activity, if it complies with the following condition:

(a) the subdivision complies with condition (a) of Rule 16.3.3A.4.

A resource consent is required.

16.3.3A.6 Non-Complying Activity Subdivision (Medium Density Residential Zone)

Subdivision in the Medium Density Residential Zone that does not comply with Rule 16.3.3A.5 is a non-complying activity.

A resource consent is required.

16.3.4 Business and Industrial Zones

16.3.4.1 Controlled Subdivision (Business and Industrial Zones)

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones is a controlled activity, if it complies with the following conditions: **C10 10/07 Op 3/14**

Location

(aa) The subject land is not in the Heavy Industrial Closed Zone at Wakefield or in the Light Industrial Zone or Rural Industrial Zone at Brightwater at specified sites (as shown on the planning maps) or in the Commercial Closed Zone at Marahau. **C58 11/15 Op 7/17** **C57 11/15 Op 12/18** **C79 11/24**

Electricity Transmission Corridor **C10 10/07 Op 3/14**

(a) In the Richmond West Development Area, any land to be subdivided is located at least 12 metres from the centre of any electricity transmission line as shown on the planning maps.

Area

(b) Every allotment created by the subdivision has a minimum net area and can contain a circle within its net area of at least the minimum diameter stated in Figure 16.3B.

Figure 16.3B: Minimum Allotment Areas in Central Business, Commercial, Mixed Business, Tourist Services, and Heavy, Light and Rural Industrial Zones

Zone	Minimum Net Area (m^2)	Minimum Diameter of Circle in Net Area of Allotment (m)
Central Business and Commercial Zones	200	8

Mixed Business Zone - Activities other than retail - Activities other than retail on Lot 1 DP 10599 (Alliance Land) - Retail activities ~~(including Retail Frontage○)~~	1000 750 ~~1250~~ 1500	20 20 30	C10 10/07 Op 3/14 C22 2/11 Op 1/15
Light Industrial Zone: Richmond West, Motueka West and Māpua Development Areas	750	15	C43 4/13 Op 1/15
Tourist Services Zone	2,000	15	
Heavy Industrial/Rural Industrial Zones	1,000	15	
Light Industrial Zone	500	15	
All zones listed above – allotment to be used exclusively as a site for a network utility or public work	1	—	
~~**Footnote:**~~ ~~○ Richmond West Development Area.~~			

Services

(c) Every allotment is provided with services as set out in Schedule 16.3C, except for allotments created for access, utility, segregation, road or reserve purposes. The appropriate trenches, ducts, cables, pipes and other necessary works are provided to the internal boundary of each allotment.

Transport

(d) The subdivision complies with the transport conditions in Schedule 16.3B, unless the subdivision is for a single allotment for a network utility.

Transport - Richmond West and Motueka West Development Areas C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15

(e) All roads are constructed with reference to the Urban Design Guide (Part II, Appendix 2).

(f) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension where no maximum length applies. C10 10/07 Op 3/14

(g) Except for the indicative roads shown in the Richmond West Development Area on the planning maps, no road is designed to connect directly with Lower Queen Street and McShane Road.

(h) Except for Lower Queen Street and McShane Road, every road has a maximum block length of 200 metres and a maximum perimeter distance of 800 metres.

(i) No allotment created after 6 October 2007 (except Record of Title 459167 (580 Lower Queen Street) gains direct access from McShane Road or Lower Queen Street, Appleby Highway or Main Road Hope except ~~in the retail frontage shown on the planning maps~~ in the Mixed Business Zone in the Richmond West Development Area where access is restricted to one access per frontage. C10 10/07 Op 3/14 C73 12/20 Op 6/23

(ia) No allotment created after 27 April 2013 gains direct access from Queen Victoria Street. C43 4/13 Op 1/15

(j) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C10 10/07 Op 3/14

Transport – Māpua Development Area C22 2/11 Op 1/15

(k) No lot gains direct access from Stafford Drive.

Frontage

(l) Every allotment that has a frontage has a minimum frontage width of six metres.

(m) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), the minimum frontage width for allotments in the: C10 10/07 Op 3/14 C43 4/13 Op 1/15

(i) Mixed Business Zone is ~~30~~ 40 metres, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, which is 25 metres~~, excluding the Retail Frontage~~; C10 10/07 Op 3/14

~~(ii) Mixed Business Zone Retail Frontage (as shown on the planning maps) is 40 metres;~~

(iii) Light Industrial Zone is 10 metres.

(n) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres (except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension) where no fewer than 80 percent of all allotments have direct access to a public road. For the avoidance of doubt, this means that no more than 5 percent of all allotments may be rear allotments without any road or reserve frontage. C10 10/07 Op 3/14 C43 4/13 D 8/14

Heritage Site or Item Present

(o) The land being subdivided does not include: C10 10/07 Op 3/14

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or C16 9/09 Op 8/12

(ii) a protected tree in the Richmond West Development Area referred to in Schedule 16.13B.

Existing Buildings

(p) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity with the relevant zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the relevant general rules.

Amenity Plantings within a Boundary Setback Light Industrial Zone in Richmond West, Motueka West and Māpua Development Areas C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15

(q) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications: C10 10/07 Op 3/14

(i) In the Light Industrial Zone north of Headingly Lane, bounded by Lower Queen Street, Sandeman Road, Borck Creek and the Open Space Zone, amenity plantings are:

(i) In the Light Industrial Zone north of Headingly Lane, bounded by Lower Queen Street, Sandeman Road, Borck Creek and the Open Space Zone, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 12 metres wide adjoining the Open Space Zone comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from the Open Space Zone (requires knowledge of the building location);

(c) 2.5 metres wide adjoining Sandeman Road and Artillery Place, including any indicative road extension;

(d) 15 metres wide adjoining Lower Queen Street, except where an indicative reserve adjoins Lower Queen Street. A framework of large trees is provided continuing the theme of existing Oak trees, within

which other plantings are incorporated to provide an 'avenue' park-like setting.

(ii) In the Light Industrial Zone bounded by Lower Queen Street, McShane Road and Swamp Road, amenity plantings are:

(a) 20 metres wide incorporating a 2.5 metre bund adjoining the Rural 1 Zone and Swamp Road;

(b) 15 metres wide adjoining Lower Queen Street, except for that allotment containing the group of protected trees (Tree ID 872);

(c) 2.5 metres wide adjoining McShane Road.

(iii) In the Light Industrial Zone bounded by Borck Creek and McShane Road, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek, comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 2.5 metres wide adjoining McShane Road and the Mixed Business Zone.

(iv) In the Light Industrial Zone bounded by State Highway 60, State Highway 6, Borck Creek and the Residential Zone, amenity plantings are:

(a) 6 metres adjoining the Residential Zone;

(b) 2.5 metres adjoining Borck Creek;

(c) 10 metres adjoining State Highway 60.

(v) In all Light Industrial Zone locations, amenity plantings are 2.5 metres wide adjoining Indicative Collector Road reserve boundaries, except at access points.

(vi) Amenity plantings at least 2.5 metres wide are provided on boundaries adjoining Stafford Drive and Seaton Valley Stream. The latter shall be locally sourced indigenous plantings. **C22 2/11 Op 1/15**

(r) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

(s) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Amenity Plantings within a Boundary Setback - Mixed Business Zone, Richmond West Development Area **C10 10/07 Op 3/14**

(t) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications:

(i) Adjoining the Open Space Zone and the Recreation Zone north east of Lower Queen Street, amenity plantings are at least 10 metres wide for the full length of the boundary adjoining those zones, except that on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, amenity plantings adjoining the Open Space Zone are not required. Amenity plantings are to comprise species consistent with those of the Waimea Inlet Coastal Flats Indigenous Ecosystem, and planting ensures that buildings are screened from the Open Space Zone, Recreation Zone, and State Highway 6.

(ii) Adjoining McShane Road and State Highway 60, amenity plantings are 10 metres wide for the full length of the zone boundary. A framework of large trees is provided continuing the theme of Lower Queen Street, within which other plantings are incorporated to provide a park-like setting and partial screening of buildings from McShane Road, State Highway 60 and the Rural 1 Zone.

(iii) Adjoining Borck Creek indicative reserve, amenity plantings are 2.5 metres wide and adjoining Poutama Drain indicative reserve, amenity plantings are 2.0 metres wide, for the full length of the zone.

(iv) Amenity plantings west of Borck Creek comprise species that, at maturity, provide a visual screen, the height of which averages at least 50 percent of the building height.

(v) Adjoining the Lower Queen Street road reserve boundary ~~in the Retail Frontage shown on the planning maps~~, amenity plantings are 2.5 metres wide.

(vi) Adjoining the Residential Zone, Open Space Zone and the Light Industrial Zone, amenity plantings are at least 2.5 metres wide, except that this requirement does not apply on Lot 1 DP 457909 at the eastern end of the McPherson Street extension. **C79 11/24**

(u) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

(v) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. **C10 10/07 Op 3/14**

Reserves **C10 10/07 Op 3/14**

(w) Subject to but not limited by rule 16.4.2.1, in the Richmond West Development Area and Māpua Light Industrial Zone, land subject to a notation on the planning maps as indicative reserve is set aside and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where these are specified as follows: **C22 2/11 Op 1/15**

(i) 70 metre wide reserve along Borck Creek to Lower Queen Street and a 61 metre wide reserve from Lower Queen Street to the Open Space Zone adjoining Waimea inlet;

(ii) 6 metre wide reserve on Part Lot 1 DP 94 linking the existing indicative road to Borck Creek reserve;

(iii) 15 metre wide reserve along the northwest boundary of Lot 1 DP 17704, Lot 1 DP 20017 and Lot 1 DP 20497;

(iv) 5,500 square metre reserve along the southwest boundary of Part Lot 1 DP 94 fronting Lower Queen Street;

(v) 15 metre wide reserve incorporating Poutama Drain;

(va) 10 metre wide reserve separating the Mixed Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions. **C79 11/24**

(vi) 5 metre wide reserve adjoining the western side of Seaton Valley Stream. **C22 2/11 Op 1/15**

(x) Except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, ~~S~~subject to but not limited by rule 16.4.2.1, indicative reserve areas are to be vested in the Council as Local Purpose Reserve walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. **C79 11/24** **C10 10/07 Op 3/14**

Building Platform Levels **C10 10/07 Op 3/14 C73 12/20 Op 6/23**

(y) In the Richmond West Development Area, the building platform level is 4.6 metres above mean sea level and constructed in a way which provides a gradual transition between the ground level (datum reference: NVD55) and 4.6 metres to achieve a visually natural appearance, except that the 4.6 metre building platform level does not apply to those parts of Lot 1 DP 18146 and Lot 4 DP 18918 (Nelson Pine Industries), Lot 3 DP 18918 (Dynea NZ Ltd) and land held in Record of Title 459167 (580 Lower Queen Street) that are protected from inundation from the sea by a seawall; nor in the Light Industrial Zone location at Beach Road as shown on the planning maps.

A consent notice is to be registered on the record of title for any allotment for which a building platform is required by this condition, pursuant to Section 221 of the Act. **C10 10/07 Op 3/14**

Filling of Allotments **C10 10/07 Op 3/14**

(z) In the Richmond West Development Area, allotments below the 4.6-metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area. This condition does not apply in the Light Industrial Zone location at Beach Road as shown on the planning maps.

Development Plan

(za) Allotments in the Rural Industrial Zone form part of an overall development plan for each zone.

(zb) In the Tourist Services Zone at Salisbury Road, Richmond, access to Salisbury Road from Lot 2 DP 18824 (123 Salisbury Road, occupied by the Baptist Church) and Lot 3 DP 18824 (141 Salisbury Road, occupied by the Aquatic Centre) is by way of a joint access.

Stormwater **C7 7/07 Op 10/10**

(zc) In the Central Business, Commercial, Mixed Business and Tourist Services zones, and in the Heavy, Light and Rural Industrial zones: **C10 10/07 Op 3/14 C7 7/07 Op 10/10**

(i) EITHER

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. **C10 10/07 Op 3/14**

(iii) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site in an Industrial Zone is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. **C10 10/07 Op 3/14**

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the Nelson Tasman Land Development Manual 2019. **C10 10/07 Op 3/14 C69 6/19 Op 6/20**

(iv) A planting plan and design statement by an appropriately competent person in landscape architecture is provided with any plan submitted showing a stormwater greenway and/or retention area. **C43 4/13 Op 1/15**

(v) **Indicative Stormwater Retention Area** **C43 4/13 Op 1/15**
Where applicable, a stormwater retention area is to be provided in the location of any indicative stormwater retention area shown in the Motueka West Development Area on the planning maps in order to mitigate downstream stormwater effects such as flooding.

Note: A discharge consent may be required where new stormwater infrastructure is being created. **C7 7/07 Op 10/10**

Cultural Heritage Sites **C16 9/09 Op 8/12**

(zd) An Authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an authority is not considered necessary.

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(ze) Where the listed cultural heritage site is a wāhi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

A resource consent is required. The Council has reserved control over the following matters:

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, distributor or arterial road.

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) The relationship of any new road with existing roads, adjoining land and any future roading requirements. **C69 6/19 Op 6/20**

(5) Availability and provision of services, including the appropriate trenches, ducts, cables, pipes and other ancillary works provided to the road boundary for each allotment, except for rear allotments or those located off shared accesses where the services shall be provided to an internal boundary.

(6) Location and effects of earthworks necessary to achieve matters (1) and (5).

(7) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(8) Financial contributions.

(9) All matters referred to in Section 220 of the Act.

(10) The degree of compliance with any mandatory and good practice matters of any Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(11) Matters relevant to the development of a neighbourhood centre, in the Urban Design Guide (Part II, Appendix 2). **C22 3/11 Op 1/15**

(12) Effective stormwater management, including the use of Low Impact Design solutions and any other mandatory or good practice matter of chapter 5 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Amenity Plantings - Richmond West and Motueka West Development Areas **C10 10/07 Op 3/14 C43 4/13 Op 1/15**

(13) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding. **C10 10/07 Op 3/14**

(14) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(15) The extent to which the amenity plantings create a visually attractive appearance when viewed from public roads and reserves, adjoining zones and the coastal environment.

(16) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Light Industrial and Mixed Business zones.

(17) The depth and height of plantings and the extent of the screening effect of industrial buildings from the adjoining roads, Rural 1 and Open Space zones, and Borck Creek reserve.

(18) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth within the buffer in front of screen planting.

(19) The appropriateness of the species to the local environment and conditions.

(20) The degree of site contouring in association with planting to assist with screening buildings and car parks from view.

(21) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

Traffic - Richmond West Development Area

(22) The assessment and management of traffic safety of the cross intersection created by the formation of the indicative road in the Richmond West Development Area on the west of lower Queen Street opposite Headingly Lane. **C10 10/07 Op 3/14**

Cultural Heritage

(23) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C16 9/09 Op 8/12**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision duriing construction.

16.3.4.2 Restricted Discretionary Subdivision (Business and Industrial Zones – Richmond West Development Area) **C10 10/07 Op 3/14**

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones that does not comply with controlled condition (a) of rule 16.3.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

(1) In the Richmond West Development Area:

(a) the extent to which the design of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the design of the subdivision allows for activities to be set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

16.3.4.3 Restricted Discretionary Subdivision (Business and Industrial Zones – Cultural Heritage Sites)

C16 9/09 Op 8/12

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones that does not comply with controlled condition (zd) of rule 16.3.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

16.3.4.3A Restricted Discretionary Subdivision (Industrial Zones – Specified sites at Brightwater)

C57 11/15 Op 12/18

Subdivision in the Rural Industrial and Light Industrial zones in specified sites in Brightwater is a restricted discretionary activity, where the subdivision complies with controlled activity conditions 16.3.4.1(b), (c), (d), (l), (o), (p), (zc), (zd) and (ze).

A resource consent is required. Consent may be refused or conditions imposed, only in respect of controlled activity conditions 16.3.4.1(b), (c), (d), (l), (o), (p), (zc), (zd) and (ze) and the following matter:

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so that any identified building location is not subject to inundation; and

(c) the effects of any proposed mitigation on other properties.

16.3.4.4 Discretionary Subdivision (Central Business, Commercial, Mixed Business, Tourist Services (except at Māpua), Rural Industrial, Heavy Industrial and Light Industrial Zones)

C10 10/07
Op 3/14

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services (except at Māpua), Rural Industrial, Heavy Industrial, or Light Industrial zones that does not comply with the controlled conditions of rule 16.3.4.1 is a discretionary activity~~.~~ if it complies with the following condition: C79 11/24

(a) The land is not within the Commercial Closed Zone at Marahau.

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.4.5 Discretionary Subdivision (Tourist Services Zone - Māpua)

Subdivision by means of the relocation or adjustment of an allotment boundary in the Tourist Services Zone at Māpua is a discretionary activity, if it complies with the following conditions:

(a) It does not create any additional allotments on which a dwelling can be built.

(b) It does not require works that would exacerbate erosion or inundation.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.4.5A Discretionary Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15
Op 7/17

Subdivision by means of the relocation or adjustment of an allotment boundary in the Heavy Industrial Closed Zone at Wakefield is a discretionary activity, if it complies with the following conditions:

(a) The land being subdivided does not create any additional allotments on which a building can be built.

(b) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.4.5B Discretionary Subdivision (Commercial Closed Zone - Marahau)

C79 11/24

Subdivision by means of the relocation or adjustment of an allotment boundary in the Commercial Closed Zone at Marahau is a discretionary activity, if it complies with the following conditions:

(a) It does not create any additional allotments on which a building or dwelling can be built.

(b) It does not require works that would exacerbate coastal erosion or inundation.

(c) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.4.6 Non-Complying Subdivision (Tourist Services Zone - Māpua)

Except as provided for in rule 16.3.4.5, subdivision in the Tourist Services Zone at Māpua is a non-complying activity.

16.3.4.7 Prohibited Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15
Op 7/17

Except as provided for in rule 16.3.4.5A, subdivision in the Heavy Industrial Closed Zone at Wakefield is a prohibited activity for which no resource consent will be granted.

16.3.4.8 Prohibited Subdivision (Commercial Closed Zone - Marahau)

C79 11/24

Except as provided for in rule 16.3.4.5B, subdivision in the Commercial Closed Zone at Marahau is a prohibited activity.

[unchanged or irrelevant text omitted]

16.3.8 Rural Residential and Closed Zones

16.3.8.1 Controlled Subdivision (Rural Residential Zone)

Subdivision is a controlled activity, if it complies with the following conditions:

Area

(a) Every allotment has a minimum net area as stated in Figure 16.3C.

Figure 16.3C: Minimum Allotment Areas in Rural Residential Zone

[Refer to planning maps for locations]

LOCATION IN RURAL RESIDENTIAL ZONE	MINIMUM NET AREA	
Allotments in: George Kidd Street Champion Road & Hill Street North Hill Street South annotated area,	2,000 m²	
Richmond, where wastewater servicing is required to be provided and in the Richmond East Development Area where Schedule 16.3C servicing is required to be provided.		C20 8/10 Op 8/12
Allotments in other areas with reticulated wastewater servicing or where wastewater servicing is required to be provided, as follows: Pinehill Heights, Ruby Bay Korepo Road, Ruby Bay Collingwood Pohara Valley Road Ligar Bay South Central Tākaka	2,500 m²	
Allotments at Motueka with reticulated wastewater servicing. Allotments at Milnthorpe without reticulated wastewater servicing.	3,000 m²	
Allotments without reticulated wastewater servicing at: Puponga Mackay Pass Road, Bainham Eliot Creek, Aorere Valley Tukurua/Parapara Upper Moutere T-213, T-205 and T-17d Pangatotara	4 ha	
Allotments without reticulated wastewater servicing at: Kina Redwood Valley Ligar Bay North Patons Rock T-140a Little Ōnahau Craigieburn Road, West Tākaka Upper Haile Lane, Pohara Parapara Valley Rocklands Road North, Clifton T-198 Higgins Road Brightwater T-114a Eyles Road Richmond	2 ha	
Māpua (including Seaton Valley Road) and Waimea Inlet Murchison	2 ha	C77 9/22 Op 10/23
Allotments in all other parts of the Rural Residential Zone without reticulated wastewater servicing, as follows:		

LOCATION IN RURAL RESIDENTIAL ZONE		MINIMUM NET AREA	
Eighty Eight Valley Hill Street South, Richmond Haycock Road, Richmond Kina Triangle Permin Road Spot Zone Pangatotara	Alpine Meadows Tophouse Road Extension Onekaka Bay Vista Drive, Pohara Riwaka-Kaiteriteri Road, Kaiteriteri (Deferred) Old Coach Road, Mariri (Deferred) T-181 and T-219 Korere/Tophouse St Arnaud	5,000 m2	
Allotments without reticulated wastewater servicing at Higgins Road, Wakefield (part Lot 1 DP 303114) Deferred		5,000 m2	C65 10/17 Op 4/18
Allotments with reticulated wastewater servicing at Higgins Road, Wakefield (part Lot 1 DP 303114) Deferred		1,500 m2	
Allotments at Tata Headland North and Upper Ligar Bay. Allotments without reticulated wastewater servicing in Permin Road (excluding Permin Road Spot Zone). Allotments at T-17a and T-17c Pangatotara without reticulated wastewater servicing.		1 ha	
Allotments to be used exclusively as a site for a network utility or public work.		1 m^2	

Frontage

(b) Every allotment that has a frontage width of at least 25 metres (reducible for serviced allotments to 5 metres in a cul-de-sac head) for front allotments, or at least 5 metres in the case of rear allotments.

(bb) Every allotment on which any habitable building is intended to be located has a building location area shown which is set back 30 metres from internal boundaries where those boundaries are adjoining the Rural 1, Rural 2 or Rural 3 zone. **C60 1/16 Op 6/19**

Heritage Site or Item

(c) The land being subdivided does not include a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]. **C16 9/09 Op 8/12 C20 8/10 Op 8/12**

Existing Buildings and Trees

(d) Where a new allotment contains an existing shelter or spray belt, horticultural plantings or plantation forest, the boundaries of the allotment are drawn relative to these trees so that the shelter or spray belt, horticultural plantings or plantation forest complies as a permitted activity with all applicable zone rules relating to height and setbacks from boundaries, roads, dwellings, schools and early childhood education facilities.

(e) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity, with all applicable zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the applicable general rules.

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Transport

(f) The subdivision complies with the transport conditions in Schedule 16.3B, unless the subdivision is for a single allotment for a network utility.

Stormwater **C7 7/07 Op 10/10**

(g) In the Rural Residential Zone:

(i) EITHER

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Note: A discharge consent may be required where new stormwater infrastructure is being created.

(h) Subdivision in the Richmond East Development Area as shown on the planning maps complies with conditions 16.3.3.1(i) and (n)(ii)(a), (n)(ii)(c) and (n)(ii)(l). **C20 8/10 Op 8/12**

(i) In the Richmond East Development Area, any land to be subdivided is located at least 32 metres from the centreline of any electricity transmission line as shown on the planning maps. **C20 8/10 Op 8/12**

(j) In the Richmond East Development Area, where a new or balance allotment contains a protected tree or the minimum root protection zone of a protected tree, the boundaries of that allotment are drawn so that the minimum root protection zone of the protected tree, as determined by an appropriately competent person in arboriculture, is wholly contained within the allotment, and the allotment is: **C20 8/10 Op 8/12**

(i) capable of containing a 20 metre by 20 metre building location area outside the minimum root protection zone; or

(ii) to vest as road reserve or other local purpose utility reserve and is capable of containing the required extent of the road or the relevant utility in the reserve outside the minimum root protection zone; or

(iii) to vest as local purpose reserve for recreation.

Cultural Heritage Sites **C16 9/09 Op 8/12**

(k) An authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an Authority is not considered necessary.

(l) Where the listed cultural heritage site is a wahi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council

must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

Transmission Lines **C77 9/22 Op 10/23**

(m) In Mangles Valley~~,~~ (Murchison), T-114a and T-114c Eyles Road (Richmond), and T-181a Korere/Tophouse (St Arnaud),. every allotment on which any habitable building is intended to be located, has a building location area shown which is set back at least 32 metres from the centreline of any electricity transmission line.

A resource consent is required. The Council has reserved control over the following matters:

(1) Shape.

(2) Access.

(3) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road. **C69 6/19 Op 6/20**

(3A) Effects on the road network. **C60 1/16 Op 6/19**

(4) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(5) The relationship of any new road with existing roads, adjoining land and any future roading requirements. **C69 6/19 Op 6/20**

(6) Availability and provision of services, including adequacy of water for fire-fighting purposes.

(7) Location of building platforms.

(8) Location and effects of earthworks necessary to achieve matters (2), (3) and (4).

(9) Potential effects on rural character and amenity values.

(10) In the Richmond East Development Area, the potential effects on the landscape value of the hill slope backdrop to Richmond. **C20 8/10 Op 8/12**

(11) Potential effects on heritage protection.

(11A) Management of natural hazards within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards. **C60 1/16 Op 6/19**

(11B) Potential for reverse sensitivity effects on plant and animal production activity in an adjoining Rural 1, 2 or 3 zone.

(11C) Potential for reverse sensitivity effects on an existing, lawfully established quarry which was a quarry on or before 30 January 2016.

(12) Financial contributions, and for subdivision in the Māpua and Waimea Inlet Rural Residential zones, bonds, covenants and financial contributions in addition to those specified in the standards for the zones.

(13) All matters referred to in Section 220 of the Act.

(14) The degree of compliance with any mandatory and good practice matters of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(15) Effective stormwater management, including the use of Low Impact Design solutions. **C7 7/07 Op 10/10**

(16) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse.

(17) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C16 9/09 Op 8/12**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

(18) In the Richmond East Development Area, where land which is the subject of a subdivision proposal contains a protected tree or the minimum root protection zone of a protected tree, any matter necessary to: **C20 8/10 Op 8/12**

(i) ensure the integrity of the protected tree and its associated amenity values; and

(ii) ensure that general construction activities are set back from the protected tree so that adverse effects on the protected tree are appropriately avoided, remedied or mitigated; and

(iii) give effect to any matter raised in a report of an appropriately competent person in arboriculture.

In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.8.1A Restricted Discretionary Subdivision (Rural Residential Zone – Specific Locations)

Subdivision in T-17a, T-17c, T-17d, T-205 or T-213 in the Rural Residential Zone that does not comply with condition (a) of rule 16.3.8.1 is a restricted discretionary activity, if it complies with the following conditions:

(a) Every allotment has a minimum net area as stated in Figure 16.3D.

(b) The average net area of all rural residential lots meets or exceeds the area stated in Figure 16.3D.

Figure 16.3D: Restricted Discretionary Minimum Allotment Areas in Rural Residential Zone Locations

[Refer to planning maps for locations]

LOCATION IN RURAL RESIDENTIAL ZONE	MINIMUM NET AREA	MINIMUM AVERAGE NET AREA
T-17a and T-17c Pangatotara	2,500 m2	5,000 m2
T-17d, T-205 and T-213 Pangatotara	5,000 m2	1 ha
T-114a Eyles Road	5,000 m2	7,500 m2
T-140a Little Ōnahau	7,500	1 ha

(c) All conditions, except for Condition (a), of Rule 16.3.8.1 are complied with.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Geotechnical suitability of the land

(2) Onsite amenity and access to daylight for the identified building locations

(3) Matters (1) to (18) of Rule 16.3.8.1

Non-Notification
Applications for resource consent that comply with the conditions of this rule (16.3.8.1A) will be decided without limited notification and without public notification.

16.3.8.2 Restricted Discretionary Subdivision (Rural Residential Zone – Listed Cultural Heritage Site)

C16 9/09 Op 8/12

Subdivision in the Rural Residential Zone that does not comply with condition (k) of rule 16.3.8.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction;

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

16.3.8.3 Restricted Discretionary Subdivision (Rural Residential Zone – Specified Location)

C20 8/10 Op 8/12

Subdivision in the Richmond East Development Area in the Rural Residential Serviced Zone that does not comply with conditions (i) and (j) of rule 16.3.8.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

(1) In the Richmond East Development Area:

(a) the extent to which the design and construction of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001); **C20 8/10 Op 8/12**

(b) the extent to which the design and construction of the subdivision (including landscaping) allows for activities to be set back from high voltage transmission lines to ensure adverse effects on and from the National Grid and on public safety are appropriately avoided, remedied or mitigated;

(c) where land, which is the subject of a subdivision proposal, contains a protected tree or the minimum root protection zone of a protected tree:

(i) the extent to which the design of the proposed subdivision beneficially or adversely affects the protected tree and its amenity values; and

(ii) the extent to which the subdivision proposal provides for activities, including general construction activities, to be set back from the protected tree to ensure that adverse effects on the protected tree are appropriately avoided, remedied or mitigated; and

(iv) the extent to which any matter raised in a report of an appropriately competent person in arboriculture is addressed.

Non-Notification

Applications for resource consent for an activity under this rule will be decided without public notification.

Note: The owner/operator of the transmission line is likely to be the only affected person to be determined in accordance with Section 95B of the Resource Management Act.

16.3.8.4 Restricted Discretionary Subdivision (Rural Residential Zone – Specified Locations)

C19 5/10 Op 8/12

Subdivision in the Māpua and Waimea Inlet Rural Residential zones that does not comply with the conditions of rule 16.3.8.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The relationship between the subdivision proposed and the subsequent development, including effects of location and scale of buildings and other structures.

(2) Effects on the rural landscape, on amenity values and on coastal character and values.

(3) Consistency with the 'Coastal Tasman Area Subdivision and Development Design Guide' for the area. **C6 7/07 Op 10/10**

(4) The interim provision of water supply and wastewater services for the land to be subdivided pending the availability of Council-provided reticulated services.

(5) Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites.

(6) Management of natural hazards within and beyond the boundaries of the area.

(7) The ability of the wider landscape to absorb the extent of the development proposed.

(8) Effects of likely land contamination by pesticide residues on future activities on the land.

(9) Actual and potential cumulative adverse effects.

(10) The degree of compliance with any mandatory and good practice matters of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(11) The relationship of any new road with existing roads, adjoining land and any future roading requirements.

(12) Bonds, covenants, and financial contributions in addition to those specified in standards, and all matters referred to in Section 220 of the Act.

(13) Any other criterion in Schedule 16.3A relevant to the circumstances of the proposed subdivision.

16.3.8.4A Restricted Discretionary Subdivision (Rural Residential Zone)

C60 1/16
Op 6/19

Subdivision in the Rural Residential Zone that does not comply with condition (a) of rule 16.3.8.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

(1) Any matter contained in 16.3.8.1.

(2) Any matter relating to natural hazard, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards.

(3) Adverse effects of the proposed development on character and amenity values within the Rural Residential Zone.

(4) Any matter relating to the effect of the development on rural, landscape or coastal amenity values in the surrounding environment.

(5) The ability of the land to manage onsite wastewater.

16.3.8.4B Discretionary Subdivision (Rural Residential Zone – Cooperative Living)

C60 1/16
Op 6/19

Subdivision in the Rural Residential Zone that does not comply with the conditions of rule 16.3.8.1 other than where it is only subject to rule 16.3.8.2, 16.3.8.3, 16.3.8.4 or 16.3.8.4A is a discretionary activity if it complies with the following conditions

(a) The subdivision is for the purpose of cooperative living and a land use consent application under rule 17.8.2.8A has been submitted with the application for subdivision consent.

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.8.5 Discretionary Subdivision (Rural Residential Zone)

C19 5/10
Op 8/12

Subdivision in the Rural Residential Zone that does not comply with the conditions of rule 16.3.8.1, other than where it is only subject to rule 16.3.8.2, 16.3.8.3, or 16.3.8.4, or prohibited by rule 16.3.8.7, is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.8.6 Discretionary Subdivision (Rural Residential Closed Zone)

C19 5/10
Op 8/12

Subdivision by means of the relocation or adjustment of an allotment boundary in the Rural Residential Closed Zone is a discretionary activity if:

(a) it does not create any additional allotments on which a dwelling can be built; and

(b) following subdivision, existing buildings and dwellings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.8.7 Prohibited Subdivision (Rural Residential Closed Zone)

C19 5/10 Op 8/12

Except as provided for in rule 16.3.8.6:

(a) Subdivision in the Rural Residential Closed Zone in Whanganui Inlet, Rangihaeata, Gorge Creek (East Tākaka), Tata Headland South, Tata Heights, Awaroa, Boundary Bay, Rocklands Road (south end), Toko Ngawa, Tophouse Road, Marlborough Crescent and Cropp Place (Richmond) and Motueka Quay is a prohibited activity for which no resource consent will be granted.

(b) Subdivision to an allotment size below 5,000 square metres in the Tophouse Road Extension Rural Residential Zone is a prohibited activity for which no resource consent will be granted, except for a single allotment to be used exclusively as a site for network utilities and/or public works.

16.3.9 All Other Zones

16.3.9.1 Discretionary Subdivision (Other Zones)

Subdivision in any zone other than as provided in rules 16.3.3.1 to 16.3.8.5 is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

16.3.20 Principal Reasons for Rules

Subdivisions Affecting Heritage Items

Subdivision is a process that results in physical works on a site that can be potentially damaging to heritage items and protected trees. It is also a time when arrangements can be negotiated between landowners and the Council for the protection of heritage items and protected trees.

C10 10/07 Op 3/14

The subdivision provisions for the Richmond East Development Area Rural Residential Zone introduce a new controlled condition to ensure that protected trees are not adversely affected by subdivision. The standard is based on the Australian Standard AS 4970 2009 'Protection of Trees on Development Sites' and Guidelines. It determines the minimum root protection zone required to safeguard the health and stability of a tree which should be protected from land development activities. The controlled condition is introduced to avoid a subdivision application for land on which a protected tree is located, defaulting to a higher level (restricted or discretionary) activity status. It is intended that these rules will be introduced for general application across the District.

C20 8/10 Op 8/12

Residential Subdivision

The minimum net site area ensures a variety of section sizes and a proportion of sections larger than the minimum size prescribed, to provide for the different lifestyles and housing types required by the residents of the District and to provide some visual variety in the settlements. The requirement for larger allotment sizes adjoining industrial and rural zones ensures that these allotments are large enough to enable the location of dwellings with reasonable separation from activities in these adjoining zones.

The larger allotment size at St Arnaud is a means of protecting vegetation from removal and maintaining low-density character. Allotments crossed by the Alpine Fault are not subdivisible to reduce hazard risk to future landowners.

The wider allotments adjoining Rural and Industrial zones are to ensure that the wider setbacks required can be accommodated.

The purpose of the landscaped earth mound adjoining the Heavy Industrial Zone in Old Wharf Road, Motueka, is to maintain residential amenities.

~~The purpose of the Special Development Area at Māpua is to allow for a more compact and different style of residential development to be located within walking distance of the facilities provided in the town centre, rather than in more remote locations.~~ **C22 2/11 Op 1/15**

Māpua Development Area

C22 2/11 Op 1/15

The Māpua Development Area is an expansion of the Māpua urban area intended to cater for residential and business growth to 2031 and beyond. It provides for residential and rural residential development on the hills behind Māpua. It includes an extensive network of streets, walkways and cycleways to connect with the facilities in Māpua, the Rural 3 community and the wider region.

Richmond South Development Area and Richmond West Development Area

C5 3/06 Op 10/10

C10 10/07 Op 3/14

C66 10/17 Op 12/18

The Richmond South and Richmond West development areas are expansions to the Richmond urban area intended to cater for future residential and business growth to 2026. They provide a choice of living and business opportunities, including the opportunity to establish intensive compact and standard density residential developments similar to the existing Residential Zones, local retail nodes, and a range of mixed business and industrial activities (with the latter two in the Richmond West Development Area) in a high quality, high amenity environment.

The rules reflect the different opportunities and environments being created, including the level of amenity values, infrastructure services, and effects on or from other values and environments. **C5 3/06 Op 10/10 C10 10/07 Op 3/14**

The indicative reserve network is a critical element for the Richmond South Development Area and the Richmond West Development Area. Borck Creek links both development areas and provides an important role in managing stormwater flows in the greater catchment area to reduce the adverse effects of flooding. It also provides an important alternative movement path for pedestrians and cyclists, a link between the two areas and to the coast, as well as supporting and enhancing existing ecological values.

C5 3/06 Op 10/10

C10 10/07 Op 3/14

The indicative road network is also a critical element as it provides well connected and accessible living and business environments. The design of roads also has the potential to contribute to the level of amenity and character of each area. In the Richmond South Development Area and the Richmond West Development Area, the road hierarchy has been identified on the planning maps. The location and construction of indicative roads are subject to rules in chapters 16 and 18, including street tree-planting and landscaping in respect of Richmond West Development Area.

C5 3/06 Op 10/10

C10 10/07 Op 3/14

As subdivision takes place it is important that the bigger picture for both development areas in respect of the environmental outcomes envisaged is considered, the reserve and road networks are created and vested with the Council upon subdivision in accordance with the standards for development or higher standards, and the amenity values of the areas are enhanced. **C5 3/06 Op 10/10 C10 10/07 Op 3/14**

The purpose of condition 16.3.4.1(n) is to discourage the creation of rear allotments, ensuring that each allotment has frontage to a public road or reserve, and thus minimising the use of private rights of way. This facilitates the urban design principles of connectivity, permeability and re-use, where urban environments provide efficient, safe and functional accessibility for all users and also maintain flexibility for future redevelopment of sites and transport options. This rule closely aligns with condition 16.3.4.1(f) where through-connected roads are required and the length of a cul-de-sac is limited to achieve the same urban design outcomes expressed above. There may be some sites where, by virtue of their location, they are unable to comply with this standard. These sites will be assessed on a case-by-case basis as a discretionary consent, alongside any other Plan conditions for which consent is required. **C10 10/07 Op 3/14**

Medium Density Residential Zone

The purpose of the Medium Density Residential Zone (MDRZ) is to increase the choice of living opportunities and to allow for residential intensification in the central areas of Tasman towns. It is also to enable comprehensive greenfield development in other appropriate locations.

Comprehensive development in the MDRZ is land-use led (Chapter 17) with subdivision enabled following the land use consent process. Subdivision without land use consent is generally not supported, as more efficient land use outcomes are achieved when land use consent that identifies location and design of buildings precedes subdivision. A requirement to achieve a minimum level of density, and greater informational requirements are imposed when subdivision is applied for in isolation.

In the MDRZ, development is managed so that stormwater from additional development does not cause flooding or contribute to any damage caused by flooding.

C66 10/17
Op 12/18

~~Richmond Intensive Development Area~~

~~The purpose of the Richmond Intensive Development Area (RIDA) is to increase the choice of living opportunities and to allow for residential intensification in central Richmond close to the facilities provided in the town centre.~~

~~RIDA is intended to absorb some of the further residential growth of Richmond, together with Richmond South, West and East development areas.~~

~~In addition to standard density residential development the area provides the opportunity for intensive residential development. Consents for subdivision and residential building activity for intensive development in RIDA can be applied for separately. Subdivision for Intensive housing in RIDA is a Controlled activity provided that a complying building envelope is shown and key standards are met, while land use (building construction) is a Restricted Discretionary activity if key standards are met.~~

~~In RIDA, development is managed so that stormwater from additional development does not cause flooding or contribute to any damage caused by flooding. To this end, a permitted stormwater standard provides for onsite stormwater detention for additional site coverage resulting from new development and for specified stormwater flood flow path protection.~~

Electricity Transmission Corridor

C20 8/10
Op 8/12
C77 9/22
Op 10/23

The Richmond West and Richmond East development areas are traversed by high voltage transmission lines which are important elements of the National Grid. Rural Residential areas in Mangles Valley~~,~~ (Murchison), Eyles Road (Richmond) and Korere/Tophouse (St Arnaud) are also within close proximity to a high voltage transmission line. These transmission lines need to be protected from adverse effects of development. As well, development needs to be protected from risks of the electricity transmission lines.

Richmond East Development Area

C20 8/10
Op 8/12

The Richmond East Development Area forms part of the Nelson South/Richmond East precinct which spans both Nelson City and Tasman District.

The Plan change enables part expansion and part intensification of the Richmond urban area. It is intended to cater for the further residential growth of Richmond, together with Richmond South and Richmond West and intensification of central Richmond.

The Plan change proposes utilising the area efficiently for residential development, while retaining and providing a quality urban environment. Specific residential densities are proposed for specific areas within Richmond East, depending on their location and character. South east of Hill Street:

(a) standard density residential development (minimum lot size of 600 square metres) is a means of retaining the character of the existing residential environment while enabling a measure of intensification;

(b) low density residential development (minimum lot size of 900 square metres) is a means of enabling a measure of development on relatively shallow sloping land in the east of the Development Area adjoining the Rural Residential Serviced Zone.

The Rural Residential Serviced zoning is being retained for the Highfield Grove precinct where existing development is rural residential in character.

The landscape value of the hills behind Richmond East is being retained by limiting development to the lower hill slopes and providing for lower density rural residential development at the interface with the rural land.

The planning maps show a connected network of streets, walking and cycling routes that traverse and connect the area with the rest of Richmond and Nelson South, particularly the existing green space networks, the proposed Saxton Creek greenway in Richmond and Nelson, and the Saxton Field sports complex.

Brightwater Development Area

C75 9/22 Op 6/23

The Brightwater Development Area is intended to provide for additional residential land to meet the growth projections for the township and the wider region. It is located on land between State Highway 6, Pitfure Stream, and Lord Rutherford Road, and land between Katania Heights Road and the Brightwater Deviation State Highway. For any urban expansion, particularly into the Rural Zones, there is a need to ensure this land is efficiently used. There is also a strong community view, and government policy direction, that residential land needs to be more intensively used, and a diversity of lot sizes and range of housing options achieved. To help achieve this objective, the Brightwater Development Area includes subdivision rules requiring a variety of lot sizes, including smaller lots, when larger blocks are subdivided.
These rules mean areas of urban expansion are expected to develop with higher density housing options and a greater variety of lot sizes than may occur through the standard minimum lot size approach. This provides for a more varied neighbourhood of differing types of housing and properties.

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies. This responds to the objectives and policies in the TRMP which:

- Seek efficient use of land and infrastructure,
- Encourage medium density housing development of a high standard in suitable locations,
- Seek a range of living opportunities and residential densities.

C75 9/22 Op 6/23

The non-notification provision is used for Compact Density Development in the Brightwater Development Area because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

The Brightwater Development Area includes indicative roads and reserves to ensure appropriate connections are achieved; recreational, amenity and ecological functions are provided for; and stormwater is effectively managed. Flood flows from Pitfure Stream and Watertank Hill (the Katania Heights area) are able to be accommodated within the indicative reserve areas.

In relation to State Highway 6, reverse sensitivity is managed through a requirement to set development back from the state highway, and to provide an acoustic report for subdivision within 100m of the state highway's white edge line. Rules also restrict additional direct vehicle access to the state highway.

Wakefield Development Area

C76 9/22 D9/24

The Wakefield Development Area is intended to provide for additional residential land supply to meet the growth projections for the township and the wider region. It is located on land between Pitfure Road, Edward Street, and Higgins Road. For any urban expansion, particularly into the Rural Zones, there is a need to ensure this land is efficiently used. There is also a strong community view, and government policy direction that residential land needs to be more intensively used, and

a diversity of lot sizes and range of housing options achieved. To help achieve this objective, the Wakefield Development Area includes subdivision rules requiring a variety of lot sizes, including smaller lots, when larger blocks are subdivided. These rules mean areas of urban expansion are expected to develop with a variety of housing options and a greater variety of lot sizes than may occur through the standard minimum lot size approach. This provides for a more varied neighbourhood of differing types of housing and properties.

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Wakefield Development Areas applies. This responds to the objectives and policies in the Tasman Resource Management Plan which:

- Seek efficient use of land and infrastructure,
- Encourage medium density housing development of a high standard in suitable locations,
- Seek a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Wakefield Development Area because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

The Wakefield Development Area includes indicative roads and reserves to ensure appropriate connections are achieved; recreational, amenity and ecological functions are provided for; and stormwater is effectively managed. The indicative road connection to Higgins Road ensures that the provision of emergency vehicle access via Higgins Road will be provided for.

Motueka West Development Area

C43 4/13
Op 1/15

The Motueka West Development Area is designed to provide for the expansion of Motueka to 2056. Additional land provides opportunities to establish a mix of business and living environments between Pah Street and King Edward Street. Because the area is relatively close to the town centre there is an opportunity to establish compact density residential development as well as medium density residential development similar to the existing Residential Zone. Favourable consideration will be given to higher density residential proposals located within walking distance (400 metres) of the town centre. Employment opportunities will be provided in the adjacent business and industrial zones. Larger business sites are designed to provide for the storage and retailing of bulky or larger goods in a Mixed Business Zone.

Several new stormwater features will provide the framework for an integrated linear open space greenway network that will encourage walking and cycling.

The planning maps show a connected indicative road network and rules limit access to Queen Victoria Street.

Pedestrian or Cycle Linkages

The development of safe, convenient and attractive networks of pedestrian or cycle routes is a key component of the development of a more sustainable transport system.

At Māpua, Seaton Valley Stream links Māpua, Ruby Bay, Seaton Valley and the Waimea Inlet and has an important role in managing stormwater, providing opportunities for off-road cycling and walking along its margins and enhancing ecological values.

C22 2/11
Op 1/15

Central Business, Commercial and Tourist Services Zones

In Central Business, Commercial and Tourist Services zones, minimum site areas are set to ensure that sites are created which are usable for a range of likely activities and allow adequate space for landscaping and car parking.

In the Tourist Services Zone, Māpua, the coastline on Lot 1 DP 20295 (area of land at the end of Toru Street) is in part susceptible to erosion and accretion and in low-lying areas to inundation, so further subdivision is discouraged.

In the Tourist Services Zone, Salisbury Road, Richmond, a development plan is required to show how access to Salisbury Road will be limited (i.e. building sites and site accesses to be shown). Access to Salisbury Road is to be limited for traffic safety reasons. Any access onto Salisbury Road from Lot 3 DP 18824 (141 Salisbury Road, occupied by the Aquatic Centre), other than any joint access with Lot 2 DP 18824 (123 Salisbury Road, occupied by the Baptist Church), shall be considered as a restricted discretionary activity for the reasons above.

Industrial Zones

Larger sites are required in industrial zones to accommodate the larger buildings and parking, storage, and loading areas associated with industrial activities. An overall development plan will be required for subdivision in any of the Rural Industrial Zones to show that the proposal will meet the needs of rural industries.

Individual site access to Stafford Drive is limited between Seaton Valley Stream and Warren Place because of its proximity to the shared path leading to Māpua School. **C22 2/11 Op 1/15**

Rural Zones

In order to maintain the productive values of land, controls are required on subdivision which allow for a range of soil-based production opportunities to be retained, despite shifts over time in the economic prospects for particular production activities. The Rural 1 Zone contains the small area of the District's land which has high productive value and which is suited to a wide range of uses, including both soil-based production and other uses such as residential. The rules protect this land's productive value for a range of soil-based productive uses. The soils in the Rural 1 Zone are suited to intensive production and the subdivision limits reflect this land's potential for such use. Rural 2 land is less versatile for the range of soil-based productive uses that Rural 1 land is suited for. The land in Rural 2 is more extensively farmed. While most agricultural farm properties are greater than 50 hectares, the subdivision limits for Rural 2 land allow for an optimal range of land uses.

In the Rural 3 Zone, the Plan provides a specific framework (including design guidance through the 'Coastal Tasman Area Subdivision and Development Design Guide') to enable more intensive subdivision and development in appropriate circumstances. **C6 7/07 Op 10/10**

Applications for subdivision in the Rural 3 Zone that meet the conditions will be evaluated as restricted discretionary activities. Applicants are expected to demonstrate compliance with Plan policy and consistency with the 'Coastal Tasman Area Subdivision and Development Design Guide' through innovative design approaches.

The Rural 3 Zone is intended to be serviced with a restricted community water supply reticulation and programmed road upgrading, with requirements for long term onsite wastewater servicing, to avoid the cumulative adverse effects of residential development in this rural area. The Council's long term infrastructure services programme for the Rural 3 Zone is contained in the Tasman District Long Term Plan, prepared under the Local Government Act 2002.

The frontage requirements in rural zones ensure access and spaciousness in rural areas, which contributes to its character and amenity values, as well as minimising loss of the land and soil resource, and contributing towards limiting cross-boundary effects such as dust, shading and spray drift, in gaining access to rear properties.

In the Wastewater Management Area that applies to the Rural 3 and adjacent Rural Residential zones, the provisions for considering on-site wastewater options at the time of subdivision enable a consistent and integrated approach to management of land use effects as well as management of effects of discharges.

The Council will particularly require developers to pay attention to site constraints for on-site treatment at the time subdivision plans are being considered. Long-term sustainable provision for on-site wastewater systems will need to be addressed at the time of subdivision. Where future land use or dwelling details are not known, the Council will adopt a default design of a 10-person household.

If the wastewater treatment system is intended to service more than one household, the Council will require discharge permits to be sought at the same time as consent for subdivision is sought. This is to ensure subdivision design and wastewater provision will be integrated into design and construction. It will also consider requiring discharge permits to be sought at the same time as subdivision consents where the wastewater treatment systems are to service single households and where adverse effects of single on-site systems are likely to be significant, or where the default design for a 10-person household is not adopted.

Rural Residential Zones

The minimum net site area ensures a variety of allotment sizes to cater for different lifestyle needs in different parts of the District. A secondary minimum net site area is provided for in some rural residential zone locations in Rule 16.3.8.1A recognising that, on some topographically challenging sites, smaller lots may be appropriate on some, but not all the land. Assessments against this rule will focus on what is appropriate given the physical constraints of the land and to ensure that quality living environments are provided for the new sites.

Two Rural Residential Zone locations in proximity to the Rural 3 Zone are also intended to be serviced with water and wastewater reticulated services, for the same reason as in those zones. Until Council services are available, interim provision of services will be considered in applications for subdivision and residential development. In the Māpua Rural Residential Zone, development to greater densities than provided for on the basis of the subdivision controlled activity lot size is envisaged, subject to detailed design consideration In the Waimea Inlet Rural Residential Zone, there may be some limited additional subdivision subject to design guide evaluation.

In the Rural Residential zone at Higgins Road, Wakefield, a range of rural residential options exist on part Lot 1 DP 303114. Adequate stormwater mitigation is required to manage any overflow from uphill dams in an extreme rainfall or other event. **C65 10/17 Op 4/18**

Rural Residential Closed Zone

Further subdivision is prevented at Awaroa, Toko Ngawa, Tata Heights and Tata Headland, Boundary Bay and Frenchman's Bay and Whanganui Inlet because of proximity to the coast and special landscape features. At Gorge Creek (East Tākaka) and Rocklands Road (south end) the standard of road access and geological instability are the reasons. At Rangihaeata significant factors are marginal land soakage, proximity of the aerodrome and coastal erosion. The retention of low-density residential character is important at Tophouse Road; for this reason, the Tophouse Road Extension Zone is shown on the planning maps as "Closed: Deferred". This provides through a combination of controlled and prohibited status for subdivision that the land may be subdivided until the subdivision process is fully completed at an allotment size of no less than 5,000 square metres. Once this level of subdivision has been reached, the closed status will have full effect, and the deferment shown on the planning maps will be removed by Council resolution.

Some larger sites are provided in parts of Golden Bay where land slope is steep or land soakage is poor to moderate.

The reason for the Cropp Place Closed Zone is geological instability.

Residential Closed Zone

Further residential subdivision in the small enclave of residential allotments at Anchorage is inappropriate because of the proximity of Abel Tasman National Park and poor access.

Poles and Lines

Above ground telephone and power supplies have the potential to interrupt views and detract from the visual appearance of urban and rural residential areas. As rural residential development has higher building density than the general rural area, the impact of utility wires and poles is potentially greater.

Rural Closed Zone and Rural 1 Coastal Zone

C22 2/11 Op 1/15

In a small number of circumstances, following submissions on the Proposed Plan, references to the Environment Court resulted in the Council, nearby landowners and residents, and the referrers agreeing to small allotments for primarily rural residential purposes in areas within the Rural 1 and Rural 2 zones. Where part of the agreement has been that there should be no further subdivision of the land, such areas are shown as "closed" on the planning maps and changes to the rules have been made which prevent the creation of additional allotments, but provide for adjustments to existing boundaries subject to a consent process. The reasons for the closed status relate to protecting overall amenity values or the productive potential of the balance land area. In the area shown on the planning maps off Pupu Valley Road, there is no predetermined subdivision pattern, but a maximum number of lots is provided for. In this area, through a combination of controlled and prohibited status, subdivision may proceed until the number of lots specified as a controlled activity is reached. Once this level of subdivision has been reached, the closed status will have full effect.

At Māpua/Ruby Bay on the coastal flats between Māpua and Ruby Bay, the lot sizes are all below the minimum Rural 1 lot size so there is very limited provision for further subdivision as this might encourage additional dwellings in this low-lying area that is likely to be vulnerable to both seawater and freshwater inundation. Rural residential development is already well provided for on the hills to the west and in the Rural 3 Zone.

C22 2/11 Op 1/15

Cultural Heritage Sites

C16 9/09 Op 8/12

The rules seek to manage adverse effects on cultural heritage sites by requiring an authority from Heritage New Zealand Pouhere Taonga where any modification, damage or destruction of a site is.

proposed as part of a subdivision. Known cultural heritage sites are listed in Schedule 16.13C and are shown on the planning maps. These are effective ways of enhancing the protection of the values of known sites and ensuring that any site discovered, for example, through land disturbance, is also managed through this approval process.

Filling of Allotments

C10 10/07 Op 3/14

The standard seeks to avoid inhibiting or altering the course of natural over-land stormwater flow paths and the risk of flooding other properties.

Land Subdivision in relation to Dams

C17 2/10 Op 4/13

There are large numbers of water storage dams in the District, especially throughout the Moutere gravel terrain. Many of these were built in compliance with rural standards for irrigation dams. While dams in this terrain have a low probability of failure, dam failures do occur and some existing dams may pose a risk to persons or land beyond the immediate property boundary. It is important that hazards are not created by allowing inappropriate development below these dams. In addition, as subdivision occurs, it is important that additional risks are avoided by establishing new property boundaries so that setbacks from the dam and associated structures can be complied with.

Council will take into account the location of allotment boundaries in relation to any existing dam and its associated spillway and impounded water, so that risks to property from dam failure are not increased as a result of land use changes.

[unchanged or irrelevant text omitted]

SCHEDULES

Schedule 16.3A: Assessment Criteria for Subdivision

Refer to rules 16.3.3.3, 16.3.3.4, 16.3.3.5, 16.3.3.6, 16.3.4.4, 16.3.4.5, 16.3.5.1, 16.3.5.4, 16.3.5.5, 16.3.6.1, 16.3.6.4, 16.3.6.5, 16.3.7.1, 16.3.7.3, 16.3.7.4, 16.3.7.5, 16.3.8.1, 16.3.8.4, 16.3.8.5, 16.3.8.5, 16.3.9.1, 16.4.2.1, 16.4.2.2.

When considering an application for a subdivision consent, the Council will have regard to the following criteria:

General

(1) The productive value of the land in Rural 1, Rural 2 and Rural 3 zones, and the extent to which the proposed subdivision will adversely affect it and its potential availability.

(2) The potential effects of the subdivision on the amenity values, including rural character, and natural and physical character of the area. **C60 1/16 Op 6/19**

(3) The extent to which the effects of natural hazards within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated. **C60 1/16 Op 6/19**

(4) The potential effects of the subdivision on the natural character of the coastal environment, wetlands, lakes and rivers.

(4A) The potential for reverse sensitivity effects on plant and animal production activity. **C60 1/16 Op 6/19**

(4B) Any land use consent that has been concurrently lodged or granted for a compact density, or comprehensive development.

(4C) The level of consistency with any Outline Spatial Plan that applies to the site.

(5) The adequacy of provision for public open space, esplanade reserves and esplanade strips.

(6) The adequacy of design, capacity, standard and staging of existing or proposed public utilities servicing the subdivision, including any impact on utilities servicing the wider area and outlets to, or connections with, public systems, and the ability to accommodate future developments on adjoining land, and their ability to avoid, remedy or mitigate effects on a temporary or permanent basis.

(7) The cumulative effects of the subdivision on the District's infrastructure and its efficient use and development, including the capacity and capabilities of the road network and utility services to meet demands arising from the subdivision.

(8) For water supply, the extent of compliance with the "Drinking Water Standards for New Zealand 1995" or any subsequent replacement of this standard.

(9) The relationship of the proposed allotments with the pattern of adjoining subdivision, land use activities and access arrangements, in terms of future potential cross-boundary effects.

(10) Where wastewater disposal will occur within the net area of the allotment, the extent to which the site and soil assessment, design and construction of the system complies with the AS/NZS 1547:2000, taking into account the requirements of rules in Chapter 36 regulating the discharge of wastewater.

(11) The adequate provision of potable water and water for fire fighting.

(12) Whether the treatment and disposal of wastewater and stormwater from the proposed allotments is likely to adversely affect water quality, public health or environmental health, or safety, taking into account the provisions of Schedule 16.3C and the powers under Section 220(d) of the Act.

(13) Whether the subdivided land has been, or is, subject to contaminants that may be hazardous to the future occupiers of the land and whether sufficient works or other solutions have been undertaken to avoid, remedy or mitigate the hazardous effects.

(14) Taking into account local land form, whether allotments are of a regular shape that will maximise the range and efficiency of potential activities that may take place on the land in the future.

(15) Whether engineering design is appropriate for the circumstances.

(16) Whether any landscaping features are proposed and their effects on pedestrian and traffic safety, the functional and aesthetic quality of the area, and potential maintenance costs.

(17) The granting or reservation of an easement over any private land for the purpose of locating stormwater systems to convey stormwater to any reticulated network utility under the control of the Council.

(18) The vesting in Council of any allotment in connection with the servicing of any other land by a stormwater network utility under the control of the Council.

(19) Proximity of future residential use and development of land to existing transmission lines and provisions to avoid any actual and potential effects on the integrity of existing transmission lines and the health and safety of people.

(20) The ability of any existing shelter belt, horticultural plantings or plantation forest to comply with height and setback requirements of this Plan.

(21) (i) The ability of any earthworks and the construction of any subsequent buildings and structures to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001). A copy of this document may be obtained from Transpower New Zealand Ltd.

(ii) The ability of any vegetation planted to maintain a minimum 4 metres clearance distance from any transmission line conductors, taking into account the mature height of the vegetation.

(22) In the Richmond West Development Area: **C10 10/07 Op 3/14**

(i) The extent to which access to support structures for emergency, maintenance and upgrading purposes is retained.

(ii) The extent to which the subdivision would constrain the ongoing operational needs of the National Grid.

(23) The likely effects of the subdivision on vegetation change having water yield effects.

Earthworks

(24) The extent to which any earth cut or fill will remove existing vegetation, alter existing landforms, affect water quality, or affect existing natural features, such as water courses.

(25) The extent to which any cut or fill can be restored or treated to resemble natural landforms.

(26) The extent to which the earthworks will have an adverse visual effect on the surrounding area.

(27) Whether the proposed earthworks will increase or decrease the risks from natural hazards either on, or outside, the land being subdivided.

Stormwater **C6 7/07 Op 10/10**

(28) The actual and potential adverse effects of the subdivision in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:

(i) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. **C6 7/07 Op 10/10**

(ii) The extent to which the subdivision design has taken into account changes in land cover; and the proposed measures to avoid, remedy or mitigate the effects of those changes on stormwater flows and water quality. **C6 7/07 Op 10/10**

(iii) The degree to which the subdivision has used Low Impact Design solutions in the management of stormwater.

(iv) The degree of maintenance or enhancement of natural drainage characteristics in the overall subdivision design and allotment layout.

(v) The regard for existing and reasonably expected future land-use changes within the catchment of the subdivision.

(vi) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

(vii) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been applied to the subdivision design.

(viii) The methods proposed to avoid damage to downstream properties from altered stormwater flows and effectiveness of those methods.

(ix) Consistency with mandatory and good practice matters contained within the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Buildings

(29) The ability of any existing or proposed building to comply with this Plan, including avoiding adverse effects on ridgelines shown on the planning maps.

(30) The effects of existing or future buildings on an allotment in relation to natural hazards and effects on adjoining sites and whether future building or development should be limited to particular parts of the allotment, or minimum floor levels set.

(31) For a subdivision of a building:

(i) whether the use of the building complies with this Plan or has resource consents for aspects of non-compliance;

(ii) whether the new allotments meet, or can meet, the requirements of Section 46(4) of the Building Act 2004;

(iii) if a change of use for the building is proposed, whether the building complies with Section 46 of the Building Act 2004.

Archaeological or Heritage Sites

(32) In relation to land, including a heritage site or item referred to in Schedules 16.13A, 18.1A or 16.13C, and a protected tree referred to in Schedule 16.13B: **C10 10/07 Op 3/14**

(i) whether the proposed subdivision would have an adverse or beneficial effect on the integrity or heritage and protected tree value of the site or item, and the extent of that effect;

(ii) the extent to which land integral to the significance of an archaeological site or site of significance to Māori would be separated from that site;

(iii) the provisions of any relevant management plan.

Allotments for Network Utilities

(33) Where an allotment is created as a site for a network utility or public work:

(i) the degree to which the allotment allows sufficient land area to accommodate the activity and associated structures;

(ii) landscaping, amenity plantings and location of the utility within the subdivision to mitigate adverse effects of the activity;

(iii) whether the allotment should be amalgamated with an adjoining allotment in the event of the utility being removed.

Site Works Effects

(34) The adequacy of provisions for management of construction and site works, including an environmental management plan, to avoid or mitigate any adverse effects from noise, dust, stormwater and silt run-off, and the clearance and disposal of vegetation and other waste.

Transport, Access and Roads

(35) The degree of compliance with mandatory and good practice matters of chapter 4 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(36) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including: **C69 6/19 Op 6/20**

(i) the number of intersections between the frontage of any site and the nearest of those roads;

(ii) the driving time between any site and the nearest of those roads;

(iii) the walking distance between any site and an arterial or principal road, along public roads, pedestrian ways or footpaths through reserves. **C69 6/19 Op 6/20**

(37) The relationship of any new road with existing roads, including determining the road hierarchy class of any new road, newly formed road or any required upgrading of an existing road. **C69 6/19 Op 6/20**

(38) The extent to which an existing road needs to be up-graded to manage effects of traffic generated by the subdivision, taking into account the existing state and use of the road and the construction standards of chapter 4 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(39) The ability to comply with the site access and vehicle crossing requirements of chapter 4 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(40) The need to provide alternative access for car parking and vehicle loading in the Central Business, Commercial, Tourist Services, Heavy Industrial or Light Industrial zones by way of service lanes at the rear of properties and whether these should be vested in Council.

(41) The appropriateness of, or need to provide, access by way of a road rather than a private access. **C69 6/19 Op 6/20**

(42) The adequacy of road layout, including road access to adjoining land. In the case of any change from the indicative road positions shown in Outline Spatial Plans or on the planning maps, whether the change will retain the ability to achieve the desired connectivity (to both the transport and reserves network), resilience, drainage and access requirements of the future roading network. **C73 12/20 Op 6/23**

(43) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(44) The effect of roads and private vehicular access on waterways, ecosystems, drainage patterns or the amenities of adjoining properties.

h

(45) The necessity for, and appropriateness of, sealing rural collector and access roads.

(46) Provision for the vesting of road reserves for the purpose of facilitating connections to future road extensions to serve surrounding land.

(47) The necessity for, and appropriateness of, the provision of footpaths and kerb drains on rural roads.

(47A) The potential for adverse cross-boundary effects, including reverse sensitivity. **C69 6/19 Op 6/20**

Lighting

(48) The provision of appropriate standards of street lighting, having regard to the minimum design Standards of New Zealand series of standards AS/NZS 1158 *Lighting for Roads and Public Spaces*.

(49) Where roads in the subdivision would connect existing roads:

(i) the form, location and function of the road connection;

(ii) the standard of construction of the connecting road;

(iii) the promotion and protection of public health and safety.

Stopping and Sight Distances

(50) The effects of road safety where prescribed safe stopping distances and minimum sight distances are not provided.

Frontage to Unformed Legal Roads

(51) The appropriateness and cost effectiveness of the formation of the road.

(52) The need for improvements to intersections.

(53) The need for and extent of any financial contributions towards the road formation.

Additional Matters for Land in a Significant Natural Area

(54) In the case of a subdivision of land that includes land in a Significant Natural Area:

(i) whether the land in the Significant Natural Area is fragmented by the subdivision and, if so, the effects on the visual qualities or natural values of the Significant Natural Area;

(ii) whether the Significant Natural Area is protected by a covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977 or other mechanism;

(iii) whether the need for an effective stock-proof fence to protect the Significant Natural Area has been addressed;

(iv) whether the allotment containing the Significant Natural Area contains a stable dwelling site and adequate effluent disposal area and access, outside the Significant Natural Area, will not adversely affect the visual qualities or natural values of the Significant Natural Area;

(v) whether the area of other allotments or balance area of the land (outside the Significant Natural Area) complies with the usual requirements of the zone.

Allotments and Activities in relation to Existing Dams **C17 2/10 Op 4/13**

(55) The proximity of allotment boundaries and likely future land use activities to existing dam structures, including spillways and impounded water, and potential risks posed by the dam on likely land use activities.

Schedule 16.3B: Transport Conditions

Refer to rules 16.3.3.1,16.3.3.1B, 16.3.3.2C 16.3.3.3, 16.3.3.4, 16.3.4.1, 16.3.5.1, 16.3.6.1, 16.3.7.1, 16.3.8.1.

Roads, Access and Parking

(a) All roads, including indicative and connecting roads, are laid out, constructed and vested in the Council in accordance with the road construction conditions specified in section 18.8. **C10 10/07 Op 3/14 C69 6/19 Op 6/20**

(b) Where vehicle access is required, this access must be ~~Every allotment has vehicle access~~ to a formed legal road other than a limited access road (unless written consent is given by the authority controlling the limited access road). Access to allotments is constructed in accordance with section 4.6.1.1 of the Nelson Tasman Land Development Manual ~~2019~~. **C69 6/19 Op 6/20**

(c) Where subdivision creates or alters title boundaries of developed sites, every allotment created (including any balance title) has vehicle parking provided and constructed in accordance with the conditions specified in section 16.2.

Linking Subdivision Roads to Existing Roads

(d) Where any land to be subdivided is subject to a road designation, provision is made for the land to vest in the Council as road at the time of subdivision. Where the land cannot legally vest in the Council as road at the time of subdivision, provision is made to enable the Council to acquire the land, by separately defining the parcels of land, which must be held in conjunction with adjoining land and a Consent Notice pursuant to Section 221 of the Act registered on the title, until such time as the Council acquires the land.

(e) Where any land to be subdivided is subject to a notation on an Outline Spatial Plan or the planning maps as an "Indicative Road", a road is laid out and constructed on the general alignment of the indicative road., ~~except that in the Richmond West Development Area, the location of:~~ **C10 10/07 Op 3/14 C73 12/20 Op 6/23 C79 11/24**

~~(i)~~ any point of intersection of an indicative road with an existing formed road must not vary;

~~(ii)~~ the indicative roads shown adjoining the indicative reserve that contains Borck Creek must not vary from those positions;

~~(iii)~~ the indicative roads shown along the boundaries of the locations of the Mixed Business Zone and Residential Zone must not vary from those boundaries;

~~(iv)~~ the indicative road shown along the boundary of the Recreation Zone must not vary from that boundary.

The requirement to lay out and construct a road on the general alignment of the indicative road means that desired connectivity, (to both the transport and reserves network), resilience, drainage and access requirements of the future roading network can still be achieved even if the final road location changes from that of the indicative road (except as specified in (i) – (iv) above).

(f) Where any land to be subdivided is subject to a notation on an Outline Spatial Plan or the planning maps indicating that a "Connecting Road" is required through the land, the road is to be laid out, constructed and vested in the Council at the time of the subdivision.

Note: In the Richmond West Development Area, the intersection to be formed between the indicative road and State Highway 60, between State Highway 6 and McShane Road, shown on the planning maps, is subject to approval by the New Zealand Transport Agency under the Government Roading Powers Act 1989. **C10 10/07 Op 3/14**

(g) Where any new road extends or completes an existing road, the road is constructed at the developer's cost to the relevant conditions specified in section 18.8. **C69 6/19 Op 6/20**

(h) Except in the ~~Rural 3 Zone and~~ Services Contribution Area, and in the Lower Queen Street and McShane Road in the Richmond West Development Area, where any land to be subdivided has frontage to any existing road that is not constructed to the conditions set out in section 18.8 for the relevant level of the existing road in the Road Hierarchy, the road along the frontage adjoining the land to be subdivided is formed and upgraded by the developer to the conditions of road widths, kerb and channelling and associated drainage attributable to the subdivision, berm, footpath, crossings and street lighting specified in section 18.8. **C10 10/07 Op 3/14**

(i) Where any land to be subdivided has a frontage to an existing Council road which has inadequate road reserve width to meet the condition in the Plan, adequate land to meet the condition is vested in the Council at the time of subdivision, at no cost to the Council. **C69 6/19 Op 6/20**

(j) The subdivision provides a safe and efficient road, cycleway and pedestrian access connection to adjoining land and roads, cycleways and pedestrian accessways.

Schedule 16.3C: Services Required on Subdivision in Certain Zones

Refer to rules 16.3.3.1, 16.3.4.1, 16.3.3.1B, 16.3.3.2C

This schedule applies to Central Business, Commercial, Mixed Business, Tourist Services, Heavy and Light Industrial and Rural Industrial zones, Medium Density Residential Zone and the Residential Zone in the Richmond South, Richmond West, Richmond East, ~~Richmond Intensive,~~ Brightwater, Wakefield, Motueka West and Māpua development areas (excluding the Residential Coastal Zone), and the Rural Residential Serviced Zone in the Richmond East and Māpua development areas.

C10 10/07 Op 3/14
C20 8/10 Op 8/12
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
Op 10/23
(D9/24)

SERVICE	STANDARD	
Stormwater	The land to be subdivided is connected to a Council stormwater network (including any stream that has been modified to function as a stormwater drain) that is capable of receiving additional stormwater because of the subdivision. OR The discharge complies with 36.4 of this Plan. AND All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. ~~In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the planning maps:~~ ~~(a) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;~~ ~~(b) the flood flow path surface is constructed or treated to prevent erosion of the surface.~~	**C69 6/19 Op 6/20** **C66 10/17 Op 12/18**
Wastewater	The land to be subdivided is connected to a Council wastewater reticulation that is capable of receiving additional wastewater as a result of the subdivision.	
Water Supply	The land to be subdivided is connected to a Council potable water supply reticulation that is capable of providing a potable water supply for each allotment and sufficient water for fire-fighting purposes, unless in the Rural Residential Zone (other than the Rural Residential Serviced Zone in the Richmond East and Māpua development areas), rule 17.8.3.1(m) is complied with.	**C20 8/10 Op 8/12** **C22 2/11 Op 1/15**
Electricity	The land to be subdivided is provided with electric power, appropriate to the circumstances.	
Telephone	The land to be subdivided is provided with a telephone system, appropriate to the circumstances.	

Note: Schedule 16.3A contains an assessment criterion that refers to this table.

[unchanged or irrelevant text omitted]

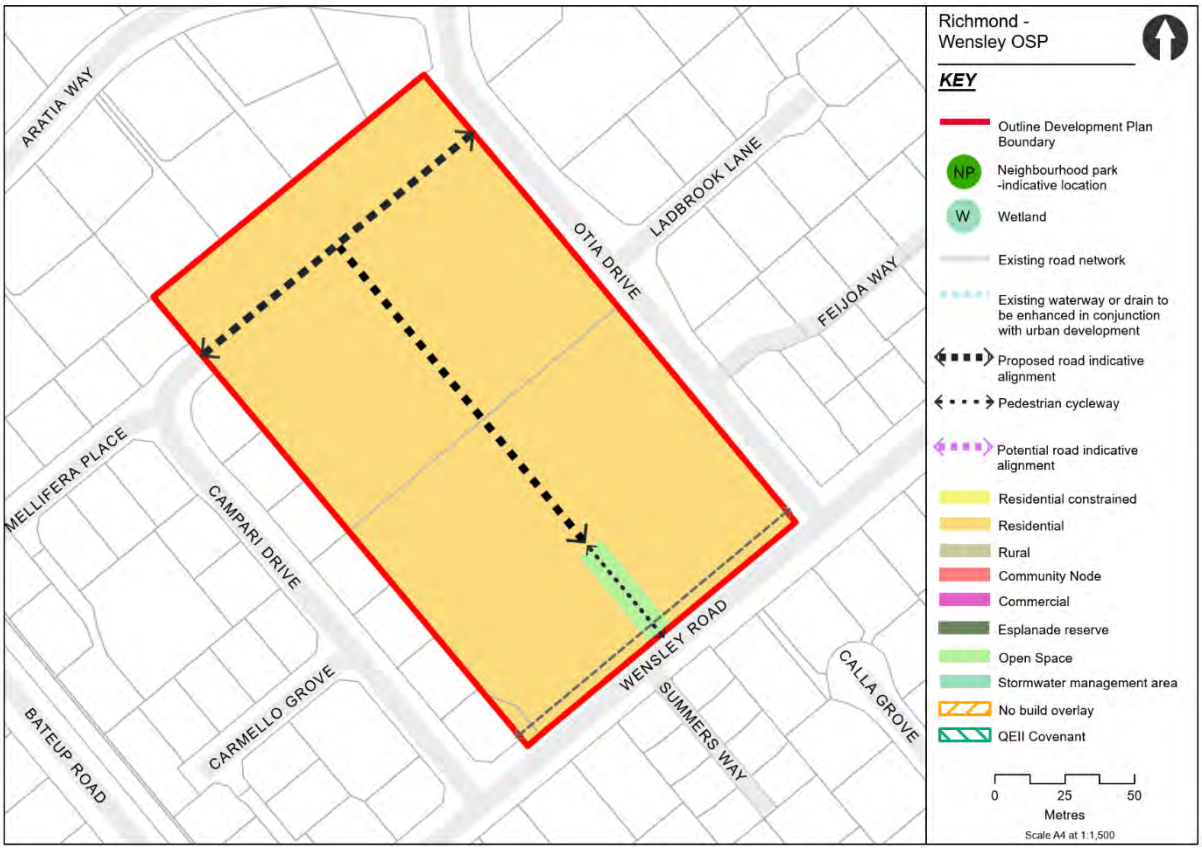
Schedule 16.3D: Outline Spatial Plans

Outline Spatial Plans are a tool to provide a structured framework to guide and manage the sustainable development of designated growth areas or larger individual sites. They facilitate coordinated land use, infrastructure provision, and environmental management, ensuring that development aligns with the objectives of the Act, national direction and supports the district's long-term planning goals.
Outline Spatial Plans identify the Context and Development Considerations that must be considered in any resource consent application.

Outline Spatial Plans are provided for the following locations:

Location	Schedule
120 Wensley Road	Schedule 16.3D.1
123 Salisbury Road	Schedule 16.3D.2
330 Hill Street	Schedule 16.3D.3
Berryfield Crossing	Schedule 16.3D.4
Chertsey Road	Schedule 16.3D.5
Wakefield North	Schedule 16.3D.6
Wakefield Central	Schedule 16.3D.7
Māpua Coastal	Schedule 16.3D.8
Māpua Higgs Road	Schedule 16.3D.9
Māpua Seaton Valley	Schedule 16.3D.10
Motueka	Schedule 16.3D.11
32 Rototai Road	Schedule 16.3D.12

Schedule 16.3D.1: Outline Spatial Plan - 120 Wensley Road



Context

This Outline Spatial Plan covers 2.6 hectares of flat land with frontage to Wensley Road and Otia Drive, and a connection to Campari Drive.

The site is surrounded by established residential areas and is close to schools, reserves, and community facilities. Its location within Richmond's urban area provides strong transport links via Wensley Road. A thin strip of land in separate ownership lies along the northeast boundary of the site.

The site is a strategic opportunity to improve neighbourhood connectivity and support consolidated residential growth in a well-serviced area.

Development Considerations and Requirements

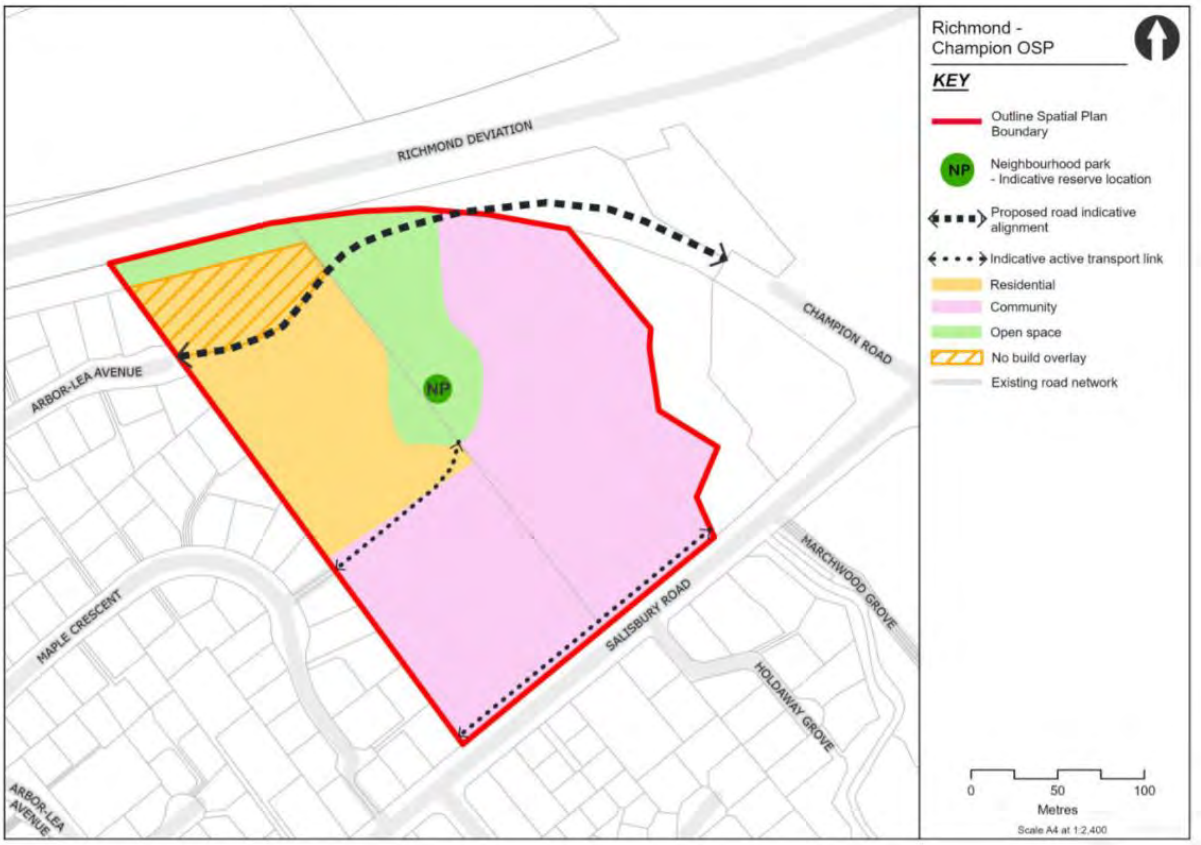
Land Use

- There is an opportunity for ground level commercial activities that are appropriate in a residential environment on and around the Otia Drive – Wensley Road corner.

Access and Transport

- A new road connection shall be provided between Campari Drive and Otia Street through the northern part of the OSP area to improve local connectivity.
- A limited access frontage prohibits road access to the Wensley Road frontage, however to ensure appropriate connectivity the proposed internal road network will provide pedestrian and cycle access from the future residential to Wensley Road via an open space link reserve.
- Any private accessways onto Wensley Road shall serve single dwellings only.
- Multi-unit developments (two or more dwellings) must be accessed via the internal road network within the OSP.

Schedule 16.3D.2: Outline Spatial Plan – 123 Salisbury Road



Context

This Outline Spatial Plan covers 6.2 hectares between Arbor-Lea Avenue and Champion Road, framed by the Richmond Deviation and Salisbury Road. The site sits within a well-established residential area, with direct connections to the arterial road network and the wider Richmond urban area.

The area includes the Richmond Aquatic Centre and Richmond Baptist Church, and is close to schools, retail centres, and public transport on Salisbury Road.

To the northeast lies an Esplanade Reserve, wider recreation opportunities are available at Saxton Field. Its position at the intersection of community facilities, recreation assets, and transport routes makes it a strategic local hub and gateway between neighbourhoods and regional connections.

Development Considerations and Requirements

Land Use

- Residential use is appropriate along the western and south-eastern boundaries, supported by nearby schools, shops, and community facilities.

- A No-build Overlay adjacent to the Richmond Deviation must remain undeveloped due to topography constraints and overhead powerlines. A consent notice may be imposed at subdivision stage to identify the no build area on future Records of Title.

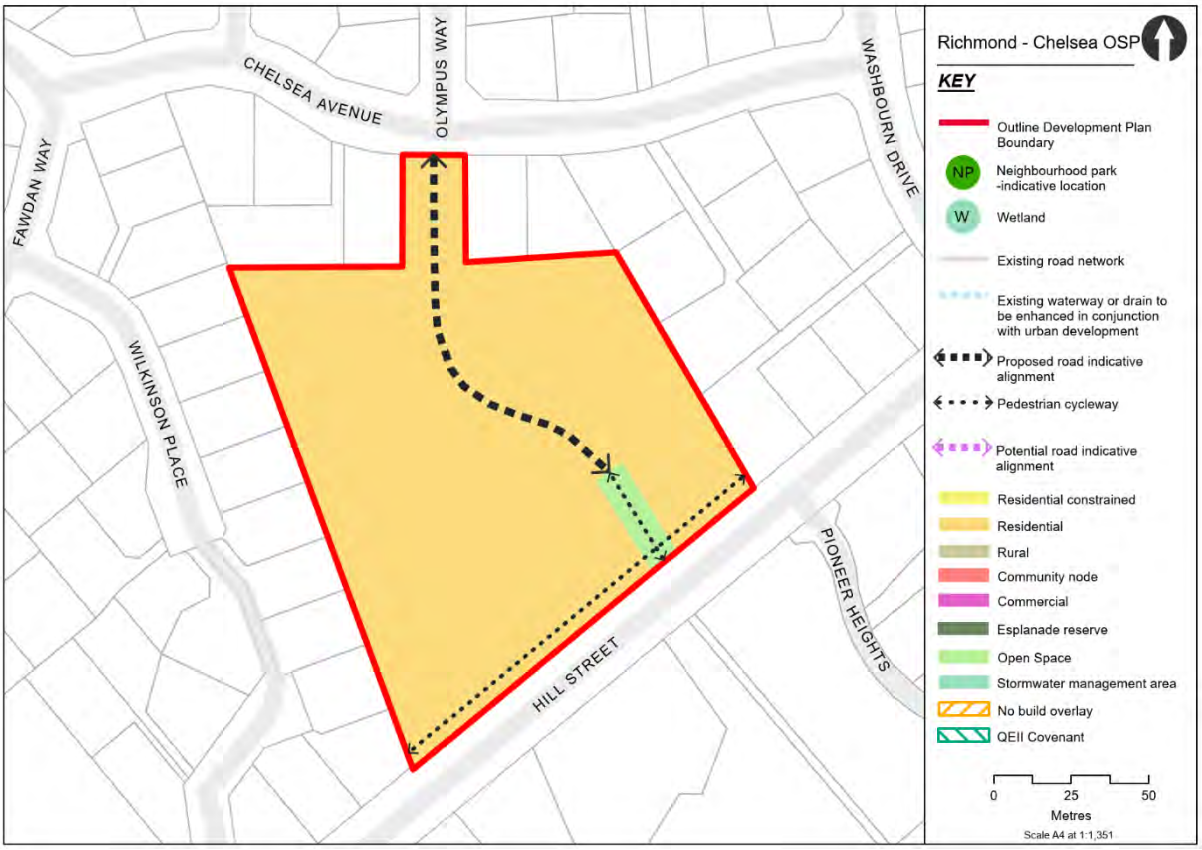
Access and Transport

- Houses adjoining community facilities must be designed and oriented to:
  - enable passive surveillance of public spaces
  - maintain privacy for private outdoor living areas
- A new road link shall be constructed between Arbor-Lea Avenue and Champion Road. The landowners will be responsible for the sections of roads on their respective properties.
- No further road intersections are permitted along Salisbury Road due to limited frontage. A consent notice may be imposed at subdivision stage in regard to any ongoing restrictions due to limited access.
- Pedestrian and cycle connections must link into Maple Crescent and Salisbury Road.

Open Space, Recreation and Community Facilities

- An area of indicative reserve is to be vested in Council as an expansion to the open space around the Aquatic Centre.
- The open space network must connect to the existing green corridor buffer along SH6 to the north.

Schedule 16.3D.3: Outline Spatial Plan – 330 Hill Street



Context

This Outline Spatial Plan covers 1.7 hectares fronting Hill Street, with land sloping down towards Chelsea Avenue. The site is framed by established residential development to the north, east, and west, with opportunities for connection to Chelsea Avenue.

To the south, the site adjoins Hill Street, an established arterial route providing access to Richmond town centre and the wider network. The site's position between Hill Street and Chelsea Avenue provides potential for integration with the existing street network, improving connectivity while maintaining suburban character.

Development Considerations and Requirements

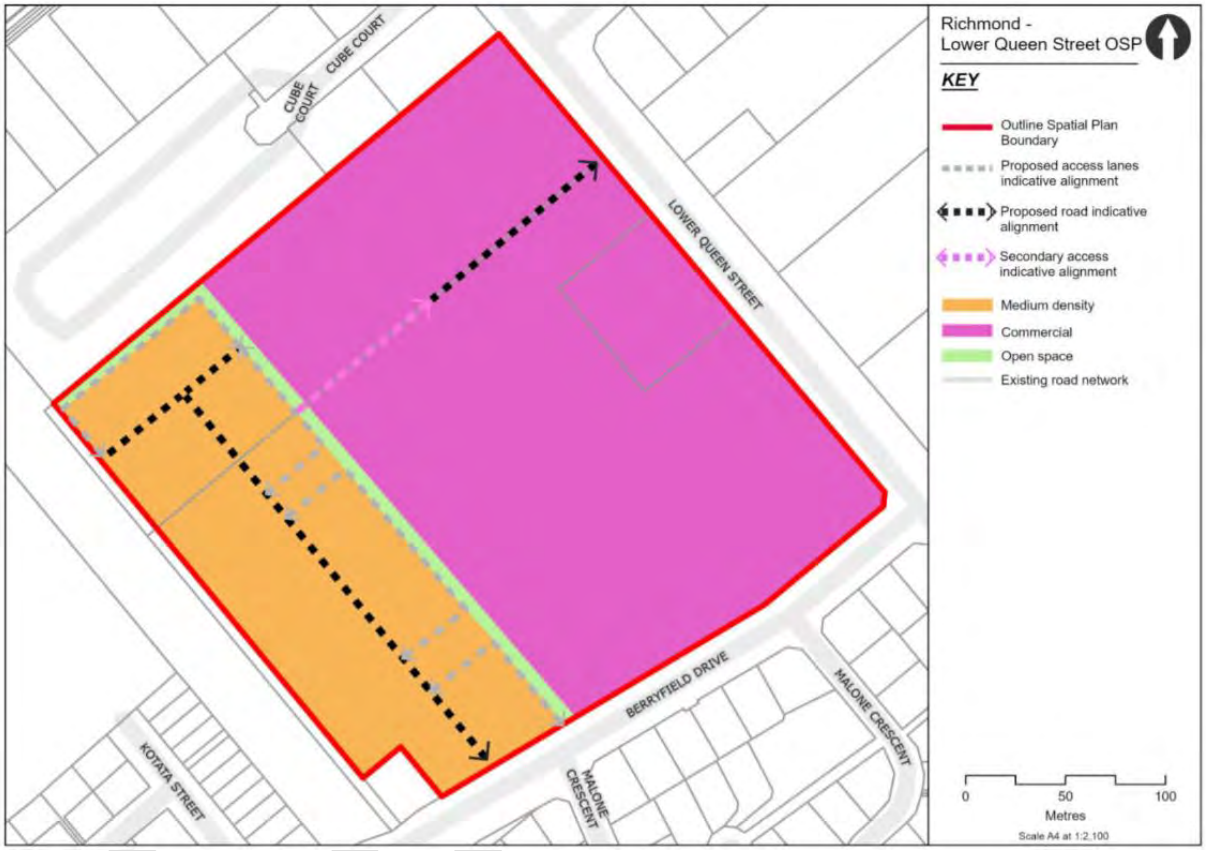
Land Use

- The site must be developed for residential use.
- Standard density development along the western edge of the site is recommended.

Access and Transport

- Vehicular access shall be provided from Chelsea Avenue and must align with Olympus Way.
- A pedestrian and cycle link must connect residents to Hill Street, integrating with the existing footpath network.
- No vehicular intersection with Hill Street is permitted due to topography and transport planning constraints.
- The limited access frontage along Hill Street prohibits private vehicle crossings.

Schedule 16.3D.4: Outline Spatial Plan – Berryfield Crossing



Context

The area comprises three properties:

- One site is in the early stages of commercial development, with a movie theatre, food and beverage outlets, public space, and a planned small supermarket.
- Another site accommodates an NPD petrol station.
- The third site remains undeveloped, retaining a dwelling but with potential for future development.

The latter two sites collectively front onto the Poutama Drain along the south-western boundary, benefitting from both natural outlook and infrastructural support. To the north-west, the area adjoins the Mixed Business Zone.

The area is appropriate for commercial and medium-density residential use. While interfaces between residential, mixed business, and commercial land uses can be challenging, there is the opportunity to achieve significant density with residential areas well served by a commercial centre, public transport, and active transport linkages.

Development Considerations and Requirements

Land Use

- An opportunity for a mix of lots with greater density created in locations away from the boundary with Commercial and Mixed Business Zones. Larger lots may be possible closer to those boundaries to mitigate amenity and reverse sensitivity effects.

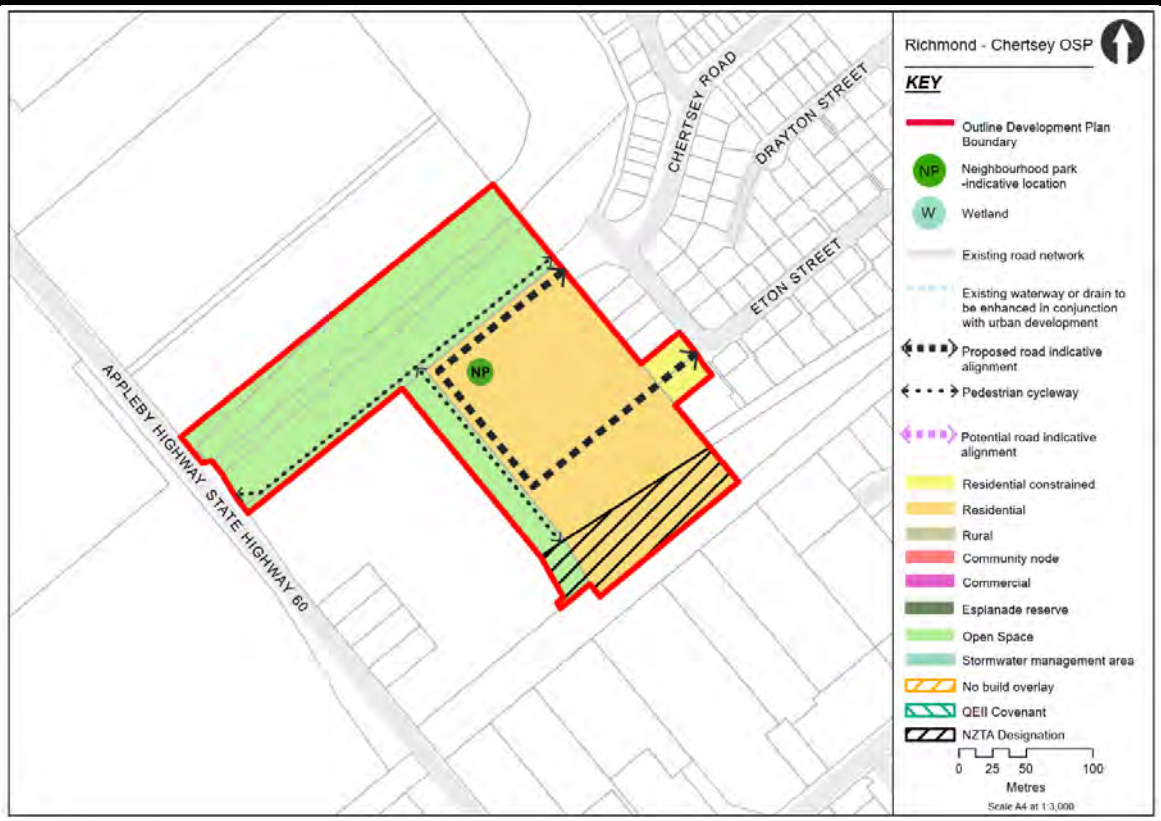
Access and Transport

- The internal road network must provide:
  - Clear and legible access through the site
  - Safe vehicle movements
  - Pedestrian and cycle connectivity
- The central road shall be designed to manage vehicle speeds to safe levels, creating a pleasant residential environment.
- An emergency-only access link through the adjoining commercial area must be provided, with restrictions to prevent general traffic and heavy commercial vehicles from entering the residential neighbourhood.
- Between the Estuary Place intersection and the new access into the site from Lower Queen Street (shown by indicative road) there shall be no other access crossings.

Open Space, Recreation and Community Facilities

- The interface with the adjoining open space corridor must:
  - Provide good outlook and passive surveillance
  - Maintain pedestrian and cycle accessibility where appropriate
  - Incorporate low-impact edge treatments (e.g. landscaping and fencing) to enhance amenity and openness
- Internal roads and lot layouts shall be arranged to provide legible and active frontages onto Berryfield Drive, Malone Crescent, and the open space corridor, helping to create a connected and attractive neighbourhood.

Schedule 16.3D.5: Outline Spatial Plan – Chertsey Road



Context

This Outline Spatial Plan covers 5.58 hectares north of the Richmond commercial precinct, located between Appleby Highway (State Highway 60) and new residential development to the east.

The site fronts directly onto the highway and connects into the emerging local street network of adjoining neighbourhoods. It is strategically positioned at the interface of residential, commercial, and open space networks.

To the south lies the established industrial and service area around Gladstone Road; to the east is existing residential; to the west and north, open space and business zones. Existing stormwater corridors and green space link through the wider network, providing natural buffers between land uses. The site's location makes it an important transitional area between residential, rural, commercial, and industrial activities.

Development provides opportunities to:

- Strengthen safe transport and open space connections
- Integrate with existing infrastructure
- Support managed growth at the town's edge with appropriate interface treatment

Development Considerations and Requirements

Land Use

- A designation for the Hope Bypass runs along the southern edge of the site. As a result, some of the site is not available for development. The noise attenuation bund will need to be extended from the north-east across the site. A consent notice may be imposed at subdivision stage in regard to any ongoing restrictions in relation to further development that apply at that time.
- Single storey development may be appropriate in the south eastern section of the site to reduce exposure to noise from the potential State Highway 6 realignment.
- Dwellings adjoining open space, stormwater corridors, and roads must:
  - be oriented to face public areas
  - incorporate fencing and landscaping that allow visual connections
  - enable passive surveillance while maintaining privacy for private outdoor spaces

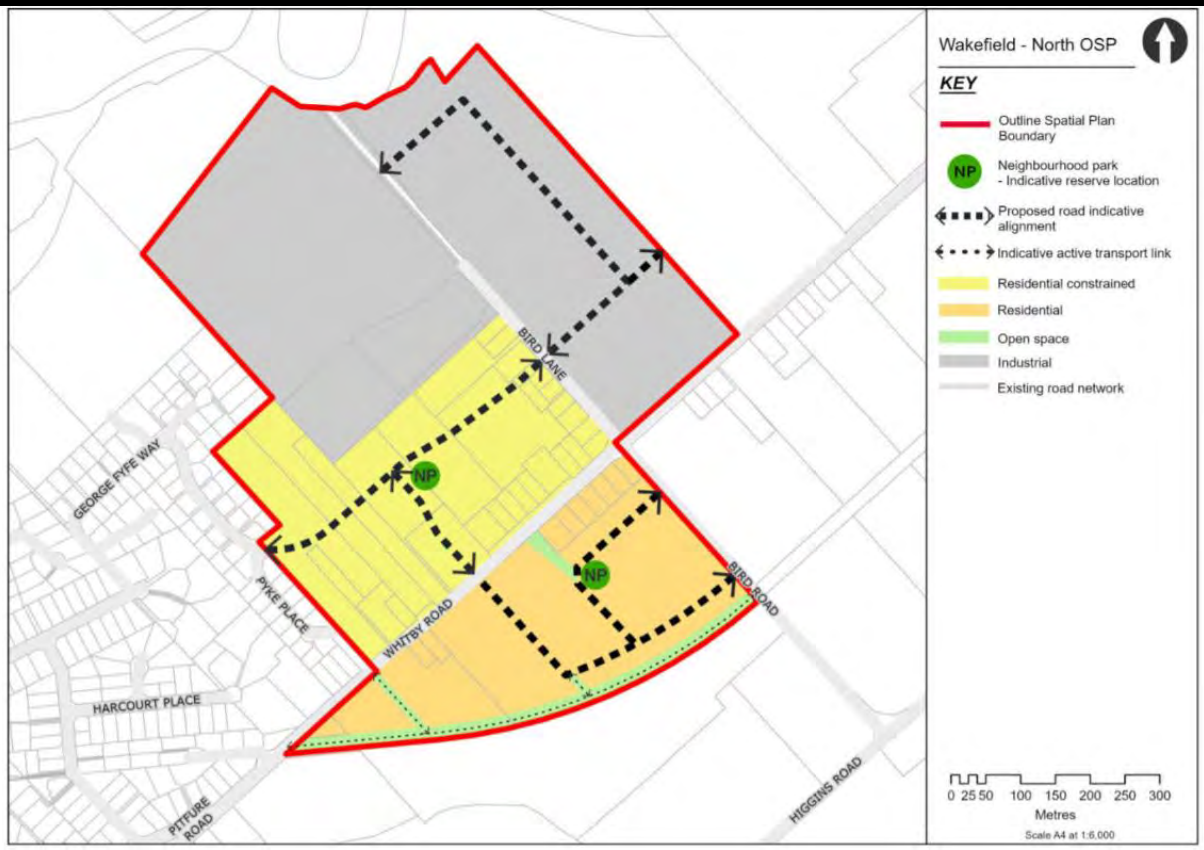
Access and Transport

- Chertsey Road must be extended to gain access, however a cul-de-sac layout alone from this point will limit development yield.
- Eton Street may be extended and connected to create a crescent road with two access points, enabling greater yield and improved circulation.

Open Space, Recreation and Community Facilities

- A recreation reserve along the stream corridor must be provided, incorporating:
  - Public open space
  - Pedestrian and cycle links
  - Stormwater management functions

Schedule 16.3D.6: Outline Spatial Plan – Wakefield North



Context

This Outline Spatial Plan covers 54.2 hectares north of Wakefield township, located between the Wai-iti River corridor to the north-west and existing residential areas south of State Highway 6.

The north-western boundary is defined by parcels adjoining the riparian margins of the Wai-iti River and stream corridors. The south-western edge adjoins established Wakefield neighbourhoods and to the north-east, the site transitions to open space and rural land.

Development Considerations and Requirements

Land Use

- Medium DensityResidential development must occur south of State Highway 6.
- Residential development north of State Highway 6 may be at lower densities to integrate with existing and adjoining land uses. This area remains as Residential Zone.
- Industrial activities shall be located to the north as an expansion of existing industrial uses, with direct access to SH6 via Bird Lane (aligned with Bird Road to the south-east).
- Dwellings adjoining open space and roads must:
    - Be oriented to face these public areas
    - Incorporate fencing and landscaping that allow visual connections
    - Enable passive surveillance while maintaining residential privacy

Access and Transport

- An internal road hierarchy must provide clear connections between SH6 and the Wakefield road network.
- Industrial traffic is directed to SH6 via an upgraded connection at Bird Lane which will require an intersection upgrade
- Residential areas must be served by a permeable grid of local roads and pedestrian/cycle routes to ensure connectivity.

Open Space, Community Facilities and Recreation

- Two centrally located neighbourhood parks must be provided at key road junctions on either side of State Highway 6, serving as community focal points and gathering spaces.
- An open space link shall:
    - provide a buffer between residential uses and rural open space to the south
    - deliver pedestrian and cycle connections west to State Highway 6 and east to Bird Road

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Schedule 16.3D.7: Outline Spatial Plan – Wakefield Central



Context

This Outline Spatial Plan covers 1.67 hectares of land to the west of the Wakefield town centre. The site is framed by established residential neighbourhoods, with direct frontage to Pitfure Road along the southeastern boundary. Its proximity to Wakefield School, Faulkner Bush Scenic Reserve, and local community facilities reinforces the area's role in accommodating new homes close to key amenities.

Development Considerations

Land Use

- The area is appropriate for medium density residential development, providing opportunities to integrate with and complement adjoining neighbourhoods.
- Development will enable more efficient use of land at the rear of larger existing properties that are yet to be further developed.
- Dwellings should front onto the neighbourhood park and pedestrian links where possible, ensuring passive surveillance, safe and active edges, and a strong sense of community focus.

Access and Transport

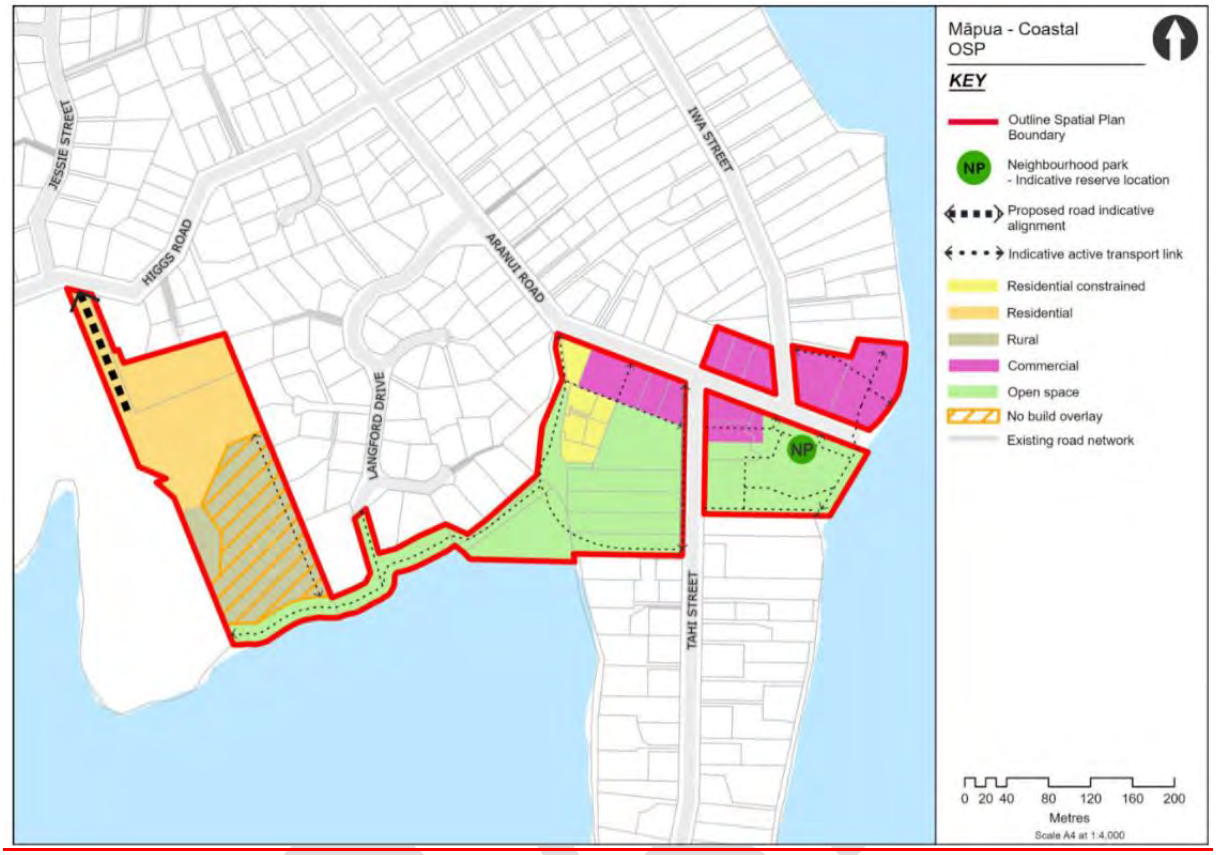
- Primary access will be provided from Pitfure Road to the southeast and from Bastin Terrace to the north, with a secondary connection to Edward Street aligning with Treeton Place. This network will support through-block movement and local connectivity.
- Pedestrian and cycle connections will extend to both Edward Street and Arrow Street, using laneways or accessways where appropriate. Easements in favour of Tasman District Council will secure long-term pedestrian connectivity.
- A connected street and shared path hierarchy will support vehicle, pedestrian, and cycle access, ensuring integration with the wider Wakefield town centre and State Highway 6 corridor.

Open Space, Recreation, and Community Facilities

- A centrally located neighbourhood park will act as a community focal point for passive recreation and social interaction. Development adjoining the park and shared paths should provide direct and visible access, with active frontages and low fencing to promote safety and accessibility.
- Integrated pedestrian and cycle connections through the site will provide seamless movement between adjoining streets and strong links to the wider recreational network.

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Schedule 16.3D.8: Outline Spatial Plan – Māpua Coastal



Context

This Outline Spatial Plan covers approximately 8.9 hectares across two distinct but connected areas. The area to the west is bounded by rural land and land under a QEII covenant connecting to Higgs Road to the north, the intertidal coastal margin to the south and existing residential to the north and east.

To the northeast, is the Māpua Wharf area, centred on Aranui Road. This area accommodates a mix of housing, commercial spaces, and community reserves, forming a key focal point for both residents and visitors.

Development Considerations and Requirements

Land Use

- Residential development is appropriate in the western plateau area. A No-build Overlay applies on the steeper lower slopes of the western area due to environmental constraints (topography and vegetation). This no build area allows this area to function as a transitional open space, and a buffer between residential development and the adjoining QEII covenant land to the west. A consent notice may be imposed at subdivision stage to identify the no build area on future records of title.
- Commercial development must front Aranui Road, reinforcing its role as a focal point for community activity and amenity.
- The future design and development of both residential and commercial areas should carefully manage interfaces with existing housing, commercial buildings, the coastal edge, and adjoining reserves, ensuring safe, well-integrated and accessible open space edges and recreational routes.

Infrastructure Limitations

- Development in the Māpua area is constrained by water and wastewater servicing capacity and vehicular capacity at the State Highway 6 intersection. Utilisation of available capacity will be on the basis of first-in first-served, and once exhausted, further developments may not be able to proceed until the necessary infrastructural upgrades have been completed.

Access and Transport

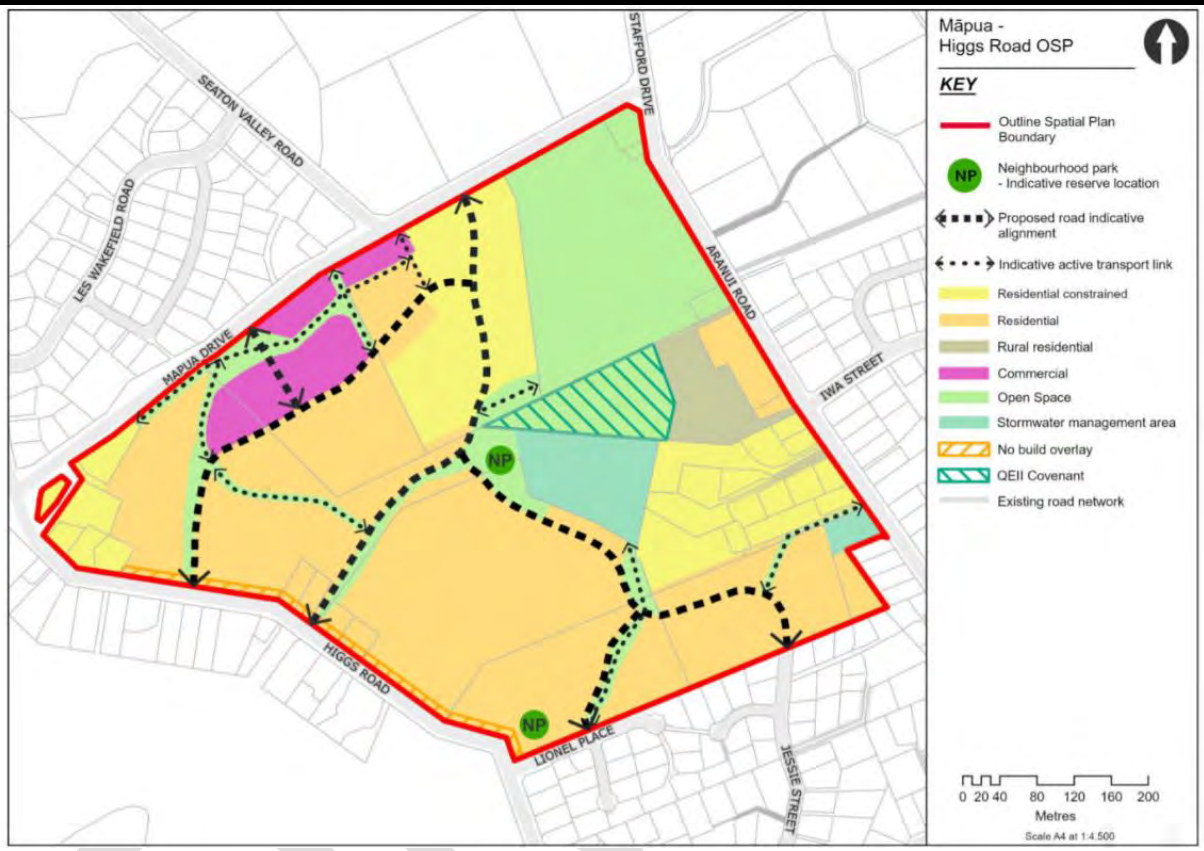
- A road connection from Higgs Road will enable vehicle access to the residential area west of Langford Drive. This future connection will require upgrades to the existing road to promote a safe entry and exit.

- Active transport connections must be enhanced, including a link from the coastal reserve to Langford Drive, improving active transport movement.

Open Space and Community

- The coastal esplanade reserve must be retained and enhanced as a public recreational and ecological asset.
- Open space provision must include both active recreational connections (west) and more passive, community-focused open spaces (east).

Schedule 16.3D.9: Outline Spatial Plan – Māpua Higgs Road



Context

This Outline Spatial Plan covers approximately 39.7 hectares of land positioned along the southwestern side of Aranui Road, the southeastern side of Māpua Drive, and the northeastern side of Higgs Road.

The Outline Spatial Plan area is central to Māpua and forms a key part of the settlement's growth area, linking directly to the surrounding residential neighbourhoods, the roading network, and the open space system. Aranui Road functions as the principal north–south route connecting the village to the coastline and Māpua Wharf, carrying both local and visitor traffic. Māpua Drive provides an important east–west connection to surrounding residential areas, while Higgs Road provides a secondary access route along the southeastern edge.

Development Considerations and Requirements

Land Use

- Residential development is appropriate across the majority of the area and must achieve a density of 18 dwellings per hectare over the Medium Density Residential Zone area.
- Residential use is located across the majority of the site, with residential constrained areas located in specific key areas, either; existing developed areas, or to provide buffers to open spaces and stormwater management areas. A lower-density transition to existing neighbourhoods must be considered.
- A 10m No-build Overlay is required along Higgs Road, with this acting as a buffer between less dense existing residential to the south, mitigating visual bulk of future dwellings, and to increase the natural element to this interface. Within this overlay;
    - 50% of the area must be planted with native species endemic to the region (or alternative species approved by the Councils Parks and Reserves Department), capable of reaching a minimum mature height of 3m. This treatment will soften the visual bulk of development and strengthen the green interface.
    - Ongoing maintenance in perpetuity, secured by a consent notice on future titles.

- The layout and built form must positively integrate with topography and surrounding land uses, ensuring well-managed residential, rural, and open space edges.
- The commercial area is indicative in size, it is located in a natural depression to reduce visual impact, must be broken into interconnected blocks linked by open space and active transport routes, and must also retain a stormwater conveyance function.

Access and Transport

- Road connections will integrate topography with pedestrian and cycle linkages. These links integrate with Aranui Road, Mapua Drive, and Higgs Road, enhancing permeability and providing safe and direct connections for all travel modes.
- Road connections must integrate with the local topography and provide for safe, direct pedestrian and cycle links.
- Traffic calming and safe pedestrian/cycle crossing points must be installed along Aranui Road and Māpua Drive opposite the commercial hub at the time of adjacent development.
- A limited access frontage applies along Higgs Road. Vehicle access is restricted to intersections only; all dwellings must be accessed via internal roads or private accessways. A consent notice may be imposed at subdivision stage in regard to any ongoing restrictions that apply to limited access.
- Urbanising kerb channel and footpath and pedestrian connections from residential areas onto Higgs Road must be provided.

Infrastructure Limitations

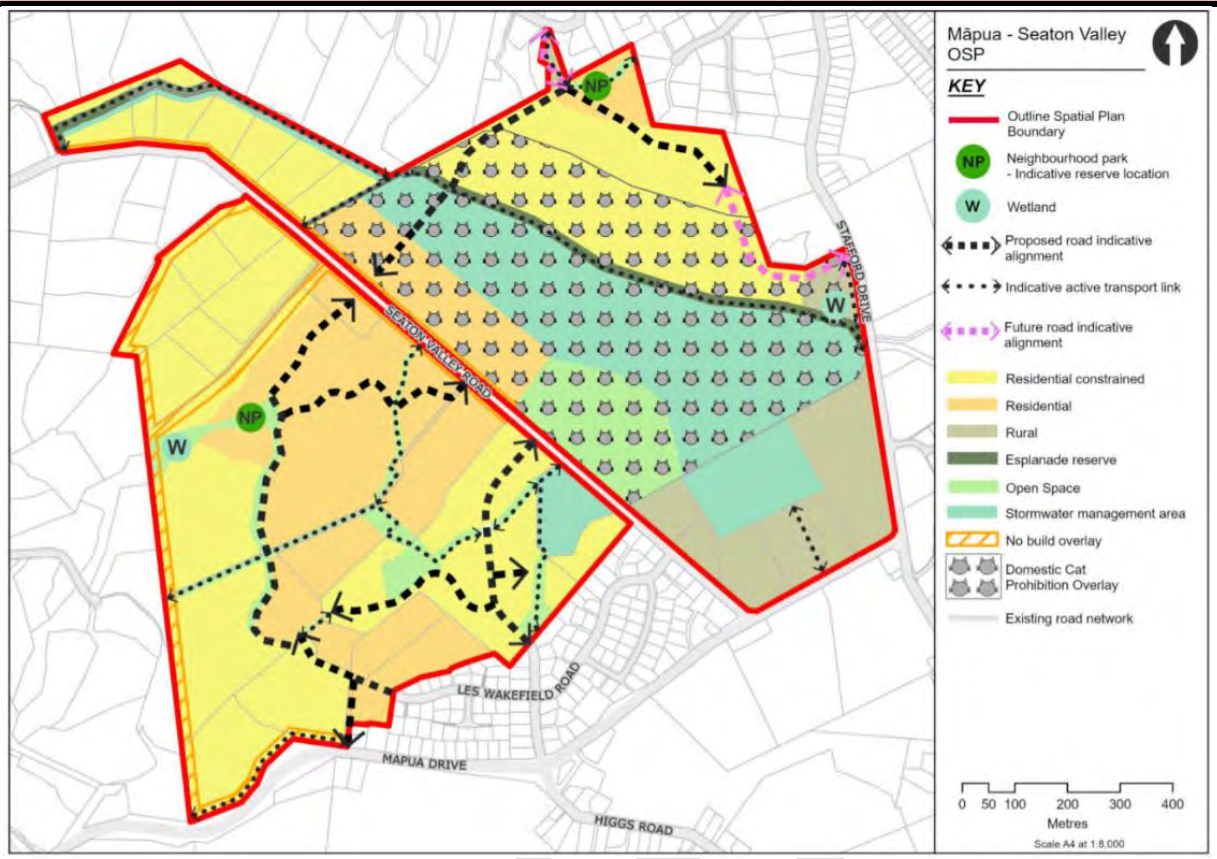
- Development in the Māpua area is constrained by water and wastewater servicing capacity and vehicular capacity at the State Highway 6 intersection. Utilisation of available capacity will be on the basis of first-in first-served, and once exhausted, further developments may not be able to proceed until the necessary infrastructural upgrades have been completed.

Open Space and Community Facilities

- Green corridors should integrate stormwater and ecological functions while also providing recreational opportunities. These corridors must be extensively planted with native species endemic to the region (or alternative species approved by the Councils Parks and Reserve Department).
- Two neighbourhood parks are required within walkable catchments, accessible to both existing and future residents, to provide community recreation, and social interaction.
- Residential–open space interfaces must be designed with front yards and active frontages to provide passive surveillance, while limiting the extent of rear fencing.
- Open space must connect key nodes and reinforce ecological, recreational, and stormwater functions.

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Schedule 16.3D.10: Outline Spatial Plan – Māpua Seaton Valley



Context

This Outline Spatial Plan covers 131.8 hectares of land centred around Seaton Valley Road, which provides the primary movement connection through the site and links into the wider Māpua transport network.

The extent is defined by Māpua Drive (south), Stafford Drive (east), and Pomona Road (north), covering an elevated area overlooking the settlement. The western extent reaches Old Orchard Lane to the north, with the remainder of the boundary defined by adjoining rural residential development to the west and established residential areas to the south.

The site contains a varied landscape of gently undulating slopes, flatter valley floor areas, and upper hillside land overlooking Seaton Valley Road. Existing watercourses and areas of open space weave through the block, forming natural edges and providing opportunities for integration with neighbouring residential areas and the wider open space network.

Development Considerations and Requirements

Land Use

- Residential development is focused on the valley floor and gently sloping land, with constrained residential areas, where a lower density is appropriate of 15 dwellings per hectare, is located on upper slopes and in other areas providing a transition to the surrounding rural environment. This is designed to respect existing housing, rural edges, and natural features such as prominent hillside crests, creating a balanced pattern of development.
- No-build Overlays are used to manage topographical constraints and sensitive edges, these include a requirement for:
  - a 20m no-build setback along western edges and adjacent to rural residential areas.
  - a 10m no-build setback along Seaton Valley Road to support a transition from urban to rural.
  - 50% of the overlay area planted with native species endemic to the region (or alternative species approved by the Councils Parks and Reserve Department)., with selected species capable of reaching at least 3m mature height.
  - Ongoing maintenance in perpetuity, secured by a consent notice on future titles.
- Consent notices may be imposed at subdivision stage in regard to any ongoing restrictions for no build areas.

- Cats are not permitted within the Domestic Cat Exclusion Area. A consent notice will be imposed at subdivision stage to identify the domestic cat exclusion area on future records of title.

Access and Transport

- A connected road hierarchy links Seaton Valley Road, Māpua Drive, and Stafford Drive.
- Roading upgrades will be required to deliver traffic calming and safe pedestrian/cycle crossings on Seaton Valley Road, particularly opposite the recreational playing fields.
- A limited access frontage is applied along the upper portion of Seaton Valley Road. Dwellings will be accessed internally from local roads or private access, softening the rural–urban edge alongside the No-build Overlay. Consent notices may be imposed at subdivision stage in regard to any ongoing restrictions that apply due to limited access.
- Two potential road connections (shown in pink) are identified to support development to the north of the valley floor. At least one connection is required.

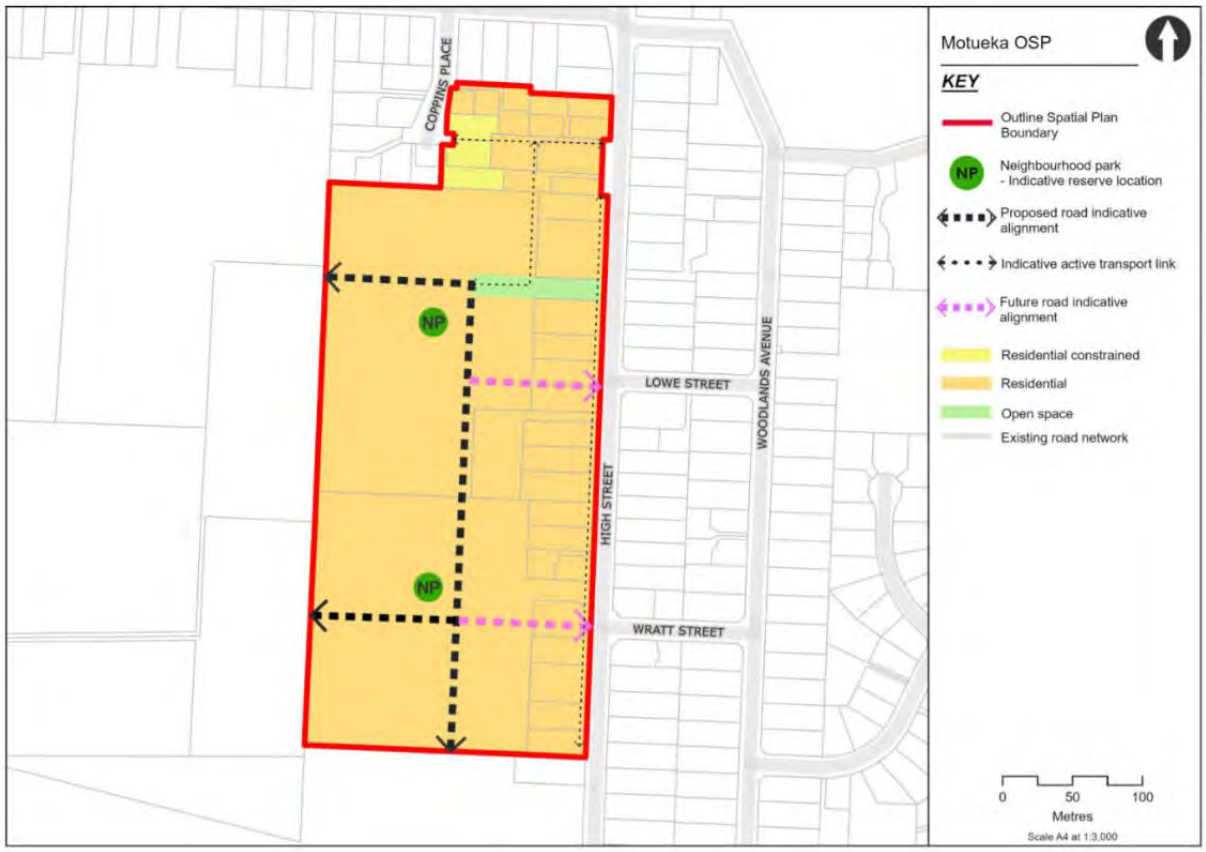
Infrastructure Limitations

- Development in the Māpua area is constrained by water and wastewater servicing capacity and vehicular capacity at the State Highway 6 intersection. Utilisation of available capacity will be on the basis of first-in first-served, and once exhausted, further developments may not be able to proceed until the necessary infrastructural upgrades have been completed.

Open Space and Community Facilities

- A network of open spaces includes:
  - a new stormwater management area and wetland that is expected to provide detention for all stormwater generated from development in the catchment.
  - playing fields and recreational facilities.
  - neighbourhood parks within walkable catchments, located along key routes to ensure visibility, safety, and accessibility.
  - Green corridors and wetlands, integrating stormwater management with ecological and recreational functions.
- Wetland and stormwater areas are designed for catchment treatment, while providing amenity and ecological value. Landscaped edges and walking/cycling routes are included where compatible.
- The open space network links neighbourhood parks and ecological areas, ensuring positive housing interfaces, safe access, and reinforcement of Māpua's natural character.

Schedule 16.3D.11: Outline Spatial Plan – Motueka



Context

This Outline Spatial Plan covers 8.89 hectares of land located to the west of High Street (State Highway 60). It extends north to the residential areas of Whakarewa Street and Coppins Place and adjoins horticultural land to the south and west.

The site represents a key opportunity for coordinated residential development in close proximity to Motueka's town centre, enabling new homes and amenities within walking distance of shops, schools and community facilities.

- Western boundary – adjoins land zoned for future residential and business development when servicing allows.
- Eastern edge – interfaces with High Street and established residential neighbourhoods.
- Northern extent – connects directly to the commercial and service centre of Motueka, reinforcing its strategic role.

Existing residential landholdings – Kāinga Ora (Housing New Zealand) owns several sites at the northern end of the OSP area.

Development Considerations

Land Use

- Residential development is supported across the site, with higher-density housing concentrated centrally and adjoining the neighbourhood park.
- Development will integrate natural drainage corridors into neighbourhood design, providing both ecological and amenity functions.
- Fencing and dwelling orientation along reserves and streets should reinforce passive surveillance, maximise street activation, and avoid high solid fences on public edges.

Access and Transport

- A north–south connector road is the main structural element, linking the area to the southern boundary.
- Two potential east–west road connections are identified to align with Wratt Street and Lowe Street, improving permeability. Only one intersection is required, to be confirmed with Council engineers; a roundabout may be necessary at the chosen location.
- Pedestrian and cycle links provide direct access to High Street, including a proposed link reserve to enhance connectivity.
- A Limited Access Frontage applies along much of High Street, ensuring safe traffic circulation. Comprehensive redevelopment of the existing dwellings facing high street are encouraged but must be provided with rear access so that there is a reduction in the number of crossings directly onto High Street over time.

Open Space and Community Facilities

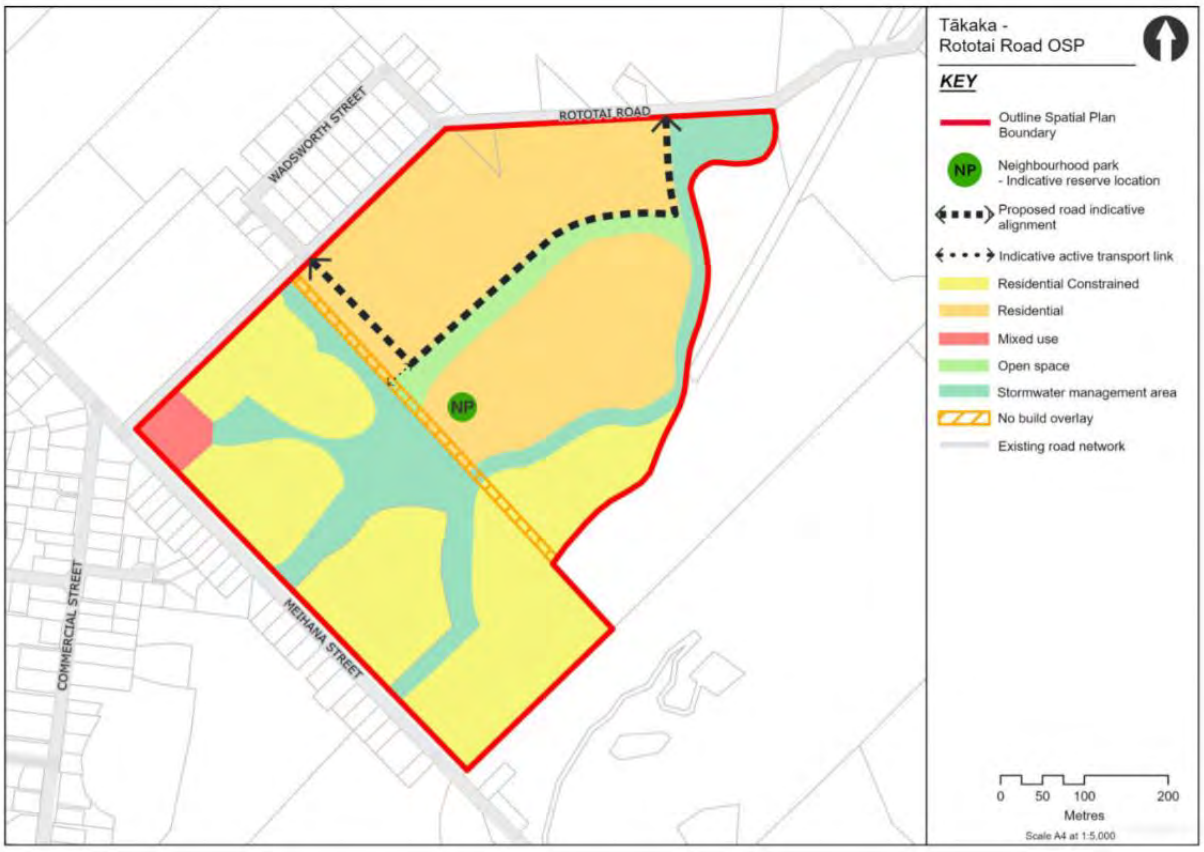
- A centrally located neighbourhood park is situated in the south-west and will form a focal point for the community with street frontage on two sides. High density development should be situated more centrally and adjoining this park.
- Green corridors following natural drainage features will be incorporated into development to support stormwater management, biodiversity, and recreational functions.

Staging and Integration

- Development is expected to occur in stages.
- Key structural elements – road hierarchy, movement network, and open space system – will be delivered in a way that ensures strong integration with Motueka's wider urban fabric.
- Consent notices may be imposed at subdivision stage in regard to any ongoing restrictions that apply to further development, including in respect of access.

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Schedule 16.3D.12: Outline Spatial Plan – Rototai Road



Context

This Outline Spatial Plan covers 17.35 hectares of land on the northern edge of Tākaka township. It is framed by:

- Rototai Road and existing residential areas to the west and south,
- rural land and topography forming the south-eastern boundary.

The land is generally flat with a network of drainage corridors and small watercourses running through the block. These features form a natural structuring element for development, supporting integrated open space, ecological enhancement, and pedestrian connectivity. The site provides an important expansion area, directly linked to the town centre and adjoining neighbourhoods.

Development Considerations and Requirements

Land Use

- Residential development will be the predominant land use.
- The overall layout must integrate sensitively with adjoining neighbourhoods.
- No-build Overlays are applied strategically to buffer sensitive edges, existing reserves, and drainage corridors. These overlays require:
    - No buildings within 10m of the overlay boundary.
    - 50% of the overlay area planted with native species endemic to the region (or alternative species approved by the Councils Parks and Reserve Department)., with selected species capable of reaching at least 3m mature height.
    - Ongoing maintenance in perpetuity, secured by a consent notice on future titles.
- Dwellings adjoining reserves and green corridors must be oriented to face these spaces, with fencing and boundary treatments that enable passive surveillance and strong connections to public areas.

Access and Transport

- A defined internal road network is proposed:
    - Connecting northwest to Rototai Road, aligned with Wadsworth Street.
    - Running northeast through the centre of the Outline Spatial Plan, with an additional connection to Rototai Road further north.
- The road layout must integrate with surrounding neighbourhoods and provide for safe pedestrian and cycle connections.

Open Space and Green Network

- A green link along the eastern boundary will follow natural drainage corridors, expanded into a connected reserve network.
- This green link must:
    - Integrate with existing and planned reserves to the southwest.
    - Provide multifunctional benefits – stormwater management, ecological enhancement, amenity, and active transport routes.
    - Act as a green buffer to the steeper eastern hills.
- Stream corridors and drainage areas must be designed as multi-purpose landscapes, combining hydrological function with recreation and biodiversity outcomes.

Infrastructure Requirements

- Servicing infrastructure (water, wastewater, and stormwater) will need to be extended into the Outline Spatial Area in a coordinated manner.
- Drainage upgrades will be required to accommodate flows from new development and to protect downstream receiving environments.
- Development staging must be aligned with the capacity of local water supply and wastewater systems.
- Transport upgrades may be necessary at Rototai Road intersections to ensure safe and efficient access as development progresses.

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16.14 PAPAKĀINGA DEVELOPMENT

Refer to Policy set 10A.

16.14.1 Scope of Section

This section provides specific rules relating to papakāinga development, and the construction or alteration of buildings associated with a papakāinga development, in zones other than the Papakāinga Zone. Papakāinga development in the Papakāinga zone is addressed in chapter 17.13.

Resource consent applications must be accompanied by information stated in Chapter 19, as relevant.

16.14.2 All Zones

16.14.2.1 Permitted Activities (Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zones)

Any papakāinga development, including construction or alteration of a building for the purposes of papakāinga development located in the Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zone, is a permitted activity, if it complies with the following conditions:

General

a) The land is:

i. owned by one or more people of Ngati Kuia, Rangitāne, Ngāti Apa Ki te Rā Tō, Ngāti Koata, Ngāti Rārua, Ngāti Toa Rangatira, Ngāti Tama, Te Ātiawa or Ngāti Waewae, who can demonstrate their whakapapa or ancestral connection to the land; or

ii. The land is owned by a legal entity set up to represent one or more people listed in i), including, but not limited to, Ngāti Rārua Ātiawa Iwi Trust and Wakatū Incorporation.

b) The papakāinga development, and the construction or alteration of a building for the purposes of papakāinga development complies with Schedule 16.14A; and

c) The papakāinga development includes no more than 10 residential units, regardless of the minimum lot size in the underlying zone; and

d) The papakāinga development does not include any of the following activities:

i. Emission of odour causing a nuisance beyond the site boundary;
ii. Intensive livestock farming or commercial breeding or boarding of animals.
iii. An Industrial activity
iv. a landing area or pad for helicopters (other than for medical or fire-fighting purposes), an aircraft landing strip, aerodrome or airport;

For the avoidance of doubt, papakāinga development, and the construction or alteration of a building for the purposes of papakāinga development are exempt from all rules in chapter 17.

16.14.2.2 Restricted Discretionary Activities (Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zones)

Papakāinga development, or construction or alteration of a building for the purposes of papakāinga development located in the Residential, Medium Density Residential, Rural 1, Rural 2, Rural 3, or Rural Residential Zones, that does not comply with the conditions of Rule 16.14.2.1 is a restricted discretionary activity.

A resource consent is required Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Commercial activity

(1) The consideration of the effects, including cumulative, of the gross floor area of commercial activities on the site, and measures to avoid, remedy or mitigate any adverse effects

(2) The extent to which access to services is needed by tāngata whenua to sustain their housing.

(3) The extent to which the commercial activity will detract from the pleasantness or amenity of adjoining sites, in terms of traffic, noise, smell, dust, glare or vibration.

Site coverage

(4) The effects of additional site coverage on the amenity of adjoining sites and the street and neighbourhood.

(5) Stormwater runoff and detention.

Setbacks; Building Envelope

(6) The the extent to which the siting of the building(s), decks and outdoor areas, relative to adjacent properties and the road frontage, avoid visual domination and loss of privacy and sunlight.

(7) The extent to which alternative options for siting the papakāinga are available to the land owners (e.g., if setbacks on a narrow site, will mean site cannot be used).

(8) The extent to which the encroachment into setbacks from rivers by buildings will increase the likelihood of damage being caused to the building by erosion, the level of risk to occupants, and the effects of the structure on flood flows.

Services

(9) Provision for the collection and disposal of stormwater and sewage.

(10) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:

- (a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.
- (b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.
- (c) The degree of maintenance or enhancement of natural drainage characteristics in development.
- (d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.
- (e) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

Transport

(11) Whether vehicle access provided is functional and safe

(12) Whether car parking is safe and convenient

(13) The extent to which the safe and efficient operation of the existing transportation network, including functioning and safety.

(14) Any mandatory matters of Chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access.

(15) Potential impacts on the broader transportation network, including pedestrian and cyclist connectivity.

Miscellaneous

(16) Development plans and any staging of works.

(17) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(18) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

(19) The extent to which the health and safety of the residents will be protected.

Notification for papakāinga developments with restricted discretionary activity status is limited to iwi authorities, joint management entities, the New Zealand Transport Agency Waka Kotahi (if the development will access a state highway), local authorities and immediate neighbours.

16.14.2.3 Discretionary Activities (Central Business, Commercial, Conservation, Industrial, Mixed Business, Open Space, Recreation, Rural Industrial, Tourist Services Zone)

Any papakāinga development located in any zone that is not covered by Rules 16.14.2.1 and 16.14.2.2 is a discretionary activity.

A resource consent is required and may include conditions.

16.14.20 Principal Reasons for Rules

In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally owned Māori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.

SCHEDULE

Schedule 16.14A: Papakāinga development standards

Standard	Residential, or Medium Density Residential Zones	Rural 1, Rural 2, Rural 3, or Rural Residential Zones
16.14A.1: Maximum commercial activity gross floor area	500 square metres	The lesser of 20% of the area of the subject site, or 500 square metres
16.14A.3: Maximum building coverage	60%	33%
16.14A.4: Road boundary building setbacks. From any road boundary, buildings are set back at least:	1.5 meters, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least:	3 metres, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
16.14A.5: Side and Rear Boundary building setbacks. From any side or rear boundary, buildings are set back at least:	1 metre, except no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall	3 metres, except, no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall

16.14A.6: Waterbody setbacks. From any river, buildings are set back at least:	3 metres from the top of the bank of any river with a bed less than 1.5 meter in width: 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres in width.	
16.14A.7: Noise	Noise generated by the activity, measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, or at or within the notional boundary of a dwelling within any other zone, does not exceed: Day Night Leq 55dBA 40dBA Lmax 70cBA N.B. Day = 7am to 9pm Monday to Sunday iclusive (including public holidays). Night = All other times. Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and NZS6802:2008 Acoustics - Environmental Noise.	
16.14A.8: Light/ Glare	Exterior lighting is directed away from adjacent residential properties. Exterior lighting must not interfere with a road user's vision or cause confusion with a traffic signal or lights.	
16.14A.9: Stormwater	(i) EITHER All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater. OR The discharge complies with section 36.4 of this Plan. AND (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.	
16.14A.10: Wastewater disposal	All buildings which generate wastewater are connected to a reticulated wastewater system where the service is available.	
16.14A.11: Firefighting water supply	n/a	Any new dwelling(s) shall: EITHER: Be provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply; OR: Be provided with a water supply that is: a). accessible to fire-fighting equipment; and b). between 6 meters and 90 meters from the dwelling; and c). on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and either: • Stores at least 45,000 litres; or

		• Provides at least 25 litres per second for 30 minutes. Except where any dwelling is connected to a reticulated water supply, incorporating water mains fitted with fire hydrants, and the closest fire hydrant is no more than 135 m from the dwelling.
16.14A.12: Potable water supply	n/a	Any new dwelling(s) shall be connected to a reticulated supply that is capable of supplying potable water supply, or if such a supply is not available, the dwelling is supplied from: • A rainwater supply; or • A surface water source; or • A goundwater source That is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

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CHAPTER 17: ZONE RULES

[unchanged or irrelevant text omitted]

17.1 RESIDENTIAL ZONE RULES

Refer to Policy sets 5.1, 5.2, 5.3, 6.2, 6.3, 11.1, 11.2, 13.1, 33.4.

17.1.1 Scope of Section

This section deals with land uses in the Residential Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.1.2 Land Use

17.1.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) The activity is not one of the following:

(i) an activity that emits odour causing a nuisance beyond the site boundary;

(ii) intensive livestock farming or commercial boarding or breeding of animals;

(iii) an industrial or commercial activity, except:
as allowed as a home occupation; or
as provided for in rule 16.6.2.1(o);

Item (iv) deleted as part of Plan Change 73 **C73 Op 6/23**

(v) a landing area or pad for helicopters (other than for medical or fire-fighting purposes), an aircraft landing strip, aerodrome or airport;

(vi) a papakāinga development (See section 16.14); **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

(vii) clearance of more than 20 percent of indigenous coastal shrubland or coastal forest on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles between Cook Crescent at Stephens Bay and Rowling Road at Little Kaiteriteri and in the Coastal Environment Area; **C73 Op 6/23**

(viii) a community activity, where the total vehicle movements in combination with any other permitted activity on the site exceed 30 per day on any one day; **C19 5/10 Op 8/12**

(ix) a home occupation, except as allowed by rule 17.1.2.2.

Hours of Operation

(b) Non-residential activities operate only between 7.00 am and 11.00 pm except for telecommunication and radio-communication facilities for which there is no restriction.

Vehicles

(c) No more than one heavy vehicle, having a gross laden weight over 3,500 kilograms, 23 excluding emergency vehicles, is stored or parked on a site.

Air Emissions – Dust

(d) There shall be no noxious, dangerous, offensive or objectionable dust to the extent that it causes an adverse effect at or beyond the boundary of the site. **C68 7/18 Op 6/19**

(e) Open areas of land and stockpiles of loose material are contained or maintained so that any resulting dust does not cause an adverse effect at, or beyond, the boundary of the site.

Glare

(f) Exterior lighting is directed away from adjacent residential properties. Exterior lighting must not interfere with a road user's vision or cause confusion with a traffic signal or lights.

(g) Reflective glare from cladding, roofing or fences is prevented by painting, coating or screening within 12 months.

Animals

(h) No more than two dogs are kept.

(ha) No cats are kept in the Domestic Cat Prohibition Overlay as shown in the Outline Spatial Plan in Schedule 16.3D.10.

(i) No more than six domestic fowls are kept.

(j) Fowls are kept only in an enclosure set back at least 2 metres from boundaries and 10 metres from dwellings on adjoining sites.

(k) No rooster, pig, or goat is kept.

(l) No more than two beehives are kept.

Noise

(m) Except in the Richmond West Development Area, noise generated by the activity, measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, or at or within the notional boundary of a dwelling within any other zone, does not exceed: **C10 10/07 Op 3/14** **C19 5/10 Op 8/12**

	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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

(n) In the Richmond West Development Area, noise generated by the activity measured at or within the boundary of any site within the zone, other than within the site from which the noise is generated, or at the boundary of the zone, does not exceed: **C10 10/07 Op 3/14**

	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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Stormwater **C7 7/07 Op 10/10**

(o) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Site Specific Activity

(p) The land use occurs on Record of Title 701541 (Champion Road, Richmond) and complies with the permitted activity conditions set out in Schedule 17.1E. **C62 3/16 Op 10/17**

DRAFT

17.1.2.2 Permitted Activities (Home Occupations)

C19 5/10
Op 8/12

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Area

(a) The maximum gross floor area of buildings or parts of buildings used for the home occupation does not exceed 50 square metres.

Activities

(b) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles is carried out within a building.

(c) No goods, materials or equipment are stored outside a building.

(d) No retail sales take place from the site and no goods that are visible from beyond the site are displayed.

(da) The activity does not involve spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing.

C73
Op 6/23

Hours of Operation

(e) The home occupation is conducted between 8.00 am and 6.00 pm Monday to Saturday unless:

(i) the activity is located entirely within a building;

(ii) the activity is carried out solely by a person or persons permanently resident on the site;

(iii) there are no visitors, clients or deliveries outside the above hours.

(f) The home occupation is not conducted on Sundays and public holidays.

(g) The maximum number of hours which the site of the home occupation is open to visitors, clients or deliveries is 50 hours in any one week.

Visitor Accommodation

(h) For a home occupation which is visitor accommodation, the maximum number of visitors accommodated on site at any time is four.

(i) For a home occupation which is visitor accommodation, there is an exemption from conditions (e), (f) and (g).

Location

(j) The home occupation is not undertaken on a site which is located on a cul-de-sac, shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on the site;

(ii) there are no visitors, clients or deliveries to the site.

Employment

(k) No more than one full-time equivalent person, who resides elsewhere than on the site, is employed in any activity on the site.

~~17.1.2.3 Controlled Activities (Papakāinga Development)~~

~~C19 5/10~~
~~Op 8/12~~

~~Papakāinga development is a controlled activity, if it complies with the following conditions:~~

~~(a) The land concerned is Māori customary land, Māori freehold land, or general land owned by Māori, as defined in Section 129 of Te Ture Whenua Māori Act 1993.~~

~~(b) The land is vested in a Trust, constituted under Part 12 of Te Ture Whenua Māori Act 1993, whose authority is defined in a Trust Order or other empowering instrument which will ensure as far as practicable that:~~

~~(i) the land remains vested in the trustees or the incorporation without power of sale;~~

~~(ii) the possession and/or beneficial interest on the land is restricted to the beneficiaries of the Trust.~~

~~**A resource consent is required** and may include conditions on the following matters over which the Council has reserved control:~~

~~(1) The number of residential units and other buildings.~~

~~(2) The landscaping of the site.~~

~~(3) Vehicle access, egress and parking.~~

~~(4) The proximity of buildings to the boundaries.~~

~~(5) The external design and appearance of buildings visible from any public place.~~

~~(6) Design and siting of buildings and activities with respect to generation of noise and light spill.~~

~~(7) Drainage.~~

~~(8) Bonds or covenants to restrict ownership and sale of land.~~

~~(9) Whether the resource consent attaches to the land, excluding any subsequent owners in terms of section 134 of the Act.~~

~~17.1.2.3A Controlled Activities (Papakāinga Development) - Specified Location: Motueka West Compact Density Residential Area~~

~~C80 12/23 (D4/25)~~

~~Papakāinga development is a controlled activity in the Motueka West Compact Density Residential Area south of Whakarewa Street, if it complies with the following condition:~~ ~~C80 12/23 (D4/25)~~

~~(a) The land concerned is Māori customary land, Māori freehold land, or general land owned by Māori, as defined in Section 129 of Te Ture Whenua Māori Act 1993.~~

~~**A resource consent is required** and may include conditions on the following matters over which the Council has reserved control:~~

~~(1) Matters of control (1) to (7) of rule 17.1.2.3~~

17.1.2.4 Restricted Discretionary Activities (Home Occupations)

C19 5/10 Op 8/12

A home occupation that does not comply with the conditions of rule 17.1.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Residential Dominance

(1) The extent to which the activity will result in the loss of residential activity on the site.

(2) The extent to which the activities on the site remain dominated by residential activities, rather than by activities which are not associated with or incidental to residential activities on the site.

(3) The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding environment.

General Adverse Effects

(4) Adverse effects of the home occupation in terms of noise, odour, dust, visual impact, vibration, glare, loss of privacy, traffic and parking congestion. **C73 Op 6/23**

(5) The effects of any outdoor storage of materials or equipment associated with the home occupation, and the extent to which manufacturing, altering, repairing, dismantling or processing of goods associated with a home occupation needs to be carried on outside a building, taking account of:

(i) the nature, coverage area and height of materials or equipment associated with a home occupation;

(ii) the intended duration of materials or equipment associated with a home occupation to be outside a building;

(v) the extent to which provisions would be needed for security, control of litter and vermin, and prevention or containment of fire hazard.

Visual and Residential Character Effects

(6) The extent to which the character of the site and the surrounding area will remain dominated by open space or vegetation rather than by buildings and areas of hard surfacing.

(7) The extent to which any proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.

(8) Adverse effects of the outdoor activity on the outlook of people on adjoining sites, including the loss of residential or rural character.

(9) The extent to which the outdoor activity may adversely affect the appearance, layout and functioning of other sites in the adjoining area.

(10) The ability to mitigate any adverse effects of the outdoor activity on adjoining roads and sites, including the ability to screen activities from adjoining roads and sites.

Transport

(11) The extent to which the additional employment or any additional trips will result in levels of traffic generation or pedestrian activity that is incompatible with the character of the surrounding area, or that may result in adverse effects on the safe and efficient functioning of the road network.

Employment

(12) The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.

Miscellaneous

(13) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(14) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.1.2.5 Restricted Discretionary Activities (Community Activities)

C19 5/10
Op 8/12

A community activity that does not comply with the conditions of rule 17.1.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of residential character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(5) The duration of the consent and the timing of reviews of conditions.

(4) Financial contributions, bonds and covenants in respect of performance of conditions.

17.1.2.6 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 17.1.2.1 to 17.1.2.5 is a discretionary activity, if it complies with the following conditions:

(a) No rooster, pig, or goat is kept.

(b) There is no intensive livestock farming, or commercial boarding or breeding of animals.

A resource consent is required and may include conditions.

17.1.3 Building Construction or Alteration

17.1.3.1 Permitted Activities (Building Construction or Alteration — Standard Density Development)

C66 10/17 Op 12/18

Construction or alteration of a building for a standard density development is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) Where the activity is part of the Waimea Village Residential Development, it complies with the permitted activity conditions as set out in Schedule 17.1D and is otherwise exempt from conditions in 17.1.3.1(d) to (v).

Item (b) deleted as part of Plan Change 73.

C10 10/07 Op 3/14
C20 8/10 Op 8/12
C43 4/13 Op 1/15
C73 Op 6/23

(c) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels, as follows:

C10 10/07 Op 3/14

Figure 17.1A: Internal Sound Levels

HOUSES AND APARTMENTS NEAR MAJOR ROADS	DESIGN SOUND LEVEL (dBA L_{eq})
Living areas	35
Sleeping areas	30
Work areas	35
Apartment common areas (e.g. foyer, lift, lobby)	45
Note: Dwellings are designed to meet "satisfactory" internal sound levels of AS/NZS 2107:20016	

Residential Site Density

(d) Sites have a net area of at least:

(i) 1000 square metres for each dwelling in St Arnaud (except 1,800 square metres for any site on Lake Road, Robert Street, Holland Street, Arnaud Street or Bridge Street);

Proposed as at 1 November 2008

[(c)(ii) Proposed]

(ii) 1000 square metres for each dwelling in settlements without wastewater reticulation except that where any allotment existed at 25 May 1996, the net area is at least 800 square metres, but that in each case, at least 500 square metres is available and suitable for effluent disposal;

C2 12/00

(iii) 1800 square metres for each dwelling for Milnthorpe.

(iv) 450 square metres for each dwelling in settlements (other than Richmond and Motueka) with wastewater reticulation and treatment on allotments not adjoining an Industrial Zone;

(v) 350 square metres for each dwelling in Richmond and Motueka on allotments not adjoining an Industrial Zone except in the Richmond East Development Area to the south east of Hill Street; **C20 8/10 Op 8/12**

(vi) 800 square metres for each dwelling in serviced settlements on allotments adjoining an Industrial Zone;

(vii) 600 square metres for each dwelling in the Richmond East Development Area south east of Hill Street; **C20 8/10 Op 8/12**

(viii) 900 square metres for each dwelling in the Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.

Building Coverage

(e) Maximum building coverage is 33 percent, provided:

(i) the maximum building coverage is reduced by 18 square metres if a garage is not provided on site;

(ii) the maximum building coverage in St Arnaud is 20 percent;

(iii) telecommunication and radio-communication facilities which are less than 10 square metres in area, and which are less than 3 metres in height are exempt from the maximum coverage (one facility per site is exempt);

(iv) the maximum area for a sleepout is 36 square metres;

(v) where detention of stormwater runoff is provided on site for the additional building coverage over 33 percent, the maximum building coverage is 40 percent in Richmond, Motueka, Wakefield and Brightwater. **C59 11/15 Op 3/16**

For the additional building coverage, stormwater detention at the rate of 50 litres per 1 square metre is required on site.

Site Coverage

(f) Maximum site coverage in Richmond, Motueka, Wakefield and Brightwater is 70 percent.

Maximum Dwellings per Site

(g) At Milnthorpe, a maximum of one dwelling for Record of Title 11A/641 (20 Nelson Street, Milnthorpe) and one dwelling for each certificate of title issued before 12 November 1987. **C73 Op 6/23**

(h) There is no more than one dwelling per site.

Outdoor Living Space

(i) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

(i) has a minimum area of 60 square metres;

(ii) contains a circle with a diameter of at least 6 metres;

(iii) is located to receive sunshine in midwinter;

(iv) is readily accessible from a living area of the dwelling.

Balcony or Deck

(j) Where a dwelling does not have outdoor living space at ground level, the dwelling is provided with a balcony or deck at first floor level of at least seven square metres and 1.5 metres minimum dimension, directly accessible from a living area.

(k) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

Walls

(l) Detached residential units on a site that are separated by less than 6 metres are arranged on the site so that the alignment of outside walls is stepped at least 2.5 metres relative to each other.

Building Envelope – Daylight Over and Around

(m) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A, except that: **C73 Op 6/23**

(i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and

(ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

(iii) in the Wakefield Development Area there are no building envelope restrictions for any boundary that faces onto the Pitfure Stream, Gossey Stream and Jenkins Creek open space corridor. **C76 9/22 D9/24**

EXCEPT

Item (n) became item (m) (i) as part of Plan Change 73. Item (n) was intentionally left blank.

(o) As an **alternative** to conditions (m) of this rule, buildings on south-facing slopes (between west and east) over 10 degrees comply with the following on any nominated boundary:

A building must fit within the arms of a 110-degree angle shape placed 35 degrees from the boundary (as shown in Schedule 17.1B). Only one angle may be used on any one boundary.

Permitted intrusions into the daylight around angle are:

(i) eaves (not more than 600 millimetres);

(ii) buildings and structures complying with the special height limiting lines outside the angle.

The following applies with respect to (ii). Parts of the building or detached outbuildings may be outside the daylight around angle but only up to a certain height. To find out how high a building outside the arms may be, use the following steps:

(a) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point "P". The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point "P".

(b) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

Height

(p) The maximum height of buildings is:

(i) 5 metres on sites of less than 400 square metres net area, **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

(ii) 7.5 metres on sites of more than 400 square metres net area;

(iii) 3.6 metres for accessory buildings;

(iv) at Kaiteriteri, the highest point of buildings is not more than 4.5 metres above a ridgeline identified on the planning maps; subject to condition 16.6.2.1(k).

Setbacks

(q) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least:

(i) 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road;

(ii) 7.5 metres from the top of the bank adjoining Collingwood Quay;

(iii) 15 metres from Queen Victoria Street between Pah and Whakarewa streets. **C43 4/13 Op 1/15**

(r) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings except:

(i) 3 metres from side and rear boundaries in the case of buildings at St Arnaud;

(ii) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;

(iii) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (t) apply to that part of the dwelling that is a garage or carport;

(iv) accessory buildings;

(v) telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

(s) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling.

(t) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:

(i) where any accessory building has a wall adjacent to the boundary, that wall contains no windows; **C73 Op 6/23**

(ii) any accessory buildings adjacent to an individual boundary do not exceed a cumulative total of 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;

(iii) stormwater is contained within the site.

(u) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary, except that:

(i) on Record of Title NL 13A/194(Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, **C73 Op 6/23**

(ii) on Old Wharf Road, Motueka, the setback from the Heavy Industrial Zone is at least 20 metres and the setback from the Rural 1 Zone is at least 10 metres;

(iii) on area of land zoned Residential located on the north side of Māpua Drive and west of Seaton Valley Road, the setback is at least 5 metres from the Rural 1 Deferred Residential Zone (2031) boundary. **C22 2/11 Op 1/15**

(iv) adjacent to the Light Industrial Zone at Bird Lane, Wakefield, the setback is at least 30 metres. **C58 11/15 Op 7/17**

(v) For the Wakefield Development Area the setback is 5 metres, except for any part of 320 Higgins Road that is a rural zone, for which the setback remains at 25 metres. **C76 9/22 D9/24**

(v) The building is set back at least: **C76 9/22 D9/24**

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(w) Every building is set back a minimum of 25 metres from any boundary with Milnthorpe Quay, Esplanade Reserve, except that on Record of Title 11A/641 (20 Nelson Street Milnthorpe) and Record of Title 9B/454 (14 Nelson Street, Milnthrope)the minimum setback is 16.5 metres. **C73 Op 6/23**

(wa) The building is not located within, or within 10 metres of any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(x) In the Richmond West Development Area, fences, including security fences, are set back at least 2.5 metres from any sub-collector road to accommodate the amenity planting required by condition 16.3.3.1(t)(ii), and are not higher than 1.8 metres. **C10 10/07 Op 3/14** **C69 6/19 Op 6/20**

Wastewater Disposal

(y) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

Note: The Urban Design Guide (Part II, Appendix 2) applies in the Richmond South and Richmond West development areas and may be considered in preparing applications under this rule. **C5 3/06 Op 10/10**

Stormwater **C7 7/07 Op 10/10**

(z) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

~~(za) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths.~~ **C66 10/17 Op 12/18**

Access

(zb) Access to each dwelling complies with 16.3.3.1(n)(ii)(h).

Fences

(zc) (a) In the Richmond East Development Area on principal or collector roads, any fence on a road boundary does not exceed 1.2 metres in height, and any fence on a side boundary is constructed to taper from 1.2 metres at the road boundary to any height not exceeding 1.8 metres, reaching that height no closer than 5 metres from the boundary. **C20 8/10 Op 8/12** **C69 6/19 Op 6/20**

(b) In the Wakefield Development Area, any fence fronting onto a walkway or an area of public open space (not including the Tasman Great Taste Trail or any neighborhood reserves) does not exceed 1.2 metres in height and is visually permeable. **C76 9/22 D9/24**

(c) In the Richmond West Development Area, on the indicative walkway or walkway separating the Mixed Business Zone from the Residential Zone west of Borck Creek any fence fronting onto the walkway reserve (or residential lanes or rights-of-way running parallel to the reserve) does not exceed 1.2 metres in height. C79 11/24

Reverse Sensitivity **C75 9/22 Op 10/23**

(zd) In the Brightwater Development Area:

C76 9/22

(a) All new dwellings, or dwelling extensions, are setback 20m from the state highway's white edge line.

(b) Internal Noise: New dwellings, or new or altered habitable rooms in existing dwellings, in the Brightwater Development Area which are situated within 100m of the state highway's white edge line are designed to meet internal sounds levels, as follows:

Figure 17.1B: Internal Sound Levels

Dwelling near State Highway 6 – Brightwater Development Area – Habitable Room	Maximum Indoor Design Noise Level $L_{Aeq\ (24h)}$
Habitable Room	40dB

Note that the measured or predicted road traffic noise level must be determined in accordance with NZS 6801:2008 *Acoustics – Environmental Noise* and NZS 6806:2010 *Acoustics – Road Traffic Noise – New and Altered Roads*. Any extraneous noise sources such as abnormal events (e.g. cicadas and crickets, or a neighbour mowing the lawn or doing construction work) must be removed.
Ventilation: The following applies when windows are required to be closed to achieve the internal noise levels for habitable rooms in the Brightwater Development Area. Habitable rooms must have a ventilation and cooling system(s) designed, constructed, and maintained to achieve the following requirements:

a) Provides mechanical ventilation to satisfy Clause G4 of the New Zealand Building Code, and

b) Is adjustable by the occupants to control the ventilation rate in increments up to a high airflow setting that provides at least 6 air changes per hour; and

c) Provides cooling that is controllable by the occupant and can maintain the inside temperature to be no greater than 25° C; and

d) Provides relief for equivalent volumes of supply air; and

e) Does not generate more than 35dB LAeq when measured at 1 metre away from any grille or diffuser during the night-time period.

Except where:

i) The sound incident on the most exposed part of the proposed dwelling's facade is less than 57 dB $L_{Aeq\ (24h)}$ for road traffic noise; or

ii) All parts of the dwelling are at least 50m from the white edge line of the state highway and there is a solid building, fence (density of at least 10kg/m^2 with no gaps), wall or landform that blocks the line-of-sight from all parts of all windows and doors of the new or altered dwelling to any part of the state highway road surface within 100m of the dwelling.

A design report prepared by a suitably qualified and experienced acoustic specialist must be submitted to Council with the building consent application, demonstrating noise compliance prior to the construction or alteration of any dwelling being undertaken. Where a dwelling has habitable rooms on more than one floor, compliance shall be assessed on each floor separately. The report must add 3 dB to the measured or predicted noise level to take into account the future growth and peaks in road noise.

Note that an applicable acoustic report previously undertaken at the time of subdivision (in accordance with 16.3.3.1 (me)(ii)) may be used for the purpose of this rule, provided that the report is dated within the last two years, or is confirmed by a suitably qualified and experienced acoustic specialist to still be applicable to the site.

Note: For the purpose of rule 17.1.3.1(zd)(b), habitable room is defined as per the National Planning Standards – Any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

17.1.3.1A Permitted Activities (Building Construction or Alteration — Dwellings on small site areas in the Wakefield Development Area) C79 9/22 D9/2/24

Construction or alteration of a dwelling in the Wakefield Development Area that is either:

- a first dwelling on a site that has a net area of less than 450 square metres, or
- two dwellings on a site that has a net area of 600 square metres or greater, is a permitted activity, and may be undertaken without a resource consent, if all development on the site complies with the following conditions:

Note: for the construction or alteration of dwellings that don't meet either scenario above, Rule 17.1.3.1 applies.

Building Coverage

(a) Maximum building coverage is 50%,

Site Coverage

(b) Maximum site coverage is 70%. For this purpose of this rule, uncovered decks where rainwater can reach permeable ground is not counted as site coverage.

Outdoor Living Space

(c) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

(i) Has a minimum area of 20 square metres;
(ii) Contains a circle with a diameter of at least 3 metres;
(iii) Is located to receive sunshine in midwinter;
(iv) Is readily accessible from a living area of the dwelling.

Balcony or Deck

(d) Where a dwelling does not have outdoor living space at ground level, the dwelling is provided with a balcony or deck at first floor level of at least seven square meters and 1.5 metres minimum dimension, directly accessible from a living area.

(e) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

Road Boundary Setback

(f) All buildings are set back at least 2 metres from the road boundary and no more than 5 metres, except that all garages and carports are set back at least 5.5 metres from road boundaries if the vehicles entrance of the garage or carport faces the road.

Side and Rear Boundary Setback

(g) All buildings are setback 4-metres from one side or rear boundary to an adjoining site. If there is a shared access/right-of-way within the 4-metre setback, the setback shall be taken from the external boundary common to the adjoining site;

(h) Where there is no vehicular access to the rear of the site from a legal road or approved access, in addition to condition (g), a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site.

Building Setback

(i) Notwithstanding conditions (g) and (h) of this rule, all buildings shall be set back at least 1 metre from the nearest part of any other building, except that no separation is required when there is a common wall.

Setback from a rural zone

(j) Dwellings are setback at least 5 metres from a rural zone boundary.

Setbacks from a river

(k) Buildings are set back at least:

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

Height

(l) The maximum height of any building is 7.5 metres.

Building Envelope – Daylight Over and Around

(m) For any lot boundary that adjoins a site that is Zoned Residential and is not part of the Wakefield Development Area, the building envelope shall comply with Permitted Activity standard 17.1.3.1(m)

(n) For any other boundary that is not subject to 17.1.3.1A (m), all buildings comply with the following requirements:

(i) For the most southern orientated side or rear boundary, all buildings are wholly within an envelope that is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point along the entire boundary.

(ii) For the remaining side and rear boundaries, all buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length. For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

(Note: for the avoidance of doubt, there is no road boundary building envelope requirement.)

Wastewater Disposal

(o) All buildings comply with Permitted Activity standard 17.1.3.1(y)

Stormwater

(p) All buildings comply with Permitted Activity standard 17.1.3.1(z)

Fencing

(q) In the Wakefield Development Area, any fence fronting onto a walkway or an area of public open space (not including the Tasman Great Taste Trail or any neighborhood reserves) does not exceed 1.2 metres in height and is visually permeable.

17.1.3.2	Controlled Activities (Building Construction — Standard Density Development)	**C66 10/17 Op 12/18**

Construction of a second dwelling on a site for a standard density development is a controlled activity, if it complies with the following conditions:

(a) The activity does not contravene any other applicable condition in rule 17.1.3.1.

(b) The site does not adjoin an Industrial Zone.

(c) The site is not in the Residential Closed Zone at Ruby Bay. C22 2/11 Op 1/15

(d) The site is not in the Residential Zone at Māpua, the Residential Coastal Zone at Māpua ~~or the Māpua Special Development Area~~.

(e) In the Brightwater Development Area, the activity must comply with 17.1.3.1(zd) Reverse Sensitivity. C75 9/22 Op 10/23

A resource consent is required and may include conditions on the following matters over which the Council has reserved its control:

(1) Vehicle access and parking.

(2) Amenity effects arising from the proximity of neighbouring buildings.

(3) Drainage and provision of services.

(4) Financial contributions.

(5) In the Brightwater Development Area, whether the location and design of the dwelling appropriately addresses noise and vibration from the state highway. C75 9/22 Op 6/23

17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development) C66 10/17 Op 12/18

Where a resource consent application for compact density development subdivision ~~Construction or alteration of a building on a site within an approved subdivision plan for a compact density development~~ in the Richmond South, Richmond West, Brightwater, Wakefield ~~and Māpua Special development areas~~ and the Motueka West Compact Density Residential Area, as shown on the planning maps, has been lodged concurrently, the construction or alteration of a building on a site within that proposed subdivision is a controlled activity, if it complies with the following conditions: C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 & C43 4/13 Op 1/15 C66 10/17 (D 7/18) C75 9/22 Op 10/23 C76 9/22 D6/24 C80 12/23 (D4/25)

Multiple Consents

(a) All buildings are or will be located within a site that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7. C80 12/23 (D4/25)

Note: Subdivision condition 16.3.3.3(a) requires that for compact density developments both the land use and subdivision consents are lodged with Council at the same time and assessed together.

Dwellings on a Site C5 3/06 Op 10/10

(b) More than one dwelling may be constructed on any site.

Site Coverage C59 11/15 Op 3/16

(c) Maximum site coverage is 70 percent.

Building Coverage

(ca) Maximum building coverage is 50 percent.

Stormwater – Richmond South and West Development Areas C10 10/07 Op 3/14

(d) The stormwater generated from an individual site or development approved as part of any subdivision after 11 March 2006 in the Richmond South Development Area and 6 October 2007 in the Richmond West Development Area must comply with condition 16.3.3.1(mc). C66 10/17 Op 12/18

Reverse Sensitivity C75 9/22 Op 10/23

(n) For Compact Density Development in the Brightwater Development Area, the activity must comply with rule 17.1.3.1(zd) *Reverse Sensitivity*.

Internal Boundaries

(e) Notwithstanding condition 17.1.3.3(g), all buildings are set back at least 2 metres from the road boundary, and no more than 5 metres, except that: C73 Op 6/23

(i) all garages and carports are set back at least 5.5 metres from road boundaries if the vehicle entrance of the garage or carport faces the road;

(ii) there is no side boundary setback where there is vehicular access to the rear of the site from a legal road or approved access;

(iii) where there is no vehicular access to the rear of the site, a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site;

(iv) there is at least a 5-metre setback from the rear boundary;

~~(v) a minimum of 4.5 metres applies in the Māpua Special Development Area with an intrusion no more than 1.5 metres deep and 3 metres wide for an entry feature or bay window.~~ **C22 2/11 Op 1/15**

Building Envelope

(f) All buildings comply with the following requirements:

(i) There is no road boundary building envelope requirement. **C73 Op 6/23**

(ii) All buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length.

(iii) For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

External Boundaries

(g) All buildings at the boundary of every allotment comply with building envelope and setback rules of permitted activity conditions 17.1.3.1(m) – (o) and 17.1.3.1(q) – (v), under the following conditions:

(i) where the land adjoining the boundary is not part of the subdivision; or

(ii) where the land adjoining the boundary is not being developed as a compact density development.

For the avoidance of doubt, this means that every boundary of the compact density subdivision complies with permitted activity conditions relating to bulk and location where it adjoins land that is either not part of the subdivision or is being developed to a permitted activity standard within the same subdivision proposal.

Note: The separation between developments of different densities may be achieved by using roads or reserves. This creates a clear delineation without losing amenity values or the inefficient use of land resources.

Fences **C43 4/13 Op 1/15**

(ga) Any fence, wall or screen erected in the front yard is no more than 0.8 metres in height.

Outdoor Living Space

(h) Each dwelling complies with the following requirements:

UNITS AT GROUND FLOOR	UNITS ABOVE GROUND FLOOR
In the Richmond South, Richmond West, Brightwater and Wakefield development areas and the Motueka West Compact Density Residential Area a~~A~~t least 20 square metres ~~(except at Māpua and Motueka, 30 square metres)~~ of contiguous private outdoor space which is capable of containing a 4metre diameter circle within its shape. In the Māpua Development Area and remainder of the Motueka West Development Area at least 30 square metres of contiguous private outdoor space which is capable of containing a 4metre diameter circle within its shape.	(i) At least 7 square metres of balcony with a minimum depth of 1.5 metres, with at least a 1 metre wide roof or overhang (including balcony above). (ii) Any balcony, including a roof top balcony, is no closer than 4 metres from an internal or side boundary.

C22 2/11 & C43 4/13 Op 1/15
C66 10/17 Op 12/18 C80 12/23 (D4/25)

(i) Outdoor living spaces are readily accessible or contiguous from a living area of the dwelling. C5 3/06 Op 10/10

(j) Outdoor living spaces are not obstructed by buildings, vehicular access, manoeuvring or parking areas, from the ground level upwards.

(k) Outdoor living spaces are not located on the southern or eastern side of the dwelling.

(l) Outdoor living spaces are designed in accordance with the Urban Design Guide (Part II, Appendix 2). C22 2/11 Op 1/15

Stormwater C7 7/07 Op 10/10

(m) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

A resource consent is required and may include conditions on the following matters over which the Council has reserved its control: C5 3/06 Op 10/10

(1) Consistency with the Urban Design Guide (Part II, Appendix 2) on the following matters: C10 10/07 Op 3/14 C22 2/11 Op 1/15
Allotment layout
Dwelling size
Street network
Garaging and car parking
On-site amenity
Frontages
Public open space

(2) Roading, traffic, vehicle access, parking, cycleways and walkways. C5 3/06 Op 10/10

(3) Amenity effects arising from land development/modification.

(4) Provision of services.

(5) Financial contributions.

(6) Effective stormwater management including the use of Low Impact Design solutions. C7 7/07 Op 10/10

(7) Earthworks. C5 3/06 Op 10/10

(8) Landscaping.

(9) Vegetation removal, modification and/or planting.

(10) Natural hazards.

(11) Open space.

(12) For the Brightwater Development Area, management of reverse sensitivity effects on the state highway. C75 9/22 Op 10/23

(13) In the Motueka West Compact Density Residential Area south of Whakarewa Street the effects on sites of cultural significance to Māori. C80 12/23 (D4/25)

Non-notification C75 9/22 Op 10/23 C76 9/22 D6/24

Applications for resource consent that comply with the conditions of this rule (17.1.3.3) will be decided without limited notification (RMA s95B) or public notification (RMA s95A) in the Brightwater and Wakefield Development Areas and the Motueka West Compact Density Residential Area south of Whakarewa Street.

17.1.3.4 Restricted Discretionary Activities (Building Construction or Alteration — Standard Density Development (excluding the Development Areas)) C66 10/17 Op 12/18

Construction or alteration of a building that does not comply with the conditions of rules 17.1.3.1 or 17.1.3.2 is a restricted discretionary activity, if it complies with the following conditions: C5 3/06 Op 10/10 C66 10/17 (D 7/18)

Building Coverage

(a) The building coverage does not exceed 35 percent in townships outside Richmond, Motueka, Wakefield and Brightwater. C59 11/15 Op 3/16

Telecommunications and radio communications which are less than 10 square metres in area and less than 3 metres in height are exempt from this maximum coverage. One facility per site is exempt.

Awaroa

(b) Sites at Awaroa have a net area for each dwelling of at least 1,000 square metres.

Milnthorpe

(c) Sites at Milnthorpe have a net area for each dwelling of at least 1,000 square metres.

(d) At Milnthorpe, a maximum of one dwelling for Record of Title 11A/641 (20 Nelson Street, Milnthorpe) and one dwelling for each certificate of title issued before 12 November 1987. C73 Op 6/23

(e) Every building is set back a minimum of 25 metres from any boundary with Milnthorpe Quay esplanade reserve, except that on Records of Title 11A/641 and 9B/454 the minimum setback is 16.5 metres.

Garages

(g) Garages (whether or not attached to a dwelling) are set back from road boundaries at least:

(i) 5.5 metres if the vehicle door of the garage faces the road; or

(ii) 2 metres if the vehicle door of the garage is at right angles to the road.

Stormwater C7 7/07 Op 10/10

(i) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Residential Closed Zone **C22 2/11 Op 1/15**

(j) The site is not in the Residential Closed Zone at Ruby Bay.

Residential Coastal Zone Reserve Building Area

(k) There is sufficient space for a reserve building area for the existing dwelling.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Minimum Site Areas and Building Coverage

(1) The extent to which the character of the site will remain dominated by open space and vegetation, rather than buildings.

(2) The extent to which there is a need for the decreased site size or increased building coverage in order to undertake the proposed activities on the site.

(3) The extent to which the scale, design and appearance of the proposed buildings will be compatible with the locality.

(4) The ability to provide adequate parking and manoeuvring space for vehicles clear of the road.

(5) Any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and daylight, and loss of opportunities for views.

(6) The provision of adequate outdoor living and servicing space on the site for all outdoor activities associated with residential and other activities permitted on the site.

(7) The ability to mitigate any adverse effects of increased coverage or site density.

Setbacks from Road and Internal Boundaries, and Rivers

(8) The extent to which the intrusion towards the boundary is necessary in order to allow more efficient, practical and pleasant use of the remainder of the site.

(9) The extent to which alternative practical locations are available for the building.

(10) The extent to which the proposed building detracts from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.

(11) The adverse effects of the building intrusion on the outlook and privacy of people on adjoining sites, including loss of access to daylight on adjoining sites.

(12) The ability to provide adequate parking and manoeuvring space for vehicles clear of the road.

(13) The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from boundaries, its external materials and colour.

(14) The ability to mitigate any adverse effects of the proposal on adjoining sites and the street scene, including by planting and landscaping.

(15) Adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.

(16) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.

(17) The extent to which the encroachment into setbacks from rivers by buildings will increase the likelihood of damage being caused to the building by erosion, the level of risk to occupants, and the effects of the structure on flood flows.

Setbacks from Indicative Roads and Reserves C73 Op 6/23

(17A) The extent to which alternative practical locations are available for the building.

(17B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.

(17C) The extent to which alternative practical locations are available for future reserves.

(17D) The effect of the building being sited within the setback of the indicative road or reserve.

Height

(18) The extent to which there is a need for the increased height or intrusion through the recession lines, in order to undertake the proposed activities on the site.

(19) The extent to which the character of the site and the surrounding area remains dominated by open space, rather than by buildings, with buildings at low heights and low densities of building coverage.

(20) The extent to which the proposed building will not adversely affect the character of the local environment, including the scale of other buildings in the surrounding area.

(21) The effect on other sites, roads and public open space of the increased height, in terms of visual dominance, which is out of character with the local environment.

(22) The extent to which the proposed building will shade adjoining sites and result in reduced sunlight and daylight admission beyond that anticipated by the daylight admission angle requirements for the area.

(23) The effect of the increased height on other sites in terms of loss of privacy through being overlooked from neighbouring buildings.

(24) The extent to which the increased building height will result in decreased opportunities for views from properties in the vicinity, or from roads or public open space in the surrounding area.

(25) The ability to mitigate any adverse effects of increased height or penetration of the daylight admission angle, through increased separation distances between the building and adjoining sites, or the provision of screening.

(26) The extent to which the increased building height will adversely affect the natural character of the coast.

Building Design and Appearance

(27) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk, architectural style, materials, colours and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.

(28) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking, landscaped areas and vegetation.

(29) The extent to which building design and appearance will adversely affect the natural character of the coast.

(30) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining sites.

(31) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.

(32) The extent to which practical use of the site will be affected by the proposal.

Privacy

(33) Adverse effects in terms of reduced privacy through being overlooked from, or being in close proximity to, neighbouring buildings, to an extent which is inconsistent with the surrounding environment.

(34) The ability to mitigate any adverse effects of the proposal on adjoining sites, including planting and landscaping and the relocation of windows to alternative practical positions.

Outdoor Living Space

(35) The extent to which the reduction in outdoor living space and its location will adversely affect the ability of the site to provide for the outdoor living needs of future residents of the site.

(36) Alternative provision of outdoor living space to meet the needs of future residents of the site.

(37) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.

Services

(38) Provision for the collection and disposal of stormwater and sewage.

(39) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following: **C7 7/07 Op 10/10**

(a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.

(c) The degree of maintenance or enhancement of natural drainage characteristics in development.

(d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

(e) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

Richmond East Development Area **C20 8/10 Op 8/12**

(40) The extent to which the increased height of fences located along principal or collector roads within the Richmond East Development Area may detract from public safety and visual amenity. **C69 6/19 Op 6/20**

Richmond West Development Area

(40A) The extent to which the increased height of fences located along the indicative walkway or walkway separating the Mixed Business Zone from the Residential Zone west of Borck Creek may detract from public safety and visual amenity. **C79 11/24**

Miscellaneous

(41) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(42) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.1.3.4A Restricted Discretionary Activities (Building Construction or Alteration — Comprehensive Development)

C66 10/17 (D 7/18)

Construction or alteration of a building that does not comply with the conditions of rules 17.1.3.1 or 17.1.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Three or More Dwellings on a Site

(a) There are three or more dwellings on one site that comply with the following:

(i) the development complies with the service requirements of Schedule 16.3C;

(ii) the minimum net area for each unit is at least 280 square metres in Motueka and Richmond and at least 350 square metres in other settlements with wastewater reticulation and treatment services;

(iii) building coverage does not exceed 40 percent;

(iv) the development is a comprehensive residential development; or the allotment or site was approved as part of a subdivision under rule 16.3.3.4;

C75 9/22 (d 6/23) C76 9/22 D9/24

(v) the development is not within the Richmond South, Richmond West or Richmond East development areas south east of Hill Street, ~~the Richmond Intensive Development Area~~ or within the Brightwater, Wakefield or, Motueka West Development Areas, as shown on the planning maps.

Garages and Stormwater

(b) The activity complies with condition 17.1.3.4(g) relating to garages and 17.1.3.4(i) relating to stormwater.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of restricted discretion (1) to (39) of rule 17.1.3.4.

17.1.3.4B Restricted Discretionary Activities (Building Construction or Alteration – Specified Locations: Development Areas – Standard Density and Compact Development)

C66 10/17 Op 12/18

Richmond South, Richmond West, Motueka West, Brightwater, Wakefield, ~~Richmond Intensive, Māpua~~ and Māpua ~~Special~~ Development Areas and the Motueka West Compact Density Residential Area

C75 9/22 Op 10/23

C76 9/22 D9/24

Construction or alteration of a building in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, ~~Richmond Intensive, Māpua and~~ Māpua ~~Special~~ development areas and the Motueka West Compact Density Residential Area that does not comply with the conditions of rules 17.1.3.1 and 17.1.3.2 for standard density development or rule 17.1.3.3 for compact density development, is a restricted discretionary activity, if it complies with the following conditions:

Garages and Stormwater

(a) The activity complies with condition 17.1.3.4 (g) relating to garages and 17.1.3.4(i) relating to stormwater.

~~(b) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths.~~

Compact Density Development – Multiple Consents – Richmond South, Richmond West, Brightwater, Wakefield, Māpua ~~Special~~ Development Areas and the Motueka West Compact Density Residential Area

(c) Where the activity is a compact density development, all buildings are located within a title that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7.

Note: Subdivision condition 16.3.3.3(a) requires that for compact density development both the land use and subdivision consents are lodged with Council at the same time and assessed together.

Reverse Sensitivity – Brightwater Development Area

(d) The activity must comply with rule 17.1.3.1(zd) Reverse Sensitivity. **C75 9/22 Op 10/23**

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) **Scale and Intensity of Use**

(a) Whether the site is of sufficient size and configuration to allow the adequate mitigation of the effects of the proposal on the surrounding neighbourhood.

(b) Whether the intensity and scale of the proposal should be controlled to protect the amenity values of that neighbourhood.

(c) In the Brightwater and Wakefield Development Areas, whether a variety of housing density options is achieved.

(2) **Site Layout** **C75 9/22 Op 10/23 C76 9/22 D9/24**

(a) The extent to which the siting and configuration of buildings and the uses on the site have a positive relationship with the street, in particular whether main entrances front the street with garaging and parking located to the rear of the site.

(b) The extent to which the siting and design of buildings, structures and open space adversely affects the acoustic environment of the adjoining property.

(3) **Scale and Bulk**

(a) Whether an increase in building coverage will increase the bulk of the building in such a way that it may cause dominance or intrusion on adjoining properties.

(b) Whether an increase in building coverage will adversely affect the amenity values and streetscape in the vicinity.

(c) Whether the proposed height of buildings and other structures, such as front fences, will be compatible with the height and visual character of the surrounding area and streetscape.

(3A) **Setbacks from Indicative Roads and Reserves** **C73 Op 6/23**

(a) The extent to which alternative practical locations are available for the building.

(b) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.

(c) The extent to which alternative practical locations are available for future reserves.

(d) The effect of the building being sited within the setback of the indicative road or reserve.

(4) **Building Design and External Appearance** **C66 10/17 Op 12/18**

(a) Whether the design and external appearance of buildings, including the scale, orientation and spacing, complements the existing buildings in the vicinity.

(b) Whether the bulk or repetitive form of buildings is likely to detract from the visual amenities of the neighbourhood.

(c) Whether garages, garage doors or car parking on the site dominates the appearance of the site development when viewed from the street or internal accessways. In general, they should be recessed behind the front building line and integrated in the building design in a way that does not dominate the street frontage or internal accessways.

(d) Whether lighting overspill from the site will adversely affect the amenity values of adjacent properties.

(5) **Privacy**

(a) Whether the siting and orientation of buildings and structures and the location of windows and entrances maintain an acceptable level of privacy between units and for adjoining neighbours, and whether any mitigation measures are used, for example by screening and planting.

(6) **Safety**

(a) Whether the proposal has an adverse effect on the level of safety on the street or public place (including public open space) in terms of public surveillance.

(7) **Sunlight and Daylight**

(a) Whether an increase in the height of the building in relation to the boundary will adversely affect access of sunlight and daylight to adjoining sites and the safe functioning of the road.

(8) **Servicing**

(a) The ability to adequately reticulate water supply, wastewater, stormwater and solid waste storage and collection.

(9) **Landscaping**

(a) Whether the location, scale and design of landscaped areas effectively contributes to the amenity of the site and the wider area.

(b) Whether the development ensures the retention of any significant existing trees and vegetation.

(10) **Private Outdoor Living Space**

(a) Whether the private outdoor living space is located and designed to ensure easy access from living areas, good exposure to sunlight, and maintains the amenity of the streetscape.

(b) Whether the private outdoor living space is appropriately screened from the private outdoor living space of other household units.

(11) **Traffic (roading, access, parking, manoeuvring, loading)** **C66 10/17 Op 12/18**

(a) Whether vehicle access provided is functional and safe.

(b) Whether car parking is safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the street, in particular, whether hard-paved areas associated with parking and garaging dominate the streetscape.

(11A) **Reverse Sensitivity**

In relation to the Brightwater Development Area, whether the location and design of new or altered dwellings have appropriately addressed noise and vibration from the state highway. **C75 9/22 OP 10/23**

Miscellaneous

(12) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(13) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

(14) In the Motueka West Compact Density Residential Area south of Whakarewa Street the effects on sites of cultural significance to Māori. **C80 12/23**

DRAFT

17.1.3.4C Restricted Discretionary Activities (Building Construction or Alteration — Specified Location: Richmond Intensive Development Area - Intensive Development)

C66 10/17 Op 12/18

Construction or alteration of a building in the Richmond Intensive Development Area is a Restricted Discretionary activity, if it complies with the following conditions:

Location

(a) The site is located in the Richmond Intensive Development Area.

Dwellings on a Site

(b) More than one dwelling may be constructed on any site.

Item (allotment area) deleted as part of Plan Change 73

C66 10/17 Op 12/18 C73 Op 6/23

Site Coverage

C66 10/17 Op 12/18

(d) The maximum site coverage is 70 percent.

Building Coverage

(e) Maximum building coverage on a site is 50 percent.

Fences

C73 (D 9//22)

(ea) Any fence, wall or screen erected in the front yard is no more than 0.8 metres in height.

Outdoor Living Space

(eb) Each dwelling complies with the following requirements:

Units at Ground Floor	Units Above Ground Floor
At least 20 square metres of contiguous private outdoor living space which is capable of containing a 4metre diameter circle within its shape.	(i) At least 7 square metres of balcony with a minimum depth of 1.5 metres, with at least a 1 metre wide roof or overhang (including balcony above). (ii) Any balcony, including a roof top balcony, is no closer than 4 metres from an internal or side boundary.

(ec) Outdoor living spaces are readily accessible or contiguous from a living area of the dwelling.

(ed) Outdoor living spaces are not obstructed by buildings, vehicular access, manoeuvring or parking areas, from the ground level upwards.

(ef) Outdoor living spaces are not located on the southern or eastern side of the dwelling.

(eg) Outdoor living spaces are designed in accordance with the Urban Design Guide (Part II, Appendix 2).

Items (Outdoor Living Space and Fences, and Internal Boundaries) deleted as part of plan change 73.

C66 10/17 Op 12/18 C73 Op 6/23)

Road Boundary Setback

(faa) All buildings are set back at least 2 metres from the road boundary and no more than 5 metres, except that all garages and carports are set back at least 5.5 metres from road boundaries if the vehicles entrance of the garage or carport faces the road.

Side and Rear Boundary Setbacks for Boundaries where Adjoining Land does not contain a Standard Density Dwelling

(fab) Except where condition (fd) of this rule applies:

(i) all buildings are set back 4 metres from one side or rear boundary to an adjoining site;

(ii) if there is a shared access/right-of-way within the 4-metre setback, the setback shall be taken from the external boundary common to the adjoining site;

(iii) where there is no vehicular access to the rear of the site from a legal road or approved access, in addition to items (i) and (ii) of this condition, a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site.

Building Envelope for Boundaries where Adjoining Land does not contain a Standard density Dwelling C66 10/17 Op 12/18 C73 Op 6/23

(fb) Except where condition (fd) of this rule applies, all buildings comply with the following requirements:

(i) There is no road boundary building envelope requirement.

(ii) For the most southern orientated side or rear boundary, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point along the entire boundary. C66 10/17 Op 12/18

(iii) For the remaining side and rear boundaries, all buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length. For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

Item (fc) deleted as part of plan change 73 C66 10/17 Op 12/18 C73 Op 6/23

Adjoining Land that Contains a Dwelling that was Not Constructed as Part of an Intensive Development C73 Op 6/23

(fd) Where the land adjoining the boundary of the site contains a dwelling that was not constructed as part of an intensive development subdivision; or there exists a current building consent for a dwelling that is not being developed as an intensive development, the following provisions apply:

Building Envelope – daylight over and around

(i) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A.

(ii) For any roof with a slope of 15 degrees or greater and the roof ridge is generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the indicator plane and the end area up to 2.5 square metres when viewed in elevation.

(iii) As an alternative to conditions (i) and (ii), buildings on south-facing slopes (between west and east) over 10 degrees comply with the following on any nominated boundary:

A building must fit within the arms of a 110-degree angle shape placed 35 degrees from the boundary (as shown in Schedule 17.1B). Only one angle may be used on any one boundary.

Permitted intrusions into the daylight around angle are:

a) eaves (not more than 600 millimetres);

b) buildings and structures complying with the special height limiting lines outside the angle.

The following applies with respect to (b). Parts of the building or detached outbuildings may be outside the daylight around angle but only up to a certain height. To find out how high a building outside the arms may be, use the following steps:

(1) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point "P". The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point "P".

(2) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

Side and Rear Boundary Setbacks

(iv) Buildings are set back at least 1.5 metres from the side or rear boundaries on one side and at least 3 metres from all other side or rear boundaries in the case of all buildings except:

a) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;

b) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (v) apply to that part of the dwelling that is a garage or carport;

c) accessory buildings;

d) telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height.

(v) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:

a) the wall of the building adjacent to the boundary contains no windows;

b) any accessory building adjacent to the boundary does not exceed 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;

Note:

For the avoidance of doubt, this means that for any boundary of the site where the land beyond contains a dwelling that was not constructed as part of an intensive development, then the building envelope and setback rules for the standard density development apply. (Note these standard density rules are in (i) – (v) of this condition).

In any case, where the adjoining land does not contain a dwelling or the dwellings were constructed as part of an intensive development, then the rules in (fab) and (fb) apply.

The separation between developments of different densities may be achieved by using roads, reserves or vacant lots. This creates a clear delineation without losing amenity values or the inefficient use of land resources.

Setback from a rural or industrial zone

(fe) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary.

Setbacks from a river

(ff) Buildings are set back at least:

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

Privacy Setback

(fg) Notwithstanding conditions (faa), (fab) and (fd) of this rule, dwellings shall be set back at least 3 metres from the nearest part of any other dwellings, except that no separation is required when there is a common wall.

Height C66 10/17 Op 12/18

(g) The maximum height of any building is 7.5 metres.

Building Length C73 Op 6/23

(h) The maximum length of any exterior upper floor wall is 12 metres before a recess with a minimum dimension of 3 metres depth by 3 metres length is required in the wall with a corresponding non-continuous eave.

Item (i) (Privacy) deleted as part of plan change 73. C66 10/17 Op 12/18 C73 Op 6/23

Stormwater C66 10/17 Op 12/18

(j) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(k) Where a site or part of a site is located within a specified stormwater flood flow path as shown on the planning maps:

(a) the development provides for the stormwater flood flow to cross the post-development site and retains the pre-development upstream entry and downstream exit points of the stormwater flood flow to and from the site;

(b) the flood flow path surface is constructed or treated to prevent erosion of the surface;

(c) the floor level of any habitable building is 0.5 metre above the 1 percent Annual Exceedance Probability flood flow level along the flow path.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of restricted discretion (1) to (13) of rule 17.1.3.4B.

(2) Consistency with the Urban Design Guide (Part II Appendix 2).

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~~**Non Notification**~~

~~Applications for resource consent that comply with the conditions of this rule will be decided without limited notification and without public notification.~~

~~17.1.3.4D Discretionary Activities (Building Construction or Alteration – Specified Location: Richmond Intensive Development Area - Intensive Development)~~ ~~C66 10/17 Op 12/18~~

~~Construction or alteration of a building that does not comply with the conditions of rule 17.1.3.4C is a discretionary activity, if it complies with the following conditions:~~

~~(a) The activity is located in the Richmond Intensive Development Area.~~

~~A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the matters and criteria set out in rule 17.1.3.4C as well as other provisions of the Plan and the Act, in particular:~~

~~(1) The degree of compliance with the applicable conditions of rule 17.1.3.4C.~~

~~(2) The reasons for non-compliance.~~

~~(3) Consistency with the Urban Design Guide (Part II Appendix 2).~~

17.1.3.4E Discretionary Activities (Building Construction or Alteration – Specified Location: Wakefield) C58 11/15 (D 9/16) C66 10/17 Op 12/18

Construction or alteration of a building that does not comply with the conditions of rules 17.1.3.1 to 17.1.3.4A is a discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the matters and criteria set out in rules 17.1.3.1 to 17.1.3.4 as well as other provisions of the Plan and the Act, in particular: C58 11/15 Op 7/17

(1) The degree of compliance with the applicable conditions of rules 17.1.3.1 to 17.1.3.4.

(2) The reasons for non-compliance.

(3) Consistency with the Urban Design Guide (Part II Appendix 2).

Non Notification

Applications for resource consent for an activity under this rule will be decided without public notification and without limited notification.

17.1.3.5 Non-complying Activities (Building Construction or Alteration) C5 3/06 Op 10/10

Construction or alteration of a building that does not comply with the conditions of rule 17.1.3.4, 17.1.3.4A, 17.1.3.4B, 17.1.3.4D and 17.1.3.4E is a non-complying activity. C66 10/17 Op 12/18

A resource consent is required. Consent may be refused or conditions imposed. C5 3/06 Op 10/10

17.1.20 Principal Reasons for Rules

Building Coverage

Both maximum building coverage and the minimum net site area enable the retention of settlements dominated by open space, rather than buildings, with space available for tree and garden plantings. C59 11/15 Op 3/16

Building coverage in Richmond, Motueka, Wakefield and Brightwater is increased, giving greater opportunity to meet the demand for consolidation of these settlements and flexibility for building design provided there is adequate stormwater detention as a consequence of the increased building coverage.

A site coverage limit is introduced to help ensure there is space for some stormwater mitigation on site. C22 2/11 Op 1/15

Higher coverage is permitted on sites for comprehensive, ~~intensive~~ and compact density development compared with standard density residential sites. With sites for ~~intensive~~ comprehensive and compact density development, it is intended to encourage two-storey developments that enhance thermal efficiency but also to ensure that there is sufficient outdoor space provision, some stormwater dispersal and sunlight entry on site. **C66 10/17 Op 12/18**

Setback from Roads

The setback will promote an open and pleasant appearance of sites as viewed from the streets and adjoining properties and to allow space for vegetation, but also to enable efficient and practical use of sites.

Where garage doors face the road, sufficient space is required to allow for a vehicle to be parked off the street and for garage doors to be opened. Locating a garage closer than 5.5 metres to the road boundary is a non-complying activity. Garages may be located closer to the road boundary (up to 2 metres from the boundary) as a discretionary activity where the vehicle door of the garage is at right angles to the road boundary. This acknowledges that vehicle parking and manoeuvring occurs elsewhere on the site, and it may enable a site to be used more efficiently. As a discretionary activity, consideration can be given to the visual effects of the garage location.

Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass. **C43 4/13 Op 1/15**

The setback for compact density and comprehensive ~~intensive~~ building development from the road boundary is less than the setback for standard development. The reduced setback enables buildings to front onto the street. This is encouraged for both amenity and safety reasons provided that the safe functioning of the road is not compromised. **C66 10/17 Op 12/18**

Indicative Roads and Reserves

C73 Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area.
The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Setbacks from Internal Boundaries

Side yard requirements are set to provide sufficient space to manoeuvre a vehicle to the back of a site, if required, and to enable efficient and practical use of the rest of the site, whilst also mitigating adverse effects of buildings on adjoining sites. A separation distance of buildings from adjoining neighbours' boundaries reduces the dominance of buildings on the outlook of adjoining sites, enables access to daylight along all sides of the site and provides a degree of privacy consistent with urban living. These values are likely to have been taken into account in the design of buildings that share a common wall and the requirement of setback is relaxed accordingly.

Accessory buildings are permitted closer to or up to the boundary in order to allow more flexible use of this space. However, if accessory buildings are located close to boundaries and have long blank walls, this may affect the outlook from adjoining properties as a result of the dominance of the site by a lengthy wall at close proximity. Consequently, provisions limit the length of walls of accessory buildings if located within 1.5 metres of a boundary.

Other Setbacks

Setbacks have been required for dwellings on sites adjoining Rural 1, Rural 2, Rural 3 and Industrial zones, in order to protect residential activities on these sites from potential adverse effects of non-residential activities.

Buildings need to be set back from accesses to allow sufficient space for windows and doors of buildings to open and the doors of vehicles to be opened.

Natural hazards, particularly erosion, are also a consideration in requiring setbacks, including building setbacks within specified distances from rivers.

Building Height

The height and daylight admission performance requirements are intended to retain outlooks which are not dominated by buildings, and to ensure good access to sunlight and daylight and levels of privacy by not being overlooked, consistent with urban living. The maximum of 7.5 metres will generally achieve this.

The lower height provisions for small sections reflect the need to avoid dominance and overlooking of adjoining sections by larger, higher buildings on smaller sites.

However, for compact residential development, a higher height limit is permitted if there is careful integration of buildings and surrounding spaces that retains residential amenities. **C22 2/11 Op 1/15**

The lower height of accessory buildings compared with the principal building is also consistent with the ability to locate accessory buildings in the side and rear yards.

Daylight Admission

C73 Op 6/23

Daylight admission lines are intended to reduce shading of adjoining sites by ensuring that buildings fall within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line is based on obtaining some sun onto sites even in mid-winter at midday. The angles ensure reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

Some exceedances of the daylight admission lines are allowable for the end of a roof ridge or for solar panels, recognising the limited dimensions of these items. These allowances only apply to standard density development in the Residential Zone. Exceedance of daylight admission lines in compact density, ~~intensive,~~ and comprehensive residential developments may have a greater level of effect that should be considered through a resource consent process. **C73 Op 6/23**

Building Design and Appearance

In residential areas, long buildings parallel to boundaries can be visually unattractive and affect the visual amenity enjoyed on adjoining properties and from streets. Breaks between buildings or changes in building orientation with associated change in roof line, can improve the pleasantness and openness of outlook from adjoining streets and sites by avoiding the dominance of continuous lengthy building form.

Fence Height

C69 6/19 Op 6/20

Reduced fence heights are required along principal or collector roads within the Richmond East Development Area and in the Richmond West Development Area on the indicative walkway or walkway separating the Mixed Zone from the Residential Zone west of Borck Creek for the purposes of promoting public safety and visual amenity. **C20 8/10 Op 8/12 C79 11/24**

In comprehensive, and compact ~~and intensive~~ density residential development, reduced fence heights are required to encourage informal surveillance between the property and the street and to maintain street amenity. **C43 4/13 Op 1/15 C66 10/17 Op 12/18**

Outdoor Living Space

A minimum area, shape and location of outdoor living space is required for dwellings to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and meet needs for access to sunlight and fresh air. Requirements regarding proximity to living areas are intended to ensure that outdoor living spaces are pleasant, convenient and are likely to be available to be used by residents.

Alternative provision of a balcony reflects the practical difficulties for residents of units above ground-floor level of using outdoor living space at ground level. Reduced requirements for dwellings on sites of less than 350 square metres reflect the smaller potential size of units and the lower levels of occupancy likely.

The size of buildings as dwellings on any residential site and the number of dwellings allowed are governed by the building coverage limits. Open space amenity for each dwelling is protected by other rules, in addition to building coverage. **C59 11/15 Op 3/16**

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Home Occupations

C73
Op 6/23

Home occupations have the potential to impact on neighbours in terms of noise, odour, dust, visual effects, vibration, glare, loss of privacy, traffic and parking congestion. Specific activities (spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing) are not permitted home occupations due to the activities inherent unsuitability to the residential environment. The controls are intended to ensure that the residential areas of the District remain dominated by residential, rather than by non-residential, activities.

The total floor area of buildings used for home occupations and the number of people employed on site are limited as key factors in minimising the scale and size of home occupations so that they remain incidental to residential activities on the site. The location of activities is also limited as it can affect the noise and visual amenity enjoyed within a Residential Zone. The hours that a home occupation can operate will affect the level of noise and disturbance experienced in Residential Zones. However, hours of operation are not applicable for home occupations that are visitor accommodation.

Retail sales and display of goods are excluded from sites of home occupations as this activity often involves significant vehicle and pedestrian movements which may generate noise, fumes, glare, disturbance, loss of privacy, traffic and parking congestion, and loss of traffic safety incompatible with the amenity and character of residential areas. Activities which are highly likely to have adverse effects such as odour, dust, vibration and noxiousness are excluded to preserve the amenity of residential areas.

Vehicle trips associated with home occupations are commonly the cause of nuisance, inconvenience, or loss of amenity for neighbours, and limitations on the scale of vehicle trips generated can allow the assessment by way of a resource consent of any activity likely to result in additional traffic generation. The adverse effects of vehicle generation can be exacerbated in cul-de-sacs or on residential accessways shared with neighbours, which are often quieter, narrower, and with more limited parking and manoeuvring space than through streets.

Community Activities

Small-scale community activities are permitted provided they do not generate excessive traffic and noise that can cause a nuisance to neighbours.

Noise

Restrictions on noise levels are necessary in and adjoining a Residential Zone, as generally, prevailing noise levels are low and need to be maintained low in order to protect the pleasantness and amenity of these areas. In addition, limits on the hours of operation of non-residential activities in residential areas are necessary to maintain the amenity of these areas. The hours over which a non-residential activity operates is a significant determinant in the level of adverse effects likely for neighbours as a result of noise, traffic generation, vibration, loss of privacy, and general disturbance incompatible with residential amenity.

Noise limits are set in relation to the existing background noise levels which have been measured in many residential parts of the District. The dBA L_{eq} level sets a standard for noise measurement attuned to the human ear, which is an average of the noise measured over a specified time interval. This reflects noise levels generated by normal residential activities. The L_{max} level controls peak levels of noise at night-time, and minimises sleep disturbance.

Heavy vehicle trips can result in adverse effects that are significantly greater than those of other vehicle trips, as a result of noise, vibration, fumes, traffic congestion and safety. This rule recognises that the storage of heavy vehicles on a site in a residential area can have adverse effects on amenity values. However, by enabling one vehicle to be stored on a site, it recognises that residents often need to store their employment-related vehicle at home.

Dust and Odour

Dust and odour can adversely affect health and the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

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Glare

Lighting can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting. Reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

Farming, Horticulture and Keeping of Animals

The keeping of animals, birds and bees in a Residential Zone is limited so as to avoid and mitigate any adverse effects such as noise, odour, flies, stings (which may be a nuisance or to which people may be allergic). The establishment of new horticultural units is also limited, to mitigate the adverse effects associated with the use of agricultural sprays, shelter belts and trees close to neighbours' boundaries.

~~Papakāinga Development~~

~~Provision for papakāinga development in the Residential Zone acknowledges the differing housing needs of the Māori community and the likelihood that this type of development will not conform with the standards and terms for traditional New Zealand low density subdivision and housing developments. By making papakāinga developments a controlled activity, the Plan is providing greater flexibility whilst ensuring control is reserved over matters that have the potential to adversely affect adjoining landowners.~~

Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, ~~Māpua Special~~ and Māpua Development Areas

C5 3/06 Op 10/10

C22 2/11 Op 1/15

C43 4/13 Op 1/15

C75 9/22 Op 6/23

C76 9/22 (D9/24)

C80 12/23 (D4/25)

The Residential Zone forms part of the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Māpua development areas. Compact density development is provided for through specific standards, and dwellings are to be located as approved through the subdivision process. Quality urban design is an important factor to achieving the overall goals for the Development Areas, and this has been implemented through a subdivision and development design guide. All development in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, Māpua ~~and Māpua Special~~ development areas is subject to the requirements of the Urban Design Guide (Part II, Appendix 2). In the Brightwater Development Area development is to take into account the management of noise received from the state highway.

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area ~~applies.~~ and Motueka West Compact Density Residential Area south of Whakarewa Street for Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use. This responds to the objectives and policies in the TRMP which:

- Seek efficient use of land and infrastructure,
- Encourages medium density housing development of a high standard in suitable locations,
- Seeks a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Brightwater, Wakefield Development Areas and Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

In the Wakefield Development Area, there is a requirement that subdivisions provide a proportion of lots that are smaller than 450m^2. Rule 17.1.3.1 permits dwellings on standard density lots. An additional permitted rule (Rule 17.1.3.1A) applies to new dwellings on the sites that are smaller than 450m^2, and also permits second dwellings that are on the sites that are greater than 600m^2.

C76 9/22 D9/24

Stormwater

C7 7/07
Op 10/10

Building work and land development which involves the use of hard (impervious) surfaces, affects stormwater flows and water quality from land. Rules require the effective management of stormwater and control of the effects of stormwater run-off in residential areas.

Water and Wastewater

C22 2/11
Op 1/15

Because water, wastewater and some stormwater services at Māpua and Ruby Bay are over their design capacity, second dwellings are not included as a controlled activity in the Residential Zone in this locality. At Ruby Bay and parts of Tahi and Iwa streets, there is also a need to minimise the number of dwellings exposed to coastal hazard risk so second dwellings are not permitted there.

~~Richmond Intensive Development Area~~

~~C66 10/17~~
~~Op 12/18~~

~~The Richmond Intensive Development Area (RIDA) is located in the Residential Zone in Richmond close to the town centre. It provides for residential intensification through a combination of infill in and redevelopment of the existing area. In addition to standard density development, medium density development in the form of Intensive development is provided for through specific standards.~~

~~In RIDA, consent for subdivision and residential building activity for Intensive development can be applied for separately. Land Use (building construction) is a Restricted Discretionary activity if key standards are met.~~

~~In RIDA, Intensive housing with a high standard of amenity is provided for through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets. For RIDA, a reduced lot size of 200sqm is provided for Intensive housing, along with reduced parking and access standards that are appropriate for Intensive housing located close to the town centre. Standards for Intensive housing in RIDA also protect privacy and visual amenity.~~

~~Some of the bulk and location standards for Intensive housing are the same as those for Compact Density housing including the requirements for outdoor living space, the building envelope and external boundary setback standards. Buildings up to 7.5 metres in height are Restricted Discretionary activity. Buildings that are higher than 7.5m are a Discretionary activity.~~

~~The building construction provisions for RIDA include a condition that provides for a recess in buildings that have two or more storeys and exceed a certain length. The provision is expected to reduce the visual effects of solid walls on neighbouring properties and contribute to amenity values in the vicinity.~~

~~Stormwater from additional development in RIDA is managed so that it does not cause flooding or contribute to any damage caused by flooding. To that end, a permitted stormwater standard provides for onsite stormwater detention for additional site coverage resulting from new development; for specified flow path protection and for partial infiltration of stormwater to ground. The planning map titled 'Richmond Intensive Development Area – Specified Stormwater Flood Flowpaths' shows the major flowpaths within RIDA. It does not show minor stormwater flowpaths or flows resulting from unexpected blockages.~~

Non-notification

C76 9/22
D9/24

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Wakefield Development Area applies. This responds to the objectives and policies in the Tasman Resource Management Plan which:

- Seek efficient use of land and infrastructure,
- Encourages medium density housing development of a high standard in suitable locations,
- Seeks a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Wakefield Development Area because the structure of Compact Density Development rule 17.1.3.3 g) Means that Compact Density Development along the external boundaries of the proposal site must meet the

standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

SCHEDULES

Schedule 17.1A: Daylight Admission Angles

Refer to rules 17.1.3.1, 17.2.4.1, 17.4.3.1, 17.5.3.1, 17.6.3.1, 17.7.3.1, 17.3.3.3, 17.8.3.1, 17.9.2.1, 17.10.3.1.

The angle of inclination over the site for daylight control planes is determined separately for each boundary of the site using the elevation calculator in the diagram below, in the following manner:

(a) Place the circumference of the elevation calculation disc on the inside of the boundary for which the calculation is required so that the north point indicator is aligned with the north point on the site plan.

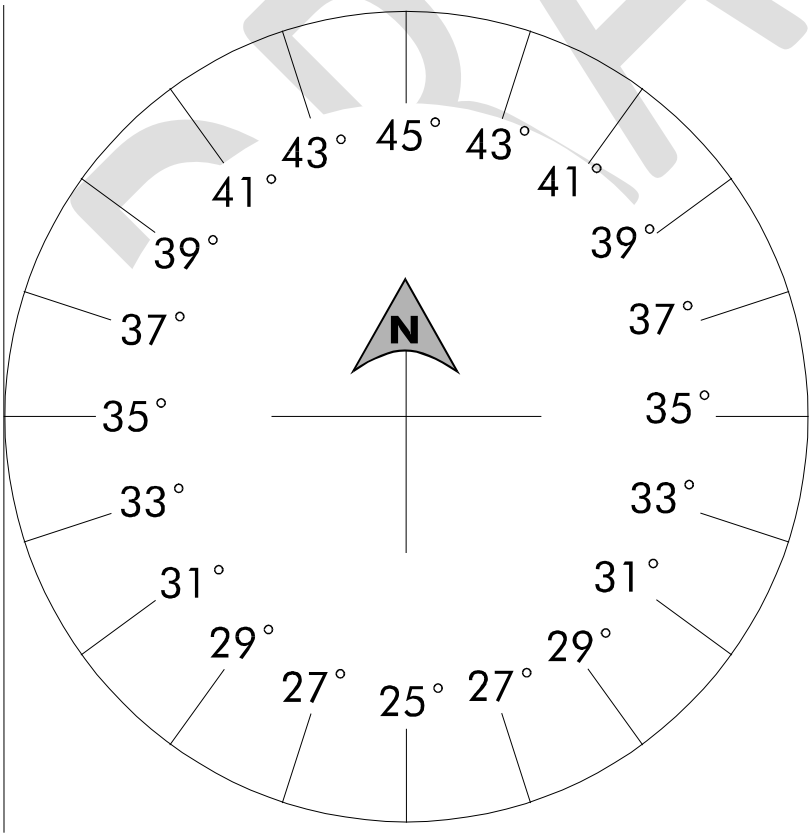
(b) A separate calculation is required for each site boundary.

(c) Read off the elevation angle closest to the point of contact between the boundary line and the circumference of the elevation calculation disc. This is the maximum angle of elevation permitted along that boundary.

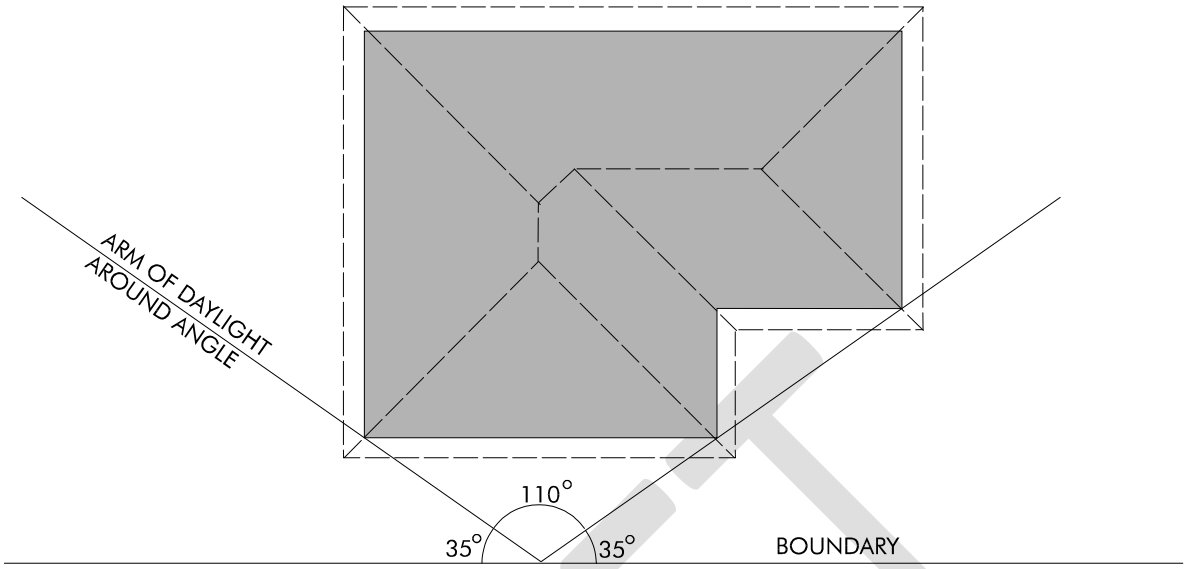
In the example below, the daylight control angle elevation for the western boundary of the site is 35 degrees.

Note: Vertical lines represent site boundaries.

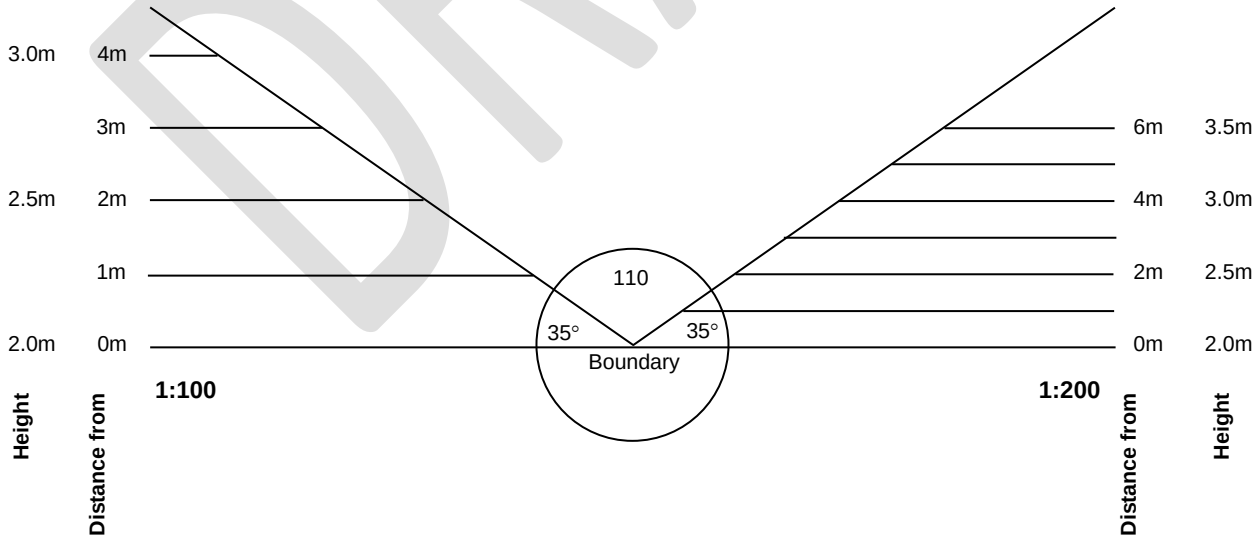
Daylight Admission Angle Diagram



Schedule 17.1B: Daylight Around Angle



Schedule 17.1C: Permitted Height outside Daylight Around Angle



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Schedule 17.1D: Waimea Village Residential Development

Permitted Activity Conditions

Refer to condition 17.1.3.1(a) and Zone planning maps 121 and 124.

(1) The activity is a comprehensively designed residential development.

(2) Every allotment for which there exists a title is entitled to one dwelling.

(3) No dwelling unit is located closer than 3 metres from the north eastern side boundary or the south eastern rear boundary of the Waimea Village site.

(4) Within the site, every dwelling is located on its own site to provide minimum setbacks of 1.5 metres except as detailed in (3) above.

(5) The maximum height of any dwelling unit and accessory building is 4.5 metres.

(6) Every structure is contained within a daylight control angle commencing at 2 metres above ground level and inclined over the site at an angle of 45 degrees. This applies on every site boundary with the site of another dwelling unit.

(7) Where parking is provided on individual sites for dwellings, these shall be a 3-metre by 5metre car park which is located in a position where it can be occupied by a garage or carport without encroachment on any daylight angles. **NPS-UD 9/21**

(8) Each dwelling site contains an open living court with a minimum area of 30 square metres and a minimum dimension of 3 metres, and an open service court with a minimum area of 9 square metres. Both courts are unencumbered by vehicle or parking or access areas for any building.

(9) A landscape plan is submitted to the Council for any development prior to the uplifting of any building consent, and landscaping is established and maintained in accordance with such plan.

[Condition (10) deleted] **NPS-UD 09/21**

Subdivision Conditions

(1) Minimum area - 160 square metres and in accordance with the following size range:

30% in the range 160 square metres to 180 square metres
50% in the range 181 square metres to 200 square metres
20% in the range 201 square metres to 220 square metres

(2) There are no frontage requirements. Legal access is provided to sites by rights-of-way with a minimum width of 6 metres.

(3) Each site is capable of accommodating a circle of 10 metres in diameter.

(4) Open space is provided at a rate equivalent to not less than 60 square metres of open space per allotment developed from the land in Records of Title 10C/728 and 8C/219.

For the purposes of Condition (4), the words "open space" mean green space for the use, recreation and enjoyment of residents of the comprehensive development and their visitors but such open space is permitted to contain gravelled, sealed and paved walkways within the green space.

Schedule 17.1E: Permitted Activity Conditions – Champion Road Site (24 Champion Road)

Refer to condition 17.1.2.1(p).

(a) The activity is a funeral director's workshop, viewing room and chapel, including casket making and monumental stone masonry work as ancillary activities.

(b) Buildings are set back 10 metres from the boundaries of adjacent sites.

(c) Planting must be established and maintained as follows:

(i) Dense screen planting must be provided to a depth of five metres along the boundaries of adjacent sites.

(ii) Landscape planting must be provided to a depth of two metres on the site road frontages.

(d) Access must be as follows:

(i) For the chapel, at least 150 metres from the Champion Road/Salisbury Road intersection.

(ii) For the viewing room and residence, at least 60 metres from the Champion Road/Salisbury Road intersection.

(iii) Accesses must be formed and sealed to the Council's standards.

(iv) Access of funeral corteges to enter the Champion Road/Salisbury Road intersection must occur only under the control of the NZ Police department.

(e) Parking must be as follows: **NPS-UD 09/21**

(i) Car parking areas must be formed, sealed and drained.

(f) The activity meets permitted activity conditions for dust and odour, noise and stormwater for land uses in the zone, and buildings meet all permitted activity conditions in 17.1.3.1, except that for building coverage.

(g) Any other consent required by this plan in respect of the activity must be obtained prior to the activity commencing.

17.1A MEDIUM DENSITY RESIDENTIAL ZONE RULES

Refer to Policy sets 5.1, 5.2, 5.3, 6.1, 6.2, 6.3, 11.1, 11.2, 13.1, 33.4.

17.1A.1 Scope of Section

This section deals with land uses in the Medium Density Residential Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

17.1A.2 Land Use

17.1A.2.1 Permitted Activities (Land Use - General)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) The activity is not one of the following:

(i) an activity that emits odour causing a nuisance beyond the site boundary;

(ii) intensive livestock farming or commercial boarding or breeding of animals;

(iii) an industrial or commercial activity, except:

as allowed as a home occupation; or
as provided for in rule 16.6.2.1(o);

(iv) a landing area or pad for helicopters (other than for medical or fire-fighting purposes), an aircraft landing strip, aerodrome or airport;

(v) a papakāinga development (See Section 16.14);

(vi) a community activity, where the total vehicle movements in combination with any other permitted activity on the site exceed 30 per day on any one day;

(vii) a home occupation, except as allowed by rule 17.1A.2.2.

Hours of Operation

(b) Non-residential activities operate only between 7.00 am and 11.00 pm except for telecommunication and radio-communication facilities for which there is no restriction.

Vehicles

(c) No more than one heavy vehicle, having a gross laden weight over 3,500 kilograms, 23 excluding emergency vehicles, is stored or parked on a site.

Air Emissions – Dust

(d) There shall be no noxious, dangerous, offensive or objectionable dust to the extent that it causes an adverse effect at or beyond the boundary of the site.

(e) Open areas of land and stockpiles of loose material are contained or maintained so that any resulting dust does not cause an adverse effect at, or beyond, the boundary of the site.

Glare

(f) Exterior lighting is directed away from adjacent residential properties. Exterior lighting must not interfere with a road user's vision or cause confusion with a traffic signal or lights.

(g) Reflective glare from cladding, roofing or fences is prevented by painting, coating or screening within 12 months.

Animals

(h) No more than two dogs are kept.

(i) No cats are kept in the Domestic Cat Prohibition Overlay as shown in the Outline Spatial Plan in Schedule 16.3D.10.

(j) No more than six domestic fowls are kept.

(k) Fowls are kept only in an enclosure set back at least 2 metres from boundaries and 10 metres from dwellings on adjoining sites.

(l) No rooster, pig, or goat is kept.

(m) No more than two beehives are kept.

Noise

(n) Noise generated by the activity, measured at or within the boundary of any site within the zone, other than the site from which the noise is generated, or at or within the notional boundary of a dwelling within any other zone, does not exceed:

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

N.B. Day = 7.00 am to 9.00 pm Monday to Sunday inclusive (including public holidays).

Night = All other times.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS6802:2008 *Acoustics - Environmental Noise*.

Stormwater

(o) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.1A.2.2 Permitted Activities (Home Occupations)

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Area

(a) The maximum gross floor area of buildings or parts of buildings used for the home occupation does not exceed 50 square metres.

Activities

(b) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles is carried out within a building.

(c) No goods, materials or equipment are stored outside a building.

(d) No retail sales take place from the site and no goods that are visible from beyond the site are displayed.

(e) The activity does not involve spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing.

Hours of Operation

(f) The home occupation is conducted between 8.00 am and 6.00 pm Monday to Saturday unless:

(i) the activity is located entirely within a building;

(ii) the activity is carried out solely by a person or persons permanently resident on the site;

(iii) there are no visitors, clients or deliveries outside the above hours.

(g) The home occupation is not conducted on Sundays and public holidays.

(g) The maximum number of hours which the site of the home occupation is open to visitors, clients or deliveries is 50 hours in any one week.

Visitor Accommodation

(i) For a home occupation which is visitor accommodation, the maximum number of visitors accommodated on site at any time is four.

(j) For a home occupation which is visitor accommodation, there is an exemption from conditions (e), (f) and (g).

Location

(k) The home occupation is not undertaken on a site which is located on a cul-de-sac, shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on the site;

(ii) there are no visitors, clients or deliveries to the site.

Employment

(k) No more than one full-time equivalent person, who resides elsewhere than on the site, is employed in any activity on the site.

17.1A.2.4 Restricted Discretionary Activities (Home Occupations)

C19 5/10
Op 8/12

A home occupation that does not comply with the conditions of rule 17.1A.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Residential Dominance

(1) The extent to which the activity will result in the loss of residential activity on the site.

(2) The extent to which the activities on the site remain dominated by residential activities, rather than by activities which are not associated with or incidental to residential activities on the site.

(3) The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding environment.

General Adverse Effects

(4) Adverse effects of the home occupation in terms of noise, odour, dust, visual impact, vibration, glare, loss of privacy, traffic and parking congestion.

C73
Op 6/23

(5) The effects of any outdoor storage of materials or equipment associated with the home occupation, and the extent to which manufacturing, altering, repairing, dismantling or processing of goods associated with a home occupation needs to be carried on outside a building, taking account of:

(i) the nature, coverage area and height of materials or equipment associated with a home occupation;

(ii) the intended duration of materials or equipment associated with a home occupation to be outside a building;

(iii) the extent to which provisions would be needed for security, control of litter and vermin, and prevention or containment of fire hazard.

Visual and Residential Character Effects

(6) The extent to which the character of the site and the surrounding area will remain dominated by open space or vegetation rather than by buildings and areas of hard surfacing.

(7) The extent to which any proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.

(8) Adverse effects of the outdoor activity on the outlook of people on adjoining sites, including the loss of residential or rural character.

(9) The extent to which the outdoor activity may adversely affect the appearance, layout and functioning of other sites in the adjoining area.

(10) The ability to mitigate any adverse effects of the outdoor activity on adjoining roads and sites, including the ability to screen activities from adjoining roads and sites.

Transport

(11) The extent to which the additional employment or any additional trips will result in levels of traffic generation or pedestrian activity that is incompatible with the character of the surrounding area, or that may result in adverse effects on the safe and efficient functioning of the road network.

Employment

(12) The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.

Miscellaneous

(13) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(14) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.1A.2.5 Restricted Discretionary Activities (Community Activities)

C19 5/10
Op 8/12

A community activity that does not comply with the conditions of rule 17.1A.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of residential character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(5) The duration of the consent and the timing of reviews of conditions.

(6) Financial contributions, bonds and covenants in respect of performance of conditions.

17.1A.2.6 Discretionary Activities (Land Use – General)

C19 5/10
Op 8/12

Any land use that does not comply with the conditions of rules 17.1A.2.1 to 17.1A.2.5 is a discretionary activity, if it complies with the following conditions:

(a) No rooster, pig, or goat is kept.

(b) There is no intensive livestock farming, or commercial boarding or breeding of animals.

A resource consent is required and may include conditions.

17.1A.2.7 Non-Complying Activities (Land Use - General)

Any land use that does not comply with the conditions of rule 17.1A.2.6 is a non-complying activity.

A resource consent is required and may include conditions.

17.1A.3 Building Construction or Alteration

17.1A.3.1 Permitted Activities (Vacant Lot Development)

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Maximum Dwellings per Site

(a) There are no more than two dwellings per site and either:
- (i) The two dwellings are physically joined and are part of the same structure; or
- (ii) At least one of the dwellings is a minor dwelling.

Outline Spatial Plan Area

(b) Where the site is subject to an Outline Spatial Plan in Schedule 16.3D, the development does not frustrate the implementation of the relevant Outline Spatial Plan.

Site Coverage

(c) Maximum site coverage is 60 percent.

Building Coverage

(d) Maximum building coverage is 40 percent

Fences

(e) Any fence, wall or screen on a road boundary or in a front yard, or fronting a public reserve or open space area, does not exceed 1.2 metres in height.

(f) Any fence on a side boundary does not exceed 1.2 metres in height for a minimum distance of 5 metres from the point where the side boundary intersects with the road boundary.

Outdoor Living Space, Balcony or Deck

(g) Either the dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

- (i) has a minimum area of 20 square metres;
- (ii) contains a circle with a diameter of at least 4 metres;
- (iii) is located to receive sunshine in midwinter;
- (iv) is readily accessible from a living area of the dwelling.

OR

(h) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

Building Envelope – Daylight Over and Around

(i) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A, except that:

- (i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and
- (ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

EXCEPT

(j) As an **alternative** to conditions (i) of this rule, buildings on south-facing slopes (between west and east) over 10 degrees comply with the following on any nominated boundary:

A building must fit within the arms of a 110-degree angle shape placed 35 degrees from the boundary(as shown in Schedule 17.1B). Only one angle may be used on any one boundary.

Permitted intrusions into the daylight around angle are:

(i) eaves (not more than 600 millimetres);
(ii) buildings and structures complying with the special height limiting lines outside the angle.

The following applies with respect to (ii). Parts of the building or detached outbuildings may be outside the daylight around angle but only up to a certain height. To find out how high a building outside the arms may be, use the following steps:

(a) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point "P". The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point "P".
(b) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

Height

(k) The maximum height of buildings is:
(i) 7.5 metres; and
(ii) 3.6 metres for accessory buildings.

Setbacks

(l) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road.

(m) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings except:

(i) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;
(ii) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (n) apply to that part of the dwelling that is a garage or carport;
(iii) accessory buildings;
(iv) telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

(n) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling.

(o) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:

(i) where any accessory building has a wall adjacent to the boundary, that wall contains no windows;
(ii) any accessory buildings adjacent to an individual boundary do not exceed a cumulative total of 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;
(iii) stormwater is contained within the site.

(p) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary.

(q) The building is set back at least:
(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;
(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;
(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(r) The building is not located within, or within 10 metres of any indicative road or indicative reserve as shown on the planning maps or on an Outline Spatial Plan that applies to the site, except for the following:

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

Cross Boundary Effects

(s) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels no greater than as set out in Figure 17.1A in Rule 17.1.3.1(c).

Wastewater Disposal

(t) All buildings which generate wastewater are connected to a reticulated wastewater system.

Stormwater

(u) EITHER

All stormwater from buildings and impervious surfaces is directed to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

Stormwater detention is provided on the site associated with the development at the rate of 50 litres per square metre of additional impervious surface.

(v) Where after XX October 2025 any site development results in:

(i) an increase in the area of impervious surface of 10 square metres or more on the site, a device having a total void volume of at least 1 cubic metre is installed to provide for the discharge of stormwater into the ground by infiltration when the ground can accept infiltration, and the device has provision for an overflow to the stormwater disposal system from the site; and

(ii) a cumulative increase in the area of impervious surface of more than 500 square metres, an additional void volume of 1 cubic metre to that provided under condition a. is installed, and a further void volume of 1 cubic metre is likewise installed for each additional 500 square metres area of impervious surface formed on the site.

(w) The discharge or diversion does not cause or contribute to additional off-site flooding.

(x) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development.

(y) All stormwater and sediment control structures associated with the discharge or diversion including detention and specified flood flowpaths are to be maintained in effective operational order at all times.

17.1A.3.2 Restricted Discretionary Activities (Comprehensive Development)

Construction of two or more new dwellings on a site is a Restricted Discretionary unless Condition (a) is not complied with. Except for Condition (a), the following conditions determine the scope of Council's discretion and consent decision-making process.

Notes:

(i) For the avoidance of doubt, if condition (a) is not complied with then Rule 17.1A.3.3 applies.

(ii) If condition (a) is complied with then this rule applies and different matters of discretion are added for each condition that is not complied with.

(iii) This rule applies regardless of whether there is either zero, one or two dwellings on the site already.

Medium Density Design

(a) If the site is:

(i) not within an Outline Spatial Plan area, a pass score in the Medium Density Design Matrix (Schedule 17.1AA) is achieved.

(ii) within an Outline Spatial Plan area and the comprehensive development is for 4 or more dwellings, visually obvious variation in house form and appearance shall be provided. Differentiation must be achieved through variation in at least three of:

- building form and roof profile
- exterior cladding type and material
- colour palette of exterior walls and roofs
- arrangement and proportion of glazing

Minimum Density

(b) The proposal achieves a minimum density of:

(i) 30 dwellings per hectare, or:

(ii) Notwithstanding (i) above, 40 dwellings per hectare in the Richmond Intensive Development Precinct; or

(iii) Notwithstanding (i) or (ii) above, where a density has been specified for the subject site as a result of an prior Outline Spatial Plan subdivision (i.e. as recorded in the consent notice on the Record of Title.), the density set out therein.

Outline Spatial Plan Area

(c) Where the site is subject to an Outline Spatial Plan (Schedule 16.3D) the comprehensive development does not frustrate the provision of the outcomes specified in the relevant Outline Spatial Plan.

Site Coverage

(d) The maximum site coverage is 70 percent.

Building Coverage

(e) The maximum building coverage on a site is 60 percent.

Setbacks for Road Boundary (Front Yard); Front fences

(f) All buildings are set back at least 3 metres from the road boundary, except that all garages and carports are set back at least 5.5 metres from road boundary if the vehicle entrance of the garage or carport faces the road.

(g) The minimum landscaped area of the 3 metre front yard is 50 percent.

(h) Any fence, wall or screen on a road boundary or in the front yard, or on a boundary with a public reserve or open space area, does not exceed 1.2 metres in height.

(i) Any fence on a side boundary does not exceed 1.2 metres in height for a minimum distance of 3 metres from the point where the side boundary intersects with the road boundary.

Setbacks for Side and Rear Boundaries

(j) All buildings are set back 1.5 metres from an internal boundary to an adjoining site.

Building Envelope – Daylight Over and Around

(k) There is no road boundary or reserve / open space building envelope requirement.

(l) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 3 metres vertical above ground level from all side and rear Medium Density Residential Zone and Residential Zone boundaries. The angle to be used is 60 degrees inwards from the boundary to 6m in height, and thereafter at an angle of 45 degrees inwards from that point along the entire boundary. However, in the Richmond Intensive Development Precinct the 45-degree angle shall not apply, and the line shall continue at 60 degrees.

Except that:

(i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and

(ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

Height

(m) The maximum height of any building is 10 metres, except:

(i) in the Richmond Intensive Development Precinct where the maximum height is 13 metres, and

(ii) in Māpua or an area subject to a Mapua Outline Spatial Plan, where the maximum height is 7.5 metres.

Outdoor Living Space; Balcony or deck

(n) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

(i) has a minimum area of 8 square metres for each bedroom contained with the dwelling, up to 32 square metres for four or more bedrooms; and

(ii) Has a minimum dimension of 1.5 metres per bedroom up to a minimum dimension of 4 metres for three or more bedrooms; and

(iii) is readily accessible from a living area of the dwelling.

(o) Where a dwelling is not on ground level, the dwelling is provided with a balcony or deck at first floor level which:

(i) Has a minimum area of 5 square metres and 1.5 metres minimum dimension for a studio or one bedroom dwelling; or

(ii) has a minimum area of 8 square metres and 1.5 metres minimum dimension for a dwelling with two or more bedrooms; and

(iii) is directly accessible from a living area.

(p) The balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from a side or rear Medium Density Residential Zone and Residential Zone boundary.

Access

(q) No additional vehicle crossings are created onto the following roads:

(i) Gladstone Road;

(ii) Salisbury Road

(iii) Champion Road

(iv) Hill Street

(v) Queen Street

(vi) Wensley Road

(vii) Higgs Road

(viii) High Street

For the avoidance of doubt, this means that existing vehicle access crossings can continue to be used, and any new dwellings will either need to use the existing vehicle access crossing or a relocated vehicle access crossing. In the latter situation, the original vehicle access crossing would need to be disestablished.

Waste and Recycling

(r) There is sufficient area on the street frontage to accommodate a width of XX metres, and XX lineal metres per dwelling for waste and recycling bins between the footpath and the carriageway.

Other Setbacks

(s) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary.

(t) The building is set back at least:

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

Cross Boundary Effects from Roads

(u) internal noise levels TBC

(v) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels no greater than as set out in Figure 17.1A in Rule 17.1.3.1(c).

Wastewater Disposal

(w) All buildings which generate wastewater are connected to a reticulated wastewater system.

Stormwater

(x) EITHER

All stormwater from buildings and impervious surfaces is directed to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

All stormwater from buildings and impervious surfaces is detained onsite so that post-development flows are no greater than pre-development flows prior to being discharged to a Council maintained stormwater drainage network.

(y) Where after XX October 2025 any site development results in:

(i) an increase in the area of impervious surface of 10 square metres or more on the site, a device having a total void volume of at least 1 cubic metre is installed to provide for the discharge of stormwater into the ground by infiltration when the ground can accept infiltration, and the device has provision for an overflow to the stormwater disposal system from the site; and

(ii) a cumulative increase in the area of impervious surface of more than 500 square metres, an additional void volume of 1 cubic metre to that provided under condition a. is installed, and a further void volume of 1 cubic metre is likewise installed for each additional 500 square metres area of impervious surface formed on the site.

(z) The discharge or diversion does not cause or contribute to additional off-site flooding.

(za) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development.

(zb) All stormwater and sediment control structures associated with the discharge or diversion including detention and specified flood flowpaths are to be maintained in effective operational order at all times.

Heritage Site or Item Present

(zc) The site does not include:

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or

(ii) a protected tree referred to in Schedule 16.13B

A resource consent is required and may include conditions on the following matters over which the Council has reserved its discretion:

Matters of discretion that apply to all proposals

(1) Where Conditions (a) to (zc) above are complied with, AND where a pass score in the Medium Density Design Matrix (see Schedule 17.1AA) is achieved, Council **must grant** consent and may impose conditions in respect any matters arising out of the Matrix or in relation to matters (3) to (7) below.

(2) Whether, in the case of a proposal that scores less than a pass score in the Medium Density Design Matrix, there are unique or special site circumstances directly relevant to the score achievable.

(3) For three or more dwellings, the provision of a lighting design in accordance with the Land Development Manual that provides adequate onsite lighting for safety and legibility, while avoiding unnecessary glare and light spill to adjoining sites.

(4) The soakage of stormwater to the ground, and the detention and release of stormwater to the Council network.

(5) The risks to persons and property from flood hazards and measures to avoid, or mitigate effects.

(6) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(7) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Matters of discretion that apply when specific conditions are not met

Minimum density

For a proposal that does not comply with Condition (b) the following matters of discretion apply:

(8) Whether there are factors that constrain the available development area or intensification opportunities including:

(a) Site constraints (natural hazards, vegetation, streams)

(b) Any heritage items such as buildings or trees, or cultural heritage items or sites

(c) Any staging of the development, including balance lots or superlots that are to be developed in the future.

(d) Retention of existing building.

(9) Council retains discretion to decline consent and/or publicly notify the application where intensification opportunities are being undermined, or are not being fulfilled or realised.

Outline Spatial Plan

For a proposal that does not comply with Condition (c) the following matters of discretion apply:

(10) Whether the proposal adequately provides for or integrates with existing and planned infrastructure, including roads, public transport, water supply, stormwater, and wastewater systems.

(11) The adequacy of access, parking, and internal road networks.

(12) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual necessary to ensure the safe, efficient and effective provision of transportation and access.

(13) Potential impacts on the broader transportation network, including pedestrian and cyclist connectivity.

(14) How the proposal addresses urban design principles, including building orientation, public spaces, and overall amenity.

(15) Compatibility with the surrounding land use and character of the area.

(16) Whether the proposal contributes to a range of housing types and densities, consistent with the intentions of any OSP.

(17) Whether the development provides logical and efficient connections to adjacent properties and aligns with the intended development pattern.

(18) The extent and adequacy of proposed measures to mitigate adverse effects resulting from non-compliance with the OSP.

(19) Design, density and layout of dwellings, surfaces, public spaces, planting, and maintenance, with reference to the Council's Urban Design Guide (Part II, Appendix 2).

Site coverage

For a proposal that does not comply with Condition (d) the following matters of discretion apply:

(20) The effects of additional site coverage on the amenity of adjoining sites and the street and neighbourhood.

(21) Stormwater runoff and detention.

Building Coverage

For a proposal that does not comply with Condition (e) the following matters of discretion apply:

(22) The effects of additional building coverage, particularly on how the bulk of the building may cause dominance on adjoining sites.

(23) Stormwater runoff and detention.

Setbacks for road boundary (front yard); Front fences

For a proposal that does not comply with Conditions (f) – (i) the following matter of discretion applies:

(24) Whether the proposal, its design and external appearance result in adverse effects on the street and neighbourhood.

Setbacks for Side and Rear Boundaries; Building Envelope – Daylight Over and Around

For a proposal that does not comply with Conditions (j) – (l) the following matters of discretion apply:

(25) Whether the proposal, its design and external appearance result in adverse effects on an adjoining site, including dominance, access to sunlight and daylight, shading and privacy.

Height

For a proposal that does not comply with Condition (m) the following matters of discretion apply:

(26) (Whether the proposal, its design and external appearance result in a visually interesting and high-quality contribution to the amenity of the street and neighbourhood.

(27) Whether the proposal results in the efficient use of the site and contributes to intensification and variety of housing typologies in the neighbourhood.

Outdoor living space; Balcony or deck

For a proposal that does not comply with Conditions (n) – (p) the following matters of discretion apply:

(28) Whether the proposal provides reasonably sized outdoor living space to meet the day-to-day needs of residents.

(29) Whether alternative provision of outdoor space, such as common living spaces or proximity of adjoining reserves, support lesser provision of outdoor living space.

Access

For a proposal that does not comply with Condition (q) the following matters of discretion apply:

Take from subdivision

Waste and Recycling

For a proposal that does not comply with Condition (r) the following matter of discretion applies:

(30) Whether appropriate street-side space can be established for the placement of waste and recycling facilities for pickup that does not block the footpath.

Other setbacks

For a proposal that does not comply with Conditions (s) – (t) the following matters of discretion apply:

(31) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.

(32) The extent to which the encroachment into setbacks from waterbodies will compromise the potential for gaining future public access to or along those waterbodies, or compromise property connections from the waterbody.

(33) The extent to which the encroachment into setbacks from waterbodies by buildings will increase the likelihood of damage being caused to the building by erosion, the level of risk to occupants, and the effects of the structure on flood flows.

(34) The extent to which the encroachment into setbacks from waterbodies by buildings will adversely affect the health, mauri, natural form and natural character of the waterbody, including room for the waterbody to move over time.

(35) The extent to which the encroachment into setbacks from waterbodies by buildings will adversely affect the potential for restoration or enhancement of waterbody and riparian values, including biodiversity and ecosystem connectivity, over time.

Cross Boundary Effects from Roads

For a proposal that does not comply with Conditions (u) and (v) the following matters of discretion apply:

(36) Mitigation of indoor noise levels

Wastewater

For a proposal that does not comply with Condition (w) the following matters of discretion apply:

(37) Provision for the collection and disposal of wastewater.

(38) The capacity of the wastewater reticulation network

Stormwater

For a proposal that does not comply with Conditions (x) – (zb) the following matters of discretion apply:

(39) Provision for the detention, release and discharge of stormwater, including the need for communal stormwater detention and release from comprehensively developments.

(40) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:

(a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.

(c) The degree of maintenance or enhancement of natural drainage characteristics in development.

(d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

Heritage Site or Item Present

For a proposal that does not comply with Condition (zc) the following matters of discretion apply:

(41) Whether the proposal would have an adverse or beneficial effect on the integrity or heritage value of an archaeological site or site or item of significance to Māori, and the extent of that effect;

(42) Any requirements, recommendations or advice from iwi, including any matters identified in an iwi management plan.

(43) Any requirements for the management and maintenance of a protected tree, including access.

Notification

Non-Notification

(a) Applications for resource consent that comply with the conditions of this rule will be decided without limited notification and without public notification.

(b) Applications for resource consent that do not comply with one or more of the conditions of this rule (except (i) Setbacks for Side and Rear Boundaries and (l) Building Envelope for Boundaries) will be decided without limited notification and without public notification

Limited notification

(c) Applications for resource consent that **do not** comply with the conditions (i) Setbacks for Side and Rear Boundaries and/or (l) Building Envelope for Boundaries will proceed with limited notification unless relevant adjoining affected persons approvals are provided.

17.1A.3.3 Discretionary Activities – Comprehensive Development

Construction of two or more new dwellings on a site that does not comply with Condition (a) of Rule 17.1A.3.2 is a Discretionary Activity.

Non-Notification

(a) Applications for resource consent under this rule will be decided without limited notification and without public notification.

Limited notification

(b) Applications for resource consent that **do not** comply with the conditions (i) Setbacks for Side and Rear Boundaries and/or (l) Building Envelope for Boundaries of Rule 17.1A.3.2 will proceed with limited notification unless relevant adjoining affected persons approvals are provided.

17.1A.3.4 Discretionary Activities

Construction or alteration of a building that does not comply with the conditions of Rule 17.1A.3.1 is a discretionary activity, if it complies with the following condition:

Maximum Dwellings per Site

(a) Condition (a) of rule 17.1A.3.1 is complied with.

17.1A.3.5 Non-complying Activities

Construction or alteration of a building that does not comply with the condition of Rule 17.1A.3.4 is a non-complying activity.

17.1A.20 Principal Reasons for Rules

This zone is intended to support the Council's urban intensification goals by enabling the development of medium density housing in a way that is efficient, consistent, and predictable for both applicants and the Council.

The MDRZ adopts a land use-led approach that allows for a wide variety of housing forms while ensuring that design quality and neighbour amenity are safeguarded. This land use-led approach is applicable to both the intensification of existing urban areas, and medium density development on super lots that are created in Outline Spatial Plan areas.

Development of two or more dwellings on a site is a restricted discretionary activity, to ensure that designs are considered up front and that proposals are compatible with the intended built form outcomes of the zone. This avoids the need for bulk and location rules to be applied to permitted activities without any design oversight.

A clear path for non-notification is provided, reducing cost and delay for developers and Council alike. However, where proposals infringe key interface-related standards — such as boundary setbacks and building envelope controls — affected party approvals may be required. These rules are specifically aimed at preserving privacy, daylight access, and other key elements of residential amenity for adjoining properties. To support efficient and transparent consent processing, the Council has adopted a Medium Density Design Matrix, which provides an Assessment Matrix of acceptable solutions. These are structured to cover key design elements (e.g. site layout, building form, landscaping, servicing), and to support high-quality medium density development that meets urban design best practice.

Where an applicant incorporates sufficient acceptable solutions to meet the minimum threshold score, Council is committed to granting consent. This creates a clear, certain pathway for developers who follow the design guidance embedded in the rules.

However, the framework also retains flexibility. If an applicant chooses not to follow the acceptable solutions, or cannot meet the threshold score, their proposal will be assessed on its own merits using the relevant assessment matters. This preserves the ability to consider innovative or alternative designs, while ensuring that outcomes remain aligned with the objectives of the zone.

The Matrix is statutory, and therefore has greater weight than traditional design guides, but is also structured to be easy to follow and to minimise processing costs. Its clarity helps to remove uncertainty for applicants and ensures Council planners can assess proposals without requiring specialist design input in most cases. This hybrid approach provides the benefits of a controlled design process without the rigidity of a controlled activity status. It ensures that the development of medium density housing is both design-led and practically achievable, with a fair and consistent framework that encourages good urban outcomes.

Minimum density

Land available for medium and intensive density development is scarce. Therefore, development should achieve at least a minimum density to ensure that land is used efficiently. It is preferred that higher densities are achieved through development. However, the condition recognises that there could be factors which reduce the area of land available for development within the site and therefore the density that can be achieved.

The rules allow for a single dwelling to be constructed on a site (either as a replacement or on an undeveloped site) as a permitted activity. The development of more than one dwelling without a planned and land use led medium density development proposal is not provided for and therefore falls to be considered as a non-complying activity.

The development of more than one dwelling is supported and enabled by a comprehensive rule (17.1A.3.2) which provides a decision-making framework. The rule contains a set of conditions that guide processing and decision making. Unlike elsewhere in the TRMP, the rule continues to apply even if the conditions are not complied with, but additional matters of discretion become applicable (Except for Condition (a) which does trigger a different rule).

Site Coverage and Building Coverage

Higher coverage is enabled on sites for medium density housing to support housing density, choice and affordability. With sites for medium and intensive density development, it is intended to encourage two to three-storey developments with an intensive urban built form. Higher coverage supports this redevelopment and intensification, whilst minimise the potential adverse effects on neighbours.

Setback for Road Boundary

The setback will promote an open and pleasant appearance of sites as viewed from the streets and to allow space for vegetation/landscaping, but also to enable efficient and practical use of sites. Where garage doors face the road, sufficient space is required to allow for a vehicle to be parked off the street and for habitable spaces of the building to be forward of the garage door.

Fences

Lower fence heights are required to encourage informal surveillance between the site and the street and to maintain street amenity.

Setbacks for side and rear boundaries

A separation distance of buildings from adjoining neighbours' boundaries reduces the dominance of buildings on the outlook of adjoining sites, enables access to daylight along all sides of the site and provides a reasonable privacy consistent with urban living. This condition is a principal method to manage effects on adjoining sites in a manner which is reasonable while enabling intensification.

Other setbacks

Setbacks have been required for dwellings on sites adjoining Rural 1, Rural 2, Rural 3 and Industrial zones, in order to protect residential activities on these sites from potential adverse effects of non-residential activities.

Natural hazards, particularly erosion, are also a consideration in requiring setbacks, including building setbacks within specified distances from rivers.

Building Envelope – Daylight Over and Around

Daylight admission lines are intended to manage shading of adjoining sites by ensuring that buildings fall within an angle that allows a reasonable level of sunlight to penetrate onto the adjoining site. The Daylight admission lines provide for a two storey building close to side and rear boundaries, while taller buildings would need to be located further away from neighbouring sites to manage dominance, shading, daylight and privacy. This condition is a principal method to manage effects on adjoining sites in a manner which is reasonable while enabling intensification.

Building Height

A higher height limit is permitted for medium density housing supporting the integration of buildings and surrounding spaces to provide for intensification of residential amenities. Where daylight admission lines are complied with, the height condition and discretions provide for additional building height through enabling design and intensification opportunities.

Outdoor Living Space

A smaller area and shape of outdoor living space is required for medium density dwellings to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of residents. The size of the outdoor living space is graduated based on the number of bedrooms within the dwelling. This provides opportunities for a variety of housing opportunities with living spaces sized to meet the day-to-day needs of potential occupants.

Requirements regarding proximity to living areas are intended to ensure that outdoor living spaces are pleasant, convenient and are likely to be available to be used by residents.

Balcony or deck

Intensification will provide opportunities for apartment living. Outdoor living associated with apartments is provided through a balcony or deck, and this is sized for the reasonable needs of occupants based on the size of the dwelling.

Balconies and decks should be set back from side and rear boundaries to avoid overlooking and privacy effects on neighbouring residential sites.

Wastewater disposal, Stormwater

The engineering requirements for subdivision and development apply to the development of new dwellings in order to manage effects on reticulated networks and provide for the intensification of residential activities.

Flooding

Areas where the hazard risk is higher because of the depth and/or velocity of flood waters require specific consideration as to the extent of intensification possible and measures to mitigate or avoid effects, based on the best available information.

Heritage site or item present

The presence of a heritage site or item may constrain the opportunities for intensification. This is a matter which needs to be considered on a case-by-case basis with expert advice as to the effects of the proposal on the site or item's values to be protected.

Transport

Safe and convenient access and car parking (where provided) is important to support intensification opportunities. Some roads, because of their state highway or arterial road functions, may not be appropriate for access, or where intensification is proposed specific design measures may be necessary to ensure the safety and function of the road network.

Medium Density Housing Design Matrix

In implementing the Matrix as a matter that is determinative of whether a resource consent must be granted for an comprehensive development it is recognised that:

(a) housing intensification cannot be acceptable without successful urban design and amenity outcomes.

(b) successful urban design outcomes result from the way multiple site variables interact and combine, and that there will always be many different acceptable solutions available on a development site that cannot be achieved by way of conditions alone.

(c) it is not practical or sustainable to adopt regulatory or non-regulatory methods relying on additional assessment personnel (expert urban designers) being required to participate.

(d) it is not practical or sustainable to withhold reasonable certainty for developers and investors, and the community, by way of overly broad discretions and lack of clarity around what is necessary to obtain a resource consent.

The Matrix identifies multiple ways in which proposals can achieve good standards of urban design. These complement the conditions, and rather than often arbitrary interpretation of broad discretions or design guidelines, offer opportunities for applicants and their designers to determine the best means to achieve a successful proposal within the context of the site.

Larger Sites

As well as intensification of existing developed areas, the Medium Density Residential Zone is also used for new greenfield sites in appropriate locations. Some of these sites are also identified in Schedule 16.3D with Outline Spatial Plans (OSPs). These sites have significant opportunities for providing medium density housing. In contrast to smaller sites which may involve infill housing and redevelopment, the larger sites require integrated urban design with the potential to establish roads, reserves and other amenity and infrastructure components necessary for a neighbourhood and can optimise density and resident amenity through the careful consideration of the layout of infrastructure, allotment and dwellings. ODPs are used to set out the specific design and infrastructure outcomes, requirements and considerations for a particular site or area.

Home Occupations

Home occupations have the potential to impact on neighbours in terms of noise, odour, dust, visual effects, vibration, glare, loss of privacy, traffic and parking congestion. Specific activities (spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing) are not permitted home occupations due to the activities inherent unsuitability to the residential environment. The controls are intended to ensure that the residential areas of the District remain dominated by residential, rather than by non-residential, activities.

The total floor area of buildings used for home occupations and the number of people employed on site are limited as key factors in minimising the scale and size of home occupations so that they remain incidental to residential activities on the site. The location of activities is also limited as it can affect the noise and visual amenity enjoyed within a Residential Zone. The hours that a home occupation can operate will affect the level of noise and disturbance experienced in Residential Zones. However, hours of operation are not applicable for home occupations that are visitor accommodation.

Retail sales and display of goods are excluded from sites of home occupations as this activity often involves significant vehicle and pedestrian movements which may generate noise, fumes, glare, disturbance, loss of privacy, traffic and parking congestion, and loss of traffic safety incompatible with the amenity and character of residential areas. Activities which are highly likely to have adverse effects such as odour, dust, vibration and noxiousness are excluded to preserve the amenity of residential areas.

Vehicle trips associated with home occupations are commonly the cause of nuisance, inconvenience, or loss of amenity for neighbours, and limitations on the scale of vehicle trips generated can allow the assessment by way of a resource consent of any activity likely to result in additional traffic generation. The adverse effects of vehicle generation can be exacerbated in cul-de-sacs or on residential accessways shared with neighbours, which are often quieter, narrower, and with more limited parking and manoeuvring space than through streets.

Community Activities

Small-scale community activities are permitted provided they do not generate excessive traffic and noise that can cause a nuisance to neighbours.

Noise

Restrictions on noise levels are necessary in and adjoining a Residential Zone, as generally, prevailing noise levels are low and need to be maintained low in order to protect the pleasantness and amenity of these areas. In

addition, limits on the hours of operation of non-residential activities in residential areas are necessary to maintain the amenity of these areas. The hours over which a non-residential activity operates is a significant determinant in the level of adverse effects likely for neighbours as a result of noise, traffic generation, vibration, loss of privacy, and general disturbance incompatible with residential amenity.

Noise limits are set in relation to the existing background noise levels which have been measured in many residential parts of the District. The dBA Leq level sets a standard for noise measurement attuned to the human ear, which is an average of the noise measured over a specified time interval. This reflects noise levels generated by normal residential activities. The Lmax level controls peak levels of noise at night-time, and minimises sleep disturbance.

Heavy vehicle trips can result in adverse effects that are significantly greater than those of other vehicle trips, as a result of noise, vibration, fumes, traffic congestion and safety. This rule recognises that the storage of heavy vehicles on a site in a residential area can have adverse effects on amenity values.
However, by enabling one vehicle to be stored on a site, it recognises that residents often need to store their employment-related vehicle at home.

Dust and Odour

Dust and odour can adversely affect health and the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

Glare

Lighting can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting. Reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

Farming, Horticulture and Keeping of Animals

The keeping of animals, birds and bees in a Residential Zone is limited so as to avoid and mitigate any adverse effects such as noise, odour, flies, stings (which may be a nuisance or to which people may be allergic). The establishment of new horticultural units is also limited, to mitigate the adverse effects associated with the use of agricultural sprays, shelter belts and trees close to neighbours' boundaries.

Non-notification / limited notification

Proposals for medium density housing which comply with the conditions, and which achieve an appropriate standard of urban design (via the Medium Density Design Matrix), must be non-notified to provide certainty to applicants and the community.

Likewise, infringements of setback for side and rear boundaries and building envelope conditions must be accompanied by affected persons approvals or proceed on a limited notified basis. These two controls are the principal methods to manage effects on neighbouring sites.

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SCHEDULES

Schedule 17.1AA: Medium Density Residential Design Matrix

CATEGORY	ACCEPTABLE SOLUTIONS CHECKLIST	SCORE AVAILABLE (PASS /FAIL ONLY)	SCORE NOMINATED (APPLICANT)	SCORE AWARDED (COUNCIL)	NOTES	*GUIDELINES*
The checklist is a set of acceptable solutions that are optional for Applicants to incorporate but which, if a sufficient number are included within an application, require the Council to grant consent based on relevant urban design considerations having been met. Applicants wishing to use the checklist pathway must complete the checklist as part of their application, with the applicant nominating the matters it has satisfied and with supporting information as relevant included within the application documents. To achieve an overall "pass" for the Matrix the necessary pass score must be achieved for all three categories. The Council will review this and award points (on a pass / fail basis only). The checklist pathway removes uncertainty regarding urban design outcomes, as well as recognising positive outcomes on sites.						
A. EFFECTS ON NEIGHBOURS	**INTERNALISING BUILDING MASS WITHIN THE SITE**					
	1. The total length of buildings taller than 7.5m closer than 9m to an adjoining residential-zoned side or rear boundary is no more than 50% of the length of each boundary.	6			*Only applies to those parts of buildings that are 7.5m or taller.*	*Combined with building height, building length is a primary determinant of building intensity and visual dominance effects. This acceptable solution provides a way of ensuring long buildings contain frequent setbacks and variations so as to maintain spaciousness and light for neighbours. This solution applies mostly to 3-storey buildings.*
	2. The total length of buildings taller than 5m and closer than 5m to an adjoining residential-zoned side or rear boundary is no more than 60% of the length of each boundary.	6			*Only applies to those parts of buildings that are*	*Combined with building height, building length is a primary determinant of building intensity and visual dominance effects. This acceptable solution provides a way of ensuring long buildings*

					5m or taller.	*contain frequent setbacks and variations so as to maintain spaciousness and light for neighbours. This solution applies mostly to 2-storey buildings.*
	For the avoidance of doubt, only one of 1. or 2. can be used.					
	VISUAL AMENITY FOR NEIGHBOURS AND MITIGATION OF VISUAL DOMINANCE EFFECTS					
	3. Where building length exceeds 10m measured along a side or rear boundary, design roof pitches and roof volumes, and orientate roof falls, to have the lowest-necessary height when within 6m of a neighbouring site and minimise loss of sun or daylight for adjoining sites.	3				*Although usually unoccupiable, high-volume, high-pitch roofs close to boundaries can exacerbate shadowing effects that can in almost all instances be significantly avoided or reduced by way of sensitive design. This can also significantly help to avoid or mitigate potential building length effects.*
	4. Provide landscaped areas around the side and rear boundaries of at least 2m (w) x 1m (d) and including 1 x specimen tree with a minimum height of 3m when planted, spaced no more than 15m apart.	3				*Species provided to visually screen or mitigate the effects of development should be evergreen, be positioned on a Site so as to provide for long-term healthy living conditions including drainage, and be selected to have mature heights (or that will be maintained) that can achieve the desired mitigation outcome without unduly limiting sun or daylight access to neighbouring sites. Position*

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						species so as to contain leaf litter within the Site.
	5. Provide variations in the building roof form and elevations by providing a minimum of 250mm depth (walls) or height (roof) change of surface no more than every 10m of building length, for a minimum of 3m.	3				*This acceptable solution seeks to avoid creation of long, continuous building forms and surface planes that can appear out of place in a residential environment. Providing regular variations in surface planes helps to visually break-up larger-scaled buildings, as well as add more visual interest to them.*
	6.) Provide side and rear facades that are visually engaging, avoid monotonous or repetitive built form outcomes, and involve a combination of:	6				*The emphasis of these outcomes is on providing variation and visual interest, not on promoting any particular architectural or aesthetic style. Especially on long or tall buildings, visual repetitiveness or monotony can exacerbate visual dominance effects and just detract from the qualities that neighbours enjoy. Design these buildings to be positive things for neighbours to look at.*
	i visually obvious surface texture or variation in cladding - at least two different claddings or colours per elevation, and no more than 10m building length using any one single cladding or colour.					
	ii. incorporate shadow lines and visual depth through the use of eaves or other recesses or projections (which could include window details), achieving a minimum depth of 100mm;					
	iii. ensuring that individual dwellings can be readily visually distinguished from one another on the Site through materials, colour, and the shape of the building (including recesses, projections, breaks, and roof profile);					

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	iv. complementary detailing including architectural screens, louvres or fins equivalent in coverage to at least 10% of the façade area.					
	VISUAL AND ACOUSTIC PRIVACY AND ENJOYMENT OF PROPERTY					
	7. Provide the principal area of outdoor living space associated with each dwelling at the ground level when it faces an adjoining residential zoned side or rear boundary.	6				*Outdoor living spaces can be a principal generator of nuisance effects for neighbours especially in terms of noise and privacy / overlooking effects. Provide these at the ground level wherever possible, where fencing and landscaping can contain effects between sites.*
	8. Provide a solid acoustic-rated boundary fence adjacent to proposed vehicle access or parking areas, or where the public may gain access to proposed dwellings. The acoustic rated fence shall be a minimum of 2m in height, be solid (no gaps), and have a mass of at least 10kg/m2.	3				*A mass of 10kg/m2 is equivalent to 20-25mm thick plywood or pine and is typical in residential environments for activities that could generate vehicle-related nuisance.*
	9. Where windows are proposed in association with a floor level that is greater than 2m above the natural ground level, and are within 5m of a side or rear boundary, provide habitable room windows that mitigate and minimise overlooking of an adjoining site:					*Visual privacy is an effect that is not just a matter of the number of windows positioned to face a neighbour but for how many dwellings in total. Neighbours feeling they need to keep curtains or blinds shut during the daytime to escape being looked at is not acceptable. Where possible, position windows to not face a neighbour at all by instead orientating them to wide open*

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						spaces within a Site, or to an adjoining street or public space if available. Where windows do face a neighbour, make them as small as possible, and incorporate privacy measures to limit privacy effects.
	i. Where a dwelling fronts a street or an on-site open space of at least 6m depth, orientate principal windows to those rather than adjoining neighbouring sites; and/or	3			*This can be used in addition to one of (ii) to (iv).*	
	ii. Provide high-sill windows (where the sill is at least 1.2m above the floor level) and no full-height (floor-to-ceiling type) windows facing a residential-zoned adjoining site.	3			*Only one of (ii) to (iv) may be used*	
	iii. Provide high-sill windows (where the sill is at least 1.2m above the floor level) and incorporate privacy screens or louvres that limit overlooking of adjoining sites.	3			*Only one of (ii) to (iv) may be used*	
	iv. Provide clear-storey windows (where the sill is at least 1.7m above the floor level) that allow daylight but prevent occupants looking outside facing a residential-zoned adjoining site.	6			*Only one of (ii) to (iv) may be used*	
MINIMUM REQUIRED SCORE TO PASS:		**30**				
SCORE OBTAINED:			**XX**	**YY**		

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CATEGORY	ACCEPTABLE SOLUTIONS CHECKLIST	SCORE AVAILABLE		SCORE AWARDED	NOTES	*GUIDELINES*
B. CONTRIBUTION TO HIGH QUALITY NEIGHBOUR-HOOD ***(ONLY APPLIES TO FRONT SITES)***	**HIGH QUALITY AND SAFE FEELING STREETS**					
	10. Provide at least 2-storey buildings at the front of the Site orientated to face, visually engage with, and overlook the street.	6				*2-storey buildings facing streets maximises visual amenity / quality and passive surveillance benefits, as well as the number of rooms that can have windows positioned to face a street rather than a neighbour.*
	11. At least 20% of the front façade is glazed where the windows are attached to habitable rooms	6				*Glazing adds visual interest as well as opportunities for passive surveillance. Glazing attached to non-habitable rooms does not count towards front façade glazing percentage.*
	12. At least 30% of the front façade is glazed where the windows are attached to habitable rooms	3			This can be added to the score from (11).	
	13. In relation to 11 or 12, one of the habitable rooms facing the street is a kitchen or living room	3			This can be added to the score from (11) and (where applicable) (12).	*Kitchens and living rooms tend to be the most-ocupied during the day and hence maximise passive surveillance benefits.*
	14. Provide a front door to every dwelling adjacent to a front boundary facing the street, that is directly accessible from the street by a direct pedestrian path.	6				*A front door visible and accessible from a street is one of the most effective ways of giving a house a sense of*

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						address along a street, as well as signalling to users that a person could very easily access the street (a contributor to passive surveillance and safety).
	15. Provide a generous and well-landscaped area in front of development.					
	i. At least 60% of front yard landscaping (by area);	3				
	ii. 70%+ of front yard landscaping (by area)	3			This can be added to the score from (15(i)).	
	16. In addition to (15) above, providing 1 x specimen tree planted in the front yard no less than every 6m of site frontage width, with a minimum tree-height of 3m at the time of planting.	3				
	17. Provide for garaging and car parking that does not visually compromise the street.					
	i. For dwellings 7m-or-wider (measured from elevation facing a street), no more than 50% of the width of any dwelling accommodates garaging or car parking, including by way of parking pad or driveway width in front of the dwelling.	3				
	ii. Provision is made for all car parking to be along the side of a development or behind buildings as viewed from the street (with no car parking in front of the front-most building face).	6			*Only one of (i) or (ii) applies.*	

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	18. Avoid the permanent storage of bins, bicycles, washing lines, or other storage or service-related items in the front yard and between dwellings and the street.	3				*Bins, bicycles and washing lines and other related equipment associated with dwellings (such as heat pump units) can add substantial visual clutter and detract from the quality of the street and neighbourhood. The area in front of dwellings plays a very important part in creating a sense of address and visual amenity. Communal waste management measures might be appropriate in higher density developments to achieve this.*
	19. Provide a roofed verandah at least 1.8m deep and at least 4 metres in length to promote occupation and socialisation at the street edge, for every dwelling that fronts the street.	3				*Verandahs can provide a unique way of promoting occupation and socialisation along the edges of a street, reasonable privacy for users, and providing use of the garden in front of a dwelling that may otherwise be left as decorative landscape space.*
	20. Elevate the ground floor level of dwellings that front a street by at least 500mm above the footpath level.	3				*Allowing people to be in a seated position indoors, with their eye-level higher than people standing outside on a public footpath, enhances a sense of privacy and safety for the person on 'higher ground'. This is ideal also for any verandah.*

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	21. Provide variations in the building roof form and elevations by providing a minimum of 250mm depth (walls) or height (roof) change of surface no more than every 9m of building length, for a minimum of 3m.	3				
	22. Provide front facades visible from a street that are visually engaging, avoid monotonous or repetitive built form outcomes, and involve a combination of:	6				*The emphasis of these outcomes is on providing variation and visual interest, not on promoting any particular architectural or aesthetic style. Especially on long or tall buildings, visual repetitiveness or monotony can exacerbate visual dominance effects and just detract from the qualities that users of the street enjoy. Design these buildings to be positive things for neighbours to look at.*
	i. visually obvious surface texture or variation in cladding - at least two different claddings or colours per elevation, and no more than 9m building length using any one single cladding or colour.					
	ii. incorporate shadow lines and visual depth through the use of eaves or other recesses or projections (which could include window details), achieving a minimum depth of 100mm;					
	iii. ensuring that individual dwellings can be readily visually distinguished from one another on the Site through materials, colour, and the shape of the building (including					

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	recesses, projections, breaks, and roof profile); and					
	iv. complementary detailing including architectural screens, louvres or fins.					
	NEIGHBOURHOOD CHARACTER AND AMENITY					
	23. Either retain an existing tree that is greater than 6 metres in height and is a species that will live for more than 150 years or provide at least one new tree that is a suitable specimen species. For either a retained or newly planted tree, on-going legal protection is provided.	6				*Large scale trees are trees with a mature height of 8m or more and are provided with sufficient space around them clear of any competing functions or use such that their long-term health and wellbeing is provided for.* *A newly selected tree should be in scale with the proposed building, i.e. the taller the building the taller the tree. A tree should be planted with the intention of them exceeding a lifespan of 150 years. Trees should:* *- be over 1.8 metres in height at the time of planting.* *- minimum area for root development should be 1.5m by 1.5m and with root guards* *- deciduous for winter sun* *- generally planted on the south side of buildings where possible.*
	24. Incorporate materials, colours, proportions, and building forms that are very common in the immediate locality around a Site in buildings or dwellings that front a street or adjoin a public open space.	3				*In the application materials, include maps and photographs showing the materials, colours, proportions or*

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						building forms being used as a design cue and explain clearly how they have been used in the proposal.
MINIMUM REQUIRED SCORE TO PASS:		**40**				
SCORE OBTAINED:			**XX**	**YY**		

CATEGORY	ACCEPTABLE SOLUTIONS CHECKLIST	SCORE AVAILABLE		SCORE AWARDED	NOTES	*GUIDELINES*
C. ONSITE SAFETY AND FUNCTIONALITY	**OUTDOOR LIVING AND FUNCTIONALITY**					
	25. Provide outdoor living spaces for each individual dwelling 20% or more larger (by area) than the minimum standard per dwelling	6				*Outdoor living spaces perform a wide variety of uses and can often come under pressure for use by different household members including with various types of furniture that often becomes permanent (i.e., tables and chairs or a BBQ). Providing more than the minimum space can add substantial amenity value for residents. Any additional space provided cannot be used for the purpose of storing items detailed in 26.*
	26 Provide permanent storage space for bins, bicycles, washing lines, and other storage or service-related items such that they do not occupy the identified outdoor living spaces.	6				*The ability of outdoor living space to meet the recreational needs of occupants can be compromised, often incrementally, by storing utility type receptacles that in*

						addition to occupying space can bring with them other nuisances (e.g. odour). Acceptable solutions could include the use of side yards, or additional outdoor space adjacent to an identified outdoor living space (being the minimum required by the plan standards, plus the option of any additional area relied on to score points under item 25).
	27. In addition to the minimum outdoor living space per dwelling, or enlarged outdoor spaces as per item 25, provide at least one communal open space of at least 50m^2 with a contiguous shape and minimum dimension of 4m is provided that receives at least 3 hours of continuous sunlight and 4 hours of total sunlight during sunlight hours as measured on the winter solstice.	3				*In addition to private outdoor living spaces, communal spaces can provide excellent amenities for residents that can accommodate large trees or facilities, social spaces for engagement with one another, and recreational needs that cannot be met by individual-dwelling-scaled outdoor living spaces.* *Communal outdoor spaces can also be a great way to provide for the protection of existing mature trees or site features.*
	ON SITE SAFETY					
	28. Provide on-site lighting that complements the building's architectural features and is comprised of wall-washers or downlights, or bulbs otherwise enclosed in an opaque shield so as to avoid disability-glare effects on nearby pedestrians.	3				*On multi-unit sites, the ability of residents and visitors to safely access sites and dwellings is very important. Lighting should complement the visual quality of the*

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						buildings and be of a type that does not create nuisance effects for neighbours or temporarily dazzle or blind people within the site itself.
	29. provide one dwelling that is fully accessible (complies with NZS 4121:2001) including access to an accessible carpark.	3				*Provision of accessible dwellings is historically not well matched with the proportion of the community that needs it (which can also include individuals suffering prolonged but not life-long medical conditions).*
	30. In addition to #29 above, for developments of four or more dwellings provide at least 30% of the dwellings that are fully accessible (complies with NZS 4121:2001) including access to an accessible carpark.	6			*This can be added to the score from 29*	*In the case of a four-dwelling development, a minimum 30% of the dwellings would mean two 2 of the 4 dwellings, where the first dwelling would qualify for 3 points under item 29. This means a total of 9 points is available across 29 and 30.*
	31. Where rear dwellings are proposed on a Site and use an accessway, provide the qualities of a public street for residents and visitors to enjoy:					*Most sites subject to intensification will not be of sufficient dimensions to accommodate public streets, and accessways are a common and efficient solution. But accessways also need to be attractive for pedestrians, visitors, cyclists, and provide opportunities for neighbours within a site to still recreate in the same way people can along streets.*

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	i. Provide a visually obvious pedestrian path of a minimum width of 1 metre from the street to all dwellings that is clear of any required vehicular carriageway space, separated by at least 500mm of landscaping from the front face of dwellings.	6				
	ii. Except for any dwellings that face and front a road, provide a front door for each dwelling facing and that is visually obvious to pedestrians along the accessway and include at least 20% glazing to habitable rooms in that facade.	6				
	iii. Design accessways to be visually interesting and slow vehicular-speed environments by varying surface colours or materials, or textures.	3				
MINIMUM REQUIRED SCORE TO PASS (FRONT SITE AND ONLY FRONT DWELLINGS):		**9**				*This applies to existing front sites where all dwellings proposed directly front the street and are accessed from the street by members of the public or visitors (i.e. where the front door is)*
MINIMUM REQUIRED SCORE TO PASS (ALL OTHER DEVELOPMENTS):		**15**				*This applies to all other developments including front sites that include front dwellings but also dwellings behind those that do not front the street and instead front an onsite accessway, and all developments on rear sites.*
SCORE OBTAINED:				**XX**		

17.2 CENTRAL BUSINESS, COMMERCIAL AND TOURIST SERVICES ZONE RULES

Refer to Policy sets 5.2, 6.6, 6.7, 11.1, 11.2, 14.4.
Refer to Rule sections 16.1, 16.2.

17.2.1 Scope of Section

This section deals with land uses in the Central Business Zone, Commercial Zone, and Tourist Services Zone. Rules apply to all three zones unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.2.2 Land Use - Central Business and Commercial Zones

17.2.2.1 Permitted Activities (Land Use – Central Business and Commercial Zones)

Any land use in the Central Business Zone or Commercial Zone is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) The activity is not one of the following:

(i) an industrial activity (including motor vehicle repairs or dismantling, and sheet-metal work);

(ii) a service station in the Central Business Zone;

(iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

(b) Activities on the ground floor level of buildings in the Central Business Zone in the areas shown on the planning maps as "Shopping Frontages", are limited to retail activities, places of entertainment, professional offices, or reception areas for visitor accommodation.

(c) Dwellings are located only above ground floor level and are provided with an area of open space or a balcony of at least 7 square metres and 1.5 metres minimum dimension, directly accessible from a living area.

Hours of Operation

(d) Non-residential activities on sites immediately adjacent to a Residential Zone or Medium Density Residential Zone operate only between the hours of 7.00 am and 11.00 pm, except for telecommunications and radio communications which are exempt from this requirement.

Storage Area

(e) Where storage areas (other than for vehicles and the display of goods for sale) are located outdoors they are:

(i) located to the rear of any building; and

(ii) screened to prevent windblown debris leaving the storage area; and

(iii) screened with a wall or fence 1.8 metres high from sites in an adjoining Residential Zone or Medium Density Residential Zone.

(f) Buildings are provided with a storage area of at least 4 square metres and a minimum dimension of 1.5 metres.

Amenity Plantings

(g) Amenity plantings of one metre width are provided along all road boundaries, except at access points, where buildings are set back from roads. Telecommunications and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height, are exempt from this requirement.

(h) Amenity plantings 2 metres wide are provided along all boundaries of sites adjoining a Residential Zone or Medium Density Residential Zone. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres. Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height, are exempt from this requirement.

Air Emissions – Dust and Odour

(i) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at, or beyond, the boundary of the site. **C68 7/18 Op 6/19**

(j) Open areas of land and stockpiles of loose material are contained or maintained to prevent materials moving onto other sites and so that dust does not cause an adverse effect at, or beyond, the boundary of the site.

Glare

(k) Exterior lighting is directed away from adjoining residential properties and public places.

(l) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Noise

(m) Noise generated by the activity, measured:

(i) at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

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

C19 5/10 Op 8/12

Noise generated by the activity, measured:

(i) at or within the boundary of a site within a Residential Zone or Medium Density Residential Zone; or

(ii) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakāinga Zone, does not exceed:

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

C19 5/10 Op 8/12

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Sound* and NZS 6802:2008 *Acoustics - Environmental Noise.* **C19 5/10 Op 8/12**

Stormwater

(n) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

C7 7/07 Op 10/10

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Site Specific Activity: Three Brothers Corner Commercial Zone

C49 4/13 Op 8/14

(o) The land use is a retail or commercial activity within the Three Brothers Corner Commercial Zone and complies with the permitted activity 'Land Use' conditions A (1) to (4) set out in Schedule 17.2A.

Site Specific Activity: Richmond North Commercial Zone

C62 3/16 Op 10/17

(p) The land use is a retail, commercial or community activity within the Richmond North Commercial Zone and complies with the permitted activity 'Land Use' conditions A (1) to (5) set out in Schedule 17.2B.

(q) Before any of the retail, commercial, or community activities referred to in condition (p) commence within the Richmond North Commercial Zone, the roundabout at the intersection of Salisbury and Champion roads has been upgraded in accordance with a design that will achieve a typical weekday PM level of service of no worse than Level of Service D on all approaches to the intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater must be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013). The design and engineering plans for the roundabout upgrade are required to be certified by the Council's Engineering Services Manager as meeting the level of service upgrade as specified in this condition and those upgrade works must be constructed within three years of this certification.

Advice Note: Building construction and site works may occur within the zone prior to condition (q) being met, provided all other relevant conditions are met.

17.2.2.1A Restricted Discretionary Activities (Land Use – Site Specific Activity: Richmond North Commercial Zone)

C62 3/16 Op 10/17

Any land use in the Richmond North Commercial Zone that does not comply with the permitted activity condition 17.2.2.1(q) is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Traffic effects on and improvements required to the transport network servicing the site, including effects on the parts of the road network controlled by different road authorities beyond Tasman District and in particular any improvements to the 'Three Roundabouts' required to achieve an appropriate Level of Service.

Note: In the Richmond North Commercial Zone, the New Zealand Transport Agency is an affected person in accordance with section 95B of the Resource Management Act, insofar as this relates to effects on the transport network.

17.2.2.2 Discretionary Activities (Land Use – Central Business and Commercial Zones)

Any land use in the Central Business Zone or Commercial Zone that does not comply with the conditions of rule 17.2.2.1 is a discretionary activity, if it complies with the following conditions:

(a) The activity is not one of the following:

(i) an industrial activity.

A resource consent is required and may include conditions.

17.2.3 Land Use - Tourist Services Zone

17.2.3.1 Permitted Activities (Land Use – Tourist Services Zone)

Any land use in the Tourist Services Zone is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) Except as provided for in (b) and (c), the activity is one of the following:

(i) tourist accommodation, including those licensed to sell liquor, and associated office, service, tourist and recreation promotion and sales activities;

(ii) hire and servicing of sport and recreational equipment;

(iii) tutoring and training in outdoor recreational pursuits and life skills;

(iv) sale of souvenirs, and arts and crafts;

(v) recreational activities and recreational tour bases;

(vi) open space areas, walkways and children's play areas;

(vii) visitor car and bus parking areas;

(viii) restaurants, including those licensed to sell liquor;

(ix) one caretaker's or manager's dwelling per site;

(x) motor garage and service station on the area of land described as Lot 1 DP 10923 and Lot 1 DP 2821 (Main Road, Riwaka);

C73 Op 6/23

(xa) public toilets;

(xb) a public refuse or recycling collection facility of less than 5 square metres in base area and less than 1.8 metres in height;

and in relation to Records of Title NL5C/273 and 11C/391 (Sandy Bay-Marahau Road, Marahau):

(xi) conference and function facilities;

(xii) cultural centre.

(b) For the area zoned Tourist Services at the corner of State Highway 60 and Lansdowne Road, near Richmond, condition (a) does not apply. In this area, the activity is one of the following:

(i) retail sales with a maximum gross floor area of 117 square metres consisting of a general convenience store and tourist information display area;

(ii) a craft shop with a maximum gross floor area of 104 square metres;

(iii) a tavern, hotel, restaurant and/or garden bar with a maximum gross floor area of 677 square metres;

(iv) visitor car and bus parking areas; (v) travellers' accommodation;

(vi) no more than 50 square metres of tourist information display area;

(vii) one dwelling for the caretaker or manager of the site;

(viii) ancillary storage buildings for the permitted activities on the site; and

(ix) any activity authorised by a resource consent granted prior to 30 November 2002.

(c) For the Tourist Services Zone on Salisbury Road, Richmond, any activity listed in condition (a) (other than the one caretaker's or manager's dwelling per site) is a permitted activity if it does not require access from Arbor-Lea Avenue.

(d) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at, or beyond, the boundary of the site. **C68 7/18 Op 6/19**

(e) Open areas of land and stockpiles of loose material are contained or maintained to prevent materials moving onto other sites and so that dust does not cause an adverse effect at, or beyond, the boundary of the site.

(f) Non-residential activities on sites adjoining or across a road from a Residential Zone or Medium Density Residential Zone operate only between 7.00 am and 11.00 pm unless the activity is undertaken 30 metres or more from the nearest residential site boundary. Telecommunications and radio-communications are exempt from this requirement.

(g) Conditions (e) to (n) in rule 17.2.2.1.

(h) There is no direct access onto the Richmond Deviation (State Highway 6).

17.2.3.2 Restricted Discretionary Activities (Land Use – Tourist Services Zone, Salisbury Road – Access)

C19 5/10 Op 8/12

Any land use in the Tourist Services Zone, Salisbury Road, Richmond that does not comply with condition (c) of rule 16.2.2.1 and condition (zb) of rule 16.3.4.1 is a restricted discretionary activity, with Council's discretion restricted to matters of traffic safety.

17.2.3.3 Discretionary Activities (Land Use – Tourist Services Zone)

Any land use in the Tourist Services Zone that does not comply with the conditions of rule 17.2.3.1 is a discretionary activity, if it complies with the following conditions:

(a) The activity is not one of the following:

(i) an industrial activity;

(ii) a service station;

(iii) retail sales of vehicles, boats and caravans.

A resource consent is required and may include conditions.

17.2.4 Building Construction or Alteration

17.2.4.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building in the Central Business, Commercial or Tourist Services Zone, except any building in either the Three Brothers Corner Commercial Zone, ~~or~~ in the Richmond North Commercial Zone or in the Mapua Coastal Commercial Zone as shown in the Outline Spatial Plan in Schedule 16.3D.8 is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions: **C49 4/13 Op 8/14** **C62 3/16 Op 10/17**

Building Coverage

(a) Maximum building coverage is:

(i) 100 percent in the Central Business Zone, except that in the Richmond Central Business Zone, this condition only applies to sites that have frontage onto Queen Street. On other sites in this zone in Richmond, the coverage condition in (a)(ii) applies;

(ii) 75 percent in the Commercial Zone;

(iii) 60 percent in the Tourist Services Zone, except for the Tourist Services Zone at Māpua which is 33 percent. **C22 2/11 Op 1/15**

Height

(b) The maximum height of a building is 13 metres in the Central Business and Commercial Zones in Richmond and Motueka, and 10 metres elsewhere, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) at St Arnaud and in the Tourist Services Zone at Salisbury Road, Richmond, the maximum height is 8.5 metres.

Building Envelope

(c) Buildings on sites that adjoin a Residential Zone or Medium Density Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone or Medium Density Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

(d) Where a Tourist Services Zone adjoins a Residential, Medium Density Residential, Rural or Rural Residential Zone, conditions 17.1.3.1(m), (n) and (o) apply to any building along the zone boundary, except that in the Tourist Services Zone on Salisbury Road, Richmond, conditions 17.1.3.1(m) [daylight angle] and (n) [gable penetration] apply to any building in relation to any Residential Zone or Medium Density Residential Zone boundary.

Shopping Frontages

(e) Buildings in the Central Business Zone in the areas shown on the planning maps as "Shopping Frontages", within two metres of a road, are built up to side boundaries, except to provide access to the rear where there is no alternative and except where the side boundary is with a public reserve or a Residential Zone or Medium Density Residential Zone.

Landscaping

(f) Along the Salisbury Road frontages of the Tourist Services Zone, Richmond, the 10-metre setback is landscaped with such species and scale of plants as are necessary to mitigate the adverse visual effects generated by the height and length of any building development.

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Verandahs

(g) The building sited adjoining the "shopping frontages" defined on the planning maps, on construction or reconstruction, that substantially alters the external appearance, is provided with a verandah. The verandah must be constructed along the full length of all parts of the building facing the road. The height, width and fascia of the verandah must relate to any adjoining verandah to provide continuity of verandah frontage, except where access is provided to the rear of the site. Every verandah erected must be of cantilever or similar construction and allow at least 2.5 metres clearance above the footpath.

Setbacks

(h) (i) The building is set back:

(a) at least 5 metres from boundaries of public reserves;

(b) at least 5 metres from boundaries of sites in an adjoining Residential Zone or Medium Density Residential Zone, except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;

(c) at least 3 metres from the road reserve at Marahau and St Arnaud.

(ii) The building is set back from any boundary with any other zone in accordance with the setbacks required for buildings in that other zone, except as provided for in item (i) of this condition; and except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

Note: Refer to 16.6.2.1(j)(iii) for applicable telecommunication and radio-communication facility setback requirements in the Central Business Zone. **C68 7/18 Op 6/19**

(i) The building is set back at least:

(i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(ia) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(j) The building is set back at least 5 metres from State Highway 60 in the Tourist Services Zone at Appleby, and at least 10 metres from Salisbury Road in the Tourist Services Zone in Richmond. Within the setback area of the Appleby Tourist Services Zone, vegetation does not exceed one metre above natural ground level and fences do not cause a visual barrier more than 1 metre above natural ground level.

Wastewater Disposal

(k) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

Walls in Tourist Services Zone

(l) In the Tourist Services Zone, an offset of at least 2.5 metres is required at intervals no greater than 15 metres along any wall.

Relocatability of Buildings

(m) In the Tourist Services Māpua Zone, all habitable buildings and the restaurant are designed and built with materials which will enable them to be relocatable.

Stormwater **C7 7/07 Op 10/10**

(n) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater. **C7 7/07 Op 10/10**

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.2.4.1A Controlled Activities (Building Construction or Alteration – Site Specific Activity: Three Brothers Corner Commercial Zone)

C49 4/13 Op 8/14

Construction or alteration of a building within the Three Brothers Corner Commercial Zone is a controlled activity if it complies with the controlled activity 'Building Construction or Alteration' conditions B (1) to (14) as set out in Schedule 17.2A.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The external design and appearance of buildings.

(2) The landscaping treatment of the site, including any sculptural or play elements.

(3) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site.

(4) Pedestrian linkages. For the purposes of this matter, considerations of vehicle access is not limited to the definition of "access" set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of road reserve immediately adjacent to the access.

17.2.4.1B Controlled Activities (Building Construction or Alteration – Site Specific Activity: Richmond North Commercial Zone)

C62 3/16 Op 10/17

Construction or alteration of a building within the Richmond North Commercial Zone is a controlled activity if it complies with the controlled activity 'Building Construction or Alteration' conditions B (1) to (20) as set out in Schedule 17.2B.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The external design and appearance of buildings.

(2) The landscaping treatment of the site, including:

(i) the landscape planting design along the Marchwood Grove Boundary incorporating where practicable the retention of established trees along the Marchwood Grove boundary;

(ii) the landscape planting design along the Salisbury and Champion Road frontages;

(iii) any sculptural elements and the undergrounding of the Tasman Power line along Champion Road.

(3) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site.

Note: For the purposes of this matter, consideration of vehicle access is not limited to the definition of "access" set out in Chapter 2. Vehicle access also includes consideration of vehicle crossings, including the area of road reserve immediately adjacent to the access.

(4) The location and appearance of the acoustic barrier.

(5) Pedestrian and cyclist circulation around, into and within the site.

(6) The location of signage.

(7) Traffic effects on and improvements required to the transport network serving the site, achieving typical weekday PM level of service of no worse than Level of Service D on all approaches to the Salisbury Road/Champion Road intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater shall be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013)).

(8) Measures for the effective interception and treatment of contaminants discharged from the site.

Advice Note: Refer to section 36.4.

(10) Completeness and adequacy of the Operational Noise Management Plan, Construction Management Plan and Construction Noise Management Plan for the Richmond North Commercial Zone, as well as the ability of the Operational Noise Management Plan and Construction Noise Management Plan to ensure compliance with the relevant noise conditions under Schedule 17.2B.

17.2.4.1C Controlled Activities (Building Construction or Alteration – Site Specific Activity: Mapua Coastal Commercial Zone

Construction or alteration of a building in the Commercial Zone that is within the Outline Spatial Plan in Schedule 16.3D.8 is a controlled activity if it complies with the following conditions:

(a) The maximum height of a building is 10 metres except to the east of Iwa Street where the maximum height is 7.5 metres.

(b) The external design and appearance of buildings is simple in form and arranged and configured using timber or coastal themed styling.

(c) The design of the building incorporates verandahs and where possible adjoins any neighbouring commercial building(s) at the sides. The verandah must be constructed along the full length of all parts of the building facing the road. The height, width and fascia of the verandah must relate to any adjoining verandah to provide continuity of verandah frontage, except where access is provided to the rear of the site. Every verandah erected must be of cantilever or similar construction and allow at least 2.5 metres clearance above the footpath.

(d) Any car parking on the site is located to rear of buildings.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The external design and appearance of buildings including glare and reflectivity, materials and colour.

(2) Visual effects and dominance of built form relative to adjoining buildings, streetscape, reserves and the use of design features and element to mitigate effects.

(3) Vehicle parking location and design.

(4) Vehicle access, the design of vehicle crossings, parking and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site.

17.2.4.2 Restricted Discretionary Activities (Building Construction or Alteration)

C49 4/13 Op 8/14
C62 3/16 Op 10/17

Construction or alteration of a building that does not comply with the permitted conditions of rule 17.2.4.1 or the controlled conditions of rule 17.2.4.1A ~~or~~ rule 17.2.4.1B or 17.2.4.1C is a restricted discretionary activity, if it complies with the following conditions:

(a) Except as provided for under condition (b), the maximum height of a building is 10 metres, except that for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies.

(b) The maximum height of a building within the Three Brothers Corner Commercial Zone is 10 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may be up to 11.5 metres provided such features do not occupy more than 5 percent of the plan area of the building on which they are located.

(c) The maximum height of a building within the Richmond North Commercial Zone is 7.5 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar features on any building may be up to 9 metres provided such features do not occupy more than 5 per cent of the plan area of the building on which they are located.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Building Coverage

(1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.

(2) The extent to which site development will comply with requirements for setback, landscaping, parking, manoeuvring and loading.

(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site.

(4) The ability of any landscaping or screening to mitigate any effects of a reduction in open space.

Continuity of Building on Shopping Frontages

(5) The visual continuity of building frontage and the character of streets as visually distinctive centres of intensive business activity.

(6) The need for access to the rear of the site for other business activities as well as activities such as off-street parking, loading and storage.

(7) The design and appearance of the building and its relationship with adjoining buildings in terms of height, scale and verandah coverage.

(8) The layout of the site and the options for maximum use of the site.

Setback from a Residential Zone, Medium Density Residential Zone or Public Reserve

(9) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or any reserve, taking into account its design and appearance, bulk and length of walls.

(10) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.

(11) The potential for the development to affect the privacy of the residents or users of the reserve.

(12) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

(13) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

(13A) **Setbacks from Indicative Roads and Reserves** **C73 Op 6/23**

(a) The extent to which alternative practical locations are available for the building.
(b) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.
(c) The extent to which alternative practical locations are available for future reserves.
(d) The effect of the building being sited within the setback of the indicative road or reserve.

Height

(14) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.

(15) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.

(16) The degree to which the increased building height will result in decreased opportunities for views from other sites or from roads.

(17) The potential for any adverse effects created through increased height to be mitigated through site layout, separation distances or the provision of landscaping.

(18) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Building Design and Appearance

(19) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.

(20) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking and landscaped areas.

(21) The extent and quality of amenity planting.

(22) The degree to which the architectural style, materials and colours of the building are compatible with adjoining buildings and the surrounding environment.

(23) The extent to which building design and appearance will adversely affect the natural character of the coast.

(24) The extent to which a building in the Tourist Services Zone (Māpua) is exposed to risk of erosion or inundation.

Services

(25) Provision for the collection and disposal of stormwater and sewage.

Outdoor Storage Space

(26) The extent to which the reduction in outdoor storage space and its location will adversely affect the ability of the site to provide for the storage needs of future activities on the site.

(27) Alternative provision on, or in close proximity to, the site for outdoor storage space to meet the needs of future activities on the site.

(28) The extent to which the lack of screening adversely affects the visual amenity of adjoining sites and public places or will result in wind-blown debris leaving the site.

Verandahs

(29) Where a verandah is not provided, the effect this will have on the visual continuity of building frontage from the street and the distinctive form and character of buildings in areas of intensive business activity.

(30) The number of pedestrians using the street and the extent to which they will be exposed to adverse weather if a verandah is not provided.

(31) The design and appearance of the building and its compatibility with other adjoining buildings in terms of design, height, setback and scale, and the extent of the impact that non-provision of a verandah will have on the architectural cohesiveness of the street.

Access Across Shopping Frontages

(32) The effect of the proposal on visibility from the access and the safe and efficient operation of the site.

(33) The effect of the proposal on the safety of pedestrians and the safe and efficient functioning of the road network.

(34) The effect of any proposed mitigation measures such as landscaping on the safety of pedestrians and the safe and efficient functioning of the road network and on-site vehicle movement.

Stormwater **C7 7/07 Op 10/10**

(35) The ability of the Council-maintained stormwater drainage network to accommodate additional stormwater.

(36) The extent to which the stormwater run-off generated by additional development has been managed.

(37) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

Miscellaneous

(38) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(39) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Site Specific Activity - Three Brothers Corner Commercial Zone **C49 3/14 Op 8/14**

(40) The effect of the design and appearance of the building on the overall streetscape, amenities and character of the surrounding environment, particularly from adjoining residential properties and the intersection of Gladstone Road and Bateup Road.

(41) The extent to which any adverse visual effects can be mitigated by building design (architectural style, scale and design, bulk and length of walls, materials, colours), landscaping, screening or through the proposed use of the setback area.

(42) The effect of any reduced landscaping in terms of the scale and appearance of the buildings in the Three Brothers Corner Commercial Zone, particularly from adjoining residential properties and the intersection of Gladstone Road and Bateup Road.

(43) Any compensating factors for reduced landscaping or screening, including the nature of planting or materials used, the use of open space, the location of parking, manoeuvring or storage areas, or through the use of land within the landscape strip.

(44) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site. For the purposes of this matter, considerations of vehicle access is not limited to the definition of "access" set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of road reserve immediately adjacent to the access.

Site Specific Activity – Richmond North Commercial Zone **C62 3/16 Op 10/17**

(45) The effect of the design and appearance of the building on the overall streetscape, amenity and character of the surrounding environment, particularly from adjoining residential properties and at the intersection of Salisbury and Champion roads.

(46) The extent to which any adverse visual effect can be mitigated by building design (architectural style, scale and design, bulk and length of walls, materials, colours), landscaping (including sculptural elements), screening or through the proposed use of the setback area. This may require the burial underground of the Tasman power line along Champion Road in order to achieve appropriate landscape treatment along this frontage. **C62 3/16 Op 10/17**

(47) The effect of any reduced landscaping on the scale and appearance of the buildings in the Richmond North Commercial Zone, particularly from adjoining residential properties and at the intersection of Salisbury and Champion roads as well as along their frontages, and the ability to retain, as far as practicable, established trees along the Marchwood Grove boundary.

(48) Any compensating factors for reduced landscaping or screening, including the nature of planting or materials used, the use of open space, the location of parking, manoeuvring or storage areas, or through the use of land within the landscape strip.

(49) Vehicle access, the design of vehicle crossings, parking, and measures required (if any) to ensure the safe and efficient movement of vehicles to and from the site. For the purposes of this matter, consideration of vehicle access is not limited to the definition of "access" set out in Chapter 2. Vehicle access also includes consideration of the design of vehicle crossings, including the area of legal road immediately adjacent to the access.

(50) Traffic effects on and improvements required to the transport network serving the site, achieving typical weekday PM level of service of no worse than Level of Service D on all approaches to the Salisbury/Champion road intersection, including with the expected trip generation from the retail, commercial or community activities permitted to operate in the Richmond North Commercial Zone. Achievement of Level of Service D or greater shall be assessed against the relevant Level of Service criteria for roundabouts in the Austroads Guide to Traffic Management Part 3 – Traffic Studies and Analysis (2013)).

(51) The location of signage.

(52) Pedestrian and cyclist circulation around, into and within the site to ensure the safe and efficient movement of passers-by and visitors to the site.

(53) Measures for the effective interception and treatment of contaminants discharged from the site.

Advice Note: Refer to section 36.4.

(54) Completeness and adequacy of the Operational Noise, Construction and Construction Noise management plans for the Richmond North Commercial Zone, as well as the

ability of the Operational Noise and Construction Noise management plans to ensure compliance with the relevant noise conditions under Schedule 17.2B.

17.2.20 Principal Reasons for Rules

Building Coverage

Setting maximum building coverage enables space to be available for amenity plantings and parking. In Central Business Zones, buildings may be built up to boundaries if the site does not adjoin a Residential Zone or Medium Density Residential Zone and alternative provision for car parking is made. Therefore, it is reasonable to allow up to 100 percent building coverage. These areas are recognised as areas of intensive business activity and it is anticipated that there will be a high intensity of building development.

In Commercial Zones, such as in Māpua and Brightwater, a lower coverage allows slightly less intensive use, more in keeping with the surrounding residential areas. Generally in Commercial Zones, building coverage needs to allow for landscaping, parking, access and manoeuvring and the performance requirements are set to provide for this. The performance requirements allow reasonable development opportunities, whilst providing some degree of spaciousness.

The Tourist Services Māpua Zone is distinguished by its unique location on a dynamic sandspit formation at the entrance to the Māpua Channel. Its character is low-key tourist development that can respond to the dynamic nature of the site. High building coverage is inappropriate in this vulnerable environment. **C22 2/11 Op 1/15**

Building Setbacks

Setback is a means of mitigating various adverse effects, such as loss of privacy, loss of amenity, the visual impact of buildings from the street and from other zones (especially the Residential Zone and Medium Density Residential Zone), the lack of available parking areas and lack of opportunity for landscaping. Natural hazards, particularly erosion, are also a consideration.

Buildings in Central Business and Commercial zones may be built up to any boundary to allow landowners or developers to use sites efficiently, as on-site open space, privacy, shading and outlook are less important in these areas, except where they adjoin a Residential Zone or Medium Density Residential Zone or a reserve.

In the main shopping areas of the Central Business Zone, buildings will be required to be built up to road boundaries, except where access needs to be provided to the rear of the site. These performance requirements are intended to maintain the traditional character and form of the main shopping areas of the District and to ensure that there is visual continuity to building frontage along the main streets. It also ensures continuous verandah coverage is able to be achieved. In other parts of the Central Business Zone and in the Commercial Zone, buildings may be set back, although provision for verandahs is also required.

In the Tourist Services Zone on Salisbury Road, Richmond, the building setback has been increased to 10 metres to ensure that the potentially large buildings capable of being erected on these sites do not dominate the street frontage, and to create a higher level of amenity at this entrance to Richmond. The landscaping of the setback is to be undertaken with species and scale of plants designed to mitigate any adverse visual effects of the height and length of buildings along the Salisbury Road frontage.

Side and rear yards are required where Commercial Zones adjoin a Residential Zone or Medium Density Residential Zone or public reserve to allow for screening and landscaping and to provide a degree of separation to protect the amenity of residential areas and reserves from dominance by large buildings.

In the Three Brothers Corner Commercial Zone and in the Richmond North Commercial Zone, an increased building setback is required for larger buildings (those having a gross floor area greater than 500 square metres) to ensure that any larger buildings established within the Zone do not dominate the character and amenity of the surrounding residential environment to the east and south. In addition, a greater building setback is required from the intersection of Gladstone and Bateup roads (Three Brothers Corner Commercial Zone) and Salisbury and Champion roads (Richmond North Commercial Zone) to ensure the opportunity to attain a high level of amenity at these entrances to Richmond. A building setback from the road reserves of Gladstone and Bateup roads and from **C49 3/14 Op 8/14** **C62 3/16 Op 10/17**

Salisbury and Champion roads is required to provide for landscaping of this setback area to mitigate any adverse visual effects of buildings along these frontages.

Indicative Roads and Reserves

C73
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Building Height

Height is a key factor in determining the visual amenity, dominance of buildings, levels of privacy, access to sunlight and daylight, and the spaciousness of an area. In Central Business and Commercial zones, a height of 13 metres allows for three-storey buildings in Richmond and Motueka, while 10 metres allows for two-storey buildings elsewhere. This is intended to enable a gradual increase in the density of Tasman's two largest towns, Richmond and Motueka, and provide for town centre living opportunities above the ground floor. In the smaller towns a 10 metre height limit maintains and enhances the visual amenity of the commercial streets and retains the traditional two-storey character. In the Mapua Waterfront Commercial Zone to the east of Iwa Street single storey building heights are considered appropriate to maintain the existing commercial pattern. A two storey maximum height limit is appropriate for the remainder of the Mapua Waterfront Commercial Zone to enable the development of a mixed use area with the potential for first floor living or offices. ~~This is intended to maintain and enhance the visual amenity of the commercial streets, retain the traditional two-storey character of these streets and avoid new building significantly in excess of existing heights.~~ In the Tourist Services Zone on Salisbury Road, Richmond, the building height has been reduced to a maximum of 8.5 metres as a permitted activity, with any building up to 10 metres being a restricted discretionary activity subject to the criteria in rule 17.2.4.2.

Daylight admission lines are intended to reduce shading of adjoining residential sites by ensuring that buildings are contained within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line will vary depending on the orientation of the building to the sun and is based on obtaining some sun onto sites even in mid-winter at midday. The angle has been set at a level that ensures reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

A specific exemption provides for certain features located on the roofs of buildings within the Three Brothers Corner Commercial Zone and the Richmond North Commercial Zone to exceed the maximum permitted building height. This exemption is limited to those features which do not exceed the maximum permitted height by more than 1.5 metres and they do not occupy more than 5 percent of the plan area of a building. This exemption recognises the relatively small size of these features and, when combined with the specific controls on building setbacks and landscaping within the Three Brothers Corner Commercial Zone and the Richmond North Commercial Zone, will provide an appropriate level of amenity for the surrounding environment.

Building Design and Appearance

C22 2/11
Op 1/15

The appearance of coastal areas and areas with specific character or heritage areas, such as St Arnaud and Mapua, can be adversely affected by the design, appearance and layout of buildings. It is important that buildings in these areas are integrated with these features. By requiring resource consents before establishing buildings, Council can assess whether buildings will integrate with the surrounding environment.

Outdoor Living Space

A minimum area, shape and location of outdoor living space is required for dwellings to ensure that an area is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and meet needs for access to sunlight and fresh air.

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone or Medium Density Residential Zone. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas. Additional landscaping is required along the Salisbury Road frontage in the Tourist Services Zone on Salisbury Road, Richmond, to ensure a high standard of amenity is achieved along this stretch of road at this important entrance to Richmond. This is designed to reduce the dominance of any large buildings and to enhance the streetscape.

C49 3/14
Op 8/14
C62 3/16
Op 10/17

The Three Brothers Corner Commercial Zone is located at a relatively high profile intersection at the corner of Gladstone Road and Bateup Road, Richmond. The Richmond North Commercial Zone is also located at a high profile intersection, at the northern approaches to Richmond, at the corner of Salisbury and Champion roads. Further, the Three Brothers Corner Commercial Zone adjoins a Residential Zone along its southern and eastern boundaries, and the Richmond North Commercial Zone adjoins a Residential Zone along its south-western and south-eastern boundaries. Recognising these locations, specific landscaping treatment (prescribed minimum depths and tree planting at specified intervals) is required along road frontages and boundaries with the Residential Zone, with a minimum percentage of the Zone to be set aside for landscaping. These specific landscaping controls will ensure a high standard of amenity is achieved, and will assist in reducing the dominance of buildings and hard stand areas established within the Zone.

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Verandahs

Verandahs are a traditional feature of many New Zealand towns and have a significant role in the visual and architectural integrity of the shopping areas of the settlements. In addition to their visual effect, they also provide shelter from adverse weather, adding to the convenience and pleasantness of the commercial areas.

Activities and Effects

The nature of activities that can occur in the Central Business Zones fronting onto the "main streets" of Richmond, Motueka and Tākaka are limited in order to enhance the vitality of these centres. It is intended to limit businesses with large open sealed areas that fragment the continuity of buildings and may result in glare from parked cars. Residential activities in the Central Business and Commercial zones are limited to above ground floor. It is not considered that residential activities should be excluded from Commercial and Central Business zones, however people residing in business areas should not expect to enjoy the same level of amenity as in a Residential Zone or Medium Density Residential Zone.

Effects such as odour, vibration and dust are difficult to accurately measure and define. Consequently, it is difficult to separate activities solely on the basis of their effects. Therefore, activities have been grouped in terms of their general nature, for example, service, industrial, residential or commercial. The rules intend to exclude service and industrial activities from Central Business and Commercial zones. These activities are likely to have effects such as odour, vibration, dust, heavy traffic and lack of visual appeal, which adversely affect the amenity of these areas where there are likely to be intensive concentrations of people, and higher levels of environmental quality are sought. As the Commercial Zone contains a mixture of retail and light industrial activities with substantial concentrations of people, industrial activities are also excluded from this zone to enhance the amenity of these areas.

Service stations are not encouraged in Central Business Zones as they may attract significant amounts of traffic and do not have the visual amenity and retail vitality sought in the town centres, adversely affecting amenity or traffic safety in these areas. However, on some sites on the perimeter of the Central Business Zone it may be possible to avoid or mitigate these adverse effects.

The Tourist Services Zone is a special purpose zone, and accordingly the rules, provide for a limited number of activities, which distinguishes this zone from the more general Central Business and Commercial zones. The zone provides for tourist and holiday accommodation, along with service and tourist support activities. As the zone areas are generally small and are often in relatively sensitive rural locations, there are some additional rules addressing potential cross-boundary effects. In the Tourist Services Zone in Salisbury Road, Richmond, a number of activities seeking high visibility and good accessibility could establish on the road frontage. These could also generate significant traffic movements around the Champion Road/Salisbury Road intersection. Access from Salisbury Road to any new developments is to be restricted, with permitted activity access to be either from the existing entrance on Lot 2 DP 18824 (123 Salisbury Road) or from Champion Road. Any activity requiring other access from Salisbury Road is a restricted discretionary activity so that its impact on the traffic safety criterion can be assessed.

The Three Brothers Corner Commercial Zone is a 'site specific' Zone, located at the intersection of Gladstone and Bateup roads, occupying an area of approximately 1.7 hectares. The Zone provides principally for a supermarket, along with other compatible smaller-scale retail and or commercial activities to establish within the Zone. **C49 3/14 Op 8/14**

The Richmond North Commercial Zone is also a 'site specific' Zone, located at the intersection of Salisbury and Champion roads, occupying an area of approximately 1.3 hectares. The Zone provides principally for a supermarket, along with other compatible smaller-scale retail, commercial, and small-scale community facilities. **C62 3/16 Op 10/17**

The rules for both of these site-specific zones reflect the location and the activities anticipated to establish in the Zones and, as such, provide for a certain scale of retail and commercial activity in conjunction with specific controls on access, landscaping, and building setbacks, all of which distinguish these zones from other Commercial Zones. **C49 3/14 Op 8/14** **C62 3/16 Op 10/17**

SCHEDULES

C49 4/13
Op 8/14

Schedule 17.2A: Three Brothers Corner Commercial Zone

Refer to 17.2.2.1(o), 17.2.4.1A and Zone maps 23, 57 and 128.

Permitted Activity Conditions

A. Land Use

Any land use within the Three Brothers Corner Commercial Zone is a permitted activity if it is a retail or commercial activity that complies with the following conditions:

General

(1) Any activity complies with the applicable permitted activity conditions relating to 'particular activities', 'hours of operation', 'storage area', 'air emissions – dust and odour', 'glare' and 'stormwater' as contained in 17.2.2.1. Any activity is otherwise exempt from complying with the applicable permitted activity conditions relating to 'amenity plantings' and 'noise' as contained in 17.2.2.1, as specific requirements are imposed within this schedule relating to those matters.

Specific Activity Controls

(2) Any activity only consists of:

(a) a supermarket, provided:

(i) it does not exceed 4,000 square metres gross leasable floor area, and

(ii) it is located within Indicative Development Area "A" shown on the Structure Plan in the Planning Maps.

(b) any other retail or commercial activity provided:

(i) the gross leasable floor area of any individual tenancy does not exceed 250 square metres;

(ii) there are no more than four tenancies;

(iii) the total gross leasable floor area of all tenancies does not exceed 400 square metres; and

(iv) it is located within Indicative Development Area "B" shown on the Structure Plan in the Planning Maps.

Noise

(3) Noise generated by any activity within the Three Brothers Corner Commercial Zone, measured:

(a) at or within the boundary of a site within a Residential Zone;

or

(b) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakāinga Zone,

does not exceed:

C49 4/13
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Day	Time Period	Noise Limit
Weekdays and Saturdays	Daytime (0700 – 2200) Night-time (2200 – 0700)	55dB LAeq (15 min) 40dB LAeq (15 min) 70 dB LAFmax
Sundays	Morning (0700 – 0900) Evening (2000 – 2200)	50dB LAeq (15 min)
	Daytime (0900 – 2000)	55dB LAeq (15 min)
	Night-time (2200 – 0700)	40dB LAeq (15 min) 70 dB LAFmax

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 *Acoustics Measurement of Sound* and NZS 6802:2008 *Acoustics – Environmental Noise.*

(4) In the Three Brothers Corner Commercial Zone, there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:

(a) Noise Management Plan objectives.

(b) Mitigation and management measures to be adopted to ensure compliance with the noise limits set out in (3).

(c) Noise modelling; noise monitoring; auditing and reporting procedures.

(d) Noise complaint handling procedures and community liaison.

(e) Procedures for amendments and review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Tasman District Council offices for inspection by the public at any time.

Controlled Activity Conditions

B. Building Construction or Alteration

The construction or alteration of a building within the Three Brothers Corner Commercial Zone is a controlled activity, if it complies with the following conditions:

General

(1) Any construction or alteration of a building complies with the applicable permitted activity conditions relating to 'building coverage', 'building envelope', 'wastewater disposal', and 'stormwater' as contained in 17.2.4.1. Any construction or alteration of a building is exempt from complying with the applicable permitted activity conditions relating to 'height' and 'setbacks', as contained in 17.2.4.1, as specific requirements are imposed within this schedule relating to those matters.

Height

(2) The maximum height of a building within the Three Brothers Corner Commercial Zone is 10 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may be up to 11.5 metres provided such features do not occupy more than 5 percent of the plan area of the building on which they are located.

Landscaping

(3) The minimum percentage of the Three Brothers Corner Commercial Zone to be set aside as a landscaped area is 15 percent.

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(4) A landscaping strip with a minimum average width of 3.0 metres and a minimum width of 2.0 metres is provided along all road boundaries, except at access (vehicle or pedestrian) points. **C49 4/13 Op 8/14**

(5) A landscaping strip with a minimum average width of 2.0 metres and a minimum width of 1.5 metres is provided along all boundaries of sites adjoining a Residential Zone, except where pedestrian walkways are provided and these walkways form part of an integrated pedestrian network through the Three Brothers Corner Commercial Zone.

(6) Where the Three Brothers Corner Commercial Zone adjoins a Residential Zone, provision is made for landscaping, fence(s), wall(s) or a combination to at least 1.8 metres in height along the length of the zone boundary.

Trees

(7) Road frontages are planted with a minimum of one tree, plus one additional tree for every 10 metres of road frontage (e.g., 10 metres frontage - 2 trees, 20 metres frontage - 3 trees, etc.). Any trees required are planted along the road frontage and in front of any buildings on the site. Trees are planted no more than 15 metres apart, and no closer than 4 metres apart.

(8) Within the landscape strip required by B(5) above, trees are planted at a rate of:

(a) One tree every 10 metres, or

(b) One tree for every 1.5 metres where hedged and maintained at a height of between 2.2 metres and 2.5 metres.

Trees required by this rule are selected from the following list:

Botanical Name	Common Name	Habit
Pittosporum crassifolium	NZ karo	Evergreen
Pittosporum ‘Stephens Island’	NZ pittosporum	Evergreen
Prunus lusitancia	Bay laurel	Evergreen
Pyrus calleryana ‘Aristocrat’	Ornamental pear	Deciduous
Ulmus ‘Lobel’	Upright elm	Deciduous

(9) One tree is planted for every five parking spaces provided on the site. Trees are planted within or adjacent to the carparking area. **C49 4/13 Op 8/14 NPS-UD 9/21**

Building Setbacks

(10) Any building is set back:

(a) At least 4 metres from boundaries in an adjoining Residential Zone;

(b) At least 2 metres from the road reserve of Gladstone Road

(c) At least 2 metres from the road reserve of Bateup Road (as at 27 April 2013);

(d) At least 4 metres from the boundary of Eastern Hills Drain (boundary of Lot 181 DP 18529 and Lot 1 DP 18998);

(e) At least 30 metres from the intersection of Gladstone Road / Bateup Road. Measurement is from the boundary tangent points if they were extended.

(11) Notwithstanding B(10)(a) above, any building which exceeds a gross floor area of 500 square metres is set back:

(a) At least 10 metres from boundaries in an adjoining Residential Zone.

Access and Vehicle Crossings

(12**)** Access and vehicle crossings must comply with the applicable permitted activity conditions in 16.2 (Transport (Access, Parking and Traffic)), except that:

(a) Vehicular access from the Three Brothers Corner Commercial Zone is to be limited to a single access point/vehicle crossing to each of Gladstone Road and Bateup Road provided that:

(i) the vehicle crossing to Gladstone Road is located no closer than 80 metres to the intersection of Gladstone Road / Bateup Road; and

(ii) the vehicle crossing to Bateup Road is located no closer than 70 metres to the intersection of Gladstone Road / Bateup Road.

In both cases, measurement is from the boundary tangent points if they were extended.

Note: Within the Three Brothers Corner Commercial Zone, a vehicle access point that includes a physical island that separates inbound and outbound movements for the purpose of restricting some turning movements and/or providing a waiting place for pedestrians crossing the access point is treated as a single vehicle access/crossing point.

Signage

(13) Any signage must comply with the applicable permitted activity conditions relating to outdoor signage and advertising as contained in 16.1 (Outdoor Signs and Advertising), except that a single free-standing sign with a maximum height of 8 metres and a maximum area of 18 square metres (or 36 square metres where double sided) may be established along Gladstone Road.

Structure Plan

(14) Any development within the Three Brothers Corner Commercial Zone is in general accordance with the Structure Plan identified in the Planning Maps.

Schedule 17.2B: Richmond North Commercial Zone

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Refer to 17.2.2.1(p), 17.2.4.1B and Zone maps 23, 57 and 130.

Permitted Activity Conditions

A. Land Use

Any land use within the Richmond North Commercial Zone is a permitted activity if it is a retail, commercial or community activity that complies with the following conditions:

General

(1) Any activity complies with the applicable permitted activity conditions relating to ‘particular activities’, ‘storage area’, ‘air emissions – dust and odour’, ‘glare’ and ‘stormwater’ as contained in rule 17.2.2.1.

(2) In relation to ‘stormwater’, the following specific permitted activity condition also applies in addition to rule 17.2.2.1:

(a) Land for both primary and secondary flow paths must be provided for in any stormwater diversion or discharge.

(3) Any activity is otherwise exempt from complying with the applicable permitted activity conditions relating to ‘hours of operation’, ‘amenity plantings’ and ‘noise’ in rule 17.2.2.1, as specific requirements are imposed within this Schedule relating to those matters.

Specific Activity Controls

(4) Any activity consists only of

(a) a supermarket, provided:

(i) it does not exceed 3,200 square metres gross leasable floor area,

(ii) it is located within Indicative Development Area "A" shown on Structure Plan 2 on the planning maps, and

(iii) opening hours are 07.00 am to 10.00 pm, Monday to Sunday.

Advice Note: For the purposes of this condition, the enclosed loading bay required by condition B(19) is not included in "gross leasable floor area".

(b) any other retail or commercial activity provided:

(i) the total gross leasable floor area of all tenancies does not exceed 200 square metres; and

(ii) it is located within Indicative Development Area "B" shown on Structure Plan 2 on the planning maps.

(c) one or more community activities provided:

(i) the total gross leasable floor area of all tenancies does not exceed 600 square metres;

(ii) the activities are located within Indicative Development Area "C" shown on Structure Plan 2 on the planning maps; and

(iii) the activity comprises a medical centre, childcare facility or gymnasium.

(d) delivery of goods by Heavy Goods Vehicles only occurs between 9.00 am and 8.00 pm on Sundays and Public Holidays and, for other days, only occurs between 7.00 am and 8.00 pm. All Heavy Goods Vehicles visiting the site are to enter the site via Salisbury Road and exit via Champion Road.

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Operational Noise

(5) Noise generated by any activity within the Richmond North Commercial Zone, measured:

(a) at or within the boundary of a site within a Residential Zone or Medium Density Residential Zone; or

(b) at or within the notional boundary of any dwelling in a Rural, Rural Residential or Papakāinga Zone, does not exceed:

Day	Time Period	Noise Limit
Weekdays and Saturdays	Daytime (0700 – 2000) Evening (2000 – 2200) Night-time (2200 – 0700)	55dB LAeq (15 min) 50dB LAeq (15 min) 40dB LAeq (15 min) 70 dB LAFmax
Sundays and public holidays	Morning (0700 – 0900) Evening (2000 – 2200)	50dB LAeq (15 min)
	Daytime (0900 – 2000)	55dB LAeq (15 min)
	Night-time (2200 – 0700)	40dB LAeq (15 min) 70dB LAFmax

Noise must be measured and assessed in accordance with the provisions of NZS6801:2008 *Acoustics Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

Advice Note: *Buildings* considered under rules 17.2.4.1B and 17.2.4.2 in the Richmond North Commercial Zone must submit an Operational Noise Management Plan as part of any application. Among other matters, the management plan will demonstrate how the use of the site will meet the above conditions. *See Chapter 19, section 19.2.1.*

Controlled Activity Conditions C62 3/16 Op 10/17

B. Building Construction or Alteration

The construction of a building within the Richmond North Commercial Zone is a controlled activity if it complies with the following conditions:

General

(1) Any construction or alteration of a building complies with the applicable permitted activity conditions relating to 'building coverage', 'building envelope', 'wastewater disposal', and 'stormwater' as contained in 17.2.4.1.

Advice Note: The enclosed loading bay required by condition (19) is exempt from the building envelope requirement.

(2) Any construction or alteration of a building is exempt from complying with the applicable permitted activity conditions relating to 'height' and 'setbacks', as contained in 17.2.4.1, as specific requirements are imposed within this Schedule relating to those matters.

(3) In relation to stormwater, land for both primary and secondary flowpaths must be provided for in any stormwater diversion or discharge.

Advice Note: Refer to Section 31.1.5.

Height C62 3/16 Op 10/17

(4) The maximum height of a building is 7.5 metres, except that plant rooms, air conditioning units, ventilation ducts, cooling towers, roof/sun lights or similar architectural features on any building may exceed 7.5 metres provided such features do not exceed 9.0 metres and do not occupy more than 5 percent of the plan area of the building.

Landscaping

(5) The minimum percentage of the Richmond North Commercial Zone to be set aside as a landscaped area is 12 percent.

(6) A landscaping strip with a minimum average width of 3 metres and a minimum width of 2 metres is provided along all road boundaries, except at access (vehicle or pedestrian) points, and in the pedestrian areas adjoining the building on the Champion Road frontage. The pedestrian areas of the site must be appropriately formed with hard landscaping such as paving and contain a minimum of four street trees and street furniture.

(7) A landscaping strip with a minimum average width of 1.5 metres is provided along all boundaries of the site adjoining a Residential Zone or Medium Density Residential Zone, except for:

(a) the boundary with the adjacent site to the south-east where a landscaping strip with a minimum width of 1.5 metres is provided; and:

(b) where pedestrian walkways are provided, these walkways form part of an integrated pedestrian network through the Richmond North Commercial Zone where no landscaping strip is required.

(8) Where the Richmond North Commercial Zone adjoins a Residential Zone or Medium Density Residential Zone, provision is made for landscaping and an acoustic barrier to at least 2.5 metres in height along the length of the zone boundary.

Trees

(9) Road frontages are planted with a minimum of one tree, plus one additional tree for every 10 metres of road frontage (for example 10 metres frontage - 2 trees, 20 metres frontage - 3 trees, etc.). Trees are planted along the road frontage and in front of any buildings on the site. Trees are planted no more than 15 metres apart, and no closer than 4 metres apart. Species are to be selected from the list in condition (10) or such other species as may be approved by the Council. Trees along the Salisbury and

Champion Road boundaries shall be at a minimum 3-3.5m high at the time of planting with a caliper of 50mm. All trees along the Salisbury and Champion Road boundaries shall be planted with root guard barriers.

(10) Within the landscape strip required by condition (7) above, trees are planted at a rate of one tree every 10 metres, or one tree for every 1.5 metres where hedged, and are between 2.2 and 2.5 metres in height at time of planting, with species to be selected from the following list, or such other species as may be approved by the Council:

Botanical Name	Common Name	Habit
Marchwood Grove Boundary and Southern Boundary		
Acer palmatum	Japanese Maple	Deciduous
Acer rubrum cultivars	Red Maple	Deciduous
Alectryon excelsus	Titoki	Evergreen
Cordyline australus	Cabbage tree	Evergreen
Corokia sp	Corokia	Evergreen
Fagus 'Dawyck Gold'	Gold columnar Beech	Deciduous
Fagus sylvatica ' Riversii '	River Purple Beech	Deciduous
Fraxinus excels 'Aurea'	Golden Ash	Deciduous
Fraxinus ornus	Manna Ash	Deciduous
Fraxinus sylvatica 'Purple Spire'	Purple Spire Ash	Deciduous
Griselinea littoralis	Griselinea	Evergreen
Kunzia ericoides	Kanuka	Evergreen
Phormium cookianum (dwarf)	Mountain flax	Evergreen
Pittosporum 'Stephens Island'	NZ Pittosporum	Evergreen
Plagianthus regius	Ribbonwood	Evergreen
Sophora macrophylla	Kowhai	Evergreen
Pseudopanax 'Cyril Watson'	Pseudopanax	Evergreen
Street Trees		
Fraxinus purple spire	Ash	Deciduous
Melia azedarach	Melia	Deciduous
Quercus palustris	Pin Oak	Deciduous
Grasses		
Astelia 'westland'	Astelia	Evergreen
Chionochloa flavicans	Dwarf toe toe	Evergreen
Coprosma virescens	Coprosma	Semi deciduous
Dianella nigra	Dianella	Evergreen
Hebe 'black panther'	Hebe	Evergreen
Libertia sp	NZ iris	Evergreen
Lomandra 'little pal'	Lomandra	Evergreen
Muehlenbeckia astonii	Muelenbeckia	Evergreen
Phormium cookianum (dwarf)	Mountain flax	Evergreen
Ground Cover		
Acaena inermis 'Purpurea'	New Zealand Burr	Evergreen
Coprosma acerosa taiko 'red rocks'	Coprosma	Evergreen
Muehlenbeckia axillaris	Muehlenbeckia	Evergreen

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(11) One tree is planted for every five parking spaces provided on the site. Trees are planted within or adjacent to the car parking area. The car parking contains at least 14 trees with all of these planted in tree pits.

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(12) Plantings are designed and established to meet the following requirements:

(a) The minimum planting size of trees specified in conditions (6) and (7) is a 50-millimetre caliper at shoulder height to minimise effects of vandalism.

Advice Note: Staking may be required.

(b) Plantings are watered during the first two summers, if necessary, to maintain tree health.

(c) Plantings that die or are damaged are replaced.

(d) The trees selected for the landscape strip required by condition (10) are capable of reaching a minimum of 6-8 metres in height at maturity.

(e) Once mature, the trees are actively maintained at their mature heights.

Acoustic Barrier

(13) An acoustic barrier of 2.5 metres in height is provided along the entire length of the south-western site boundary and south-eastern site boundary, decreasing in height within no more than 5 metres of Salisbury and Champion Roads to allow for safe sight distances at the south-eastern site boundary.

(14) This barrier shall: **C62 3/16 Op 10/17**

(a) be offset 2 metres from the Marchwood Grove boundary for the first 11 metres from Salisbury Road to provide amenity planting along Marchwood Grove;

(b) be located on the site so as to enable, planting to be located on the outer side of this barrier for the purposes of screening and mitigation of the acoustic barrier;

(c) consist of a close boarded or overlapping treated pine fence with timber capping; and

(d) the footings are to be placed in the best positions to provide suitable growing conditions for planted landscape screening along those boundaries.

Building Setbacks

(15) Any building is set back:

(a) at least 10 metres from boundaries with the adjoining Residential Zone or Medium Density Residential Zone;

(b) at least 75 metres from the legal road boundary with Salisbury Road;

(c) at least 5 metres from the legal road boundary with Champion Road.

Note: The acoustic barrier in condition (13), the signage in condition (17), and the enclosed loading bay in (19) are exempt from these setback requirements.

Access and Vehicle Crossings

(16) Access and vehicle crossings comply with the applicable permitted activity conditions in 16.2 (Transport (Access, Parking and Traffic)), except that:

(a) vehicular access from the Richmond North Commercial Zone is to be limited to a single 'left in-left out' access point and vehicle crossing at Salisbury Road and is limited to no more than two access points and vehicle crossings at Champion Road, the most southern of which is only for servicing vehicles egress;

(b) a vehicle access point that includes a physical island that separates inbound and outbound movements for the purpose of restricting some turning movements or providing a waiting place for pedestrians crossing the access point is be treated as a single vehicle access point and vehicle crossing.

Signage

(17) Any signage complies with the applicable permitted activity conditions relating to outdoor signage and advertising as contained in 16.1 (Outdoor Signs and Advertising), except that two free-standing signs, each with a maximum height of 8 metres and a maximum sign area each of 26.4 square metres (on each side where double sided), may be established along the Salisbury Road and Champion Road frontages.

Structure Plan

(18) Any development within the Richmond North Commercial Zone shall be in general accordance with Structure Plan 2 for the zone shown on the planning maps.

Loading Bay

(19) An enclosed loading bay associated with the supermarket development shall be provided to assist in achieving compliance with applicable noise standards.

Construction noise C62 3/16 Op 10/17

(20) Construction noise must be measured and assessed in accordance with NZS 6803:1999 *Acoustics – Construction Noise* and must, as far as practicable, comply with the following noise limits:

Day	Time of Day	Noise Limit	
		dB LAeq	dB LAFmax
Monday to Friday	0630 – 0730 hrs	55	75
	0730 – 1800 hrs	70	85
	1800 – 2000 hrs	65	80
Saturdays	0730 – 1800 hrs	70	85
Sundays and public holidays	0730 – 1800 hrs	55	85
At all other times	-	45	75

17.3 MIXED BUSINESS ZONE RULES

Refer to Policy sets 5.1, 5.5, 6.5, 6.6, 9.3, 11.1, 11.2. C10 10/07 Op 3/14

17.3.1 Scope of Section

This section deals with land uses in the Mixed Business Zone. Subdivisions are dealt within Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activiti and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. NES-FW (ca) 12/20

17.3.2 Land Use C10 10/07 Op 3/14

17.3.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) The activity is not one of the following:

(i) A retail activity ~~less than 500 square metres gross leasable floor area, including any separate tenancy less than 500 square metres, with the exception of the~~ C10 10/07 Op 3/14

~~following retail activities that can be less than 500 square metres gross leasable floor area~~ unless it is for the purpose of:

(a) Trade supply activities and outlets.

(b) ~~Retail~~ The sale of goods produced or processed on site and ancillary products to goods produced or processed on the site where the gross floor area of the retail sales component does not exceed more than 10% of the total gross floor area of the activity.

(c) Outdoor storage, display or sales areas for the retail sale of vehicles, machinery, and equipment greater than 3,000square metres. **C10 10/07 Op 3/14**

(d) Restaurants, cafes, food takeaway outlets and licensed premises ~~in the Richmond West Development Area~~. **C43 4/13 Op 1/15**

(e) ~~Dairy or grocery stores which are less than 200 square metres gross leasable floor area.~~ **C10 10/07 Op 3/14**

(e) The sale of hardware, automotive or marine supplies, building supplies, garden and landscape supplies, furniture and / or whiteware.

(f) The hire of goods which require outdoor storage.

(g) A service station.

(ii) Except for the retail activities listed in condition (a)(i) a A retail activity ~~greater than 3,000 square metres Gross Leasable Floor Area.~~ with a minimum gross leasable floor area of 450 square metres per individual retail activity tenancy and a maximum total gross floor area of 3000 square metres per site or a maximum total gross floor area of 30 percent of the net site area, whichever is the smaller.

~~(iii) An outdoor storage, display or sales area for the retail sale of vehicles, machinery, and equipment, greater than 3,000 square metres.~~

~~(iv) A non-retail activity, or a retail activity where less than 70 percent of the Gross Leasable Floor Area or area is dedicated to retail sales, along the Retail Frontage shown on the planning maps.~~

(v) A residential activity, or visitor or tourist accommodation.

(vi) A community activity, except on Part Section 217 Waimea East District (Lower Queen Street, Richmond, occupied by Nelson Marlborough Institute of]Technology) where the permitted activity is education, training and research; and on Part Section 215 Waimea East District (Lower Queen Street, Richmond, occupied by Grace Church).

(vii) Intensive livestock farming, or commercial boarding or breeding of animals. **C10 10/07 Op 3/14**

(viii) A rural industry, motor vehicle repairs or dismantling, or sheet metal work, on sites adjoining a Residential Zone or Medium Density Residential Zone.

(ix) A refuse transfer station and recycling station.

(x) A crematorium.

(xi) A constructed or marked out landing area or pad for helicopters (other than for medical or fire-fighting purposes), an aircraft landing strip, aerodrome or airport.

(xii) A trade supply activity or outlet, or an outdoor storage, display or sales area for the retail sale of vehicles, machinery and equipment, on a site adjoining Pt Lot 1 DP 13750 (Lower Queen Street, Richmond, occupied by Oakwoods Retirement Village).

Hours of Operation

(b) Non-residential activities on sites adjoining a Residential Zone or Medium Density Residential Zone operate only between the hours of 7.00 am and 11.00 pm, except for telecommunications and radio communications and substations which are exempt from this requirement.

Storage and Service Area

(c) Where storage areas (other than for customer and employees' vehicles and the display of goods for sale) are located outdoors they are:

(i) located to the rear of any building or outdoor area where there is no building;

(ii) screened from public view;

(iii) screened or covered to prevent windblown debris leaving the storage area;

(iv) screened with a wall or fence 1.8 metres high from adjoining sites or dense planting of vegetation capable of growing to 1.8 metres high;

(vi) maintained with an all-weather dust free surface;

(vii) separated from and do not encroach onto a parking, pedestrian, loading and manoeuvring area, or amenity planting area.

(d) Buildings are provided with a storage area at least 10 square metres or 1 percent of the gross floor area of the building, whichever is the greater, and a minimum dimension of 2.5 metres.

Storage Envelope (Lot 1 DP 457909) **C10 10/07 Op 3/14**

(e) The outdoor storage of goods or materials on Lot 1 DP 457909 (at the eastern end of the McPherson Street extension), located within 6 metres of a boundary with the Open Space Zone, does not project beyond an envelope constructed at an angle of 45 degrees (1:1) from a height of 2.5 metres above ground level at the boundary with that Zone. This restriction does not apply to the parking of vehicles or mobile equipment that are roadworthy.

Air Emissions – Dust and Odour **C10 10/07 Op 3/14**

(f) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site. **C68 7/18 Op 6/19**

(g) Open areas of land and stockpiles of loose material are contained or maintained to prevent materials moving onto other sites and so that dust does not cause an adverse effect at, or beyond, the boundary of the site. **C68 7/18 Op 6/19**

Lighting and Glare **C10 10/07 Op 3/14**

(h) External lighting is shaded or directed away from adjoining sites, roads, and any adjoining site within the Residential Zone or Medium Density Residential Zone, and is less than 8 lux spill of light (horizontally or vertically) measured at a height of 1.5 metres above the ground at the boundary of the site.

(i) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Noise **C10 10/07 Op 3/14**

(j) Noise generated by the activity, measured:

(i) at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	Day	**Night**
L_{eq}	60 dBA	45 dBA
L_{max}		70 dBA

(ii) at the boundary of the zone:

	Day	**Night**
L_{eq}	55 dBA	40 dBA

L_{max}		70 dBA
N.B.	Day =	7.00 am to 9.00 pm Monday to Sunday inclusive (including public holidays).
	Night =	All other times.

(iii) at or within the notional boundary of any dwelling in the Rural 1 Zone or at or within the boundary of the Residential Zone or Medium Density Residential Zone or Tourist Services Zone, does not exceed:

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

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Stormwater

(k) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Filling of Allotments

(l) In the Richmond West Development Area, allotments below the 4.6 metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area.

Display Setbacks

(m) Display areas for the retail sale of vehicles, machinery, and equipment are set back 2.5 metres from road boundaries.

Amenity Plantings

(n) In the Richmond West Development Area, all amenity plantings located within 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

17.3.2.2 Controlled Activities (Land Use)

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Any land use is a controlled activity if it complies with the following conditions:

Outdoor Storage Display or Sales Areas

(a) The activity complies with the conditions of rule 17.3.2.1, except condition (a)~~(iii)~~ (i)(c).

(b) The activity complies with the following:

(i) Outdoor storage, display or sales areas for retail sale of vehicles, machinery and equipment are more than 3,000 square metres but less than 5,000 square metres.

(ii) Outdoor storage, display or sales areas for retail sale of vehicles, machinery and equipment comprises at least 70 percent of the site area available for retail activity.

(iii) Outdoor storage, display or sales areas for retail sale of vehicles, machinery and equipment are not located on a site adjoining Pt Lot 1 DP 13750 (Lower Queen Street, Richmond, occupied by Oakwoods Retirement Village).

Amenity Plantings and Fencing for Outdoor Display, Sales and Storage **C10 10/07 Op 3/14**

(c) For all areas of outdoor storage, display or sale areas for retail sale of vehicles, machinery and equipment, the following apply:

(i) Amenity plantings 2.5 metres wide are provided along all road boundaries, except at access points.

(ii) Fences are no higher than 600 millimetres ~~are constructed along the Retail Frontage shown on the planning maps~~ and are set back at least 2.5 metres from Lower Queen Street, behind the amenity planting.

(iii) Fences (including security fences) along site boundaries that adjoin a road, a reserve, or an Open Space or Recreation zone, are set back behind the width of amenity plantings required in conditions 16.3.4.1(t) and 17.3.3.1(n)(iii), and

are no higher than 1.8 metres.

A resource consent is required and may include conditions on the following matters over which the Council has reserved its control:

(1) Plant species, height, spacing and layout.

(2) Variation in the use of trees, shrubs, groundcovers and grass to create a planting framework, including the utilisation of existing plantings where appropriate.

(3) Visual and amenity effects of planted setbacks when viewed from roads, reserves and adjoining zones.

(4) Effectiveness of screening or reducing the impact of outdoor storage, display or sales areas seen from roads, reserves and adjoining zones, particularly where items are of a large scale and bulk.

(5) The contribution of the planting to the continuity of the planting theme with adjoining sites and to an overall planting theme along the boundary-facing streets, reserves and zone boundaries.

(6) The degree to which the planting height reduces the dominance of fencing, where this is used, when viewed from roads, reserves and adjoining zones.

(7) Retention of existing trees, groups of trees and plantings.

(8) Setbacks.

(9) Layout and visual effects.

17.3.2.3 Restricted Discretionary Activities (Land Use) **C10 10/07 Op 3/14**

Any activity that does not comply with the permitted conditions in rule 17.3.2.1 or the controlled conditions in rule 17.3.2.2 is a restricted discretionary activity, if it complies with the following conditions:

The activity is one of the following:

(a) Visitor or tourist accommodation which is:

(i) acoustically designed or fitted with sound attenuation measures designed to meet an internal night-time (9.00 pm to 7.00 am) standard of 30 dBA L_{eq} and 70 dBA L_{max}; and

(ii) provided with an area of open space or a balcony of at least 7 square metres and 1.5 metres minimum dimension, directly accessible from a living area; and

(iii) not located on a site or within 30 metres of a site where hazardous facilities and substances have a consent status index greater than 0.1; and

(iv) not located along the ground floor of the Retail Frontage shown on the planning maps.

(b) A residential activity which is:

(i) ancillary to and associated with a business activity operating as a company or similar registered business entity and is:

either

(a) for the purposes of security or management of the business activity on the site, or

(b) is occupied by the owner or tenant of the business activity, and is

(ii) no more than one residential activity per business activity, and is contained within the same building as the business activity, with a separate access from the business activity; and

(iii) acoustically designed to meet a night time (9.00 pm to 7.00 am) standard of 30 dBA L_{eq} and 70 dBA L_{max}; and

(iv) located above ground floor level and provided with an area of open space or a balcony of at least 7 square metres and 1.5 metres minimum dimension, directly accessible from a living area; and

(v) not located on a site or within 30 metres of a site where hazardous facilities and substances have a consent status index greater than 0.1~~; and~~

~~(vi) not located in the Retail Frontage shown on the planning maps~~.

(c) A community activity which is:

(i) not located on a site or within 30 metres of a site where any hazardous facility has a consent status index greater than 0.1~~; and~~

~~(ii) not located along the ground floor of the Retail Frontage shown on the planning maps~~.

(d) A retail activity which:

(i) has a total gross floor area no greater than 5000 square metres per site and the gross leasable floor area of an individual retail activity is no less than 450 square metres and no greater than 3000 square metres; or

(ii) is for the sale of goods produced or processed on site and ancillary products to goods produced or processed on the site and the gross floor area of the retail sales component exceeds 10% of the total gross floor area of the activity; or

(iii) is the hire of goods which do not require outdoor storage and the activity has a gross leasable floor area of no less than 450 square metres and no greater than 5000 square metres.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

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Visitor and Tourist Accommodation and Residential Activity

(1) The level of compatibility with existing activities in respect of emissions (including discharges to air, odour, noise and dust) and the effectiveness of any proposed mitigation measures to avoid, remedy or mitigate any potential cross boundary or reverse sensitivity effects.

(2) The ability to provide for a safe living environment.

(3) The degree of separation of the living environment from the business environment and the provision of a separate access.

(4) The extent that the visitor or tourist accommodation is ancillary to the commercial activity.

(5) The extent that the residential activity is ancillary to the business activity, and does not constitute a home occupation.

(6) Traffic effects and nuisance associated with traffic movements.

(7) Hours of operation.

(8) Noise generated by the activity.

(9) Lighting and glare.

Community Activity

(10) The level of compatibility with existing activities in respect of emissions (including discharges to air, odour, noise, and dust) and the effectiveness of any proposed mitigation measures to avoid, remedy or mitigate any potential cross-boundary or reverse-sensitivity effects.

(11) Compatibility with the adjoining Residential Zone or Medium Density Residential Zone, Rural zones and activities within the Mixed Business Zone.

(12) Traffic effects and nuisance associated with traffic movements.

(13) Hours of operation.

(14) Noise.

(15) Lighting and glare.

(16) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Retail Activities

(1) The scale, nature and type of the retail activity and the potential adverse effects, including cumulative and retail distribution effects, of the activity on the vitality, function and economic viability of the commercial centres.

(2) Whether the activity, and specific retail type, is required to meet demand and provide for forecasted growth within the Tasman Region.

(3) The effects on the safe operation and efficiency of the transport network associated with larger floor areas and increased traffic movements.

(4) The compatibility of the activity with surrounding uses, and the degree of risk those activities pose to the health and safety of employees and customers.

(5) The extent to which the nature, scale and intensity of the proposed activity on the site detracts from the amenity values and character of the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment.

(6) The extent to which emissions associated with the proposed activity on the site, such as noise, odour, lighting, glare, dust, smell and vibration adversely affects the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment.

(7) The extent to which the effects of the proposed activity on the site, such as visual dominance of buildings and structures, shading, glare, lighting and heavy vehicle traffic movements, adversely affects the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment.

17.3.2.4 Discretionary Activities (Land Use)

C10 10/07 Op 3/14

Any activity that does not comply with the conditions of rules 17.3.2.1 to 17.3.2.3 is a discretionary activity, if it complies with the following conditions:

C10 10/07 Op 3/14

C19 5/10 Op 8/12
C10 10/07 Op 3/14

(a) The activity is one of the following:

C10 10/07 Op 3/14

(i) A retail outlet with a gross leasable floor area for any individual retail activity tenancy or ownership greater than 3000 square metres; and is not a trade supply activity or outlet on a site adjoining Pt Lot 1 DP 13750 (Lower Queen Street, Richmond, occupied by Oakwoods Retirement Village).

(ii) An outdoor storage, display or sales area for the retail sales of vehicles, machinery, and equipment greater than 5000 square metres; and is not located on a site adjoining Pt Lot 1 DP 13750 (Lower Queen Street, Richmond, occupied by Oakwoods Retirement Village).

(iii) Commercial boarding or breeding of animals.

(iv) A community activity.

(v) A refuse transfer station and recycling station.

(vi) ~~v~~Visitor or tourist accommodation.

(vii) A retail activity with a gross leasable floor area for any individual retail activity tenancy less than 450 square metres where the total gross floor area of all retail activity on site is no greater than 5000 square metres.

A resource consent is required and may include conditions including but not limited to:

Retail Activity and Outdoor Storage, Display and Sales

(1) ~~The scale, nature and intensity of the retail activity and the potential adverse effects of the activity on the vitality and functioning of the Central Business Zone as a result of smaller or larger gross leasable floor areas.~~ The scale, nature and type of the retail activity and the potential adverse effects, including cumulative and retail distribution effects, of the activity on the vitality, function and economic viability of the commercial centres.

(2) The effects on the safe operation and efficiency of the transport network associated with larger floor areas and increased traffic movements.

(3) The compatibility of the activity with surrounding uses, and the degree of risk those activities pose to the health and safety of employees and customers.

(4) The ability of the site to provide for the requirements of the activity and to maintain and enhance the amenity values of the area.

Nature, Scale and Intensity C43 4/13 Op 1/15

(5) The extent to which the nature, scale and intensity of the activity detracts from the vitality and amenity values of the nearest Central Business Zone.

(6) The extent to which the nature, scale and intensity of the proposed activity on the site detracts from the amenity values and character of the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment. C10 10/07 Op 3/14

(7) The extent to which emissions associated with the proposed activity on the site, such as noise, odour, dust, smell and vibration adversely affects the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment.

(8) The extent to which the effects of the proposed activity on the site, such as visual dominance of buildings and structures, shading, glare, lighting and heavy vehicle traffic movements, adversely affects the adjacent properties, the surrounding mixed business and residential neighbourhoods, public spaces and the coastal environment.

Outdoor Storage Space

(9) The extent to which the reduction in outdoor storage space and its location adversely affects the ability of the site to provide for the storage needs of future activities on the site.

(10) Alternative provision on, or in close proximity to, the site for outdoor storage space to meet the needs of future activities on the site.

(11) The extent to which the location of storage space or lack of screening adversely affects the visual amenity of adjoining sites and public places or results in wind-blown debris leaving the site.

Miscellaneous

(12) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(13) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.3.2.5 Non-Complying Activities (Land Use) C10 10/07 Op 3/14

Any activity that does not comply with the discretionary conditions of rule 17.3.2.4 is a non-complying activity.

A resource consent is required. Consent may be refused or conditions imposed.

17.3.3 Building Construction or Alteration C10 10/07 Op 3/14

17.3.3.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building is a permitted activity, if it complies with the following conditions: C10 10/07 Op 3/14 C19/5/10 Op 8/12

(a) The activity is not the construction or alteration of any building: C10 10/07 Op 3/14

Item (a) (i) removed as part of plan change 73. C73 Op 6/23

(ii) where any side of the building is more than 50 metres in length (regardless of any wall off set provided in condition 17.3.3.1(i)); C10 10/07 Op 3/14

(iii) where the gross floor area is greater than 2,000 square metres.

Building Coverage

(b) The maximum building coverage is 50 percent, subject to compliance with the conditions of all other permitted activity rules relevant to the use of space on the site.

Height

(c) The maximum height of any building is 10 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) in the Richmond West and Motueka West development areas for any site adjoining the Residential and Open Space zones and any indicative reserve, the maximum height is 8.5 metres. **C43 4/13 Op 1/15**

Building Envelope **C10 10/07 Op 3/14**

(d) Buildings on sites that adjoin a Residential Zone or Medium Density Residential Zone or an indicative reserve do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone or Medium Density Residential Zone or an indicative reserve. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Setbacks

(e) The building is set back from roads and zone boundaries at least:

(i) 10 metres from roads, except where these roads adjoin the Borck Creek indicative reserve;

(ii) 5 metres from roads adjoining the Borck Creek indicative reserve;

(iii) 10 metres from the boundaries of sites in an adjoining Residential, Medium Density Residential, Open Space, Recreation, or Rural 1 zone.

(f) The building is set back from reserves, rivers and amenity planting setbacks at least:

(i) 5 metres from boundaries of public reserves;

(ii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(g) Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from setback requirements.

(h) In the Richmond West Development Area, notwithstanding condition (g) of this rule, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(ha) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Walls and Modulation

(i) An offset of at least 2.5 metres is required at intervals no greater than 25 metres along any wall that adjoins a road, a reserve, or a Residential, Medium Density Residential, Recreation, Open Space or Rural zone.

Building Frontage

(j) The front of buildings on any site within the Mixed Business Zone on Lower Queen Street ~~along the Retail Frontage~~ in the Richmond West Development Area shown on the planning maps face Lower Queen Street.

~~Windows~~

~~(k) The front of buildings in (j) adjoining the Retail Frontage shown on the planning maps contain display windows at least 2.4 metres high starting at ground floor level or no higher than 500 millimetres above ground floor level, and cover at least 50 percent of the area of the ground floor walls for the purpose of display of goods and services, except on Part Section 215 Waimea East District (Lower Queen Street, Richmond, occupied by Grace Church) while the activity remains a community activity.~~

Fences

(l) Along Lower Queen Street f ~~F~~ences are no higher than 600 millimetres ~~are constructed along the Retail Frontage shown on the planning maps~~ and are set back at least 2.5 metres from the road boundary ~~lower Queen Street~~, behind the amenity planting, except on Part Section 215 Waimea East District (Lower Queen Street, Richmond, occupied by Grace Church), while the activity remains a community activity, fences are no higher than 1.2 metres and set back behind the amenity planting.

(m) Fences (including security fences) along site boundaries that adjoin a road, a reserve, or an Open Space or Recreation zone are set back behind the width of amenity plantings required in condition 16.3.4.1(t) and condition 17.3.3.1(n)(iii), and are no higher than 1.8 metres.

Landscaping

(n) The site is landscaped, comprising:

(i) amenity planting required in car park areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(t) and (u) which have been completed;

(iii) amenity planting at least 2.5 metres wide along the road frontage of any site, except where required in condition 16.3.4.1(t) and the width of the site access;

(iv) except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, additional amenity planting so that the total planting is at least 10 percent of the total site area;

(v) despite condition (n)(iii), on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, where any site adjoins Designation 132 (Richmond Deviation), on the south boundary of this land, additional amenity planting at least 5 metres wide along the entire south boundary provides, at maturity, a dense screen of at least 2.5 metres high;

(vi) amenity planting at least 2.5 metres wide along any boundary of a site that adjoins a Residential Zone, Medium Density Residential Zone, or the Open Space Zone separating the Residential Zone from the Mixed Business Zone west of Borck Creek. C79 11/24

(o) Amenity plantings are maintained and replaced where dead, damaged or diseased.

Cross-boundary Effects

(p) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Medium Density Residential Zone, Open Space Zone, public place or facility located on an adjoining site.

(q) Sites are screened from adjoining land in a Residential Zone or Medium Density Residential Zone by a fence, a wall, or planting that at maturity provides a dense screen, 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). Any such fence or wall does not include barbed or razor wire.

17.3.3.2 Controlled Activities (Building Construction or Alteration)

C10 10/07
Op 3/14

Construction or alteration of a building is a controlled activity if it complies with the following conditions:

(a) All the conditions of rule 17.3.3.1, except condition (a)(iii).

(b) The building has a gross floor area greater than 2,000 square metres.

Building Design and External Appearance

(c) A design statement is provided by an appropriately competent person in architecture setting out how the design and appearance of the building fits into the site and surrounding landscape and addresses:

(j) in the Richmond West Development Area, scale, bulk, height and layout to minimise visual effects and dominance of built form relative to neighbouring buildings, streetscape, reserves and from the Richmond Hills; C43 4/13 Op 1/15

(ii) glare and identifies the colour and reflectivity values of walls and roof;

(iii) wall and roof modulation to minimise visual impacts;

(iv) design elements and features to minimize adverse visual effects;

(v) location of utility elements away from public view.

(d) In the Richmond West Development Area, notwithstanding condition 17.3.3.1(g), the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps. C10 10/07 Op 3/14

A resource consent is required and may include conditions on the following matters over which the Council has reserved its control:

Building Design and External Appearance

(1) Visual effects and dominance of built form relative to adjoining buildings, streetscape, reserves and the use of design features and elements to mitigate effects.

(2) Design features and elements that mitigates visual impacts when viewed from the Richmond Hills residential and rural residential areas, roads, reserves and adjoining zones, where relevant.

(3) Scale, height and bulk of buildings.

(4) Glare and reflectivity, materials and colour.

Miscellaneous

(5) Financial Contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.3.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

C10 10/07
Op 3/14

Construction or alteration of a building that does not comply with condition (h) of rule 17.3.3.1 or condition (d) of rule 17.3.3.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

(1) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.3.3.4 Discretionary Activities (Building Construction or Alteration)

C10 10/07
Op 3/14
C73
Op 6/23

Construction or alteration of a building that does not comply with the conditions of rule 17.3.3.1, 17.3.3.2 or 17.3.3.3 is a discretionary activity, if it complies with the following conditions:

(a) Along Lower Queen Street f~~F~~ences are no higher than 600 millimetres ~~are constructed along the Retail Frontage shown on the planning maps~~ and are set back at least 2.5 metres from the road boundary ~~lower Queen Street~~, behind the amenity planting.

(b) Fences (including security fences) along site boundaries that adjoin a road, a reserve, or an Open Space or Recreation zone are set back behind the width of amenity plantings required in condition 16.3.4.1(t) and condition 17.3.3.1(n)(iii), and are no higher than 1.8 metres.

(c) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following:

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

A resource consent is required and may include conditions including but not limited to:

C10 10/07
Op 3/14

Building Coverage

(1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.

(2) The extent to which site development complies with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.

(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site.

(4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

Height

(5) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.

(6) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) affect the amenity and enjoyment of adjoining sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.

(7) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.

(8) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.

(9) The extent to which the increased building height adversely affects the natural character of the coastal environment.

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Setback from Roads and Zone Boundaries

(10) The necessity for a reduced setback to enable more efficient or practical use of a site.

(11) The extent of the visual impact of the building from adjoining residential sites and streets and its impact on the amenity and character of the neighbouring residential environment, taking into account its design and appearance, bulk and length of walls.

(12) The potential for the development to affect the amenity of the adjoining residential environment in terms of effects, such as shading, noise, glare, dust, smell and vibration.

(13) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.

(14) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale and the openness and visual amenity of the street when viewed from adjoining properties.

(15) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

(16) The extent to which reduced setback affects compliance with parking, loading and access rules.

(17) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

Setback from Reserves and Rivers

(18) The extent of any shading created and the impact this may have on the public use and enjoyment of a reserve and ecological health of a river.

(19) The potential for the development to affect the public use and enjoyment of a reserve or river.

(20) The potential for the development to detract from the amenity and pleasantness of the adjoining reserves or rivers in terms of effects such as noise, glare, dust, smell and vibration.

(21) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

(22) The extent to which the encroachment into setbacks from rivers by buildings will increase the likelihood of damage being caused to the building by erosion, the level of risk to occupants, and the effects of the structure on flood flows.

Building along Lower Queen Street ~~a Retail Frontage~~

(23) The visual continuity of building frontage and the character of the streets as visually distinctive centres of business activity.

(24) The need for access to the rear of the site for other business activities as well as activities such as off-street parking, loading and storage.

(25) The layout of the site and the options for maximum use of the site.

(26) The design and appearance of buildings and compatibility with other adjoining buildings in terms of design, height, setback and scale.

~~**Windows**~~

~~(27) Where display windows are not provided as permitted in the Retail Frontage, the effect this has on the visual continuity of building frontage from the street and the distinctive form and character of buildings in the precinct.~~

~~(28) The design and appearance of the building and its compatibility with other adjoining buildings in terms of design, height, setback and scale, and the extent of the impact that non-permitted display windows has on the architectural cohesiveness of the street.~~

Fences

(29) The design and appearance of the building and its compatibility with other adjoining buildings in terms of design, height, setback and scale, and the extent of the impact that fences has on the architectural cohesiveness of the street.

Building Design and Appearance

(30) The degree to which the proposed development impacts on the amenity and character of the area, having regard to the scale, bulk, architectural style, materials, colours and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.

(31) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking, landscaped areas and vegetation.

(32) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining sites.

(33) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening, or use of other materials.

(34) The extent to which building design and appearance adversely affects the natural character of the coast.

(35) The extent and quality of amenity plantings.

(36) The extent to which practical use of the site will be affected by the proposal.

Landscaping

(37) Whether the location, scale and design of landscaped areas, including open space, courtyards and yards, effectively contributes to the amenity of the site and the wider area.

(38) Whether the development ensures the retention of any significant existing trees and vegetation.

Cross-Boundary Effects

(39) The extent to which goods service docks, open work bays and openable work bays will affect the amenity, character and use of neighbouring sites and public places and in particular the extent to which these can be viewed from neighbouring sites and public places.

(40) The extent to which the lack of screening adversely affects the visual amenity of adjoining sites and public places or results in wind-blown debris leaving the site.

Services

(41) The ability to adequately reticulate water supply, wastewater, stormwater and solid waste storage and collection.

Stormwater

(42) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.

(43) The extent to which the stormwater run-off generated by additional development is managed.

(44) The extent to which the activity has employed low impact design solutions to the management of stormwater flow and water quality.

(45) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

Traffic (roading, access, parking, manoeuvring, loading)

(46) Whether vehicle access provided is functional and safe.

(47) Whether car parking is safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the street, in particular, whether hard-paved areas associated with parking dominate the streetscape.

Miscellaneous

(48) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(49) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.3.3.5 Non-Complying Activities (Building Construction or Alteration)

C10 10/07 Op 3/14

Construction or alteration of a building that does not comply with the discretionary conditions of rule 17.3.3.4 is a non-complying activity.

A resource consent is required. Consent may be refused or conditions imposed.

17.3.20 Principal Reasons for Rules

C10 10/07 Op 3/14

Noise

In the Richmond West Development Area the noise standards have been formulated in such a way that there is a gradation of zones and increasing noise levels from Residential to Mixed Business to Light Industrial zones. The Mixed Business Zone effectively acts as a buffer between Residential and Industrial zones. Noise thresholds within the Mixed Business Zone are higher than the Residential Zones to enable a range of business activities to establish and operate, but also seek to

maintain a level of comfort for adjacent zones. Night-time noise levels from mixed business activities at the boundary of the Residential Zone and dwellings in other zones are the same as the Residential Zone. This reduces the nuisance effect from, and recognises the importance of, enabling a quiet sleeping environment at night.

C10 10/07 Op 3/14

C43 4/13 Op 1/15

The noise limits do not apply at roads and this is inferred by applying noise limits at the boundary of any other site (not a road).

Retail Activity

Retail activity that replicates the scale, nature and intensity of that provided for in the Central Business Zone has the ability to adversely affect the vitality and amenity values of the area by diminishing it as the central focal point, specialty retail activity focus and core pedestrian-oriented area. Consequently, the Mixed Business Zone provides for a specific range of large format retail activities which are car-oriented destinations, often involving bulky goods. Exemptions to the increased scale of retail activities within the Mixed Business Zone are made for those retail activities that are not generally accommodated or provided for within the Central Business Zone such as trade activities and outdoor display and sales areas or those activities that are unlikely to affect the vitality of the area. An upper limit to the permitted scale of a retail activity is established beyond which, depending on the nature of the activity, an assessment of the potential adverse effects on the Central Business Zone may be necessary. This may be required, in particular, for the establishment of a mall or larger supermarket complex, and to address the effects on amenity values associated with the bulk and scale of buildings and effects on the transport network. Gross Leasable Floor Area has been applied to avoid multiple retail tenancies establishing under one roof at lower minimum thresholds than identified for the zone and having the potential to replicate specialty retail activities provided for in the Central Business Zone.

Residential Activities and Visitor and Tourist Accommodation

C10 10/07 Op 3/14

The primary focus of the Mixed Business Zone is for business or commercial activities, although community and recreation activities are also provided for within the zone. Some of these activities require flexibility to operate at higher levels of noise emissions and hazardous substances, for example, than generally conducive to the more sensitive nature of residential activities and are generally not as suitable for residential activities. In addition, the Mixed Business Zone in the Richmond West Development Area, particularly west of Lower Queen Street acts as a buffer or spatial

separation between the Residential Zones and the Light Industrial Zone, reducing the potential adverse effects of industrial activities on residential activities whilst providing for the ongoing operation of these activities, particularly the Nelson Pine Industries MDF operation, with minimal reverse sensitivity effects.

Provision for residential activities within the zone is restricted to those for security or management purposes and to those that are of a 'live-work' nature restricted to owners or tenants of the business activity, and a single residential unit per site. In the Richmond West Development Area this is likely to be more appropriate east of Lower Queen Street given the proximity to the Waimea Inlet and recreation activities, and to avoid any potential reverse sensitivity effects on the MDF site as a consequence of prevailing winds. The commercial focus of visitor and tourist accommodation and the short term nature of residential activities mean that these activities can be accommodated within the Mixed Business Zone where they are compatible with surrounding activities, and adverse effects can be avoided, remedied or mitigated. Consideration needs to be given to the potential for reverse sensitivity effects on existing business activities.

Home occupations are not appropriate in the Mixed Business Zone because the business activity is ancillary to the living activity.

Light Industrial Activity

Industrial activities of a scale, nature and intensity that result in low emissions (e.g. noise, odour) and contribute to maintaining and enhancing high amenity values within the zone and at the boundary of the zone are provided for in the Mixed Business Zone. These activities do not involve the use of heavy machinery, are generally not of a heavy industrial or rural industrial nature, tend to be carried out indoors, are generally small scale, and include printing works, furniture manufacture, car repairs, light engineering, and trade depots.

Indicative Roads and Reserves

C73 Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

C10 10/07 Op 3/14

Large scale warehousing and storage operations and transport depots are considered to be more appropriate in the Light Industrial Zone due to the effects associated with matters such as traffic movements, heavy vehicles, and visual effects.

Larger scale industrial activities and buildings, similar to other large scale businesses, have the potential to adversely affect amenity values, as a consequence of use of the site for outdoor storage and use, and the tendency for utilitarian buildings and a larger scale. Plan standards seek to ensure that activities and buildings maintain and enhance amenity values through the use of amenity and building design controls relative to the scale of the activity and building. Outdoor activities 5,000 square metres and above and the construction of buildings 3,000 square metres and above are full discretionary activities.

Certain activities are excluded from the Mixed Business Zone where they would adjoin a Residential Zone or Medium Density Residential Zone, because of their potential effect on amenity and environmental values in residential areas.

Amenity

In conjunction with one another, provisions relating to building design and appearance, building coverage, fencing, amenity plantings and setbacks provide an integrated rule framework for the Mixed

Business Zone, designed to promote a high standard of amenity with a low impact on the surrounding people and environment.

Emissions
In conjunction with one another, provisions relating to dust, odour, lighting, glare, and noise provide an integrated rule framework for the Mixed Business Zone designed to manage emissions and mitigate effects on the surrounding people and environment.

Filling of Allotments **C10 10/07 Op 3/14**
The standard seeks to avoid inhibiting or altering the course of natural over-land stormwater flow paths and the risk of flooding other properties.

17.4 INDUSTRIAL ZONE RULES

Refer to Policy sets 5.1, 5.5, 6.5, 6.7, 9.1, 9.3, 11.1, 11.2, 13.1, 14.4.

17.4.1 Scope of Section

This section deals with land uses in the Heavy Industrial Zone and the Light Industrial Zone. Rules apply to each zone unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.4.2 Land Use

17.4.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) If the location of the activity is within the area that is subject to Schedule 17.4A (as shown on the planning maps), the activity is permitted by Rule 17.5.2.1 or 17.5.4.1. **C79 11/24**

~~(a)~~(aa) The activity is not one of the following:

(i) a residential activity;

(ii) a community activity (except in the Light Industrial Zone location at Beach Road as shown on the planning maps); **C10 10/07 Op 3/14**

(iii) motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone or Medium Density Residential Zone;

(iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

(b) Retail sales are limited to:

(i) goods produced on, or ancillary to, the industrial use of the site (maximum retail area 100 square metres); or

(ii) goods of sufficient bulk to require outdoor storage such as landscape materials, machinery, or vehicles; or

(iii) takeaway food bars.

(c) On Lot 1 DP 18856, located on parts of 67, 69 and 71 Ellis Street, Brightwater permitted activities are limited to those listed under condition 17.4.2.1(b)(i), (ii) and (iii), plus indoor storage of goods.

Screening

(d) Outdoor storage areas are screened where directly exposed to immediately adjoining sites zoned Residential (except those across a road) by a wall or close-boarded fence at least 1.8 metres high.

Air Emissions – Dust and Odour

(e) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site. **C68 7/18 Op 6/19**

(f) Open areas of land and stockpiles of loose material are contained or maintained so that dust does not cause an adverse effect at, or beyond, the boundary of the site. **C68 7/18 Op 6/19**

Glare

(g) Exterior lighting is directed away from adjacent residential properties and public places.

(h) All metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Amenity Plantings

(i) Amenity plantings 2 metres wide are provided along all site boundaries with formed roads and sites adjoining a Residential Zone or Medium Density Residential Zone and the Seaton Valley Stream. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres; except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height. **C10 10/07 Op 3/14** **C22 2/11 Op 1/15**

(j) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: **C10 10/07 Op 3/14**

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

(k) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. **C22 2/11 Op 1/15**

Noise

(l) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity, measured at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, or at or within the boundary of any site within the Central Business, Commercial or Rural Industrial zones, does not exceed: **C10 10/07 Op 3/14** **C19 5/10 Op 8/12**

Day	**Night**
L_{eq}	65 dBA	55 dBA
L_{max}		85 dBA

(m) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity measured at or within the boundary of any site within a Residential or Tourist Services Zone, or at or within the notional boundary of any dwelling in the Rural, Rural Residential or Papakāinga Zone, does not exceed:

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

C19 5/10 Op 8/12

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. C19 5/10 Op 8/12

This rule also applies to that part of the Quarry Area in Lee Valley which is also Industrial Heavy Zone in and adjoining Record of Title 11A/542, and accordingly the provisions of condition 18.6.4.1(e) do not apply to that particular part of the Quarry Area.

(n) The following are exceptions to conditions (l) and (m): C19 5/10 Op 8/12

(i) In the Light Industrial Zone located on Part Section 18 and Part Sections 18A District of Tākaka; Lot 4 District Plan 9734; Lot 1 District Plan 7173; Part Lot 1 District Plan 8754; and Part Lot 1 District Plan 11703 (68 Meihana Street, Tākaka, occupied by Fonterra Ltd), noise measured at night does not exceed 45 dBA L_{eq}; and 'Day' equals 7:00 am to 9:00 pm every day of the year;

(ii) In the Light Industrial Zone located on Lots 1 and 2 DP 12079, and Lot 2 DP 11787 (Poutama Street, Richmond), noise measured at night does not exceed 45dBA L_{eq}.

(iii) In the Light Industrial Zone located in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), noise generated by the activity, measured: C10 10/07 Op 3/14

(a) at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, does not exceed:

	Day	Night
L_{eq}	60 dBA	50 dBA
L_{max}		80 dBA

(d) at or within the notional boundary of any dwelling in the Rural 1 Zone, does not exceed:

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

(c) at or within the boundary of the Mixed Business Zone, does not exceed:

	Day	Night
L_{eq}	60 dBA	45 dBA
L_{max}		70 dBA

(d) at or within the boundary of the Residential Zone or the Medium Density Residential Zone, does not exceed:

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

N.B. Day = 7.00 am to 9.00 pm, Monday to Sunday inclusive (including public holidays)

Night = All other times.

(iv) In the Light Industrial Zone located at Bird Lane, Wakefield, noise generated by the activity, measured at 20 metres from the zone boundary, within the Residential Zone, does not exceed: C58 11/15 Op 7/17

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

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(o) For the areas of land located at 68 Meihana Street, Tākaka (occupied by Fonterra Ltd), there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:

(i) aims and approach;

(ii) the noise rules in this Plan which apply to the site;

(iii) the approach to compliance monitoring;

(iv) a complaints procedure;

(v) the best practicable option methods for noise mitigation for site areas, activities, and/or processes;

(vi) equipment maintenance requirements;

(vii) any site layout provisions relating to noise mitigation;

(viii) new plant/equipment policy;

(ix) staff training;

(x) means of communication with local residents and the wider community;

(xi) methods for review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Tākaka office of the Tasman District Council for inspection by the Public at any time.

Vehicle Access (Main Road Hope)

(oa) With the exception of vehicles passing over the right of way adjoining CP68B on Lot 1 DP 20392 for the purpose of accessing Lot 1 DP343453 the following applies.

(a) There is no vehicle access between Lot 1 DP 20392 and Lot 2 DP343453.

(b) Vehicle access to any land parcel in Schedule 17.5A through Lot 1 DP19736 and Lot 1 DP 20392 is entrance only and is limited to 40 Equivalent Car Movements per day.

(c) All vehicles entering through Lot 1 DP19736 and Lot DP20392 must exit onto State Highway 6 (SH6) at Crossing Places CP66 or CP57 on Lot 1 DP20183 and Lot 4 DP 435942.

(d) An electronic entry control barrier, located at the entrance to the body of Lot 1 DP20392, must be used at all times to control access.

Stormwater

C7 7/07
Op 10/10

(p) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(q) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. **C10 10/07 Op 3/14**

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.

Filling of Allotments

(r) In the Richmond West Development Area, allotments below the 4.6 metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area. This condition does not apply in the Light Industrial Zone location at Beach Road as shown on the planning maps.

17.4.2.1A Controlled Activities (Scheduled Location) **C79 11/24**

Any land use that does not comply with permitted condition (a) of rule 17.4.2.1 is a controlled activity if it complies with the following conditions:

(a) The activity complies with conditions (aa) to (r) of rule 17.4.2.1.
(b) Mean Sea Level is lower than the Schedule 17.4A sea level rise trigger.
(c) Any resource consent issued will expire 12 months after Mean Sea Level reaches or exceeds the Schedule 17.4A sea level rise trigger.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The removal of structures and materials associated with the activity from the site.
(2) The restoration of the site
(3) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
(4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4.2.2 Restricted Discretionary Activities (Land Use) **C10 10/07 Op 3/14 C79 11/24**

Any land use that does not comply with permitted condition (j) of rule 17.4.2.1, but does comply with all other conditions of that rule, is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

17.4.2.3 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.4.2.1, 17.4.2.1A and 17.4.2.2 is a discretionary activity, if it complies with the following conditions: **C10 10/07 Op 3/14 C79 11/24**

(a) The activity is not a residential activity other than a caretaker's residence on the same site as the caretaker works.

(b) The activity is not motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone or Medium Density Residential Zone.

(c) The activity is not a community activity. **C10 10/07 Op 3/14**

A resource consent is required and may include conditions.

17.4.2.4 Non-Complying Activities (Land Use) **C10 10/07 Op 3/14**

Any land use that does not comply with the conditions for a discretionary activity is a non-complying activity.

A resource consent is required. Consent may be refused or conditions imposed.

17.4.3 Building Construction or Alteration

17.4.3.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(aa) The building is not on a site (as shown on the planning maps) that is subject to Schedule 17.4A. C79 11/24

(a) The building is not on any of the Specified Sites in the Light Industrial Zone at Brightwater (as shown on the planning maps). **C57 11/15 Op 12/18**

Item (b) deleted as part of Plan Change 73 **C10 10/07 Op 3/14 C73 Op 6/23**

Building Coverage

(c) Maximum building coverage is 90 percent, except: **C10 10/07 Op 3/14**

(i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Māpua **C22 2/11 & C43 4/13 Op 1/15**

(ii) in the Heavy Industrial Zone in the Motueka West Development Area; **C57 11/15 Op 12/18**

(iii) in the Light Industrial Zone at Brightwater.

where the maximum building coverage is 75 percent.

Height

(d) The maximum height of a building is:

(i) 15 metres in the Light Industrial Zone other than on Lot 1 DP 6223 (Batchelor Ford Road) where the maximum height limit is 8 metres;

(ii) 20 metres in the Heavy Industrial Zone;

(iii) 7.5 metres on Lot 1 DP 18856 on parts of 67, 69 and 71 Ellis Street, Brightwater;

except that:

(a) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(b) for antenna attached to a building, condition 16.6.2.1(k) applies;

(c) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan;

(d) at Motueka West Development Area, the building or structure does not exceed the height limits shown in Schedule 16.11A for Motueka Aerodrome. **C43 4/13 Op 1/15**

Walls **C10 10/07 Op 3/14**

(e) In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), an offset of at least 2.5 metres is required at intervals no greater than 25 metres along any wall that adjoins a road, a reserve, or Open Space, Medium Density Residential Zone or Residential zone, except that on Part Section 108 Waimea East District (Appleby Highway) adjoining the Residential boundary, the interval is no greater than 15 metres.

No Dwellings

(f) The building is not a dwelling.

Cross-boundary Effects

(g) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Medium Density Residential Zone, Open Space Zone, public place or public facility located on an adjoining site.

(h) Sites are screened from adjoining land in any Residential Zone or Medium Density Residential Zone by a fence or wall 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). **C10 10/07 Op 3/14**

Glare

(i) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Building Envelope

(j) Buildings on sites which adjoin a Residential Zone or Medium Density Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone or Medium Density Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Setbacks

(k) The building is set back from road boundaries at least: **C10 10/07 Op 3/14**

(i) 3 metres in the Light Industrial Zone, except that in the Richmond West Development Area (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) buildings are set back at least 10 metres from roads, and in Motueka West Development Area buildings along the east side of Queen Victoria Street are set back at least 15 metres. **C43 4/13 Op 1/15**

(ii) 10 metres in the Heavy Industrial Zone;

except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.

Note: Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements. **C68 7/18 Op 6/19**

(ka) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the Light Industrial Zone where buildings are set back at least 10 metres from indicative roads and 5 metres from indicative reserves, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(l) In the Light Industrial Zone, the building is set back from roads and zone boundaries at least: **C10 10/07 Op 3/14 C73 Op 6/23**

Item (i) removed as part of plan change 73

(ii) 20 metres from the boundaries of sites in an adjoining Rural 1 Zone, except adjoining Swamp Road where the setback is 15 metres and adjoining McShane Road, where the setback is 10 metres; **C10 10/07 Op 3/14**

(iii) 10 metres from the Open Space Zone.

(m) In the Richmond West Development Area, notwithstanding the exemption in condition (k) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(n) In the Heavy Industrial Zone, buildings are set back 10 metres from any boundary of a public reserve and from any adjoining Residential Zone or Medium Density Residential Zone, and at least 15 metres from Queen Victoria Street in the Motueka West Development Area. **C43 4/13 Op 1/15**

(o) The building is set back at least:

(i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(ii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(p) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves, and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. **C10 10/07 Op 3/14**

Wastewater Disposal

(q) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

Stormwater

(r) (i) EITHER **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
OR
The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(s) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. **C10 10/07 Op 3/14**

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.

Landscaping **C10 10/07 Op 3/14**

(t) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, the site is landscaped comprising:

(i) amenity planting required in carparking areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(q), (r) and (s);

(iii) amenity planting at least 2.5 metres wide along the frontage of any site, except where required in condition 16.3.4.1(q);

(iv) additional amenity planting so that the total planting is at least 10 percent of the site area.

(u) Amenity plantings are maintained and replaced where dead, damaged or diseased.

Coastal Inundation

(v) The building is not located within the Māpua Light Industrial Zone.

17.4.3.2 Controlled Activities (Building Construction or Alteration - Light Industrial Zone at Brightwater: Specified Sites)

C19 5/10 Op 8/12

C57 11/15 Op 12/18

For the area of the Light Industrial zone in Brightwater contained within Part Section 2, Waimea South District, being the land contained in Record of Title 65/68 12C/239 or on those parts of Lots 4 and 5

DP 18856 (Spencer Place, Brightwater), any construction or alteration of a building is a controlled activity, if it complies with the following conditions:

(a) The maximum height of a building is 8 metres; and

(b) The building coverage is not extended on the site.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The location and size of building. **C57 11/15 Op 12/18**

(2) The location of mounding, landscaping, ponding areas and flood flow paths.

(3) The duration of the consent and the timing of reviews of condition and purpose of reviews.

(4) Financial contributions, bonds and covenants in respect of the performance of conditions.

17.4.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the conditions of rules 17.4.3.1, 17.4.3.2(a) or 17.4.3.3A is a restricted discretionary activity. However, this rule shall not apply to the construction or alternation of a building in a location that is subject to Schedule 17.4A. **C19 5/10 Op 8/12 C57 11/15 Op 12/18 C79 11/24**

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Building Coverage

(1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.

(2) The extent to which site development will be able to comply with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.

(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard or flood hazard risk will be a consideration at Brightwater, including: **C57 11/15 Op 12/18**

(a) protection for flood flow paths during a 1 percent Annual Exceedance Probability flood event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

(4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

Setback from Roads

(5) The extent to which reduced setback will affect compliance with parking, loading and access rules.

(6) The design and appearance of the building and its visual impact from the street or adjoining properties.

(7) The necessity for a reduced setback to enable more efficient or practical use of a site.

(8) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale, and the openness and visual amenity of the street when viewed from adjoining properties.

(9) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.

(10) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

Setback from a Residential Zone, Medium Density Residential Zone or Public Reserve

(11) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or reserve, taking into account its design and appearance, bulk and length of walls.

(12) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.

(13) The potential for the development to affect the privacy of the residents or users of the reserve.

(14) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

(15) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

Setbacks from Indicative Roads and Reserves **C73 Op 6/23**

(15A) The extent to which alternative practical locations are available for the building.

(15B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.

(15C) The extent to which alternative practical locations are available for future reserves.

(15D) The effects of the building being sited within the setback of the indicative road or reserve.

Height

(16) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.

(17) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.

(18) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.

(19) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.

(20) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Services

(21) Provision for the collection and disposal of stormwater and wastewater.

Stormwater **C7 7/07 Op 10/10**

(22) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.

(23) The extent to which the stormwater run-off generated by additional development has been managed.

(24) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

(25) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

Electricity Transmission Corridor C10 10/07 Op 3/14

(26) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Duration and Financial Matters

(27) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Coastal Hazard Risk

(29) The extent to which a building in the Light Industrial Zone (Māpua) is exposed to risk of erosion or inundation and the suitability of its design to mitigate this risk in terms of timeframes, materials and structure.

17.4.3.3A Restricted Discretionary Activities (Building Construction or Alteration - Specified Sites in Brightwater) C57 11/15 Op 12/18

Construction or alteration of a building that either:

(a) creates a new footprint or extends the footprint of a building in the Light Industrial zone in specified sites in Brightwater (as shown on the planning maps) that complies with permitted activity conditions 17.4.3.1(c)(iii), (d), (f) to (u); or

(b) does not comply with Controlled Activity condition 17.4.3.2(b);

is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;

(b) the effects of a 1 percent Annual Exceedance Probability event flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

17.4.20 Principal Reasons for Rules

Building Coverage

Setting maximum building coverage enables space available for tree and garden plantings and parking. In Light Industrial and Heavy Industrial zones, building coverage allows for landscaping, parking, access and manoeuvring. The performance requirements allow reasonable development opportunities.

In Brightwater, a flexible approach to building coverage has been introduced in 2017 to enable site-by-site design for avoidance or mitigation of flood hazards from a 1 percent Annual Exceedance Probability flood event. The sites are located ~~in~~ on the floodplain of the Wairoa River at Brightwater and have been subject to periodic flooding. A site at the northern end of Spencer Place, Brightwater, is also bisected by the main trunk wastewater line. C57 11/15 Op 12/18

In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) and the Motueka West Development Area, coverage is limited to provide a standard of amenity and open space anticipated in a new industrial park.

C10 10/07 Op 3/14
C43 4/13 Op 1/15

Building Setbacks

Setback is a means of mitigating various adverse effects, such as loss of privacy, loss of amenity, the visual impact of buildings from the street and from other zones (especially the Residential Zone and Medium Density Residential Zone), the lack of available parking areas and lack of opportunity for landscaping. Natural hazards, particularly river erosion, are also a consideration.

In the Industrial zones, road boundary setback is required in order to provide space for landscaping and parking, and due to the potential need for higher buildings, greater setback will enhance the feeling of spaciousness in these areas. Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass.

C43 4/13 Op 1/15

Side and rear yards are required where Industrial zones adjoin a Residential Zone, Medium Density Residential Zone or public reserve to allow for screening, landscaping and to provide a degree of separation to protect the amenity of residential areas and reserves from dominance by industrial buildings.

Indicative Roads and Reserves

C73 Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Building Height

Height is a key factor in determining the visual amenity, dominance of buildings, levels of privacy, access to sunlight and daylight, and the spaciousness of an area.

The maximum height in the Light Industrial and Heavy Industrial zones is higher than in other zones to allow for machinery and processes which may be necessary for industrial activity to occur. There is a lower height limit on Lot 1 DP 6223 (Batchelor Ford Road, Motueka) as it is a small isolated coastal site. At Motueka West Development Area, the obstacle limitation surface for the aerodrome may be a relevant matter.

C43 4/13 Op 1/15

Daylight admission lines are intended to reduce shading of adjoining sites by buildings by ensuring that buildings fall within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line will vary depending on the orientation of the building to the sun and is based on obtaining some sun onto sites even in mid-winter at midday. Consequently, north-facing walls will be able to be higher than south-facing walls. The angle has been set at a level that ensures reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

Privacy

The proximity and location of windows adjacent to site boundaries can affect the privacy enjoyed on adjoining sites through being overlooked from buildings. Privacy is particularly valued in areas zoned Residential and therefore rules only relate to sites adjacent to these areas.

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone or Medium Density Residential Zone. Fences or walls are required where industrial zones adjoin a Residential Zone or Medium Density Residential Zone, in order to contain debris within the site and to screen business activities from residential areas. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas.

Retailing

Limitations on retailing in Light Industrial and Heavy Industrial zones are imposed in order to encourage retail activity to consolidate in and close to the Central Business and Commercial zones. An additional reason for this rule involves the lower standard of amenity which is usually allowed for in Industrial zones compared with Central Business and Commercial Zones. This is sometimes necessary to enable activities to occur. Retailing that is primarily limited to bulky items and goods made on the site is unlikely to undermine the coherence and amenity values of either the commercial or industrial areas.

Noise

Restrictions on noise levels are necessary adjoining a Residential Zone or Medium Density Residential Zone as prevailing noise levels are low and need to be maintained at a low level in order to protect the pleasantness and amenity of these areas.

There are some specific sites where the permitted activity standards are set at a slightly higher level than for the Zone generally. This is in recognition of industrial activities which have been established under previous plans which have provided for such levels, and which are not practicably able to meet the standards now generally applying to the industrial/residential interface. For the larger of these sites, there is also a requirement for a Noise Management Plan to assist in mitigating effects of noise.

In some areas, such as in the vicinity of 68 Meihana and/or 83 Motupipi Streets (Fonterra Ltd) in Tākaka, there are established existing use rights, and nearby residents may at times be affected by higher levels of noise than the Plan provides for.

C10 10/07
Op 3/14

In the Light Industrial Zone in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) the intra-zone noise emission control allows for light industrial activities to operate for 24 hours at a noise emission level that is compatible with the zone use. On the zone boundary, day and night controls (apart from exemptions) ensure compatibility with adjoining land uses and provides certainty as to the measurement point, compared with other controls such as "notional boundaries" where the establishment of sensitive activities nearby outside the zone may have the effect of continually altering the measurement point for noise assessment.

The use of a gradation of zones between Industrial zones and sensitive Residential and Medium Density Residential Zones where the intermediate zones act as buffers, means that the separation distance will provide an effective mitigation measure from the adverse effects of noise emitted from the Light Industrial Zone. A buffer provided around the perimeter of the Light Industrial Zone at the interface with the Rural 1 Zone will also assist with providing noise attenuation at the boundary of the zone.

Residential Activities

Residential activities are excluded from Light Industrial and Heavy Industrial zones as often a lower standard of amenity is required in these zones for industrial activities to operate than would be expected in areas of residential activity. Therefore, if residential activities were located in industrial areas, the operation of these activities could be adversely affected by pressure from residents to reduce noise levels (and other effects) to levels compatible with residential activities.

Due to the level of amenity sought in the Residential Zone and Medium Density Residential Zone, where Light Industrial and Heavy Industrial zones adjoin this zone, performance requirements are provided regarding the location of work bays and vehicle access, parking and loading areas as it is considered that the effects of these activities, such as visual effects and noise, can be mitigated in this way.

Certain activities, which are known to be likely to cause noise nuisance (and other effects incompatible with residential amenity), are excluded from Light Industrial and Heavy Industrial zones where they adjoin a Residential Zone or Medium Density Residential Zone in order to protect the amenity of a Residential Zone or Medium Density Residential Zone.

Dust and Odour

Dust and odour can adversely affect the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

The effects of odour can also affect the amenity enjoyed in areas and in some cases, can be hazardous to people's health, particularly where adjoining residential areas.

Glare

Lighting can have effects due to the glare or illumination produced, which can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting.

In addition, reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

Stormwater

C7 7/07
Op 10/10

The effective management of stormwater within industrial developments is an important issue that must be addressed. The risk of stormwater contamination is generally higher than in other zones. Industrial sites can have large areas of sealed or compact surfaces for outdoor storage, such as heavy machinery. Industrial businesses often also use and store hazardous substances and potentially contaminating substances.

Filling of Allotments

The standard seeks to avoid inhibiting or altering the course of natural over-land stormwater flow paths and the risk of flooding other properties.

Coastal Inundation Risk

C79 11/24

As sea levels rise, the Māpua Light Industrial Area is progressively vulnerable to coastal inundation hazards. Development design needs to take into account the coastal inundation hazards.

Lower Queen Street Light Industrial Zone location

Part of the Light Industrial Zone location in Lower Queen Street is subject to Schedule 17.4A. In this low-lying area appropriate land use activities and buildings can be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Activities that are permitted in the Rural 1 zone remain permitted in this scheduled area.

Buildings in this area are subject to specific rules in the schedule and are required to obtain a resource consent and to be reassessed, and/or removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

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SCHEDULES

Schedule 17.4A: Subdivision and building on low-lying light industrial land, Lower Queen Street, Richmond

This schedule provides rules for the land that is subject to Schedule 17.4A as shown in the planning maps. Rules for building construction or alteration are provided in this schedule. Rules for land use activities are in Section 17.4.2.1.

17.4A.1 Building Construction or Alteration

17.4A.1.1 No Permitted Building

No buildings are permitted.

17.4A.1.2 Controlled Activities

Construction or alteration of a building is a controlled activity, if it complies with the following conditions:

(a) The building complies with the conditions (a) to (u) of Rule 17.4.3.1

(b) The building is temporary, relocatable, or readily removable.

(c) A condition is placed on any resource consent to the effect that the building must be relocated or removed from the site when Mean Sea Level reaches or exceeds th Schedule 17.4A sea level rise trigger.

(d) With any resource consent application, the applicant provides a plan that satisfactorily addresses how the buildings are able, both physically and financially, to be removed from the site.

For the purpose of this rule, "readily removable", means that the building is designed to be deconstructed with minimal destructive demolition. For example, it is made with panels which are bolted together and can be unbolted.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The nature of the building and its construction.

(2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.

(3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character and the coastal environment.

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4A.1.3 Restricted Discretionary Activities

Construction or alteration of a building is a restricted discretionary activity, if it complies with the following conditions:

(a) The building complies with conditions (b) to (d) of rule 17.4A.1.2

A resource consent is required. Consent may be refused, or conditions imposed, only in respect

of the following matters to which the Council has restricted its discretion:

(1) All matters identified in Rule 17.4A.1.2
(2) All matters identified in Rule 17.4.3.3.

17.4A.1.4 Discretionary Activities

Construction or alteration of a building that does not comply with the conditions of Rule 17.4A.1.3 is a discretionary activity.

A resource consent is required. Consent may be granted and conditions imposed, or consent may be refused.

Principal Reasons for Rules

This scheduled area is subject to projected future inundation in the Light Industrial Zone location that was established by Plan Change 10. The rules for this location reflect that use of this land for light industrial purposes may be appropriate for a period of time, but that ultimately landowners must be responsible for removing industrial buildings and activities, and that this should be done "on a fine day" before significant damage or destruction of the buildings is done requiring forced relocation and coastal clean-up.

17.5 RURAL 1 ZONE RULES

Refer to Policy sets 5.1 - 5.3, 5.5, 7.1 - 7.4, 8.1, 8.2, 9.1 - 9.3, 10.1, 11.1, 11.2, 12.1, 13.1, 14.3, 14.4, 33.4, 34.1, 34.2, 36.2, 36.6.
Refer to Rule sections 16.2, 16.11.

17.5.1 Scope of Section

This section deals with land uses in the Rural 1 Zone, including the Rural 1 Closed and Rural 1 Coastal zones. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19. **C22 2/11 Op 1/15**

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.5.2 Land Use

17.5.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

NOTE: Rule 17.5.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

(i) an industrial or rural industrial activity;

(ii) quarrying, where the volume of land disturbed is greater than 50 cubic metres in any 12-month period;

Advice Note: Clause (a)(ii) does not apply to forestry quarrying which is managed by NES-PF regulations 51 - 59.

(iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport;

(iv) the sale of liquor;

(v) a rural selling place where:
the sale and display area is greater than 25 square metres; or
access is to an arterial route;

(vi) a commercial activity; **C10 10/07 Op 3/14**

(vii) a community activity, except on Part Section 217 Waimea East District (Lower Queen Street, Richmond, occupied by Nelson Marlborough Institute of Technology), where the permitted activity is education, training and research; **C10 10/07 Op 3/14**

(viii) tourist accommodation;

(ix) cooperative living; **C60 1/16 Op 6/19**

[Condition (a)(x) is deleted]

(xi) a papakāinga development (See Section 16.14);

(xii) on Lot 1 DP 20183, Lot 1 & 2 DP 435942, Lot 3 DP 435942, Lot 4 DP 435942, Lot 2 DP 4875, and Lot 3 DP 4875 (Main Road, Hope); **C19 5/10 Op 8/12 C50 4/13 Op 8/14 C70 8/19 Op 1/21**

(xiii) a home occupation, except as allowed by rule 17.5.2.2. **C19 5/10 Op 8/12**

(xiv) the maintenance, repair, storing or parking of more than two heavy vehicle with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, rural industrial or home occupation activity. **C60 1/16 Op 6/19**

Except that on Record of Title 3C/906 (Part Section 190 and 192, Waimea East District) at Appleby, the following activities are permitted to the extent set out:

(i) A building and engineering contractor's yard, operated by the resident occupier of the site, including storage and maintenance of the occupier's equipment.

(ii) Log, post and sawn timber production, including splitting, drying and storage of timber and the construction and repair of pallets and bins used in the horticulture industry.

(iii) The use of one dwelling. **C60 1/16 Op 6/19**

[Condition (b) (including the heading) is deleted] **C60 1/16 Op 6/19**

Noise

(c) Except in the Richmond West Development Area, noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural zone (other than any dwelling on the site from which the noise is being generated), Rural Residential, Papakāinga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed: **C10 10/07 Op 3/14**

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

C19 5/10 Op 8/12

Except as required by condition (e), this condition does not apply to all noise from any intermittent or temporary rural plant and animal production activity, including noise from: **C14 5/09 Op 8/12 C60 1/16 Op 6/19**

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (c)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and NZS 6802:2008 Acoustics - Environmental Noise.

C19 5/10 Op 8/12

(d) In the Richmond West Development Area noise generated by the activity when measured at or within the notional boundary of any dwelling in a Rural 1 Zone (other than any dwelling on the site from which the noise is being generated), Rural Industrial, Light Industrial, Mixed Business, or at or within the boundary of any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

C10 10/07 Op 3/14
C14 5/09 Op 8/12

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

Except as required by condition (e) of this rule, this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural or agricultural equipment;

(ii) forest and tree harvesting activities;

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Frost Protection Devices

C14 5/09 Op 8/12

(e) Noise generated by any frost protection device, in combination with noise from any other authorised frost protection device, does not at any time exceed 55 dBA L_{eq} when measured:

(a) at or within the notional boundary of any dwelling that existed before the frost protection device is installed (other than a dwelling on the site from which the noise is being generated) in the Rural 1, Rural 2, Rural 3 or Rural Residential Zone; and

(b) at or within the boundary of the Residential, Medium Density Residential, Papakāinga, or Tourist Services Zone; and

(c) in any other circumstances, at a distance of 300 metres from the frost protection device;

provided that evidence of the ability to meet this condition is certified by an appropriately competent person in acoustic engineering and a copy of that certification, including a plan showing the location of the frost protection device or devices to which

the certification applies, is lodged with the Council prior to the installation of any frost protection device.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(f) Any frost protection device is operated only when the air temperature at the lowest level of the frost-tender part of the crop has fallen to 2 degrees Celsius, and ceases operating when the air temperature at that height has risen to 3 degrees Celsius; except that the device may be operated for maintenance purposes between 8.00 am and 6.00 pm.

(g) Any new residential activity that is sited within 300 metres of any frost protection device that is likely to exceed the noise limit in (e) above, is located, oriented, and constructed to ensure that bedrooms and living rooms achieve an indoor design sound level of 30 dBA L_{eq} and 45 dBA L_{max} from any noise permitted in the zone beyond the notional boundary of the building or dwelling. **C14 5/09 Op 8/12**

(h) Outdoor fan-type frost protection devices are used only for frost protection, for crops that have a distinct period of bud-burst and a distinct end of harvest, and only in the period between bud-burst and end of harvest.

Quarrying

(i) The setbacks in condition 17.5.3.1(h)(i) to (iv) are complied with.

(j) Condition 18.5.3.3(d) is complied with.

Planting Near Viewpoints

(k) Vegetation planted on or near to a viewpoint shown on the planning maps does not grow to a height that will obscure the view from the viewpoint.

Advice Note: Where vegetation is plantation forestry as defined in the NES-PF, regulation 13 allows condition (k) to apply.

Amenity Plantings **C10 10/07 Op 3/14**

(l) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

Intensive Livestock Farming **C60 1/16 Op 6/19**

(m) Intensive livestock farming which is intensive pig farming, including the keeping of pigs or the disposal of piggery effluent, must achieve the following setbacks:

(i) Distance from a Residential Zone or Medium Density Residential Zone boundary existing at the date of the establishment of the pig farming activity - 2,000 metres.

(ii) Distance from a Rural Residential Zone or Pāpakainga Zone boundary, school, church, public hall, marae, recreation ground, or other area with frequent public use existing at the date of the establishment of the pig farming activity - 1,500 metres.

(iii) Distance from a dwelling on another site in a Rural 1, Rural 2 or Rural 3 zone existing at the date of the establishment of the pig farming activity, or in relation to Rural 3 Zone, distance from any building location area as approved on a survey plan of subdivision - 500 metres.

(n) Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming, is set back at least 170 metres from any boundary of the site. **C60 1/16 Op 6/19**

Temporary Activities C60 1/16 Op 6/19

(o) An event which is advertised for public admission meets the following conditions:

(i) for any one site, the zone noise limits are exceeded for not more than two days within any 12-month period and this exceedance occurs only between the hours of 8:00 am and 6:00 pm;

(ii) any temporary building or structure that is used is removed at the end of the event;

(iii) where the event is located in the High Fire-Risk Area as shown on the planning maps and occurs between 1 October to 30 April, a fire preparedness plan is provided to the Waimea Fire and Emergency New Zealand for management under the Fire and Emergency New Zealand Act 2017 and to adjacent landowners 14 days before the activity commences, which provides sufficient detail to satisfy the purposes for which it is required and includes:

(a) the location, time and duration of the event and the number of people expected to attend the event;

(b) risk reduction measures including: briefing information for participants; management of spark hazardous activities (including smoking, lighting of fires and barbeques); length and dryness of grass; and a cancellation procedure for the event if the Build Up Index (BUI) of the nearest remote access weather station forecasts or has a BUI reading of 80 or more or a Fire Weather Index forecasts or reads 24 or higher;

(c) fire readiness measures including water and equipment for firefighting; number of people on site trained in firefighting to New Zealand Qualifications Authority (NZQA) or Fire and Emergency New Zealand Training and Progressive System (TAPS) module standards; location of safe site areas; an evacuation plan with a stay/go procedure and at least two escape routes to safe areas; a plan of how emergency services will access the site; an emergency notification process for organisers and attendees and a tested communication plan for phone or radio for communication with emergency services.

Note: Other legislation or requirements relating to health, food safety, building, and traffic management may need to be complied with.

17.5.2.2 Permitted Activities (Home Occupations) C19 5/10 Op 8/12

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) A home occupation which is visitor accommodation:

(i) accommodates no more than six visitors at any time;

(ii) occupies a building which is a dwelling which either existed on 25 May 1996 or is otherwise permitted by the Plan.

(b) A home occupation which is other than visitor accommodation:

(i) occupies no more than 75 square metres gross floor area;

(ii) employs or engages no more than two full-time equivalent persons who reside elsewhere than on the site.

(iii) takes place indoors if it is motor vehicle repairs or dismantling, motor body building, spray-painting, fibre-glassing, or sheet-metal working; C60 1/16 Op 6/19

(iv) is not bottle or scrap storage, rubbish collection or the composting of animal body parts;

(v) is not the boarding of domestic animals.

(c) The conditions for noise as set out in 17.5.2.1(c) or (d).

(ca) Where a home occupation gains access from a local road, the home occupation does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic is generated by:

(i) a home occupation that is visitor accommodation; or

(ii) vehicles that are being used for or in connection with plant and animal production activities.

(d) Retailing is permitted in accordance with the rural selling place provisions in rule 17.5.2.1 and is in accordance with the definition of rural selling place.

(e) The home occupation is not undertaken on a site which is located on a shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on site;

(ii) there are no visitors, clients or deliveries to the site.

~~17.5.2.3 Controlled Activities (Land Use) — Site Specific Activity (Hope Depot)~~

~~C19 5/10~~
~~Op 8/12~~

~~*Refer to Schedule 17.5A.*~~

17.5.2.4 Restricted Discretionary Activities (Land Use)

C10 10/07
Op 3/14

C19 5/10
Op 8/12

Any land use that does not comply with condition (l) of rule 17.5.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.5.2.5 Restricted Discretionary Activities (Land Use – Frost Protection Devices)

C14 5/09
Op 8/12

Noise generated by any frost protection device that does not comply with conditions (e) and (f) of rule 17.5.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Operational requirements of frost protection devices.

(2) Noise mitigation measures.

(3) Hours of operation (including maintenance).

(4) Height of the device.

17.5.2.6 Restricted Discretionary Activities (Home Occupations)

C19 5/10
Op 8/12

A home occupation that does not comply with the conditions of rule 17.5.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Rural Character

(1) The extent to which the activity will result in the loss of rural character on the site and in the vicinity of the site.

(2) Any adverse effect on the amenity values of the area.

General Adverse Effects

(3) Adverse effects of the home occupation in terms of noise, odour, vibration, dust, glare, visual impact, loss of privacy, traffic and parking congestion on site, and safety and efficiency of traffic on roads giving access to the site.

(4) Any effects of any outdoor storage of materials or equipment associated with the home occupation.

(5) Any effects relating to natural or technological hazards.

Miscellaneous

(6) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(7) Financial contributions, and bonds and covenants in respect of the performance of conditions (Section 108).

~~17.5.2.7 Restricted Discretionary Activities (Papakāinga Development)~~

~~C19 5/10~~ ~~Op 8/12~~

~~A papakāinga development is a restricted discretionary activity.~~

~~**A resource consent is required**. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:~~

~~(1) Appropriate access from adjoining roads and within the site.~~

~~(2) Methods of wastewater and stormwater disposal and provision of a reliable potable water supply.~~

~~(3) Risk from natural hazards.~~

~~(4) Means of avoiding conflicts within the development.~~

~~(5) Landscaping of the site to control any adverse visual effects.~~

~~(6) The objectives and policies of Chapter 7 of the Plan.~~

17.5.2.8 Restricted Discretionary Activities (Community Activities)

C19 5/10
Op 8/12

A community activity is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of rural character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(5) The duration of the consent and the timing of reviews of conditions.

(6) Financial contributions, bonds and covenants in respect of performance of conditions.

17.5.2.8A Discretionary Activities (Cooperative Living)

C60 1/16 Op 6/19 C73 Op 6/23

Cooperative living is a discretionary activity,

A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have particular regard to the following criteria and to other provisions of the Plan or Act:

(1) The extent to which the proposal has retained or enhanced the potential of the land to support plant and animal production. **C60 1/16 Op 6/19**

(2) The extent to which the buildings and proposed land use are consistent with low impact design and low impact building design principles and methods.

(3) Provision for the long term protection of the site from inappropriate subdivision contributing to land fragmentation of the site.

(4) The extent to which the proposed legal arrangement establishes, in an enduring manner: **C60 1/16 Op 6/19 C73 Op 6/23)**

- (a) the purpose or intent of the cooperative living activity;
- (b) how it will be managed now and in the future; and
- (c) how the individual members will be bound by this arrangement.

(5) Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees, and cultural heritage sites. **C60 1/16 Op 6/19**

(6) The extent to which the development minimises the potential for adverse cross-boundary effects and reverse sensitivity.

(7) Natural hazards within and beyond the site, including wildfire risk, slope instability and flood hazard effects.

(8) Effects on the rural landscape and on amenity values and coastal natural character.

(9) Effects on servicing, including road access, water supply, and wastewater and stormwater systems.

(9A) Effects on the road network.

(10) The extent to which buildings, structures and accessways minimise the physical fragmentation of a site.

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17.5.2.8B Restricted Discretionary Activities (Intensive Livestock Farming — Poultry Farming)

C60 1/16 Op 6/19

Any poultry body part of poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming that does not comply with the conditions of rule 17.5.2.1 is a Restricted Discretionary Activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Effects on amenity, including:

- (a) ability to mitigate offensive odour,
- (b) ability to mitigate visual effects by screening of activities from adjoining roads and sites,
- (c) adverse effects of the activity in terms of traffic, parking congestion on site and safety and efficiency of roads giving access to the site,
- (d) ability to manage effluent and waste generated as part of the activity.

17.5.2.9 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 17.5.2.1 to 17.5.2.3 is a discretionary activity, if it complies with the following conditions:

C60 1/16 Op 6/19 C73 12/20

(a) Where relevant, the conditions in rule 18.6.4.1 affecting quarrying.

C19 5/10 Op 8/12

(b) Where relevant, the conditions in rule 17.5.5.3 affecting the destruction or removal of more than 5 hectares of indigenous forest.

Item (c) deleted as part of Plan Change 73

C60 1/16 Op 6/19 C73 12/20 Op 6/23

(d) Where a commercial, industrial or rural industrial activity gains access from a collector road, sub-collector road, local road or residential lane, the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic generated is directly associated with plant and animal production.

C60 1/16 Op 6/19 C69 6/19 Op 6/20

A resource consent is required and may include conditions.

C19 5/10 Op 8/12

17.5.2.10 Non-Complying Activities (Land Use)

C60 1/16 Op 6/19

Any activity in the Rural 1 Zone that does not comply with the conditions of rule 17.5.2.9 is a non-complying activity.

C60 1/16 Op 6/19 C73 Op 6/23

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act.

C60 1/16 Op 6/19

17.5.3 Building Construction, Alteration, or Use

C60 1/16 Op 6/19

17.5.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Item (a) deleted as part of Plan Change 73 **C10 10/07 Op 3/14 C73 Op 6/23**

Dwellings and Workers' Accommodation

(b) Any building that is constructed is not: **C60 1/16 Op 6/19**

(i) a dwelling; or

(ii) part of any workers' accommodation; or

(iii) altered to become a dwelling; or

(iv) used for the purpose of a dwelling.

(c) Any alteration of a dwelling complies with conditions (f) to (m) [building height, setbacks, coverage and envelope].

Sleepout

(ca) There are no more than two sleepouts associated with any principal dwelling or second dwelling that is not a minor dwelling. **C60 1/16 Op 6/19**

(d) The area of each sleepout is no more than 36 square metres.

(e) The location of each sleepout is within 20 metres of any dwelling, including any minor dwelling.

(ea) The sleepout is not part of a cooperative living activity.

Height

(f) The maximum height of a building is 7.5 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) outside the Airport Height Control Areas at Motueka and Tākaka described in Schedules 16.11A and 16.11B, any chimney or other structure that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the definition of "height" in the Plan.~~;~~ **C42 12/12 Op 4/13**

~~(iv) for Hope Depot site, Schedule 17.5A(1)(c)(ii) applies.~~ **C50 4/13 Op 8/14**

(g) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

(h) The building is set back at least:

(i) 10 metres from road boundaries (15 metres from the east side of Queen Victoria Street between Green Lane and Whakarewa Street) and, except as provided for under condition (ka) or condition (kc), 5 metres from internal boundaries (subject, in the case of artificial shelter, to condition 17.5.4.1(b)), except: **C50 4/13 Op 8/14 C43 4/13 Op 1/15 C60 1/16 Op 6/19**

that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement, **C50 4/13 Op 8/14**

(Refer to 16.6.2.1(j)(iii) for applicable telecommunication and radio-communication facility setback requirements) **C68 7/18 Op 6/19**

~~as provided for in Schedule 17.5A (Hope Depot site);~~ **C50 4/13 Op 8/14**

(ii) 20 metres from the margins of lakes, Open Space, Recreation and Conservation zones;

(iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;

(v) 30 metres from a plantation forest.

(vi) 10 metres from the boundary, and not within the boundary, of any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(a) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply.

(b) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(i) Any building forming part or all of a rural selling place is set back no less than 30 metres from the road boundary.

(j) Buildings are set back at least 100 metres of a viewpoint shown on the planning maps.

(k) In the Richmond West Development Area, notwithstanding the exemption in condition (h)(i) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps. **C10 10/07 Op 3/14**

(ka) A building, which is not a habitable building, may be set within 5 metres of an internal boundary, where the landowner of the property has provided written permission. **C60 1/16 Op 6/19**

(kb) Any habitable building is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from any internal boundary, except where:

(a) the activity is an alteration to a dwelling, and the existing setback to the boundary is not thereby reduced; or

(b) the boundary is to the Residential, Medium Density Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm. **C60 1/16 & V2-C60 7/18 Op 6/19**

(kc) Any barn, shed or roofed enclosure which houses poultry on an intensive livestock farm that is a poultry farm is set back at least 100 metres from any boundary of the site. **C60 1/16 Op 6/19**

Building Coverage

(l) ~~Except as provided for in Schedule 17.5A (Hope Depot site), t~~The total area of all buildings on the site, excluding artificial shelters and poultry sheds or enclosures is: **C50 4/13 Op 8/14**

C60 1/16 Op 6/19

(i) not greater than 600 square metres for any site with a net area of 4,000 square metres or less; or

(ii) either:

(a) not greater than 600 square metres; or

(b) 5 percent of the net site area (but not greater than 2,000 square metres)

for any site with a net area greater than 4,000 square metres.

Building Envelope

(m) Buildings on sites that adjoin a Residential Zone or Medium Density Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all boundaries adjoining the Residential Zone or Medium Density Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Stormwater **C7 7/07 Op 10/10**

(n) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan.

17.5.3.2 Controlled Activities (Building Construction, Alteration, or Use) **C60 1/16 Op 6/19**

Construction, alteration, or use of a building that does not comply with the conditions of rule 17.5.3.1 is a controlled activity, if it complies with the following conditions:

Dwellings

(a) There is no more than one dwelling or building used for the purpose of a dwelling on a site. A dwelling contains no more than two self-contained housekeeping units, provided: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) both are contained within the same building;

(ii) one is clearly subsidiary;

(iii) connecting rooms or passages have a continuous roof; and

(iv) the walls are fully enclosed.

[Condition (b) is merged with condition (a)]

(c) The site has a minimum area of 12 hectares or the site was created by a subdivision which was approved by the relevant territorial authority prior to 25 May 1996. **C73 Op 6/23**

(d) Only in relation to the construction of a dwelling or the use of a building for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply: **C19 5/10 Op 8/12**
incorporating water mains fitted with fire hydrants; and **C34 3/12 Op 4/13**
the closest fire hydrant is no more than 135 metres from the dwelling, **C60 1/16 & V2-C60 7/18 Op 6/19**
the dwelling is:

EITHER

(i) provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply;

OR

(ii) provided with a water supply that is:
accessible to fire-fighting equipment; and
between 6 metres and 90 metres from the dwelling; and
on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam, or river that is within the required distances); and

either
stores at least 45,000 litres;

or
provides at least 25 litres per second for 30 minutes;

AND **C19 5/10 Op 8/12**

(iii) connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the dwelling is supplied from: **C34 3/12 Op 4/13**
a rainwater supply; or

a surface water source; or
a groundwater source
that is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

Note 1: Further advice and information about managing fire risk and storage of water for fire-fighting, including information about appropriate fittings for connection with fire appliances, can be obtained from Fire and Emergency New Zealand and the Fire and Emergency New Zealand Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Note 2: Information about the design, installation and maintenance of the sprinkler system can be found in NZS 4517:2010 Fire Sprinkler Systems for Houses.

Note 3: Fire risk can be further reduced through appropriate management of flammable vegetation near structures and ensuring fire appliances can locate and reach the dwelling in the event of a fire. Further information about managing fire risks is available from Fire and Emergency New Zealand or the Waimea Fire and Emergency New Zealand's Principal Rural Fire Officer.

Note 4: The water supply provided for in 17.5.3.2(d)(ii) may serve a second dwelling on the site provided that the requirements of the condition are met for both dwellings. **C60 1/16 Op 6/19**

(e) Any dwelling or habitable building is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from any internal boundary, except where:

(a) the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced; or

(b) the boundary is to the Residential, Medium Density Residential, Rural Residential or Rural 3 zone where the setback is 5 metres; or

(c) the internal boundary adjoins any site that was approved by subdivision consent on or before 30 January 2016 and is less than 2500 square metres, where the setback is 5 metres.

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

(f) Dwellings are set back at least 500 metres from any boundary of a quarry site that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under conditions 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

(g) There is adequate area on site for effluent disposal for each dwelling.

(h) The dwelling complies with condition (f) [Height] in rule 17.5.3.1.

(i) In the Rural 1 Closed Zone at Golden Hills Road, the exterior cladding of dwellings and ancillary buildings (including roofing) is to be in recessive colour tones. **C73 Op 6/23**

Workers' Accommodation

~~(j)~~ ~~All buildings which are part of workers' accommodation are relocatable~~.

(k) The site of the workers' accommodation has a minimum area of ~~12 hectares~~ 5,000m2.

(ka) The site is not part of a cooperative living activity. **C60 1/16 Op 6/19**

(kb) The workers' accommodation is connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the workers accommodation is supplied from:

- A rainwater supply; or
- A surface water source; or
- A groundwater source

That is both reliable and potable and, where stored on site, is at least 250 litres in volume per person, per day,

(kc) The total maximum design occupancy of all workers' accommodation buildings on the site does not exceed 35 people.

(kd) Any workers' accommodation building complies with condition (e) [Setback] in rule 17.5.3.2

Stormwater

(l) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan. **C7 7/07 Op 10/10**

General

(m) The building complies with conditions (g), (h), (i), (j), (l) and (m) [Setback, Building Envelope and Building Coverage] in rule 17.5.3.1.

(n) The maximum height of the building (except a dwelling) is 12.5 metres.

[Condition (o) is deleted] **C60 1/16 Op 6/19**

(p) The building is not located within, or within 10 metres of, any indicative road or indicative reserve (including Borck Creek) or amenity planting setback in the Richmond West Development Area, except for the following: **C10 10/07 Op 3/14 C73 Op 6/23**

(i) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(q) In the Richmond West Development Area, notwithstanding the exemption in condition 17.5.3.1(h)(i) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The location of the building on the site and the effects on the potential availability of productive land.

(2) Location and effects of on-site servicing, including wastewater disposal, access and traffic safety.

(2A) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred, for the purposes of the relevant urban zone once it takes effect. **C51 1/15 Op 9/16**

(3) Effects on the amenities of the area, including landscaping and the colour, materials and surface treatment of buildings and the potential impact for existing productive activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(4) Effects of any proposed outdoor storage of goods, machinery or produce.

(5) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries, and effects on significant views, ridgelines and hill tops. **C60 1/16 Op 6/19**

(5A) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on plant and animal production. **C60 1/16 Op 6/19**

(5B) Low impact building design.

(6) The on-site management of stormwater in accordance with Low Impact Design solutions. **C7 7/07 Op 10/10**

(6A) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated. **C60 1/16 Op 6/19**

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

(9) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(10) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

17.5.3.3 Restricted Discretionary Activities (Building Construction, Alteration, or Use) **C60 1/16 Op 6/19**

Construction, alteration, or use of a building that does not comply with the conditions of rule 17.5.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Dwellings

(a) Except as provided for in condition (ba), no more than two dwellings are placed on a site or no more than two buildings are used for the purpose of dwellings; except that: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) no dwelling or building used for the purpose of a dwelling may be placed on the parts of Records of Title 8B/1026 and 11A/465 which are within Area "D" in the annotated area on the planning map at Ruby Bay; and

(ii) no more than one dwelling or building used for the purpose of a dwelling may be placed on the part of Record of Title 8B/1025 within Area "D".

(b) Except as provided for in condition (ba), a site containing more than one dwelling or building used for the purpose of a dwelling has a minimum area of 24 hectares.

(ba) The activity is a second dwelling that is a minor dwelling and the principal dwelling contains a single housekeeping unit only. **C60 1/16 Op 6/19**

(bb) The second dwelling that is a minor dwelling complies with the controlled conditions of rule 17.5.3.2 (d) - (h), (i), (l), (m), (o), (p), (q).

(bc) Dwellings are set back at least 500 metres from any boundary of an existing quarry site, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).

Stormwater

(c) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan. **C7 7/07 Op 10/10**

General

(d) If an adjoining property has horticultural plantings, including vineyards, where pesticides may be discharged to air, any school and its grounds, early childhood education facility and its grounds, visitor accommodation or tourist accommodation is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from the boundary common to the horticultural plantings, including vineyards, and the building or grounds; or

(ii) 20 metres from horticultural plantings, including vineyards, where a spray belt is established along the boundary common to the horticultural plantings and the building or grounds~~.~~

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of control (1) – (8) in rule 17.5.3.2. **C60 1/16 Op 6/19**

(2) Effects of a building with reduced setbacks.

(3) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred for the purposes of the relevant urban zone once it takes effect. **C51 1/15 Op 9/16**

(3A) Where a proposed building location cannot comply with the 30-metre setback rule due to the shape of the site, the potential to mitigate the effects from any reduced setbacks for habitable buildings through measures such as building location, orientation, design, fencing or screening, and clustering of residential activities. **C60 1/16 Op 6/19**

(4) In the Richmond West Development Area: **C10 10/07 Op 3/14**

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001).

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

(5) Alternatives for fire risk management. **C34 3/12 Op 4/13**

Workers' Accommodation

(6) Whether or not the workers' accommodation building is repurposing existing buildings for workers' accommodation purposes.

(7) Whether vehicle access provided is functional and safe.

(8) The extent to which access to and from the site, carparking on the site and traffic generated in association with the buildings affect the amenity, character and use of the neighbouring sites and public places and in particular the extent to which these can be viewed from neighbouring sites and public places.

Noise

(9) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(10) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

17.5.3.3A Discretionary Activities (Building Construction, Alteration or Use) **C60 1/16 Op 6/19**

Any construction, alteration, or use of a building that does not comply with the conditions of rule 17.5.3.3 is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act.

17.5.4 Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts

17.5.4.1 Permitted Activities (Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts)

NOTE: Rule 17.5.4.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Planting of plantation forests, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Plantation Forest Setbacks

(a) Plantation forests are set back at least:

(i) 50 metres from a Residential Zone or Medium Density Residential Zone boundary;

(ii) 30 metres from a dwelling;

(iii) 10 metres from any boundary, except that:

(a) trees are not planted or allowed to grow in a position which could result in any dwelling on an adjoining property becoming shaded between 10.00 am and 2.00 pm on the shortest day; and

(b) this setback need not apply where there is a written agreement between adjoining property owners that is lodged with Council.

(iv) 10 metres from the intersection of any formed legal road;

(v) 10 metres from the bed of any river or stream greater than 3 metres average bed width;

(vi) 10 metres from the bed of any lake;

(vii) 50 metres from the coastal marine area.

Advice Note: Clause (a)(vii) prevails over NES-PF regulations 14(3)(b) and 78(2)(c) because it is more stringent under regulation 6(1)(b).

Spray and Shelter Belt and Artificial Shelter Setbacks

(b) Spray belts, shelter belts and artificial shelter are set back at least:

(i) 3 metres from property boundaries;

(ii) 10 metres from the intersection of any formed legal road;

Horticultural Plantings Setbacks

(c) Horticultural plantings are set back at least:

(i) 10 metres from the intersection of any formed legal road;

(ii) 3 metres from property boundaries.

(d) Horticultural plantings where pesticides may be discharged to air are set back at least:

(i) 30 metres from any dwelling, any other building used for any residential activity, visitor accommodation or tourist accommodation, or any school or school grounds, or early childhood education facility or its grounds on an adjoining property; or

(ii) 20 metres from any of the buildings or grounds specified in (i) of this condition where a spray belt is established along the boundary common to the horticultural plantings and the buildings or grounds.

Trees and Shelter near Roads

(e) Trees are not planted or allowed to grow, and artificial shelter is not constructed, in a position which could result in any icing of roads being prolonged by shading of the road between 10.00 am and 2.00 pm on the shortest day.

Height

(f) The maximum height of horticultural plantings, spray belts or shelter belts growing within 20 metres of a boundary is 6 metres.

(g) The maximum height of artificial shelter is 6 metres.

(h) The height of horticultural plantings, spray belts or shelter belts does not exceed the horizontal distance between the shelter or horticultural plantings and the nearest dwelling.

Maintenance of Horticultural Plantings and Shelter Belts

(i) Spray belts or shelter belts and horticultural plantings are maintained by the owner so that no vegetation extends over property boundaries or roads.

(j) Prunings are removed or otherwise disposed of by the tree owners when they fall on other properties, with the permission of the owners of the other properties.

(k) Root pruning of horticultural plantings, shelter or spray belt trees along a property boundary is carried out by the owner of trees at least once every five years, or at a lesser frequency agreed between adjoining landowners.

17.5.4.2 Restricted Discretionary Activities (Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts)

Planting of plantation forests, trees, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter that does not comply with the conditions of rule 17.5.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The adverse effects of shading on adjoining properties.

(2) The actual or potential fire risk.

(3) The actual or potential adverse effects on the open space or amenity values of the area.

(4) The actual or potential adverse effects of pesticide drift across property boundaries.

(5) The potential for exotic wildling spread to significant indigenous vegetation or habitat.

(6) The adverse effects of tree planting or construction of artificial shelter on visibility at road intersections and property accesses or icing on roads.

(7) The influence of topography on shading.

(8) The nature of adjoining uses and adverse effects of higher trees or shelter.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.5.5 Destruction or Removal of Indigenous Vegetation and Forest

17.5.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation) [17.4.9A Proposed]

NOTE: Rule 17.5.5.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity if it complies with the following conditions:

(a) The site is not a naturally occurring wetland.

(b) The site does not include any of the following:

(i) indigenous dune vegetation;

(ii) salt herb fields;

Proposed as at 1 November 2008 **C3 12/03**

(b) (iii) woody indigenous vegetation in the Coastal Environment Area;
[(c) Proposed]

(iv) indigenous vegetation on any area of karst that contains an area of fissured or fluted rock outcrops, a cliff face, or any talus slope;

(v) indigenous vegetation containing small-leaved coprosma shrubs (*Coprosma propinqua* or *Coprosma rigida*) or small-leaved shrub daisy (*Olearia virgata*) on any lowland alluvial site (up to 600 metres above sea level) in the Buller catchment; between 600 and 1200 metres above sea level in the Tākaka catchment (including the Cobb); and up to 950 metres in the Canaan Downs/Pikikirunga area.

Advice Note: Clauses (b) (i), (ii), (iii), (iv) and (v) prevail over regulation 93 because they are more stringent under regulations 6(1)(b) NZCPS and 6(3)(b) Karst.

17.5.5.2 Discretionary Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation that does not comply with the conditions in rule 17.5.5.1 is a discretionary activity.

A resource consent is required and may include conditions.

17.5.5.3 Permitted Activities (Destruction or Removal of Indigenous Forest) [17.4.10 Proposed]

NOTE: Rule 17.5.5.3 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous forest is a permitted activity, if it complies with the following conditions:

Proposed as at 1 November 2008 **C3 12/03**

(a) The site is outside the Coastal Environment Area.
[(aa) Proposed]

EITHER

(b) The area of indigenous forest to be destroyed or removed is less than 0.2 hectare (2000 square metres) per site over a three-year period.

OR

(c) The area is subject to a sustainable forest management plan, permit, or personal use approval under Part 3A of the Forests Act 1949, approved as at 31 March 2007.

OR

(d) The area is subject to a sustainable forest management plan, permit, or personal use approval either required or approved under Part 3A of the Forests Act 1949 after 31 March 2007 that is not:

(i) on a lowland alluvial site; or

(ii) on karst;

and a copy of the approved plan, permit, or personal use approval has been lodged with Council.

17.5.5.4 Controlled Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.5.5.3 is a controlled activity, if it complies with the following conditions:

(a) The area of indigenous forest destroyed or removed is greater than 0.2 hectare and less than 1 hectare per site over a three-year period.

(b) The forest is not on a lowland alluvial site.

(c) The site is outside the Coastal Environment Area.

(d) The activity is not subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Species to be removed and volume.

(2) Replanting.

(3) Extraction techniques.

(4) Mitigation of effects.

17.5.5.5 Restricted Discretionary Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.5.5.4 is a restricted discretionary activity, if it complies with the following conditions:

(a) The activity is subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949 and a copy of the approved plan or permit has been lodged with Council.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The significance of the indigenous forest affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological, scientific, recreational, tourist and landscape values, and natural features of the area.

(2) The extent to which any retention of the forest is necessary to prevent instability, flooding, or erosion of land and to maintain water quality.

(3) Effects on archaeological, cultural and historic sites within the application area.

(4) The extent to which the proposal provides for regeneration or modification of indigenous forest or sustainable management of the indigenous forest resource.

(5) The extent of the reduction of the indigenous forest associations in the District should the application proceed, and the impact on the sustainability of that indigenous forest association.

(6) The extent to which the adverse effects of the activity can be mitigated (for example, revegetation, covenanting, fencing, pest and weed management).

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.5.20 Principal Reasons for Rules

Noise

The rural environment is a working environment where noise is generated as part of many rural activities. Rules limit noise problems arising from continuous sources and from residential sources within the zone, but greater freedom is given to the types of noise that arise in normal day-to-day rural activities. For these types of noise, methods other than rules such as codes of practice or the best practicable option approach, will be applied as appropriate.

Building Height

The height of buildings in rural areas is regulated to preserve visual amenities and, coupled with setback requirements, to avoid shading across boundaries.

Setback

Setback from roads will promote road safety and help maintain rural open space. It will also separate dwellings from the adverse effects of road use, such as dust, noise and vibration. Separation between buildings on adjoining sites maintains open space and privacy and minimises shading of neighbouring properties.

C60 1/16
Op 6/19

The 30-metre setback requirement for habitable buildings has been imposed primarily to manage cross-boundary effects, limit impacts on the productive potential of adjoining sites, and minimise impacts on rural character and amenity.

Tasman District has a legacy of small rural sites in the Rural 1 zone that may be constrained in meeting the 30-metre internal boundary setback standard for habitable building due to the shape of the site. In these cases, the mitigation of the effects identified in the preceding paragraph from a reduced internal boundary setback may be achievable through measures such as building location, orientation, design, fencing or screening, as well as clustering of residential activities.

Rules for setbacks to legacy sites below 2500 square metres recognised that the majority of these sites are already built on and used for residential activities; and there is very limited productive opportunity of these small sites. Risks of reverse sensitivity complaints or loss of rural amenity are less likely to arise on sites where residential activities are clustered with other residential activities.

The setbacks for dwellings from quarry activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

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Building Setback from Rivers

The setback of buildings from rivers avoids or mitigates the risk to buildings from bank erosion and provides for access in order to maintain channels or bank stability. Setbacks provide a degree of mitigation from flooding. They also provide for open space to maintain natural character, and possible public access or recreational use through esplanade reserves or strips. Setbacks help reduce possible conflicts between river use and adjacent residential or other uses of buildings. The variation in setback from rivers of different widths reflects the varying risks and access requirements.

Setback of Buildings from Lake Margins and Other Zone Boundaries

The setback of buildings from the margins of natural occurring lakes and large impounded lakes, and from the boundary with Open Space, Recreation and Conservation zones provides for open space to retain natural character and possible public access or recreational use through esplanade reserves or strips. The setbacks also help reduce possible conflict between lake use and adjacent residential or other uses of buildings.

Indicative Roads and Reserves

C73
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Shading Caused by Buildings and Trees

Shading caused by buildings is a problem over winter, with buildings casting long shadows to the southwest, south and southeast. The setback from southern boundaries, coupled with the height restrictions, is based on a sun path for June, and avoids shading of neighbouring dwellings between 10.00 am to 3.00 pm.

Trees, located alongside roads can cause shading of roads in winter with consequent problems with icing of the road surface and obvious traffic hazards and road maintenance effects. New shading problems can be avoided by ensuring that new plantings are not located in positions which would impede the access of sunlight to road surfaces in the middle of the day in winter.

Trees can also cause shading problems on neighbouring properties, particularly on dwellings and horticultural crops. Setback and height restrictions reflect the difference in intensity of adverse effects caused by different trees.

Live Shelter and Horticultural Plantings

These rules mitigate shading and crop competition effects and also provide access for tree maintenance, including both root and branch pruning, on the owner's property. The setbacks allow for pruning to be undertaken from the property and avoid traffic hazards.

Fire Hazard

Fire hazard controls are applied to all rural buildings, not just dwellings. A 30-metre separation distance between buildings and plantation forests will help to contain a fire in proximity to an isolated rural building. A setback of 50 metres from Residential Zone or Medium Density Residential Zone boundaries is required because of the potentially greater risks in the higher density built-up areas. The rule reflects the firebreak recommendations for exotic forestry in the Waimea Rural Fire Control Policy.

Building and Planting Near Viewpoints

Some viewpoints in rural areas have been identified as amenities of value to the community. It is usually possible to resite buildings, structures and plantings so that views are not compromised.

Pesticide Discharges

The setback and spray belt requirements will avoid or mitigate adverse effects arising from the drift of pesticides across property boundaries.

Land Fragmentation

The construction of buildings, especially dwellings, has been recognised as a contributing factor to fragmentation of land which limits the productive values, including versatility of land. The rules relating to land use, including those for buildings and location are to control the adverse effects of land fragmentation on the productive values of the land, as well as on rural character and amenity values. The more highly-valued versatile land in the Rural 1 Zone is at greater risk of fragmentation and the rules seek to limit those adverse effects through more stringent controls than in Rural 2.

Small subsidiary units that are dependent on the main dwelling are permitted, whereas consent is required for additional dwellings because of their propensity to contribute to land fragmentation. Cooking facilities are not allowed in these subsidiary units as these can encourage separation and independence from the main dwelling.

Destruction or Removal of Indigenous Forest and Vegetation

Indigenous forest and other indigenous vegetation has intrinsic ecological and biodiversity value. It also adds to the visual character of the District. While much of the upland vegetation of the District is protected in the extensive conservation estate, the lowland forest remnants and coastal vegetation is less well protected and has been identified in Chapter 10 as a priority for protection. Specific locations where there are distinctive indigenous vegetation associations, with some threatened species, are protected. These include indigenous vegetation on largely rocky surfaces of karst formed on limestone, marble, dolomite or magnesite; and frost flat shrublands. Frost flat shrublands containing small-leaved species of Coprosma and Olearia is indigenous vegetation in locations along inland valley floors in the Buller or at higher altitudes elsewhere, where frequent heavy frosts limit larger woody species. Some frost flat species are nationally threatened. The Forests Act 1949 provides for the management and some protection of indigenous forest. The rules are interim and may be changed when further studies have been done to identify significant natural areas.

Home Occupations

Rural areas are appropriate for small-scale industrial and commercial activities, which can provide employment opportunities for site occupants and a limited number of employees, with minimal adverse impact on the environment. The rules ensure that permitted activity home occupations can be managed in a way that limits potential adverse effects.

Quarrying

The Rural 1 Zone is, in places, closely subdivided and closely settled, is often used for intensive productive rural activity, and the land resources have high actual and potential productive and versatile qualities for present and future generations. Quarry activities have a range of potential adverse effects. In the context of the zone, the effects of new quarries and quarry expansion activities need to be evaluated on a case-by-case basis as a discretionary activity.

~~**Papakāinga Development**~~

~~In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally-owned Maori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.~~

Water Supply

C34 3/12
Op 4/13

Where water reticulation is available, new dwellings will be expected to connect to the service. In Rural and Rural Residential zones, except in locations where a high pressure reticulation is present, new dwellings are required to have access to sufficient stored water for fire protection or install a home sprinkler system for the purpose of fire protection and to install water collection and storage systems to ensure that a minimum potable water supply is available. The potential for adverse landscape and amenity effects of water storage tanks, especially on small sections is acknowledged, however an efficient fire risk management solution can also be provided by home sprinkler systems. Water supplies may include ponds, lakes or rivers with sufficient storage or flow that are not on the same site as the dwelling but are within the required distances.

Scheduled Site

A Scheduled Site has been established on land characterised by established industries, including some that were previously part of the Network Tasman Line Depot. The site, with some substantial industrial buildings on it, is no longer required as a depot but has value as an industrial land resource. There are some dwellings adjoining and close to the site. C50 4/13 Op 8/14

The purpose of the Schedule is to enable limited industrial use of the land, having regard to the physical resources it contains and some potential for additional development, whilst at the same time avoiding development with activities that might detract from the existing levels of amenity enjoyed by nearby residents.

In keeping with the surrounding land, the site retains its Rural 1 zoning.

Controlled activity status for a broad range of activities is closely linked to requirements that activities meet specified conditions. Applications that cannot demonstrate compliance will be discretionary activities.

Hours of operation for activities are subject to specified limits but may be extended at the discretion of Council, recognising that some activities, by their nature, may be able to operate with minimal discernible off-site effects on the amenity of nearby properties occupied by residential activities, particularly in the evening.

Industrial and Commercial Activities C60 1/16 Op 6/19

The Rural 1 and Rural 2 Zones are generally not appropriate for accepting the potential cumulative effects of business activities, either outside zoned locations for them or where they are more appropriately located in industrial or mixed business zones. This is because the primary purpose of these zones is to support the use of productive land for plant and animal production. Business activity associated with plant and animal production and with efficient locations with capacity and for transport links may be appropriate.

Sleepouts

The number of sleepouts on any given property is two sleepouts per principal dwelling and second dwelling, where that second dwelling is not a minor dwelling. Those sleepouts may be located within 20 metres of any dwelling, including any minor dwelling.

SCHEDULES

Schedule 17.5A: Activities on Network Tasman Ltd Site at Main Road, Hope

Controlled Activities

1. Any land use on Lot 1 DP 20183, Lots 1 & 2 DP 435942, Lot 3 DP 435942, Lot 4 DP 435942, Lots 2 & 3 DP 4875, Lot 1 DP 20392 and/or Lot 1 DP 19736 is a controlled activity, if it complies with the following conditions: C50 4/13 Op 8/14 C70 8/19 Op 1/21

(a) The activity is one of the following:

(i) The storage of goods on Lot 1 DP 435942 C50 4/13 Op 8/14

(ii) Offices

(iii) Light manufacturing activities

(iv) Trade workshops

(v) The retail sale of goods which are either manufactured or serviced on the site, provided that the retail display area does not exceed 100 square metres.

(vi) Laboratories

(vii) Transport depots on Lot 1 DP 435942 C50 4/13 Op 8/14

(b) The activity complies with the following applicable conditions:

~~(i)~~ ~~**Noise**~~

~~Condition (m) as set out in rule 17.4.2.1.~~

~~(ii)~~ ~~**Hours of Operation**~~

~~Limited to 7:00 am to 7:00 pm, Monday to Saturday inclusive.~~

~~(iii)~~ ~~**Air Emissions – Dust and Odour**~~

~~Conditions (e) and (f) as set out in rule 17.4.2.1.~~

~~(iv)~~ ~~**Glare**~~

~~Conditions (g) and (h) as set out in rule 17.4.2.1.~~

~~(v)~~ ~~**Screening**~~

~~Outdoor storage areas are screened from view from adjoining properties used for residential purposes by a solid wall or fence 1.8 metres high.~~

~~(vi)~~ ~~**Amenity Plantings**~~

~~The boundary with any adjoining site used either for residential purposes, or the ex-railway reserve or the State Highway is planted with a 2-metre deep planting strip of shrubs that have a mature height of not less than 2 metres and not more than 3 metres. The shrubs are evergreen varieties spaced to provide effective screening. Alternatively, a solid screen fence may be provided along the boundary with the agreement of adjoining property owners.~~ ~~C50 4/13 Op 8/14~~

~~(vii)~~ ~~**Stormwater**~~ ~~C50 4/13 Op 8/14 C70 8/19 Op 1/21~~

~~(a) Condition (p) as set out in rule 17.4.2.1.~~

~~(b) For new development within Lot 1 DP 20183, Lot 1 DP 20392 and Lot 1 DP 19736 (south-west of Reed Andrews Drain), the peak runoff rate during a 1-in-100 year storm event does not exceed the predevelopment peak runoff rate.~~ ~~C50 4/13 Op 8/14~~ ~~C70 8/19 Op 1/21~~

~~(c) The development provides for overland flood flow paths to cross the post development site, and retains the pre-development upstream entry and downstream exit points of the overland flood flow to and from the site.~~ ~~C70 8/19 Op 1/21~~

~~(d) The flood flow path surface is constructed or treated to prevent erosion of the surface.~~

~~(e) The development provides for overland flood flow paths to cross the post development site, and retains the pre-development upstream entry and downstream exit points of the overland flood flow to and from the site.~~

~~(d) The flood flow path surface is constructed or treated to prevent erosion of the surface.~~

~~(viii)~~ ~~**Vehicle Access**~~

~~With the exception of vehicles passing over the right of way adjoining CP68B on Lot 1 DP 20392 for the purpose of accessing Lot 1 DP343453 the following applies.~~

~~(a) There is no vehicle access between Lot 1 DP 20392 and Lot 2 DP343453.~~

~~(b) Vehicle access to any land parcel in Schedule 17.5A through Lot 1 DP19736 and Lot 1 DP 20392 is entrance only and is limited to 40 Equivalent Car Movements per day.~~

(c) All vehicles entering through Lot 1 DP19736 and Lot DP20392 must exit onto State Highway 6 (SH6) at Crossing Places CP66 or CP57 on Lot 1 DP20183 and Lot 4 DP 435942.

(d) An electronic entry control barrier, located at the entrance to the body of Lot 1 DP20392, must be used at all times to control access.

(e) Buildings comply with the following conditions:

(i) **Maximum Coverage**

65 per cent.

(ii) **Maximum Height**

10 metres.

(iii) **Location of Doors**

Goods service docks, open work bays, and openable work bays do not face any dwelling on an adjoining site unless there is an intervening building that effectively screens such openings from the dwelling.

(iv) **Building Envelope**

Any building erected on a site adjoining a site used for residential purposes complies with the building envelope required in rule 17.4.3.1(j).

(v) **Setbacks**

Buildings are no closer than 5 metres to any boundary with an adjoining site occupied by a dwelling, and no closer than 3 metres to any other site boundary.

(vi) **Signs**

A single free-standing sign meeting the specification in Figure 16.1C at the intersection of the site access with State Highway 6. Wording is restricted to the names of businesses operating in the scheduled area. Individual businesses within the site may display signs as specified in Figure 16.1B for industrial zones provided that these are not visible from sites used for residential purposes.

(vii) **Finished Building Platform Level** C50 4/13 Op 8/14

Any new building platform level must be no less than 500 millimetres above the estimated 1 in 50 year flood level, as assessed by a Chartered Professional Engineer.

(viii) **Wastewater Disposal** C70 8/19 Op 1/21

All buildings which generate wastewater are connected to a reticulated wastewater system where the service is available.

OR

The discharge complies with section 36.4 of this Plan.

(ix) **Stormwater**

(a) The development provides for overland flood flow paths to cross the post-development site, and retains the pre-development upstream entry and downstream exit points of the overland flood flow to and from the site; and

(b) The flood flow path surface is constructed or treated to prevent erosion of the surface.

(d) Sufficient information is provided to satisfy the Council that the requirements under (a) to (c) above will be complied with. Any application must be lodged with a site layout plan, landscape plan, building elevations, a description of the activity and the processes it involves and methods to be adopted to comply with conditions. C50 4/13 Op 8/14

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A resource consent is required and may include conditions. The Council's assessment is limited to, the following matters over which the Council has reserved control:

(1) In respect of buildings within 10 metres of the State Highway 6 boundary and/or within 10 metres of the ex-railway reserve, the appearance of buildings. C50 4/13 Op 8/14 C70 8/19 Op 1/21

(2) How planting achieves an attractive State Highway 6 frontage using a mix of low plantings and specimen trees at 10 metre intervals whilst ensuring visibility to and from the State Highway. C50 4/13 Op 8/14

(3) Whether along the land fronting Norman Andrews Place landscaping proposed will ensure the maintenance of existing native planting (and replacement of any existing planting which may die or are diseased) and any additional planting will achieve a dense screen along Norman Andrews Place frontage.

(4) Whether the planting proposed adjoining the Railway Reserve is such as will provide screening along that boundary within the 3 metre setback whilst also allowing intermittent views of the buildings on the site.

(5) In respect of buildings within 10 metres of the south-western boundary with 82 Main Road, Hope (Pt Sec 114 Waimea East DIST) and/or the north-western or north-eastern boundary with 68 Main Road, Hope (Lot 1 DP 20392) (while this property is still in residential use) whether the design of the building and associated landscaping has addressed amenity values from this residential property including outlook, privacy and solar access. C50 4/13 Op 8/14 C70 8/19 Op 1/21

(6) The purpose and timing of any review conditions of consent (Section 128 of the Act) in relation to traffic effects. C70 8/19 Op 1/21

Restricted Discretionary Activities C50 4/13 Op 8/14

2. Any land use that complies with all the conditions of rule 1 of this Schedule except condition (b)(ii) (Hours of Operation) is a restricted discretionary activity, if it complies with the following condition:

(a) **Hours of Operation**
Limited to 7.00 am to 10.00 pm, Monday to Saturday inclusive.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion.

(1) The avoidance, remedying or mitigation of any adverse effect on amenity values of adjacent properties used for residential purposes.

3. Any land use that is a transport depot or storage of goods activity on scheduled land, other than on Lot 1 DP 435942, is a restricted discretionary activity, provided that it complies with all the conditions of (b), (c) and (d) of Rule 1. C50 4/13 Op 8/14

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion.

(1) The potential effects on the safe and efficient operation of State Highway 6 at CP57 and CP66, with the New Zealand Transport Agency (NZTA) being the only potentially affected party.

3A. Any land use that complies with all the conditions of rule 1 of this Schedule except condition (b)(viii) [Vehicle Access] is a restricted discretionary activity. C70 8/19 Op 1/21

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion.

~~(1) The potential effects from vehicle movements on the adjoining properties~~

~~(2) The potential effects on the safe and efficient operation of State Highway 6 with New Zealand Transport Authority being the only potentially affected party.~~

~~**Discretionary Activities**~~

~~4. Any land use that is not identified as a controlled activity under rule 1 or a restricted discretionary activity under rule 2 or rule 3 of this Schedule is a discretionary activity.~~

~~**A resource consent is required.** Consent may be refused or conditions imposed.~~

17.6 RURAL 2 ZONE RULES

Refer to Policy sets 5.1 - 5.3, 5.5, 7.1 - 7.4, 8.1, 8.2, 9.1 - 9.3, 10.1, 11.1, 11.2, 12.1, 13.1, 14.3, 14.4, 33.4, 34.1, 34.2, 36.2, 36.6.
Refer to Rule sections 16.11.

17.6.1 Scope of Section

This section deals with land uses in the Rural 2 Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.6.2 Land Use

17.6.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

NOTE: Rule 17.6.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

(i) an industrial or rural industrial activity;

(ii) quarrying, where the volume of land disturbed is greater than 50 cubic metres in any 12-month period;

Advice Note: Clause (a)(ii) does not apply to forestry quarrying which is managed by NES-PF regulations 51- 59.

(iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport;

(iv) the sale of liquor;

(v) a rural selling place where:
the sale and display area is greater than 25 square metres; or

access is to an arterial route;

(vi) a commercial or community activity;

(vii) tourist accommodation;

(viii) cooperative living; **C60 1/16 Op 6/19**

(ix) a pāpakainga development (See Section 16.14);

(x) a home occupation, except as allowed by rule 17.6.2.2. **C19 5/10 Op 8/12**

(xi) the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, rural industrial or home occupation activity. **C60 1/16 & V2-C60 7/18 Op 6/19**

Noise

(c) Except in the Richmond West Development Area, noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential, Pāpakainga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed: **C10 10/07 Op 3/14**

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

C19 5/10 Op 8/12

Except as required by condition (e), this condition does not apply to all noise from any intermittent or temporary rural plant and animal production activity, including noise from: **C14 5/09 Op 8/12 C60 1/16 Op 6/19**

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (c)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

(d) In the Richmond West Development Area Rural 2 Zone, noise generated by the activity when measured at or within the notional boundary of any dwelling in a Rural 2 Zone (other than any dwelling on the site from which the noise is being generated), Rural Industrial, Light Industrial, Mixed Business, Open Space or Recreation Zones, or at or within the boundary of any site within a Residential Zone or Medium Density Residential Zone, does not exceed: **C10 10/07 Op 3/14 C14 5/09 Op 8/12**

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

Except as required by condition (e), this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural or agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (d)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

C10 10/07 Op 3/14
C14 5/09 Op 8/12

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Frost Protection Devices

C14 5/09 Op 8/12

(e) Noise generated by any frost protection device, in combination with noise from any other authorised frost protection device, does not at any time exceed 55 dBA L_{eq} when measured:

(a) at or within the notional boundary of any dwelling that existed before the frost protection device is installed (other than a dwelling on the site from which the noise is being generated) in the Rural 1, Rural 2, Rural 3 or Rural Residential Zone; and

(b) at or within the boundary of the Residential, Medium Density Residential, Pāpakainga, or Tourist Services Zone; and

(c) in any other circumstances, at a distance of 300 metres from the frost protection device;

provided that evidence of the ability to meet this condition is certified by an appropriately competent person in acoustic engineering and a copy of that certification, including a plan showing the location of the frost protection device or devices to which the certification applies, is lodged with the Council prior to the installation of any frost protection device.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(f) Any frost protection device is operated only when the air temperature at the lowest level of the frost-tender part of the crop has fallen to 2 degrees Celsius, and ceases operating when the air temperature at that height has risen to 3 degrees Celsius; except that the device may be operated for maintenance purposes between 8.00 am and 6.00 pm.

(g) Any new residential activity that is sited within 300 metres of any frost protection device that is likely to exceed the noise limit in condition (e) of this rule, is located, oriented, and constructed to ensure that bedrooms and living rooms achieve an indoor design sound level of 30 dBA L_{eq} and 45 dBA L_{max} from any noise permitted in the zone beyond the notional boundary of the building or dwelling.

(h) Outdoor fan-type frost protection devices are used only for frost protection, for crops that have a distinct period of bud-burst and a distinct end of harvest, and only in the period between bud-burst and end of harvest.

Quarrying

(i) The setbacks in condition 17.6.3.1(j)(i) to (iv) are complied with.

(j) Condition 18.5.3.3(d) is complied with.

Planting Near Viewpoints

(k) Vegetation planted on or near to a viewpoint shown on the planning maps does not grow to a height that will obscure the view from the viewpoint.

Advice Note: Where vegetation is plantation forestry as defined in the NES-PF, regulation 13 allows condition (k) to apply.

Amenity Plantings **C10 10/07 Op 3/14**

(l) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

Intensive Livestock Farming **C60 1/16 Op 6/19**

(m) Intensive livestock farming, which is intensive pig farming, including the keeping of pigs or the disposal of piggery effluent, must achieve the following setbacks:

(i) Distance from a Residential Zone or Medium Density Residential Zone boundary existing at the date of the establishment of the pig farming activity – 2,000 metres.

(ii) Distance from a Rural Residential or Pāpakainga zone boundary, school, church, public hall, marae, recreation ground, or other area with frequent public use existing at the date of the establishment of the pig farming activity – 1,500 metres.

(iii) Distance from a dwelling on another site in a Rural 1, Rural 2 or Rural 3 zone existing at the date of the establishment of the pig farming activity or in relation to Rural 3 Zone, distance from any building location area as approved on a survey plan of subdivision – 500 metres.

(n) Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming, is set back at least 170 metres from any boundary of the site. **C60 1/16 & V2-C60 7/18 Op 6/19**

Temporary Activities **C60 1/16 Op 6/19**

(o) An event that is advertised for public admission meets the following conditions:

(i) for any one site, the zone noise limits are exceeded for not more than two days within any 12-month period and this exceedance occurs only between the hours of 8:00 am and 6:00 pm;

(ii) any temporary building or structure that is used is removed at the end of the event.

(iii) where the event is located in the High Fire-Risk Area as shown on the planning maps and occurs between 1 October to 30 April, a fire preparedness plan is provided to the Waimea Fire and Emergency New Zealand for management under the Fire and Emergency New Zealand Act 2017 and to adjacent landowners 14 days before the activity commences, which provides sufficient detail to satisfy the purposes for which it is required and includes:

(a) the location, time and duration of the event and the number of people expected to attend the event;

(b) risk reduction measures including: briefing information for participants; management of spark hazardous activities (including smoking, lighting of fires and barbeques); length and dryness of grass; and a cancellation procedure for the event if the Build Up Index (BUI) of the nearest remote access weather station forecasts or has a BUI reading of 80 or more or a Fire Weather Index forecasts or reads 24 or higher;

(c) fire readiness measures including water and equipment for firefighting; number of people on site trained in firefighting to New Zealand Qualifications Authority (NZQA) or Fire and Emergency New Zealand Training and Progressive System (TAPS) module standards; location of safe site areas; an evacuation plan with a stay/go procedure and at least two escape routes to safe areas; a plan of how emergency services will access the site; an emergency notification process for organisers and attendees and a tested communication plan for phone or radio for communication with emergency services. **C60 1/16 Op 6/19**

Note: Other legislation or requirements relating to health, food safety, building and traffic management need to be complied with.

17.6.2.2 Permitted Activities (Home Occupations) **C19 5/10 Op 8/12**

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) A home occupation which is visitor accommodation:

(i) accommodates no more than six visitors at any time;

(ii) occupies a building which is a dwelling which either existed on 25 May 1996, or is otherwise permitted by the Plan.

(b) A home occupation which is other than visitor accommodation:

(i) occupies no more than 75 square metres gross floor area;

(ii) employs or engages no more than two full-time equivalent persons who reside elsewhere than on the site.

(iii) takes place indoors if it is motor vehicle repairs or dismantling, motor body building, spray-painting, fibre-glassing, or sheet-metal working; **C60 1/16 Op 6/19**

(iv) is not bottle or scrap storage, rubbish collection or the composting of animal body parts;

(v) is not the boarding of domestic animals.

(c) The conditions for noise as set out in 17.6.2.1(c) or (d). **C60 1/16 Op 6/19**

(ca) Where a home occupation gains access from a local road, the home occupation does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic is generated by:

(i) a home occupation that is visitor accommodation; or

(ii) vehicles that are being used for or in connection with plant and animal production activities.

(d) Retailing is permitted in accordance with the rural selling place provisions in rule 17.6.2.1 and is in accordance with the definition of rural selling place.

(e) The home occupation is not undertaken on a site which is located on a shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on site;

(ii) there are no visitors, clients or deliveries to the site.

17.6.2.3 Controlled Activities (Land Use - Site Specific Activity: Ngarua Caves)

C19 5/10
Op 8/12

Any land use that does not comply with the conditions of rule 17.6.2.1 is a controlled activity, if it complies with the following conditions:

Site Specific Activity

(a) The land use occurs on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Tākaka Hill, near State Highway 60) and is included in the list of activities in Schedule 17.6A; and

(b) The land use complies with permitted conditions 17.6.2.1(b), (c) and (k).

A resource consent is required and may include conditions on the matters set out in Schedule 17.6A.

17.6.2.4 Restricted Discretionary Activities (Land Use)

C10 10/07
Op 3/14

C19 5/10
Op 8/12

Any land use that does not comply with condition (l) of rule 17.6.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.6.2.5 Restricted Discretionary Activities (Land Use – Frost Protection Devices)

C14 5/09
Op 8/12

Noise generated by any frost protection device that does not comply with conditions (e) and (f) of rule 17.6.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Operational requirements of frost protection devices.

(2) Noise mitigation measures.

(3) Hours of operation (including maintenance).

(4) Height of the device.

17.6.2.6 Restricted Discretionary Activities (Home Occupations)

C19 5/10
Op 8/12

A home occupation that does not comply with the conditions of rule 17.6.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Rural Character

(1) The extent to which the activity will result in the loss of rural character on the site and in the vicinity of the site.

(2) Any adverse effect on the amenity values of the area.

General Adverse Effects

(3) Adverse effects of the home occupation in terms of noise, odour, vibration, dust, glare, visual impact, loss of privacy, traffic and parking congestion on site, and safety and efficiency of traffic on roads giving access to the site.

(4) Any effects of any outdoor storage of materials or equipment associated with the home occupation.

(5) Any effects relating to natural or technological hazards.

Miscellaneous

(6) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(7) Financial contributions, and bonds and covenants in respect of the performance of conditions (Section 108).

~~17.6.2.7 Restricted Discretionary Activities (Papakāinga Development)~~

~~C19 5/10~~ ~~Op 8/12~~

~~A papakāinga development is a restricted discretionary activity.~~

~~**A resource consent is required**. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:~~

~~(1) Appropriate access from adjoining roads and within the site.~~

~~(2) Methods of wastewater and stormwater disposal and provision of a reliable potable water supply.~~

~~(3) Risk from natural hazards.~~

~~(4) Means of avoiding conflicts within the development.~~

~~(5) Landscaping of the site to control any adverse visual effects.~~

~~(6) The objectives and policies of Chapter 7 of the Plan.~~

17.6.2.8 Restricted Discretionary Activities (Community Activities)

C19 5/10
Op 8/12

A community activity is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of rural character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.17.5.3.1

(5) The duration of the consent and the timing of reviews of conditions.

(6) Financial contributions, bonds and covenants in respect of performance of conditions.

17.6.2.8A Discretionary Activities (Cooperative Living)

C60 1/16
Op 6/19

Cooperative living is a discretionary activity.

C60 1/16
Op 6/19
C73
Op 6/23

Items (a & b) deleted as part of Plan Change 73

A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the following particular criteria and to other provisions of the Plan or Act:

(1) The extent to which the proposal has retained or enhanced the potential of the land to support plant and animal production.

C60 1/16
Op 6/19

(2) The extent to which the buildings and proposed land use are consistent with low impact design and low impact building design principles and methods.

(3) Provision for the long term protection of the site from inappropriate subdivision contributing to land fragmentation of the site.

(4) The extent to which the proposed legal arrangement establishes, in an enduring manner:

C60 1/16
Op 6/19
C73
Op 6/23

(a) the purpose or intent of the cooperative living activity;

(b) how it will be managed now and in the future; and

(c) how the individual members will be bound by this arrangement.

(5) Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees, and cultural heritage sites.

C60 1/16
Op 6/19

(6) The extent to which the development minimises the potential for adverse cross-boundary effects and reverse sensitivity.

(7) Natural hazards within and beyond the site, including wildfire risk, slope instability and flood hazard effects.

(8) Effects on the rural landscape and on amenity values and coastal natural character.

(9) Effects on servicing, including road access, water supply, and wastewater and stormwater systems.

(9A) Effects on the road network.

(10) The extent to which buildings, structures and accessways minimise the physical fragmentation of a site.

17.6.2.8B Restricted Discretionary Activities (Intensive Livestock Farming — Poultry Farming)

C60 1/16 &
V2-C60 7/18
Op 6/19

Any poultry body part or poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming that does not comply with the conditions of rule 17.6.2.1 is a Restricted Discretionary Activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Effects on amenity, including:

(a) ability to mitigate offensive odour,

(b) ability to mitigate visual effects by screening of activities from adjoining roads and sites,

(c) adverse effects of the activity in terms of traffic, parking congestion on site and safety and efficiency of roads giving access to the site,

(d) ability to manage effluent and waste generated as part of the activity.

17.6.2.9 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 17.6.2.1 to 17.6.2.3 is a discretionary activity, if it complies with the following conditions:

C60 1/16 Op 6/19 C73 Op 6/23

(a) Where relevant, the conditions in rule 18.6.4.1 affecting quarrying.

Item (b) deleted as part of Plan Change 73

C60 1/16 Op 6/19 C73 Op 6/23

(c) Where a commercial, industrial or rural industrial activity gains access from a collector road, sub-collector road, local road or residential lane, the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic generated is directly associated with plant and animal production.

C60 1/16 Op 6/19 C69 6/19 Op 6/20

A resource consent is required and may include conditions.

17.6.2.10 Non-Complying Activities (Land Use)

C60 1/16 Op 6/19

Any activity in the Rural 2 Zone that does not comply with the conditions of rule 17.6.2.9 is a non-complying activity.

C60 1/16 Op 6/19 C73 Op 6/23

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act.

C60 1/16 Op 6/19

17.6.3 Building Construction, Alteration, or Use

C60 1/16 Op 6/19

17.6.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Item (a) deleted as part of Plan Change 73

C10 10/07 Op 3/14 C73 12/20 Op 6/23

(b) The activity is not the construction or alteration of a building on the site annotated "Subject to Schedule 17.6A" on the planning maps (Ngarua Caves, Tākaka Hill).

C19 5/10 Op 8/12

Dwellings

C60 1/16 & V2-C60 7/18 Op 6/19

(c) There is no more than one dwelling or building used for the purpose of a dwelling on a site. A dwelling contains no more than two self-contained housekeeping units, provided:

(i) both are contained within the same building;

(ii) one is clearly subsidiary;

(iii) connecting rooms or passages have a continuous roof; and

(iv) the walls are fully enclosed.

[Conditions (d) is merged with condition (c)]

Workers' Accommodation

(e) Any building that is constructed or used is not part of any workers' accommodation. **C60 1/16 Op 6/19**

Sleepout

(ea) There are no more than two sleepouts associated with any principal dwelling or second dwelling that is not a minor dwelling. **C60 1/16 Op 6/19**

(f) The area of each sleepout is no more than 36 square metres.

(g) The location of each sleepout is within 20 metres of any dwelling, including any minor dwelling.

(ga) The sleepout is not part of a cooperative living activity.

Height

(h) The maximum height of a building is 7.5 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) outside the Airport Height Control Areas at Motueka and Tākaka described in Schedules 16.11A and 16.11B, any chimney or other structure that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the definition of "height" in the Plan. **C42 12/12 Op 4/13**

(i) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

(j) The building is set back at least:

(i) 10 metres from road boundaries and, except as provided for under condition (ma), condition (n) or condition (na), 5 metres from internal boundaries (subject, in the case of artificial shelter, to condition 17.6.4.1(b)), except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; **C60 1/16 & C68 7/18 Op 6/19**

(Refer to 16.6.2.1(j)(iii) for applicable telecommunication and radio-communication facility setback requirements)

(ii) 20 metres from the margins of lakes, and from the boundaries of Open Space, Recreation and Conservation zones;

(iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;

(v) 30 metres from a plantation forest.

(vi) 10 metres from the boundary, and not within the boundary, of any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(a) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply.

(b) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(k) In the Richmond West Development Area, notwithstanding the exemption in condition (j)(i) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps. **C10 10/07 Op 3/14**

(l) Any building forming part or all of a rural selling place is set back at least 30 metres from the road boundary.

(m) Buildings are set back at least 100 metres of a viewpoint shown on the planning maps.

(ma) A building, which is not a habitable building, may be set within 5 metres of an internal boundary, where the landowner of the property has provided written permission. **C60 1/16 Op 6/19**

(n) Any dwelling or habitable building is set back at least: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) 30 metres from any internal boundary, except where:

(a) the activity is an alteration to a dwelling, and the setback to the boundary is not thereby reduced; or

(b) the boundary is to the Residential, Medium Density Residential, Rural Residential or Rural 3 zone where the setback is 5 metres;

(c) the internal boundary adjoins any site that was approved by subdivision consent on or before 30 January 2016 and is less than 2500 square metres, where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry that is on an existing lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

(na) Any barn, shed or roofed enclosure that houses poultry on an intensive livestock farm that is a poultry farm is set back at least 100 metres from any boundary of the site. **V2-C60 7/18 Op 6/19**

(o) Dwellings are set back at least 500 metres from any boundary of a quarry site~~,~~ that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under conditions 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

Building Coverage

(p) The total area of all buildings, excluding artificial shelters and poultry sheds or enclosures, is: **C60 1/16 Op 6/19**

(i) not greater than 600 square metres for any site with a net area of 4,000 square metres or less; or

(ii) either:

(a) not greater than 600 square metres; or
(b) 5 percent of the net site area (but not greater than 2,000 square metres)

for any site with a net area greater than 4,000 square metres.

Building Envelope

(q) Any building on a site that adjoins a Residential Zone or Medium Density Residential Zone does not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all boundaries adjoining the Residential Zone or Medium Density Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Additional Conditions for Dwellings

(r) Only in relation to the construction of a dwelling or the use of a building for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply: **C19 5/10 Op 8/12**
incorporating water mains fitted with fire hydrants; and **C34 3/12 Op 4/13**
the closest fire hydrant is no more than 135 metres from the dwelling, **C60 1/16 & V2-C60 7/18 Op 6/19**
the dwelling is:

EITHER

(i) provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply;

OR

(ii) provided with a water supply that is:
accessible to fire-fighting equipment; and
between 6 metres and 90 metres from the dwelling; and
on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam, or river that is within the required distances); and

either
stores at least 45,000 litres;

or
provides at least 25 litres per second for 30 minutes;

AND **C19 5/10 Op 8/12**

(iii) connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the dwelling is supplied from: **C34 3/12 Op 4/13**
a rainwater supply; or
a surface water source; or
a groundwater source
that is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

Note 1: Further advice and information about managing fire risk and storage of water for fire-fighting, including information about appropriate fittings for connection with fire appliances, can be obtained from Fire and Emergency New Zealand and the Fire and Emergency New Zealand Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Note 2: Information about the design, installation and maintenance of the sprinkler system can be found in NZS 4517:2010 Fire Sprinkler Systems for Houses.

Note 3: Fire risk can be further reduced through appropriate management of flammable vegetation near structures and ensuring fire appliances can locate and reach the dwelling in the event of a fire. Further information about managing fire risks is available from Fire and Emergency New Zealand or the Waimea Fire and Emergency New Zealand's Principal Rural Fire Officer.

Note 4: The water supply provided for in this condition may serve a second dwelling on the site provided that the requirements of the condition are met for both dwellings. **C60 1/16 Op 6/19**

(s) There is adequate area on site for effluent disposal for the dwelling.

DRAFT

(t) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan. **C7 7/07 Op 10/10**

17.6.3.2 Controlled Activities (Building Construction, Alteration, or Use) **C60 1/16 Op 6/19**

Construction, alteration, or use of any building that does not comply with the conditions of rule 17.6.3.1 is a controlled activity, if it complies with the following conditions:

(a) The activity is not the construction or alteration of a building on the site annotated "Subject to Schedule 17.6A" on the planning maps (Ngarua Caves, Tākaka Hill). **C19 5/10 Op 8/12**

Dwellings

(b) The building is a second dwelling that is a minor dwelling and the principal dwelling contains a single housekeeping unit only. **C60 1/16 Op 6/19**

(ba) The second dwelling that is a minor dwelling complies with the permitted conditions of rule 17.6.3.1(h) – (t). **C60 1/16 Op 6/19**

Workers' Accommodation

~~(c) All buildings which are part of workers' accommodation are relocatable.~~

(d) The site of the workers' accommodation has a minimum area of ~~50 hectares~~ 5,000m2.

(da) The site is not part of a cooperative living activity. **C60 1/16 Op 6/19**

(db) The workers' accommodation is connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the workers accommodation is supplied from:

- A rainwater supply; or
- A surface water source; or
- A groundwater source

That is both reliable and potable and, where stored on site, is at least 250 litres in volume per person, per day.

(dc) The total maximum design occupancy of all workers' accommodation buildings on one site does not exceed 35 people.

Stormwater

(e) Stormwater is managed and disposed of on site, and the stormwater discharge complies with Section 36.4 of this Plan. **C7 7/07 Op 10/10**

General

(f) The building complies with conditions (i), (j), (l), (m), (n), (p) and (q) [Setbacks, Building Envelope and Building Coverage] in rule 17.6.3.1.

(g) If the building is a dwelling, it complies with (h) [Height] in rule 17.6.3.1.

(h) The maximum height of the building (except a dwelling) is 12.5 metres.

(i) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C10 10/07 Op 3/14 C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Electricity Transmission Corridor

(j) In the Richmond West Development Area, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The location of the building on the site and the effects on the potential availability of productive land.

(2) Location and effects of on-site servicing, including wastewater disposal, access, and traffic safety.

(2A) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of any other land in the area that is deferred, for the purposes of the relevant urban zone once it takes effect. **C51 1/15 Op 9/16**

(3) Effects on the amenities of the area and the potential impact for existing productive activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(3A) Where a proposed building location cannot comply with the 30-metre setback rule due to the shape of the site, the potential to mitigate the effects from any reduced setbacks for habitable buildings through measures such as building location, orientation, design, fencing or screening, and clustering of residential activities. **C60 1/16 Op 6/19**

(4) Effects of any proposed outdoor storage of goods, machinery or produce.

(5) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries, and effects on significant views, ridgelines and hill tops. **C60 1/16 Op 6/19**

(5A) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on plant and animal production. **C60 1/16 Op 6/19**

(5B) Low impact building design.

(6) The on-site management of stormwater in accordance with Low Impact Design solutions. **C7 7/07 Op 10/10**

(6A) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated. **C60 1/16 Op 6/19**

(7) Alternatives for fire risk management. **C34 312 Op 4/13**

(8) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(9) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

(10) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(11) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

17.6.3.3 Controlled Activities (Building Construction, Alteration, or Use – Site Specific Development: Ngarua Caves)

C19 5/10 Op 8/12
C60 1/16 Op 6/19

Construction, alteration, or use of any building on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Tākaka Hill, near State Highway 60) is a controlled activity, if it complies with the following conditions:

(a) The land use occurs on the part of Pt Sec 1 Blk VII Kaiteriteri SD on Record of Title 16/5 annotated on the planning maps as "Subject to Schedule 17.6A" (Ngarua Caves, Tākaka Hill, near State Highway 60) and is included in the list of activities in Schedule 17.6A; and

(b) The development complies with conditions (c), (h), (l), (m), (o) and (p) of rule 17.6.3.1.

A resource consent is required and may include conditions on the matters set out in Schedule 17.6A.

17.6.3.4 Restricted Discretionary Activities (Building Construction, Alteration, or Use)

C60 1/16 Op 6/19

Construction, alteration, or use of a building that does not comply with the conditions of rules 17.6.3.1 and 17.6.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Dwellings

(a) Except as provided for by condition 17.6.3.2(b), no more than two dwellings or buildings used for the purpose of dwellings are placed on a site.
C60 1/16 & V2-C60 7/18 Op 6/19

(b) Except as provided for by condition 17.6.3.2(b), a site containing more than one dwelling or building used for the purpose of a dwelling has a minimum area of 50 hectares.
V2-C60 7/18 Op 6/19

(c) The dwelling complies with condition (r) in rule 17.6.3.1.

General

(d) If an adjoining property has horticultural plantings, including vineyards, where pesticides may be discharged to air, any school and its grounds, early childhood education facility and its grounds, visitor accommodation or tourist accommodation is set back at least:
C60 1/16 Op 6/19

(i) 30 metres from the boundary common to the horticultural plantings, including vineyards, and the building or grounds; or

(ii) 20 metres from horticultural plantings, including vineyards, where a spray belt is established along the boundary common to the horticultural plantings and the building or grounds.

(da) Dwellings are set back at least 500 metres from any boundary of a quarry site that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).

(e) Stormwater is managed and disposed of on site, and the stormwater discharge complies with section 36.4 of this Plan.
C7 7/07 Op 10/10

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of control (1) – (9) in rule 17.6.3.2.
C60 1/16 Op 6/19

(2) Effects of a building with reduced setbacks.

(3) Where any land is subject to any deferred urban zone, the adverse effects of the building on future opportunities for efficient subdivision, use, and development of the land or of

any other land in the area that is deferred, for the purposes of the relevant urban zone once it takes effect.

(4) In the Richmond West Development Area: **C10 10/07 Op 3/14**

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001).

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Workers' Accommodation

(5) Whether or not the workers' accommodation building is repurposing existing buildings for workers' accommodation purposes.

(6) Whether vehicle access provided is functional and safe.

(7) The extent to which access to and from the site, carparking on the site and traffic generated in in association with the buildings affect the amenity, character and use of the neighbouring sites and public places and in particular the extent to which these can be viewed from neighbouring sites and public places.

(8) Noise

(9) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(10) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

17.6.3.5 Discretionary Activities (Building Construction, Alteration or Use) **C60 1/16 Op 6/19**

Any construction, alteration, or use of a building that does not comply with the conditions of rule 17.6.3.4 is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act.

17.6.4 Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts

17.6.4.1 Permitted Activities (Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts)

NOTE: Rule 17.6.4.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Planting of plantation forests, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Plantation Forest Setbacks

(a) Plantation forests are set back at least:

(i) 50 metres from a Residential Zone or Medium Density Residential Zone boundary;

(ii) 30 metres from a dwelling;

(iii) 10 metres from any boundary, except that:

(a) trees are not planted or allowed to grow in a position which could result in any dwelling on an adjoining property becoming shaded between 10.00 am and 2.00 pm on the shortest day; and

(b) this setback need not apply where there is a written agreement between adjoining property owners that is lodged with Council;

(iv) 10 metres from the intersection of any formed legal road;

(v) 10 metres from the bed of any river or stream greater than 3 metres average bed width;

(vi) 10 metres from the bed of any lake;

(vii) 50 metres from the coastal marine area.

Advice Note: Clause (a)(vii) prevails over NES-PF regulations 14(3)(b) and 78(2)(c) because it is more stringent under regulation 6(1)(b).

Spray and Shelter Belt and Artificial Shelter Setbacks

(b) Spray belts, shelter belts and artificial shelter are set back at least:

(i) 3 metres from property boundaries;

(ii) 10 metres from the intersection of any formed legal road.

Horticultural Planting Setbacks

(c) Horticultural plantings are set back at least:

(i) 10 metres from the intersection of any formed legal road;

(ii) 3 metres from property boundaries.

(d) Horticultural plantings where pesticides may be discharged to air are set back at least:

(i) 30 metres from any dwelling, any other building used for any residential activity, visitor accommodation or tourist accommodation, or any school or school grounds, or early childhood education facility or its grounds on an adjoining property; or

(ii) 20 metres from any of the buildings or grounds specified in (i) above, where a spray belt is established along the boundary common to the horticultural plantings and the buildings or grounds.

Trees and Shelter near Roads

(e) Trees are not planted or allowed to grow, and artificial shelter is not constructed, in a position which could result in any icing of roads being prolonged by shading of the road between 10.00 am and 2.00 pm on the shortest day.

(f) Horticultural plantings, spray belts and shelter belts are planted in a position that is set back at least three metres from the position underneath the nearest power line running above or adjacent to any road.

Height

(g) The maximum height of horticultural plantings, spray belts or shelter belts growing within 20 metres of a boundary is 6 metres.

(h) The maximum height of artificial shelter is 6 metres.

(i) The height of horticultural plantings, spray belts or shelter belts does not exceed the horizontal distance between the shelter or horticultural plantings and the nearest dwelling.

Maintenance of Horticultural Plantings

(j) Spray belts or shelter belts and horticultural plantings are maintained by the owner so that no vegetation extends over property boundaries or roads or up into power lines.

(k) Prunings are removed or otherwise disposed of by the tree owners when they fall on other properties, with the permission of the owners of the other properties.

(l) Root pruning of horticultural plantings, shelter or spray belt trees along a property boundary is carried out by the owner of the trees at least once every five years, or at a lesser frequency agreed between adjoining landowners.

17.6.4.2 Restricted Discretionary Activities (Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts)

Planting of plantation forests, trees, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter that does not comply with the conditions of rule 17.6.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The adverse effects of shading on adjoining properties.

(2) The actual or potential fire risk.

(3) The actual or potential adverse effects on the open space or amenity values of the area.

(4) The actual or potential adverse effects of pesticide drift across property boundaries.

(5) The adverse effects of tree planting or construction of artificial shelter on visibility at road intersections and property accesses or icing on roads.

(6) The influence of topography on shading.

(7) The nature of adjoining uses and adverse effects of higher trees or shelter.

(8) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(9) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.6.5 Destruction or Removal of Indigenous Vegetation and Forest

17.6.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation) [17.5.9A Proposed]

NOTE: Rule 17.6.5.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity, if it complies with the following conditions:

(a) The site is not a naturally occurring wetland.

(b) The site does not include any of the following:

(i) indigenous dune vegetation;

(ii) salt herb fields;

Proposed as at 1 November 2008 **C3 12/03**

(b) (iii) woody indigenous vegetation in the Coastal Environment Area;

[(c) Proposed]

(iv) indigenous vegetation on any area of karst that contains an area of fissured or fluted rock outcrops, a cliff face or any talus slope;

(v) indigenous vegetation containing small-leaved coprosma shrubs (*Coprosma propinqua* or *Coprosma rigida*) or small-leaved shrub daisy (*Olearia virgata*) on any lowland alluvial site (up to 600 metres above sea level) in the Buller catchment; between 600 and 1200 metres above sea level in the Tākaka catchment (including the Cobb); and up to 950 metres in the Canaan Downs/Pikikirunga area.

Advice Note: Clauses (b) (i), (ii), (iii), (iv) and (v) prevail over NES-PF regulation 93 because they are more stringent under regulations 6(1)(b) NZCPS and 6(3)(b) Karst.

17.6.5.2 Discretionary Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation that does not comply with the conditions of rule 17.6.5.1 is a discretionary activity.

A resource consent is required and may include conditions.

17.6.5.3 Permitted Activities (Destruction or Removal of Indigenous Forest) [17.5.10 Proposed]

NOTE: Rule 17.6.5.3 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous forest is a permitted activity, if it complies with the following conditions:

Proposed as at 1 November 2008

(a) The site is outside the Coastal Environment Area. **C3 12/03**

[(aa) Proposed]

EITHER

(b) The area of indigenous forest to be destroyed or removed is less than 0.2 hectare (2000 square metres) per site over a three-year period.

OR

(c) The area is subject to a sustainable forest management plan, permit, or personal use approval under Part 3A of the Forests Act 1949, approved as at 31 March 2007.

OR

(d) The area is subject to a sustainable forest management plan, permit, or personal use approval either required or approved under Part 3A of the Forests Act 1949 after 31 March 2007 that is not:

(i) on a lowland alluvial site; or

(ii) on karst;

and a copy of the approved plan, permit, or personal use approval has been lodged with Council.

17.6.5.4 Controlled Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.6.5.3 is a controlled activity, if it complies with the following conditions:

(a) The area of indigenous forest destroyed or removed is greater than 0.2 hectare and less than 1 hectare per site over a three-year period.

(b) The forest is not on a lowland alluvial site.

(c) The site is outside the Coastal Environment Area.

(d) The activity is not subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Species to be removed and volume.

(2) Replanting.

(3) Extraction techniques.

(4) Mitigation of effects.

17.6.5.5 Restricted Discretionary Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.6.5.4 is a restricted discretionary activity, if it complies with the following conditions:

(a) The activity is subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949 and a copy of the approved plan or permit has been lodged with Council.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The significance of the indigenous forest affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological, scientific, recreational, tourist and landscape values, and natural features of the area.

(2) The extent to which any retention of the forest is necessary to prevent instability, flooding or erosion of land, and to maintain water quality.

(3) Effects on archaeological, cultural and historic sites within the application area.

(4) The extent to which the proposal provides for regeneration or modification of indigenous forest or sustainable management of the indigenous forest resource.

(5) The extent of the reduction of the indigenous forest associations in the District should the application proceed, and the impact on the sustainability of that indigenous forest association.

(6) The extent to which the adverse effects of the activity can be mitigated (for example, revegetation, covenanting, fencing, pest and weed management).

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.6.20 Principal Reasons for Rules

Noise

The rural environment is a working environment where noise is generated as part of many rural activities. Rules limit noise problems arising from continuous sources and from residential sources within the zone, but greater freedom is given to the types of noise that arise in normal day-to-day rural activities. For these types

of noise, methods other than rules such as codes of practice or the best practicable option approach, will be applied as appropriate.

Building Height

The height of buildings in rural areas is regulated to preserve visual amenities and, coupled with setback requirements, to avoid shading across boundaries.

Setback

Setback from roads will promote road safety and help maintain rural open space. It will also separate dwellings from the adverse effects of road use, such as dust, noise and vibration. Separation between buildings on adjoining sites maintains open space and privacy and minimises shading of neighbouring properties.

C60 1/16
Op 6/19

The 30-metre setback requirement for habitable buildings has been imposed primarily to manage cross-boundary effects, limit impacts on the productive potential of adjoining sites, and minimise impacts on rural character and amenity.

Tasman District has a legacy of small rural sites in the Rural 1 zone that may be constrained in meeting the 30-metre internal boundary setback standard for habitable building due to the shape of the site. In these cases, the mitigation of the effects identified in the preceding paragraph from a reduced internal boundary setback may be achievable through measures such as building location, orientation, design, fencing or screening, as well as clustering of residential activities.

Rules for setbacks to legacy sites below 2500 square metres recognised that the majority of these sites are already built on and used for residential activities; and there is very limited productive opportunity of these small sites. Risks of reverse sensitivity complaints or loss of rural amenity are less likely to arise on sites where residential activities are clustered with other residential activities.

The setbacks for dwellings from quarry activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

Building Setback from Rivers

The setback of buildings from rivers avoids or mitigates the risk to buildings from bank erosion and provides for access in order to maintain channels or bank stability. Setbacks provide a degree of mitigation from flooding. They also provide for open space to maintain natural character and possible public access or recreational use through esplanade reserves or strips.

Setbacks help reduce possible conflicts between river use and adjacent residential or other uses of buildings. The variation in setback from rivers of different widths reflects the varying risks and access requirements.

Setback of Buildings from Lake Margins and Other Zone Boundaries

The setback of buildings from the margins of natural occurring lakes and large impounded lakes, and from the boundary with Open Space, Recreation and Conservation zones provides for open space to retain natural character and possible public access or recreational use through esplanade reserves or strips. The setbacks also help reduce possible conflict between lake use and adjacent residential or other uses of buildings.

Indicative Roads and Reserves

C73 12/20
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Shading Caused by Buildings and Trees
Shading, caused by buildings or trees, is a problem over winter, with buildings or trees casting long shadows to the southwest, south and southeast. The setback from southern boundaries, coupled with the height restrictions, is based on a sun path for June, and avoids shading of neighbouring dwellings between 10.00 am to 3 00 pm.

Trees, located alongside roads can cause shading of roads in winter with consequent problems with icing of the road surface and obvious traffic hazards and road maintenance effects. New shading problems can be avoided by ensuring that new plantings are not located in positions that would impede the access of sunlight to road surfaces in the middle of the day in winter.

Live Shelter and Horticultural Plantings
These rules mitigate shading and crop competition effects and also provide access for tree maintenance, including both root and branch pruning on the owner's property. The setbacks allow for pruning to be undertaken from the property and avoid traffic hazards.

Fire Hazard
Fire hazard controls are applied to all rural buildings, not just dwellings. A 30-metre separation distance between buildings and plantation forests will help to contain a fire in proximity to an isolated rural building. A setback of 50 metres from Residential Zone or Medium Density Residential Zone boundaries is required because of the potentially greater risks in the higher density built-up areas. The rule reflects the firebreak recommendations for exotic forestry in the Waimea Rural Fire Control Policy.

Building and Planting Near Viewpoints
Some viewpoints in rural areas have been identified as amenities of value to the community. It is usually possible to re-site buildings, structures and plantings so that views are not compromised.

Pesticide Discharges
The setback and spray belt requirements will avoid or mitigate adverse effects arising from the drift of pesticides across property boundaries.

Land Fragmentation
The construction of buildings, especially dwellings has been recognised as a contributing factor to fragmentation of land which limits the productive values, including versatility of land. Other activities, such as industry, also have an actual or potential adverse effect on the productive values of the land. Rules are included to mitigate the adverse effects of land fragmentation on the productive values of the land. Rural 2 land, while not being as highly valued or suited to the range of uses as Rural 1 land, still has productive values which the Council wishes to protect. The risks to this land are not as great as to Rural 1 land and the rules reflect this difference.

Small subsidiary units that are dependent on the main dwelling are permitted, whereas consent is required for additional dwellings because of their propensity to contribute to land fragmentation. Cooking facilities are not allowed in these subsidiary units as they can encourage separation and independence from the main dwelling.

Destruction or Removal of Indigenous Forest and Vegetation
Indigenous forest and other indigenous vegetation has intrinsic ecological and biodiversity value. It also adds to the visual character of the District. While much of the upland vegetation of the District is protected in the extensive conservation estate, the lowland forest remnants and coastal vegetation is less well protected and has been identified in Chapter 10 as a priority for protection. Specific locations where there are distinctive indigenous vegetation associations, with some threatened species, are protected. These include indigenous vegetation on largely rocky surfaces of karst formed on limestone, marble, dolomite or magnesite, and frost flat shrublands. Frost flat shrublands containing small-leaved species of Coprosma and Olearia is indigenous vegetation in locations along inland valley floors in the Buller or at higher

altitudes elsewhere, where frequent heavy frosts limit larger woody species. Some frost flat species are nationally threatened. The Forests Amendment Act Part 3A provides for the management and some protection of indigenous forest. The rules are interim and may be changed when further studies have been done to identify significant natural areas.

Home Occupations

Rural areas are appropriate for small-scale industrial and commercial activities, which can provide employment opportunities for site occupants and a limited number of employees, with minimal adverse impact on the environment. The rules ensure that permitted activity home occupations can be managed in a way that limits potential adverse effects.

Quarrying

Quarry activities have a range of associated potential adverse effects so the effects of quarries of any size throughout the zone need to be evaluated on a case-by-case basis. However, smaller quarries, provided there are adequate setbacks and management, are permitted.

~~Papakāinga Development~~

~~In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally-owned Maori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.~~

Water Supply

C34 3/12
Op 4/13

Where water reticulation is available, new dwellings will be expected to connect to the service. In Rural and Rural Residential zones, except in locations where a high pressure reticulation is present, new dwellings are required to have access to sufficient stored water for fire protection or install a home sprinkler system for the purpose of fire protection and to install water collection and storage systems to ensure that a minimum potable water supply is available. The potential for adverse landscape and amenity effects of water storage tanks, especially on small sections is acknowledged, however an efficient fire risk management solution can also be provided by home sprinkler systems. Water supplies may include ponds, lakes or rivers with sufficient storage or flow that are not on the same site as the dwelling but are within the required distances.

Industrial and Commercial Activities

The Rural 1 and Rural 2 Zones are generally not appropriate for accepting the potential cumulative effects of business activities, either outside zoned locations for them or where they are more appropriately located in industrial or mixed business zones. This is because the primary purpose of these zones is to support the use of productive land for plant and animal production. Business activity associated with plant and animal production and with efficient locations with capacity and for transport links may be appropriate.

Sleepouts

C60 1/16
Op 6/19

The number of sleepouts on any given property is two sleepouts per principal dwelling and second dwelling, where that second dwelling is not a minor dwelling. Those sleepouts may be located within 20 metres of any dwelling, including any minor dwelling.

SCHEDULES

Schedule 17.6A: Controlled Activities – Ngarua Cave Site

Refer to rules 17.6.2.2 and 17.6.2.3.

1. Subject to rule 17.6.2.2, the following activities are controlled activities on the Ngarua Cave site:

   (i) tourist accommodation, including those licensed to sell liquor, and associated office, service, tourist and recreation promotion and sales activities;

   (ii) hire and servicing of sport and recreational equipment;

   (iii) tutoring and training in outdoor recreational pursuits and life skills;

   (iv) sale of souvenirs, and arts and crafts;

   (v) recreational activities and recreational tour bases;

   (vi) open space areas, walkways and children's play areas;

   (vii) visitor car and bus parking areas;

   (viii) restaurants, including those licensed to sell liquor;

(ix) one caretaker's or manager's dwelling per site.

2. Subject to rule 17.6.3.3, building construction and alteration is a controlled activity on the Ngarua Cave site.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Site layout.

(2) Location of the activity or building on the site.

(3) Location and size of parking areas on the site, access and circulation.

(4) Design, appearance, screening and other methods of managing visual effects.

(5) Provision of services, including water supply, stormwater and management of liquid and solid waste.

(6) Signage.

(7) Effects on the amenities of the site and area.

(8) Timing and duration of any special activity or event.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.7 RURAL 3 ZONE RULES

Refer to Policy sets 5.1 - 5.3, 5.5, 7.1 - 7.4, 8.1, 8.2, 9.1 - 9.3, 10.1, 11.1, 11.2, 12.1, 13.1, 14.3, 14.4, 33.4, 34.1, 34.2, 36.2, 36.6.

17.7.1 Scope of Section

This section deals with land uses in the Rural 3 Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.7.2 Land Use

17.7.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

NOTE: Rule 17.7.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Condition (a) is deleted] **C19 5/10 Op 8/12**

Activities

(b) The activity is not:

(i) an industrial or rural industrial activity;

(ii) quarrying, where the volume of land disturbed is greater than 50 cubic metres in any 12-month period;

Advice Note: Clause (b)(ii) does not apply to forestry quarrying which is managed by NES-PF regulations 51- 59.

(iii) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport;

(iv) the sale of liquor;

(v) a rural selling place where:
the sale and display area is greater than 25 square metres; or
access is to an arterial route;

(vi) a commercial or community activity;

(vii) tourist accommodation;

(viii) conversion and use of an existing building to a dwelling where the building does not comply with the setback conditions for dwellings in rules 17.7.3.1(f) and 17.7.3.2;

(ix) a pāpakainga development;

(x) a home occupation, except as allowed by rule 17.7.2.2. **C19 5/10 Op 8/12**

(xi) the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with plant and animal production or any temporary construction, maintenance or demolition work), that are being used for or in connection with any commercial, industrial, rural industrial or home occupation activity. **C60 1/16 & V2-C60 7/18 Op 6/19**

[Condition (c) is deleted] **C60 1/16 Op 6/19**

C60 1/16 Op 6/19

Noise

(d) Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential, Pāpakainga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

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

C19 5/10 Op 8/12

Except as required by condition (da), this condition does not apply to all noise from any intermittent or temporary rural plant and animal production activity, including noise from: **C14 5/09 Op 8/12 C60 1/16 Op 6/19**

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (d)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

Frost Protection Devices C14 5/09 Op 8/12

(da) Noise generated by any frost protection device, in combination with noise from any other authorised frost protection device, does not at any time exceed 55 dBA L_{eq} when measured:

(a) at or within the notional boundary of any dwelling that existed before the frost protection device is installed (other than a dwelling on the site from which the noise is being generated) in the Rural 1, Rural 2, Rural 3 or Rural Residential Zone; and

(b) at or within the boundary of the Residential, Medium Density Residential, Papakāinga, or Tourist Services Zone; and

(c) in any other circumstances, at a distance of 300 metres from the frost protection device;

provided that evidence of the ability to meet this condition is certified by an appropriately competent person in acoustic engineering and a copy of that certification, including a plan showing the location of the frost protection device or devices to which the certification applies, is lodged with the Council prior to the installation of any frost protection device.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(db) Any frost protection device is operated only when the air temperature at the lowest level of the frost-tender part of the crop has fallen to 2 degrees Celsius, and ceases operating when the air temperature at that height has risen to 3 degrees Celsius; except that the device may be operated for maintenance purposes between 8.00 am and 6.00 pm. C14 5/09 Op 8/12

(dc) Any new residential activity that is sited within 300 metres of any frost protection device that is likely to exceed the noise limit in (da) of this rule, is located, oriented, and constructed to ensure that bedrooms and living rooms achieve an indoor design sound level of 30 dBA L_{eq} and 45 dBA L_{max} from any noise permitted in the zone beyond the notional boundary of the building or dwelling. C14 5/09 Op 8/12

(dd) Outdoor fan-type frost protection devices are used only for frost protection, for crops that have a distinct period of bud-burst and a distinct end of harvest, and only in the period between bud-burst and end of harvest.

Quarrying

(e) The setbacks in condition 17.7.3.1(f)(i) to (v) are complied with.

(f) Condition 18.5.3.3(d) is complied with.

Planting Near Viewpoints

(g) Vegetation planted on or near to a viewpoint shown on the planning maps does not grow to a height that will obscure the view from the viewpoint.

Advice Note: Where vegetation is plantation forestry as defined in the NES-PF, regulation 13 allows condition (g) to apply.

Intensive Livestock Farming C60 1/16 Op 6/19

(h) Intensive livestock farming which is intensive pig farming, including the keeping of pigs or the disposal of piggery effluent, must achieve the following setbacks:

(i) Distance from a Residential Zone or Medium Density Residential Zone boundary existing at the date of the establishment of the pig farming activity – 2,000 metres.

(ii) Distance from a Rural Residential or Papakāinga zone boundary, school, church, public hall, marae, recreation ground, or other area with frequent public use existing at the date of the establishment of the pig farming activity – 1,500 metres.

(iii) Distance from a dwelling on another site in a Rural 1, Rural 2 or Rural 3 zone existing at the date of the establishment of the pig farming activity, or in relation to Rural 3

Zone, distance from any building location area as approved on a survey plan of subdivision – 500 metres.

(i) Any poultry body part and poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming, is set back at least 170 metres from any boundary of the site. **C60 1/16 & V2-C60 7/18 Op 6/19**

Stormwater

(m) (i) EITHER **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.7.2.2 Permitted Activities (Home Occupations) **C19 5/10 Op 8/12**

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) On lots smaller than 4 hectares in area, the provisions of conditions 17.8.2.2(a) to (k) apply.

(b) A home occupation which is visitor accommodation:

(i) accommodates no more than six visitors at any time;

(ii) occupies a building which is a dwelling which either existed on 25 May 1996, or is otherwise permitted by the Plan.

(c) A home occupation which is other than visitor accommodation:

(i) occupies no more than 75 square metres gross floor area;

(ii) employs or engages no more than two full-time equivalent persons who reside elsewhere than on the site.

(iii) takes place indoors if it is motor vehicle repairs or dismantling, motor body building, spray-painting, fibre-glassing, or sheet-metal working; **C60 1/16 Op 6/19**

(iv) is not bottle or scrap storage, rubbish collection or the composting of animal body parts;

(v) is not the boarding of domestic animals.

(d) The conditions for noise set out in 17.7.2.1(d). **C60 1/16 Op 6/19**

(da) Where a home occupation gains access from a local road, the home occupation does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic is generated by:

(i) a home occupation that is visitor accommodation; or

(ii) vehicles that are being used for or in connection with plant and animal production activities.

(e) Retailing is permitted in accordance with the rural selling place provisions in rule 17.7.2.1 and is in accordance with the definition of rural selling place.

(f) The home occupation is not undertaken on a site which is located on a shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on site;

(ii) there are no visitors, clients or deliveries to the site.

17.7.2.3 Restricted Discretionary Activities (Home Occupations)

C19 5/10
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A home occupation that does not comply with the conditions of rule 17.7.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Rural Character

(1) The extent to which the activity will result in the loss of rural character on the site and in the vicinity of the site.

(2) Any adverse effect on the amenity values of the area.

General Adverse Effects

(3) Adverse effects of the home occupation in terms of noise, odour, vibration, dust, glare, visual impact, loss of privacy, traffic and parking congestion on site, and safety and efficiency of traffic on roads giving access to the site.

(4) Exposure of the building to road traffic noise, including from State Highway 60 and the designated Ruby Bay Bypass, and measures to mitigate such exposure.

(5) Any effects of any outdoor storage of materials or equipment associated with the home occupation.

(6) Any effects relating to natural or technological hazards.

Miscellaneous

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, and bonds and covenants in respect of the performance of conditions (Section 108).

~~17.7.2.4 Restricted Discretionary Activities (Papakāinga Development)~~

~~C19 5/10~~
~~Op 8/12~~

~~A papakāinga development is a restricted discretionary activity.~~

~~**A resource consent is required**. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:~~

~~(1) Consistency with the Design Guide for the Zone.~~

~~(2) Infrastructure connection to the Council's reticulated services, road access, and roading within the site.~~

~~(3) Risk from natural hazards.~~

~~(4) Means of avoiding conflicts within the development.~~

~~(5) Landscaping of the site to control any adverse visual effects.~~

~~(6) The objectives and policies of Chapter 7 of the Plan.~~

~~(7) Financial contributions, bonds and covenants.~~

17.7.2.5 Restricted Discretionary Activities (Community Activities)

C19 5/10 Op 8/12

A community activity is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Consistency with the Design Guide for the area.

(2) Adequacy and appropriateness of servicing.

(3) The extent to which the activity will result in loss of rural character and effects on productive and coastal character.

(4) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(5) The scale of any building, structures and car parking compared to existing permitted development.

(6) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(7) The duration of the consent and the timing of reviews of conditions.

(8) Financial contributions, bonds and covenants.

17.7.2.5A Restricted Discretionary Activities (Intensive Livestock Farming — Poultry Farming)

C60 1/16 & V2-C60 7/18 Op 6/19

Any poultry body part or poultry offal processing and composting activity for or in connection with intensive livestock farming which is poultry farming that does not comply with the conditions of rule 17.7.2.1 is a Restricted Discretionary Activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which Council has restricted its discretion:

(1) Effects on amenity, including:

- (a) ability to mitigate offensive odour,
- (b) ability to mitigate visual effects by screening of activities from adjoining roads and sites,
- (c) adverse effects of the activity in terms of traffic, parking congestion on site and safety and efficiency of roads giving access to the site,
- (d) ability to manage effluent and waste generated as part of the activity.

17.7.2.6 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 17.7.2.1 to 17.7.2.5 is a discretionary activity, if it complies with the following conditions:

(a) Where relevant, the conditions in rule 18.6.4.1 affecting quarrying.

(b) Where relevant, the conditions in rule 17.7.5.3 affecting the destruction or removal of indigenous forest.

(c) Where a commercial, industrial or rural industrial activity gains access from a collector road, sub-collector road, local road or residential lane, the activity does not operate between the hours of 10.00 pm and 6.00 am, unless the traffic generated is directly associated with plant and animal production. **C60 1/16 Op 6/19** **C69 6/19 Op 6/20**

A resource consent is required and may include conditions.

17.7.2.7 Non-Complying Activities (Land Use) **C60 1/16 Op 6/19**

Any activity in the Rural 3 Zone that does not comply with the conditions of rule 17.7.2.6 is a non-complying activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act.

17.7.3 Building Construction, Alteration, or Use **C60 1/16 Op 6/19**

17.7.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Condition (a) deleted] **C19 5/10 Op 8/12**

Dwellings (including Sleepouts) and Workers' Accommodation

(b) Any building that is constructed is not: **C60 1/16 & V2-C60 7/18 Op 6/19 C73 Op 6/23**

- (i) a dwelling or sleepout; or
- (ii) part of any workers' accommodation; or
- (iii) altered to become a dwelling or sleepout; or
- (iv) used for the purpose of a dwelling or sleepout.

(c) Any alteration of a dwelling complies with conditions (d) to (l) [building height, setbacks, location area, coverage and envelope].

Height

(d) The maximum height of the building is 7.5 metres, subject to condition 16.6.2.1(k).

(e) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

(f) The building is set back at least:

- (i) 10 metres from road boundaries and 5 metres from internal boundaries except: **C60 1/16 Op 6/19**
  - (a) where conditions (ga) and (gaa) apply and subject, in the case of artificial shelter, to condition 17.7.4.1(b); and
  - (b) that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;
- (ii) 20 metres from the margins of lakes, and from the boundaries of Open Space, Recreation and Conservation zones;
- (iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;
- (iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;
- (v) 30 metres from a plantation forest.

DRAFT

(vi) 10 metres from the boundary, and not within the boundary, of any indicative road or indicative reserve, except for the following: **C73 Op 6/23)**

(a) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply.

(b) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(g) Any building forming part or all of a rural selling place is set back at least 30 metres from the road boundary.

(ga) Any habitable building is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from any internal boundary where that boundary is to the Rural 1 or Rural 2 Zone, except where:

(a) the activity is an alteration to a dwelling and the existing setback to the boundary is not thereby reduced; or

(b) the site of the building was approved by subdivision consented on or before 30 January 2016, where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry on an existing lawfully-established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully-established intensive livestock farm which is a poultry farm. **C60 1/16 & V2-C60 7/18 Op 6/19**

(gaa) Any barn, shed, or roofed enclosure which houses poultry on an intensive livestock farm that is a poultry farm is setback at least 100 metres from any boundary of the site. **V2-C60 7/18 Op 6/19**

(gb) Dwellings are set back at least 500 metres from any boundary of a quarry site~~,~~ that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

(h) Buildings are set back at least 100 metres of a viewpoint shown on the planning maps.

(i) On the parts of Records of Title 8B/1025 and 8B/1026, shown as areas "A" and "B" in the annotated area on the planning maps at Ruby Bay, buildings are set back at least 25 metres from the edge of the Ruby Bay Cliff, except that this rule does not apply where the building is a dwelling that complies with rule 17.5A.5, or where a reduction to no less than 15 metres is certified by an appropriately qualified and experienced engineering geologist or geotechnical engineer as not resulting in the building being subject to damage from any slope failure within its useful life.

Building Location Area

(j) Where the site was created by a subdivision approved after 20 December 2003, all buildings are located within a building location area approved as part of a subdivision in terms of rule 16.3.7.3.

Building Coverage

(k) The total area of all buildings on any site, excluding, artificial shelters and poultry sheds or enclosures, is: **C60 1/16 Op 6/19**

(i) not greater than 600 square metres for any site with a net area of 4,000 square metres or less; or

(ii) either:

(a) not greater than 600 square metres; or
(b) 5 percent of the net site area (but not greater than 2,000 square metres)

for any site with a net area greater than 4,000 square metres.

Building Envelope

(l) Buildings do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all boundaries. The angle is calculated according to the elevation calculator in Schedule 17.1A.

17.7.3.2 Controlled Activities (Building Construction, Alteration, or Use)

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Construction, alteration, or use of a building that does not comply with the conditions of rule 17.7.3.1 is a controlled activity, if it complies with the following conditions:

Dwellings

(a) There is no more than one dwelling or building used for the purpose of a dwelling on a site, except as provided in condition (b), and except that on the parts of Records of Title 8B/1025, 8B/1026 and 11A/465 shown as areas "A", "B" and "C" in the annotated area on the planning maps at Ruby Bay, there can be the following number of dwellings on separate sites, each of which is no less than 2500 square metres in area

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Area "A": 3
Area "B": 6
Area "C": 2

and where the dwelling is to be located within an area approved as a building platform for a dwelling as part of the subdivision consent.

(b) The dwelling contains no more than two self-contained housekeeping units, provided:

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(i) both are contained within the same building;

(ii) one is clearly subsidiary;

(iii) connecting rooms or passages have a continuous roof; and

(iv) the walls are fully enclosed.

(c) Only in relation to the construction of a dwelling or the use of a building for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply:

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incorporating water mains fitted with fire hydrants; and
the closest fire hydrant is no more than 135 metres from the dwelling,
the dwelling is:

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EITHER

(i) provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply;

OR

(ii) provided with a water supply that is:
accessible to fire-fighting equipment; and
between 6 metres and 90 metres from the dwelling; and
on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam, or river that is within the required distances); and
either
stores at least 45,000 litres;
or
provides at least 25 litres per second for 30 minutes;

AND

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(iii) connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the dwelling is supplied from:

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a rainwater supply; or
a surface water source; or
a groundwater source
that is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

Note 1: Further advice and information about managing fire risk and storage of water for fire-fighting, including information about appropriate fittings for connection with fire appliances, can be obtained from Fire and Emergency New Zealand and the Fire and Emergency New Zealand Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Note 2: Information about the design, installation and maintenance of the sprinkler system can be found in NZS 4517:2010 Fire Sprinkler Systems for Houses.

Note 3: Fire risk can be further reduced through appropriate management of flammable vegetation near structures and ensuring fire appliances can locate and reach the dwelling in the event of a fire. Further information about managing fire risks is available from Fire and Emergency New Zealand or the Waimea Fire and Emergency New Zealand's Principal Rural Fire Officer.

Note 4: The water supply provided for in this condition may serve a second dwelling on the site provided that the requirements of the condition are met for both dwellings. **C60 1/16 Op 6/19**

(d) The dwelling has a rainwater collection system for any domestic use.

(e) Any wastewater discharge complies with the permitted activity rules in chapter 36.1.

(f) Any dwelling or habitable building is set back at least: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) 30 metres from any internal boundary where that boundary is to a Rural 1 or Rural 2 Zone, except where:

(a) the activity is an alteration to a dwelling and the existing setback to the boundary is not thereby reduced; or

(b) the site of the building was approved by subdivision consented on or before 30 January 2016, where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry on an existing, lawfully-established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm. **C60 1/16 & V2-C60 7/18 Op 6/19**

(fa) Dwellings are set back at least 500 metres from any boundary of a quarry site that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under conditions 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

(g) The dwelling complies with condition (d) [Height] in rule 17.7.3.1.

Workers' Accommodation

~~(h) All buildings which are part of workers' accommodation are relocatable.~~

(ha) The workers' accommodation is connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the workers accommodation is supplied from:

- A rainwater supply; or
- A surface water source; or
- A groundwater source

That is both reliable and potable and, where stored on site, is at least 250 litres in volume per person, per day.

(hb) The total maximum design occupancy of all workers' accommodation buildings on the site does not exceed 35 people.

(i) The site of the workers' accommodation has a minimum area of ~~50 hectares~~ 5,000m2 in the Rural 3 Zone.

Sleepout

(ia) There are no more than two sleepouts associated with any principal dwelling or second dwelling that is not a minor dwelling. **C60 1/16 Op 6/19**

(j) The area of each sleepout is no more than 36 square metres.

(k) The location of each sleepout is within 20 metres of any dwelling, including any minor dwelling.

General

(l) The building complies with conditions (e) to (l) [Height in relation to ridgelines, building setbacks, building location area, building envelope and building coverage] in rule 17.7.3.1.

(m) The maximum height of the building is 12.5 metres.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The location of the building on the site and the effects on the opportunity to utilise land with productive value.

(2) Consistency with the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). **C6 7/07 Op 10/10**

(3) Effects of access and traffic safety.

(4) For workers' accommodation, effects relating to any on-site servicing.

(5) Effects on the amenity values of the area, including landscaping and the colour, materials and surface treatment of buildings and the potential impact for existing productive activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(5A) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated. **C60 1/16 Op 6/19**

(5B) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on and plant and animal production. **C60 1/16 Op 6/19**

(6) Exposure of the building to road traffic noise, including from State Highway 60, and measures to mitigate such exposure.

(7) Effects of any proposed outdoor storage of goods, machinery or produce.

(8) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries and effects on significant views.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Bonds, covenants and financial contributions in addition to those specified in standards.

(11) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(12) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

17.7.3.3 Restricted Discretionary Activities (Building Construction, Alteration, or Use)

C60 1/16 Op 6/19

Construction, alteration, or use of a building that does not comply with the conditions of rule 17.7.3.2 is a restricted discretionary activity, if it complies with the following conditions:

Dwellings

(a) No more than two dwellings or buildings used for the purpose of dwellings are placed on a site, except that no more than one dwelling or building used for the purpose of a dwelling is placed on Record of Title 8B/1025 within Area "D" of the Ruby Bay planning map. **C60 1/16 & V2-C60 7/18 Op 6/19**

Services

(b) The dwelling complies with conditions 17.7.3.2(c), (d) and (e) (servicing).

All Buildings

(c) The building complies with rule 17.7.3.1(j).

General

(d) If an adjoining property has horticultural plantings, including vineyards, where pesticides may be discharged to air, any school and its grounds, early childhood education facility and its grounds, visitor accommodation or tourist accommodation is set back at least: **C60 1/16 Op 6/19**

(i) 30 metres from the boundary common to the horticultural plantings, including vineyards, and the building or grounds; or

(ii) 20 metres from horticultural plantings, including vineyards, where a spray belt is established along the boundary common to the horticultural plantings and the building or grounds.

(e) Dwellings are set back at least 500 metres from any boundary of a quarry site that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under conditions 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The location of the building on the site and the effects on the opportunity to utilise land with productive value.

(2) Consistency with the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). **C7 7/07 Op 10/10**

(3) Location and effects of on-site servicing, including wastewater services, access and traffic safety.

(4) For workers' accommodation, effects relating to any on-site servicing.

(4a) Whether or not the workers' accommodation building is repurposing existing buildings for workers' accommodation purposes.

(4b) For workers' accommodation, the extent to which access to and from the site, carparking on site and traffic generated in association with the buildings affect the amenity, character and use of the neighbouring sites and public places and in particular the extent to which these can be viewed from neighbouring sites and public places.

(4c) For workers' accommodation buildings, a safe active transport plan must outline how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

(4d) Workers' accommodation buildings will not be a consideration to support any future subdivision.

(5) Effects on the amenity values and the coastal and rural character of the area and the potential impact for existing productive activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(6) Exposure of the building to road traffic noise, including from State Highway 60, and measures to mitigate such exposure.

(7) Effects of any proposed outdoor storage of goods, machinery or produce.

(8) The adverse environmental effects of a higher building, including visibility on a ridgeline.

(9) The circumstances leading to, or need for, an increase in height.

(10) The potential for shading across property boundaries, including onto roads, from the building or any associated planting or screening structure.

(11) The potential for landscaping, existing planting or topography to mitigate the effect of an increase in height or extent of buildings.

(12) The adverse environmental effects of a building with reduced setbacks.

(13) The influence of topography on shading.

(14) The effects of natural hazards and site contamination.

(15) The nature of adjoining uses, buildings and structures, and all adverse effects of closer development on these.

(16) The potential for cross-boundary conflicts arising from drift of pesticides across the boundary.

(17) The extent to which the proposed building would detract from the openness and rural character of the locality.

(18) The extent to which the building would be compatible with existing development in the vicinity.

(19) The potential for landscaping to maintain privacy for neighbours.

(20) The visual impact and appropriateness of colour and materials for buildings and structures.

(21) The degree to which views are obscured.

(22) Any effects on natural character of water bodies and the coast.

(23) Any effects on indigenous vegetation and habitats of indigenous fauna.

(24) Any effects on areas of predominantly natural, coastal and rural landscape.

(25) Any effects on ridgelines and hilltops.

(26) For buildings and structures in or near rivers, lakes and wetlands, effects on the natural functioning of the water body, including habitat values and natural hazards.

(27) Any contribution of more than one dwelling on a site to cumulative adverse effects.

(27A) Alternatives for fire risk management. **C34 3/12 Op 4/13**

(28) Bonds, covenants and financial contributions in addition to those specified in standards.
(29) Noise

17.7.4 Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts

17.7.4.1 Permitted Activities (Plantation Forests, Horticultural Plantings, Spray Belts and Shelter Belts)

NOTE: Rule 17.7.4.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Planting of plantation forests, horticultural plantings, spray belts and shelter belts, and the construction of artificial shelter is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Plantation Forest Setbacks

(a) Plantation forests are set back at least:

(i) 50 metres from a Residential Zone or Medium Density Residential Zone boundary;

(ii) 30 metres from a dwelling;

(iii) 10 metres from any boundary, except that:

(a) trees are not planted or allowed to grow in a position which could result in any dwelling on an adjoining property becoming shaded between 10.00 am and 2.00 pm on the shortest day; and

(b) this setback need not apply where there is a written agreement between adjoining property owners that is lodged with Council.

(iv) 10 metres from the intersection of any formed legal road;

(v) 10 metres from the bed of any river or stream greater than 3 metres average bed width;

(vi) 10 metres from the bed of any lake;

(vii) 50 metres from the coastal marine area.

Advice Note: Clause (a)(vii) prevails over NES-PF regulations 14(3)(b) and 78(2)(c) because it is more stringent under regulation 6(1)(b).

Spray and Shelter Belt and Artificial Shelter Setbacks

(b) Spray belts, shelter belts and artificial shelter are set back at least:

(i) 3 metres from property boundaries;

(ii) 10 metres from the intersection of any formed legal road.

Horticultural Planting Setbacks

(c) Horticultural plantings are set back at least:

(i) 10 metres from the intersection of any formed legal road;

(ii) 3 metres from property boundaries.

(d) Horticultural plantings where pesticides may be discharged to air are set back at least:

(i) 30 metres from any dwelling, any other building used for any residential activity, visitor accommodation or tourist accommodation, or any school or school grounds, or early childhood education facility or its grounds on an adjoining property; or

(ii) 20 metres from any of the buildings or grounds specified in (i) above, where a spray belt is established along the boundary common to the horticultural plantings and the buildings or grounds.

Trees and Shelter near Roads

(e) Trees are not planted or allowed to grow, and artificial shelter is not constructed, in a position which could result in any icing of roads being prolonged by shading of the road between 10.00 am and 2.00 pm on the shortest day.

Height

(f) The maximum height of horticultural plantings, spray belts or shelter belts growing within 20 metres of a boundary is 6 metres.

(g) The maximum height of artificial shelter is 6 metres.

(h) The height of horticultural plantings, spray belts or shelter belts does not exceed the horizontal distance between the shelter or horticultural plantings and the nearest dwelling.

Maintenance of Horticultural Plantings and Shelter Belts

(i) Spray belts or shelter belts and horticultural plantings are maintained by the owner so that no vegetation extends over property boundaries or roads.

(j) Prunings are removed or otherwise disposed of by the tree owners when they fall on other properties, with the permission of the owners of the other properties.

(k) Root pruning of horticultural plantings, shelter or spray belt trees along a property boundary is carried out by the owner of trees at least once every five years, or at a lesser frequency agreed between adjoining landowners.

17.7.4.2 Restricted Discretionary Activities (Plantation Forests, Horticultural Plantings, and Spray and Shelter Belts)

Planting of plantation forests, trees, horticultural plantings, spray belts and shelter belts and the construction of artificial shelter that does not comply with the conditions of rule 17.7.4.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The adverse effects of shading on adjoining properties.

(2) The actual or potential fire risk.

(3) The actual or potential adverse effects on the open space or amenity values of the area.

(4) The actual or potential adverse effects of pesticide drift across property boundaries.

(5) The potential for exotic wildling spread to significant indigenous vegetation or habitat.

(6) The adverse effects of tree planting or construction of artificial shelter on visibility at road intersections and property accesses or icing on roads.

(7) The influence of topography on shading.

(8) The nature of adjoining uses and adverse effects of higher trees or shelter.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Bonds, covenants and financial contributions in addition to those specified in the standards.

17.7.5 Destruction or Removal of Indigenous Vegetation and Forest

17.7.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation)

NOTE: Rule 17.7.5.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity, if it complies with the following conditions:

(a) The site is not a naturally occurring wetland.

(b) The site does not include any of the following:

(i) indigenous dune vegetation;

(ii) salt herb fields;

(iii) woody indigenous vegetation in the Coastal Environment Area.

(iv) indigenous vegetation on any area of karst that contains an area of fissured or fluted rock outcrops, a cliff face or any talus slope;

(v) indigenous vegetation containing small-leaved coprosma shrubs (*Coprosma propinqua* or *Coprosma rigida*) or small-leaved shrub daisy (*Olearia virgata*) on any lowland alluvial site (up to 600 metres above sea level) in the Buller catchment; between 600 and 1200 metres above sea level in the Tākaka catchment (including the Cobb); and up to 950 metres in the Canaan Downs/Pikikirunga area.

Advice Note: Clauses (b) (i), (ii), (iii), (iv), (v) prevail over NES-PF regulation 93 because they are more stringent under regulations 6(1)(b) NZCPS and 6(3)(b) Karst.

17.7.5.2 Discretionary Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation that does not comply with the conditions of rule 17.7.5.1 is a discretionary activity:

A resource consent is required and may include conditions.

17.7.5.3 Permitted Activities (Destruction or Removal of Indigenous Forest)

NOTE: Rule 17.7.5.3 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous forest is a permitted activity if it complies with the following conditions:

(a) The site is outside the Coastal Environment Area.

EITHER

(b) The area of indigenous forest to be destroyed or removed is less than 0.2 hectare (2000 square metres) per site over a three-year period.

OR

(c) The area is subject to a sustainable forest management plan, permit, or personal use approval under Part 3A of the Forests Act 1949, approved as at 31 March 2007.

OR

(d) The area is subject to a sustainable forest management plan, permit or personal use approval either required or approved under Part 3A of the Forests Act 1949 after 31 March 2007 that is not:

(i) on a lowland alluvial site; or

(ii) on karst;

and a copy of the approved plan, permit, or personal use approval has been lodged with Council.

17.7.5.4 Controlled Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions for a permitted activity is a controlled activity, if it complies with the following conditions:

(a) The area of indigenous forest destroyed or removed is greater than 0.2 hectare and less than 1 hectare per site over a three-year period.

(b) The forest is not on a lowland alluvial site.

(c) The site is outside the Coastal Environment Area.

(d) The activity is not subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Species to be removed and volume.

(2) Replanting.

(3) Extraction techniques.

(4) Mitigation of effects.

17.7.5.5 Restricted Discretionary Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.7.5.4 is a restricted discretionary activity, if it complies with the following conditions:

(a) The activity is subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949 and a copy of the approved plan or permit has been lodged with Council.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The significance of the indigenous forest affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological, scientific, recreational, tourist and landscape values, and natural features of the area.

(2) The extent to which any retention of the forest is necessary to prevent instability, flooding, or erosion of land and to maintain water quality.

(3) Effects on archaeological, cultural and historic sites within the application area.

(4) The extent to which the proposal provides for regeneration or modification of indigenous forest or sustainable management of the indigenous forest resource.

(5) The extent of the reduction of the indigenous forest associations in the District should the application proceed, and the impact on the sustainability of that indigenous forest association.

(6) The extent to which the adverse effects of the activity can be mitigated (for example, revegetation, covenanting, fencing, pest and weed management).

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.7.20 Principal Reasons for Rules

Noise
The rural environment is a working environment where noise is generated as part of many rural activities. Rules limit noise problems arising from continuous sources and from residential sources within the zone, but greater freedom is given to the types of noise that arise in normal day-to-day rural activities. For these types of noise, methods other than rules such as codes of practice and the best practicable option approach, will be applied as appropriate.

Building Height
The height of buildings in rural areas is regulated to preserve visual amenities and, coupled with setback and building envelope requirements, to avoid shading across boundaries.

Setbacks
Setbacks from roads promote road safety and help maintain rural open space. They also separate dwellings from the adverse effects of road use, such as dust, noise and vibration. Separation between buildings on adjoining sites maintains open space and privacy and minimises shading of neighbouring properties. Separation between dwellings and existing horticultural plantings helps to reduce reverse sensitivity from cross-boundary effects.

The setbacks for dwellings for quarry areas and activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

Building Setback from Rivers
The setback of buildings from rivers avoids or mitigates the risk to buildings from bank erosion and provides for access in order to maintain channels or bank stability. Setbacks provide a degree of mitigation from flooding. They also provide for open space to maintain natural character, and possible public access or recreational use through esplanade reserves or strips. Setbacks help reduce possible conflicts between river use and adjacent residential or other uses of buildings. The variation in setback from rivers of different widths reflects the varying risks and access requirements.

Setback of Buildings from Lake Margins and Other Zone Boundaries
The setback of buildings from the margins of natural occurring lakes and large impounded lakes, and from the boundary with Open Space, Recreation and Conservation zones provides for open space to retain natural character and possible public access or recreational use through esplanade reserves or strips. The setbacks also help reduce possible conflict between lake use and adjacent residential or other uses of buildings.

Indicative Roads and Reserves **C73 Op 6/23**
The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Shading Caused by Buildings and Trees

Shading caused by buildings is a problem over winter, with buildings casting long shadows to the southwest, south and southeast. The setback from southern boundaries, coupled with the height restrictions, is based on a sun path for June, and avoids shading of neighbouring dwellings between 10.00 am to 3.00 pm.

Trees, located alongside roads can cause shading of roads in winter with consequent problems with icing of the road surface and obvious traffic hazards and road maintenance effects. New shading problems can be avoided by ensuring that new plantings are not located in positions which would impede the access of sunlight to road surfaces in the middle of the day in winter.

Trees can also cause shading problems on neighbouring properties, particularly on dwellings and horticultural crops. Setback and height restrictions reflect the difference in intensity of adverse effects caused by different trees.

Live Shelter and Horticultural Plantings

These rules mitigate shading and crop competition effects and also provide access for tree maintenance, including both root and branch pruning, on the owner's property. The setbacks allow for pruning to be undertaken from the property and avoid traffic hazards.

Fire Hazard

Fire hazard controls are applied to all rural buildings, not just dwellings. A 30-metre separation distance between buildings and plantation forests help to contain a fire in proximity to an isolated rural building. A setback of 50 metres from Residential Zone or Medium Density Residential Zone boundaries is required because of the potentially greater risks in the higher density built-up areas. The rule reflects the firebreak recommendations for exotic forestry in the Waimea Rural Fire Control Policy.

Building and Planting Near Viewpoints

Some viewpoints in rural areas have been identified as amenities of value to the community. It is usually possible to re-site buildings, structures and plantings so that views are not compromised.

Pesticide Discharges

The setback and spray belt requirements will avoid or mitigate adverse effects arising from the drift of pesticides across property boundaries.

Land Fragmentation

The construction of buildings, especially dwellings, has been recognised as a contributing factor to fragmentation of land which limits the productive values, including versatility of land. The rules relating to land use, including those for buildings and location, are to control the adverse effects of land fragmentation on the productive values of the land, as well as on coastal and rural character and amenity values.

In the Rural 3 Zone, the accommodation of additional residential development has been identified as desirable, provided that the productive values of the land are safeguarded; that the subdivision and subsequent development does not adversely affect the qualities and values of the coastal and rural landscape; that the development is adequately serviced; and that cumulative adverse effects are avoided or mitigated to appropriate levels. These aspects are primarily assessed through the subdivision process, but part of the assessment includes the effects of the developed sites. The rules provide for control over the location of buildings within a site at the time of subdivision consent, and an additional assessment of dwellings as controlled or discretionary activities. Consent applications for dwellings may be assessed and issued at the same time as for the subdivision. The 'Coastal Tasman Area Subdivision and Development Design Guide' will assist developers in identifying successful subdivision concepts and Council officers in determining appropriate conditions of consent.

C6 7/07
Op 10/10

Small subsidiary units that are dependent on the main dwelling are permitted, whereas consent is required for additional dwellings because of their propensity to contribute to land fragmentation. Cooking facilities are not allowed in these subsidiary units as they can encourage separation and independence from the main dwelling.

Destruction or Removal of Indigenous Forest and Vegetation

Indigenous forest and other indigenous vegetation has intrinsic ecological and biodiversity value. It also adds to the visual character of the District. While much of the upland vegetation of the District is protected in the extensive conservation estate, the lowland forest remnants and coastal vegetation is less well protected and has been identified in Chapter 10 as a priority for protection. Specific locations where there are distinctive indigenous vegetation associations, with some threatened species, are protected. These include indigenous

vegetation on largely rocky surfaces of karst formed on limestone, marble, dolomite or magnesite, and frost flat shrublands. Frost flat shrublands containing small-leaved species of Coprosma and Olearia is indigenous vegetation in locations along inland valley floors in the Buller or at higher altitudes elsewhere where frequent heavy frosts limit larger woody species. Some frost flat species are nationally threatened. The Forests Act 1949 provides for the management and some protection of indigenous forest. The rules are interim and may be changed when further studies have been done to identify significant natural areas.

Home Occupations

Rural areas are appropriate for small-scale industrial and commercial activities, which can provide employment opportunities for site occupants and a limited number of employees, with minimal adverse impact on the environment. The rules ensure that permitted activity home occupations can be managed in a way that limits potential adverse effects. As the Rural 3 Zone has a range of lots sizes, different controls are applied to smaller lots to safeguard amenity.

Quarrying

The Rural 3 Zone is, in places, closely subdivided and closely settled, are often used for intensive productive rural activity, and much of the land resource has high actual and potential productive and versatile qualities for present and future generations. Quarry activities have a range of potential adverse effects. In the context of the zones, the effects of new quarries and quarry expansion activities need to be evaluated on a case-by-case basis as a discretionary activity.

~~**Papakāinga Development**~~

~~In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally-owned Maori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.~~

Community Activities

These activities can have significant adverse effects in a rural environment because of scale and intensity of use. Their discretionary status provides for evaluation of effects on a case-by-case basis.

Reticulated Services

The Rural 3 Zone is intended to be fully serviced with Council-provided infrastructure on a staged programmed basis to avoid, mitigate and, in some circumstances, remedy adverse effects. In the period that reticulated services provided by Council are not available, the rules require that buildings are serviced adequately.

Wastewater Management

The requirements of the wastewater discharge rules will be considered as part of the land use activity to enable a consistent and integrated approach to management of land use effects as well as management of effects of discharges.

The Council will require attention to be paid to site constraints for on-site treatment at the time applications for building consents are received and will consider requirements for discharge permits to be sought at the same time as building consents to ensure house design, location and wastewater provision will be integrated.

DRAFT

Water Supply

C34 3/12
Op 4/13

Where water reticulation is available, new dwellings will be expected to connect to the service. In Rural and Rural Residential zones, except in locations where a high pressure reticulation is present, new dwellings are required to have access to sufficient stored water for fire protection or install a home sprinkler system for the purpose of fire protection and to install water collection and storage systems to ensure that a minimum potable water supply is available. The potential for adverse landscape and amenity effects of water storage tanks, especially on small sections is acknowledged, however an efficient fire risk management solution can also be provided by home sprinkler systems. Water supplies may include ponds, lakes or rivers with sufficient storage or flow that are not on the same site as the dwelling but are within the required distances.

Sleepouts

C60 1/16
Op 6/19
C73
Op 6/23

The number of sleepouts able to be constructed as a controlled activity on any given property is two sleepouts per principal dwelling or second dwelling, where that second dwelling is not a minor dwelling. Those sleepouts may be located within 20 metres of any dwelling, including any minor dwelling.

17.8 RURAL RESIDENTIAL ZONE RULES

Refer to Policy sets 5.1 - 5.3, 5.5, 7.1 - 7.4, 8.1, 8.2, 9.1 - 9.3, 10.1, 11.1, 11.2, 12.1, 13.1, 14.3, 14.4, 33.4, 34.1, 34.2, 36.2, 36.6.
Refer to Rule sections 16.11

17.8.1 Scope of Section

This section deals with land uses in the Rural Residential Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

NES-FW (ca) 12/20

17.8.2 Land Use

17.8.2.1 Permitted Activities (Land Use - General)

C19 5/10
Op 8/12

NOTE: Rule 17.8.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The activity is not one of the following:

(i) intensive livestock farming;

(ii) an industrial, rural industrial, community or commercial activity, except as a home occupation allowed by rule 17.8.2.2;

C19 5/10
Op 8/12

(iii) a rural selling place where:

the sale and display area is greater than 25 square metres; or
access is to an arterial route;

(iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport;

(v) papakāinga development (See Section 16.14);

(vi) the maintenance, repair, storing, or parking of more than two heavy vehicles with a gross laden weight of 3,500 kilograms or more (except those heavy vehicles that are directly associated with temporary construction, maintenance or demolition work) that are being used for or in connection with any commercial, industrial, rural industrial or home occupation activity. **C60 1/16 & V2-C60 7/18 Op 6/19**

(vii) cooperative living. **C73 Op 6/23**

Air Emissions – Dust and Odour

(b) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect within any site in the Residential Zone or Medium Density Residential Zone. **C68 7/18 Op 6/19**

Tree Setbacks and Height

(c) Trees, including spray belts and shelter belts, are set back at least 10 metres from the intersection of any formed legal road.

(d) Horticultural plantings, shelter belts and spray belts are set back at least 3 metres from property boundaries.

(e) Horticultural plantings where pesticides may be discharged to air are set back at least:

(i) 30 metres from any dwelling, any other building used for any residential activity, visitor accommodation or tourist accommodation, or any school or school grounds, or early childhood education facility or its grounds on an adjoining property; or

(ii) 20 metres from any of the buildings or grounds specified in condition (e)(i), where a spray belt is established along the boundary common to the horticultural plantings and the buildings or grounds.

(f) Artificial shelter belts are set back at least 3 metres from property boundaries and do not exceed 6 metres in height.

(g) Plantation forest is set back at least:

(i) 10 metres from any boundary except that:

(a) trees are not planted or allowed to grow in a position which could result in any dwelling on an adjoining property becoming shaded between 10.00 am and 2.00 pm on the shortest day; or

(b) this setback need not apply where there is a written agreement between adjoining property owners that is lodged with Council;

(ii) 30 metres from a dwelling;

(iii) 50 metres from a Residential Zone or Medium Density Residential Zone boundary;

(iv) 10 metres from the bed of any river or stream greater than 3 metres average bed width;

(v) 10 metres from the bed of any lake;

(vi) 50 metres from the coastal marine area.

Advice Note: Clause (g)(vi) prevails over NES-PF regulations 14(3)(b**)** and 78(2)(c) because it is more stringent under regulation 6(1)(b).

(h) Horticultural plantings, spray belts and shelter belts have a maximum height of 6 metres within 20 metres of all internal boundaries.

(i) The planting complies with conditions (g) to (l) in rule 17.6.4.1.

Quarry Setback

(j) A residential activity is set back at least 500 metres from any boundary of a quarry site~~,~~ that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii). **C60 1/16 Op 6/19**

Noise

(k) Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being

generated), Rural Residential, Papakāinga or Tourist Services Zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

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

C19 5/10 Op 8/12

Except as required by condition (l) of this rule, this condition does not apply to all noise from any intermittent or temporary rural plant and animal production activity, including noise from: **C14 5/09 Op 8/12**

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

Advice Note: Clause (k)(ii) does not apply to plantation forestry noise which is managed by NES-PF regulation 98.

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

Frost Protection Devices **C14 5/09 Op 8/12**

(l) Noise generated by any frost protection device, in combination with noise from any other authorised frost protection device, does not at any time exceed 55 dBA Leq when measured:

(a) at or within the notional boundary of any dwelling that existed before the frost protection device is installed (other than a dwelling on the site from which the noise is being generated) in the Rural 1, Rural 2, Rural 3 or Rural Residential Zone; and

(b) at or within the boundary of the Residential, Medium Density Residential, Papakāinga, or Tourist Services Zone; and

(c) in any other circumstances, at a distance of 300 metres from the frost protection device;

provided that evidence of the ability to meet this condition is certified by an appropriately competent person in acoustic engineering and a copy of that certification, including a plan showing the location of the frost protection device or devices to which the certification applies, is lodged with the Council prior to the installation of any frost protection device.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(m) Any frost protection device is operated only when the air temperature at the lowest level of the frost-tender part of the crop has fallen to 2 degrees Celsius, and ceases operating when the air temperature at that height has risen to 3 degrees Celsius; except that the device may be operated for maintenance purposes between 8.00 am and 6.00 pm.

(n) Any new residential activity that is sited within 300 metres of any frost protection device that is likely to exceed the noise limit in condition (l) of this rule, is located, oriented, and constructed to ensure that bedrooms and living rooms achieve an indoor design sound level of 30 dBA L_{eq} and 45 dBA L_{max} from any noise permitted in the zone beyond the notional boundary of the building or dwelling.

(o) Outdoor fan-type frost protection devices are used only for frost protection, for crops that have a distinct period of bud-burst and a distinct end of harvest, and only in the period between bud-burst and end of harvest.

Stormwater C7 7/07 Op 10/10

(p) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C60 1/16 Op 6/19

Note: Stormwater discharge provisions within Section 36.4 of the Plan will also apply.

Note: Vegetation to be planted within the electricity transmission corridor in the Richmond East Development Area should be selected and managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting, near any electrical line especially works within the transmission corridor, developers are requested to contact the line operator. C20 8/10 Op 8/12

17.8.2.2 Permitted Activities (Home Occupations) C19 5/10 Op 8/12

A home occupation on the site of any dwelling is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal working, bottle or scrap storage, rubbish collection, motor-body building, or fish or meat processing.

(b) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles is carried out within a building.

(c) Any goods, materials or equipment stored outside a building are visually screened from public roads and adjacent sites.

(d) Boarding of domestic animals is limited to not more than six cats or four dogs at any time.

(e) Retailing is permitted in accordance with the rural selling place provisions in rule 17.8.2.1 and is in accordance with the definition of 'rural selling place'.

Hours

(f) Except for visitor accommodation, where such restrictions do not apply, the home occupation is conducted at any time provided that there are no visitors, clients or deliveries outside the hours of 8.00 am to 6.00 pm.

Location

(g) The home occupation is not undertaken on a site which is located on a shared access or private way, except where:

(i) the activity is carried out solely by a person or persons permanently resident on the site;

(ii) there are no visitors, clients or deliveries to the site.

Employment and Area C22 2/11 Op 1/15

(h) A home occupation which is other than visitor accommodation:

(i) occupies no more than 75 square metres gross floor area;

(ii) employs or engages no more than two full-time equivalent persons who reside elsewhere than on the site.

Amenities

(i) The permitted activity conditions for dust, odour, and noise set out in 17.8.2.1(b) and (k).

Visitor Accommodation

(j) Any home occupation that is visitor accommodation takes place in a dwelling which either existed on 25 May 1996, or is otherwise permitted by the Plan or by a resource consent.

(k) The maximum number of visitors accommodated per site at any time is four.

17.8.2.3 Restricted Discretionary Activities (Home Occupations)

C19 5/10
Op 8/12

A home occupation that does not comply with the conditions of rule 17.8.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Rural Residential Character

(1) The extent to which the activity will result in the loss of rural residential character on the site and in the vicinity of the site.

(2) The extent to which the activities on the site remain predominantly residential and rural.

(3) The extent to which the character of the site and the surrounding area will remain dominated by open space or vegetation rather than by buildings and areas of hard surfacing.

(4) The extent to which any proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.

(5) Adverse effects of the outdoor activity on the outlook of people on adjoining sites, including the loss of residential or rural character.

(6) The extent to which the outdoor activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.

(7) The ability to mitigate any adverse effects of the outdoor activity on adjoining roads and sites, including the ability to screen activities from adjoining roads and sites.

General Adverse Effects

(8) Adverse effects of the home occupation in terms of noise, odour, vibration, dust, glare, visual impact, loss of privacy, traffic and parking congestion on site, and safety and efficiency of traffic on roads giving access to the site.

(9) Any effects of any outdoor storage of materials or equipment associated with the home occupation.

(10) Any effects relating to natural or technological hazards.

Miscellaneous

(11) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(12) Financial contributions, and bonds and covenants in respect of the performance of conditions (Section 108).

~~17.8.2.4 Restricted Discretionary Activities (Papakāinga Development)~~

~~C19 5/10~~
~~Op 8/12~~

~~A papakāinga development is a restricted discretionary activity.~~

~~**A resource consent is required**. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:~~

~~(1) Appropriate access from adjoining roads and within the site.~~

~~(2) Methods of wastewater and stormwater disposal and provision of a reliable potable water supply.~~

~~(3) Risk from natural hazards.~~

~~(4) Means of avoiding conflicts within the development.~~

~~(5) Landscaping of the site to control any adverse visual effects.~~

~~(6) The objectives and policies of Chapter 7 of the Plan.~~

17.8.2.5 Restricted Discretionary Activities (Community Activities)

C19 5/10 Op 8/12

A community activity is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The extent to which the activity will result in loss of rural character.

(2) The ability to mitigate adverse noise and visual effects by screening of activities from adjoining roads and sites.

(3) The scale of any building, structures and car parking compared to existing permitted development.

(4) Adverse effects of the activity in terms of traffic and parking congestion on site and safety and efficiency of roads giving access to the site.

(5) The duration of the consent and the timing of reviews of conditions.

(6) Financial contributions, bonds and covenants in respect of the performance of conditions.

17.8.2.6 Discretionary Activities (Land Use)

C19 5/10 Op 8/12

Any land use that does not comply with the conditions of rules 17.8.2.1 to 17.8.2.5 is a discretionary activity, if it complies with the following conditions:

C60 1/16 Op 6/19

(a) The activity is not a commercial, industrial or rural industrial activity. **C60 1/16 Op 6/19**

A resource consent is required and may include conditions.

17.8.2.6A Discretionary Activities (Cooperative Living)

C60 1/16 Op 6/19

Items (a & b) deleted as part of Plan Change 73

C60 1/16 Op 6/19 C73 Op 6/23

Cooperative living is a discretionary activity

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to the following particular criteria and to other provisions of the Plan or Act:

Item (i) to be amended as follows

(1) The extent to which the proposed legal arrangement establishes, in an enduring manner:

- (a) the purpose or intent of the cooperative living activity;
- (b) how it will be managed now and in the future; and
- (c) how the individual members will be bound by this arrangement.

(2) The extent to which the buildings and proposed land use are consistent with low impact design principles and methods. **C60 1/16 Op 6/19**

(3) Matters (1) - (5) and (7) - (11) in rule 17.8.3.1A.

17.8.2.7 Non-Complying Activities (Land Use)

V2-C60 7/18 Op 6/19

Any activity in the Rural Residential Zone that does not comply with the conditions of rule 17.8.2.6 is a non-complying activity.

A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any provisions of the Plan or Act.

17.8.3 Building Construction, Alteration, or Use

C60 1/16 Op 6/19

17.8.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Dwellings

(a) There is no more than one dwelling or building used for the purpose of a dwelling on a site. **C60 1/16 & V2-C60 7/18 Op 6/19**

(b) The dwelling contains no more than two self-contained housekeeping units, provided: **C60 1/16 Op 6/19**

(i) both are contained within the same building;

(ii) one is clearly subsidiary;

(iii) connecting rooms or passages have a continuous roof; and

(iv) the walls are fully enclosed;

except that this condition does not apply in the Milnthorpe Rural Residential Zone.

Sleepouts

(ba) There are no more than two sleepouts associated with any principal dwelling or second dwelling that is not a minor dwelling. **C60 1/16 Op 6/19**

(c) The gross floor area of each sleepout is no more than 36 square metres. **C60 1/16 Op 6/19**

(d) The location of each sleepout is within 20 metres of any dwelling, including any minor dwelling on the site. **C73 Op 6/23**

(da) The sleepout is not part of a cooperative living activity. **C73 Op 6/23**

Height

(e) The maximum height of the building is 7.5 metres, subject to condition 16.6.2.1(k).

(f) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

(g) The building is set back at least:

(i) 10 metres from road boundaries and 5 metres from internal boundaries except: **C60 1/16 Op 6/19**

(a) where condition (h)(i) applies and subject, in the case of artificial shelter, to condition 17.8.2.1(f)); and

(b) that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;

(ii) 20 metres from the margins of lakes and from the boundaries of Open Space, Recreation and Conservation zones;

(iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;

(v) 30 metres from a plantation forest;

(vi) 10 metres from internal boundaries in the case of buildings housing livestock;

(vii) 32 metres from the centreline of any electricity transmission line in Mangles Valley~~,~~ (Murchison), T-114a and T-114c Eyles Road (Richmond), T-181a Korere/Tophouse (St Arnaud), and in the Richmond East Development Area (notwithstanding condition (g)(i)) as shown on the planning maps). **C20 8/10 Op 8/12 C77 9/22 Op 10/23**

(viii) 10 metres from the boundary, and not within the boundary, of any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(a) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply.

(b) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(h) Any dwellings or habitable building is set back at least: **C60 1/16 & V2-C60 7/18 Op 6/19**

(i) 30 metres from an internal boundary where that boundary is to the Rural 1, Rural 2 or Rural 3 Zone, except where:

(a) the activity is an alteration to a dwelling and the existing setback to the boundary is not thereby reduced;

(b) the site of the building was approved by subdivision on or before 30 January 2016, where the setback is 5 metres;

(ii) 130 metres from any barn, shed or roofed enclosure that houses poultry on an existing, lawfully established intensive livestock farm which is a poultry farm on or before 30 January 2016, except for habitable buildings located on the same site as the existing lawfully established intensive livestock farm which is a poultry farm.

(i) Any building forming part or all of a rural selling place is set back no less than 30 metres from the road boundary.

(j) Buildings are set back from the top of the identified ridgeline at Ruby Bay behind a slope that is projected at an angle of 45 degrees from the toe of the ridge and set forward from the toe at least half the vertical height of the ridge. **C22 2/11 Op 1/15**

Building Coverage

(k) The total area of all buildings on the site, excluding greenhouses, does not exceed 20 percent of the net site area or 600 square metres per site, whichever is the smaller. **C60 1/16 Op 6/19**

Building Envelope

(l) Buildings on sites that adjoin a Residential Zone or Medium Density Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all boundaries adjoining the Residential Zone or

Medium Density Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Additional Conditions for Dwellings

(m) Only in relation to the construction of a dwelling or the use of a building for the purpose of a dwelling, and not an alteration, and except where any dwelling is connected to a reticulated water supply: **C19 5/10 Op 8/12**
incorporating water mains fitted with fire hydrants; and **C34 3/12 Op 4/13**
the closest fire hydrant is no more than 135 metres from the dwelling, **C60 1/16 & V2-C60 7/18 Op 6/19**
the dwelling is:

EITHER

(i) provided with a home fire-sprinkler system that is fitted with a reliable year-round water supply;

OR

(ii) provided with a water supply that is:
accessible to fire-fighting equipment; and
between 6 metres and 90 metres from the dwelling; and
on the same site as the dwelling (except where the specified volume or flow of water is in a pond, dam, or river that is within the required distances); and

either
stores at least 45,000 litres;

or
provides at least 25 litres per second for 30 minutes;

AND **C19 5/10 Op 8/12**

(iii) connected to a reticulated supply that is capable of supplying a potable water supply, or if such a supply is not available, the dwelling is supplied from: **C34 3/12 Op 4/13**
a rainwater supply; or
a surface water source; or
a groundwater source
that is both reliable and potable and, where stored on site, is at least 23,000 litres in volume.

Note 1: Further advice and information about managing fire risk and storage of water for fire-fighting, including information about appropriate fittings for connection with fire appliances, can be obtained from Fire and Emergency New Zealand and the Fire and Emergency New Zealand Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008).

Note 2: Information about the design, installation and maintenance of the sprinkler system can be found in NZS 4517:2010 Fire Sprinkler Systems for Houses.

Note 3: Fire risk can be further reduced through appropriate management of flammable vegetation near structures and ensuring fire appliances can locate and reach the dwelling in the event of a fire. Further information about managing fire risks is available from Fire and Emergency New Zealand or the Waimea Fire and Emergency New Zealand's Principal Rural Fire Officer.

Note 4: The water supply provided for in this condition may serve a second dwelling on the site provided that the requirements of the condition are met for both dwellings. **C60 1/16 Op 6/19**

Item (n) deleted as part of Plan Change 73 **C73 Op 6/23**

(o) Dwellings are set back at least 500 metres from any boundary of an existing quarry site, that has or is likely to create noise, vibration and dust effects, except for a quarry permitted under condition 17.5.2.1(a)(ii), 17.6.2.1(a)(ii) or 17.7.2.1(b)(ii).

(p) Except in the Māpua and Waimea Rural Residential zones, there is adequate area on site for effluent disposal for each dwelling.

Stormwater

(q) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.
Note: Stormwater discharge provisions within Section 36.4 of the Plan will also apply.

C7 7/07 Op 10/10
C60 1/16 Op 6/19
C60 1/16 Op 6/19

17.8.3.1A Controlled Activities (Building Construction, Alteration, or Use)

C60 1/16 Op 6/19

Construction, alteration, or use of a building is a controlled activity, if it complies with the following conditions:

(a) The activity is a second dwelling that is a minor dwelling and is located on a site of at least two hectares

(b) The minor dwelling complies with permitted conditions 17.8.3.1 (e) – (q) and the principal dwelling is a single housekeeping unit only.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Location and effects of on-site servicing, including wastewater disposal, access, and traffic safety.

(1A) Effects on the road network.

(2) Effects on the amenities of the area and the potential impact for existing plant and animal production activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.

(3) Effects of any proposed outdoor storage of goods, machinery or produce.

(4) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries, and effects on significant views, ridgelines and hill tops

(5) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on plant and animal production.

(6) Low impact building design.

(7) The on-site management of stormwater in accordance with Low Impact Design solutions.

(8) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated.

(9) Alternatives for fire risk management.

(10) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(11) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.8.3.2 Restricted Discretionary Activities (Building Construction, Alteration, or Use)

C60 1/16 Op 6/19

Construction, alteration, or use of a building that does not comply with the conditions of rule 17.8.3.1 or rule 17.8.3.1A is a restricted discretionary activity, if it complies with the following conditions:

(a) Except as provided for in condition (a) of rule 17.8.3.1A, there are no more than two dwellings or buildings used for the purpose of dwellings on a site. C60 1/16 & V2-C60 7/18 Op 6/19

Setbacks C60 1/16 Op 6/19

(b) Any building forming part or all of a rural selling place is set back no less than 30 metres from the road boundary.

(c) In the Richmond East Development Area, buildings are set back at least 12 metres from the centreline of any electricity transmission line, as shown on the planning maps. C20 8/10 Op 8/12

Non-Notification
In the Richmond East Development Area, applications for resource consent for an activity under this condition will be decided without public notification.

Note: In the Richmond East Development Area, the owner/operator of the transmission line is likely to be the only affected person to be determined in accordance with section 95B of the Resource Management Act.

(d) The building is within the Ruby Bay ridgeline setback but a favourable geotechnical report has been provided. C22 2/11 Op 1/15

General

(e) If an adjoining property has horticultural plantings, including vineyards, where pesticides may be discharged to air, any school and its grounds, early childhood education facility and its grounds, visitor accommodation or tourist accommodation is set back at least: C60 1/16 Op 6/19

(i) 30 metres from the boundary common to the horticultural plantings, including vineyards, and the building or grounds; or

(ii) 20 metres from horticultural plantings, including vineyards, where a spray belt is established along the boundary common to the horticultural plantings and the building or grounds. C60 1/16 Op 6/19

(f) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C7 7/07 Op 10/10 C60 1/16 Op 6/19

Note: Stormwater discharge provisions within Section 36.4 of the Plan will also apply. C60 1/16 Op 6/19

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Matters of control (1) – (11) in rule 17.8.3.1A. C60 1/16 Op 6/19

(2) Effects of a building with reduced setbacks.

(3) Additional matters for buildings at Alpine Meadows: building design, appearance, and site layout.

(4) Additional matters for second dwellings: whether the dwelling is proposed to be relocatable; whether the dwelling will be removed once its purpose ceases.

(5) In the Mangles Valley, (Murchison), T-144a and T-114c Eyles Road (Richmond), T-181a Korere/Tophouse (St Arnaud), and in Richmond East Development Area, for buildings located between 12 and 32 metres from the centreline of any electricity transmission lines as shown on the planning maps: C20 8/10 Op 8/12 C77 9/22 Op 10/23

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which buildings ensure adverse effects from or on the National Grid and on public safety are appropriately avoided, remedied or mitigated.

(6) Alternatives for fire risk management. **C34 3/12 Op 4/13**

17.8.3.3 Non-Complying Activities (Building Construction, Alteration, or Use) **C20 8/10 Op 8/12**

C60 1/16 Op 6/19

Construction, alteration, or use of a building that does not comply with condition (c) of rule 17.8.3.2 is a non-complying activity.

17.8.5 Destruction or Removal of Indigenous Vegetation and Forest

17.8.5.1 Permitted Activities (Destruction or Removal of Indigenous Vegetation) [17.6.7A Proposed]

NOTE: Rule 17.8.5.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

The destruction or removal of indigenous vegetation (excluding indigenous forest) is a permitted activity, if it complies with the following conditions:

(a) The site is not a naturally occurring wetland.

(b) The site does not include any of the following:

(i) indigenous dune vegetation;

(ii) salt herb fields;

Proposed as at 1 November 2008 **C3 12/03**

(b) (iii) woody indigenous vegetation in the Coastal Environment Area; [(c) Proposed]

(iv) indigenous vegetation on any area of karst that contains an area of fissured or fluted rock outcrops, a cliff face or any talus slope;

(v) indigenous vegetation containing small-leaved coprosma shrubs (*Coprosma propinqua* or *Coprosma rigida*) or small-leaved shrub daisy (*Olearia virgata*) on any lowland alluvial site (up to 600 metres above sea level) in the Buller catchment, between 600 and 1200 metres above sea level in the Tākaka catchment (including the Cobb), and up to 950 metres in the Canaan Downs/Pikikirunga area.

Advice Note: Clauses (b) (i), (ii), (iii), (iv), (v) prevail over NES-PF regulation 93 because they are more stringent under regulations 6(1)(b) NZCPS and 6(3)(b) Karst.

17.8.5.2 Discretionary Activities (Destruction or Removal of Indigenous Vegetation)

The destruction or removal of indigenous vegetation that does not comply with the conditions of rule 17.8.5.1 is a discretionary activity.

A resource consent is required and may include conditions.

17.8.5.3 Permitted Activities (Destruction or Removal of Indigenous Forest) [17.6.8 Proposed]

The destruction or removal of indigenous forest is a permitted activity, if it complies with the following conditions:

Proposed as at 1 November 2008 **C3 12/03**

(a) The site is outside the Coastal Environment Area. [(aa) Proposed]

EITHER

(b) The area of indigenous forest to be destroyed or removed is less than 0.2 hectare (2000 square metres) per site over a three-year period.

OR

(c) The area is subject to a sustainable forest management plan, permit, or personal use approval under Part 3A of the Forests Act 1949, approved as at 31 March 2007.

OR

(d) The area is subject to a sustainable forest management plan, permit, or personal use approval either required or approved under Part 3A of the Forests Act 1949 after 31 March 2007 that is not:

(i) on a lowland alluvial site; or

(ii) on karst;

and a copy of the approved plan, permit, or personal use approval has been lodged with Council.

17.8.5.4 Controlled Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.8.5.3 is a controlled activity, if it complies with the following conditions:

(a) The area of indigenous forest destroyed or removed is greater than 0.2 hectare and less than 1 hectare per site over a three-year period.

(b) The forest is not on a lowland alluvial site.

(c) The site is outside the Coastal Environment Area.

(d) The activity is not subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Species to be removed and volume.

(2) Replanting.

(3) Extraction techniques.

(4) Mitigation of effects.

17.8.5.5 Restricted Discretionary Activities (Destruction or Removal of Indigenous Forest)

The destruction or removal of indigenous forest that does not comply with the conditions of rule 17.8.5.4 is a restricted discretionary activity, if it complies with the following conditions:

(a) The activity is subject to a sustainable forest management plan or permit either required or approved under Part 3A of the Forests Act 1949 and a copy of the approved plan or permit has been lodged with Council.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The significance of the indigenous forest affected (including the presence of rare or endangered plant or animal species) and the impact of the proposal on ecological, scientific, recreational, tourist and landscape values, and natural features of the area.

(2) The extent to which any retention of the forest is necessary to prevent instability, flooding, or erosion of land and to maintain water quality.

(3) Effects on archaeological, cultural and historic sites within the application area.

(4) The extent to which the proposal provides for regeneration or modification of indigenous forest or sustainable management of the indigenous forest resource.

(5) The extent of the reduction of the indigenous forest associations in the District should the application proceed, and the impact on the sustainability of that indigenous forest association.

(6) The extent to which the adverse effects of the activity can be mitigated (for example, revegetation, covenanting, fencing, pest and weed management.)

(7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.8.20 Principal Reasons for Rules

Noise

These standards are designed to reflect the current noise climate in the District and community expectations. The noise standards stated are designed to achieve a moderate level of protection from noise, in the respective locations. This approach to sound level rules provides certainty for any activity either already established in a zone, or intending to establish. On the margins of any zone, the noise standards in any adjoining zone will need to be taken into account, in order to determine the likely noise level that could be generated in an adjoining zone.

Dwelling Setbacks

The setbacks for dwellings from quarry activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (for example, where future residents may try to limit quarry activities) is addressed.

Building Setbacks from Boundaries, Roads, Lakes, Ridgelines, etc.

Setbacks from roads enhance the visual difference between urban dwellings and rural residential dwellings, and helps to maintain rural character and reduce the adverse effects of roads, such as dust and noise. The setback from lakes and reserves is sought to maintain openness and unbuiltness and for domestic livestock buildings to minimise noise, smell and visual effects across boundaries.

Buildings are required to be set back from the top and bottom of the ridge at Ruby Bay to avoid falling debris and adverse visual effects. They are not necessarily prevented but should be justified both geotechnically and on visual amenity grounds. **C22 2/11 Op 1/15**

Building Setback from Rivers

The setback of buildings from rivers avoids or mitigates the risk to buildings from bank erosion and provides for access in order to maintain channels or bank stability. Setbacks provide a degree of mitigation from flooding. They also provide for open space to maintain natural character, and possible public access or recreational use through esplanade reserves or strips.

Setbacks help reduce possible conflicts between river use and adjacent residential or other uses of buildings. The variation in setback from rivers of different widths reflects the varying risks and access requirements.

The setbacks for dwellings for quarry areas and activities ensures that the potential adverse effects of present and future quarries on nearby dwellings are avoided, remedied or mitigated, and that any potential reverse sensitivity (where future residents may try to limit quarry activities), are addressed.

Indicative Roads and Reserves **C73 Op 6/23**

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Height
Buildings on significant ridgelines provide an inappropriate visual focus. However, there are many ridgelines in the District and only the most prominent are identified as requiring special controls.

Building Coverage
The Rural Residential Zones are areas which are primarily intended for residential purposes but where site sizes are large enough to provide for a range of rural activities, and also to retain the rural character of the zone, with a significant part of each site being maintained as open space.

Pesticide Discharges
The setback and spray belt requirements will avoid or mitigate adverse effects arising from the drift of pesticides across property boundaries.

Fire Hazard
Fire hazard controls are applied to all rural buildings, not just dwellings. A 30-metre separation distance between buildings and tree crops will help to contain a fire in proximity to an isolated rural building. A setback of 50 metres from Residential Zone or Medium Density Residential Zone boundaries is required because of the potentially greater risks in the higher density build up areas. The rule reflects the firebreak recommendations for exotic forestry in the Waimea Rural Fire Control Policy.

Destruction or Removal of Indigenous Forest and Vegetation

Indigenous forest and other indigenous vegetation has intrinsic ecological and biodiversity value. It also adds to the visual character of the District. While much of the upland vegetation of the District is protected in the extensive conservation estate, the lowland forest remnants and coastal vegetation is less well protected and has been identified in Chapter 10 as a priority for protection. Specific locations are protected where distinctive indigenous vegetation associations, with some threatened species, are present. These include indigenous vegetation on largely rocky surfaces of karst formed on limestone, marble, dolomite or magnesite; and frost flat shrublands. Frost flat shrublands containing small-leaved species of Coprosma and Olearia is indigenous vegetation in locations along inland valley floors in the Buller or at higher altitudes elsewhere, where frequent heavy frosts limit larger woody species. Some frost flat species are nationally threatened. The Forests Amendment Act Part 3A provides for the management and some protection of indigenous forest. The rules are interim and may be changed when further studies have been done to identify significant natural areas.

Home Occupations
Rural Residential areas are appropriate for small-scale industrial and commercial activities, which can provide employment opportunities for site occupants and a limited number of employees, with minimal adverse impact on the environment. The rules ensure that permitted activity home occupations can be managed in a way that limits potential adverse effects.

~~**Papakāinga Development**~~
~~In accordance with the principles of the Treaty of Waitangi and Part II of the Act, provision is made for a degree of self-management of communally-owned Maori land. The flexible style of development provided for is specifically targeted to meet the needs of land held in multiple ownership.~~

Second Dwellings
Second dwellings can alter the character of existing zones and reduce the amenity level. They can also result in pressure for subdivision, especially where the second dwelling is permanent.

Water Supply **C34 3/12 Op 4/13**
Where water reticulation is available, new dwellings will be expected to connect to the service. In Rural and Rural Residential zones, except in locations where a high pressure reticulation is present, new dwellings are required to have access to sufficient stored water for fire protection or install a home sprinkler system for the purpose of fire protection and to install water collection and storage systems to ensure that a minimum potable water supply is available. The potential for adverse landscape and amenity effects of water storage tanks, especially on small sections is acknowledged, however an efficient fire risk management solution can also be provided by home sprinkler systems. Water supplies may include ponds, lakes or rivers with sufficient storage or flow that are not on the same site as the dwelling but are within the required distances.

Electricity Transmission Corridor C20 8/10 Op 8/12

Two high voltage transmission lines owned by Transpower traverse the southern portion of the Richmond East Development Area. The lines cross sites T-144c (zoned Rural Residential serviced) and T-114a (zoned Rural Residential) ~~land proposed to be rezoned from Rural 2 to Deferred Rural Residential Serviced (minimum lot size 2,000 square metres)~~. The Kikiwa–Stoke Line A is a 220 kilovolt double circuit voltage line (six conductors) supported by towers. The Kikiwa–Stoke Line B is a 110 kilovolt single circuit voltage line (three conductors) supported by poles.

The ~~Deferred~~ Rural Residential Serviced Zone and Rural Residential Zone provides for a total buffer corridor of 32 metres either side of the transmission lines within which development is limited or subject to assessment, namely:

(a) For buildings and earthwork activities, a 'no-build' corridor 12 metres either side of the transmission centrelines and an additional 20-metre corridor within which buildings are subject to Transpower assessment and approval.

(b) For subdivision activities, a 32-metre corridor either side of the transmission centrelines within which subdivision is subject to Transpower assessment and approval.

(c)

Rural Residential zoned land in Mangles Valley~~,~~ (Murchison), and T-181a Korere/Tophouse (St Arnaud) is also within close proximity of a high voltage transmission line owned by Transpower. In Mangles Valley, Murchison ~~this location~~, the transmission line is located on C77 9/22 Op 10/23

the opposite side of Mangles Valley Road. In T-181a Korere/Tophouse, St Arnaud, the transmission line is located on the northern boundary of T-181a, crossing through Korere-Tophouse Road. Provisions are included to manage the effects of any building within 32 metres of the centreline of the transmission line. C77 9/22 Op 10/23

The purpose of the buffer corridor is to protect the National Grid and developments in close proximity from adverse effects "on" and "from" the National Grid. The extent of the buffer corridor is due to the long line spans between the support structures (more than 375 metres in the case of Richmond East), the fact that the lines are critical to the Nelson electricity supply and the 220 kilovolt voltage of Line A.

Sleepouts C60 1/16 Op 6/19

The number of sleepouts on any given property is two sleepouts per principal dwelling and second dwelling, where that second dwelling is not a minor dwelling. Those sleepouts may be located within 20 metres of any dwelling, including any minor dwelling.

17.9 OPEN SPACE ZONE RULES

Refer to Policy sets 6.7, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.1, 9.2, 11.1, 11.2, 12.1, 14.1 - 14.4, .

17.9.1 Scope of Section

This section deals with land uses in the Open Space Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. NES-FW (ca) 12/20

17.9.2 Land Use

17.9.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is one of the following:

(i) a playground, picnic facility, public shelter or neighbourhood open space;

(ii) a public garden and accessory buildings;

(iii) a walkway or cycleway.

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(iv) public toilets;

(v) a public refuse or recycling collection facility of less than 5 square metres in base area and less than 1.8 metres in height;

(vi) an activity consistent with any reserve management plan approved for the land under the Reserves Act or any subsequent legislation.

Noise

(b) Except in the Richmond West Development Area, noise generated by the activity, when measured at or within the notional boundary of any dwelling in an Open Space Zone, a Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential, Papakāinga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

C10 10/07 Op 3/14

C19 5/10 Op 8/12

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

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

C10 10/07 Op 3/14

(c) In the Richmond West Development Area, noise generated by the activity when measured at or within the notional boundary of any dwelling in an Open Space (other than any dwelling on the site from which the noise is being generated), Rural 2, Recreation, Tourist Services or Mixed Business zone, does not exceed:

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

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from mobile horticultural and agricultural equipment:

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Setback

(d) Buildings are set back at least 3 metres from any boundary.

(da) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Height

(d) The maximum height of any building is 7.5 metres, subject to condition 16.6.2.1(k).

Building Envelope

(e) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Building Coverage

(g) Maximum building coverage is 15 percent.

Stormwater

(h) (i) EITHER **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(iii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Electricity Transmission Corridor **C10 10/07 Op 3/14**

(i) In the Richmond West Development Area, the building is set back at least 20 metres from the centreline of the electricity transmission line as shown on the planning maps.

Amenity Plantings **C10 10/07 Op 3/14**

(j) All amenity plantings located within 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

DRAFT

17.9.2.2 Restricted Discretionary Activities (Land Use)

C10 10/07
Op 3/14

Any building that does not comply with condition (i) of rule 17.9.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Electricity Transmission Corridor

(1) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.9.2.3 Restricted Discretionary Activities (Land Use)

C10 10/07
Op 3/14

Any land use that does not comply with condition (j) of rule 17.9.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

(2)

17.9.2.4 Restricted Discretionary Activities (Land Use)

C10 10/07
Op 3/14

The use of the land in Record of Title 56/140 (Pt Sec 215 Waimea East District; Lower Queen Street, Richmond; occupied by Grace Church) as an education facility is a restricted discretionary activity, if it complies with the following conditions:

(a) For construction of or extension to any building, a report is prepared by an appropriately competent person in coastal and structural engineering, that states:

(i) subject to measures specified in the report:

(a) the building will not be likely to be subject to damage from erosion or inundation by the sea during the useful life of the building (of at least 50 years); and

(b) the use of the building as part of an educational facility will not be likely to be limited by erosion or inundation by the sea during the useful life of the building;

(c) the building will not be likely to result in or contribute to erosion, inundation or damage to any adjoining property during the useful life of the building;

(ii) specific measures in relation to site preparation and building location, design and construction that will be adequate to prevent the risks identified above during the useful life of the building.

(b) Buildings are confined to that part of the site that is landward of the Transpower Stoke – Upper Tākaka B 50/66 kV transmission line crossing the site. (Or, if the transmission

line is relocated, landward of a straight line between coordinates 2524953, 5986995 and 2525181, 5986889, being the points where the line currently crosses the site boundaries.)

(c) Maximum building coverage is 65 percent in that part of the site described in (b).

(d) Building height does not exceed 7.5 metres above the building platform, or 12.1 metres above mean sea level (datum reference: NVD55), whichever is the lesser.

(e) Building colour complies with the conditions of resource consents RM040756 and RM040757.

(f) Site landscaping complies with the conditions of resource consents RM040756 and RM040757.

(g) Buildings are set back 10 metres from any road boundary and 5 metres from any other boundary in that part of the site described in condition (b) of this rule.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The effects of natural hazards on the use and development of the site.

(2) The effectiveness of measures proposed to reduce risk from natural hazards.

(3) The duration of the consent (Section 123 of the Act) and the timing and purpose of reviews of conditions (Section 128).

(4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.9.2.5 Discretionary Activities (Land Use)

Any land use that does not comply with the permitted conditions of rule 17.9.2.1, 17.9.2.2, 17.9.2.3 or 17.9.2.4 is a discretionary activity. **C10 10/07 Op 3/14**

A resource consent is required and may include conditions.

17.9.20 Principal Reasons for Rules

As the zone is primarily for low key informal recreation, with an emphasis on the maintenance of open space, only a limited number of activities are permitted and maximum building coverage is low. Any buildings erected should be of a scale that is compatible with residential buildings. No parking spaces are required as these areas are primarily neighbourhood reserves accessed by pedestrians.

Richmond West Development Area – Open Space and Noise **C10 10/07 Op 3/14**

The Open Space Zone adjacent to the Waimea Inlet in the Richmond West Development Area provides not only a buffer between land-based activities and the significant natural values associated with the estuary, but also to the adverse effects of coastal inundation and sea level rise. The width of this zone generally corresponds to the 3-metre contour above mean sea level (datum reference: NVD55) which has been identified as a reasonable response to manage these future effects and as a consequence acts to limit the amount of development and investment in infrastructure that may be undertaken within this area. In addition, this area is recognised as having significant conservation, education, amenity and recreation values for the wider community that would benefit from some form of protection and enhancement. Proposals for the area include walkway/cycleway networks linking residential areas with the coast and the Borck Creek reserve, interpretation panels about the natural (fauna, flora and natural processes) and cultural history of the landscape, and re-vegetation works that reflect the Waimea Inlet Coastal Flats Indigenous Ecosystems.

The Waimea Inlet is also recognised as contributing to the landscape character of Richmond equally as much as the Richmond Hills. Making connections from the hills to the sea is an important consideration in future development of the area to enable the community to experience the coastal landscape and ecology. Presently access to the Waimea Inlet is restricted and the environment is not inviting. Recent developments at the end of Sandeman Road provide an insight to the access networks that can be provided.

The extent of the Open Space Zone and distance from some parts of Richmond may mean that road access and parking areas also need to be provided at strategic locations along the zone to enable the less mobile in the community to access and enjoy the coast. The proposal also identifies two non-vehicle access points. Existing vehicle access to the coast is from Sandeman Road and would also be provided from Beach Road in the future.

17.10 RECREATION ZONE RULES

Refer to Policy sets 6.7, 7.1, 7.2, 7.3, 7.4, 9.1, 9.2, 9.3, 11.1, 11.2, 12.1, 14.1 - 14.4.

17.10.1 Scope of Section

This section deals with land uses in the Recreation Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.10.2 Land Use

17.10.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is one of the following:

(i) indoor or outdoor sporting and recreation activity;

(ii) public gardens;

(iii) playground, picnic facility or public shelters;

(iv) public car park, walkway or cycleway;

(v) craft fair, gala or fête;

(va) public toilets; **C73 Op 6/23**

(vb) a public refuse or recycling collection facility of less than 5 square metres in base area and less than 1.8 metres in height

(vi) buildings for any of the above activities, or for purposes accessory to the above activities, and for the storage of equipment for reserve maintenance.

(vii) an activity consistent with any reserve management plan approved for the land under the Reserves Act or any subsequent legislation. **C73 Op 6/23**

Noise

(b) Except in the Richmond West Development Area, noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Recreation Zone, Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural **C10 10/07 Op 3/14** **C19 5/10 Op 8/12**

Residential, Papakāinga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

	Day	Night
Leq	55 dBA	40 dBA
Lmax		70 dBA

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

(iii) animals, except when associated with intensive livestock farming and animal boarding activities; **C10 10/07 Op 3/14**

(iv) bird scarers and hail cannons. **C19 5/10 Op 8/12**

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(c) In the Area Recreation Zone located in the Richmond West Development, noise generated by the activity when measured at or within the notional boundary of any dwelling in a Recreation Zone (other than any dwelling on the site from which the noise is being generated), Rural 2, Open Space or Mixed Business Zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed: **C10 10/07 Op 3/14**

	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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

Amenity Plantings

(d) Amenity plantings 1 metre wide are provided between parking areas and public roads. Plantings consist of species that, at maturity, will screen all buildings from the adjoining residential sites.

(e) In the Richmond West Development Area, all amenity plantings located within 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: **C10 10/07 Op 3/14**

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

Light and Glare Overspill

(f) Lighting erected on site is designed, installed and maintained so that light source is not visible from adjacent roads.

Stormwater

(g) (i) Either: **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater; or

The discharge complies with section 36.4 of this Plan; and

(iii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.10.2.2 Restricted Discretionary Activities (Land Use)

C7 7/07 Op 10/10

Any land use that does not comply with condition (e) of rule 17.10.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.10.2.2 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.10.2.1 and 17.10.2.2 is a discretionary activity.

A resource consent is required and may include conditions.

17.10.3 Building Construction or Alteration

17.10.3.1 Permitted Activities (Building Construction or Alteration)

C10 10/07 Op 3/14

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The activity is not the construction or alteration of any building in, or 10 metres from:

(i) the boundary of any indicative road or indicative reserve **C10 10/07 Op 3/14 C73 Op 6/23**

(ii) any amenity planting setback in the Richmond West Development Area; **C10 10/07 Op 3/14**

(iii) the 10-metre wide reserve through the Recreation Zone adjoining the Rural 2 and Open Space zones.

Except in regard to item (i) above: **C73 Op 6/23**

(1) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply.

(2) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(3) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Setback

(b) Buildings are set back at least 3 metres from any boundary. **C10 10/07 Op 3/14**

Height

(c) The maximum height of any building is 10 metres, subject to condition 16.6.2.1(k).

Building Envelope

(d) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Building Coverage

(e) Maximum building coverage is 20 percent.

Electricity Transmission Corridor

(f) In the Richmond West Development Area, buildings are set back at least 20 metres from the centreline of the electricity transmission line as shown on the planning maps.

17.10.3.2 Restricted Discretionary Activities (Building Construction or Alteration)

C10 10/07 Op 3/14

Construction and alteration of a building that does not comply with condition (f) of rule 17.10.3.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

(1) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.10.20 Principal Reasons for Rules

These rules provide for a wide range of recreational activities subject to performance standards to avoid adverse effects on neighbours.

There are limitations on the scale, coverage and nature of buildings. Landscaping, height, setback and building envelope rules are imposed to manage visual effects of parking areas and buildings.

Noise levels are the same as the Residential Zone or Medium Density Residential Zone at night but are slightly higher during the daytime because of the nature of the activities that take place in the zone.

17.11 CONSERVATION ZONE RULES

Refer to Policy sets 7.1, 7.2, 7.3, 7.4, 9.1, 9.3, 11.1, 11.2, 12.1, 14.3, 14.4.

17.11.1 Scope of Section

This section deals with land uses in the Conservation Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity **NES-FW (ca) 12/20**

and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

17.11.2 Land Use

17.11.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Activities

(a) The activity is not:

(i) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

Approval

(b) The activity is a land use activity:

(i) carried out by the Crown in accordance with:

an approved conservation management strategy proposed for the area under the Conservation Act 1987, or

a management plan prepared under the Reserves Act 1977; or

(ii) authorised by the State Owned Enterprises (Cobb River Power Station Vesting Order No.1) Order 1999 (NZ Gazette p1829).

Noise

(c) Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Conservation Zone, Rural Zone (other than any other dwelling on the site from which the noise is being generated), Rural Residential, Papakāinga or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

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

C19 5/10 Op 8/12

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within the Tasman District or an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

C19 5/10 Op 8/12

Setback

(d) The building is set back at least 10 metres from any boundary, except that telecommunication and radio-communication facilities which are less than 10 square metres in area and 3 metres in height; and masts and poles and their antennas and mounting structures less than 7 metres in height, must be set back a minimum of 10 metres from a zone boundary.

(da) The building is not located within, or within 10m of, any indicative road or indicative reserve, except for the following:

C73 Op 6/23

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Height

(f) The height of buildings does not exceed 7.5 metres, subject to condition 16.6.2.1(k).

Stormwater **C7 7/07 Op 10/10**

(f) (i) EITHER
All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.11.2.2 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rule 17.11.2.1 is a discretionary activity.

A resource consent is required and may include conditions.

17.11.20 Principal Reasons for Rules

The conservation estate administered by the Department of Conservation is a very large and important resource in the District. It includes the Kahurangi, Nelson Lakes and Abel Tasman national parks and numerous scenic reserves. These lands are managed under the Department of Conservation's Conservation Management Strategy for the conservancy and it is appropriate that this document provide the management framework.

Section 4 of the Resource Management Act 1991 provides exemptions for the Crown to administer its lands.

17.12 Rural Industrial Zone Rules

Refer to Policy sets 5.1, 5.5, 7.1, 7.2, 7.3, 7.4, 9.1, 9.2, 9.3, 11.1, 11.2, 12.1, 13.1.

17.12.1 Scope of Section

This section deals with land uses in the Rural Industrial Zone including specified sites in this zone at Brightwater. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19. **C57 11/15 Op 12/18**

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.12.2 Land Use

17.12.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity, except where specified in rule 17.12.2.3A, that may be undertaken without a resource consent, if it complies with the following conditions: **C57 11/15 Op 12/18**

(a) The activity is one of the following:

(i) A rural industry

(ii) A telecommunication or radio-communication facility.

(b) The land use is any one or more of the following activities on the land shown on the planning maps as the Eves Valley Road Rural Industrial Zone or the Golden Edge Rural Industrial Zone:

(i) Wood pulp production.

(ii) Reconstituted wood panel production, including MDF (medium density fibreboard), particleboard, plywood, OSB (orientated strand board), and LVL (laminated veneer lumber) and ancillary activities such as the manufacture of resins for such production.

(iii) Added value processing of MDF, OSB, LVL, particleboard and plywood, including joinery and furniture products.

(iv) Telecommunication and radio-communication facilities.

(c) The land use is any one or more of the following activities on the land shown on the planning maps as the Bell Island Rural Industrial Zone:

(i) Sewage treatment plants, oxidation ponds, settlement ponds.

(ii) Land disposal of liquid and solid waste originating from the permitted activities stated in item (i) of this condition. (Subject to other statutory rights and applications.)

(iii) One single unit dwelling for a plant operator's residence.

(iv) Buildings (excluding dwellings other than specified in item (iii) of this condition) and structures ancillary to any permitted activity.

(v) Farming, provided that the efficient and effective operation of the oxidation ponds is not threatened.

(vi) Telecommunication and radio-communication facilities.

(d) The land use is any one or more of the following activities on the land shown on the planning maps as Port Motueka Rural Industrial Zone:

(i) Sale of products landed, produced or processed on the site.

(ii) Pleasure boat sales, and ship chandlers' shops.

(iii) Marine engineering and general engineering workshops, and other industrial activities associated with ship and boat building and maintenance, but excluding any activity involving sandblasting.

(iv) Boat launching, storage, parking and fuelling facilities.

Parking and Loading Areas

(e) Parking, access, loading, manoeuvring and storage areas are formed and sealed or metalled with 20 millimetre washed Grade 3 or 4 chip surface.

Stockpiles, Lighting, Cladding

(f) The best practicable option must be applied at all times to manage open areas of land and stockpiles in a way that avoids or minimises the creation of dust or other airborne contaminants and that does not increase flood hazard risks. **C57 11/15 Op 12/18**

[Condition (g) is deleted] **C68 7/18 Op 6/19**

(h) Exterior lighting is directed away from adjacent residences and public places.

(i) All metal cladding, roofing and fences are painted or otherwise coated with a non-reflective finish.

Noise

(j) In the Rural Industrial Zone, except in the Richmond West Development Area, noise generated by the activity, measured at or within the boundary of any site within the Central Business, Commercial or Light Industrial zone, does not exceed: **C10 10/07 Op 3/14**

	Day	**Night**	
L_{eq}	65 dBA	55 dBA	**C10 10/07 Op 3/14**
L_{max}		85 dBA	**C19 5/10 Op 8/12**

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(k) In the Rural Industrial Zone, except in the Richmond West Development Area, noise generated by the activity, measured at or within the notional boundary of any dwelling in the Rural, Rural Residential or Tourist Services zone, does not exceed:

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

Except that in the Rural Industrial Zone located:

(i) between Lansdowne Road and Lower Queen Street northwest of Richmond (Gibbons Holdings site); and

(ii) on Lot 2 DP 13023 in Ranzau Road, Hope (NRM Ltd site); and

(iii) at Eves Valley (Carter Holt Harvey site);

noise as measured for night does not exceed 45 dBA L_{eq}. **C19 5/10 Op 8/12**

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~~.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

(l) In the Richmond West Development Area, noise generated by any activity measured at or within the boundary of any site within the Light Industrial Zone, except on areas of land located at Lower Queen Street described as Lots 1 and 2 DP 18918, Lot 1 DP 17704 and Lot 7 DP 20017 while they remain in the ownership of Nelson Pine Industries Limited, does not exceed: **C10 10/07 Op 3/14**

	Day	**Night**
L_{eq}	60 dBA	50 dBA
L_{max}		80 dBA

[Item (ii) deleted]

N.B. Day = 7.00 am to 9.00 pm Monday to Sunday inclusive (including public holidays)
Night = All other times.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

(m) In the Eves Valley Rural Industrial Zone, there must be at all times a current Noise Management Plan for each site or for groups of sites which are operated as a single unit. Each Noise Management Plan specifies the following:

(i) Aims and approach.

(ii) The noise rules in this Plan which apply to the site.

(iii) The approach to compliance monitoring.

(iv) A complaints procedure.

(v) The best practicable option methods for noise mitigation for site areas, activities, and/or processes.

(vi) Equipment maintenance requirements.

(vii) Any site layout provisions relating to noise mitigation.

(viii) New plant/equipment policy.

(ix) Staff training.

(x) Means of communication with local residents and the wider community.

(xi) Methods of review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Tasman District Council offices for inspection by the public at any time.

Buildings

(n) The maximum building coverage is 75 percent.

(na) The building to be constructed or altered does not create a new building or extend the footprint of an existing building on Specified Sites in Brightwater (as shown on the planning maps). **C57 11/15 Op 12/18**

(o) The maximum height of a building is 15 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iii) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan.

(p) The building is set back at least 10 metres from: **C73 Op 6/23**

(i) all site boundaries, including existing and proposed legal road frontages; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;

(ii) the boundary, and not within the boundary, of any indicative road or indicative reserve, except that:

(a) this rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply;

(b) no building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements) **C68 7/18 Op 6/19**

except also that in the following locations, the stated setbacks apply:

(iii) Not less than 100 metres from Waimea West Road (for the Eves Valley Rural Industrial Zone). **C73 Op 6/23**

(iv) Not less than 3 metres from the north-eastern toe of the bund mound erected parallel to Lower Queen Street, or at least 5 metres from Queen Street, whichever is the greater distance, within the Golden Edge Rural Industrial Zone.

(v) Not less than 3 metres from the boundary of any new legal road within the Golden Edge Rural Industrial Zone.

(vi) Not less than 15 metres from mean high water springs on Record of Title 7254638 in the Golden Edge Rural Industrial Zone (520 Lower Queen Street).

(vii) Elsewhere in the Zone, not less than 30 metres from the Coastal Marine Area boundary, except that this rule only applies to buildings constructed after 25 May 1996.

Electricity Transmission Corridor

(q) In the Richmond West Development Area, notwithstanding the exemption in condition (p)-(iii) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of the electricity transmission line as shown on the planning maps. **C10 10/07 Op 3/14 C73 Op 6/23**

Landscaping and Amenity Planting

(r) In respect of the Golden Edge Rural Industrial Zone location at Lower Queen Street, referred to in condition (b), the following applies:

(i) A landscape bund mound not less than 3 metres high is provided at the time of subdivision or sooner, within the zone parallel with the Lower Queen Street frontage; and

(ii) Suitable trees are planted along the Lower Queen Street frontage of Lot 1 DP 18146 and Lot 4 DP 18918 which will continue the "avenue" effect of existing trees (particularly oak) in the vicinity of the McShane Road/Lower Queen Street intersection. **C10 10/07 Op 3/14**

(s) In respect of amenity planting and landscaping generally, the following applies:

(i) An amenity planting area at least 3 metres wide is provided along all site boundaries that abut an existing or proposed road or a site in another zone, except for the following where there is no requirement for an amenity planting strip:

(a) for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height.

As far as reasonably practicable, the planting must be designed to screen open operating and storage areas and buildings on maturity. For any rural industrial site in the Coastal Environment Area, the width of the amenity planting area is to be at least 20 metres and the planting is to primarily comprise indigenous coastal species from within the ecological region, except in the Port Motueka and Golden Edge Rural Industrial Zones where the 3-metre requirement applies; and

(ii) For zones located between Lower Queen Street and the Waimea Estuary, and Eves Valley and Waimea West Road, a landscape development plan prepared by a member of the New Zealand Institute of Landscape Architects must be submitted to the Environment and Planning Manager for approval prior to any building commencing. As far as is reasonably practicable, all planting must be completed within the first planting season following issue of the building consent and thereafter maintained in a tidy, healthy state.

(t) In the Richmond West Development Area, all amenity plantings located within 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: **C10 10/07 Op 3/14**

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

Stormwater

(u) (i) EITHER **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

17.12.2.2 Restricted Discretionary Activities (Land Use) **C10 10/07 Op 3/14**

Any rural industry that does not comply with condition (q) of rule 17.12.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Electricity Transmission Corridor

(a) In the Richmond West Development Area:

(i) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(ii) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.12.2.3 Restricted Discretionary Activities (Land Use) **C10 10/07 Op 3/14**

Any land use that does not comply with condition (t) of rule 17.12.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity Plantings

(1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.12.2.3A Restricted Discretionary Activity (Building Construction or Alteration – Specified Sites at Brightwater) **C57 11/15 Op 12/18**

Construction or alteration of a building that does not comply with permitted activity condition 17.12.2.1(na) is a restricted discretionary activity where the building construction or alteration complies with 17.12.2.1(e) to (i), (n), (o), (p) and (u).

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

17.12.2.4 Discretionary Activities (Land Use)

C10 10/07
Op 3/14

C57 11/15
Op 12/18

Any land use that does not comply with the conditions of rule 17.12.2.1, 17.12.2.2, 17.12.2.3, 17.12.2.3A is a discretionary activity.

A resource consent is required and may include conditions.

17.12.3 Dwelling for On-Site Caretaker

17.12.3.1 Discretionary Activities (Dwelling for On-site Caretaker)

Any dwelling for an on-site caretaker is a discretionary activity.

A resource consent is required and may include conditions.

17.12.20 Principal Reasons for Rules

Some industries that process rural resources are best located in a rural area. This may be because of the effects of the industry on the urban environment, because of efficiency with respect to the location of raw resources and markets, or because of the incompatibility of the industry with some other types of industry.

A minimum level of visual amenity, safety and health is expected to be maintained by the rules to protect the amenities of nearby residents and other natural and physical resources.

Some sites which contain large existing industries close to the Waimea Estuary have a special buffer requirement. There are also requirements to plant compatible trees along the Lower Queen Street frontage.

There is a large setback from Waimea West Road to maintain open space and heritage values in that locality.

Stockpiles of loose material and extensive building construction have the potential to exacerbate the impacts of flooding, such as in parts of Brightwater.

C57 11/15
Op 12/18

17.13 PAPAKĀINGA ZONE RULES

Refer to Policy sets 5.2, 5.3, 5.4, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 9.1, 9.2, 9.3, 10A, 11.1, 11.2, 13.1.

17.13.1 Scope of Section

This section deals with land uses in the Papakāinga Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Papakāinga development in other zones is dealt with in chapter 16.14A.

~~**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.~~

~~NES-FW (ca) 12/20~~

17.13.2 Land Use

17.13.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The activity is not one of the following:

~~(i) community activity;~~

~~(ii) elderly persons' housing (kaumatua flats);~~

~~(iii) telecommunication and radio communication facilities;~~

~~(iv) dwelling for a caretaker;~~

~~(v) the use of any building or land for short-term accommodation in connection with cultural events or courses run on the marae or for support housing;~~

~~(vi) market gardening or grazing of animals.~~

(i) an activity that emits odour causing a nuisance beyond the site boundary;

(ii) intensive livestock farming or commercial boarding or breeding of animals;

(iii) an industrial activity;

(iv) a landing area or pad for helicopters (other than for medical or fire-fighting purposes), an aircraft landing strip, aerodrome or airport;

Noise

(b) Noise generated by the activity, when measured at or within the notional boundary of any dwelling in a Papakāinga Zone, Rural Zone (other than any dwelling on the site from which the noise is being generated), Rural Residential or Tourist Services zone, or at or within any site within a Residential Zone or Medium Density Residential Zone, does not exceed:

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

C19 5/10 Op 8/12

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

(i) mobile horticultural and agricultural equipment;

(ii) forest and tree harvesting activities;

(iii) animals, except when associated with intensive livestock farming and animal boarding activities;

(iv) bird scarers and hail cannons.

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~~.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. **C19 5/10 Op 8/12**

Setbacks

(c) Buildings are set back in accordance with the distances set out in Figure 17.13A. ~~at least 10 metres from any road boundary, except that telecommunication and radio communication~~

~~facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.~~

Figure 17.13A – Setback standards

	Where the site boundary adjoins a Residential Zone or Medium Density Residential Zone.	Where the site boundary adjoins a rural zone.
1: Road boundary building setbacks. From any road boundary, buildings are set back at least:	1.5 metres, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.	3 metres, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
2: Side and Rear Boundary building setbacks. From any side or rear boundary, buildings are set back at least:	1 metre, except no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall	3 metres, except, no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall.
3: River building setbacks. From any river, buildings are set back at least:	3 meters from the top of the bank of any river with a bed less than 1.5 meter in width; and 8 meters from the top of the bank of any river with a bed between 1.5 meter and 5 meters in width	

~~(d) Residential and educational buildings are set back at least 10 metres from sites in adjoining rural zones.~~

~~(e) Buildings other than in (d) are set back at least 5 metres from any boundary other than a road boundary, except that telecommunication and radio communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.~~

(ea) The building is not located within, or within 10m of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road

~~**Height**~~

~~(f) The maximum height of any building is 7.5 metres, subject to condition 16.6.2.1(k).~~

Building Coverage **C59 11/15 Op 3/16**

(g) Maximum building coverage is ~~33~~ 50 percent

~~**Outdoor Living Space**~~

~~(h) Each dwelling has an area of outdoor living space which:~~

~~(i) has a minimum area of 60 square metres and can contain a circle with a minimum diameter of six metres;~~

~~(ii) is on the north or north-western side of the dwelling;~~

~~(iii) is readily accessible from a living area of the dwelling.~~

~~**Site Development Plan**~~

~~(i) An overall site development plan is prepared and submitted to the Council showing the proposed layout of buildings and servicing of the site.~~

Stormwater

(j) (i) EITHER **C7 7/07 Op 10/10**

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

Commercial activity gross floor area

(k) The gross floor area of all commercial activities associated with a papakāinga development shall not exceed the lesser of 20% of the area of the subject site, or 500m^2.

Wastewater Disposal

(l) All buildings which generate wastewater are connected to a reticulated wastewater system where the service is available.

17.13.2.2A Restricted Discretionary Activities (Land Use)

Any activity that does not comply with the conditions of Rule 17.13.2.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

General

a) The extent to which the health and safety of the residents will be protected.

Commercial activity

b) consideration of the effects, including cumulative, of the gross floor area of commercial activities on the site, and measures to avoid, remedy or mitigate any adverse effects

c) The extent to which access to services is needed by tāngata whenua to sustain their housing.

d) The extent to which the commercial activity will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.

Site coverage

e) The effects of additional site coverage on the amenity of adjoining sites and the street and neighbourhood.

f) Stormwater runoff and detention.

Setbacks; Building Envelope – Daylight Over and Around

g) The extent to which the siting of the building(s), decks and outdoor areas, relative to adjacent properties and the road frontage, avoid visual domination and loss of privacy and sunlight.

h) The extent to which alternative options for siting the papakāinga are available to the land owners (eg, if setbacks on a narrow site, will mean site cannot be used).

i) The extent to which the encroachment into setbacks from rivers by buildings will increase the likelihood of damage being caused to the building by erosion, the level of risk to occupants, and the effects of the structure on flood flows.

j) The extent to which rural papakāinga development minimises the potential for adverse cross boundary effects and reverse sensitivity.

Wastewater disposal; Stormwater

a) Provision for the collection and disposal of stormwater and sewage.

b) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:

i. The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

ii. The degree to which the development has used Low Impact Design solutions in the management of stormwater.

iii. The degree of maintenance or enhancement of natural drainage characteristics in development.

iv. The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

v. The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

Transport

c) Whether vehicle access provided is functional and safe

d) Whether car parking is safe and convenient

e) The extent to which the safe and efficient operation of the existing transportation network will be maintained.

f) Any mandatory matters of chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access.

g) Potential impacts on the broader transportation network, including pedestrian and cyclist connectivity.

Notification for papakāinga developments with restricted discretionary activity status is limited to iwi authorities, joint management entities, the New Zealand Transport Agency Waka Kotahi (if the development will access a state highway), local authorities and immediate neighbours.

~~17.13.2.2 Discretionary Activities (Land Use)~~

~~The following activities are discretionary activities:~~

~~(a) trades training facilities for apprenticeships or work experience;~~

~~(b) sale of goods produced on site;~~

~~(c) any activity that does not comply with permitted conditions 17.13.2.1 (c) to (j).~~ ~~C43 4/13 Op 1/15~~

~~**A resource consent is required** and may include conditions.~~

17.13.20 Principal Reasons for Rules

The Papakaāinga Zone is special in that a diverse range of traditional, spiritual and cultural activities occur within close proximity to one another. The majority of activities are permitted, subject to conditions, designed to ensure that adverse cross-boundary effects do not occur.

~~Rules also reflect the need to protect residential amenities for those who live on the site.~~

~~Discretionary activities are restricted to small scale business activities that can operate on the site in an unobtrusive manner and within the capacity of the level of services available on site.~~

17.14 DEFERRED ZONE RULES

Refer to Policy sets 5.1, 6.1, 6.3.

17.14.1 Scope of Section

~~This section deals with the procedure for removal of deferrals of future urban or rural residential zones on rural, residential or rural residential zoned land in the Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial and Deferred Papakāinga zones.~~ ~~C10 10/07 Op 3/14~~ ~~C51 1/15 Op 9/16~~

~~This section also provides the ability to remove the indicative road, reserve or walkway symbology from the planning maps once land for the purpose of those items has been vested in Council, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

~~In conjunction with the removal of a zone's deferral, this section enables the removal of the associated deferral of the Fire Ban or Fire Sensitive Area status that may apply to some location.~~

This section outlines the planning provisions that apply to areas mapped as deferred zones, and which are subject to the Deferred Zone Framework. ~~C79 11/24~~

Deferred zones are identified in the planning maps and feature the word "deferred" in the title. For example, "Rural 1 deferred Light Industrial Zone". Deferred zones are used to enable the efficient and streamlined transition of undeveloped land with insufficient servicing to developable land. Deferred zones are used when the infrastructure requirements are able to be clearly defined and planned to be delivered within 10 years.

For the purposes of this section the "original zone" is the zone that applied to the land before the land was rezoned to a deferred zone. The "end use" is the provision framework that applies to the anticipated future use of the land, once a specific requirement is satisfied. In the above example, the original zone is Rural 1 and the end use zone is Light Industrial.

17.14.2 ~~Procedure for Removal of Deferral~~ All Deferred Zones

~~(a) Any area of land listed in Schedule 17.14A and shown on the planning maps that is zoned Rural 1, Rural 2, Rural Residential, or Residential and with a notation of Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial, or Deferred Papakāinga zone, becomes effective as the zone that is deferred, from the date that Council resolves that:~~ ~~C51 1/15 Op 9/16~~

~~(i) the relevant service being a reticulated water supply, wastewater, stormwater, or transportation service, as applicable, has been provided, or can be provided to the satisfaction of the Council, either for the whole or for any part of each area of land, including any part that is sought to be developed, to service the land; or~~

~~(ii) where applicable, the date until which the area remains deferred is now due.~~

~~(b) Where the relevant service is to be provided by any person other than the Council, concept engineering plans for the service must be approved by the Council before the Council resolves that the deferral for the relevant zone may be removed so that the zone~~

~~that was deferred becomes effective over that land that is the subject of the service provision.~~

~~(c) The removal of the deferred status and the commencement of the new effective zone as listed in Schedule 17.14A is effected by a resolution of Council when the required services have been provided, or can be provided, to the satisfaction of the Council and the Plan is amended without further formality from that date of resolution, to show the new effective zone. Council will advise landowners when it has made a resolution.~~ ~~C22 2/11 Op 1/15 C10 10/07 Op 3/14 C51 1/15 Op 9/16~~

~~(d) When a resolution of Council is made for the removal of the deferred status of an area's zoning, this will also apply to the removal of the deferred status of the applicable Fire Ban of Fire Sensitive Area where either exist.~~ ~~C73 Op 6/23~~

~~(e) Indicative road, reserve or walkway symbology shall be removed once land has been vested with Council for the purpose of the intended road, reserve, or walkway, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

Note deleted as part of Plan Change 73.

C10 10/07 Op 3/14 C51 1/15 Op 9/16 C73 Op 6/23 C79 11/24

17.14.2.1 Deferred land not listed in Schedule 17.14A

For any site that is not listed in Schedule 17.14A, the plan provisions that applied to the original zone continue to apply regardless of provision 17.14.2.2.

17.14.2.2 Deferred land listed in Schedule 17.14A

(a) Any activity, including subdivision, land use, structure or building, that is occurring or is proposed to occur on land that is subject to a deferred zone listed in Schedule 17.14A is subject to the provisions specified in the relevant row of Column C of Schedule 17.14A.

(b) If the infrastructure required (as stated in Schedule 17.14A, Column D) is delivered then the provisions specified in the relevant row of Column G of Schedule 17.14A apply. For the purpose of this rule, 'delivered' means: infrastructure is either physically constructed, or is planned and funded to be constructed within the next three years, to the satisfaction of the Council's Group Manager – Community Infrastructure and confirmation that the infrastructure has been delivered must also be posted on the Council's website.

(c) In the event that 10 years elapses from the operative date of the plan change that originally established the deferred zone to the delivery of the necessary infrastructure, then provision 17.14.2.2.(b) must not be applied and the provisions in Column C of Schedule 17.14A will continue to apply thereafter.

17.14.20 Principal Reasons for Rules

~~These zones are temporary, transitional zones on land which the Council wishes to retain for future urban, more intensive activities, either when more appropriate levels of servicing are available or after a time period to maintain a coherent urban form.~~ ~~C22 2/11 Op 1/15 C51 1/15 Op 9/16~~

~~The rules enable either the Council or any person to provide the required services and any person may propose to service any part or all of any deferred zone area. In either case, the Council has to approve the servicing proposal, before the deferred status over the relevant part of the future zone can be removed by a resolution of Council. Services may be provided either before or after removal of any deferral.~~ ~~C51 1/15 Op 9/16~~

Deferred zones rely on a framework that engages planning provisions in multiple chapters in the Plan, but operate so that certain of those provisions are only triggered after a specific activity has been delivered. Each deferred zone is a separate zone which, through the mechanism set out in this C79 11/24

Section 17.14, incorporates the planning provisions of two other zones (the original zone and the end use zone). The application of the provisions changes from the former to the latter depending on a trigger: the delivery of the necessary infrastructure that is specified in Schedule 17.14A. Confirmation of the activation of that trigger for any given parcel of land is provided on the Council's website.

Comprehensive planning, including a full Schedule 1 (RMA) assessment and plan change process is undertaken, including an assessment of the necessary infrastructure, to rezone undeveloped land to a deferred zone. Once the land has been confirmed as a deferred zone, work can begin either by the Council or any other person on delivering the infrastructure to enable development to commence. Once infrastructure has been delivered (meaning it is either physically constructed or planned and funded within the first three years of the Council's Long Term Plan) then a mechanism is provided in Section 17.14.2 whereby the land can be developed in accordance with the provisions that apply to the anticipated end use. For the avoidance of doubt, at this time the zone will not change but a different set of planning provisions (urban or rural residential provisions) will apply.

A 10-year expiry period applies to deferred zone locations (provision 17.14.2.2(c)). If servicing is not delivered within 10 years, then the trigger becomes unavailable and the original zone provisions will continue to apply thereafter. This 'sunset clause' approach is needed in order to require a further assessment of the appropriateness of the end use of the land as circumstances may have changed (for example, sea level rise).

Some deferred zone locations shown on the planning maps (located in Motueka ~~and Māpua~~) are not included in Schedule 17.14A because they require further assessment for zoning and servicing. No trigger provision is available for these sites as a further plan change will be necessary prior to servicing or development.

In the Richmond West Development Area, integrated servicing and economic or business development efficiencies are intended to be achieved through the ~~method of zone deferrals~~ deferred zone method for specific servicing and, for some land, until serviced land with the same zoning, in a defined area shown on the planning maps and identified in the rules, is substantially taken up. This will result in a sequence of supply of serviced land in the Richmond West Development Area over the long term.

C10 10/07
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C51 1/15
Op 9/16
C79 11/24

Note: The areas notated on the planning maps are deferred for servicing and, for some land, substantial take-up, as shown in the table below.

~~A, C & F~~	~~• Upgrade the stormwater network.~~
~~G~~	~~• Construction of the Lower Queen Street water treatment plant.~~ ~~• Upgrade of the stormwater network.~~ ~~• Extension of and connection to Council's bulk waste and water supply networks.~~
~~B & D~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek and Poutama Drain bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~H~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~E~~	~~Construction of the Borck Creek bulk stormwater network.~~ ~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~ ~~Substantial take-up of serviced land in the Richmond West Development Area with the same zoning.~~
~~I~~	~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~

	~~Substantial take-up of serviced land in Area H.~~
B	Construction of the Borck Creek and Poutama Drain bulk stormwater network. Extension of and connection to Council's bulk waste, water supply and stormwater networks.
E	Construction of the Borck Creek bulk stormwater network. Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area. Extension of and connection to Council's bulk waste, water supply and stormwater networks. Transportation: Provision for a single mid-block intersection with SH60 to be approved by NZTA.as part of the central access roadway through mixed business area as per indicative road layout on planning map.

Borck Creek construction will progress from the intersection of Lower Queen Street and McShane Road toward State Highway 60, Poutama Drain construction will progress from Borck Creek toward State Highway 6.

In some cases, zone deferrals are also applied to address risks or constraints beyond servicing. For example, where a dam presents a potential hazard to a residentially zoned area, the residential provisions will not take effect until the dam has been remediated or otherwise made safe, ensuring that future development is not exposed to unacceptable risk.

~~Development proposals will be considered by the Council before deferrals are removed, if services compatible with the Council's long term servicing needs as set out in the Council's Long Term Plan are provided by Council or to the satisfaction of Council.~~ ~~C51 1/15 Op 9/16~~

~~Indicative roads, reserves and walkways are able to be removed from the planning maps once the land for these purposes is vested with Council as part of the subdivision and development process, or the land has been otherwise acquired by Council for these purposes. This ensures redundant items on the planning maps can be simply removed.~~ ~~C73 Op 6/23~~

SCHEDULES

Schedule 17.14A: Deferred Zone Locations

~~C51 1/15 Op 9/16~~

~~Location of Area~~	~~Effective Zone until Removal of Deferral~~	~~Reason for Deferral~~	~~Date of Resolution for Removal of Deferral~~	~~Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed~~	~~Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council~~	~~Effective Zone after Removal of Deferral~~
~~**Richmond South Development Area** (planning maps 23, 57, 127 - 129, 133)~~						
~~South of Hart and Bateup Roads ▪ 7 & 20 Paton Road~~	~~Rural 1~~	~~Reticulated water supply service required~~	~~27/8/15~~	~~Lot 1 DP 18100 Pt Lot 1 DP 17738~~	~~6915, 6915/1 and Schedule C~~	~~Residential (serviced)~~
~~South of Hart and Bateup Roads ▪ 36 & 40 Hart Road~~	~~Rural 1~~	~~Reticulated water supply service required~~	~~3/5/18~~	~~NE part of Lot 2 DP 20243 Pt Sec Waimea East DIST~~	~~5915/7~~	~~Residential (serviced)~~
~~South of Hart and Bateup Roads: - 50 Hart Road - 72 Hart Road - 472 Hill St~~	~~Rural 1~~	~~Reticulated water supply service required~~	~~5/11/20~~	~~▪ Lot 1 DP 450177 ▪ Lot 1 DP 545967 ▪ Part of Pt Sec 34 Waimea East DIST, Lot 1 DP 431455 & Lot 1 DP 8205~~		~~Residential (serviced)~~

~~12/20~~

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
South of Hart and Bateup Roads: - Bateup Road (Reserve) - 92, 92A & 92B Bateup Road - 28, 29A, 29B & 29C Collins Road - 3, 26 & 52 Paton Road - 45 Main Road	Rural 1	Reticulated water supply service required	4/3/21	▪ Lot 5 DP 446793 ▪ Lots 1, 2 & 3 DP 446793 ▪ Lots 1, 2, 3 & 4 DP 361254 ▪ Pt Lot 1 DP 17290 ▪ Lot 1 DP 4858 ▪ Lot 2 DP 17738 ▪ Lot 1 DP 6754		Residential (serviced)	9/21
South of Hart and Bateup Roads: ▪ Lot 2 DP 450177 - 66 Hart Road ▪ Lots 4 & 5 DP 431455 - Hart Road ▪ Lot 3 DP 411584 - Hart Road ▪ Lot 2 DP 20243 - SW part of 36 Hart Road ▪ Lot 2 DP 411584 - 68 Hart Road ▪ Pt Sec 35 Waimea East DIST - 520 Hill St South ▪ Lot 1 DP 8205 & Pt Sec 34 Waimea East DIST - 472 Hill St	Rural 1	Reticulated water supply service required				Residential (serviced)	9/21

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)							
Areas notated A and B (375 and 387 Lower Queen St) on the planning maps	Rural 1 and Recreation	Area A: Stormwater Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	25/9/15	**Area A:** Lot 1 DP 13664 Lot 6 DP 6697 Lot 3 DP 465626 Pt Sec 100 Waimea East District (two areas) Part Lot 1 DP 470387 Lot 2 DP 13664 Pt Lot 1 DP 20409	6906 S1 - S7	Residential (serviced)	
			9/6/16	**Part Area B:** Pt Lot 2 DP 470387 Pt Lot 2 DP 446230 Pt Lot 1 DP 446 230	6906/1	Residential (serviced)	
			5/11/20	**Part Area B:** Lot 205 DP 537200 Lot 302 DP 542339 Lot 3 DP 470387 Pt Lot 3 DP 15764 Lot 303 DP 542339 Lot 304 DP 542339 Sec 6 SO 455144		Residential (serviced)	12/20

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	C51 1/15 Op 9/16
Areas notated B (395 Lower Queen Street) on the planning maps	Rural 1	Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	26/7/18	**Part Area B:** Sections 3 – 5 SO 506258 Section 1 SO 490525 and sections 1 & 2 SO 506258	RM1600673	Residential (serviced)	C74 12/20 Op 3/23
Area notated B (Borck Creek) on the planning maps			16/12/21	**Part Area B:** Part Lot 6 DP 520567		Open Space	
Areas notated C on the planning maps	Rural 1	Area C: Stormwater service required.				Mixed Business	
Areas notated D on the planning maps	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/9/19	Lot 1 DP 511566		Mixed Business	
			16/12/21	**Part Area D:** All of D except: Lot 1 DP 20409 Sec 2 SO 450816 Sec 1 SO 512154 Sec 28 SO 455144 Sec 2 SO 512154 Lot 1 DP 511566		Residential	C74 12/20 Op 3/23
			16/12/21	**Part Area D:** Part Lot 6 DP 520567		Open Space	
Areas notated E on the planning maps	Rural 1	Area E: Reticulated water from Richmond South High-Level Reservoir, wastewater, stormwater (Borck Creek construction) services required and in respect of Area E, there is substantial take-up of serviced land in the Richmond West Development Area with the same zoning.				Mixed Business	
			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493		Residential	C74 12/20 Op 3/23
Areas notated E (91 McShane Road) on the planning maps			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493 Part Sec 13 SO 455144		Commercial	

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Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	C51 1/15 Op 9/16
Area notated F (part) at 28 Appleby Highway, Pt Section 108 Waimea East District	Rural 1	Area F: Stormwater service required	14/12/17	Pt Section 108 Waimea East District (part of title only)	6906/1, 2 sheets	Light Industrial	
Areas notated F (part), G, H and I on the planning maps	Rural 1	Area F: Stormwater service required Area G: Reticulated water, wastewater and stormwater services required	31/8/17		6960	Light Industrial	11/21
		Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of Area H	16/12/21	**Area H:** All of H except Lot 5 DP20409 and Lot 6 470387 and Lot 1000 DP 556528		Residential	C74 12/20 Op 3/23
Richmond East Development Area (planning maps 23, 57, 130, 135)							
Parts of the Area at 118, 126 Champion Road (Pt Lot 2 DP 3780; Lot 1 DP 5661)	Rural Residential (serviced)	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Parts of the Area at 134 Champion Road (Pt Sec 93 Waimea East District)	Rural 2	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Part of Area at 134 Champion Road	Rural 2	Reticulated wastewater required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 138 and 140 Champion Road	Rural 2	Reticulated wastewater service required	27/8/15	Lot 1 and 2 DP 387909	6835/1	Residential (serviced)	
Parts of the Area at 144 Champion Road, below the 62.5m contour	Rural 2	Reticulated water supply service required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 144, 206, 208 and 210 Champion Road (Pt Sec 93 Waimea East District; Lot 4 DP 2035; Lot 1 DP 19116; Pt Lot 3 DP 6202; Lot 1 DP 19012 and Sec 4 SO452872); and at Secs 1, 3 and 7 SO452872)	Rural 2	At Champion Road, reticulated wastewater service required; above the 62.5 metre contour (Secs 1, 3 and 7 SO452872) reticulated water supply service required				Rural Residential (serviced)	
Mapua Development Area (planning maps 19, 54, 87)							
125 Māpua Drive	Rural 1	Reticulated water supply, wastewater and stormwater services required	22/5/14	Lot 2 DP17670		Residential (serviced)	
87 – 93 Māpua Drive	Rural Residential		22/5/14 27/8/15	Lots 8 – 11 DP 480837 (Part of Lot 4 DP 469498) Lots 2 and 3 DP 480837	6848/3	Residential (serviced)	
69 – 93 Māpua Drive	Rural Residential (in part)		5/11/20	Lot 1 DP 17670 Lot 2 DP 469498 Lot 3 DP 469498 Lot 3 DP 494693 Lot 1 DP 19875		Residential	
Stage 2	Rural 1	Reticulated water supply, wastewater and stormwater services required and deferred until 2031				Residential (serviced)	

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Māpua Drive South	Rural 1 (in part)					Residential	12/20
166 Māpua Drive	Rural 1 (in part)	Reticulated water supply	30/9/21	Lot 2 DP 479544		Residential	11/21
Higgs Road South	Rural 1					Residential	
Southern extension of the Korepo Road Rural Residential Zone	Rural 1	Reticulated water, wastewater and stormwater services required				Rural Residential (serviced)	
29 Aranui Road (Lot 59, DP 17242), Māpua Special Development Area	Residential	Reticulated water supply, wastewater and stormwater services required				Residential (serviced) (rules for Māpua Special Development Area)	
Between Iwa Street and Aranui Road (Lot 1 DP 17890; Lot 1 307114; and Lots 1, 77-91, 101 &102 DP 504876)	Rural 1	Stormwater	28/9/17		Plan 6937/5	Residential	
North of Warren Place, Māpua	Rural 1	Reticulated water, wastewater and stormwater services required				Light Industrial	
Motueka West Development Area (planning maps 19, 52, 116, 118, 119)							
North and east of the northern and eastern greenways and south of the southern greenway	Rural 1	Reticulated water supply, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west and from south east to south west, along the two greenways, shown by directional arrows on the planning maps				Residential (serviced)	
South of the eastern greenway	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Mixed Business	
South of the western greenway/south of Green Lane	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Light Industrial and Heavy Industrial	
Corner of Pah and Queen Victoria streets	Rural 1	Reticulated water supply, wastewater, stormwater services required				Papakāinga	C57 11/15 Op 12/18

C51 1/15 Op 9/16

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Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Motueka (outside the Motueka West Development Area) (planning maps 19, 52, 119)							C51 1/15 Op 9/16
South of King Edward Street, Motueka	Rural 1	Reticulated water, wastewater and stormwater services required				Residential (serviced)	
Brightwater (planning maps 22, 56, 90)							
South east of Snowdens Bush	Rural 1	Reticulated water supply, wastewater and transport (Ellis St intersection)	15/4/21	Lot 1 DP 3638 Lot 4 DP 4841 Lot 2 DP 534911 (part) Lot 1 DP 304184 (part) Pt Sec 33 Waimea South Dist		Residential	C57 11/15 Op 12/18 9/21
Reticulated water supply between Wanderers Ave & Lord Rutherford Road Removed as part of Plan Change 75							C57 11/15 Op 12/18 C75 9/22 Op 10/23
Corner of Factory Road and River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 1 DP 456011 Lot 1 DP 395051		Light Industrial	12/20 Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP456011		Light Industrial	Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP3453		Light Industrial	Cl20A U69 7/22
104 Waimea West Road, Brightwater (Part of Pt Section 33 Waimea South District)	Rural 1	Reticulated water supply				Residential	C68 7/18 Op 6/19
Brightwater Development Area (planning maps 22, 56, 90)							
Between Lord Rutherford Road, Main Road Spring Grove (State Highway 6), and Pitfure Stream	Rural 1	Reticulated wastewater supply. Stormwater and water supply required.				Residential	C75 9/22 Op 10/23 Cl20A 9/24
Wakefield Development Area (planning maps 22, 58, 91)							
Between Pitfure Road, Edward Street, and Higgins Road	Rural 2	Reticulated wastewater, stormwater, and water supply required and transport upgrades as informed by an Integrated Transport Assessment.				Residential (serviced)	C76 9/22 D9/24
Wakefield (planning maps 22, 58, 91)							
Bird Lane, Wakefield	Rural 1	Stormwater services; reticulated water supply upgrade; and roading improvements to Bird Lane and the intersection with SH6.				Residential	C65 10/17 Op 4/18
Higgins Road, Wakefield (Part Lot 1 DP 303114)	Rural 2	Higgins Road upgrade south of the Pitfure Bridge to ensure access in a Q100 event; and pedestrian/cycle link over the Pitfure Stream to Ryeland Avenue.				Rural Residential	C65 10/17 Op 4/18 C76 9/22 D9/24
Other Settlements and Areas							
Parts of Murchison	Rural 2	Stormwater service required				Residential (serviced)	
65 Hotham Street, Murchison	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23
161 Fairfax Street	Rural 2	Reticulated water, wastewater and				Residential (serviced)	C77 9/22 Op 10/23

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		~~stormwater services required~~					~~C51 1/15 Op 9/16~~
~~166, 170, 174, 176, 178 Fairfax Street~~	~~Rural 2~~	~~Reticulated water, wastewater and stormwater services required~~				~~Residential (serviced)~~	~~C77 9/22 Op 10/23~~
~~Riwaka-Kaiteriteri Road, Kaiteriteri~~	~~Rural 2~~	~~Upgrading required adjoining Riwaka-Kaiteriteri Road~~	~~11/12/14~~	~~N/A~~	~~N/A~~	~~Rural Residential~~	
~~Part of Patons Rock~~	~~Rural 1~~	~~Reticulated wastewater service required~~				~~Residential (serviced)~~	
~~Sandy Bay Road, Marahau~~	~~Rural 1~~	~~Reticulated wastewater and water supply services required~~				~~Tourist Services~~	
~~Marahau~~	~~Rural 1~~	~~Reticulated wastewater service required~~				~~Residential (Serviced)~~	
~~Old Coach Road, Mariri~~	~~Rural 2~~	~~Road upgrading required once the existing tree crop has matured and been harvested~~				~~Rural Residential~~	

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A	B	C	D	E	F	G	H	I	J	C79 11/24
Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where infrastructure or services proposed by developer, references to detailed performance requirements and engineering plans of services agreed with Council	Plan provisions that apply after services are delivered	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update	
McShane Road	RW5	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	Wastewater: Provision for a new trunk pressure main along indicative road layout through development area; provision for new pressure trunk main connection to existing 525mm gravity main along decommissioned rail corridor to the south of RW5 (now NZTA and Great Taste Trail corridor). See AMP ID 96118 in LTP 2024. Water Supply: Provision of a new trunk watermain through the mixed business area along the indicative road layout, including connection to existing 200mm watermain under Borck Creek at southern end of Summersfield Boulevard. See AMP ID 86204 in LTP 2024. Transportation: Provision for a single mid-block intersection with SH60 to be approved by NZTA.as part of the central access roadway through mixed business area as per indicative road layout on planning maps. To be provided by developer, plus some Council funding available. See AMP ID 46094 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.4 and 17.3				C79 11/24

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Site location	Site location number	Plan provisions that apply before services are provided	Reason for deferral	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update	
South West Hart Road	RS14	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	Water Supply: Provision of planned "Richmond High Level Reservoir" to service the Richmond South area, or equivalent measure proposed by Council or developers to provide adequate level of service for water supply. See AMP ID 86120 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				C79 11/24
Between Lord Rutherford Road, Main Road Spring Grove (SH6) and Pitfure Stream	BW17	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	Wastewater: Construction of the "Waimea Wastewater Strategy", including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. Water Supply: Construction of the "Waimea Water Strategy", including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				C79 11/24

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Site location	Site location number	Plan provisions that apply before services are provided	Reason for deferral	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update	
Bird Lane	WK20	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	Wastewater: Construction of the "Waimea Wastewater Strategy", including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. Water Supply: Construction of the "Waimea Water Strategy", including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				C79 11/24

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			Stormwater: Identification and implementation of a stormwater discharge pathway to Pitfure Stream or the Wai-iti River, to be provided by the developer. Transportation: Upgrade of the Bird Land intersection with State Highway 6; see AMP ID 46024 in LTP 2024. Access to WK20 will be from Bird Lane, no direct access onto State Highway 6 is available.							
Wakefield Development Area – between Pitfure Road, Edward Street and Higgins Road	WK21	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	Wastewater: Construction of the "Waimea Wastewater Strategy", including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. Water Supply: Construction of the "Waimea Water Strategy", including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024. Transportation: Formation of Higgins Road up to the site boundary, and upgrade of the Higgins Road crossing over Pitfure Stream to provide adequate flood conveyance level of service for the level of traffic that will be supported by the upgraded road. To be completed by the developer.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				

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Site location	Site location number	Plan provisions that apply before services are provided	Reason for deferral	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update	
Grey Street	MR22	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	Wastewater: Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. Water Supply: Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				C79 11/24

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A	B	C	D	E	F	G	H	I	J	C79 11/24
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			Water Supply: Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.							
65 Hotham Street	MR25	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	Wastewater: Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. Water Supply: Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				
Fairfax Street South	MR26	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	Wastewater: Upgrade of the Hotham Street wastewater pump station and a new rising main to the Murchison wastewater treatment plant. Water Supply: Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1				

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Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
Main Road Hope, Richmond	T-122a	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Wastewater: New pressure main from Burkes Bank to Beach Road Pump Station connecting in Richmond South Pump Station (LTP 2024 years 6-10) Stormwater Stormwater connection to Borck Creek system: EITHER: 66001 Borck Creek Widening - Reed Andrews to SH6 (2034) AND 66016 Reed / Andrews Drain Upgrade (2032) AND 66018 Bateup Drain Upgrade Stage 3 (2027) AND 66047 Borck Creek SH60 Bridge Capacity upgrade (2029) AND 66048 Reed/Andrews Drain: SH6 Culvert and Network Tasman drain upgrade (2032) AND 66052 Borck Creek Widening - Poutama to SH 60 (2029) AND 66057 Borck Creek Widening - SH60 to Reed/Andrew (2033) Transport:			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.4, Subdivision - Business and Industrial Zones Chapter 17.3, Mixed Business Zone Rules.			

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			White Road / SH6 intersection upgrade.						
Main Road Hope, Richmond	T-35a	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Wastewater: New pressure main from Burkes Bank to Beach Road Pump Station connecting in Richmond South Pump station (LTP 2024, years 6-10) Stormwater: Stormwater connection to Borck Creek system: EITHER 66001 Borck Creek Widening - Reed Andrews to SH6 (2034) AND 66047 Borck Creek SH60 Bridge Capacity upgrade (2029) AND 66052 Borck Creek Widening - Poutama to SH 60 (2029) Transport: White Road / SH6 intersection upgrade.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.4, Subdivision - Business and Industrial Zones Chapter 17.4, Industrial Zone Rules.			
Bird Lane, Wakefield	T-108	Chapter 5, Site Amenity Effects.	Wastewater			Chapter 5, Site Amenity Effects.			

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Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
		Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Trunk wastewater main upgrade between Wakefield and Brightwater and new Wakefield Wastewater Pump Station. Water Supply Wakefield to Brightwater trunk main upgrade and water supply from new Brightwater Water Treatment Plant. Transport Bird Lane / SH6 intersection upgrade to roundabout.			Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.4, Subdivision - Business and Industrial Zones Chapter 17.4, Industrial Zone Rules.			
Whitby Road / Higgins Road, Wakefield	T-194a	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects.	Wastewater Trunk wastewater main upgrade between Wakefield and Brightwater and new Wakefield Wastewater Pump Station. Water Supply			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any			

A	B	C	D	E	F	G	H	I	J
Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
		Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Wakefield to Brightwater trunk main upgrade and water supply from new Brightwater Water Treatment Plant. Transport Bird Lane / SH6 intersection upgrade to roundabout.			Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Whitby Road / Higgins Road, Wakefield	T-194b	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules.	Wastewater Trunk wastewater main upgrade between Wakefield and Brightwater and new Wakefield Wastewater Pump Station. Water Supply Reliant on Wakefield to Brightwater trunk main upgrade and water supply from new Brightwater Water Treatment Plant. Transport			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3 Subdivision in Residential Zone and			

A	B	C	D	E	F	G	H	I	J
Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
		Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	[1] Bird Lane / SH6 intersection upgrade to roundabout. [2] upgrade to Higgins Road (new bridge and Higgins Road raised / Bird Road intersection priority & alignment changed to encourage traffic to use Bird Road rather than Higgins Road).			in Wakefield Development Area. Chapter 17.1 Residential Zone Rules.			
Whitby Road / Higgins Road, Wakefield	T-194c	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone.	Wastewater Trunk wastewater main upgrade between Wakefield and Brightwater and new Wakefield Wastewater Pump Station. Water Supply Reliant on Wakefield to Brightwater trunk main upgrade and water supply from new Brightwater Water Treatment Plant. Transport Bird Lane / SH6 intersection upgrade to roundabout.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter			

A	B	C	D	E	F	G	H	I	J
Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
		Chapter 17.6, Rural 2 Zone Rules.				17.1A Medium Density Residential Zone Rules.			
Motueka High Street,	T-190a,	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Section 16.3.4, Subdivision – Business and Industrial Zones. Chapter 17.2, Central Business, Commercial and Tourist Services Rules.	Wastewater [1] Motueka Wastewater Treatment Plant capacity [2] construction of Grey Street Wastewater Pump Station.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Motueka High Street,	T-190b	Chapter 5, Site Amenity Effects.	Wastewater			Chapter 5, Site Amenity Effects.			

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		Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	[1] Motueka Wastewater Treatment Plant capacity [2] construction of Grey Street Wastewater Pump Station.			Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Motueka High Street,	T-190d	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects.	Wastewater [1] Motueka Wastewater Treatment Plant capacity [2] construction of Grey Street Wastewater Pump Station.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any			

A	B	C	D	E	F	G	H	I	J
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		Section 16.3.3, Subdivision - Residential Zone. Chapter 17.1 Residential Zone Rules.				Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Park Avenue, Takaka	T-144	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules.	Wastewater Rising main upgrade/renewal between Park Ave WWPS and Commercial Street (Fresh Choice) gravity network. Transport Safety Improvements to Park Avenue / SH60 intersection - Possibly re-routing Park Avenue to recreation access or through unformed legal road, or roundabout.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3 Subdivision in Residential Zone.			

A	B	C	D	E	F	G	H	I	J
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		Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.				Chapter 17.1 Residential Zone Rules.			
86 Higgs Road	T-237g	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Stormwater [1] 66108 Māpua Seaton Valley Stormwater Land Purchase (2033) AND [2] 66095 Seaton Valley Integrated Stormwater Solution (2032). Transport Pedestrian connection to Aranui Road via 29 Jessie Street.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			

A	B	C	D	E	F	G	H	I	J
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Higgs Road, existing residential	T-246a	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.3, Subdivision - Residential Zone. Chapter 17.1 Residential Zone Rules.	Transport Pedestrian connection to Aranui Road via 29 Jessie Street.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Seaton Valley Greenfield Land	T-33	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects.	Transport Seaton Valley Road upgrade & Seaton Valley Road / Māpua Drive Intersection upgrade in 2024 LTP confirm date and number.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects.			

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		Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.8, Subdivision - Rural Residential Zone. Chapter 17.8, Rural Residential Zone Rules.	Water Storage Dam 75 and 97 Seaton Valley Road only: Risk posed to downstream residential areas has been appropriately mitigated.			Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Seaton Valley Greenfield Land	T-250	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects.	Transport Seaton Valley Road upgrade & Seaton Valley Road / Māpua Drive Intersection upgrade in 2024 LTP confirm date and number.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules.			

A	B	C	D	E	F	G	H	I	J
Site location	Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered	Legal descriptions of land to which Column H planning provisions apply	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council	Plan provisions that apply after services are provided	Date when Column G provisions apply	Number and Operative date of plan change rezoning land to end use zone	Number and date of plan update
		Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.				Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			
Seaton Valley Greenfield Land	T-42a	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules.	Transport [1] Seaton Valley Road upgrade & Seaton Valley Road / Māpua Drive Intersection upgrade in 2024 LTP confirm date and number. [2] Footpath upgrades on eastern side of Stafford Drive from Seaton Valley Stream to Māpua School.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3 Subdivision in Residential Zone.			

A	B	C	D	E	F	G	H	I	J
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		Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.				Chapter 17.1 Residential Zone Rules.			
Seaton Valley Greenfield Land	T-11a	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.8, Subdivision - Rural Residential Zone.	Transport Seaton Valley Road upgrade & Seaton Valley Road / Māpua Drive Intersection upgrade in 2024 LTP confirm date and number.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3 Subdivision in Residential Zone. Chapter 17.1 Residential Zone Rules.			

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		Chapter 17.8, Rural Residential Zone Rules.							
Seaton Valley Greenfield Land	T-11b	Chapter 5, Site Amenity Effects. Chapter 6.3 Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	Water Storage Dam 75 and 97 Seaton Valley Road only: Risk posed to downstream residential areas has been appropriately mitigated. Transport Seaton Valley Road upgrade & Seaton Valley Road / Māpua Drive Intersection upgrade in 2024 LTP confirm date and number.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3A Subdivision in Medium Density Residential Zone. Chapter 17.1A Medium Density Residential Zone Rules.			

CHAPTER 18: SPECIAL AREA RULES

[unchanged or irrelevant text omitted]

18.11 COASTAL ENVIRONMENT AREA

Refer to Policy sets 5.1, 6.4, 6.5, 7.2, 7.3, 8.1, 8.2, 9.1, 9.2, 9.3, 13.1, 14.1.

18.11.1 Scope of Section

The Coastal Environment Area has been delineated on the planning maps for the purposes of guiding the management of the District's coastline. The inland extent of the Coastal Environment Area is shown by a line on all coastal sheets of the planning maps. The seaward boundary of the Area is mean high water springs. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

18.11.2 Land Use

18.11.2.1 Permitted Activities (Land Use) [18.14.2 Proposed]

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) Except as provided by condition (c), the activity is not the construction of a new building or the disposal of refuse. **C73 12/20 Op 6/23**

(a) The activity is an extension to an existing building that does not:

(i) increase the ground floor area (as at 25 May 1996) by more than 50 percent; or

(ii) reduce the existing building setback to mean high water springs; in cases where part or all of the extension is within the setbacks specified in conditions 18.11.3.1 (b) – (e), or **C73 12/20 Op 6/23**

(iii) increase the existing building height (not applicable in Commercial and Industrial zones with the exception of the Industrial zone and the Mixed Business Zone in the Richmond West Development Area, other than in the Light Industrial Zone location at Beach Road as shown on the planning maps). **C10 10/07 Op 3/14**

(b) The activity is a public refuse or recycling collection facility of less than 5 square metres in base area and less than 1.8 metres in height. **C73 12/20 Op 6/23**

Proposed as at 1 November 2008
[Condition (d) Proposed deleted]
[Rule 18.14.2A Proposed deleted] **C3 12/03**

18.11.3 Building Construction or Alteration

18.11.3.1 Controlled Activities (Building Construction or Alteration)

Construction of or extension to a building that does not comply with the conditions of rule 18.11.2.1 is a controlled activity, if it complies with the following conditions:

(a) The activity is an extension to an existing building that does not comply with condition 18.11.2.1(b).

Setbacks

(b) New buildings are set back from mean high water springs the following minimum distances:

(i) 100 metres in the Waimea Inlet Rural Residential Zone and the Rural 1, Rural 1 Coastal, Rural 2 and Rural 3 zones; and in the Open Space, Rural 1, Rural 2 and Light Industrial zones in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps). **C10 10/07 Op 3/14 C19 5/10 Op 8/12 C22 2/11 Op 1/15**

(ii) 80 metres for Light Industrial zoned land held in Record of Title 459167 (580 Lower Queen Street) in the Richmond West Development Area. **C10 10/07 Op 3/14 C73 12/20 Op 6/23**

(iii) 50 metres in other Rural Residential Zones (except in respect of buildings at Toko Ngawa where identified building sites on DP 16820 and DP 16821 must be utilised) and the Mixed Business Zone. **C10 10/07 Op 3/14**

(iv) 30 metres in all other zones except where expressly provided for at Milnthorpe *(see rule 17.1.3.1(w))*; in the Awaroa Residential Zone *(see rule 18.11.3.1(c))*; in the Torrent Bay Residential Zone (20 metres); and in rule 18.11.3.1(d) and (e).

(c) At Awaroa, new buildings are set back at least 10 metres inland from the top of the bank shown on the planning maps.

(d) On Lot 1 DP 7781 in the Rural Industrial Zone (750 Lower Queen Street), buildings are set back at least 10 metres from Neiman's Creek, and on Record of Title 7254638 in the Golden Edge Rural Industrial Zone (520 Lower Queen Street), buildings are set back at least 15 metres from mean high water springs. **C73 12/20 Op 6/23**

(e) On Lot 4 DP 447516 and Lot 2 DP 341803 in the Light Industrial Zone on the corner of Wharf Road and High Street in Motueka, buildings are set back at least 10 metres from mean high water springs.

Height

(f) The maximum height of new buildings, and building extensions, in Rural 1, Rural 1 Coastal, Rural 2, Rural 3, Rural Residential and Residential zones (except at Kaiteriteri and Torrent Bay ~~and the Māpua Special Development Area~~), and the Mixed Business, Light Industrial and Open Space zones in the Richmond West Development Area is: **C10 10/07 Op 3/14 C22 2/11 Op 1/15 C73 12/20 Op 6/23**

(i) 6.5 metres for a building sited between 100 metres and 200 metres from mean high water springs; **C10 10/07 Op 3/14**

(ii) 5 metres where the setback in rule 18.11.3.1 provides for a building to be sited less than 100 metres from mean high water springs;

and at Kaiteriteri and Torrent Bay ~~and the Māpua Special Development Area~~: **C10 10/07 Op 3/14 C22 2/11 Op 1/15**

(iii) 6.5 metres for a building sited less than 200 metres from mean high water springs. **C10 10/07 Op 3/14**

Note: Rural Residential Closed and Residential Closed zones are included in this condition.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) The effects of the location, design and appearance of the building, and building extension, including its scale, height (in the Richmond West Development Area except in the Light Industrial Zone location at Beach Road as shown on the planning maps), materials, landscaping and colour, on the amenity and natural character of the locality, having regard to effects on: **C10 10/07 Op 3/14 C73 12/20 Op 6/23**

(a) natural features;

(b) landscape and seascape values; **C10 10/07 Op 3/14**

(c) significant natural values;

(d) the nature of any existing development;

except that in the Residential Zone the matters are limited to materials, landscaping and colour of buildings, and in the three industrial zones the matters are limited to landscaping and colour of buildings, except for the Light Industrial Zone in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) where all matters apply.

(2) Consistency with any design guide applying to the area and any heritage character. **C22 2/11 Op 1/15**

(3) The effects of natural hazards.

(3A) The effects on a site of cultural significance to Maori. **C68 7/18 Op 6/19**

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Non-Notification

Applications for resource consent for an activity under this rule will be decided without public notification and without limited notification.

18.11.3.2 Restricted Discretionary Activities (Building Construction or Alteration) **C73 12/20 Op 6/23**

Construction of a new building or building extension, that does not comply with the conditions of rule 18.11.3.1 is a restricted discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) The effects of the location, design and appearance of the building, including its scale, height, materials, landscaping and colour, on the amenity and natural character of the locality, including effects on:

(a) natural features;

(b) landscape and seascape values;

(c) significant natural values;

(d) the character of any existing development.

(2) The effects of natural hazards.

(3) The effects on a site of cultural significance to Maori.

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

18.11.4 Disposal of Refuse

18.11.4.1 Non-complying Activity (Disposal of Refuse)

Disposal of refuse is a non-complying activity.

A resource consent is required. Consent may be refused or conditions imposed.

18.11.20 Principal Reasons for Rules

Setbacks and Height Restrictions

C10 10/07
Op 3/14

The bulk and location of buildings can adversely affect the natural character of the coastal environment. In addition, buildings close to the sea may be affected by natural hazards such as sea-level rise. These effects are avoided or reduced by setbacks from mean high water springs and the bank at Awaroa. The height restrictions, which are lower than those imposed generally under zones rules, mitigate adverse effects on visual amenity and recognise the scale of existing buildings and topography at Kaiteriteri and Torrent Bay and the Richmond West Development Area zones within the Coastal Environment Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps). Small extensions to existing buildings are permitted, as these will not have material adverse effects. A greater setback is required in rural zones than in urban zones because of the lower density of development in rural zones.

The intention of these rules is to minimise the obtrusiveness or dominance of buildings in the coastal landscape. The rules do not have the purpose of protecting views from individual properties or dwellings, although that may be a consequential outcome in some cases.

Building Design and Appearance

C22 2/11
Op 1/15

Control or discretion is reserved in regard to these rules to ensure that buildings are compatible with their surroundings. Commercial development in the vicinity of the Māpua Wharf will be expected to respond to the heritage character of the existing wharf buildings.

At Toko Ngawa the Coastal Environment Area has been extended to cover the whole subdivision as it is all coastal in character.

Natural Hazards

The rules reserve control or discretion on the effects of natural hazards in order to safeguard people's health and safety. This allows for consideration of hazards that are not dealt with effectively by means of setbacks on particular sites.

Collection and Disposal of Refuse

C73 12/20
Op 6/23

Public refuse and recycling collection facilities, up to the specified dimensions, are provided for as a permitted activity to ensure these public facilities can be installed in the areas they are required. This recognises the need to ensure adequate facilities for rubbish and recycling collection are provided within the coastal margin. However, the final disposal of refuse can be unsightly in the coastal environment and can result in the contamination of coastal waters and this is not provided for as a permitted activity.

CHAPTER 19: INFORMATION REQUIRED WITH LAND USE CONSENT OR SUBDIVISION CONSENT APPLICATIONS

[unchanged or irrelevant text omitted]

19.2 INFORMATION REQUIRED FOR LAND USE OR SUBDIVISION CONSENT APPLICATIONS

19.2.1 Land Use

C19 5/10
Op 8/12

Applicants must submit, and the Council may request further information, on the following matters to the extent that they are relevant to any land use consent rule, together with information required under any other relevant section of this chapter:

[unchanged or irrelevant text omitted]

Comprehensive Development in the Medium Density Residential Zone

19.2.1.9A For any resource consent application made for a comprehensive development under Rule 17.1A.3.2, a completed assessment of the development against Medium Density Housing Design Matrix in Schedule 17.1AA, and a supporting graphic or written explanation demonstrating how the score identified has been arrived at.

Retail Activity in the Mixed Business Zone

19.2.1.9B A report from an Economist, Retail Expert or similarly qualified and experienced person assessing the following:

(a) The impacts of the scale and nature of the retail activity on the vitality, function and economic viability of the core centres as expressed in Table X in Chapter 6 including whether the activity will adversely affect the specific types of retail activities which are most appropriately located within the core centres.
(b) Whether the activity, and specific retail type, is required to meet demand and provide for forecasted growth within the Tasman Region.
(c) The cumulative effect of retail activities within the Mixed Business Zone areas on the vitality, function and economic viability of the core centres as expressed in Table X in Chapter 6.
(d) Retail distribution effects and opportunities.

[unchanged or irrelevant text omitted]

19.2.1.12 For an activity involving a building in the Residential Zone in the Richmond South, Brightwater, Wakefield, ~~or the Māpua Special development areas~~ or the Motueka West Compact Density Residential Area:

C22 2/11
& C43 4/13
Op 1/15
C75 9/22
Op 10/23
C75 9/22
Op 10/23
C76 9/22
(D9/24)

(a) information describing the extent to which compliance is achieved with the conditions in rule 17.1.3.3 *Controlled Activities (Building Construction or Alteration – Compact Density Development)* for buildings in the Residential Zone in the Richmond South, Brightwater, Wakefield, ~~or Māpua Special development areas~~ or the Motueka West Compact Density Residential Area, or – in the case of the Brightwater and Wakefield Development Areas – compliance with 17.1.3.2 Controlled Activities *(Building Construction or Alteration – Standard Density Development)*;

(b) where the application is for a compact density land use development and subdivision, information describing consistency with the Urban Design Guide (Part II, Appendix 2).

Workers' Accommodation

19.2.1.16B A Safe active transport plan, outlining how workers travelling between rural environments and town centres will be managed to ensure safety on rural roads.

[unchanged or irrelevant text omitted]

Productive Value Report

C60 1/16 Op 6/19

19.2.1.17 A productive value report may be required for any land use consent and must contain the following:

(a) Soil type patterns across a site.

(b) The characteristics of soils, including drainage, potential rooting depth, present fertility, existing contamination and erosion proneness.

(c) Land form features, including slope and aspect, and flood proneness.

(d) Climate, including general characteristics relating to suitability for productive use.

(e) Historical and existing land uses, including crop type, surrounding uses and existing markets.

(f) Effects on potential land uses and productivity, including loss of land from production through access, curtilage development and required setbacks.

(g) Availability of water.

19.2.1.18A Land use application under Schedule 17.4A C79 11/24

For any land use application under Rule 17.4A.2.2, a plan which demonstrates how buildings are able, both physically and financially, to be removed from the site.

19.2.2 Subdivision

Applicants must submit, and the Council may request further information, on the following matters to the extent that they are relevant to any subdivision consent rule, together with information required under any other relevant section of this chapter: C19 5/10 Op 8/12

19.2.2.1 The information required by section 219 of the Resource Management Act.

19.2.2.2 The legal description and current records of title for the land proposed to be subdivided.

[unchanged or irrelevant text omitted]

19.2.2.7 For a subdivision in the Residential Zone in the Richmond South, Brightwater, Wakefield Motueka West or Māpua development areas: C5 3/06 Op 10/10 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C75 9/22 OP 10/23 C76 9/22 (D9/24)

(a) a plan showing the layout of the subdivision, including all building location areas;

(b) information describing the extent to which compliance is achieved with the standards and terms in rule 16.3.3.1 *Controlled Subdivision (Residential Zone — Standard Density Development)* for the Residential Zone in the Richmond South, Brightwater, Wakefield, Motueka West or the Māpua development areas; and the standards and terms in rule 16.3.3.1B *Controlled Subdivision (Residential Zone – Specific Location: Brightwater Development Area)* for the Brightwater and Wakefield Development Areas.

(c) information describing consistency with the Urban Design Guide (Part II, Appendix 2);

(d) information on proposed block perimeter lengths.

(e) In the Brightwater Development Area.

(i) information on how a variety of housing options, including higher density housing options, is achieved, or – where this is not practicable – justification of why.

(ii) where the subdivision is within 100m of the state highway's white edge line, an acoustic design report, prepared by a suitably qualified and experienced acoustic specialist which details the measured or predicted outdoor road traffic noise level, and, where the measured or predicted outdoor road traffic noise level exceeds 57 dB L_{Aeq} (24h), recommends how the subdivision can best include measures to mitigate the effects of road traffic noise on the habitants of any future dwellings.

(iii) Information on how flood hazard risk from Pitfure Stream, and dam break hazard from the dam to the south west is managed.

(f) In the Wakefield Development Area: **C76 9/22 D9/24**

(i) Information on how a variety of housing options, which enable increased and varied housing densities and types is achieved, or – where this is not practicable – justification of why.

(ii) Information on how flood hazard risk from Pitfure Stream, Gossey Stream, and Jenkins Creek and dam break hazard risk from the two irrigation dams to the north-east are managed.

19.2.2.7A For any development in the Medium Density Residential Zone: **~~C66 10/17~~ ~~Op 12/18~~**

(a) a statement of the reasons, including any practical constraints, as to why an comprehensive development is not appropriate or achievable for the site;

(b) Any reasons or circumstances why the minimum density cannot be achieved

(c) an assessment of how the maximum appropriate density is being achieved for the site and, if appropriate, how the design provides for future comprehensive development opportunities; and

(d) an assessment of the market demand for the size of lots or houses that are being proposed.

~~For subdivision in the Richmond Intensive Development Area:~~

~~(a) the information described in 19.2.2.7(a), (b) and (c) above;~~

~~(b) for each new lot, a building location area that contains an outline building plan drawn so that a building complies with conditions contained in the Residential Zone rule 17.1.3.4C for intensive building construction and alteration in the Richmond Intensive Development Area. The outline building plan shows the building and site coverage, building setbacks from internal and external boundaries, building envelope, outdoor living space, fences, building height, building length and the parking and access conditions for the Richmond Intensive Development Area.~~

19.2.2.8 For subdivision in the Rural Residential Zone in the Richmond East Development Area, where land which is the subject of a subdivision proposal contains a protected tree or the minimum root protection zone of a protected tree, the provision of a report prepared by an appropriately competent person in arboriculture that: **C20 8/10 Op 8/12**

(a) determines the minimum root protection zone of the protected tree and to what extent the boundaries of an allotment are drawn so that:

(i) the allotment is capable of containing a 20 metre by 20 metre building location area outside the minimum root protection zone; or

(ii) if the allotment is to vest as road reserve or other local purpose utility reserve, it is capable of containing the required extent of the road or the relevant utility outside the minimum root protection zone; or

(iii) if the allotment is to vest as local purpose reserve for recreation, it is capable of containing the required minimum protection zone wholly within its boundaries;

and

(b) specifies any conditions for subdivision that are necessary to:

(i) ensure the integrity of the protected tree and its associated amenity values; and

(ii) ensure that activities, including general construction activities, are set back from the protected tree so that adverse effects on the protected tree are appropriately avoided, remedied or mitigated.

19.2.2.9 Legal descriptions and names of owners of land adjoining the land being subdivided.

[unchanged or irrelevant text omitted]

PART II – APPENDIX 2: URBAN DESIGN GUIDE

Applies in the Medium Density Residential Zone and at the Motueka West, Richmond South, Richmond West, ~~Richmond Intensive,~~ Brightwater, Wakefield, Māpua ~~and Māpua Special development areas~~

C22 2/11 & C43 4/13 Op 1/15
C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 (D9/24)

1. INTRODUCTION

The Medium Density Residential Zone (MDRZ) identifies the priority areas for intensification of existing urban spaces to provide for a more homes within the current urban area, and to provide a greater variety of homes.

The Richmond South Development Area (RSDA)~~,~~ and the Richmond West Development Area (RWDA) ~~and the Richmond Intensive Development Area (RIDA)~~ are priority areas for Richmond's development over a 20-year outlook to be established following the Richmond Development Study. This study was considered by the community in 2003 and since then Council has considered the community response. That process identified a need and significant support for the concept of a planned approach to the subdivision and development of the RSDA and RWDA ~~and intensification through redevelopment in RIDA~~ to ensure that both a quality living environment and an efficient use of the land takes place. This Urban Design Guide is intended to help in achieving those aims.

C10 10/07 Op 3/14
C66 10/17 Op 12/18

The Māpua Development Area ~~and Māpua Special Development Areas~~ (MDA ~~and MSDA~~) are priority areas for Māpua's development over a 20-year timeframe following the Māpua/Ruby Bay Development Study in 2004 and a structure planning exercise in 2008. These processes have identified a need and support for a planned approach that ensures a quality living environment and sustainable and efficient use of land.

C22 2/11 Op 1/15

The Motueka West Development Area (MWDA) is a priority area for Motueka's development over a 50-year timeframe following a structure planning exercise in 2009. This process has identified a need for a consolidation of the town through a planned approach that ensures a quality living and working environment.

C43 4/13 Op 1/15

The Brightwater Development Area (BDA) provides for some of the township's, and the region's, residential growth needs as identified through the Future Development Strategy 2019 and 2022. This area is intended to provide for a variety of lot sizes, increased density, and a quality living environment.

C75 9/22 Op 10/23

The Wakefield Development Area (WDA) provides for some of the township's, and the region's, residential growth needs as identified through the Future Development Strategy 2022. This area is intended to provide for a greater variety of lot sizes, increased density, and a quality living environment.

C76 9/22 (D9/24)

2. PURPOSE OF THE DESIGN GUIDE

The successful development and function of a quality residential environment relies on carefully considered design. Creating a place where people can live comfortably, and particularly where this is more closely together, requires attention to overall layout and details. Accordingly, this design guide sets out some specific matters for attention.

Because the process of evolving a good design requires experience and skills, it is recommended that the appropriate skills be applied to development planning and design. Typically, the skills needed will include a combination of urban design, landscape design, building design, survey, engineering and resource management planning. Some companies or people will have capacity in several of these fields.

The evolution of the design will also suit an iterative process and Council encourages developers and applicants to work through the guidelines with Council advisers.

3. RELATIONSHIP OF THE DESIGN GUIDE TO THE TASMAN RESOURCE MANAGEMENT PLAN

This design guide covers a range of urban design matters integral to the subdivision layout and development planning of the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA and MSDA. The design guide is intended to provide a clear preferred direction for any proponent of a development in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA and MSDA. The guide contains provisions that relate to both subdivision and development within the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA and MSDA.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22 Op 10/23
C76 9/22
C76 9/22 (D9/24)

The district plan provisions associated with the development of the MDRZ, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA, ~~and~~ MSDA and WDA are contained in the Tasman Resource Management Plan (the Plan) – these guidelines form part of the Plan as Appendix 2 to Part II. The design guide applies in relation to the following Plan rules:

C10 10/07 Op 3/14
C66 10/17 Op 12/18
C75 9/22 op 10/23
C76 9/22
C76 9/22 (D9/24)

16.3.3A.1	Restricted Discretionary Subdivision (Medium Density Residential Zone)
16.3.3.1	Controlled Subdivision (Residential Zone – Standard Density Development)
~~16.3.3.1A~~	~~Controlled Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)~~
16.3.3.1B	Controlled Subdivision (Residential Zone – Specific Location: Brightwater and Wakefield Development Areas)
16.3.3.2A	Restricted Discretionary Subdivision (Residential Zone – Standard Density Development)
~~16.3.3.2B~~	~~Restricted Discretionary Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)~~
16.3.3.2C	Restricted Discretionary Subdivision (Residential Zone – Brightwater and Wakefield Development Areas)
16.3.3.3	Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)
16.3.3.4	Discretionary Subdivision (Residential Zone)
17.1A.3.2	Restricted Discretionary Activities (Building Construction or Alternation – Comprehensive Development)
17.1.3.3	Controlled Activities (Building Construction or Alteration – Compact Density Development)
17.1.3.4	Restricted Discretionary Activities (Building Construction or Alteration – Standard Density Development)
17.1.3.4A	Restricted Discretionary Activities (Building Construction or Alteration – Comprehensive Development)
17.1.3.4B	Restricted Discretionary Activities (Building Construction or Alteration – Specific Locations: Development Areas)
~~17.1.3.4C~~	~~Restricted Discretionary Activities (Building Construction or Alteration – Specific Locations: Richmond Intensive Development Area)~~
~~17.1.3.4D~~	~~Discretionary Activities (Building Constructions or Alteration – Specific Locations: Richmond Intensive Development Area)~~

The design guide should be read in conjunction with the Plan provisions, including the Plan's policies and the rules listed above. The design guide will provide a basis for the assessment of applications for resource consent for both subdivision and buildings.

For permitted buildings in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA and MSDA, the design guide may help in successful design. For controlled and restricted discretionary subdivision and buildings in the BDA, WDA RSDA, RWDA, MWDA, MDA, and MSDA, and for discretionary subdivision and restricted discretionary and restricted discretionary buildings in MDRZ~~RIDA~~, consistency with the design guide is a matter for considering in either imposing conditions or considering granting or declining applications (restricted discretionary activities only).

C10 10/07 Op 3/14
C22 2/11 & C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22 Op 10/23
C76 9/22 (D9/24)

4. How to Use this Design Guide

There is no prescribed way to create attractive, liveable, functional, enduring living environments and the guidelines are intended to provide some flexibility in the approach. Accordingly each part describes the subject to be guided and describes the aims with a diagram or image which is for explanatory value.

The design guide should be considered when first beginning to develop any subdivision or building development proposal in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA, and MSDA.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15)
C66 10/17 Op 12/18
C75 9/22
Op 10/23
C76 9/22
(D9/24)

A. Allotment Layout

The allotment layout in a new urban area will pre-determine the position and aspect of resultant houses and other development. Accordingly, attention needs to be given at the outset of the design process to the type of development that will result from the layout prescribed at the time of subdivision.

In the MDRZ developments should be land use-led, and the allotment layout will follow the design of buildings.

To achieve the desired environment for the MDRZ, BDA, WDA, RSDA, RWDA, MWDA, MDA, and MSDA. guidelines for allotment layout are set out below.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
OP 10/23
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(D9/24)

Guideline A1
Greenways and Reserves Relationship
Refer to Figure A1a and A1b

Encourage dwellings to be designed and constructed to have living spaces that overlook greenways and reserves through the allotment layout and orientation.

It is important to have this dwelling to greenway/reserve relationship because:

- the people in houses provide passive surveillance that make for safer greenways and reserves
- the amenities of the residential properties can benefit from the relationship with the green space.



Figure A1a

Example of greenway and residential dwelling relationship

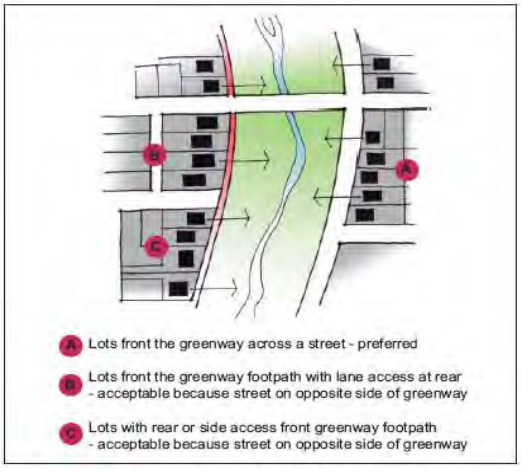


Figure A1b

Guideline A2
Neighbourhood Centre Provision
Refer to Figure A2a and A2b

Encourage within any larger new area of urban development, the (future or immediate establishment of a neighbourhood centre (a 'heart' where people meet and access basic day-to-day commercial goods like bread and milk) by:

- Providing sufficient space for a small centre which can accommodate car parking, bus stop (future or existing service), and public space.
- Identifying a place for a centre that is within a radius of 10 minutes' walk of the primary residential catchments area.
- Identifying a place for a centre that is at the intersection of collector streets and other movement paths such as walkways and greenways.

It is important to provide neighbourhood centres because they provide:

- an option for getting day-to-day goods locally – milk, bread and paper, for example – which limits the need for vehicle trips to a larger centre
- an opportunity for social interaction between people living in a neighbourhood
- a neighbourhood focal point, orientation, and identity.



Figure A2a

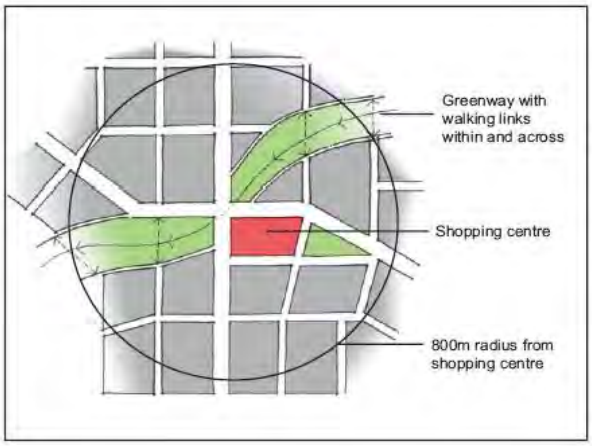


Figure A2b

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Guideline A3
Topography
Refer to Figure A3a and A3b

Encourage the retention of primary topographical and landscape features in an allotment and street layout by:

- Enabling dwelling types that follow the natural slope of the land, in street layout and allotment design.
- Creating streets with widths as narrow as practicable (see street layout guidelines) to minimise the cross slope cuts required.
- Allowing steeper gradients for access streets and lanes to enable streets to follow contour and reduce cut and fill extent.
- Integrating existing tree and amenity plantings within streets and allotments to enhance amenity values.

It is important to retain topography and minimise earthworks because:

- the character of a place is contributed to by the existing natural features including landform
- the scale of walling that occurs on street edges where cuts are high is difficult to manage to create attractive streetscapes
- the loss of topsoil and earth during construction has a negative effect on the biological capacity of the land and can lead to siltation of waterways
- this reduces the scale and cost of engineering interventions required to construct the development.



Figure A3a

Example of a dwelling where

no cutting is required.

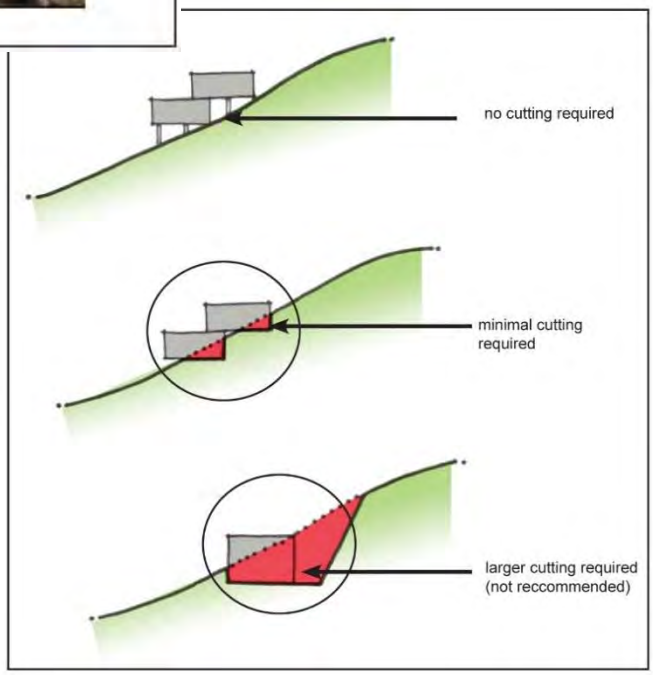


Figure A3b

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B. Dwelling Size

The efficient use of the land in new growth areas is important. Land is a finite resource and should be judiciously used to retain a context of productive working land and natural landscapes as these are important to the regional economy, biodiversity and quality of life. The compactness of settlements is also important as it assists servicing efficiency, accessibility of residents to facilities (schools, shops, etc), reduces travel times and energy use, and presents opportunities for various forms of transport. It is recognised in Richmond, Brightwater, Wakefield Motueka and Māpua that the different dwelling sizes and types will need to be provided for if people are to be comfortable living in Richmond, Brightwater, Wakefield, Motueka and Māpua at various stages of their lives. Part of that difference is recognising the need for a mixture of family homes with large sections and smaller houses with less land to look after, and more opportunities for social contact for people living alone. With an aging population in Tasman, incorporation of universal design principles in the initial design of dwellings in the MDRZ~~RIDA~~ is encouraged. To encourage efficient land use, the provision of different house types, and an urban form that is compact, guidelines to encourage different forms of development in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA and MSDA are set out below.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22 Op 10/23
C76 9/22 D9/24

Guideline B1
Dwelling Size Mix
Refer to Figures B1a to B1c

Encourage an efficient land use and range of dwelling sizes (i.e., family or single person homes) by:

- Creating areas with a suitable size and location (such as next to greenways, or close to a neighbourhood centre) that may allow for smaller dwellings in more compact forms of development
- Designing for quality in more compact forms of development through the use of appropriately skilled and experienced design professionals.
- Considering comprehensively the whole living environment for possible compact forms of development to ensure that they are good places to live.
- Considering the use of "party" walls and attached buildings to eliminate unusable narrow side yard spaces.
- Incorporating universal design principles according to Lifemark™ certification in the initial design of dwellings in the MDRZ ~~RIDA~~, or other certification that is functional for elderly and disabled residents.

C66 10/17 Op 12/18

It is important to provide for different dwelling sizes because it:

- enables people to live in different dwellings that suit their needs while remaining in the same community
- encourages an efficient use of the land by enabling more compact forms of development.







Figures B1a to B1c

Examples of different sized dwellings for different sized households.

Guideline B2
Compatibility
Refer to Figure B2a

Create a coherent streetscape in areas of mixed dwelling forms and sizes (especially between detached and attached buildings) by:

- Breaking into groups the sections of streets that are of one type or another so there is not a random mix.
- Using a lane, street or reserve/greenway to separate one building type from the next.
- Considering the existing context and repeating the predominant type of building form of the block the site is located within.

It is important to provide for compatibility between different dwelling types because:

- it ensures that with a mix of dwelling types that there is not a visually incoherent streetscape;
- there are practical building construction benefits in knowing the adjacent dwelling type;
- the comprehensive design and development of compact forms of dwellings can benefit from taking a block approach rather than a site-by-site approach.

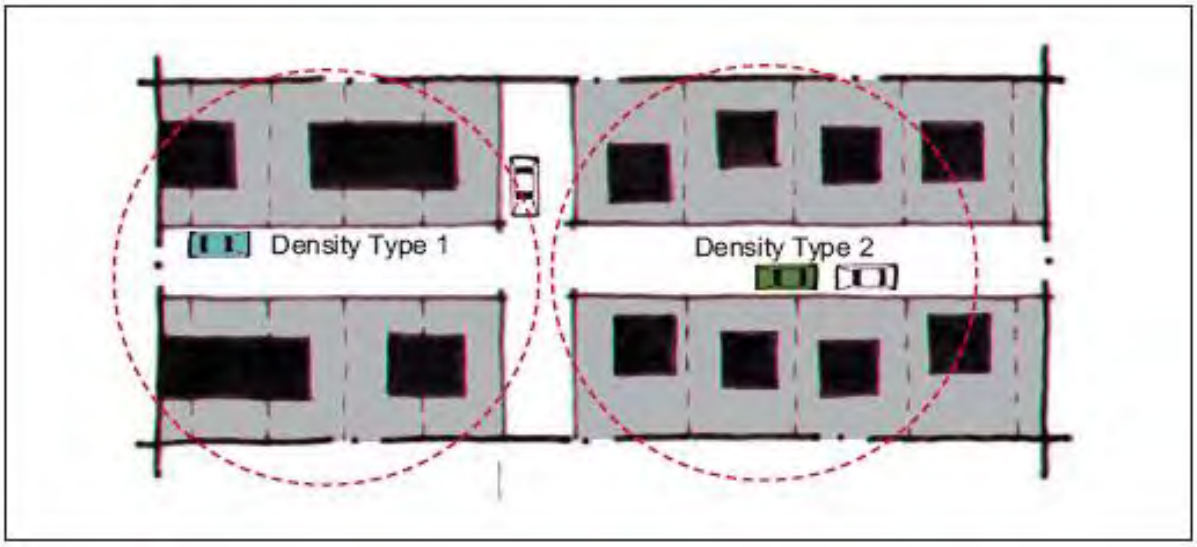


Figure B2a

Example of compatibility

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Guideline B3 **Enable Further Subdivision** *Refer to Figure B3a*
Encourage through subdivision and development design that where allotment sizes are of a medium or larger size (above 800 m^2) that further subdivision could occur in the future to create a quality functional new house space by: • Locating the initial building on the site to leave sufficient space for a new dwelling at a later date. • Providing the future building space in a way that recognises the amenity of the initial house (and new house), such as privacy, sunlight, access, parking, noise and outdoor living space. It is important to consider the potential for further development because it: • will enable the most efficient use of the limited land resource over time • recognizes that future dwelling needs may change from those currently and provides some flexibility for the future • encourages future new dwellings to fit within the existing development pattern without causing significant adverse effects.

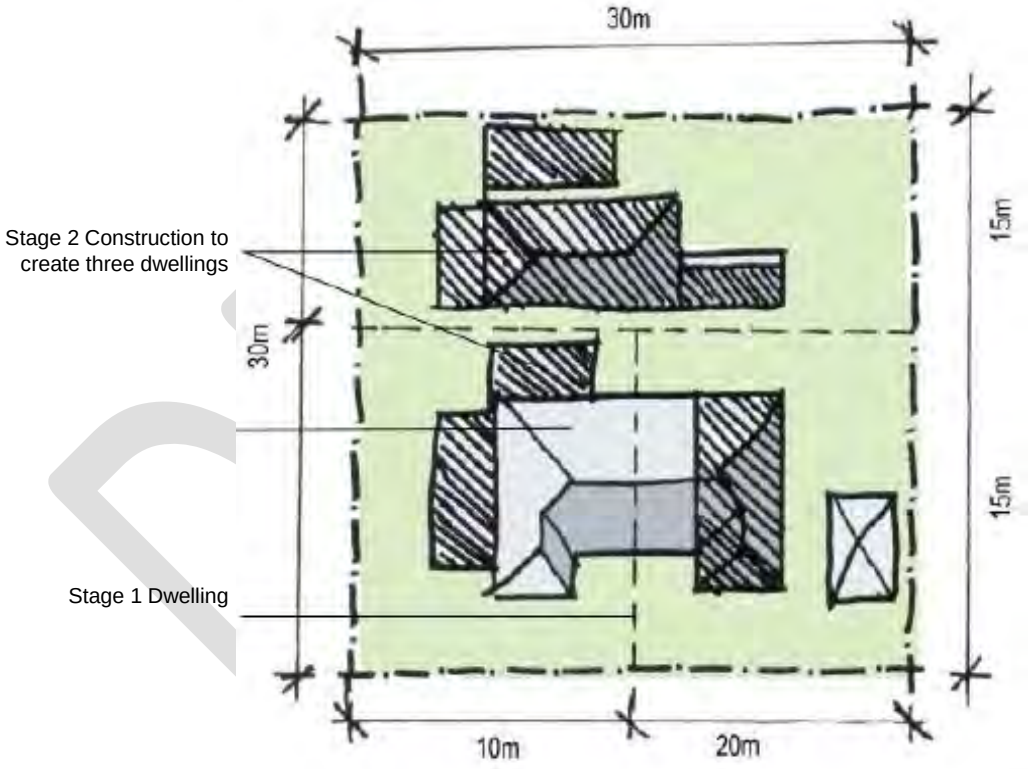


Figure B3a

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C. Street Network

The street network is the principal way people will get to and from the places they use within Richmond, Brightwater, Wakefield, Motueka and Māpua. These movements are made every day by a range of people with a range of mobility levels and a range of access to vehicles. Movements typically include a child going to school, workers going to work, or an older person going for a walk. Primarily the movement network is provided by streets, but in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA and MSDA there will also be pathways on greenways and these are addressed separately. To achieve the desired environment for the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA, and MSDA, guidelines for the street network are set out below.

C10 10/07 Op 3/14
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C43 4/13 Op 1/15
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Guideline C1
Street Type
Refer to Figure C1a

Provide a clear hierarchy in street type – from vehicular traffic at 50kph (on collector streets) down to slower traffic, walking priority streets at 5kph (on access streets and lanes) – by:

- Encouraging the use of access streets and lanes by people that live there, and not drivers passing through by designing narrow sections and other forms of speed restrictions.
- A spread of local traffic by interconnected streets that enable a choice of routes.
- Collector streets that are efficient in their function and not compromised by multiple site accesses.
- Lane ways which are for accessing allotments that are small where widths are narrow for development fronting open space in some situations (refer to Guideline A1), or where parking is provided at the back (refer to Guideline D1).

It is important to have a street hierarchy because it:

- provides for greater levels of pedestrian comfort – this will encourage walking
- will improve safety – by reducing through-traffic out of residential areas and keeping speeds low in residential areas
- will increase amenity – this is providing attractive, green quiet residential streets where busy traffic is encouraged away
- makes navigating around an urban area easier.



Figure C1a

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Guideline C2
Street Connectedness
Refer to Figure C2a

Encourage maximum accessibility within the urban area by:

- Creating streets that are interconnected with other streets and with minimal dead ends or cul-de-sacs.
- Making collector streets that provide for walking, cycling and easy navigability around a neighbourhood by direct routes.
- Ensuring that cul de sacs (where they are rarely provided for) have walking and cycling links to adjacent streets and to provide for a potential vehicle connection in the future.
- Providing cycleways on main routes to Richmond, Brightwater, Wakefield, Motueka and Māpua town centres and schools.
- Creating regular street intersections and limited block lengths.

C22 2/11 & C43 4/13 Op1/15 C75 9/22 Op10/23 C76 9/22 (D9/24)

- Providing clear and safe access to greenway networks from the street network with direct visual and walking links across that follow the street alignment.

It is important to have high levels of accessibility because it:

- assists reduced travel distances (walking or driving) between destinations
- enhances walkability by providing reasonably direct routes between places
- enhances the ease with which people can find their way around a place by providing minimal dead ends.

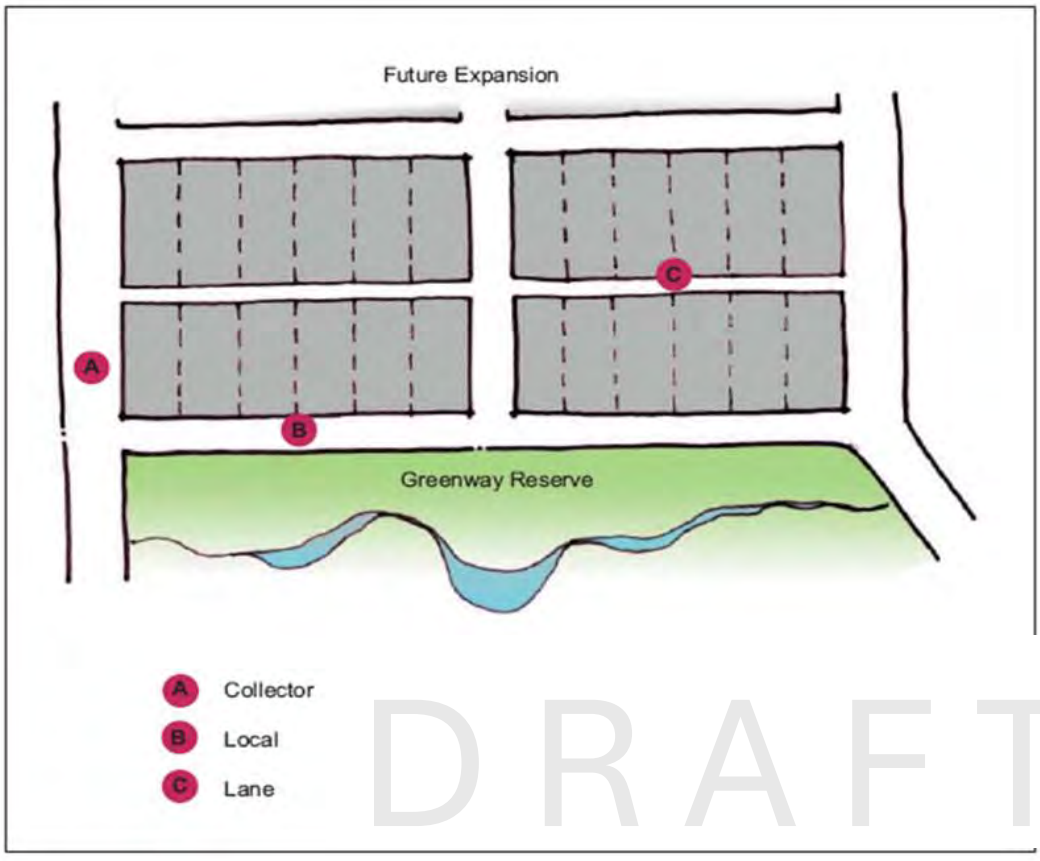


Figure C2a

Connected street network

Guideline C3
Street Swales
Refer to Figures C3a and C3b

Encourage the minimisation of stormwater discharges to the reticulated system by the use of street edge swales or rain gardens to collect run-off from street surfaces and to disperse it to ground by:

- Swale design in accordance with the TDC Engineering Standards.
- Consultation with experienced engineers regarding the design of swales.
- Using swales where the ground conditions are appropriate for achieving soakage.
- The choice of plant types for swales that are appropriate for the function.

It is important to use swales and other systems that replenish groundwater from stormwater because it:

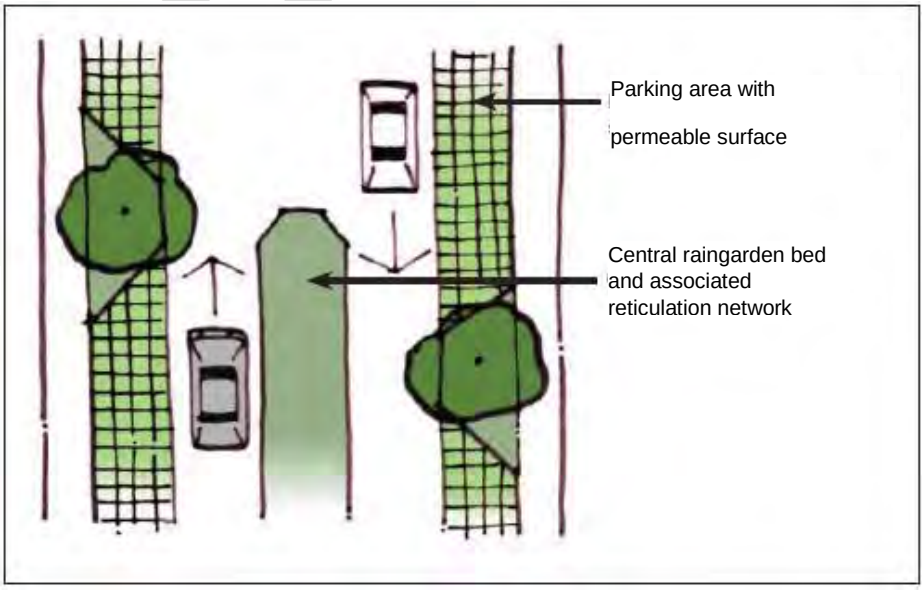
- reduces the speed of stormwater flows to the reticulation system which is limited in its capacity
- aids in recharging the groundwater system to enable the water to be extracted for other purposes
- reduces contaminant flow to the stormwater system.



Figure C3a

Rain garden in a residential street

Figure C3b



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Guideline C4 **Street Trees** *Refer to Figure C4a*
Provide a consistent and appropriate street tree planting within new streets by: • Deciding a tree type as part of design and using this for the complete street length. • Using trees that will grow well locally – either native or exotic. • Using trees that will assist with the take up of stormwater run-off in conjunction with swales and/or rain gardens, where they occur. • Having a tree type with a form that is clear stemmed and a canopy at maturity which underneath is at least 2 metres above ground level. • Reflecting the street hierarchy through the use of larger tree types on the wider streets. • Ensuring street design for services so their function and maintenance will not interfere with successful growth and maturity of the street tree. • Placing trees at regular intervals — 10 metres between stems is an appropriate distance between larger trees. The tree type is important to provide: • Pedestrian comfort – this will encourage walking • Safety – by providing trees that can be seen under the canopy rather than shrubby which blocks sight lines • Amenity – this is providing attractive, green residential • Legibility and wayfinding – by distinguishing between main and local roads it will be easier to find the way between places.



Figure C4a

Example of street trees

D. Garaging and Carparking

The quality of the Richmond, Brightwater, Wakefield, Motueka and Māpua environment as places to live will need to move towards providing an appropriate balance between provision for private motor vehicles and other forms of transport, and walking as a way of moving around the urban area. Part of that balance is about making the urban environment work well for vehicles and for people moving around in other ways – aspects of this balance are addressed by the street network guidelines. Other guidelines below which address a balanced way of providing for vehicles on private property are also important to the quality of the living environment.

C22 2/11
Op 1/15
C43 4/13
Op 1/15
C75 9/22
OP 10/23
C76 9/22
(D9/24)

DRAFT

Guideline D1
Garages and Parking
Refer to Figure D1a and D1b

Provide for car parking on site, which is functional and convenient, but does not dominate the site or the street as a public space by: *NPS-UD 9/21*

- Designing the size and arrangement of allotments to allow for on-site parking without dominating the primary frontage – avoid wide garage doors facing the street forwards of and/or wider than the main building.
- Placing garages and carports accessed from the front of the site (i.e., not by a back lane) behind the front wall of the main building.
- Considering grouping car parking in one area for several dwellings to make efficient use of land and use parking bays on the street for visitor parks.
- Considering the use of lanes at the rear of houses to enable garages and parking which is not at the front.
- Minimising the open parking standing areas at the front and use trees to give street amenity where they occur.

It is important to consider garaging and car parking because:

- garages which dominate the residential streets are not attractive for walking and create multiple crossings that impinge on walking and cycling safety;
- dwellings which face the street and where garages at the rear recognise that the dwelling is the primary function, not the garages;
- rear garage space enables the more ‘service’ nature of garage spaces to be out of the public view;
- they make way-finding easier.

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Figure D1a



Figure D1b

Example of garages on a back lane

E. On-site Amenity

Proposed as at 2 August 2014

The MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA, and MSDA. are new urban growth areas that will encourage (although not require) a range of house sizes and types to be provided by development to meet projected demand for this by future populations. It is anticipated that some development in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MSDA, will take the form of town dwellings, or building formats where people may live closer to one another than they would in single detached dwellings. One essential element of a quality living environment is maintaining the on-site amenity - visual and aural privacy, functionality (rubbish storage, letterboxes), drying of washing, outdoor living - where people are living in closer proximity to one another. The guidelines below encourage the consideration of and provision for amenity in the MDRZ, BDA, WDA, RSDA, RWDA, ~~RIDA,~~ MWDA, MDA, and MSDA.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22 OP 10/23 C76 9/22 (D9/24)

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Guideline E1 OUTDOOR LIVING SPACE *Refer to Figure E1a*		Guideline E2 FUNCTIONALITY	
Provide for a reasonable level of outdoor private space amenity on site by: • Providing a primary (the main space that is 20m^2 (or 30m^2 in MSDA and MWDA) in accordance with the TRMP rules) outdoor living area adjacent to the primary interior living areas and at the rear of the house. • Locating backyard/courtyard living space where it will receive good sunlight access and with direct access to interior living space. • Avoiding windows from living rooms and kitchens which directly overlook neighbours' primary outdoor living space. • Providing for an outlook from outdoor space to views of the wider area where this does not conflict with the privacy of neighbours. • Use of on-site planting to provide greenness and screening to neighbours. These guidelines for amenity are important because: • in more compact forms of development, the design for privacy needs to be considered at the outset and cannot be left to later as there may not be a sufficient space, and the opportunities for the function to be good may be lost • outdoor living space that is private is of a high value where people are living in closer proximity to one another.	**C22 2/11 Op 1/15** **C43 4/13 Op 1/15**	**Provide for the functionality of living spaces for the benefit of the residents** by: • Providing for acoustic privacy in joined houses in accordance with the NZ Building Code: G6 – Airborne and Impact Sound • Incorporating universal design principles according to Lifemark™ certification in the initial design of dwellings in RIDA, or other certification that is functional for elderly and disabled residents • Providing for rubbish storage in the outdoor living areas or other utility space for each dwelling • Providing letterboxes at the front of each house • Providing a place where washing can be dried outside These guidelines for functionality are important because: • lack of aural privacy between houses has a negative effect on the quality of life • provision for rubbish storage, mail and washing need to be provided for at the outset of subdivision and development design.	**C66 10/17 Op 12/18**

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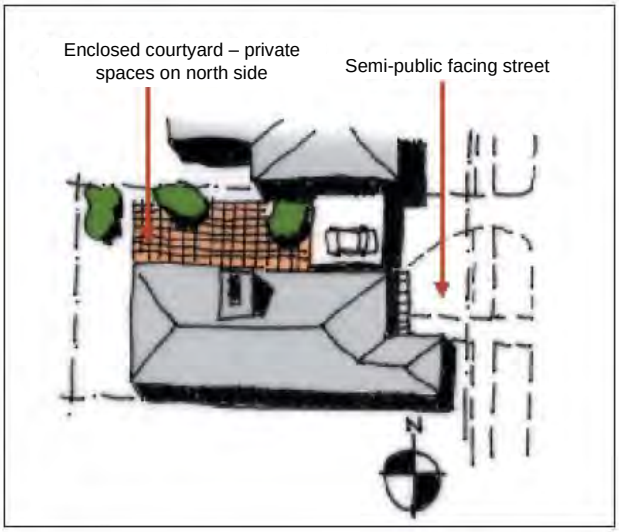


Figure E1a

Providing outdoor private space

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C66 10/17
Op 12/18

Guideline E3

Privacy for internal spaces

- Position windows or otherwise restrict or direct outlook so that the short-range view from one dwelling is not directly into the main internal living areas of any neighbouring dwellings, both within the development, or on adjacent sites.
- Where windows are to be located overlooking public or communal areas, position them so as to minimise loss of privacy from passers-by, while still letting people inside look out. This can be achieved by a range of means including positioning the internal space above outside areas, and locating windows of main living areas where they are not in close range view directly along a public way.

This guidelines for privacy is important because:

- Many areas in a house require privacy, and the best time to consider this is at the site planning stage and by the careful design and placement of windows. Such measures to achieve privacy need not unduly affect the outlook or daylight to the dwelling and may avoid the need for residents to resort to screening devices such as blinds or curtains.
- While total privacy is not reasonably achievable, housing can be designed so that in the normal course of events – sitting at the dining table, in a living room, or working in the kitchen, the view is not directly into the main windows or into the private space associated with a residential building on a neighbouring site or in the view of passers-by on a public way. Distance increases privacy, so privacy generally ceases to be of concern with views across a street.

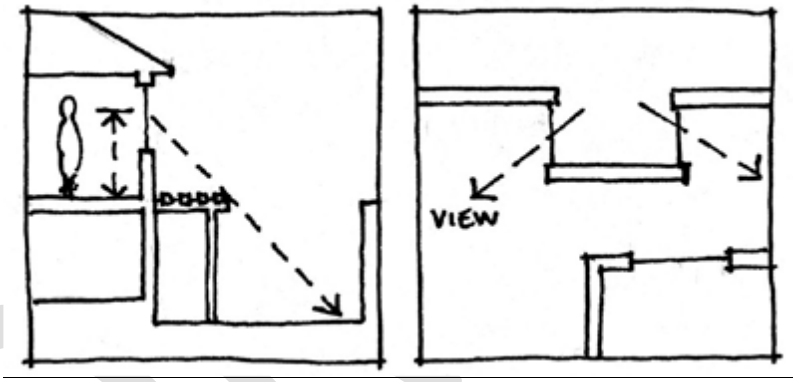


Figure E3a

Visual privacy by screening, position and orientation of windows

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F Frontages

The space between the front of a building and the street is the "public space" and presents the face of urban areas. The quality of the public environment in urban areas is strongly influenced by the characteristics of these spaces. That quality includes safety, amenity and walkability.

To achieve the desired environment for the MDRZ, BDA, WDA, RSDA, RWDA, MWDA, ~~RIDA,~~ MDA, MSDA, guidelines for frontages are proposed as set out below.

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
Op 10/23
C76 9/22
(D9/24)

Guideline F1
Inter-visibility
Refer to Figure F1a

Encourage potential for visual interaction between people on streets and people in buildings and the space in front of buildings on private land by:

- Locating front doors and living spaces – dining, kitchen, lounge, family rooms – on the street side of the dwelling and forward of any garage.
- Avoiding high solid fences fronting to streets - keep fences low as high fences reduce personal safety for people using the street and on private property, by preventing informal surveillance between the property and street.
- Using tree and vegetation types which will suit the size of the space when they mature. Vegetation or trees which can be seen past or under, rather than thick tall hedges are preferable.

It is important that there is this interaction because:

- The safety of people in urban areas is improved where there are people passively observing what is happening there.
- The safety of private property is enhanced by the ability of people on the street or passing in vehicles to see the front of the dwelling – secluded areas behind high solid fences make easy places for crime to occur, such as breaking and entering
- The sense of community is enhanced where there are opportunities (even if these are not taken) for interaction between people across the private/public interface.

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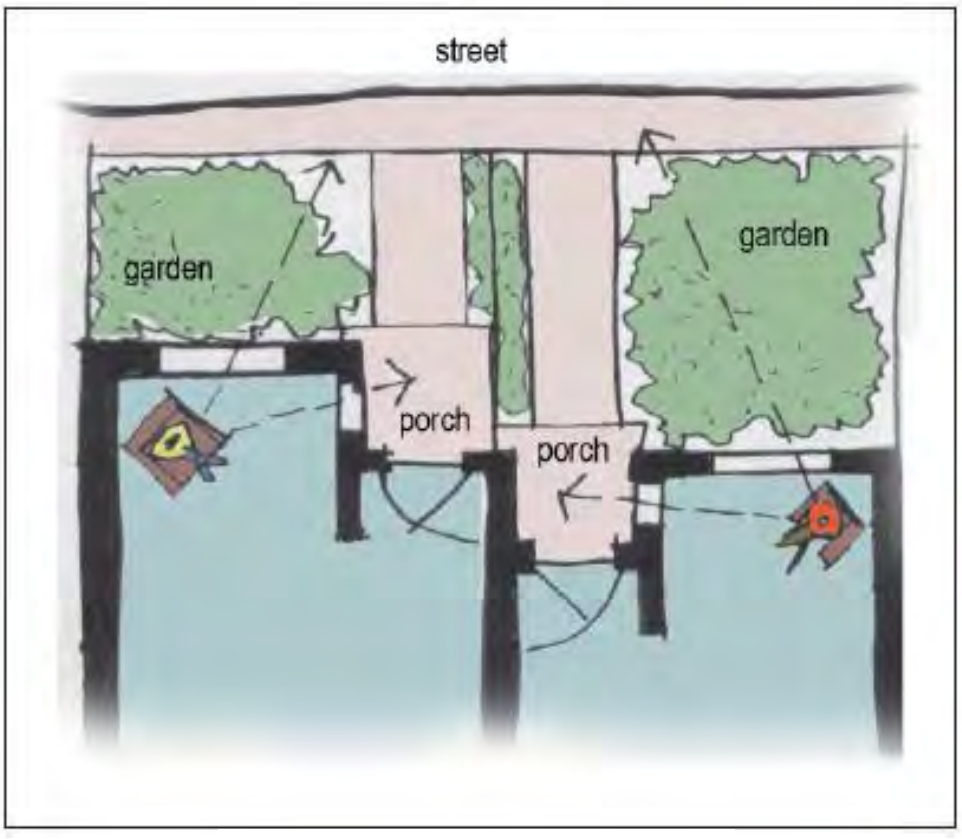
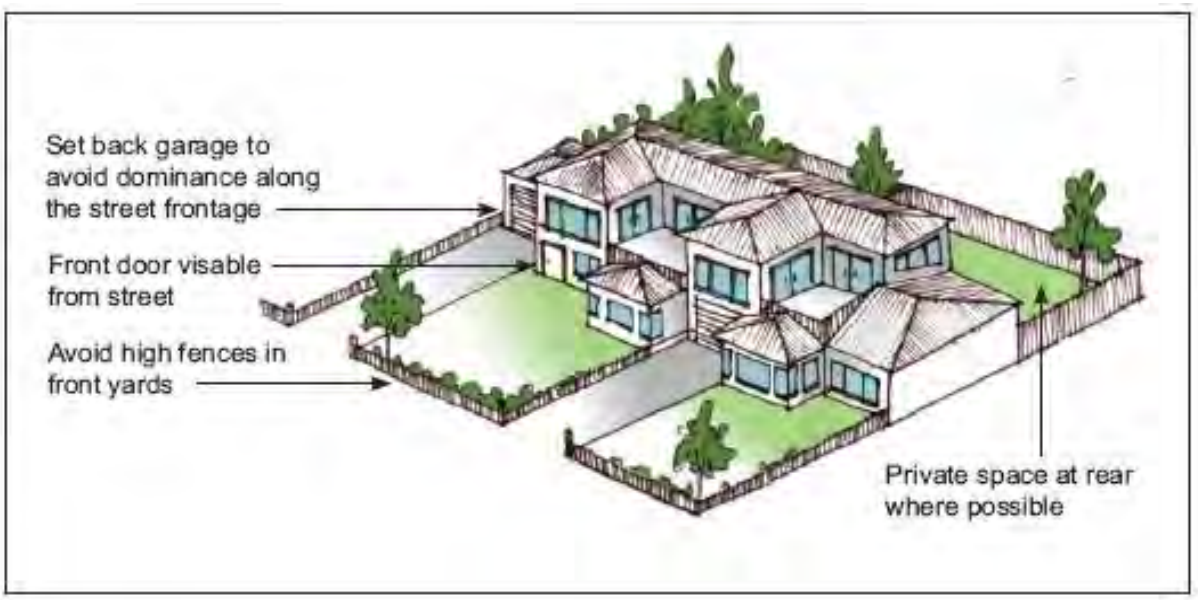


Figure F1a

Providing for visual interaction

Guideline F2 **Frontages** *Refer to Figure F2a*
Encourage overall neighbourhood character, cohesion, quality and attractiveness by: • Providing for houses to be aligned to the street (not at an angle) and within a limited range of set backs to form a consistent street scale proportion. • Using site depth efficiently by keeping street setbacks short and maximizing the backyard space for private open space. • Front doorways not opening straight out onto the street – provide a sheltered threshold such as a porch, veranda, balcony, or raised entrance, or short set back (0-3m) – between the dwellings front door and the street edge. • Giving all allotments a street frontage and avoid rear allotments. It is important to recognise building front characteristics because: • of visual coherence within building forms where there is less room for open space and vegetation to mitigate variability • they ensure that each dwelling has a relationship to the street and its public life which becomes important where household sizes are small and people may live alone • of safety in respect of passive surveillance from visual contact between the street and building occupants.



G Public Open Space

The provision of public open space within the Richmond, Brightwater, Wakefield, Motueka and Māpua areas is a strong feature of their character. The quality of public open space needs to be considered in the design of subdivision and the implementation of the development of that space to ensure it is functional, safe, and contributes positively to the quality of Richmond, Brightwater, Wakefield, Motueka and Māpua as places to live.

C22 2/11 Op 1/15
C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 (D9/24)

Guideline G1
Function
Refer to Figure G1a

C10 10/07 Op 3/14
C22 2/11 Op 1/15
C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 (D9/24)

Provide for the relationship between public and private space need to be recognized in the subdivision design by:

- Ensuring that greenways are provided to function for stormwater management in accordance with the Nelson Tasman Land Development Manual ~~Tasman District Engineering Standards~~.
- Ensuring that greenways and open space in accordance with the relevant structure plan for the MDRZ, BDA, WDA, RSDA, RWDA, MDA, and MSDA and plan change for MWDA are provided.
- Providing public open spaces in addition to greenways at strategic locations where they contribute positively to residential amenity, not as 'left over' spaces from subdivision.
- Using a limited range of trees in open spaces that allow visibility under their canopy (rather than low shrub plants) to ensure that they are easily maintained and that there is good public safety.

These guidelines are important because:

- public open spaces need to be safe and well used to be valued and retained
- the greenways function as essential stormwater management networks.



Figure G1a

Rain garden in a residential street



Figure G2a

Strategically located neighbourhood open spaces in addition to greenways

Guideline G2 **Connections** *Refer to Figure G2a*
Provide for open spaces to connect to other open spaces to form a network by: • Providing walking and cycling pathways through the open space network and greenways which are 3 metres wide and connect to the surrounding street network. • Enabling access to the open spaces from surrounding sites which are no less than 5 metres in width for public safety, but also to enable maintenance and vehicle access. These guidelines are important because: • public spaces can contribute significantly to the outlook of adjoining land uses and add value to these properties and the enjoyment of residents • public spaces can provide an alterative movement network for walking and cycling as recreation and to move between destinations.

CHAPTER 31: RULES FOR WATER TAKE, DIVERSION, USE OR DAMMING

Table of Contents

[unchanged or irrelevant text omitted]

31.1.5 Damming and Diversion of Flood Waters

31.1.5.1 Permitted Activities (Damming and Diversion of Flood Waters)

The damming and diversion of flood waters by any structure is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The structure lawfully existed as at 3 November 2001.

~~(b)~~ ~~The structure is located in the Richmond Intensive Development Area and any damming or diversion of flood waters complies with condition (k) of rule 17.1.3.4C.~~ **C66 10/17 Op 12/18**

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CHAPTER 36: RULES FOR CONTAMINANT DISCHARGES

[unchanged or irrelevant text omitted]

36.1 DISCHARGES TO LAND

[unchanged or irrelevant text omitted]

36.1.3 Controlled Activities (Discharges to Land)

[unchanged or irrelevant text omitted]

36.1.3.2 Discharge of Domestic Wastewater (New Discharge in the Wastewater Management Area)

The discharge of domestic wastewater into or onto land in the Wastewater Management Area commencing after 3 December 2005 is a controlled activity, if it complies with the following conditions:

(a) The discharge is from a dwelling on an allotment that:

(i) was existing as at 3 December 2005; or

(ii) is more than 2 hectares in size.

(b) The rate of discharge of domestic wastewater (including greywater) does not exceed 2 cubic metres per day.

(c) The treatment and disposal system is designed to cater for the peak daily load (quantity and BOD_{-5}).

Note: Refer to Appendix H of the AS/NZS 1547:2012 On-Site Domestic Wastewater Management standards for appropriate design flows and loading.

(d) There is no surface ponding as a result of the discharge, nor any direct discharge or runoff of wastewater into any water body.

(e) There is no increase in the concentration of pathogenic organisms in any groundwater bore used for potable water supply as a result of the discharge.

(f) There is a minimum depth of 0.6 metres of unsaturated soil (depth to the normal winter water table) below the land disposal area.

(g) There is at least 100 percent of the area of the design land disposal field available as a reserve land treatment area.

(h) The disposal field is located more than:

(i) 20 metres from any surface water body, including the margin of a wetland or the coastal marine area, but not including any stormwater drain that diverts water from the disposal field or any wetland constructed as part of the treatment system;

(ii) 20 metres from any bore used for potable water supply;

(iii) 5 metres from any adjoining property or road boundary;

(iv) 20 metres from the edge of any other domestic wastewater disposal field unless the field was existing as at 3 December 2005.

(i) The wastewater treatment system does not create an offensive or objectionable odour discernible beyond the property boundary.

(j) Overland stormwater flows are diverted away from the disposal field.

(k) There is no discharge onto land where the predominant slope is over 20 degrees from horizontal.

(l) The quality of the effluent being discharged into or onto land meets the following standards:

BOD_{-5}:	<30 grams per cubic metre
Suspended Solids:	<45 grams per cubic metre

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

(1) Location and size of the disposal field not otherwise specified above.

(2) Quality of the wastewater discharged to the disposal field not otherwise specified above.

(3) Actual or potential adverse effects of the discharge either by itself or in combination with other discharges or land use activities on aquatic ecosystems and water quality, including the potential for microbial or nitrate contamination of coastal, ground or surface water.

(4) The design, construction, operation and maintenance of the treatment and disposal system not otherwise specified above, especially in relation to:

(a) site and soil assessment practices required to determine site limitations and system suitability;

(b) the presence of south-facing slopes greater than 15 degrees from horizontal;

(c) likelihood of slippage, subsidence, or erosion as a result of the discharge;

(d) control of stormwater;

(e) management of nutrients, including measures to reduce nitrogen;

(f) management of pathogens;

(g) drainage characteristics and nature of any material imported to construct a disposal field;

(h) effects of the discharge on soil structure;

(i) management of variations in wastewater quantity;

(j) any other aspect of the site that may influence its suitability for sustainable on-site disposal of wastewater.

(5) Consistency with the New Zealand Standard AS/NZ 1547:2000 for on-site domestic wastewater management and consistency with the Coastal Tasman Area Subdivision and Development Design Guide.

(6) Monitoring compliance with conditions and effects of the discharge on the environment.

(7) The management and programmed maintenance for the wastewater treatment system, including specification of a programmed maintenance contract with a person who is qualified and experienced in the field of on-site wastewater treatment and disposal, for the treatment system's ongoing maintenance and operation.

(8) Record-keeping by the consent holder of each maintenance or monitoring action, and provision of this information to Council.

(9) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(10) Bonds and covenants in respect of the performance of conditions, including for the ongoing maintenance and depreciation of the system, and administrative charges (Section 108).

36.1.4 Restricted Discretionary Activities (Discharges to Land)

[unchanged or irrelevant text omitted]

36.1.4.2 Discharge of Domestic Wastewater (New Discharge in the Wastewater Management Area)

Except as specified in rule 36.1.3.2, the discharge of domestic wastewater into or onto land in the Wastewater Management Area commencing after 3 December 2005 is a restricted discretionary activity, if it complies with the following conditions:

(a) The rate of discharge of domestic wastewater (including greywater) does not exceed 2 cubic metres per day per household.

(b) The treatment and disposal system is designed to cater for the peak daily load (quantity and BOD_{-5}).

Note: Refer to Appendix H of the AS/NZS 1547:2012 On-Site Domestic Wastewater standards for appropriate design flows and loading.

(c) There is no surface ponding as a result of the discharge, nor any direct discharge or run-off of wastewater into any water body.

(d) There is no increase in the concentration of pathogenic organisms in any groundwater bore used for potable water supply as a result of the discharge.

(e) There is a minimum depth of 0.6 metres of unsaturated soil (depth to the normal winter water table) below the land disposal area.

(f) The disposal field is located more than:

(i) 20 metres from any surface water body, including the margin of a wetland or the coastal marine area, but not including any stormwater drain that diverts water from the disposal field or any wetland constructed as part of the treatment system;

(ii) 20 metres from any bore used for potable water supply;

(iii) 5 metres from any adjoining property or road boundary;

(iv) 20 metres from the edge of any other domestic wastewater disposal field.

(g) The wastewater treatment system does not create an offensive or objectionable odour discernible beyond the property boundary.

(h) Overland stormwater flows are diverted away from the disposal field.

(i) There is no discharge onto land where the predominant slope is over 20 degrees from horizontal.

(j) The quality of the effluent being discharged into or onto land meets the following standards:

BOD_5:	<30 grams per cubic metre
Suspended Solids:	<45 grams per cubic metre

(k) Where the disposal system serves a single household, there must be at least 100 percent of the design land disposal field area available as a reserve land treatment area.

(l) For the Wastewater Management Area that applies to the Rural 3 Zone and surrounding Rural Residential Zone locations, t~~T~~he wastewater is distributed evenly into the disposal field at a rate not exceeding 2 millimetres per day except where the soil category is assessed as being Category 6. For the Wastewater Management Area that applies to the Little Ōnahau Rural Residential zone location and adjoining Light Industrial Zone location, the wastewater is distributed evenly into the disposal field at a rate not exceeding 1 millimetre per day.

Note: Assessment of the soil category must be done according to the method given in the AS/NZS 1547:2012 On-Site Domestic Wastewater Management standards.

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

(1) Location and size of the disposal field not otherwise specified above.

(2) Quality of the wastewater discharged to the disposal field not otherwise specified above.

(3) Actual or potential adverse effects of the discharge either by itself or in combination with other discharges or land use activities on aquatic ecosystems and water quality, including the potential for microbial or nitrate contamination of coastal, ground or surface water.

(4) Potential adverse effects on neighbouring properties, including smell and effects on landscape amenity where the discharge is from a cluster development.

(5) The design, construction, operation and maintenance of the treatment and disposal system not otherwise specified above, especially in relation to:

(a) site and soil assessment practices required to determine site limitations and system suitability;

(b) the presence of south-facing slopes greater than 15 degrees from horizontal;

(c) likelihood of slippage, subsidence, or erosion as a result of the discharge;

(d) control of stormwater;

(e) management of nutrients, including measures to reduce nitrogen;

(f) management of pathogens;

(g) drainage characteristics and nature of any material imported to construct a disposal field;

(h) effects of the discharge on soil structure;

(i) management of variations in wastewater quantity;

(j) any other aspect of the site that may influence its suitability for sustainable on-site disposal of wastewater.

(6) Consistency with the New Zealand Standard AS/NZS 1547:2012 On-Site Domestic Wastewater Management and consistency with the Coastal Tasman Area Subdivision and Development Design Guide.

(7) Monitoring compliance with conditions and effects of the discharge on the environment.

(8) Legal, practical and financial responsibility for day-to-day management of the system and long-term replacement and depreciation.

(9) The management and programmed maintenance for the wastewater treatment system, including specification of a programmed maintenance contract with a person who is qualified and experienced in the field of on-site sewage treatment and disposal, for the treatment system's ongoing maintenance and operation.

(10) Record-keeping by the consent holder of each maintenance or monitoring action, and provision of this information to Council.

(11) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(12) Bonds and covenants in respect of the performance of conditions, including for the ongoing maintenance and depreciation of the system, and administrative charges (Section 108).

36.4 DISCHARGES OR DIVERSIONS TO LAND OR WATER

Refer to Policy sets 5.1.3, 6.3.3, 30.1.3, 33.1.3, 33.3.3.
Refer to Rule sections 16.3, 16.7, 31.1.

36.4.1 Scope of Section

This section deals with discharges of contaminants or water to land or water as provided by section 15 of the Act and of diversions of land drainage water as provided by section 14. Information required with resource consent applications is detailed in Chapter 37.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

36.4.2 Discharges or Diversions to Land or Water

36.4.2.1 Permitted Activities (Discharge or Diversion of Stormwater or Drainage Water)

NOTE: Rule 36.4.2.1 is subject to the regulations of the National Environmental Standards Plantation Forests 2017 (NES-PF). The NES-PF regulations for activities in relation to plantation forestry (as defined within the NES-PF) prevail unless specifically stated otherwise in advice notes below.

~~Except in the Richmond Intensive Development Area, t~~The discharge or diversion of stormwater or drainage water into water, or onto or into land, where the stormwater or drainage water may enter water in any of the following circumstances: **C66 10/17 Op 12/18**

1. The discharge or diversion is within any Rural Residential, Rural 1, Rural 2, Open Space, Conservation or Recreation zone; or **C60 1/16 Op 6/19**

2. The discharge or diversion is within any Medium Density Residential, Residential, Rural 3, Commercial, Central Business, Mixed Business, Light Industrial, Heavy Industrial, Rural Industrial, Tourist Services or Papakāinga Zone, and ~~it~~: **C60 1/16 Op 6/19**

   (a) it commenced before 19 September 1998; or

   (b) the discharge or diversion has previously been authorised by a discharge permit; or

   (c) it is the discharge from a void space required by a land use rule in the Medium Density Residential Zone; or

3. The discharge or diversion is from a building in the Residential or Rural 3 zone, and the site was created before 28 July 2007; or **C60 1/16 Op 6/19**

4. The discharge or diversion is to any part of a Council-maintained stormwater drainage network that has the capacity to receive additional stormwater; **C60 1/16 Op 6/19**

is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(a) The discharge or diversion does not cause or contribute to erosion of land, including the bed of any stream or drain

[unchanged or irrelevant text omitted]

(v) that is closer than 20 metres to the edge of the plane created by the instability risk area at the top of a cliff face, embankment, or terrace;

(vi) that is closer than 20 metres to a water supply bore for the purpose of domestic water supply.

(n) The discharge or diversion of drainage water does not cause the concentration of *E. coli* in the receiving water to be increased by more than 260 cfu *E. coli* per 100 millilitres. **C27 2/10 Op 4/13**

(o) The diversion of water complies with rule 31.1.6.1 [drainage or infilling of wetlands].

~~36.4.2.1A Permitted Activities (Discharge or Diversion of Stormwater or Drainage Water — Specific Location: Richmond Intensive Development Area)~~ ~~C66 10/17 Op 12/18~~

~~In the Richmond Intensive Development Area, the discharge or diversion of stormwater or drainage water from a site into water, or onto or into land, where the stormwater or drainage water may enter water is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:~~

~~EITHER~~

~~(a) The discharge or diversion:~~

~~(i) commenced before 19 September 1998; or~~

~~(ii) has previously been authorised by a discharge permit; or~~

~~(iii) is from a building and the site was created before 28 November 2015; or~~

~~(iv) is to any part of a Council-maintained stormwater drainage network that has the capacity to receive additional stormwater:~~

~~OR~~

~~(b) Stormwater detention is provided on the site associated with the development at the rate of 50 litres per square metre of additional impervious surface; and~~

~~(c) Where after 14 October 2017 any site development results in an increase in the area of impervious surface of 10 square metres or more on the site, a device having a total void volume of at least 1 cubic metre is installed to provide for the discharge of stormwater into the ground by infiltration when the ground can accept infiltration, and the device has provision for an overflow to the stormwater disposal system from the site; and~~

~~(d) Subject to (c), where after 14 October 2017 any site development results in a cumulative increase in the area of impervious surface of more than 500 square metres, an additional void volume of 1 cubic metre to that provided under condition (c) is installed, and a further void volume of 1 cubic metre is likewise installed for each additional 500 square metres area of impervious surface formed on the site;~~

~~AND~~

~~(e) The discharge or diversion does not cause or contribute to additional off-site flooding; and~~

~~(f) All stormwater and sediment control structures associated with the discharge or diversion including detention and specified flood flowpaths are to be maintained in effective operational order at all times.~~

36.4.2.2 Controlled Activities (Discharge or Diversion of Stormwater or Drainage Water)

The discharge or diversion of stormwater or drainage water that does not comply with the conditions of rule 36.4.2.1 is a controlled activity, if it complies with the following conditions:

Hazardous Substances

(a) If the site uses or stores any hazardous substance, the applicant can show that all permitted activity conditions for the use and storage of hazardous substances can be met.

[unchanged or irrelevant text omitted]

36.4.2.3 Restricted Discretionary Activities (Discharge or Diversion of Stormwater or Drainage Water)

C66 10/17
Op 12/18

The discharge or diversion of storm water or drainage water into water or onto or into land that does not comply with the conditions of rule 36.4.2.1~~, 36.4.2.1A~~ or 36.4.2.2 is a restricted discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed only in respect of the following matters to which Council has restricted its discretion:

(1) The area to be drained by the discharge or diversion.

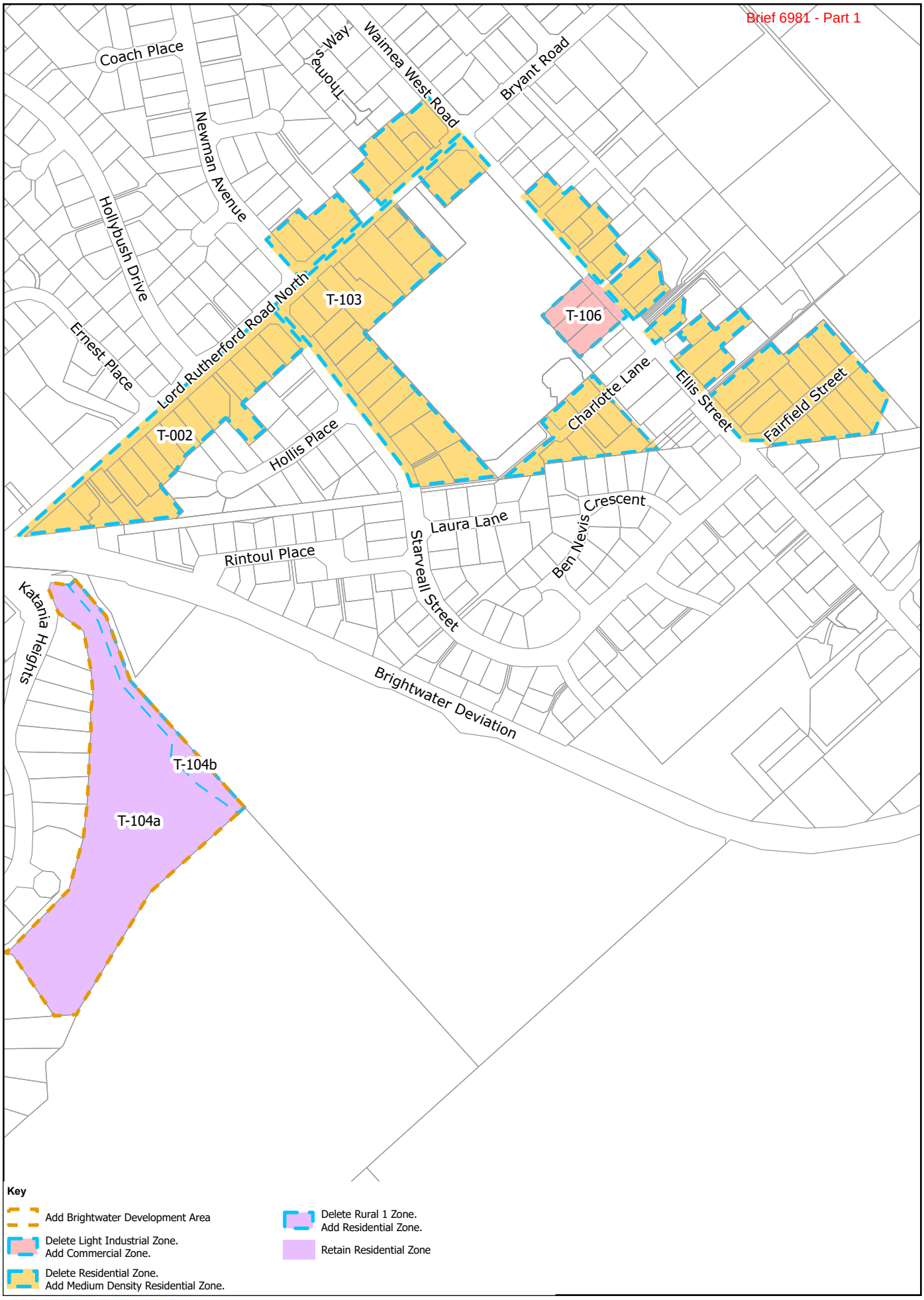
(2) The design, construction, operation and maintenance of any stormwater network that collects, conveys, detains, discharges or diverts the stormwater.

(3) Measures to avoid or mitigate sediment generation or movement during earthworks in connection with development of land in the area to be drained by the discharge or diversion.

(4) The nature, design and location of outfall structures.

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tasman district council
Te Kaunihera o te tai o Aorere

TASMAN RESOURCE MANAGEMENT PLAN
Proposed Plan Change 81 – Urban Development
No legal effect

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tasman district council
Te Kaunihera o te tai o Aorere

TASMAN RESOURCE MANAGEMENT PLAN
Proposed Plan Change 81 – Urban Development
No legal effect

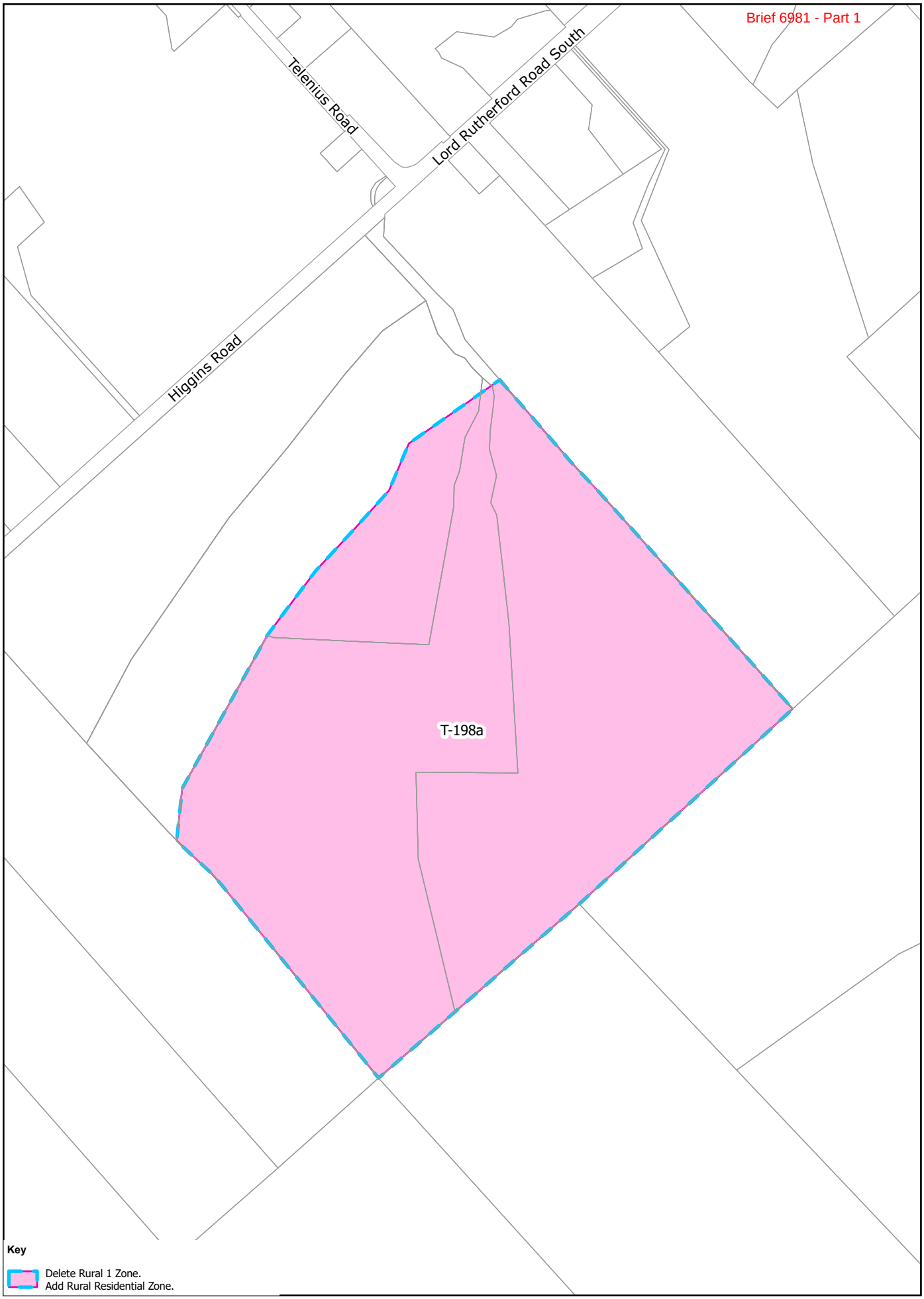
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Key

Delete Rural 1 Zone.
Add Rural Residential Zone.

tasman district council
Te Kaunihera o te tai o Aorere

TASMAN RESOURCE MANAGEMENT PLAN
Proposed Plan Change 81 – Urban Development
No legal effect

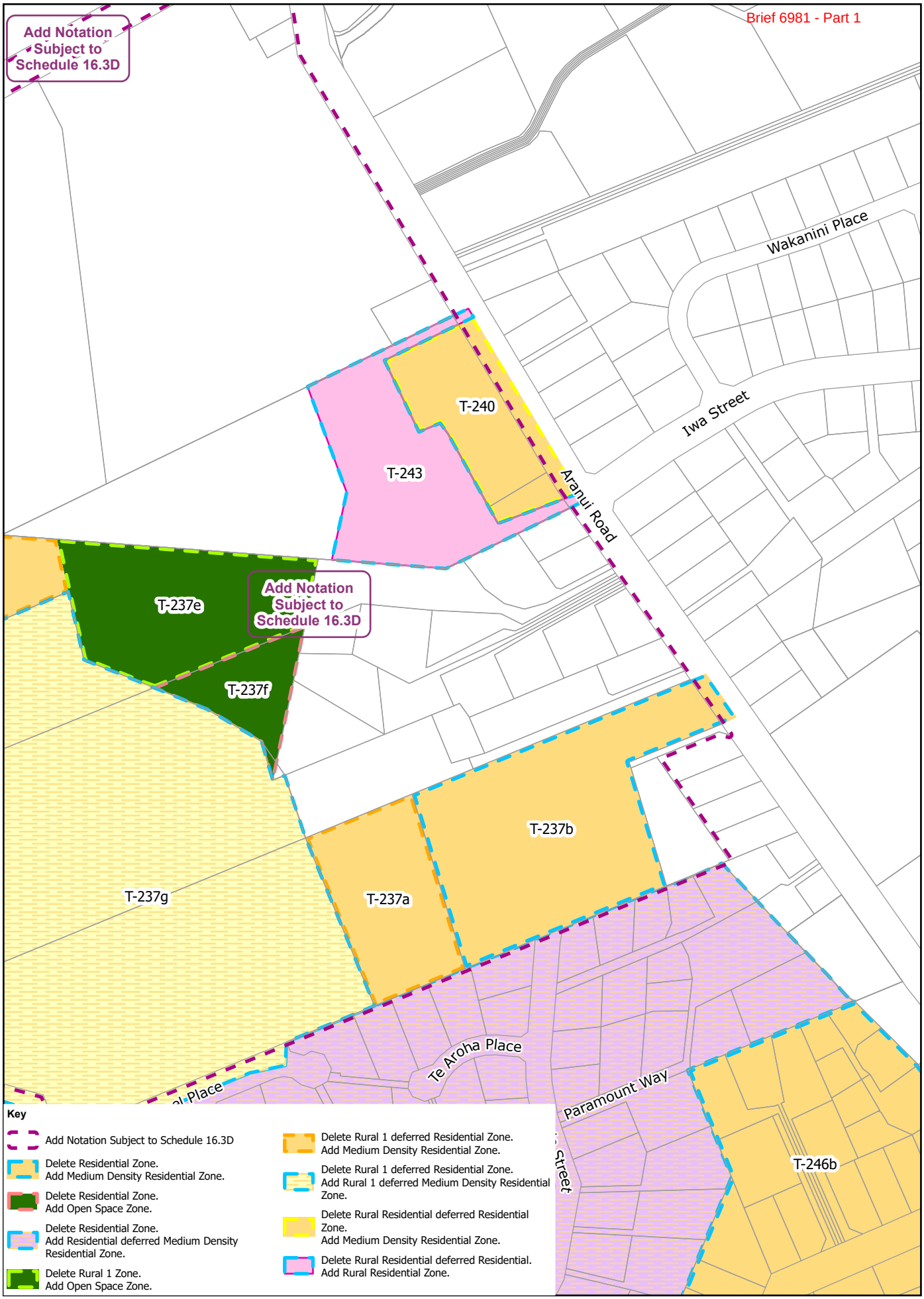
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ZONES
Update Map: TBC
Date: TBC
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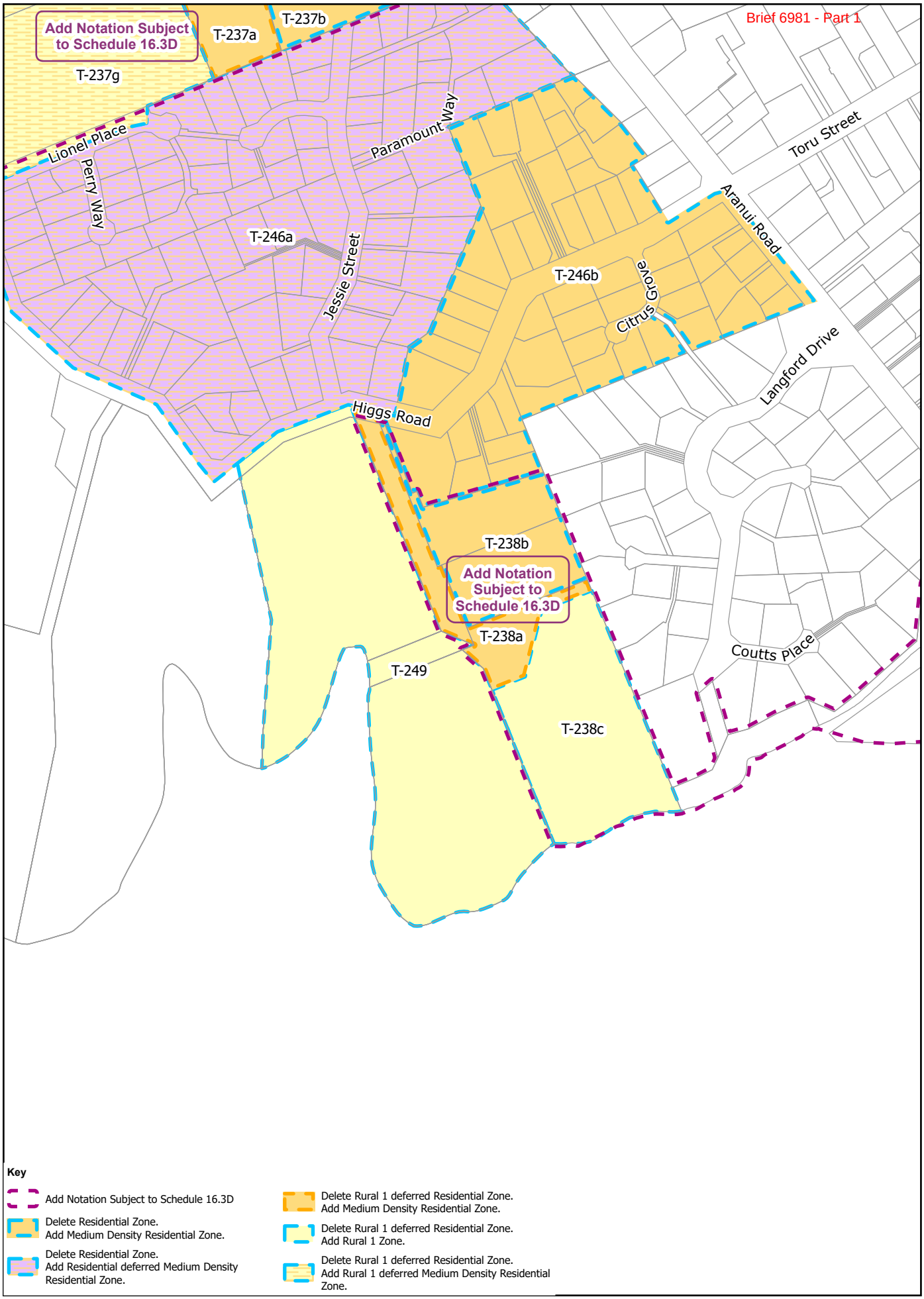
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Key

- Add Notation Subject to Schedule 16.3D
- Delete Residential Zone. Add Medium Density Residential Zone.
- Delete Residential Zone. Add Residential deferred Medium Density Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Medium Density Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Rural 1 Zone.
- Delete Rural 1 deferred Residential Zone. Add Rural 1 deferred Medium Density Residential Zone.

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Te Kaunihera o te tai o Aorere

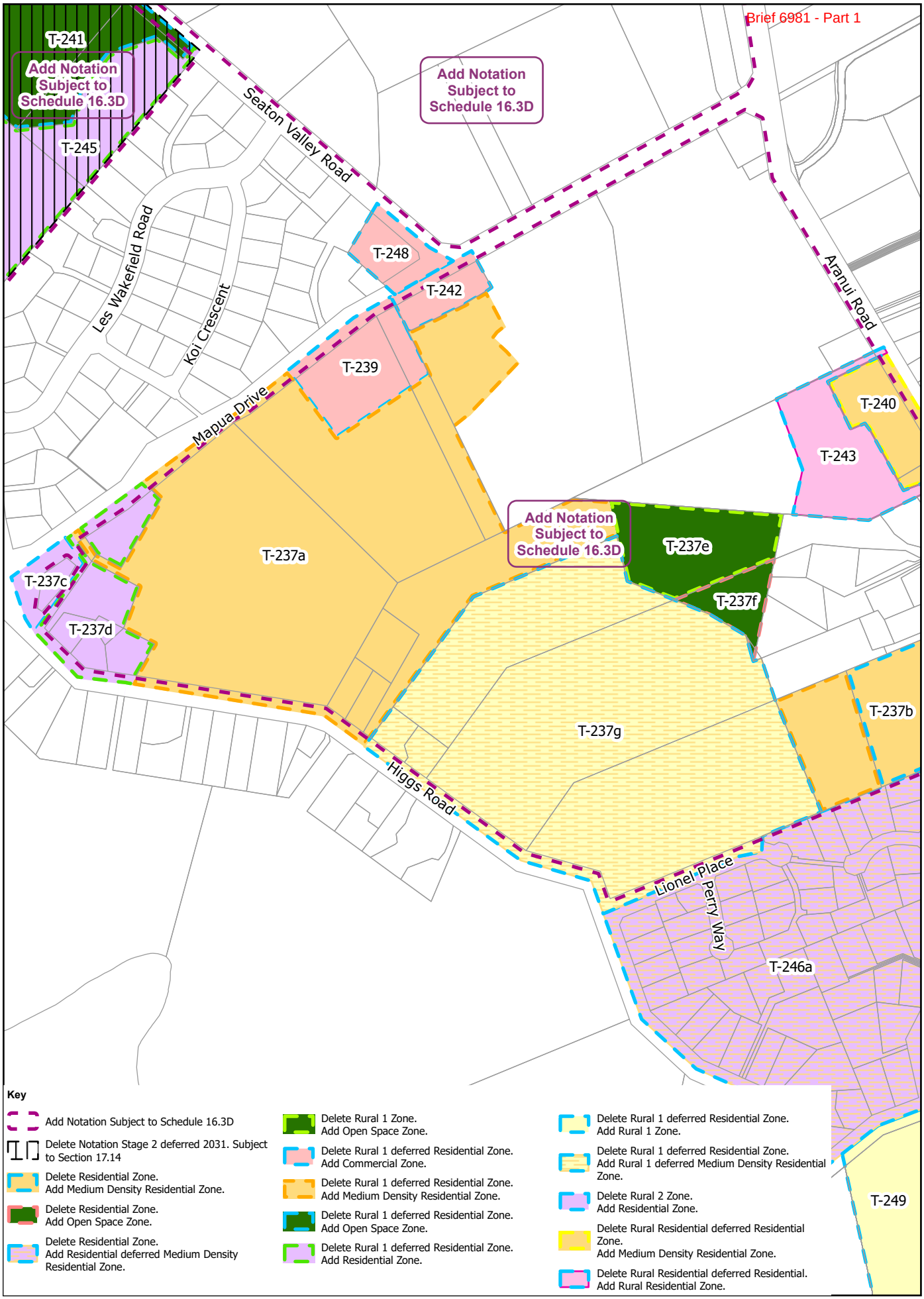
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Key

- Add Notation Subject to Schedule 16.3D
- Delete Notation Stage 2 deferred 2031. Subject to Section 17.14
- Delete Residential Zone. Add Medium Density Residential Zone.
- Delete Residential Zone. Add Open Space Zone.
- Delete Residential Zone. Add Residential deferred Medium Density Residential Zone.
- Delete Rural 1 Zone. Add Open Space Zone.
- Delete Rural 1 deferred Residential Zone. Add Commercial Zone.
- Delete Rural 1 deferred Residential Zone. Add Medium Density Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Open Space Zone.
- Delete Rural 1 deferred Residential Zone. Add Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Rural 1 Zone.
- Delete Rural 1 deferred Residential Zone. Add Rural 1 deferred Medium Density Residential Zone.
- Delete Rural 2 Zone. Add Residential Zone.
- Delete Rural Residential deferred Residential Zone. Add Medium Density Residential Zone.
- Delete Rural Residential deferred Residential. Add Rural Residential Zone.

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Te Kaunihera o te tai o Aorere

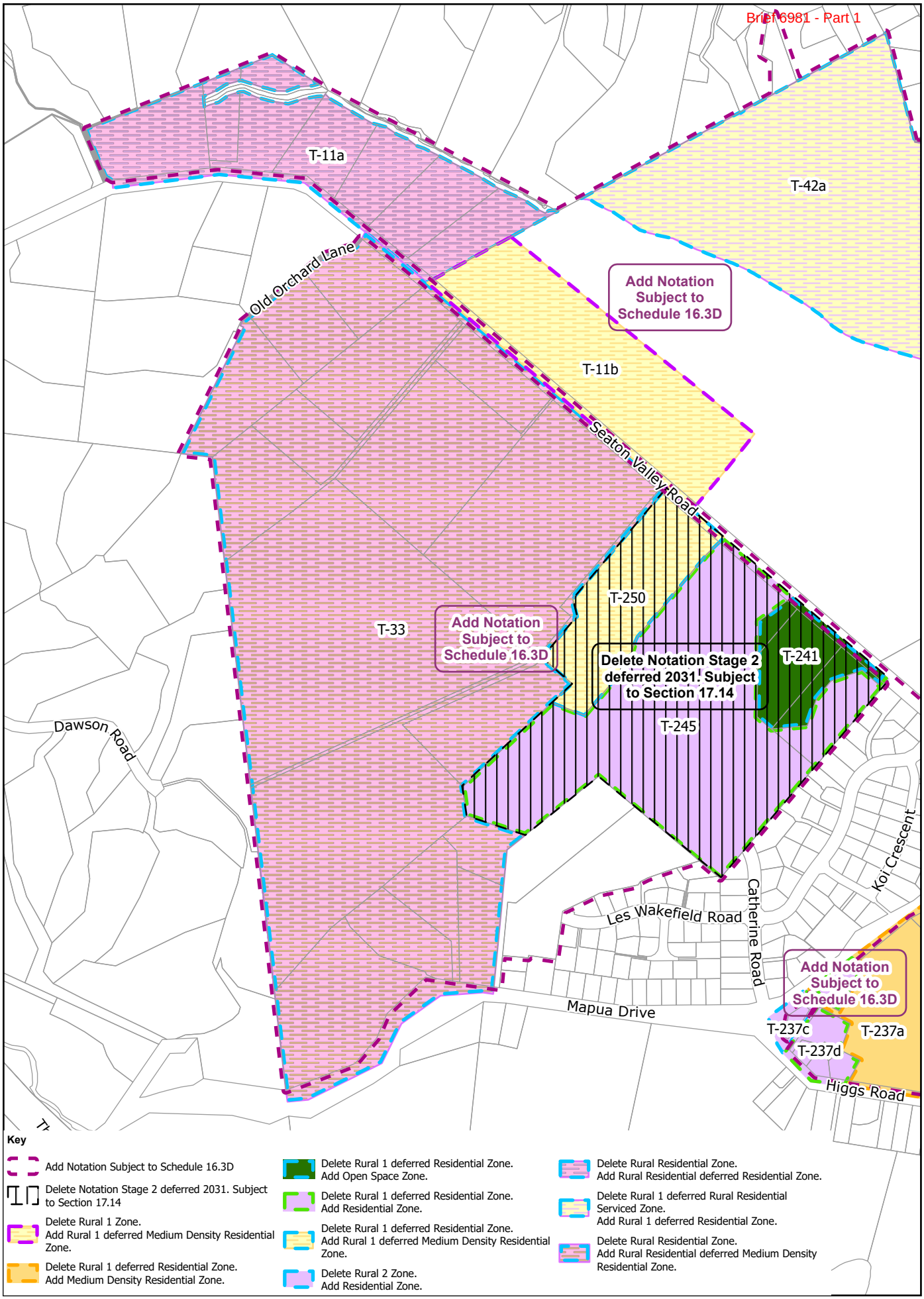
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ZONES
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Key

- Add Notation Subject to Schedule 16.3D
- Delete Notation Stage 2 deferred 2031. Subject to Section 17.14
- Delete Rural 1 Zone. Add Rural 1 deferred Medium Density Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Medium Density Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Open Space Zone.
- Delete Rural 1 deferred Residential Zone. Add Residential Zone.
- Delete Rural 1 deferred Residential Zone. Add Rural 1 deferred Medium Density Residential Zone.
- Delete Rural 2 Zone. Add Residential Zone.
- Delete Rural Residential Zone. Add Rural Residential deferred Residential Zone.
- Delete Rural 1 deferred Rural Residential Serviced Zone. Add Rural 1 deferred Residential Zone.
- Delete Rural Residential Zone. Add Rural Residential deferred Medium Density Residential Zone.

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Te Kaunihera o te tai o Aorere

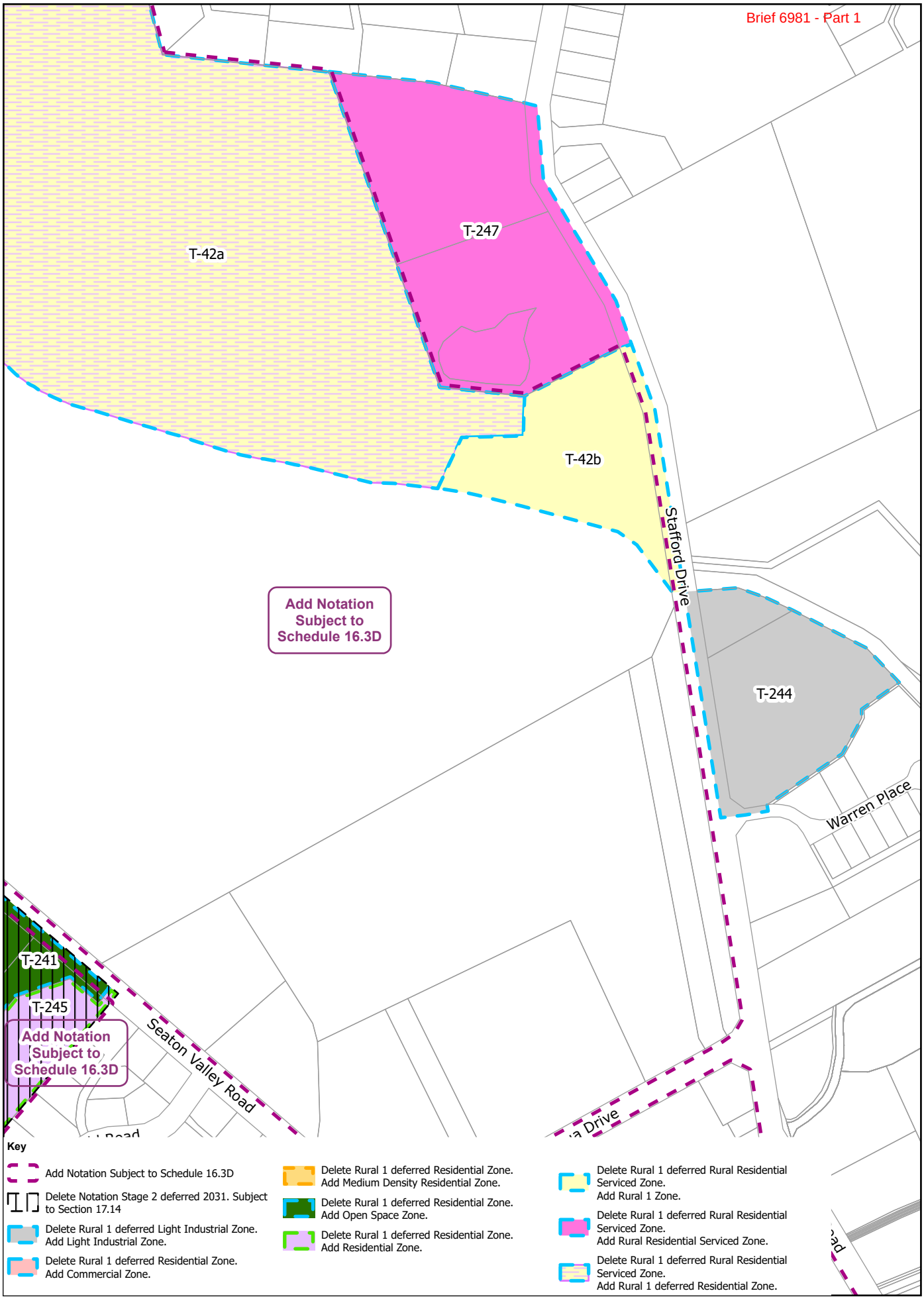
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