APPLICATION FOR RESOURCE CONSENT

To the Tasman District Council

Tasman Bay Estates Ltd

Proposed Mamaku/ Marriages Subdivision

and Related Land Use, Land Disturbance, Water Permit and Wastewater and Stormwater Discharge Activities

An application lodged pursuant to section 88 of the Resource Management Act 1991and Regulation 10 of the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

April 2024

planscapes (nz) ltd.
Surveying and Resource Management

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TASMAN DISTRICT COUNCIL

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991 AND REGULATION 10 OF THE NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011

To: Subdivisions Officer
Tasman District Council
Private Bag 4
RICHMOND

1. *Applicant:*

   Tasman Bay Estates Ltd.

2. *Proposal:*

   To subdivide approximately 40ha of Rural 3 land to create 58 rural lifestyle allotments, roads to vest, rights of way, and balance land to be held in common ownership. The subdivision also involves a boundary adjustment with a title to the north of the development site.

   To authorise the construction of 'generic' dwellings on each of the 58 private allotments.

   To discharge stormwater to land during subdivision activities, and within the 58 private allotments, from roads and rights of way, and from stormwater detention basins following subdivision.

   To discharge domestic wastewater to land via a communal wastewater treatment and disposal system within the common land within the site.

   To construct roads that do not meet all Tasman Resource Management Plan (TRMP) and Nelson Tasman Land Development Manual (NTLDM) standards.

   For bulk earthworks across the site to create roads, rights of way, building platforms, stormwater detention areas, stormwater channels, and stream realignment.

   To disturb the bed of, and divert, two existing watercourses and install three culverts within watercourses.

   To disturb soil, change the use of and subdivide a piece of land that has had a HAIL activity undertaken on it.

   (NB: A full description of the proposal is contained in *Annexure A* to this application, and the layout of the subdivision is shown on the scheme plan in *Annexure B.*)

3. *Location:*

   64 Marriages Road, 77 Mamaku Road and adjacent land, Tasman (see *Figure 1* of the application).

4. *Legal Description:*

The application site is legally described as:

- Lot 14 Deposited Plan 324764, comprised in RT100030;
- Lot 20, Part Lot 3 and Part Lot 5-6 Deposited Plan 328, comprised in RT NL147/60;
- Lot 21 Deposited Plan 328, comprised in RTNL43/231;
- Lot 23 Deposited Plan 328, comprised in RTNL6D/267;
- Lot 1 Deposited Plan 8288, comprised in RTNL4A/119;
- Lot 4 Deposited Plan 2172, comprised in RTNL73/239.

Copies of these titles are contained in *Annexure K*.

5. *Owner / Occupier:*

The application site is owned by the Applicant.

6. *Resource Consents:*

Subdivision consent, land use consents, water permits and discharge permits, and consents under the NESCS, are sought through this application. No other resource consents or permits are required.

7. *Assessment of Effects on the Environment:*

An assessment of actual or potential effects on the environment (AEE) of the proposed activities, prepared in accordance with Section 88 and Schedule 4 of the Resource Management Act 1991, is enclosed with the application (refer *Annexure A*).

8. *Other Information:*

Information required by the Tasman Resource Management Plan (TRMP), and that necessary in understanding the proposal, is enclosed and includes:

- Resource Consent Plan Set – prepared by Eliot Sinclair (*Annexure A*);
- Landscape Assessment and Landscape Plan Set – prepared by Boffa Miskell (*Annexure B*);
- Traffic Impact Assessment – prepared by Traffic Concepts Ltd (*Annexure C*);
- Geotechnical Assessment Report – prepared by Terra Firma Engineering Ltd (*Annexure D*);
- Detailed Site Investigation – prepared by Geo-Environmental Consultants (NZ) Ltd (*Annexure E*);
- Ecological Assessment – prepared by RMA Ecology Ltd (*Annexure F*);
- Stormwater Report– prepared by CGW Ltd (*Annexure G*);
- Wastewater Assessment– prepared by Envirolink (*Annexure H*);
- Land Productivity Assessment– prepared by Landsystems Ltd (*Annexure I*);
- 'Harakeke' CIA and Archaeological Assessment (*Annexure J*);
- Records of title (*Annexure K*);
- Photographs, included in the AEE.

9. *Application Fee:*

Could an invoice for the processing deposit please be issued for on-line payment.

.....

(Signed by the Applicants or Their Authorised Agent)

Dated this 30th day of April 2024

Address for Service:

s 9(2)(a)

Address for Invoicing:

Tasman Bay Estates Ltd

s 9(2)(a)

1372 application

SECTION B: ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

INTRODUCTION

Tasman Bay Estates Ltd ('the Applicant' or 'TBE') seeks resource consents from Tasman District Council to undertake a subdivision of approximately 40ha of rural land at Mamaku and Marriages Roads ('the Site') to create 58 rural lifestyle allotments, roads to vest, rights of way, and balance land to be held in common ownership. The subdivision also involves a boundary adjustment with a title to the north of the development site, and associated and enabling activities including land disturbance, stream works (including bed disturbance, diversion of watercourses and installation of culverts), establishing a communal wastewater treatment plant and discharge of treated effluent to a land application area, creation of walkways, native plant restoration, contaminated land remediation, as well as authorising a 'generic' dwelling on each of the 58 proposed private allotments (' the Proposal').

For context, it is relevant to understand that the site is part of a larger landholding in this area, owned by Tasman Bay Estates Ltd. A suite of existing resource consents exists for the development of this land, including the application site. These are known as the 'Harakeke' consents, and are addressed in more detail at Page 24 of this AEE.

An initial stage of the Harakeke development has been given effect to on the coastal part of the site, east of Aporo Road. The consents authorising the development lapse (variously) between 2032 and 2034. The consents sought by the current application do not seek to vary the Harakeke consents, rather they are sought as an alternative to the Harakeke development for this particular part of the wider site. Should the consents now sought be granted and given effect to, the Consent Holder would decide whether to seek variation to the Harakeke consents to enable the remaining stages of those consents (other than as they apply to the current application site) to be progressed.

It is important to note that Tasman Bay Estates Ltd was not the applicant for the Harakeke Subdivision. Rather, this application is the culmination of a separate investigation and design process that was undertaken for only part of that site. While the Harakeke consents as they apply to the Site may form a baseline against which to assess the effects of the current proposal, that is the extent of their relevance. This proposal must be considered on its own merits.

The proposal detailed in this application seeks to enable more efficient use of the land resource than that reflected in the Harakeke consents. As a Rural 3 site, and one benefitting from existing consents for development of the land, intensification of the use of the site for rural lifestyle purposes is anticipated. The current proposal has been subject to detailed assessment and design by a comprehensive range of experts, who have assessed the capacity of the land and surrounds to accommodate additional allotments. Key to achieving this has been the incorporation of a community wastewater reticulation, treatment and disposal system for the site.

This was not a feature of the Harakeke consents, which relied on each private allotment addressing domestic wastewater treatment and disposal within their own allotments. The space efficiencies (as well as operational efficiencies) of a communal system have allowed the size of proposed private allotments to be reduced, thereby enabling a greater number of allotments to be accommodated within the general 'developed' area of the Harakeke proposal.

This, in turn, enables a comparable amount of open space within the site to be retained in the new proposal as it was in the consented one, to be used for ecological restoration, recreation/ amenity, and productive land use – these being outcomes envisaged within the Rural 3 zone in addition to rural living.

As with Harakeke, these areas will remain in common ownership, managed under a legal structure such as a Residents Association (RA) or Company, and with provision for wider public access and connectivity provided where appropriate.

Overall, the proposal enables similar environmental outcomes to Harakeke to be achieved, whilst also achieving a more efficient use of a finite land resource and increasing the quantum of residential sections available in the region – these being a scarce resource.

The proposal has been subject to a comprehensive and detailed multi-disciplinary design process over a prolonged period, and has also been subject to engagement with iwi representatives, Council officers and some surrounding landowners. At the time of lodgement of this application, this engagement is ongoing.

A detailed description of the proposal and the specialist assessments and plans in relation to it, follows. The proposal is assessed against relevant statutory instruments.

If the consents are 'bundled' in accordance with normal practice, the overall status of the proposal is a non-complying activity under the Tasman Resource Management Plan ('TRMP') and the NESCS as a result of the proposed wastewater discharge. All other activities associated with the development are provided for as controlled, restricted discretionary or discretionary activities.

Although the overall 'bundled' activity status is non-complying activity, where this AEE deals with a specific activity, e.g., subdivision or road formation, the activity status of that activity, e.g., restricted discretionary is described as being a matter that is relevant and reasonably necessary to consider under section 104(1)(c) of the Resource Management Act 1991 ('RMA') in assessing the effects of the proposal.

The following assessment has been prepared in accordance with section 88(2) and Schedule 4 of the RMA. Clause 1 in Schedule 4 of the RMA states that the information required by the schedule, including any assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

PLANS AND REPORTS ACCOMPANYING THIS APPLICATION

This application is accompanied by a number of reports and plans (Annexures A-J). These assist in describing the site and proposal and form part of the Assessment of Effects on the Environment. They will also be referenced to avoid repetition in the application as far as practicable.

The design of the proposed subdivision has been developed following input from the various specialists below, and following pre-application meetings and discussions with Council staff.

Annexure A Resource Consent Plan Set

Eliot Sinclair Ltd (ES) are the Surveyors for this development. They have prepared the resource consent plan set, attached as Annexure A.

The Plan Set includes:

- Record of title overview plan – this shows the existing title boundaries, and the proposed parcels that will form part of the balance land retained in collective ownership of the Residents, to be held together by amalgamation condition.
- Subdivision and roading layout plan – this shows the proposed private allotments, roads to vest, rights of way and balance land parcels, in addition to a concept detail of the proposed intersection of Road 1 with Marriages Road. Proposed staging is detailed. Walkways, public access easements and stream diversions are indicated.
- Subdivision BLA Plan – this shows the proposed Building Location Areas (BLAs) within each of the 58 private allotments.
- Typical road and right of way cross-sections – showing legal widths, formation widths and surface types, berms, footpaths (where relevant), location of electricity and telecommunication lines and drainage.
- Road long sections for Roads 1-3 – showing compliant road gradients.
- Earthworks plan – showing proposed cut and fill areas, contours of finished surfaces, estimated overall cut and fill volumes. Stream diversions also shown.
- Stormwater Plan – showing the proposed stormwater layout plan for the site including proposed drainage channels and stormwater detention basins. There is no piped stormwater reticulation proposed.

These plans illustrate and demonstrate the manner in which the proposed earthworks, roading and servicing concepts required in relation to the development can be adequately serviced to TDC requirements, with detailed engineering design plans to be provided to Council for Engineering Approval following the resource consent process.

It is noted that no concept plans have been provided in respect of the proposed wastewater reticulation. ES do not consider that this requires concept design to demonstrate to Council that this is feasible and can be addressed at detailed design stage. This reticulation will either be gravity or low-pressure (more likely low pressure) with reticulation either being within legal road (subject to a right to occupy), through private lots and land in common ownership (subject to easements where necessary), or a combination of both.

Annexure B Landscape Assessment and Landscape Plan Set

Boffa Miskell Limited (BML) have been involved in design of the subdivision from concept stage (including as Canopy Ltd, prior to being acquired by BML) and they have provided a landscape design plan package including the following:

- Site context;
- Roading and connections;
- Environment/ mitigation plan;
- Concept masterplan;
- Indicative gully and stream restoration cross-sections, indicative road long and cross-sections (landscape design);
- Indicative planting palettes.

Additionally, BML have undertaken a detailed Landscape Effects Assessment (LEA). This assesses the landscape effects of the proposal, including an assessment of the proposal against the Coastal Tasman Area Subdivision and Design Guide (CTASDG), which is relevant to Rural 3 development.

Overall, Boffa Miskell consider that the landscape and visual effects of the development (including cumulative effects) to range from moderate (in the short-term during earthworks) to low-moderate, low and very low longer term. Natural character effects are considered to be neutral to positive.

Annexure C Traffic Impact Assessment and Road Safety Audit

Traffic Concepts Ltd (TCL) have provided a Traffic Impact Assessment for the project, which incorporates a Traffic Safety Audit. This report assesses the existing road environment, assesses the transportation elements of the proposal against relevant statutory documents, and assesses the effects of the proposal. The TIA concludes:

> *'Overall, the proposed development will provide a road network that is safe and efficient with safe and convenient connections onto Marriages Road. The future residents are able to easily access the wider road network through the well-designed intersection and the connections to Aporo Road. Accordingly, any effects would be indiscernible to other road users.'*

Annexure D Geotechnical Investigation

Terra Firma Engineering Ltd (TFEL) have carried out an investigation of the site and have prepared a geotechnical assessment report for the development. The purpose of the investigation and assessment is to confirm the ground conditions, assess the risk from natural hazards and provide recommendations for the subdivision earthworks. Concept sediment and erosion control details have also been included.

The TFEL Report outlines the physical features of the land and underlying geology, and the findings of test pits and boreholes excavated/ drilled to confirm soil and groundwater conditions. It concludes the following in respect of overall stability:

> *'We did not observe any evidence of deep-seated slope instability on the site and slope angles at or close to the proposed BLAs are generally moderate to low (<15□). Moutere Gravel Formation and derived soils are generally stable at low angles and where unsaturated conditions exist. Consequently we do not consider that there is an overall slope stability issue affecting the proposed building sites on the property. However, poor construction management practices during earthworks could lead to situations where cut batters and excavations become unstable and consequently cuts should be managed in an appropriate manner in accordance with their size. (Refer 'Cuts and Fills' below).'*

Additionally, the report confirms that roading meeting Council standards along the proposed alignments is possible. TFEL intend to define and certify Building Location Areas (BLAs) within each of the residential sections following completion of earthworks, at which point any specific foundation requirements will be determined (and included as consent notice conditions if necessary).

TFEL provide specific recommendations regarding staging of earthworks and sediment control (including an indicative erosion and sediment control plan) in order to manage any sedimentation effects. The report confirms that proposed cuts should remain stable, and also for proposed fill areas, subject to these being carried out in accordance with recommendations. Recommendations are also made in respect of stormwater and wastewater management, insofar as this relates to land stability.

Annexure E Detailed Site Investigation

The subject site is included on Council's register of HAIL activities, and it is acknowledged that such activities have been undertaken on the site in the past. As such, the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS) requires a site investigation to be undertaken on properties that are undergoing a subdivision, a change of land use or requiring significant earthworks. Geo-Environmental Consultants (NZ) Ltd (Geo-Env) were engaged to undertake a detailed site investigation in accordance with the MfE Contaminated Land Management Guidelines (CLMG) No. 1 and 5 , and the NESCS, and advise on appropriate remediation action as part of the subdivision.

Geo-Env's report describes the site conditions and surrounding environment and its history of use and HAIL activities. It describes their site investigation, sampling and findings as a result of laboratory analysis, and recommends a remediation action plan for managing soil contamination within and as part of the subdivision works.

Annexure F Ecological Assessment

An ecological assessment has been undertaken by RMA Ecology Ltd (RMA Ecology). The report details the existing ecological values and assesses the effects of the proposed development on these. The report concludes that:

> *'… all of the potential adverse effects (with mitigation applied) will be positive, very low, or low in ecological terms. This equates to negligible and less than minor adverse effect in RMA terms, respectively. Since the residual adverse effects after avoidance, remediation, and mitigation will be less than minor, the need for biodiversity offsetting or ecological compensation is not required.*
>
> *Good practice principles for addressing adverse effects of this nature on loss of habitat for native fauna (birds, lizards, fish) is to undertake habitat enhancement in the form of native restoration planting which, as described above, will comprise riparian margins on each side of streams and other areas at the site totalling c. 6.3 ha. These native plantings will be of an appropriate composition, spacing and management regime to ensure canopy closure, the suppression of pest plants, and the eventual establishment of vegetation which will be similar in structure and composition to the original ecosystem type at the site (insofar as is possible with restoration planting of this nature).'*

Annexure G Stormwater Report

Cameron Gibson Wells (CGW) have undertaken a stormwater management assessment of the proposal. The report describes the site from a stormwater management perspective, details the catchment model used, details the proposed stormwater management approach and preliminary design including detention and channel sizing, and assesses the resultant effects of the development on stormwater and flooding risks within and beyond the site. The report concludes that hydraulic neutrality can be achieved at the downstream discharge and that offsite flood risks can be managed so that effects are less than minor.

Annexure H Wastewater Assessment

Envirolink have prepared a Wastewater Servicing Assessment. This report details the development, regulatory context in relation to wastewater, and describes the site. The report details the wastewater design basis, and details the treatment and land application design. Comment is provided on operation and maintenance of the system, and an assessment of effects on the environment is provided. A key conclusion of this assessment is that:

> *'Provided that the wastewater management system is maintained in sound operating condition, the effect of the proposed discharge on the environment is considered less than minor. Robust ongoing maintenance has been specified. It is recommended that these requirements are imposed as a condition of consent to ensure ongoing successful operation of the system.'*

Annexure I Land Productivity Assessment

A desktop Soil and Land Productivity assessment has been undertaken by Landsystems. As Rural 3 land, the National Policy Statement on Highly Productive Land (NPS-HPL) does not apply; consideration of land productivity has nevertheless been addressed to reflect policy guidance under the TRMP.

The report details the characteristics of the site based on two previous reports describing the soils, LUC units, soil versatility and productive values of the site form the basis of the assessment as well additional

soil information and other supporting land data that has subsequently become available, including the results of on-site geotechnical and wastewater investigations.

On the basis of this information, Land Use Capability (LUC) and Productive Land Classification (PLC) values on the site have been determined, and the effects of the proposal on the productive value and potential of the site as a result of the proposal have been assessed. The assessment considers the baseline created by the Harakeke consents. The conclusions of this report are:

- *'The LUC units on the site are LUC unit 3e6 and LUC unit 3w1, which are assessed as having moderate to low suitability for arable cropping and are best suited to moderate to low intensity pastoral land use due to their respective erosion and wetness limitations.*
- *There is no PLC land class 'A' on the site, therefore, there is no potential loss of the TDC's most productive horticultural soil types. Although PLC Land classes 'B' and 'C' are present on the site, these map units include lower rated PLC Land classes ('E' and 'F') which reduce the overall productive potential of the areas.*
- *Although the range of land uses on the wastewater areas is likely reduced, the areas will remain available for long term productive uses such as a feed crop (such as hay) and manuka planting which may provide honey production or carbon sequestration benefits.*
- *The proposed enhanced riparian areas and the detention pond will have positive benefits which include increasing waterway bank stability and reducing ongoing surface loss of sediment from the productive land on the site to waterways.*
- *Clustering lots along ridgelines with Mapua soils, aims to preserve the majority of the land for productive use. This strategy maximizes available productive land, encourages more practical land use, and avoids deeper Mapua soils and more favourable topography for land use activities, reducing the impact of subdivision on the site's productive capacity.*
- *Based on the concept plan provided, the revised plan with 58 residential lots does have more lots but the location and reduced size of the lots, results in a reduced net loss of productive land of 1.15 ha, compared with the original consented plan.'*

Annexure J 'Harakeke' Cultural Impact Assessment and Archaeological reports

As addressed in greater detail below, these reports have not been prepared in relation to the current application, rather they were prepared for a previous application involving the application site. These are included to provide some background and context to the cultural and archaeological landscape surrounding and including the application site.

APPLICATION SITE AND ENVIRONS

This section outlines features of the application site and environs, and the zoning and other planning controls or overlays relevant to them within the Tasman Resource Management Plan (TRMP).

The reports accompanying this application variously describe the application site, its context and physical features in more detail.

Property Address and Location

The application site is located at 64 Marriages Road, 77 Mamaku Road and adjacent land, Tasman (refer red and orange outlines in Figure 1).

Figure 1: Site and surrounds. Main body of the application site outlined red. Orange outline indicates balance of title subject to a boundary adjustment with the main body of the site, which forms part of the proposal.

Legal Description and Current Use of the Site

The main body of the application site comprises approximately 40ha of land that is currently used for cropping and grazing.

An aditional area of land north of Mamaku Road, shown outlined orange in Figure 1 above, is also part of the application site but is not proposed for development. This land is balance land that will result from a boundary adjustment between that title and those titles making up the main body of the application site – to 'tidy up' the fact that this title is currently bisected by Mamaku Road.

The site contains three dwellings – an original farmhouse located on a central spur within the site, accessed off Mamaku Road, and two newer tiny home/ minor dwellings located near to the northern site boundary shared with 56 Marriages Road, and accessed from this road. It is proposed to remove the tiny homes prior to commencement of works on site. A domestic water supply bore exists in the southern part of the site (WWD23466) within what is proposed to be Lot 36.

Photo 1: Looking west across site from Marriages Road

Photo 2: Existing dwelling on the site (centre of photo, within vegetated area), from near the end of Mamaku Road.

Photo 3: Looking west from western-most spur (end of proposed Road 1), across Tuckers Pond.

Photo 4: Looking north from western-most spur, across site.

Photo 5: Looking east from western-most spur, across gully to central spur (which will contain proposed Road 2).

Photo 6: Looking south-west from main, eastern-most spur within the site, across corner of 100 Marriages Rd to central spur.

Photo 7: Looking west from eastern-most spur. Existing dwelling visible at centre-right.

Photo 8: Looking west from eastern-most spur.

Photo 9: Looking north from eastern-most spur, towards 56 Marriages Road.

Photo 10: Looking north-east from eastern-most spur, towards irrigation pond and Marriages Road.

Photo 11: Looking east along boundary shared with 100 Marriages Rd

Road Frontage and Access

The site has approximately 565m of frontage to Marriages Road, and approximately 750m of frontage to Mamaku Road. Both roads are local roads in Council's roading hierarchy. Marriages Road is a sealed road, and Mamaku Road has a metalled all-weather surface. Further detail on the existing road environment is provided in the Traffic Impact Assessment (TIA) at Annexure C.

Photo 12: Looking north along Marriages Road from approximate location of proposed road intersection.

Photo 13: Looking south along Marriages Road from approximate location of proposed road intersection.

Photo 14: Tasman Great Taste Trail continuing north of the proposed road intersection, on western side of Marriages Road.

Photo 15: Tasman Great Taste Trail opposite the site, on the eastern side of Marriages Road, south of the site.

Geology, Topography, Land Quality and Drainage

The site has been historically used for horticultural purposes; however, apple trees were removed from the site prior to 2003, as they have been removed from many other properties in the area.

The topography of the site is flat to gently undulating. A number of gentle spurs descend from the southern boundary toward the north. The maximum elevation at the southern boundary is approximately 60m (NZVD2016), with the lowest site level near the northern apex of the site beinig approximately 22m.

More detail on the site topography is provided in the BML landscape assessment at Annexure B, and in the geotechnical report at Annexure D, as is relevant to the landscape and geotechnical matters addressed in those reports.

Photo 16: Looking north-east across the northern part of the site from Mamaku Rd.

Photo 17: Looking east across the northern part of the site from Mamaku Rd. Northern irrigation pond at centre but not visible.

Photo 18: Looking south along Mamaku Rd. Proposed 'borrow' area behind shelterbelt.

Photo 19: Driveway to existing dwelling from Mamaku Rd, and small drainage ditch.

The site contains three existing irrigation ponds, and a number of smaller ponds that have been formed for sediment control purposes during cropping. The largest of the irrigation ponds is Tucker's Pond, which is located in the south-western corner of the site.

Over the past few years, works have been undertaken to reduce the height of the dam, and native restoration planting has been undertaken around the periphery of the pond. The other two irrigation ponds form part of a series of irrigation ponds along the valley that were constructed as part of previous horticultural use of the area.

The site contains existing streams, and a number of farm drains. Of these streams, Marriages Stream is the most substantial, and this is located partially within the site on the eastern boundary, and partially within the adjacent road reserve. Although it has not been accurately surveyed, this stream is assumed to be, at least in part, greater than 3m width at annual fullest flow. The other streams on site are smaller. All of the streams on the site are wholly or partially 'highly modified waterercourses', having been artificially straighted and channelised in the past.

The site also contains small areas of wetland around the periphery of Tucker's Pond, although these are not 'natural inland wetlands' under the NPSFM definition. The streams and wetlands have been delineated and their existing values have been assessed by RMA Ecology in their ecological assessment at Annexure F.

RMA Ecology have provided a summary of the relevant values associated with these water bodies and associated habitats:

- *'There are eight wetlands as defined in the RMA totalling c. 3,050 m^2; there are no natural inland wetlands as defined under the NPS-FM on the site.*

- *There are watercourses at the site as follows:*
    - *1 stream totalling 168 m;*
    - *6 modified watercourses totalling 1,526 m; and*
    - *9 artificial watercourses totalling 955 m.*
- *There are seven constructed ponds; and*
- *There are likely to be six species of native fish present at the site – three of which are Not Threatened, and three of which are At Risk – Declining.'*

Photo 20: Looking south along existing stream/ drainage channel running through site (MW11 from Ecology Report).

Photo 21: Looking south along Marriages Stream, adjacent to site frontage (MW6 from Ecology Report).

Photo 22: Outlet of MW11 from northern dam, looking south from Mamaku Rd

Photo 23: Same watercourse, north of Mamaku Rd culvert (MW5 from Ecology Report).

Photo 24: Northern irrigation dam.

Photo 25: Northern irrigation dam.

Photo 26: Outlet of irrigation dam, looking north toward Mamaku Rd.

Photo 27: Proposed borrow area south-west of northern dam

Photo 28: Tuckers Pond, outlet from dam (MW6 form Ecology Report) in foreground. Proposed Lot 58 area to the left, and small areas of wetland at southern end of pond to the rear.

Photo 29: Tuckers Pond and MW5

Photo 30: Looking north along MW5.

Photo 31: MW10 inlet to Tuckers Pond, looking south

With regard to existing vegetation on the site and associated habitat, RMA Ecology note:

- *'The original native vegetation has been completely removed and the site is now predominantly pasture/ bare earth, with some planted hedgerow of exotic trees;*
- *There are no SNH / SNA at the site that have been identified by TDC. No vegetation or habitat meets the definition of a SNH / SNA using the criteria developed by TDC or the criteria included in the NPS-IB. No native plant species at the site are listed as At Risk or Threatened;*
- *Native Not Threatened northern grass skinks are likely to be present at the site in areas of rank grass, low weedland (e.g., blackberry), and farm debris (e.g., corrugated iron);*
- *Bats do not use the site, even in a transitory manner;*
- *Seventeen bird species (ten native; seven exotic) were recorded at the site during the site surveys. The native species are common in rural areas and are not listed as At Risk or Threatened;'*

The existing soil properties and productive land values of the site are addressed in the Land Productivity report prepared by Landsystems. In summary:

- *'The potential productivity of the site was assessed using existing classifications for soil versatility and LUC, the PLC and TRMP land of high productive value.*
- *Overall, the Marriages-Mamaku Road site has at best moderate to low soil versatility, with the with the balance of the area being low soil versatility and non-productive land.*
- *The moderate to low soil versatility areas are predominantly Mapua undulating and Mapua rolling soils, interfingered with low soil versatility Neudorf soils, which reduces the potential use of the combined areas for broad scale primary production.*
- *The surrounding flat topography is predominantly low versatility soils (Neudorf, Braeburn and Kina soils).*
- *The LUC units on the site are LUC unit 3e6 and LUC unit 3w1, which are assessed as having moderate to low suitability for arable cropping and are best suited to moderate to low intensity pastoral land use due to their respective erosion and wetness limitations.*
- *There is no PLC land class 'A' on the site, therefore, there is no potential loss of the TDC's most productive horticultural soil types. Although PLC Land classes 'B' and 'C' are present on the site, these map units include lower rated PLC Land classes ('E' and 'F') which reduce the overall productive potential of the areas.'*

With regard to potential soil contamination, the summary provided of the site in the Geo-Env report states:

> *'In summary, the site history review confirms the former land use for horticultural purposes (HAIL A10). Only the southwestern corner of Lot 4 DP 2172 does not appear to have been planted in orchard trees between the 1940s and present day.*

In addition to HAIL A10, the removal of the former structures within Lots 4 DP 2172 and Lot 23 DP 328 is a potential source of localised contamination (i.e., HAIL I). The soil stockpile and burn pile observed in Lot 4 DP 2172 are also potential sources of contamination, noting that the burn pile appeared to comprise vegetation only.'

The geotechnical report at Annexure D details subsurface characteristics relevant to geotechnical considerations. In general terms:

'The underlying geology of the site is mapped (DSIR 1982 'Richmond' – 1:50,000) as clay bound gravel containing weathered, well rounded dominantly greywacke pebbles, cobbles and scattered boulders of the Moutere Gravel Formation (tm). This unit and the residual soils associated with it are well exposed in existing road cuts and drainage ditches on and close to the property. The soils encountered during the field investigations are generally consistent with the published geology.'

Natural Hazards

Some lower parts of the site are modelled to be subject to inundation from freshwater flooding in a 1%AEP rainfall event. Figure 2 below is taken from the CGW Stormwater report at Annexure G, showing the extent of this flooding.

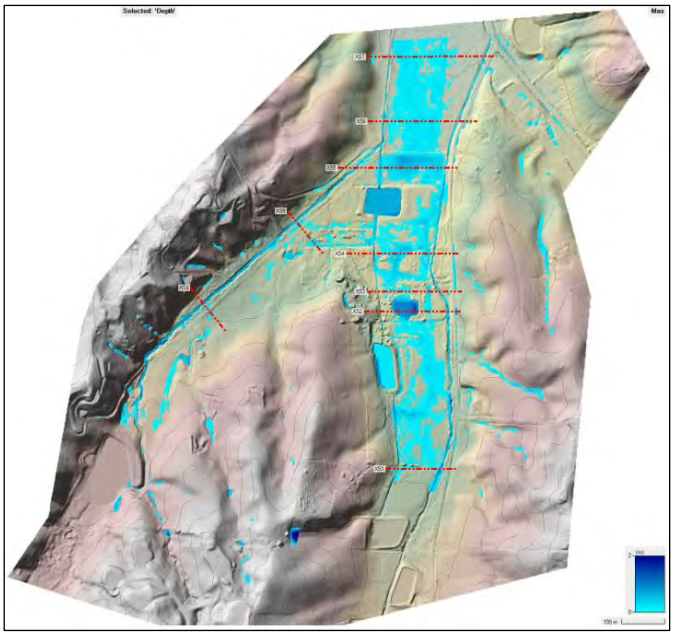

Figure 2: Pre-development Model 100-year ARI Maximum Depth results (from CGW Stormwater Report).

From a geotechnical perspective, TFEL note that:

'No active faults are mapped close to the property. The inactive Surville Fault is shown a short distance to the west. The nearest active fault is the Waimea Fault approximately 18 km to the southeast.

We did not observe any evidence of slope instability on the site during any of our inspections.'

Zoning and Overlays

The application site and all surrounding land is within the Rural 3 zone (refer to Figure 3 below). The site is not subject to any Overlay notations (refer to Figure 4 below).

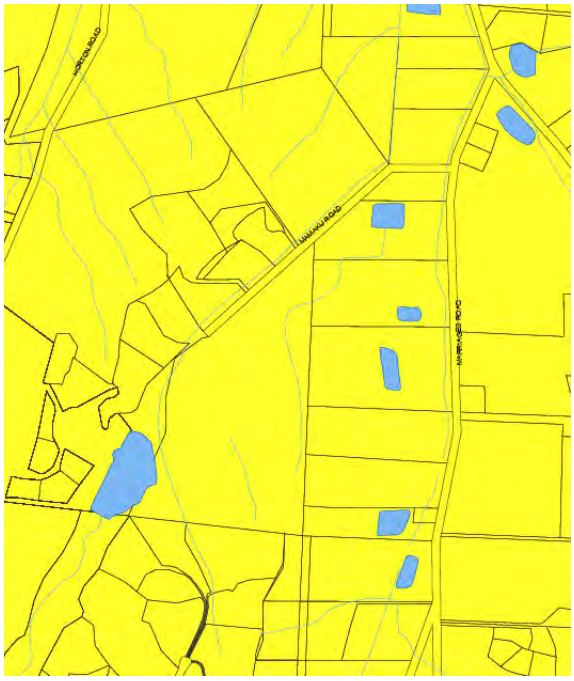

Figure 3: TRMP Operative Zone Map 86

Figure 4: TRMP Operative Area Overlay Map 86

The site is within Land Disturbance Area 1, which is land less susceptible to erosion and sedimentation.

The site is located with the Wastewater Management Area (refer to Figure 5). The site is located with Landscape Unit 6B (Beulah Ridge), within the Coastal Tasman Area (refer to Figure 6).

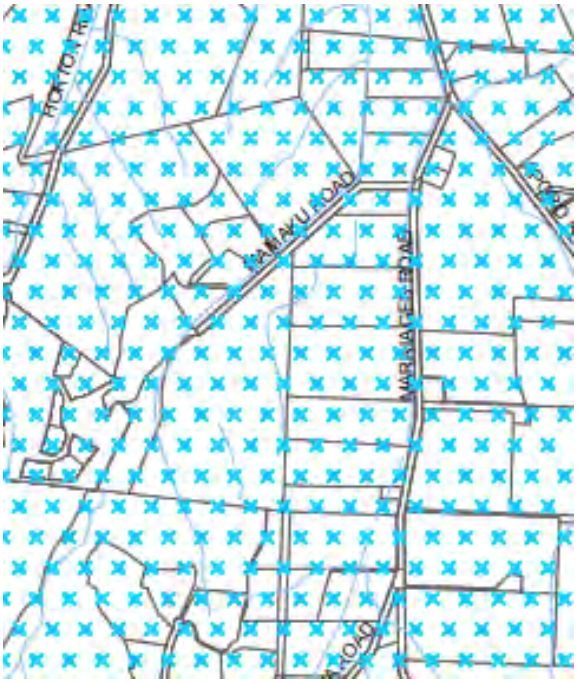

Figure 5: TRMP Operative Wastewater Management Area map

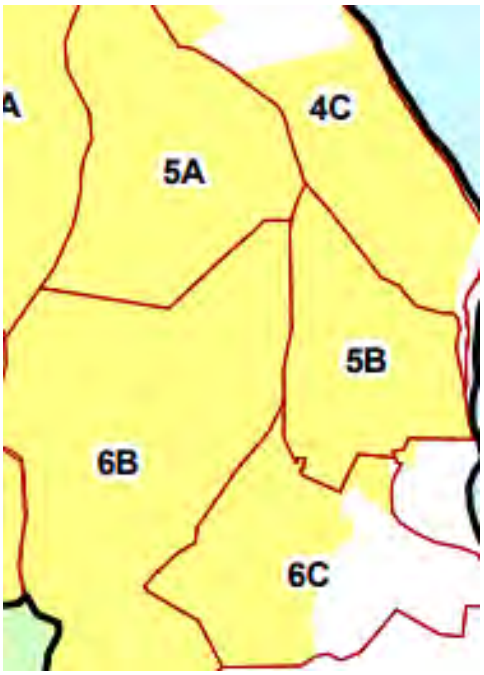

Figure 6: TRMP Coastal Tasman Area Landscape Units Map

Hail Land and Contaminated Sites Register

As detailed in the Geo-Env report at Annexure E, the site is included on Council's Site Contamination Register (Sites #449 and #452) as a result of past orchards where the use of persistent pesticides occurred. Geo-Env note that the southwestern corner of Lot 4 DP 2172 does not appear to have been planted in orchard trees between the 1940s and present day. In addition, Geo-Env note the potential for contaminants associated with removed buildings and burn piles on the site. Geo-Env have undertaken soil sampling to ascertain the nature of actual soil contamination associated with these past activities, concluding that:

> *'Soil sampling across the proposed residential allotments has identified elevated arsenic concentrations in 10 of the 97 surface soil samples collected. Elevated DDT concentrations were confirmed in the former spray mixing area.*
>
> *The highest concentrations of arsenic are considered related to the former spray mixing area identified by Tasman Bay Estates Ltd. This area has been periodically ploughed and planted, which likely distributed contaminated soil from a previously localised source area. The depth of contamination is considered to likely extend to the depth of any soil disturbance associated with ploughing activities.*
>
> *In comparison, results from Lot 4 DP 2172 are generally below NESCS residential (10% produce) criteria, but above background/clean fill guidelines. Results from the area tested within Lot 1 DP 8288 were consistently below both NESCS residential (10% produce) criteria and background/clean fill guidelines.*
>
> *Based on the results reported in this DSI, the results do not comply with the residential criteria within Lot 4 DP 2172 and Lot 23 DP 328 and the activity status is considered as a restricted discretionary activity under regulation 10.'*

Neighbouring Land and Surrounding Context

The surrounding environment comprises a mixture of rural lifestyle and productive rural land uses, typical of the Rural 3 zone. This includes surrounding rural residential properties within the 'Beulah Ridge' development, and the 'Aporo Heights' (or 'Boomerang') development further to the south. There is a cluster of smaller allotments on the ridge to the west of the application site at 46-80 Mamaku Road. These properties are elevated above and have a level of visibility of the application site. This location also has an existing but, as yet, unimplemented resource consent to subdivide the three existing allotments at76-80 Mamaku Road into six smaller allotments. These surrounding developments are typified by residential development on ridgelines and spurs, with flatter and more productive land within valleys and gentler sloping land retained as open space.

In addition to these properties which have a level of visibility of the application site, the following neighbouring properties that either immediately adjoin the subject site or are separated from it only by a road are as follows:

- 56 Marriages Road. This site of approximately 5.6ha in area is surrounded on three sides by the application site, and has frontage to Marriages Road. The property is used for rural lifestyle purposes. The dwelling on the site is located at a lower elevation than the subject site, lower on the central spur that runs through the centre of the application site.
- 100 Marriages Road – This site of approximately 4.1ha is located to the south and east of the application site and shares a boundary with it on its northern and western side. The property contains a dwelling located centrally within the site, with approximately 2/3 of the site area (at the western and eastern ends) in horticultural use.
- 114 Marriages Road – This site of approximately 2.5ha shares its western boundary with the application site. The site contains a dwelling at the eastern end near the road frontage. The site contains a large irrigation pond, but is otherwise largely in pasture.
- 120 Marriages Road – This approximately 9.4ha property has relatively recently had the majority of its horticultural plantings removed, with the land now in pasture. The property shares only a very small portion of its northern boundary with the application site, and contains a dwelling located at the opposite end of the site near Marriages Road.
- 69, 71 and 72 Suncrest Drive are part of the 'Aporo Heights' development, and these are the only three properties within that development that bound the application site. Numbers 69 and

72 contain dwellings located on spurs elevated above the application site, within spacious rural lifestyle lots of 1.5-3ha in area. Number 71 is located between these two properties, and is vacant.

- Numbers 179, 181, 185, 195, 201, 205 and 207 Horton Road are all rural lifestyle properties of approximately 0.5ha area within the 'Beulah Ridge' development to the west of Tuckers Pond. These properties also share in a large common lot that is planted in olive trees.
- Numbers 42, 44, 46, 62, 64, 66, 76, 78 and 80 Mamaku Road are a cluster of smaller rural lifestyle properties located on the ridge to the north-west of the site, on the far side of Mamaku Road. The three properties at 76-80 Mamaku Road have recently been subject of a resource consent application to subdivide the three existing titles into six, and to establish a dwelling on each of the three new allotments.
- 16 Mamaku Road is a larger rural production lot located on the north-western side of Mamaku Road. This is owned by the Applicant and is part of the 'Harakeke' land area.
- The properties proximate to the application site on the eastern side of Marriages Road include 109 Aporo Road, and 83, 85, 87 and 93 Marriages Road. These are predominantly larger rural production titles, with the exception of numbers 83 and 85 which are smaller rural residential allotments.

A detailed assessment of properties that are within the visual catchment of the site, including those properties above and those more distant from the site, is included in the LEA at Annexure B.

The photos below show various of the neighbouring properties, as viewed from the application site.

Photo 32: Looking south toward dwellings at 69 and 71 Suncrest Drive. Tuckers Pond to right.

Photo 33: Looking across southern boundary to dwelling at 72 Suncrest Drive

Photo 34: Looking east across 114 Marriages Road, with 93 and 115 Marriages Road visible to the rear.

Photo 35: Existing plantings on upper part of 100 Marriages Rd

Photo 36: Looking south across application site to 100 Marriages Road to the rear. Dwelling just visible

Photo 37: Looking north from site into 56 Marriages Road.

Photo 38: Looking west across application site toward Tuckers Pond and to 'Beulah Ridge' properties beyond.

Photo 39: Looking north-west toward Mamaku Road and ridge containing 42-80 Mamaku Road beyond.

Existing resource consents

As detailed earlier, the site is part of a larger landholding which is subject to a suite of existing consents enabling subdivision and development within the Rural 3 zone. These consents were granted in December 2016 to Harakeke 2015 Ltd (RM150576V2 etc.).

By way of overview, the 'Harakeke' proposal involved the subdivision of 17 titles with an overall area of 178 hectares (ha) of land zoned Rural 3 for the staged development of:

- 96 allotments;
- One 31.19 ha productive horticultural block; and
- Six large lots to be planted for productive and rural character outcomes.

The development site included five 'clusters' which are referred to as:

- Coastal cluster (33 allotments);
- Aporo cluster (13 allotments);
- Horton north cluster (16 allotments);
- Horton south cluster (10 allotments); and
- Mamaku cluster (24 allotments).

The coastal cluster has been completed and is located on the eastern side of Aporo Road, centred around Decks Road. The current application site is the location of the consented Mamaku cluster. The approved plan for the Mamaku cluster is shown in Figure 7 below:

Figure 7: Approved plan for 'Mamaku' cluster under 'Harakeke' consent.

The 'Mamaku cluster' included provision for 24 rural lifestyle allotments, generally ranging in size from 3970m^2 to 8550m^2, but with three larger allotmentsof between 2.1ha and 5.97ha, providing for a level of rural production use as well as dwellings. Two internal roads were proposed, accessed from Mamaku Road. The remaining land was to be held in balance titles owned and managed collectively by residents under an appropriate legal structure (such as a Resident's Association or Company), including Tuckers Pond and remaining land available for productive use.

The Harakeke development as a whole included:

- Restoration and enhancement of the Tasman Valley Stream and its tributaries and dams, including realignment and naturalisation of existing channels;
- Replanting of riparian margins with indigenous plants;
- A walking track to provide permanent and unrestricted public access to the coast (not applicable to current application site);
- The vesting of a legal title for Te Papa pā site with local mana whenua iwi (not applicable to current application site);
- Revegetation of gullies and other areas;
- Re-routing the Great Taste Trail through the restored and replanted areas (not applicable to current application site);
- Public walking and cycling access throughout the subdivision(not applicable to current application site, except along internal roads);
- Creation of residential building platforms;
- Design controls on future dwellings;
- Earthworks and remediation of contaminated HAIL sites; and
- Legal roads and rights-of-way to access the residential lots.

The consented development provided that all stormwater flows would be fully attenuated to pre-development flows (up to a 1 in 100-year annual exceedance probability event) and treated through the use of detention ponds and swales. All consented rural residential allotments were to utilise on-site wastewater treatment and discharge treated effluent onto land to individual disposal fields. Drinking water was not to be reticulated within the application site, with each residential lot containing individual rain water storage tanks. Small reservoir tanks were be positioned by existing bores to augment water supply with water abstracted under the permitted activity limit of five cubic metres per day. Fire-fighting water was also be provided by each individual lot owner.

The six allotments retained for productive and rural character outcomes were be managed by a Residents Society.

A lapse period of 10 years was granted; however, an extension to this lapse period was sought and obtained in May 2023, with the consents now lapsing in February 2032 and December 2034.

TE TAU IHU IWI

This section acknowledges the association of mana whenua and tangata whenua iwi of Te Tau Ihu with ethe locality of the application site and surrounds, and their special role as kaitiaki and in the context of the resource management process. The section below addresses relevant statutory considerations, known cultural context of the site and surrounds, engagement with iwi to date, cultural recognition in the proposal, and effects of the proposal on cultural values.

Cultural and Archaeological Context

In addition to the TRMP and SAA context provided below in relation to cultural and archaeological attributes of the site, it is also relevant to note that previous assessments undertaken in support of the Harakeke application, which provide some context to the cultural and archaeological setting of the site and surrounds.

An Archaeological Assessment was prepared by Amanda Young, and a Cultural Impact Assessment (CIA) undertaken by Aneika Young on behalf of Tiakina te Taiao, both in 2015. These are included at Annexure J; however, it is important to note that these have been included only as context to the existing values of the locality. Particularly in respect of cultural values, they are not purported to provide assessment of the effects of the current proposal. This will be discussed further below.

The CIA prepared for the Harakeke development by Tiakina te Taiao (representing, at that time, Ngāti Tama Manawhenua ki Te Tau Ihu Iwi Trust; Te Ātiawa Manawhenua ki Te Tau Ihu Iwi Trust; Ngāti Rārua Iwi Trust; Ngāti Koata Trust; and two Māori organisations: Ngāti Rārua Ātiawa Iwi Trust and Wakatū Incorporation) provides useful context to the historic occupation of the locality by manawhenua iwi and the values held by these iwi in respect of the locality.

These values are expressed in terms of Mātauranga Māori, and also in the context of observations from site visits, and review of literature including archaeological assessments (including that of Amanda Young as detailed below) and other relevant resources. The CIA identifies that manawhenua iwi identify the whole Moutere/ Kina/ Harakeke area as a wāhi tapu and of cultural significance. Particular significance is placed upon pa sites, urupa, mahing kai and waka landing areas, located along the coastal edge, and as shown in Figure 8 below:

Figure 8: Cultural overlay map, sourced from CIA prepared by Aneika Young on behalf of Tiakina te Taiao, page 19.

A general explanation of the cultural significance of Moutere Kina and Harakeke is provided[1].

> Manawhenua iwi have lived in the Moutere and Kina area since pre-European times dating back to the early 1800's. For manawhenua iwi the whenua and moana unites kinship and individual identity through the close relationship and association with these environments, providing a link between the past, the present and the future. Māori view they are interconnected to natural resources and place through whakapa. It is through this connection that Māori identity and belonging is shaped and affirmed. Land is recognised by Māori as a taonga of paramount importance and kaitiakitanga is the obligation of manawhenua iwi to be responsible for the well-being of the landscape and ngā taonga tuku iho, for future generations.
>
> Moutere and the surrounding environment is therefore of immense cultural, spiritual, ecological and historical significance to mana whenua iwi. Moutere, Kina and Harakeke provided an abundance of kaimoana, while Harakeke and associated lowlands provide kai from the wetlands. For Tūpuna, this coastline was integral to the seasonal movement between fishing grounds, inland cultivation sites and coastal forest resource harvesting areas. The Moutere Inlet and Tasman Valley tributaries offered Māori travelling along the coast by waka or on foot a place to rest. The access to the sea and its resources was important for tūpuna to access food supplies such as shellfish, seaweed and fish. In addition, the forested hills and lowland areas filled with toitoi and harakeke provided Māori with the materials needed to catch fish and build whare[9].
>
> Te Papa, Te Momokai and Te Mamaku are all wāhi tapu areas of cultural heritage and importance. There are many pā and occupation sites located along this particular coastline which is tribute to the strategic location of the pā for the purpose of defence but also the close proximity to rivers and wetlands for resources, as well as access to Te Tai ō Aorere. The pā were located on prominent hills and were fortified settlements with palisades and defensive terraces. Tūpuna living in the Bay were able to retreat to the pā in times of threat. The battles that occurred in this area also emphasis the immense tapu of pā.The pā and associated papakāinga, fishing grounds and urupā are all signs of Māori cultivation and settlement of the coastline area. The number of wāhi tapu revealed the importance of the area to tūpuna. Modified soils, middens, gardens, pits, stake holes, terraces and artefacts all indicate these areas were a permanent occupation site[10].

The CIA details Manawhenua iwi values relevant to this location. This includes a description of relevant aspects of Te Ao Māori, ancestral relationship with the land, the cultural significance of wai and the protection of its mauri, use of mātauranga and application of tikanga, maintaining customary use, protecting wāhi tapu and taonga, the concept of Ki Uta Ki Tai and maintaining kaitiaki obligations as Manawhenua.

In terms of archaeology, Amanda Young's report recognises the long history of occupation of the area by Maori, particularly along the coastal margin, and the existence of Te Pa Pa on the coastal edge of the Harakeke site is significant from an archaeological perspective. Further inland from this, archaeological values were found to be low[2]:

[1] CIA prepared by Aneika Young on behalf of Tiakina te Taiao, page 16.

[2] Archaeological Assessment: Harakeke 2015 Ltd Property, Tasman. Amanda Young report 25 May 2015, pg 27.

> Although the western side of the Harakeke 2015 Ltd property has not been comprehensively surveyed, its archaeological values are believed to be low. The Moutere Hills were generally unfavourable for Maori settlement. They were used for food gathering, transitory activity and places of refuge – all activities unlikely to show in the archaeological record. No signs of pits, terraces or other earthworks denoting a refuge pa or storage area were found during the site inspection. Evidence of transitory occupation cannot be ruled out, for example, taonga / findspots and camps, but are unlikely to be easily found. The areas of most probability are the stream valley, in the drained wetlands or on the main ridge. The stream valley has been recently root raked, re-contoured and modified. There are no known pre-1900 residences in the area; however, there may be remnant structures such as drains, building foundations and fences.

The overall conclusion of the Archaeological report was[3]:

> The archaeological values of the subject property are believed to be generally low with the exception of the regionally important Te Pa Pa (N27/74). There are also historic values associated with the nineteenth century drain.

Neither of these two features are located within the current application site.

On the basis of:

- this earlier assessment in relation to the existing archaeological values of the site; and
- the fact that the location and areal extent of the current application site being within that assessed as part of Harakeke (and the overall nature of the proposal being similar)-

it is considered that the archaeological context of the site is well understood and no further archaeological assessment has been prepared to support the current application.

TRMP provisions

The TRMP does not identify any cultural heritage sites within or adjacent to the site. The nearest identified sites are site N27-074 and 075, near the coast to the east (refer to Figure 9 below).

Figure 9: TRMP Operative Cultural Heritage Map AK19: Tasman/Ruby Bay

[3] Archaeological Assessment: Harakeke 2015 Ltd Property, Tasman. Amanda Young report 25 May 2015, pg 30.

Te Tau Ihu Statutory Acknowledgement Areas

Te Tau Ihu Statutory Acknowledgements are a type of cultural redress included in the Te Tau Ihu Treaty Settlement, and afford legal recognition of the particular cultural, spiritual, historical and traditional associations of the eight iwi of Te Tau Ihu with an identified area. As consent authority, Tasman District Council must have regard to any Statutory Acknowledgement within its area when determining whether the relevant Iwi may be adversely affected by a resource consent proposal.

The application site is not within a Te Tau Ihu Statutory Acknowledgement Area (SAA) and, as noted above, does not contain any Cultural Heritage Sites under the TMRP. There are also no identified sites within or adjacent to the site in the NZAA Register.

Engagement

During the pre-application phase of the project, consultation with all eight Te Tau Ihu iwi to seek initial feedback on the proposal. The outcome of this feedback is detailed below:

Ngāti Apa ki te Rā Tō

Initial feedback indicated an interest in reviewing technical reports relating to environmental impacts/ water etc. As these were only available briefly before preparation of the resource consent application, these have only recently been shared with Ngāti Apa. Consultation is ongoing.

Ngāti Kuia

No response received in relation to initial consultation. Further consultation has been undertaken concurrent with lodgement of the application.

Rangitāne o Wairau

No response received in relation to initial consultation. Further consultation has been undertaken concurrent with lodgement of the application.

Ngāti Koata

No response received in relation to initial consultation. Further consultation has been undertaken concurrent with lodgement of the application.

Ngāti Rārua

No response received in relation to initial consultation. Further consultation resulted in a response and an initial meeting was held with iwi representative George Stafford on 20 November 2023. Following this the existing CIA prepared for the Harakeke development was forwarded to Mr Stafford. Further consultation has been undertaken concurrent with lodgement of the application.

Ngāti Tama ki Te Tau Ihu

An initial hui was held with the Ngāti Tama Taiao, Dayveen Stephens. A brief assessment of the proposal against Ngāti Tama's Environmental Management Plan was requested by Ms Stephens, and provided to her for consideration. A subsequent hui resulted in the following outcomes being requested by Ngāti Tama:

1. Consideration of whether an update to the existing CIA (prepared for the previous Harakeke development) may be required to reflect any changes since that was prepared;
2. Recognition in the development of the cultural history of the site/ area – such as through carvings/ information etc at a public access point;
3. Cultural monitoring of initial soil disturbance on site required to identify any items of cultural significance that may be uncovered.

The feedback received from Ngāti Tama through pre-application consultation has informed the nature of the application, included volunteered conditions of consent, as detailed below. Further consultation has been undertaken concurrent with lodgement of the application, including confirmation of the need for any update to the Harakeke CIA.

Te Ātiawa o Te Waka-a-Māui

An initial brief hui was held with Te Ātiawa's Taiao, Sylvie Filipo following initial consultation. Ms Filipo indicated that feedback would be provided following internal consultation within Te Ātiawa, and with

Ngāti Rārua. No further feedback was received. Further consultation has been undertaken concurrent with lodgement of the application.

Ngāti Toa Rangatira

No response received in relation to initial consultation. Further consultation has been undertaken concurrent with lodgement of the application.

Cultural recognition as part of the proposal

As detailed above, engagement with Ngāti Tama resulted in a request for there to be consideration given in the subdivision design to provide recognition of the association of mana whenua iwi with the Tasman area. Ngāti Tama suggested the use of a carving or information board at a public access point within the development. The Applicant is open to working with iwi to agree an appropriate form of cultural recognition. However, on the basis of current understanding this is not considered to be necessary as mitigation of any effects of the proposed development (refer to assessment below), therefore this is not volunteered as a condition of consent and will be pursued separately as a private matter between the Applicant and iwi.

Cultural Effects

Identification and assessment of cultural effects is a role most appropriately articulated by iwi. Little guidance on this has been obtained in consultation with iwi in the pre-application phase of this proposal. Further engagement with iwi will take place concurrently with the lodgement and processing of this application, and any information that becomes available through this consultation will further inform this assessment.

Feedback received from Ngāti Tama has identified a potential desire to update the previous Harakeke CIA to reflect comments and recommendations on the current proposal, and the Applicant has indicated a willingness to assist in facilitating this.

Other feedback received from Ngāti Tama suggested iwi monitoring of earthworks, and the implementation of some form of recognition of the cultural history of the locality within the development.

In respect of iwi monitoring, it is noted that the earthworks extent on the site is large, and monitoring of all initial land disturbance works over this area may put a disproportionate burden on both the consent holder and iwi, considering what appears to be a low likelihood (based on previous assessments) of uncovering items of cultural or archaeological significance on this inland site. This is particularly the case given that the site has been subject to significant levels of ground disturbance through cultivation and planting and removal of orchards over its history.

An alternative may be to have a cultural induction at the commencement of works to ensure that staff/ contractors are adequately informed to ensure accidental discovery protocols are robustly administered. The Applicant is willing to explore this further with iwi in developing appropriate conditions of consent.

With regard to cultural recognition, the Applicant is happy to accommodate this in some form although, as addressed above, this is not considered to be a matter appropriately dealt with through conditions of consent. Further discussion on this matter with iwi is invited.

The values and issues identified by mana whenua iwi in the Harakeke CIA are recognised, and importance of consultation is acknowledged. The Applicant has sought to engage meaningfully with iwi in the pre-application phase of this proposal and seeks to continue this during and following the resource consent process.

The natural environment values identified by Manawhenua, in particular those associated with wai, are acknowledged. The proposal seeks to avoid adverse effects on water quality, through managing sediment discharges during construction, and in relation to activities that will be ongoing such as stormwater and wastewater discharges. Critical to this is the appropriate design and implementation of wastewater treatment and disposal, and stormwater management on the site.

In particular, the implementation of a community wastewater system provides opportunities to minimise environmental effects, a point that was recognised in the Harakeke CIA. The application also proposes a significant level of ecological restoration within the site, including the re-naturalisation of existing modified watercourses, planting of riparian margins with indigenous species and the construction of a wetland. These initiatives are aimed to improve water quality outcomes whilst also providing positive visual amenity and biodiversity outcomes through the introduction of large areas of indigenous vegetation. Overall, the development proposal is cognisant of the importance of preserving or

enhancing the mana and mauri of wai, and seeks to achieve this. To the extent that the enhancement of waterways on the site may help to improve water quality, the potential for gains in terms of māhinga kai also exists.

The fact that manawhenua iwi consider the entire Moutere/ Kina/ Harakeke area to be wāhi tapu, is acknowledged. It is also noted that the current application site avoids those parts of the locality, nearer to the coast, which are identified as being of greatest significance. As identified above, measures are proposed to minimise the potential for damage or destruction of taonga.

OTHER ENGAGEMENT

Council

Consultation with Council consenting, reserves and engineering staff has taken place in the preparation of this application, and advice of Council staff has informed the proposal as detailed below.

Neighbouring property owners

Initial consultation has been undertaken with several neighbouring property owners that immediately adjoin the site. Feedback from this consultation will be provided in due course.

PROPOSED ACTIVITIES THAT ARE THE SUBJECT OF THIS APPLICATION

Clause 2(1)(a) of Schedule 4 requires a description of the proposed activities for which resource consent is sought.

Subdivision and Services

A comprehensive subdivision of the approximately 40ha site, currently held in 6 titles, is proposed. The key components of the proposed subdivision are as follows:

- A boundary adjustment of RTNL147/60, to separate the parcels located on the northern side of Mamaku Road from the parcel on the southern side. The intent of this is to rationalise the site area that will remain in the collective ownership of the residents under an appropriate legal structure such as a Residents' Association or Company (to be confirmed prior to s224 for the first stage of development), so that this relates to the road boundaries and does not result in retained productive land being bisected by Mamaku Road;
- Creation of 58 rural residential allotments, ranging in size from 1064m^2 to 7461m2. Each allotment will have a formed building platform to minimise the need for further earthworks at the time of construction of dwellings, and an identified BLA;
- The creation of three roads, to be vested with Council. These are shown in the ES plan set at Annexure A, and are addressed in more detail below;
- Creation of four rights of way (RoW), each serving not more than five allotments. These will be formed in accordance with the ROW plans and cross-sections at Annexure A;
- Creation of a public access easement to enable pedestrian access between the legal roads within the site, Mamaku Road and existing/ proposed connecting easements to the south and west on neighbouring land. These are shown indicatively on the scheme plan in Annexure A, providing connections to key future pedestrian linkages identified by Council during pre-application meetings.
- The walkway connection to Mamaku Road will be constructed as part of the subdivision, to NTLDM standards. No pathway formation will be constructed within the two branches of the easement connecting to neighbouring land to the south and north-west, on account of these not currently connecting to existing easements/ walkways (they would 'dead end').;
- A number of other private walkways are proposed to be formed within the commonly - owned balance land detailed below, for the benefit of the residents of the site. These are shown indicatively on the BML Landscape plans at Annexure B;
- Retention of the balance of the site to be held in common ownership. The common land will include; Tucker's Pond and it's planted margins; the wastewater plant and associated land application area/s (and reserve area); stormwater channels and detention ponds; vegetated gullies and stream corridors, and; retained productive land;

- It is understood from pre-application discussion with Council that no reserves are sought by Council.

The subdivision is proposed to be undertaken in stages as follows:

Stage 1	Lots 1-13
Stage 2	Lots 14-22
Stage 3	Lots 23-28
Stage 4	Lots 29-44
Stage 5	Lots 45-58

The staging will occur generally from the Marriages Road (eastern) side of the site, toward the west. It is proposed that stages may be undertaken separately or together, and possibly interchangeable, provided that adequate servicing and access is provided as part of that stage.

A legal entity such as a Residents Association or Company will be formed in the first stage to take ownership of assets that benefit multiple allotments within the subdivision. This entity will be responsible for managing and maintaining the communal assets including any stormwater and wastewater infrastructure and the balance land that is to be used for productive, recreational and ecological restoration.

All private allotment owners will become members (or shareholders) of the legal entity at the time of purchasing their allotment within the subdivision. The funding of the work to be undertaken by the legal entity in fulfilling its responsibilities will be through the implementation of an annual charge imposed against RA members.

Any specific requirements imposed on the legal entity to ensure it fulfils its responsibilities (and to reflect any relevant conditions of consent) will be formalised in a Management Plan to be prepared and submitted to Council prior to s224 approval for the first stage of the subdivision, and may be amended as required for subsequent stages.

The proposed subdivision requires resource consent under both the TRMP/RMA and the NESCS as will be addressed in greater detail below.

The layout of the proposed subdivision, and location of its road, walkway and right of way access is shown on the scheme plan in Annexure A and in Figure 10 below.

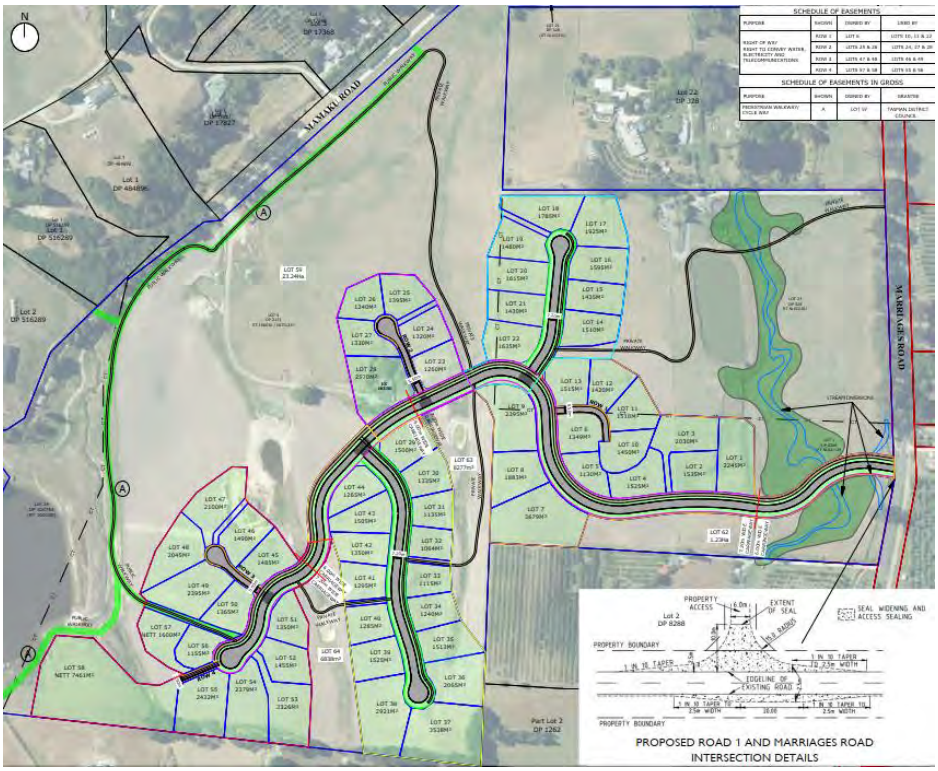

Figure 10: Scheme Plan

Servicing of the individual allotments will be limited to:

- power and telecommunications connections, extended underground from Marriages Road; and
- a private sewer reticulation system (likely low-pressure) linking the private allotments to the communal wastewater treatment plant.

Each allotment will utilise private roof collection for rainwater for potable purposes, and each allotment will be required by consent notice to meet the TRMP requirements for potable and firefighting storage. In order to minimise storage requirements, it is volunteered that dwellings include a sprinkler system to reduce firefighting storage. This will mean that the storage requirements for each allotment can be met with a single 30,000 litre tank. A condition is also volunteered that any tanks are buried or screened from roads and rights of way.

Overflows from tanks will discharge to land via appropriately designed outfalls to prevent erosion/ scour. The layout of the subdivision is such that most allotments have a downgradient boundary that drains directly to a natural drainage path or road before feeding into the stormwater channels and detention system. Easements will be established in the limited situations where flows need to cross another lot within the development.

The bulk earthworks, communal stormwater and wastewater management/ disposal and road construction standards for this subdivision are considered separately below, as resource consent matters in their own right.

Roading Layout

The proposed roading, right of way (ROW) and public walkway layout is shown in the Eliot Sinclair (ES) plan set at Annexure A.

In essence, the development site will have a new intersection onto Marriages Road, with no vehicle access to Mamaku Road being proposed (other than occasional service vehicles accessing the wastewater treatment plant). The internal roading rises from Marriages Road with two three roads to vest and four private rights of way proposed. The roading and rights of way have been designed to meet the requirements of the TRMP and the Nelson Tasman Land Development Manual (NTLDM), with the only exception being that the footpaths proposed for Roads 2 and 3 are only 1.5m wide, not 2.5m wide shared paths as required by the NTLDM for local roads. Road 1, being the main road through the development and which will connect with a pedestrian/ cycle connection to other adjoining land, s proposed to have a compliant shared path along its length.

Indicative landscaping details for roads and rights of way have been included in the BML landscape plans at Annexure B.

Land Disturbance

Land disturbance consent is sought for bulk earthworks associated with the subdivision, to form roads and building platforms, to form the stormwater detention channels and basin modifications, to create two diversions of modified watercourses and to install three culverts within streams (refer to Figure 12 below). This will involve stripping and stockpiling topsoil, cut and fill, and respreading of topsoil. In anticipation of cut to fill deficit within the main works area, a potential borrow area is identified at the northern end of the site.

Additionally, an area for deposition of any soil that exceeds residential and background contamination trigger levels is identified, within retained production land and on land identified as potential land application area for domestic effluent disposal. As identified in the Envirolink Report, the area where this fill is to be deposited is likely to be used for reserve area rather than the primary dispersal field, to give the deposited soil time to naturally consolidate prior to being used for wastewater dispersal (if required at all).

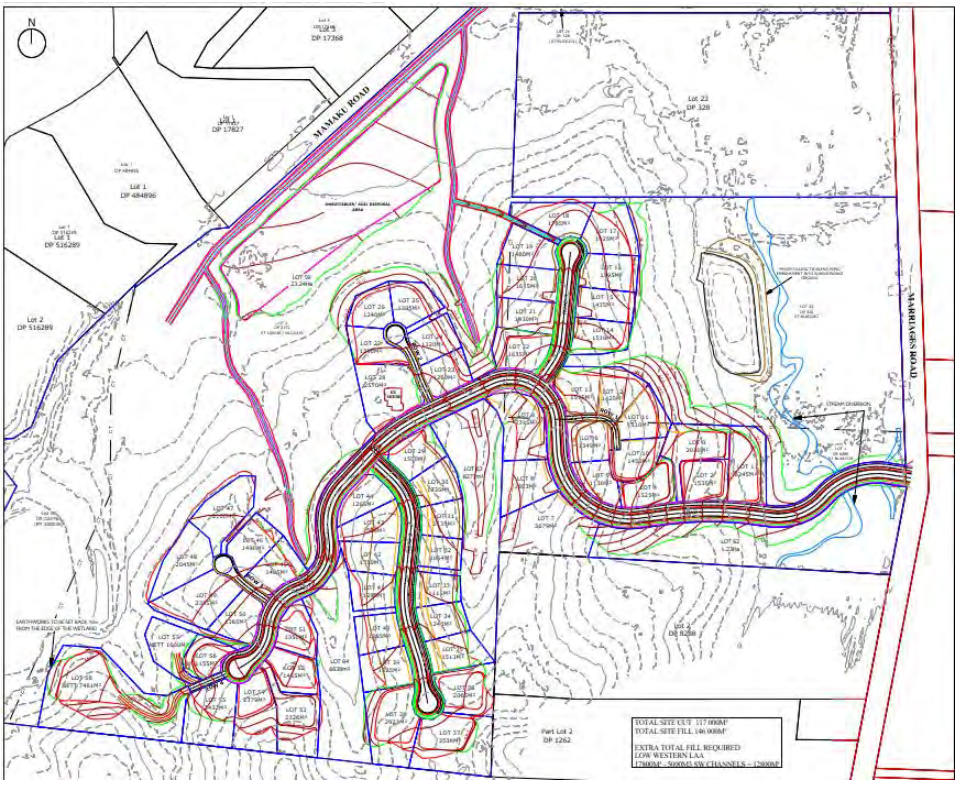

Figure 12: Earthworks plan

Any existing vegetation or buildings needing to be cleared from the site will be removed prior to earthworks commencing.

The intent of the earthworks is that the land surface of the residential allotments will be finished to a standard that will enable residential development to occur without further bulk earthworks, thereby enabling the effects of earthworks to be closely controlled by the developer at the time of subdivision works, without the need for subsequent piecemeal earthworks by private lot owners. The proposed borrow area, upon completion, will be landscaped into a wetland area as indicatively shown on the BML plans at Annexure B.

The earthworks design has been subject to a rigorous design process involving BML, to ensure that the earthworks maintain the integrity of the existing landform on the site from a landscape and visual effects perspective.

The extent of the earthworks and final contours are shown in the Eliot Sinclair plans in Annexure A. The visual effects of the earthworks are assessed in the BML LEA at Annexure B. BML recommend various measures to mitigate visual effects of the development, including earthworks. These are volunteered as consent conditions, and include:

1. That a planting plan be submitted for approval based on the masterplan set. This could be a single plan or a series of staged plans. This will show details of plant species, species, spacings and a specification for implementation and maintenance. The planting plan shall be implemented prior to the issuing of the [s224] completion certificate. All plants shall be maintained in perpetuity and any dead or diseased plants will be replaced in kind or with similar species.
2. That a Land Management Report be conditioned to include the management of the following areas as identified on Sheet 4 of the Masterplan Set within the Site:
    - Productive areas
    - Stream
    - Ponds
    - Wetlands
    - Gullies

- Amenity areas in the balance land
- Mitigation on the balance land.

a. This report will describe how each of these areas are to be maintained and the timing of the planting. This management plan will outline ownership and legal arrangements, maintenance and how this is funded. The land management report will set out the method of management of all areas of the Site, ownership, management and maintenance structures as set out in 3.13 of Appendix 3 of Part II Appendix 3 of the TRMP.

3. Any cuts required in the formation of building platforms shall be married back into the natural contours of the Site and reseeded with local grass seed mix. Likewise fill batters should be tied in to match the natural undulating contours of the existing landform.
4. Planting of riparian areas shall be consistent with that shown on the masterplan.
5. Access ways shall be formed in a manner that ensures the effects of new entrances are minimised, and that earthworks associated with this is done in a way which is sensitive to the underlying topography – i.e., cuts battered back to tie in with the natural contours and exposed cuts are revegetated with local grass seed mix.
6. No streetlights shall be used for the access ways. All exterior lighting including streetlights in roads shall be capped and downward facing to prevent unnecessary light spill on neighbouring properties.

A geotechnical assessment report has been completed by Terra Firma Engineering Ltd (TFEL). The report concludes that the area is suitable for the proposed residential development. The finished earthworks will be inspected by a geotechnical engineer who is suitably qualified to certify the building platforms as fit for purpose prior to the issue of titles.

Earthworks will proceed in general accordance with the concept Erosion and Sediment Control Plan (ESCP) that has been prepared by the TFEL and is included in their geotechnical assessment in Annexure D.

The proposed silt controls will utilise the existing southern pond which will be dewatered and fitted with a decant structure and a forebay arrangement. Additional sediment control ponds will be formed at the northern end of the property to catch sediment laden water before it reaches the Northern pond. Proposed sediment controls will generally comply with Council's Erosion and Sediment Control Guidelines (2019). Additional measures will include clean water diversions and stabilised accessways. Silt fencing and smaller scale diversion ditches will be employed in localised areas as the need arises, but the overall silt control plan is to capture and allow the fines to settle out in a series of ponds before the water leaves the property to the north.

The ESCP will be finalised by the project engineer and contractor during the detailed design phase and provided to Council for certification prior to earthworks commencing.

Preparatory earthworks will likely take place prior to the detailed engineering design for other aspects of the proposal, and it is requested that consent conditions be formulated to enable this.

As a result of soil contamination identified within the subdivision site as a result of previous horticultural activities, Geo-Env have recommended remediation works within those areas exceeding NESCS trigger levels for residential land use (as shown in their plan E1), as follows:

> *'A RAP will be required to outline the remediation strategy and management works to mitigate the risk posed to human health as a result of the former horticultural land use. If managed correctly, the proposed subdivision earthworks can effectively remediate the new allotments where elevated arsenic concentrations have been recorded in conjunction with targeted remediation within the former spray mixing area.*
>
> *A designated area for unsuitable soil has already been established on the subdivision plan, with a future recreational use. Given the compliant contaminant concentrations in comparison to NESCS recreational guidelines across the majority of the development area, this option of relocating soil to an area that will not be utilised for residential occupation is considered appropriate.*
>
> *The depth of contamination is considered limited to surface soils, or the maximum depth of shallow disturbed soil associated with ploughing activities. Validation sampling of the stripped surface will be required within Lot 4 DP 8288 and Lot 23 DP 328 following removal of soil to verify the ground conditions and to determine any restrictions for future residential use.*

Further testing to enable characterisation of soils associated with potential HAIL areas within the balance of land, as shown on Figure E1, is recommended prior to any future soil disturbance in these areas that relate to subdivision.

Soil disturbance activities in future allotments associated with ongoing land use for production land is excluded from the requirements of the NESCS.

Based on the results for soil samples collected within Lot 4 DP 2172 and Lot 23 328, the soil is not considered suitable for disposal to a clean fill facility. If soil is required to be removed from the site it must be disposed of at a facility authorised to accept it. There are no restrictions for earthworks or off-site disposal of soil in terms of contaminant concentrations within Lot 1 DP 8288.

Any soil imported to site for residential purposes should comply with the adopted background limits, and verification via analytical testing is recommended prior to importing/relocating soil.'

The objective of the RAP is to ensure that all material within the remediation areas is managed in a safe manner that mitigates the potential exposure risk to construction workers, neighbouring properties and the environment during earthworks, and enables residential subdivision of the parcel of land and ultimately residential development and use of the 58 private lots within their BLAs . The remediation objective is the human health criteria specified in the NESCS (2011) for residential land use (10% produce). The intention is that Lots 1-58 will be remediated to a level at which these sites are no longer considered to be HAIL land – in other words where any soil remaining on these sites has contaminant levels at or below background. However, to provide for the potential eventuality that it may not be practical to achieve this across the entirety of these sites (particularly for larger lots) consent is sought to enable subsequent soil disturbance on these sites, such as required in constructing building foundations. Whether or not background levels are achieved for any given site will be determined via validation testing prior to the issue of titles. Any sites that do not achieve background levels will be subject to a Site Management Plan to guide future land disturbance, which should be referenced in a consent notice on the title of the allotment.

Any ongoing management requirements for future recreational use of the balance land held by the RA will be detailed in a Site Management Plan (SMP). Adherence to the SMP is anticipated to form the basis of consent conditions which may be attached to the balance title held by the RA by way of consent notice. The DSI confirms that the NESCS does not apply to any ongoing activities or land disturbance on land that has not been remediated, if these activities are for production land purposes.

Resource consent for earthworks or land disturbance is required under both the TRMP/RMA and the NESCS.

Residential land use/ Dwellings

Land use consent is sought to construct a dwelling within the identified BLA on each of Lots 1-58. Additionally, a change in use of the land, from production land to residential, requires resource consent under the NESCS.

The dwellings for which consent is sought are generic in nature, as no plans are available for specific house design, this being left to the new lot owners. However, some design parameters are volunteered as conditions of consent, to be attached to the titles of Lots 1-58 as consent notices. These parameters are those recommended by BML at Section 6.1.1 of their landscape assessment. Those relevant to private lot owners (to form the basis of consent notice conditions) are:

1. That each private lot owner of a residential lot shall provide a landscape plan that relates to the proposed building on Site. This shall show how landscaping shall provide privacy and amenity between the newly designed house and garage and the neighbouring properties. This shall be designed by a suitably qualified landscape architect or designer and shall be approved by the Council.
2. Adverse visual effects associated with the prominent placement of water tanks will be prevented, either by incorporating tanks into the structure of the buildings or burying/screening from public roads and ROWs. A consent notice will require lot owners to install sprinkler systems to reduce on site storage requirements.
3. Boundary lines shall be marked by boundary pegs only, to prevent arbitrary lines in the landscape. Post and wire fencing or post and rail fencing is appropriate as outlined in the Masterplan Set. Closed board fencing shall be avoided.
4. Entrances on to Sites should be rural in appearance and consist of rural materials such as local stone and post and rail, as illustrated in the Design Guide in the Masterplan Set.

5. Height controls and building colour controls should be included as part of the consent. The Lots shall be restricted in height to 6 metres above finished ground level. Buildings shall be single storied and stepped to follow the underlying contours.
6. Colours of houses shall be complimentary to the colours of the local landscape, in a natural range of browns, greens and greys. Colour steel cladding with all wall surfaces to have a reflectance value below 40%. Roofs to be finished to have a reflectance value of 15% or lower.
7. All exterior lighting shall be capped and downward facing to prevent unnecessary light spill on neighbouring properties.

As there has been a conscious design approach in clustering built form around roads to maximise open space and minimise modification of existing landforms, authorisation is sought to reduce road boundary setbacks for all allotments to 5m (from 10m specified in controlled activity standards). It is envisaged that all other bulk and location requirements for the Rural 3 zone will be met as part of any subsequent private development of the lots for residential purposes, or consent sought separately by the owners at that time.

Stormwater Management

Stormwater is to be managed within the site to achieve pre-development peak flows. This is to be achieved by modifying two existing former irrigation ponds on the site to provide detention storage capacity. Stormwater overflows from private storage tanks will discharge to ground within private lots (or to roads or rights of way, via appropriately located and designed outfalls. From here, the stormwater will flow via natural gullies and formed stormwater swales (within road corridors and in commonly owned balance land) before ending up in one of the two ponds. This stormwater system is described in further detail in the CGW stormwater assessment at Annexure G, and addresses both primary and secondary flows.

As detailed at Annexure G, modifications of the existing outfall channel from Pond P2 at the north of the site is required, and further assessment will be required at detailed design stage with regard to the existing culvert conveying this outfall beneath Mamaku Road. Detailed design will ensure alignment pre- and post-development overtopping flows to maintain the existing drainage patterns through the catchment north of the P2 outflow channel, as detailed by CGW.

Additionally, CGW note that the proposed fill for Road 1 in the lower part of the site will create a barrier to existing overland flows from the south in a flood scenario. CGW confirm that this will be managed through detailed design (culvert and/ or channel system) to ensure that any increase in flood height on the property to the south are minimal.

The proposal involves low traffic volume local roads and runoff from residential lots including overflows from potable water storage tanks. As such, the stormwater discharges will have minimal potential for adverse stormwater quality impacts, and no formal treatment is required prior to discharge under NTLDM provisions. Notwithstanding this, the proposed stormwater network includes the construction and use of significant lengths of grass swales (both roadside and in gullies and formed stormwater channels) which will provide a water quality treatment function, and detention ponds have been designed to meet water quality volume requirements.

Stormwater will also be managed during construction works to minimise discharge of sediment from the site, as detailed above.

Realignment of watercourses and installation of culverts and bridges

The proposal involves the realignment of two existing modified watercourses on the site.

The first is of Marriages Stream (MW6 on the RMA Ecology plans). This is a relatively short (approximately 85m) realignment at the entrance to Road 1 from Marriages Road. The realignment will enable a shorter culverted length of the stream than if the stream were to be culverted on its current alignment due to the intersection geometry. This approach will also enable the culvert and realigned channel to be constructed 'off-line', with water diverted through it only after construction is complete and the realigned stream bed is fully stabilised.

The second realignment is proposed to modified watercourse MW11. The proposed realignment is over approximately 350m of existing stream bed. The diversion is proposed for two reasons: Firstly, to enable the southern portion to be relocated slightly to the east, culverted below Road 1 and around the base of the proposed earthworks area for the proposed residential allotments and; Secondly, to provide a more naturalised appearance and to provide for ecological enhancement of the length of the stream corridor. This realignment, too, will be constructed off-line as detailed above for the MW6 realignment.

For a description of existing streams MW6 and MW11, please refer to the accompanying Ecological Assessment from RMA Ecology. Importantly, it is noted that both streams are highly modified watercourses within a broad floodplain that is expected to have been originally a wetland area with diffuse watercourse flows across its entirety. This area has been historically drained for horticultural purposes, with MW11 being formed as a straight channel linking a series of irrigation dams across a number of properties, and MW6 essentially formed as a table drain along the alignment of Marriages Road. Neither stream is considered likely to follow the alignment of an original stream bed.

Both diversions will be undertaken in general accordance with the concept design provided by BML at Annexure B, and in accordance with the ecological recommendations of RMA Ecology as detailed in Annexure F, with detailed plans to be prepared prior to implementation.

Three new culverts are proposed within streams – the two culverts under Road 1 that will convey the realigned MW6 and MW11 streams, and also a small watercourse in the south-western corner of the site near Tuckers Pond, shown as MW10 on the RMA Ecology plans. This culvert is proposed to enable vehicular access to proposed Lot 58 and will be installed on the alignment of the existing stream bed. Additionally, a new culvert may be required to replace the existing undersized culvert beneath Mamaku Road, north of proposed detention pond P2, as detailed above. Some works may also be required to the existing stream channel linking P2 with this culvert.

A pedestrian footbridge is proposed to cross realigned stream MW11 as shown in the BML plans at Annexure B.

Wastewater Management

The proposed wastewater management system for the development is summarised by Envirolink in their report at Annexure H as:

> *'Effluent will be treated with a single community system. Design principles are outlined as follows:*
>
> *Treatment*
>
> - *The system is to be designed for peak effluent loading of 908L/day per connection or 52.7m3/day assuming 58 dwellings are serviced.*
> - *A secondary treatment system will be installed.*
> - *Effluent quality must not exceed the following standards*
>
> *o Biochemical Oxygen Demand (BOD):*
>
> ▪ *90% of samples ≤20g/m3*
>
> ▪ *No samples exceeding 30g/m3*
>
> *o Total Suspended Solids (TSS):*
>
> ▪ *90% of samples ≤30g/m3*
>
> ▪ *No samples exceeding 45g/m3*
>
> *o Total Nitrogen*
>
> ▪ *90% of samples ≤34g/m3*
>
> ▪ *No samples exceeding 50g/m3*
> - *The system must include raw and treated effluent storage to provide operational resilience.*
>
> *Land Application*
>
> - *The site is assessed as Category 6 – Medium Clay for the purposes of onsite wastewater disposal.*
> - *Effluent disposal rates must be reduced by the slope reduction factors presented in AS/NZS1547:2012.*
> - *At present, 5.15 Ha of suitable wastewater disposal field has been identified.*
> - *2.6 Ha of land with a 10-20% slope angle is required for the primary disposal field.*
> - *Reserve disposal area is available equal to 81% of the required primary disposal field.*
>
> *General Items*

- *An Operations and Maintenance Manual must be prepared for the system.*
- *An Operations and Maintenance contract must be entered into. This is expected to involve 3 monthly inspections by a specialist maintenance contractor and weekly inspections by a suitably trained maintenance contractor however requirements will vary depending on the system chosen.'*

The treatment system, reticulated wastewater pipes connecting private lots to the system, and the land application area infrastructure will remain in the common ownership of the residents, who will also be responsible for the maintenance contract. Detailed design of the system, including either low pressure or gravity reticulation, will occur as part of the detailed design/ engineering plan stage. It is acknowledged that any private reticulation within vested roads will require a license to occupy.

The treatment plant itself is described by Envirolink as follows:

> *'The exact treatment plant model and layout does not need to be determined at this point in the design process. Further evaluation can be undertaken as part of detailed design. In general terms, a modular plant from a well established supplier in New Zealand is likely to offer better technical support and parts availability. A containerised plant is likely to offer a smaller footprint. The proposed layout included in Appendix B offers ample land area for either solution.'*

As shown in the Figures 5.1 and 5.2 of the Envirolink report, the plant can be installed either below-ground or above ground, depending on the system chosen and the ground conditions available. Flexibility is sought through this application for either. If an above-ground solution is chosen at detailed design stage, details will be provided of the screening proposed around the plant (either fencing, plantings or both) to mitigate any visual effects of the structure.

Envirolink have calculated that up to 3.32ha of land area will be required for the primary effluent disposal field (the remaining area identified on their plan being reserve area). This area required for land application of treated effluent will remain available for productive land uses. Envirolink address potential productive uses in their report, including cut and carry feed crops and manuka/ kanuka for honey production. Other crops may also be viable, but have yet to be explored.

Ecological Restoration and Productive land use

The balance between open space and developed land on the site has been a key consideration in the design of the development.

The design has sought to limit the 'developed' footprint of the site (that comprising private allotments and roads) to that of the consented baseline created by Harakeke and this has been achieved as demonstrated on plan 6.0 of the BML plan set at Annexure B. The 'undeveloped' areas of the site are to be utilised for both soil-based production, and ecological restoration purposes, these both being key outcomes sought for the Rural 3 zone and which align with the design philosophy of the project. This land will be owned and managed collectively by the residents under an appropriate legal structure.

Areas of ecological restoration area proposed along existing and realigned streams within the site, (including to the realigned streams as detailed above), along the key stormwater drainage gullies within the site, around the periphery of the existing ponds on the site which are to be repurposed for detention purposes, and in the area of the proposed fill borrow adjacent to Mamaku Road. These will supplement the restoration works that have already been undertaken around Tuckers Pond. The concept details for the nature of these restoration works are detailed in the BML plans at Annexure B. The outcomes sought by these works are also discussed in the Ecological report at Annexure F.

The remainder of the land will remain available for soil-based production activities. It will be left to the residents to determine how they wish to use this land to meet the social and economic needs of its members. The land available for productive use will include the approximately 3.32ha of land that will be required to establish a land application area for the disposal of treated domestic effluent. This effluent will be distributed to ground via a sub-surface dripper field, and the presence of this infrastructure will provide some limitation to the range of soil-based production activities that could be carried out, as detailed in the wastewater report by Envirolink at Annexure H. However, various options will remain, and the additional water and nutrient supply provided by the wastewater provides potential for supporting productive activities within this area.

OTHER ACTIVITIES

Clause 2(1)(d) of Schedule 4 requires identification of any other activities that are part of the proposal but need permission or licensing outside of the RMA. No such activities have been identified.

PERMITTED ACTIVITIES

Clause 3 of Schedule 4 requires that if any permitted activity is part of the proposal to which the application relates, the application must include a description of the permitted activity that demonstrates that it complies with the requirements, conditions and permissions for a permitted activity for which resource consent is not required under section 87A(1) of the RMA. Compliance with rules in the TRMP and relevant NES's is assessed in the following section of the application.

RULES AND RESOURCE CONSENTS

Section 104(1) of the RMA sets out those matters that a consent authority must have regard to in considering an application for resource consent which, in accordance with section 104(1)(b) includes:

> *"(b) any relevant provisions of—*
>
> *(i) a national environmental standard:*
>
> *(ii) other regulations:*
>
> *(iii) a national policy statement:*
>
> *(iv) a New Zealand coastal policy statement:*
>
> *(v) a regional policy statement or proposed regional policy statement:*
>
> *(vi) a plan or proposed plan;"*

The relevant unitary plan is the Tasman Resource Management Plan (TRMP), and resource consents are sought under the NESCS.

NESCS (Contaminated Soils)

The proposal relates to a site that has been identified as having contained HAIL activities, and with areas that exceed residential and TDC background concentrations for certain contaminants. The Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) impose resource consent requirements for earthworks, subdivision and a change of land use on HAIL Land.

Geo-Environmental Consultants (NZ) Lt (Geo-Env) were engaged to investigate the potential for residual contaminant concentrations in the soil. Their Detail Site Investigation (DSI) is contained in Annexure E.

Geo-Env's findings, based on laboratory analysis, were that levels of soil contaminants within some parts of the site are not suitable for the intended land use (residential, 10% produce). The proposed land disturbance works, subdivision, and change of land use for parts of the site from production to residential are not permitted activities under the NESCS.

As confirmed by Geo-Env, the proposal requires resource consent under the NESCS as a restricted discretionary activity under Regulation 10.

As discussed earlier, consent is sought for land disturbance required to construct the subdivision, and also in relation to any subsequent works within Lots 1-58 that may be required in developing and using these for residential purposes, should site remediation not result in these being remediated to background levels.

Reg 10(3) of the NESCS contains the following matters of restricted discretion:

> *(a) the adequacy of the detailed site investigation, including—*
>
> *(i) site sampling:*
>
> *(ii) laboratory analysis:*
>
> *(iii) risk assessment:*
>
> *(b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination:*
>
> *(c) the approach to the remediation or ongoing management of the piece of land, including—*

(i) the remediation or management methods to address the risk posed by the contaminants to human health:

(ii) the timing of the remediation:

(iii) the standard of the remediation on completion:

(iv) the mitigation methods to address the risk posed by the contaminants to human health:

(v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants:

(d) the adequacy of the site management plan or the site validation report or both, as applicable:

(e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:

(f) the requirement for and conditions of a financial bond:

(g) the timing and nature of the review of the conditions in the resource consent:

(h) the duration of the resource consent.

National Environmental Standards for Freshwater Management

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESFM) came into force on 3 September 2020, and were subsequently amended in 2022. The NESFM contains rules relating to works in relation to natural wetlands and streams.

Part 3, Subpart 1 of the NESFM relates to natural inland wetlands. The analysis undertaken by RMA Ecology plan has confirmed that the application site does not contain natural inland wetlands (under the NPSFM definition) as confirmed in the RMA Ecology plan at Annexure F. As such, no consents are required under Part 3, Subpart 1 of the NESFM. Notwithstanding this, earthworks have been set back 10m from the existing wetlands around the margin of Tuckers Pond.

Part 3, Subpart 2 of the NESFM relates to reclamation of rivers. Regulation 57 provides for reclamation of the bed of any river as a discretionary activity, and directs that an application for such must not be granted unless the consent authority has first—

(a) satisfied itself that there is a functional need for the reclamation of the river bed in that location; and

(b) applied the effects management hierarchy.

The proposed stream diversions are not considered to involve any reclamation. The reason for this is that the current alignment of the two modified watercourses that are proposed to be diverted are not considered to be the natural bed of the stream, in either case. These are highly modified watercourses which channelise formerly diffuse flows through what was likely wetland/ floodplain.

This has been addressed by RMA Ecology in their report at Annexure G. As such, the proposed alignments are considered to be equally part of any river 'bed' as that of the current stream alignments, and no reclamation is deemed to result from the proposed realignments.

Part 3, Subpart 3 of the NESFM relates to passage of fish affected by structures. Rules for culverts are addressed by Regulations 70 and 71 of the NESFW. Regulation 70 permits the installation of culverts, subject to meeting conditions. At the current time it is expected that these conditions will be able to be met for the three new culverts and one replacement culvert proposed, and the proposed culverts will be a permitted activity.

No consents are required under the NESFM.

Tasman Resource Management Plan (TRMP)

The relevant zonings, overlays, rules, and assessment criteria or matters of restricted discretion are outlined below. The objectives and policies in the TRMP and other planning documents are discussed separately.

ZONING AND OVERLAYS

As identified above, the site is within the Rural 3 Zone and Land Disturbance Area 1 in the TRMP, and is within a Wastewater Management Area and the Coastal Tasman Area. No other overlays apply to the site.

RULES IN THE TASMAN RESOURCE MANAGEMENT PLAN

Subdivision

The subdivision rules are contained in Chapter 16.3 of the TRMP.

The application site is not in the Slope Instability Risk Area or Fault Rupture Risk Area (Rules 16.3.2.2 and 16.3.2.3) and is not subject of a deferred zone (Rule 16.3.2.5). The site does include HAIL land (Rule 16.3.2.4) and this is addressed separately under the NESCS as detailed above.

The subdivision of land in the Rural 3 Zone is governed by those rules in Chapter 16.3.7 in the TRMP.

The minimum lot size of the Rural 3 Zone is 50ha (Rule 16.3.7.1(a)). The new lots will not comply with this standard, with allotments of between 1064m^2 and 7461m2in area proposed.

Turning to the other conditions in Rule 16.3.7.1:

- The minimum frontage width for front lots is 100m and for rear lots is 6.5m (Rule 16.3.7.1(b)). This will be achieved only for rear lots (which will have over 6.5m of ROW frontage to legal roads) and for the balance land contained within balance Lots 59 and 62 owned by the RA. All private front lots will have frontage to legal roads of less than 100m in length.
- BLAs have been shown on the scheme plan, however, the site does not adjoin any Rural 1 or 2 land, therefore a 30m BLA setback from internal site boundaries is not required (Rule 16.3.8.1(d));
- The only existing building to be retained on the site is the existing dwelling on what will be Lot 28. Site boundaries have been drawn so as to ensure compliance with all bulk and location controls relative to the existing buildings on the site, except it will not meet the 10m road setback requirement (Rule 16.3.7.1(e));
- There are no horticultural plantings on the site, and the only shelterbelts on site are located within the common RA title, and are not close to any proposed new boundaries (Rule 16.3.7.1(f));
- The new internal boundaries achieve the requisite setbacks from the water impounded in the existing ponds on the site and any associated dam structure (Condition 16.3.7.1(g));
- The subdivision complies with the transport conditions in Schedule 16.3B, other than in respect of the footpath width for Roads 2 and 3, as confirmed in the Traffic Report by Traffic Concepts (Rule 16.3.7.1(h));
- The site is not subject to the special requirements of Rule 16.3.7.1(i);
- Stormwater diversion and discharge from the site is addressed in this application, with consent being sought as detailed below (Rule 16.3.7.1(j));
- The property does not contain any identified cultural heritage sites (Rule 16.3.7.1(k) and (l)).

The proposed subdivision does not meet the above conditions in relation to the proposed lot areas being less than 50ha, 100m minimum frontage widths not being met for all road frontage sites, 10m road frontage setback not being achieved for the existing dwelling within proposed Lot 28, due to not meeting the transport requirements of Schedule 16.3B on account of Road 2 and 3 footpath widths only, and as stormwater discharges are not a permitted activity.

The proposed subdivision is a restricted discretionary activity under Rule 16.3.7.3. All conditions of Rule 16.3.7.3 are met, including Condition (b) which requires the subject land to have not been subject of a subdivision consent granted after 20 December 2003. This condition is met. The only existing title that is more recent that that is the title containing Tuckers Pond, which is not proposed to be subdivided.

Transportation

Section 16.2 of the TRMP relates to Transport (Access, Parking and Traffic). Rule 16.2.2.1, 16.2.2.2 and 16.2.2.3 permit any land use that complies with the stated conditions, which relate to access and vehicle crossings, and parking. An assessment of the proposal against these provisions is provided in the TIA at Annexure C, which concludes that all conditions are met. As such, access and any parking within the site are a permitted activity under Rule 16.2.2.1 – 16.2.2.3 of the TRMP.

Section 18.8 of the TRMP applies to the Road Area. As detailed above, the proposed formation of roads 2 and 3 will not meet permitted standards in respect of footpath width (1.5m wide footpath proposed,

where 2.5m shared path required by the NTLDM). This requires consent as a discretionary activity under Rule 18.8.3.3 of the TRMP.

Land Use (dwellings)

The land use rules for the Rural 3 Zone are contained in Chapter 17.7 of the TRMP. These rules relate to the proposed dwellings on Lots 1-27 and 29-58.

Rule 17.7.3.1 provides for buildings as a permitted activity, but dwellings and other habitable buildings are excluded.

Rule 17.7.3.2 provides for construction and use of a building on a site as a controlled activity, provided it meets the conditions specified in the rule. These are addressed below for proposed dwellings on Lots 1-27 and 29-58:

- Only a single dwelling is proposed on each site (Rule 17.7.3.2(a);
- No greater than two household units will be contained within each dwelling, in compliance with the specified conditions (Rule 17.7.3.2(b));
- Rainwater storage tanks will be provided to meet the potable supply and firefighting requirements of Rule 17.7.3.2(c and d). The applicant volunteers a condition requiring that sprinklers be installed in all dwellings;
- No wastewater discharge is proposed within the lots (Rule 17.7.3.2(e));
- No site boundaries are shared with Rural 1 or 2-zoned land, therefore special setback distances (30m) do not apply (Rule 17.7.3.2(f));
- There are no quarry sites within 500m of the site (Rule 17.7.3.2(fa);
- The dwellings will be designed to comply with condition (d) Height in Rule 17.7.3.1 (Rule17.7.3.2(g));
- No Workers Accommodation or Sleepouts are proposed under this application (Rule 17.7.3.2(h to k));
- The dwellings will comply with the height in relation to ridgelines, building location areas, building envelope and building coverage conditions in Rule 17.7.3.1 (e) to (l) and the maximum building height of 12.5m (Rule 17.7.3.2(l and m)). However, those buildings that have a BLA identified closer than 10m from the road boundary will not comply with the road boundary setback. All other boundary setback requirements are able to be met for any future dwelling on the lots.

The proposed dwellings with road frontage (where road boundary setback reductions are sought) are a restricted discretionary activity under Rule 17.7.3.3 of the TRMP. All other dwellings are a controlled activity under Rule 17.7.3.2 of the TRMP.

Earthworks

Land disturbance rules are contained in Chapter 18.5 of the TRMP.

The earthworks associated with installation of excavation and filling of the site, cutting of roads, formation of stormwater channels and alterations to detention ponds, stream realignment, installation of services and general re-contouring are not a permitted activity under Rule 18.5.2.1 in the TRMP because:

- works are proposed within 10m of a river or stream of greater than 3m average bed width (Marriages Stream) (Condition (k)).
- they will in areas exceed 1m in height or depth and involve more than 1ha of land in a 12 month period, therefore not meeting permitted Condition (l).
- earthworks for the borrow area will exceed 50 cubic metres in volume, may extend below the water table, and will be within a flood plain (Condition (n)), and may be considered to be quarrying (Condition (o)).
- The earthworks to form Road 1 may raise the ground level to such a point where it results in the land becoming subject to flooding, as noted by CGW (Condition (v)).

The proposed recontouring earthworks are a controlled activity in accordance with Rule 18.5.2.3. This covers all bulk earthworks on the site other than works within riparian margins and flood plains, and those associated with quarrying. Quarrying of the proposed borrow area (if not considered to be part of the

overall recontouring of land within the site) and earthworks within riparian margins and flood plains margins are a restricted discretionary activity under Rule 18.5.2.5 of the TRMP.

Stream works

Chapter 28 of the TRMP addresses rules for activities in the beds and on the surface of rivers and lakes, including structures and bed disturbance. These are relevant in relation to the proposed works to realign two modified watercourses on the site, and to install three new culverts and replace an existing culvert. It is relevant to note that, as they will be constructed 'off-line' the proposed culverts under Road 1. The culverts will occupy a stream bed following diversion, and the structure to divert the flow of the existing streams will be within existing stream beds. The culvert within Lot 58 will be located within the bed of existing stream MW10.

Rule 28.1.2.1 contains general rules that apply to all structures and bed disturbance. It is considered that these conditions can be met during streamwork activities. In particular, it is noted that any fill or structure used to divert the existing course of streams MW6 and MW11 are not 'dams' as they are not proposed to impound water.

Culverts, fords and bridges are addressed in Section 28.1.5 of the TRMP. Rule 28.1.5.1 permits culverts, fords and bridges subject to compliance with conditions. It is expected that the permitted conditions can be met, except that Condition (h) limits permitted culverts to those that are placed within streams of less than 3m bed width, and where the length of culvert does not exceed 15m. The proposed culverts beneath Road 1 within the realigned streams are unlikely to meet the length requirement and may not meet the bed width requirement.

It is expected that the proposed culvert to access Lot 58 will be able to meet these conditions, and it is also expected that the pedestrian bridge over MW11 will be able to meet permitted conditions relating to bridges.

The proposed culverts under Road 1 are expected to meet the controlled activity conditions specified in Rule 28.1.5.2. In particular, the subject rivers are not identified in a water conservation order, the works are not with Land Disturbance Area 2, the culverts will convey a 2% AEP flood event and will not cause flooding of neighbouring land in such an event, and the culverts will not impede the passage of fish. As such, consent for the two culverts under Road 1 require consent as a controlled activity under Rule 28.1.5.2 of the TRMP. The culvert within Lot 58 (MW10) and the bridge over MW11are a permitted activity under Rule 28.1.5.1 of the TRMP

Rule 28.1.6.1 permits specific disturbance activities in the beds of rivers, for specific activities. The proposed works within the bed of the rivers to enable realignment of streams MW6 and MW11 are not one of these activities, therefore the proposed bed disturbance works to enable the realignment of streams fall for consideration as a discretionary activity under Rule 28.1.8.1 of the TRMP.

Chapter 31 of the TRMP includes rules relating to the take, diversion, use or damming of water. Section 31.1.3 Diversion of Water by Structures is relevant to the structures proposed to divert water from the existing alignment of streams MW6 and MW11 to the new bed alignment and culvert that will be constructed prior to this occurring. The only diversion structures permitted by Rule 31.1.3.1 are those that are already lawfully existing. The proposed diversion therefore falls for consideration as a discretionary activity under Rule 31.1.3.2 of the TRMP.

Stormwater Diversion and Discharge

Chapter 36.4 in the TRMP deals with stormwater discharges to water or to land where it may enter water.

The TRMP permits the diversion, damming and discharge of stormwater subject to specific criteria (Rule 36.4.2.1). The diversion and discharge of stormwater from the existing dwelling on proposed Lot 28 is a permitted activity under Rule 36.4.2.1 (2) because the discharge or diversion is from a building in the Rural 3 zone, the discharge commenced before 19 September 1998, and all conditions are able to be met.

The diversion and discharge of stormwater during subdivision works, and from all other private lots (Lots 1-27 and 29-58), from roads and rights of way, and from the outlets of the two detention basins in Lot 59 following subdivision are a restricted discretionary activity pursuant to Rule 36.4.2.3.

The discharge of sediment or debris associated with land disturbance activities in the Rural 3 Zone is a permitted activity pursuant to Rule 36.2.2.3. Appropriate management techniques will be employed during site works to ensure that the relevant conditions are met.

Wastewater Discharge

Chapter 36.1 in the TRMP deals with the discharge of domestic effluent to land. New discharges within the Wastewater Management Area (WMA) are not permitted. Rule 36.1.3.2 provides for new discharges within the WMA as a controlled activity, subject to compliance with conditions. The proposed discharge of all communal treated wastewater to land will not meet Condition (b) as it will exceed the maximum rate of discharge of 2 cubic metres per day. Condition (g) requires that a reserve disposal area sized at 100% of the area of the primary field be provided for. This is not met, with a reserve field of approximately 70% proposed. All other conditions of Rule 36.1.3.2 are able to be met. On account of the rate of discharge, the conditions of restricted discretionary Rule 36.1.4.2 is also not met. As such, the proposed discharge requires consent as a non-complying activity under Rule 36.1.6.1 of the TRMP.

RESOURCE CONSENTS REQUIRED AND ACTIVITY STATUS

In summary, the resource consents that are applied for and their activity status are sought as follows:

- Subdivision consent to subdivide 6 existing titles to create 58 rural residential style allotments, three roads to vest, three balance lots to remain in the ownership and management of the residents, and one balance Lot to remain in the ownership of the Applicant (north of Mamaku Rd). This is a restricted discretionary activity under Rule 16.3.7.3. Consent is also sought to subdivide HAIL land, as a restricted discretionary activity under Regulation 10 of the NESCS.
- Land use consent for the formation of roads that do not meet the footpath width requirements of the NTLDM and TRMP. This is a discretionary activity under Rule 18.8.3.3 of the TRMP
- Land use consent to construct a dwelling on each of Lots 1-27 and 29-58. Those dwellings with road frontage (where road boundary setback reductions are sought) are a restricted discretionary activity under Rule 17.7.3.3 of the TRMP. All other dwellings are a controlled activity under Rule 17.7.3.2 of the TRMP. Consent is also sought to change the use of HAIL land to residential, as a restricted discretionary activity under Regulation 10 of the NESCS.
- Land use consent is sought for works in the beds of streams for the installation of culverts and to enable realignment of existing streams. These activities are a controlled activity under Rule 28.1.5.2 and a discretionary activity under Rule 28.1.8.1 of the TRMP, respectively.
- Water permit for the proposed diversion of water within a stream onto a new alignment. This is a discretionary activity under Rule 31.1.3.2 of the TRMP.
- Land use consent for recontouring earthworks, and for other earthworks including works in riparian margins and flood plains, and for quarrying. These activities are a controlled activity (recontouring) under Rule 18.5.2.3, and a restricted discretionary activity (all remaining earthworks) under Rule 18.5.2.5 of the TRMP. Consent is also sought to disturb HAIL land, as a restricted discretionary activity under Regulation 10 of the NESCS.
- Discharge permit to authorise the diversion and discharge of stormwater from private lots (Lots 1-27 and 29-58), and from the outlets of the two detention basins in Lot 59 are a restricted discretionary activity pursuant to Rule 36.4.2.3.
- Discharge permit to authorise the discharge of domestic effluent to land, as a non-complying activity under Rule 36.1.6.1 of the TRMP.

With the bundling of consents, the proposal is overall a non-complying activity under the Tasman Resource Management Plan and the NESCS.

A standard 5 year lapse period is sought for the land use and subdivision consents sought through this application, noting that the commencement date for the land use consent for dwellings will apply from the date that s224 approval is obtained for any given stage of the subdivision.

A duration of 35 years is sought for water permits and stormwater discharge permits sought through this application. A 15-year duration for the wastewater discharge permit is sought, consistent with standard Council practice.

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 104(1)(a) of the RMA, the framework under which the Council will determine a resource consent, requires that a consent authority have regard to any actual or potential effects on the environment of consenting to an activity. Section 104(1)(ab) also requires that the consent authority consider any

measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.

Section 88(2)(b) of the Resource Management Act 1991 states that any application for resource consent must be accompanied by an assessment of effects on the environment prepared as required by Schedule 4 of the Act. Clause 2(3)(c) of Schedule 4 requires the AEE in such detail as corresponds with the scale and significance of the effects on the environment that may arise with the proposed activity.

Use of the words "*effect*", "*environment*" and "*amenity values*" in this assessment of effects on the environment should be interpreted as follows, in accordance with Sections 2 and 3 of the Resource Management Act 1991:

> **"Effect"** ... includes-
>
> (a) Any positive or adverse effect; and
>
> (b) Any temporary or permanent effect; and
>
> (c) Any past, present, or future effect; and
>
> (d) Any cumulative effect which arises over time or in combination with other effects-
>
> regardless of scale, intensity, duration, or frequency of the effects, and also includes-
>
> (e) Any potential effect of high probability; and
>
> (f) Any potential effect of low probability which has a high potential impact.
>
> **"Environment"** includes –
>
> (a) Ecosystems and their constituent parts, including people and communities; and
>
> (b) Any natural and physical resources; and
>
> (c) Amenity values; and
>
> (d) The social, economic, aesthetic and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.
>
> **"Amenity values"** means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

The following assessment has been guided by:

- Clauses 2(3)(c), 6 and 7 of Schedule 4 to the RMA;
- the fact that the land is zoned for rural lifestyle purposes, with plan provisions that anticipate such development and guidance as to how this may be achieved;
- any assessment criteria or matters of restricted discretion relevant to the proposed activities requiring resource consent;
- any mitigation measures or remediation recommended as part of the proposal;
- the lawfully established existing environment, which includes the consented 'Harakeke' development as detailed earlier;
- the reports and plans in Annexures A-I of the application.

The actual or potential effects of the subdivision and related activities, including positive effects, are addressed below under broad headings that, for the most part, reflect the expert opinions in the reports in Annexures A-I of the application.

Visual and Landscape Effects

In undertaking bulk earthworks across the site to enable the proposed subdivision, and in introducing infrastructure and buildings such as roads and dwellings to the site, the proposal will have the potential to result in effects on the landscape and visual qualities of the site and surrounds. These effects need to be considered in the context of the Rural 3 zone which the site and surrounds are located within, which anticipates rural lifestyle development of this nature.

The existing environment is also relevant to provide context to these effects, this environment containing a range of existing rural lifestyle developments that form part of the character and amenity values of the locality, and also includes the consented Harakeke development.

BML have assessed the landscape and visual effects of the proposal in their assessment included at Annexure B. They conclude that:

> *'The greatest visual effects would be during the construction period, when earthworks to create road access and building platforms will be visible within the immediate Site context, including for some nearby neighbours. For the nearest neighbours, effects at completion would reduce to low-moderate adverse, with effects for other residents reducing to low to very low adverse. Effects from public locations range from moderate adverse during the earthworks period, reducing to Low moderate adverse at completion and low to very low adverse following establishment of vegetation.*
>
> *Once completed, the proposed development is considered to have a neutral to beneficial effect on the natural character values of the area due to the already modified nature of the landscape within the Site and resulting improvements to stream areas carried out as a result of the masterplan development.*
>
> *Landform effects would also result from earthworks, but these effects are minimised at completion by tying earth worked areas back into the natural contours and reseeding or planting slopes. Overall, while there will be a change to the landscape character of the area as a result of the proposed development, the Site's location within the well-settled Tasman landscape and the proposed masterplan landscape structure, means that once construction is complete, the Site has the capacity to absorb such changes, resulting in low-moderate adverse landscape character effects.'*

Taking this expert advice into account, it is concluded that any potentially adverse landscape and visual effects on the environment will be minor overall.

It is relevant to note that BML consider that, during earthworks, there will be a moderate adverse visual effects experienced by users of Marriages and Mamaku Roads, and users of the Great Taste Trail. Given the transitory nature of exposure to such effects when travelling along a relatively short portion of these roads/ trail, and the temporary nature of the effects (given that they are assessed to reduce to low level effects following earthworks completion), these effects on the environment are considered to be minor. As concluded by BML, there will also be positive effects on natural character values.

Residential Amenity Values, Cross Boundary and Reverse Sensitivity Effects

The application site directly adjoins a number of properties, most of which are used in a rural lifestyle capacity, but also with one (100 Marriages Road) that is used for both residential and small-scale horticultural use. There are also a variety of surrounding properties that are separated from the application site by roads, and which are used variously for residential and rural production activities.

In addition to the landscape and visual effects detailed above there is the potential, in developing the subject site, for other cross boundary and reverse sensitivity effects to occur in relation to these neighbouring land uses.

The development proposed by this application involves private lots that are smaller than those of surrounding rural lifestyle developments. This is not, in itself, considered to result in adverse effects on the environment. In addition to the conclusions reached by BML as detailed above in relation to the degree to which the development will fit within the visual and landscape character of the surrounding environment, it is also relevant to consider this factor in the context of the provisions for the Rural 3 zone.

Critically, beyond the high level subdivision condition triggering the need for consideration of any subdivision resulting in lot sizes smaller than 50ha, there are no TRMP provisions dictating what lot sizes are appropriate for rural lifestyle allotments in the zone. Whilst the surrounding context is of larger lot sizes, this is principally a function of providing for individual domestic effluent requirements within each of the private allotments. The 'density' of development proposed within the housing clusters is not considered to be at odds with the expectations for the zone.

Where housing of this density adjoins boundaries, it raises the potential for adverse effects associated with increased noise and activity. For this reason, the proposal has been designed with larger lot sizes where these adjoin neighbouring property boundaries, in particular those to the south of the site where there is a reasonably close proximity to existing dwellings on the adjoining sites, and where these benefit from outlook across the application site (including proposed Lots 7, 36-38, 53-55 and 58).

The size and depth of the lots that adjoin the southern site boundaries are such that there is sufficient space to accommodate visual screening (as shown in the BML plan set), but also to provide physical separation between dwellings (and associated vehicle access, parking and primary outdoor living space) within these lots and existing dwellings on neighbouring land.

As can be seen in the BML plans, there is sufficient depth within these lots to enable a similar building setback with the southern boundary as the existing dwellings on 71 and 72 Suncrest Drive do with the same shared boundary. This setback is more generous than the 5m habitable boundary setback envisaged by the Rural 3 zone provisions provide for. Notably, the building platforms on these proposed lots will also be cut down below the level of the adjoining land to the south, further reducing visual impacts and reliance of screening.

The depth of these lots also provides ample opportunity to provide setbacks of dwellings within Lots 7 and 36 (being the only two residential lots that adjoin neighbouring land used for horticultural purposes at 100 Marriages Road) to avoid adverse reverse sensitivity effects in relation to the small-scale horticultural activities carried out there.

The proposed change of use of land adjoining the southern site boundary and that of 56 Marriages Road, from rural production to rural lifestyle, will eliminate any potential for cross-boundary effects associated with production activities carried out on the application site, for existing dwellings located on adjoining land.

All other rural lifestyle and rural production land surrounding the application site (but not immediately adjoining it) is sufficiently buffered by roads or Tuckers Pond to ensure that effects on the amenity values of these properties (and any reverse sensitivity effects) are insignificant.

Overall, I consider that the proposal strikes an appropriate balance between those areas that will be developed for rural lifestyle purposes and those areas retained in open space to ensure that the overall character and amenity values of the surrounding area are minimised. Where rural lifestyle allotments immediately adjoin neighbouring properties, these allotments are of a size and shape that enable effects on the residential amenity values of these neighbouring properties, and reverse sensitivity effects in the limited locations they have the potential to occur, are able to be appropriately managed. Notwithstanding the landscape and visual effects addressed above, effects on residential amenity and reverse sensitivity are generally considered to be less than minor.

As detailed in the BML report, there is potential, with mitigation, for adverse visual effects on those properties which have the closest visual connection with the application site to be minor, at least in the short-term.

Rural Productive Land Effects

The proposal involves development of land that is currently in productive use (albeit low intensity) and this development will have a degree of impact on the productive value and productive potential of the land. Although the Rural 3 zoning of the site anticipates rural lifestyle development which inevitably will result in some impact on productive use, effects on productive values are a relevant consideration in assessing applications to do so. Highly relevant to any consideration of these effects is the existing environment, specifically the baseline of effects provided by the Harakeke consents.

The current productive values of the application site and the effect of the proposal on these values have been addressed by LandSystems in their report at Annexure I. This assessment is cognisant of the existing environment, in particular the Harakeke consents. The LandSystems report includes the following conclusions:

- *Overall, the Marriages-Mamaku Road site has at best moderate to low soil versatility, with the with the balance of the area being low soil versatility and non-productive land.*
- *The moderate to low soil versatility areas are predominantly Mapua undulating and Mapua rolling soils, interfingered with low soil versatility Neudorf soils, which reduces the potential use of the combined areas for broad scale primary production.*
- *The surrounding flat topography is predominantly low versatility soils (Neudorf, Braeburn and Kina soils).*
- *The LUC units on the site are LUC unit 3e6 and LUC unit 3w1, which are assessed as having moderate to low suitability for arable cropping and are best suited to moderate to low intensity pastoral land use due to their respective erosion and wetness limitations.*
- *There is no PLC land class 'A' on the site, therefore, there is no potential loss of the TDC's most productive horticultural soil types. Although PLC Land classes 'B' and 'C' are present on the site, these map units include lower rated PLC Land classes ('E' and 'F') which reduce the overall productive potential of the areas.*
- *Although the range of land uses on the wastewater areas is likely reduced, the areas will remain available for long term productive uses such as a feed crop (such as hay) and*

manuka planting which may provide honey production or carbon sequestration benefits.

- *The proposed enhanced riparian areas and the detention pond will have positive benefits which include increasing waterway bank stability and reducing ongoing surface loss of sediment from the productive land on the site to waterways.*
- *Clustering lots along ridgelines with Mapua soils, aims to preserve the majority of the land for productive use. This strategy maximizes available productive land, encourages more practical land use, and avoids deeper Mapua soils and more favourable topography for land use activities, reducing the impact of subdivision on the site's productive capacity.*
- *Based on the concept plan provided, the revised plan with 58 residential lots does have more lots but the location and reduced size of the lots, results in a reduced net loss of productive land of 1.15 ha, compared with the original consented plan.*

Taking this expert advice into account, it is concluded that any adverse effects on the environment in terms of productive land values will be minor. This conclusion takes into account the consented use of the land for rural lifestyle development (the Harakeke consent) and the fact that the current proposal utilises a smaller 'developed' footprint than this consented baseline. Whilst part of the retained open space within the site will be utilised for wastewater disposal, this land retains potential for productive use.

Wastewater Management and Potential Effects of Wastewater Discharges

The proposal involves on-site treatment and disposal of domestic effluent via a community system. The discharges associated with these systems have the potential to generate adverse effects, which are relevant to consider as part of this application.

With regard to wastewater, the proposed on-site communal wastewater treatment and land disposal system has been conceptually designed to ensure that effects associated with the discharge of treated effluent are appropriately managed. The design of this system has been integral to the proposal as a whole. The environmental effects of the wastewater discharge have been assessed in detail by Envirolink, who concluded the following:

> *'The specification of a secondary treatment plant partially mitigates the effect of this discharge by reducing nutrient concentrations of the wastewater. Biological processes which are critical to further reducing concentrations of nutrients and pathogens take place within the soils of the disposal area. Provided there is no direct flow path between effluent and the adjacent gullies, the effect on the environment of the proposed discharge is considered insignificant. This can be managed provided that effluent is retained in the soil and there is no 'daylighting' or surface ponding of effluent.'*
>
> *For the proposed system, the application of effluent using driplines subsurface is an important control to eliminate the potential for such a direct link. The application of effluent at such low rates means that even under prolonged wet conditions, there is a very low probability of effluent ponding on the ground surface provided the system is correctly maintained. The probability of effluent seeping into the gullies is considered very low with the proposed rate of effluent disposal and setback distances.'*
>
> *Provided that the wastewater management system is maintained in sound operating condition, the effect of the proposed discharge on the environment is considered less than minor. Robust ongoing maintenance has been specified. It is recommended that these requirements are imposed as a condition of consent to ensure ongoing successful operation of the system.'*
>
> *Consideration of alternatives has been undertaken including individual onsite systems and smaller clustered systems treating effluent from a group of properties. In accordance with TP58:*
>
> > *"A related problem from on-site disposal systems occurs as a consequence of clustering of properties, without adequate provision of open space. The intensification of individual on-site wastewater treatment and land disposal systems within a limited area has the potential for cumulative adverse effects on the environment."*
>
> *GD06, the successor to TP58, provides less explicit guidance in this regard however the specification of a well-regulated community treatment system offers greater certainty that potential public health risks and environmental impacts will be managed.'*

As detailed by Envirolink, the treatment and land application has been designed to avoid potential adverse effects on the environment through the secondary treatment of effluent and use of subsurface

irrigation, and through appropriate setbacks from watercourses and stormwater channels to avoid conveyance of effluent to these.

Envirolink note the importance of appropriate maintenance of the system, and it is envisaged that consent conditions will require the preparation of a maintenance program, the contract for the implementation of which will be the responsibility of the legal entity formed by the residents. As noted by Envirolink, the use of an appropriately designed and maintained communal system offers greater certainty in relation to environmental effects than that of multiple individual systems that rely on maintenance by a large number of private lot owners.

The Envirolink report includes some commentary on odour control, noting that this may not be necessary to avoid nuisance effects given the location of the treatment plant a significant distance from sensitive residential receivers on the site and on adjoining land. However, Envirolink note the necessity of providing sufficient space for odour treatment systems in the detailed design to enable this to be implemented later should it become necessary. There is sufficient space to provide for this, and it is envisaged that consent conditions would require implementation of odour treatment, if necessary, through a review condition.

Taking the above into account, it is concluded that potential adverse effects associated with wastewater discharges associated with the development will be less than minor.

Effects of Stormwater Management and Flooding

The proposal involves the discharge of excess stormwater (i.e., stormwater which is not captured in rainwater retention tanks) to ground where it will enter a comprehensively designed stormwater management system including detention ponds. These discharges have the potential to generate adverse effects, as do effects of the proposal on existing flooding risks.

With regard to stormwater, the key consideration is how the proposed diversion and discharge of stormwater from impervious surfaces (roof areas, driveways, roads and rights of way) may affect downstream flooding and stream values, and how any earthworks may impact on existing flood flows. CGW have undertaken an assessment of these matters and have designed a comprehensive stormwater management system for the site including repurposing of two existing irrigation ponds on the site, and formation of stormwater conveyance channels. In terms of managing the potential adverse effects, CGW's report concludes that:

- *'Through modification of the existing pond areas P1 and P2 into detention ponds following the recommendations in this report, hydraulic neutrality can be achieved at the downstream discharge for the 10% AEP and 1% AEP RCP8.5 2100 12-hr storm event using HIRDS rainfall depths and hyetographs as required by TDC and the NTLDM.*
- *Extended detention can be provided within both proposed ponds to discharge the 50% AEP storm event over 24hrs as required by TDC and the NTLDM.*
- *Through specific design of key culverts and bunding in locations, along with the other stormwater design components described in this report, offsite flood risks can be mitigated so that the effects are less than minor.*
- *Provision of the channels along the western boundary sized for primary and secondary flows will provide the offset required to the effluent land application areas designed by Envirolink.*
- *The specific design of inlet and outlet structures for any existing ponds on-site that are to remain post-development should be undertaken at the detailed design stage in accordance with the relevant standards.'*

CGW note the modelled increase in flooding for a small section of the driveway of the neighbouring property at 100 Marriages Road as a result of the physical barrier that the earthworks for Road 1 will create across existing flowpaths northwards from 100 Marriages Road into the application site. CGW confirm that through detailed design of culverts below Road 1 (or possibly through the formation of a spillway over Road 1) any increase in flooding on this lot can be managed so as to be less than minor in terms of potential adverse effects, or possibly be eliminated altogether.

Similarly, detailed design will be required to ensure that no increase in flooding effects will result from the proposed development, as confirmed conceptually in the CGW modelling. Detailed design will involve consideration of the existing P2 outlet and conveyance of these flows under Mamaku Road. CGW will also be involved in the detailed design of stream realignment works to ensure the new channels do not result in any change to pre-development discharge from the site. Extended detention will be provided for in the design, thereby avoiding downstream stream bank erosion effects.

Stormwater runoff from the site will be from overflows from water tanks, runoff from private driveways and rights of way, and from low traffic volume roads. Due to the low risk of contaminants being generated from these sources, adverse effects in terms of stormwater quality are not anticipated. The proposal falls well below the threshold of requirements within the NTLDM in terms of the traffic volumes required to necessitate formal stormwater quality treatment. In saying that, the proposed stormwater system involves significant lengths of grassed stormwater swales (including along all roads) and detention ponds have been sized for water quality volumes.

Taking the above into account, it is concluded that any potential adverse effects associated with stormwater diversion and effects on flood conveyance will be less than minor.

Traffic Safety and Efficiency

The proposed development will be a generator of traffic movements, and the effect of this traffic on the safety and efficiency of the surrounding road environment, as well as that internal to the site, are relevant considerations. The traffic assessment prepared by Traffic Concepts Ltd at Annexure C assesses these effects, reaching the following conclusions:

> *'The proposed development seeks to provide 58 lots that will be accessed via a new road with an intersection on Marriages Road.*
>
> *The analysis of the safety and capacity of the existing road and the proposed roads shows there are no safety or capacity constraints with the increased use of the road network.*
>
> *The proposed development is able to meet most of the requirements under the NRMP and the NTLDM except for the width of the footpath for Roads 2 and 3. As noted above these non-compliances have no discernible effects on safety or efficiency of users of the new road network.*
>
> *Overall, the proposed development will provide a road network that is safe and efficient with safe and convenient connections onto Marriages Road. The future residents are able to easily access the wider road network through the well-designed intersection and the connections to Aporo Road. Accordingly, any effects would be indiscernible to other road users.'*

Taking into account the expert advice of Mr Clark of Traffic Concepts on this specialist matter, it is concluded that the proposal will have a less than minor effect on the safe and efficient operation of the surrounding road network within and external to the site.

Effects of Earthworks

The proposal involves bulk earthworks on the site for the construction of roads, building platforms, stream realignment, and installation of culverts and infrastructure. These have the potential to result in adverse effects in relation to land stability and erosion and sedimentation of watercourses. These are addressed below. Any effects associated with land disturbance of contaminated soils, and in relation to ecological effects of works in streams are addressed separately in the following sections, and effects of earthworks on flooding have been addressed above.

TFEL have assessed the overall stability of the site and concluded that they do not consider that there is an overall slope stability issue affecting the proposed building sites on the property. TFEL do note that poor construction management practices during earthworks could lead to situations where cut batters and excavations become unstable and consequently cuts should be managed in an appropriate manner in accordance with their size. As such, they make specific recommendations for how cut and fill earthworks should be designed and carried out, and these recommendations are adopted as part of the application.

On the basis of this expert advice, it is concluded that the proposed earthworks will be carried out such that there will be no adverse effects on land stability. Additionally, it is noted that earthworks are generally not proposed to be undertaken close to the boundaries of the application site.

With regard to the effects of erosion and sedimentation, TFEL note that it is vital that any earthworks are planned and executed in a manner that will not lead to excessive erosion and subsequent sedimentation. In order to help prevent excessive sedimentation, the works are to be staged in accordance with the detail provided in the TFEL report. Additionally, the Applicant has prepared a concept erosion and sediment control plan which has been reviewed and adopted in the TFEL report. Adherence to this, or a final plan prepared in general accordance with this prior to commencement of the proposed earthworks, will ensure that adverse effects associated with erosion and sedimentation will be managed so as to be less than minor.

The proposed stream diversion works are to be constructed 'off-line' as dry channels that will be fully formed and stabilised prior to the existing streams being diverted through them. Thiswill also minimise the potential for mobilisation of sediment associated with these works such that effects will be less than minor.

Standard dust control measures will be followed to minimise the potential for nuisance associated with dust. The proposed earthworks staging detailed by TFEL will also assist in minimising dust nuisance effects.

The management of earthworks in accordance with TFEL's recommendations and standard dust control measures will ensure that effects of earthworks are less than minor, and it is expected that conditions of consent will address these matters.

Ecological Effects

RMA Ecology have assessed the ecological effects of the proposed development using the EIANZ method. This includes effects of earthworks, works to realign watercourses, and vegetation removal, and takes into account mitigation measures proposed in the application, including the significant level of restoration planting and naturalisation of modified watercourses. The below table from RMA Ecology's report summarises these effects:

Factor	Value of resource[9]	Magnitude of effect[10]	Level of effect[11]
Loss of native bird habitat	Low	Negligible	Very low
Loss of lizard habitat	Low	Negligible	Very low
Loss of native fish habitat (including fish passage)	High[12]	Low	Low
Sediment discharge into streams	Moderate	Low	Low
Loss of stream length or value	Moderate	Net-gain	Positive
Dewatering of streams and wetlands	Moderate	Negligible	Very low
Loss of stream shading	Low	Net-gain	Positive

In conclusion, they consider that:

> *'The EIANZ analysis indicates that all of the potential adverse effects (with mitigation applied) will be positive, very low, or low in ecological terms. This equates to negligible and less than minor adverse effect in RMA terms, respectively. Since the residual adverse effects after avoidance, remediation, and mitigation will be less than minor, the need for biodiversity offsetting or ecological compensation is not required.*
>
> *Good practice principles for addressing adverse effects of this nature on loss of habitat for native fauna (birds, lizards, fish) is to undertake habitat enhancement in the form of native restoration planting which, as described above, will comprise riparian margins on each side of streams and other areas at the site totalling c. 6.3 ha. These native plantings will be of an appropriate composition, spacing and management regime to ensure canopy closure, the suppression of pest plants, and the eventual establishment of vegetation which will be similar in structure and composition to the original ecosystem type at the site (insofar as is possible with restoration planting of this nature).'*

Taking this into account, it is concluded that any potential adverse ecological effects associated with the proposal will be less than minor. There will also be positive ecological effects, addressed further below.

Land Contamination

Geo-Env's report dealing with this issue is in Annexure E. The preparation of, and adherence to, a Remediation Action Plan (RAP) and recommendations for those areas where background levels are exceeded, are appropriate in protecting human health and addressing environmental effects. These include effects associated with land disturbance activities associated with construction, for any material disposed off-site, and for future residential use of the land within private ownership.

Any ongoing measures to manage land that has not been remediated to background levels will be addressed through a SMP, adherence to which will ensure that effects on human health as a result of activities within the RA land or private allotments will be avoided. It is noted that Geo-Env have confirmed that contamination limits for recreation uses will be achieved for the RA land, and that no limits apply for productive use of the land, this being the current activity undertaken on the site, and not covered by the NESCS.

Cultural Effects

Refer to earlier assessment. Adverse effects on cultural values are, based on current information, considered to be adequately avoided or mitigated by the proposal.

Archaeological Effects

As discussed earlier, previous assessment has established that archaeological values on the site are low. Additionally, and as discussed above, the site has been heavily modified over time. Given this, adoption of accidental discovery protocols for any unexpected finds of items of archaeological value are proposed. This is consistent with the approach taken for the Harakeke consent, which relied upon the advice of Ms Young[4]:

> The general archaeological values of the property are low. Archaeological monitoring of earthworks should only be required for work in the vicinity of Te Pa Pa (such as the paths and any further earthworks for the nearby residential lots). Iwi monitoring requirements are decided by iwi.
>
> The possibility of accidental discovery of archaeological sites or taonga can be covered by:
>
> - Pre-earthworks briefing of contractors regarding archaeological and cultural values and protocols;
> - Development and widespread dispersal of Accidental Discovery Protocols.

It is concluded that adverse effects on archaeological values on the site will be appropriately managed through accidental discovery protocols to be less than minor.

Positive Effects

The proposal will result in significant positive effects. These include the provision of additional land available for residential development within the region, including when considered in relation to the consented baseline, enabled through more efficient use of the available land resource within the site. This increased efficiency, achieved on land within the region and Rural 3 zone that is of lower productive value, will relieve pressure to some extent for rural lifestyle development elsewhere, including on land that is of higher productive value.

The proposal will result in appreciable ecological, biodiversity and water quality benefits many of which will extend beyond the boundaries on the site. It is acknowledged that the corresponding ecological, biodiversity and water quality benefits proposed under the consented Harakeke development would be similar. Relative to the Harakeke proposal, the implementation of a single community wastewater system provides the potential for environmental benefits relative to multiple individual systems, for the reasons detailed by Envirolink.

Conclusion - effects

In conclusion, subject to the development proceeding in accord with the professional design and recommendations submitted as annexures to this application, any adverse effects of the proposal will be no more than minor, and in most cases less than minor. On that basis, the proposal satisfies the first 'gateway' test for non-complying activities under section 104D(1)(a), "the adverse effects of the activity on the environment…will be minor" with the upshot that it is appropriate to assess the merits of the proposal in terms of sections 104 and 104B of the RMA.

[4] Archaeological Assessment: Harakeke 2015 Ltd Property, Tasman. Amanda Young report 25 May 2015, pg 31

Taking into account the positive effects detailed above, any actual or potential effects of the proposal will be acceptable from a resource management perspective.

PLANNING / POLICY FRAMEWORK

Under section 104(1) of the Act a consent authority must (subject to Part 2) have regard to the objectives and policies in any relevant planning documents in considering an application for resource consent.

New Zealand Coastal Policy Statement

Although not sharing an intimate relationship with the CMA, as part of the Coastal Tasman Area and the application site drains towards the coastal environment, so the NZCPS (2010) has some relevance to this proposal. This is an appropriate location for and scale of development as it will consolidate rural settlement within the Rural 3 Zone, inland of existing rural residential properties and where not highly visible from or impacting on the natural values of the coastal environment. The subdivision will not offend the NZCPS.

The National Policy Statement on Highly Productive Land 2022 ("NPS HPL")

The NPS HPL came into effect on 17 October 2022. The overall focus of the NPS HPL is to is to ensure that sufficient highly productive land (HPL) is available for primary production use, both now and for future generations. The core resource management issue the NPS-HPL seeks to address is the ongoing, incremental loss of HPL, primarily from urban rezoning and land fragmentation arising from rural lifestyle development.

The Council has not yet updated its Regional Policy Statement to include maps of HPL across the region. The Rural 3 zone is not a general rural or rural production zone. Therefore, under Section 3.5(7) of the NPS HPL, the NPS does not apply to the subject land and is not relevant to the application.

Notwithstanding this, the development of the subject land in an efficient manner supports the purpose of the NPS HPL to the extent that it would provide living opportunities within a generally rural environment, including 'rural lifestyle' opportunities, in an area that is not HPL as defined in the NPS, and which is not the most highly productive land in the region. In doing so, the proposal would relieve pressure for developing other rural land of higher productive value within the region, including land on the periphery of existing urban centres including Richmond, Motueka and Brightwater. Indeed, this was one of the objectives of establishing the Rural 3 zone.

National Policy Statement – Freshwater Management

The NPSFM 2020 sets out the objectives and policies for freshwater management under the RMA. Its objective is:

"to ensure that natural and physical resources are managed in a way that prioritises:

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of peoples (such as drinking water);

(c) third, the ability of people and communities to provide for their social, economic and cultural well-being, now and in the future."

In achieving this, policies relevant to this application include:

Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.

Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.

Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

Policy 7: The loss of river extent and values is avoided to the extent practicable.

Policy 9: The habitats of indigenous freshwater species are protected.

Policy 15: Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement.

The proposal represents an efficient use of a site in a manner that will not adversely affect the values of wetlands and other receiving freshwater environments, including values associated with Te Mana o te Wai. This is achieved by designing wastewater disposal systems in accordance with the recommendations of the Envirolink report to avoid the discharge of contaminants to wetlands or watercourses on the site, including through adequate setbacks, disposal rates and treatment quality.

Additionally, site works will be carried out to ensure that sediment movement will not physically impact on wetlands and other waterways through adherence to strict management measures on site to ensure effects associated with sediment movement to wetlands are avoided, planting of gullies to provide for the long-term health of wetlands and waterways, and providing appropriate on-site stormwater mitigation to ensure that stormwater discharges do not adversely impact on the hydrological regime of the site and surrounds.

The proposed stream diversions are consistent with these policies and the overarching objective, as the existing watercourses on site are highly modified and have minimal ecological value, as confirmed by RMA Ecology. RMA Ecology have also confirmed that the diverted streams are able to achieve ecological enhancement, through increased stream extent, enhanced in-stream habitat and riparian augmentation. As such, there will be no loss of river extent or values, habitats will be enhanced, and the principles of Te Mana o te Wai will be upheld, whilst also providing for the housing needs of the community.

TRMP policies 27.1.3.1A and 30.1.3.1A give effect to Section 3.24(1) of the NPSFM, in that they require that the loss of river extent and values is avoided, unless the council is satisfied that:

(a) there is a functional need for the activity in that location; and

(b) the effects of the activity are managed by applying the effects management hierarchy."

As the realignments will not result in a loss of river extent or values (as both extent and values will increase as confirmed by RMA Ecology, and the stream beds affected are not natural stream beds), a functional need does not need to be demonstrated and the effects management hierarchy need not be applied. On this basis, the proposed diversions will not result in more than minor residual adverse effects, and Appendices 6 (Principles for aquatic offsetting) and 7 (Principles for aquatic compensation) are not applicable.

Overall, the proposal will achieve the intent of the NPSFM.

Tasman Regional Policy Statement

The TRMP and its objectives and policies have been developed so consistent with the objectives and policies in the Tasman Regional Policy Statement (TRPS). The proposal will not undermine the policy direction of the TRPS.

Tasman Resource Management Plan

Objectives and policies of the TRMP that are considered to be relevant to the proposal are contained in Chapters:

- 5 - Site Amenity Effects;
- 7 - Rural Environment Effects;
- 8 - Margins of Rivers, Lakes, Wetlands and the Coast;
- 9 - Landscape;
- 11 - Land Transport Effects);
- 12 -Land Disturbance Effects;
- 13 -Natural Hazards;
- 27 -Activities in the beds and on the surface of rivers and lakes;
- 30 - Taking, using, damming and diverting water; and
- 33 -Discharges to Land and Fresh Water..

The provisions at Sections 7.1 and 7.2 of the TRMP apply generally to all rural zones, including those identified as more productive (Rural 1), less productive (Rural 2), and those suitable for rural living opportunities (Rural 3 and Rural Residential). These seek to preserve the ability of more productive land for soil-based production activities and also recognise, and seek to retain, opportunities for residential

development within the Rural 3 and Rural Residential zones. For the Rural 3 zone in the Coastal Tasman Area, there are specific objectives and policies that address these same matters which are outlined below.

Of particular relevance to the project as a whole are Objective 7.3 and the policies in 7.3.3 of the TRMP which relate specifically to rural lifestyle development in the Coastal Tasman Area. The proposed subdivision is, in principle, in an appropriate location in that the application site and locality is part of the Rural 3 Zone within which Council has enabled residential development while avoiding, remedying and mitigating adverse effects on the environment (Policy 7.3.3.1). Consent to the Harakeke Subdivision has confirmed this to be an appropriate site.

The site has been investigated and the subdivision designed to ensure that the valued qualities of the CTA – rural character and landscape values, productive land, and coastal and riparian margins – are protected from inappropriate development (Policy 7.3.3.3[5]). This has been specifically addressed in the Landscape and Visual Assessment prepared by BML at Annexure B. In particular, they note that:

> *'The masterplan has been developed to follow the outcomes outlined in the Coastal Tasman Subdivision and Design Guide for sub-unit 6B Beulah Ridge in which the Site is located, which is identified as having "considerable potential for cluster-like development and the rural village concepts identified". The Design Guide identifies a number of landscape qualities that should be maintained by any development in the Beulah Ridge landscape sub unit. These are outlined in Appendix 2, with commentary on how each has been achieved[6].'*

The proposal exemplifies the 'cluster-like' development promoted for the Rural 3 zone in general and the Coastal Tasman Area, in particular, and appropriately realises the 'considerable potential' that the Beulah Ridge landscape sub-unit that it falls within for such development[7], particularly where this has been as comprehensively conceptualised and designed, as this proposal has been.

The threshold of 25% developed to 75% open space or unbuilt land spread across the whole of the Inland Tasman and Rural 3 Zones will also not be compromised by the subdivision (Policy 7.3.3.7); in fact, this ratio will essentially be met within the site, with only approximately 10ha of the 40ha overall site area being within proposed private allotments. It is also relevant to note that only a fraction of the land area within the private allotments will be built upon.

Policy 7.3.3.3 also seeks to ensure that the productive value of land and the margins of rivers streams and wetlands are protected from inappropriate development. These are two fundamental aspects that have guided the design of the proposed development. The proposal involves re-naturalising existing streams on the site that have been artificially straightened through past land practices, and planting of these streams, the gullies that feed them and the margins of existing ponds on the site, in addition to creation of a wetland.

With regard to productive land values, it is acknowledged that there is an element of tension between: the general provisions contained at Sections 7.1 and 7.2 of the TRMP in relation to protection of productive land across the rural zones in general[8], and; those that relate specifically to rural lifestyle development in the CTA which balance this against the objective of enabling rural lifestyle development. In this context, it is acknowledged that the proposal will result in a reduction of land within the site that is available for soil-based production activities, and that a proportion of this land meets the TRMP definition of 'high productive value'. Due to moderate wetness limitations across parts of the site, other parts of the site would not meet the 'high productive value' definition.

Landsystems confirm that the site has at best moderate to low soil versatility, moderate to low suitability for arable cropping and is best suited to low intensity pastoral use. Landsystems confirm that there is no PLC land class 'A' on the site, therefore, there is no potential loss of the region's most productive horticultural soil types.

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[5] Policy 7.3.3.3 To ensure that the valued qualities of the Coastal Tasman Area, in particular rural and coastal character, rural and coastal landscape, productive value of the land, and the coastal edge and margins of rivers, streams and wetlands are identified and protected from inappropriate subdivision and development.

[6] BML LVE paragraph 5.3.3.

[7] Coastal Tasman Area Subdivision and Development Design Guide, TRMP. Section 4.5 Inland Tasman (Landscape Unit 6).

[8] Including Policy 7.1.3.1 To avoid, remedy or mitigate the adverse effects of subdivision of rural land, particularly land of high productive value; Policy 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, and; Policy 7.1.3.5 To require land parcels upon subdivision to be of a size and shape that retains:
(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.

The Harakeke consent acknowledged that the land within the current application site is also not the land within the wider landholding that is of the highest productive value - that land being identified as being within the 'Horton' block, and retained in a large productive landholding in recognition of that. Consequently, there is not considered to be land of higher productive value within the site worthy of protection (Policy 7.3.3.5).

It is also relevant to note that a key objective in establishing the Rural 3 zone was to reduce pressure for rural residential development of other rural land in the District, including Rural 1 land, which has greater productive value. In this sense, the proposal achieves objectives to protect land of high productive value at a regional level.

Notwithstanding that some reduction in productive land is proposed, a significant proportion of the site will remain as open space and available for productive land use, where not otherwise utilised for environmental enhancement as discussed above. It is critical to assessment of the current proposal to recognise that the remaining land available for productive use will not be reduced relative to the existing environment represented by the Harakeke consents (the amount of land occupied by private residential curtilage areas on the site will be reduced from approximately 11.65ha, to 10.5ha[9]).

Additionally, the land retained in the Harakeke consents for productive use was fragmented, with some land to be retained and managed by a Residents Society, but also with three smaller allotments (2-6ha area, totalling approximately 10ha) remaining in private ownership. Under the current proposal, all land within the site that is not within private residential allotments (or the roads to vest) will remain as open space owned and management by the residents. This is considered to better preserve the productive potential of the land for the future than provided for under the baseline scenario.

Overall, the proposal is not considered to be contrary to the provisions of Sections 7.1, 7.2 and 7.3 that relate to productive land values. To the extent that the provisions at Sections 7.1 and 7.2 are more directive in relation to these values than those at 7.3 for the CTA, the specificity of the provisions at Section 7.3 in relation to the location and nature of development proposed, relative to the general rural provisions at Section 7.1 and 7.2 provisions dictates that these should be given greater weight.

The Applicant's engineers are satisfied that wastewater and stormwater from the proposal can be managed on-site (Policy 7.3.3.10) in a manner that avoids any potential for contamination of water resources (Policy 7.3.3.8). The proposed community wastewater system provides opportunities to manage wastewater for the development more efficiently than would be the case if a single system were proposed for each lot, whilst also providing opportunity for cumulative adverse effects from a multitude of systems in one catchment area (Policy 7.3.3.22).

The proposal includes extension of the existing road network in the manner that minimises adverse effects on landscape, natural character and amenity values, and will not compromise the safe and efficient operation of this network (Policy 7.3.3.11 and Objective 11.1.2). The application evaluates the subdivision, development and discharge proposals together in providing for further rural residential development in the CTA (Policy 7.3.3.13) and avoids any adverse effects of domestic wastewater disposal in the Wastewater Management Area (Policy 7.3.3.22).

Landscape planting of the site is proposed with predominantly native species to enhance the rural landscape qualities of the site and locality and to enhance existing water features within the site and to create a new wetland (Policy 7.3.3.15). The new lots will not be exposed to road noise from SH60 (Policy 7.3.3.17).

The proposal involves remediation of those parts of the site that are proposed for residential use, to ensure that effects associated with past land contamination are managed to avoid effects on human health (Policy 7.3.3.20). Sufficient buffer distances are proposed along boundaries shared with neighbouring rural lifestyle and rural production activities to ensure that cross-boundary and reverse sensitivity effects are able to be managed (Policy 7.3.3.14).

Having had regard to the existing and proposed environment, it is concluded that the rural character and amenity values of the site and environs will be retained under this proposal (Objective 7.4.2).

In terms of off-site amenity:

- Policy 5.1.3.1 seeks that any adverse effects of development on site amenity and landscape values are avoided, remedied, or mitigated, and

[9] Refer to BML plan 6.0 Consented development/ Proposal overlay

- Policy 5.1.3.9 that the effects of noise, glare, vehicles, and buildings beyond the boundaries of the site generating the effect are avoided, remedied or mitigated.

Objective 5.2.2 deals with on-site amenity, and its supporting policies seek to maintain privacy for rural dwelling sites (Policy 5.2.3.1), to promote amenity through vegetation, landscaping and screening (Policy 5.2.3.4), and to avoid, remedy or mitigate the adverse effects of traffic on the amenity of rural areas (Policy 5.2.3.8).

A high standard of residential amenity will be achieved on the new lots, without impacting adversely on the use and enjoyment of the adjoining rural lifestyle properties. The landscape and visual assessment prepared by BML addresses these matters and confirms that landscape and amenity values will be maintained, providing that recommended mitigation measures are implemented, which they will be.

The proposed subdivision will enable a rural lifestyle character to be achieved which meets the expectations of te Rural 3 zone and is complimentary to the surrounding rural lifestyle and rural production landscape, whilst also enabling effects associated with development of these sites on existing neighbouring properties to be appropriately managed, and with lots of a size and orientation that encourages the attainment of those amenity outcomes in Policies 5.2.3.1-5.2.3.4.

Policy 5.3.3.9 seeks to avoid, remedy or mitigate land use activities on contaminated sites where there is risk to human health of the environment, particularly where there is a change in use. This matter has been addressed in the Geo-Env assessment, and appropriate remediation of the site is proposed to achieve this.

The suitability of the site for wastewater disposal has been professionally assessed and a suitable system designed, being cognisant of environmental constraints (Policy 5.1.3.5). Similarly, stormwater management on site has been specifically designed to manage effects on-site, and to ensure that any potentially adverse off-site effects are less than minor (Policy 5.1.3.8).

With regard to wetlands and streams on the site, the proposal avoids the destruction of any indigenous vegetation within or on the margins of wetlands or streams (Policies 8.2.3.2 and 8.2.3.22), in addition to providing for significant enhancement of existing streams through re-naturalising their form and undertaking riparian planting, plus creation of a new wetland. This is an outcome specifically sought by Policy 8.2.3.17, and is also supported by Policies 8.2.3.1, 8.2.3.7 and 30.1.2.2.

The proposal avoids and mitigates adverse effects of land management practices (including earthworks and stormwater detention and discharge) on the margins of wetlands (Policies 8.2.3.3 and 8.2.3.4). Public access to and along the margins of water bodies will be enhanced through the provision of a public easement around the margin of Tuckers Pond, enabling future connection to be created to the wetland area to the south of this, should Council be able to negotiate this outcome with landowners beyond the application site (Policy 8.1.3.1).

The landscape provisions at Chapter 9, including Objective 9.2.2 and its supporting policies, seek retention of the contribution rural landscapes make to the amenity values and rural character of the District, and protection of those values from inappropriate subdivision and development. There is significant overlap with these provisions that apply to the region as a whole and corresponding landscape provisions relating specifically to the CTA as detailed above. These have been addressed by BML in their assessment, and as concluded above, the proposal is considered to achieve the overall intent of these provisions.

Objective 11.1.2 and its supporting policies seek a safe and efficient transport system where any adverse effects of subdivision, use and development of land are avoided, remedied or mitigated. The outcomes sought through these provisions are addressed within TCL's report. This report concludes that the proposed development will provide a road network that is safe and efficient with safe and convenient connections onto Marriages Road. It also confirms that future residents will be able to easily access the wider road network through the well-designed intersection and the connections to Aporo Road. Accordingly, TCL consider that any effects would be indiscernible to other road users.

With regard to land disturbance activities on the site, suitable management practices will be employed to avoid adverse erosion and sedimentation effects on the surrounding environment (Policy 12.1.3.2).

In designing the development to avoid areas subject to natural hazards (specifically, flooding), and through avoiding or minimising through detailed design any effects of the development on natural hazard risks on other property, consistency is achieved with natural hazard objectives 13.1.2.1 and 13.1.2.2 and their supporting policies.

Objectives 27.1.2.1 and 27.1.2.2 seek to maintain, restore and enhance, where appropriate, aquatic habitats and to ensure that activities in, on, under, or over the beds of rivers and lakes are carried out in

a way that avoids, remedies, or mitigates adverse effects on these ecosystems. The proposal is consistent with this as the proposed diversion of streams on the site into new, naturalised channels will be done in such a way as to increase river extent within the site, and to provide an alignment and design that enhances instream habitat values in comparison to the existing environment. The proposed riparian and gully plantings will also enhance indigenous biodiversity and create shading of waterways. Fish passage will be provided for. RMA Ecology confirm in their report that, with regard to Chapter 27 provisions:

> '*the development proposal will not result in the overall loss of stream length, extent, or values. Streams will be enhanced as a result of this development, through the use of native plant species along riparian margins. Fish passage will be maintained*'.

The provision of stream, riparian and wetland enhancement within areas that are currently (and could continue to be) used purely for productive use is supported by Policy 27.1.3.2, which promotes best practice drainage maintenance and development activities on productive land that maintain or enhance the health of aquatic ecosystems while providing for efficient land drainage networks.

Policy 30.1.3.1A seeks to avoid the loss of river extent and values, unless certain criteria are satisfied, and Policy 30.1.3.25 seeks the avoidance, remedying or mitigation of adverse effects associated with the diversion of water. Whilst noting that these provisions relate principally to the loss of extent and values as a result of reduced water body flows or levels (which is not proposed in this instance), the proposal is consistent with these provisions as the diversions will result in an increase in river extent, and will enhance the existing values of the stream including ecological values (as confirmed by RMA Ecology).

The proposal will also enhance natural character and amenity values through introducing a more natural (meandering) stream alignment and through riparian enhancement. It is noted that Policy 30.1.3.1A gives effect to the NPS: Freshwater as addressed below.

The proposed discharge of wastewater and stormwater on the site will be undertaken in accordance with the specific recommendations made in the Envirolink and CGW reports to ensure that there will be no degradation of water in receiving waterways (Objectives 33.1.2.1 and 33.3.2). The wastewater solution chosen is considered to be the best practicable option and avoids cumulative effects associated with many individual systems within the site/ catchment, and has been designed in parallel with the stormwater management system for the site to ensure that risks of discharge to surface water is minimised (Policy 33.1.3.13).

The stormwater management system has been designed to minimise risks associated with inundation and contamination (Policies 33.3.3.3 and 33.3.3.5), earthworks will be managed to avoid effects associated with erosion and sedimentation (Policy 33.3.3.4). The stormwater system is considered to be a low impact solution, which also includes restoration and rehabilitation of natural drainage networks (Policies 33.3.3.9 and 33.3.3.10).

The proposed subdivision, earthworks, stream works, new houses and their associated on-site discharges accord with the overall intent of the relevant objectives and policies in the TRMP.

Coastal Tasman Area Design Guide for Subdivision and Development

The proposal is consistent with the guidelines provided in Chapters 2-4 of the CTADGSD. This has been addressed in the BML Landscape Effects Assessment. BML summarise that:

> '*[T]he proposal has been comprehensively planned, with a focus on stream, pond and wetland rehabilitation. The design places the development on the upper slopes, leaving the lower slopes and valley flats for rural production. Measures have been incorporated into the layout to reduce the visual prominence of development from public roads, by locating development on the spurs and plateaus. Building platforms have been positioned below the ridgeline as far as practicable, leaving room for landscape mitigation in the foreground of building platforms when viewed from Marriages and Mamaku Roads, and the Great Taste Trail.*
>
> *The masterplan includes the provision of planting of trees and riparian areas throughout the development. Extensive planting is proposed along the road access, along the stream and pond areas and on the slopes around dwellings to filter views of the proposed development and provide greening of the ridgeline along the open spurs of the Site.'*

This references in a general sense the process aspect of the Design Guide (Chapter 2), in respect of the nature with which the proposed subdivision design has been developed. In particular, the final design has been arrived at through a detailed and iterative design process involving relevant experts in the fields of subdivision design, landscape, stormwater design, productive land, wastewater design, ecology,

traffic and geotechnical engineering. These experts have gathered information relevant to their area of expertise, assessed and evaluated this, provided options and ultimately agreed on a design that is appropriate in terms of their respective areas of expertise and able to achieve the outcomes anticipated for the CTA.

Specifically, the outcomes detailed in Chapter 3 of the Design guide, relating to: landscape; productive land; freshwater resources; drainage and stormwater; access and transport; wastewater; water supply; recreation, conservation and open space; allotments; building location areas; buildings and structures; vegetation, and; long term management. All of these factors have been thoroughly assessed in the preceding sections of this report.

It is important to note that the various outcomes sought in the Design Guide are sometimes in tension. For example, and as relevant to this proposal, achieving conservation/ freshwater/ biodiversity/ landscape/ visual amenity gains on the site inevitably reduces the amount of retained open space that is available for productive land use activities. Balancing these competing outcomes requires a judgement call regarding the relative benefits of each. In this case, given the relatively low productive value of the land relative to other productive land in the region and within the wider landholding, where such judgements have been necessary these have generally fallen in favour of the conservation/ freshwater/ biodiversity/ landscape/ visual amenity values.

With regard to the location specific guidelines at Chapter 4, BML have undertaken a detailed assessment of these (refer to Appendix 2 to their assessment), demonstrating consistency with these guidelines.

SECTION 104D OF THE RESOURCE MANAGEMENT ACT 1991

The effluent discharge activities proposed require consent as a non-complying activity. If a 'bundling' approach is adopted, the overall proposal needs to be assessed as a non-complying. Section 104D contains particular restrictions for non-complying activities:

"*(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*

(a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or

(b) the application is for an activity that will not be contrary to the objectives and policies of—

(i) the relevant plan, if there is a plan but no proposed plan in respect of the activity…"

As concluded in the preceding assessment:

- any potential adverse effects of the proposal (including the wastewater discharge) will be no more than minor; and
- the proposal will be consistent with the relevant provisions of the TRMP.

As such, the proposal satisfies both limbs of the section 104D 'gateway tests', and can be assessed on its merits and a substantive decision made under sections 104 and 104B of the RMA.

SECTION 106 OF THE RESOURCE MANAGEMENT ACT 1991

Section 106(1) of the Act states that a consent authority may refuse subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that:

- (a) there is significant risk from natural hazards; or
- (c) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

All new allotments will have practical and legal access to and from Marriages Road, via the new internal subdivision road network.

TFEL have confirmed that there are no geotechnical hazards (including fault rupture or liquefaction potential) affecting the site, and that there are no overall slope stability issues affecting the proposed building sites.

Surface flooding risk has been addressed by the CGW report on stormwater and flooding. The proposal is able to avoid any significant risk associated with flooding, both on the site and on land beyond the site boundaries.

There are no other known natural hazard risks affecting the site.

In reaching a decision on this application, there is no need for Council to exercise its discretion under section 106 of the Act.

SECTIONS 105 AND 107 THE RESOURCE MANAGEMENT ACT 1991

Section 105 contains additional matters that the consent authority must have regard to if the application is for a discharge permit:

- the nature of the discharge and the sensitivity of the receiving environment;
- the applicant's reasons for the proposed choice; and
- any possible alternative methods of discharge.

Section 107 refers to specific circumstances in which a consent authority shall not grant a discharge permit, where for example after reasonable mixing the contaminants are likely to give rise to conspicuous change in the colour or visual clarity of water, objectionable odour or significant adverse effects on aquatic life.

These matters are relevant to the stormwater and wastewater discharge permits and the associated wastewater and stormwater management design undertaken by Envirolink and CGW. The nature and method of the discharges are conventional, and there is neither evidence nor suggestion in the relevant specialist assessments that the effects detailed above may occur. Any performance requirements and controls over the quality of the discharges authorised by this consent in order protect the receiving environment and avoid any adverse effects can be imposed through conditions of consent.

PART 2 OF THE RMA

The proposed subdivision will achieve the purpose of the RMA and is not inconsistent with any of the matters contained in sections 6,7 and 8 of the RMA.

This land has been zoned for rural lifestyle use, and the subdivision will realise that potential. It will promote the sustainable development and use of land in the application site, providing for the well-being of future purchasers and occupiers of these residential lots in a manner that will not adversely impact on the use and enjoyment of neighbouring properties and the wider environment.

Section 6 of the RMA identifies matters of national importance that consent authorities are required to "recognise and provide for". In the context of this application, the following subsections are considered to be relevant:

- Sections 6(a) and (d) - the proposal not only preserves but will enhance the natural character values of the margins of rivers, and of wetlands, and in retaining them within land owned collectively and managed in perpetuity by the residents will protect them from future in appropriate subdivision, use and development. The proposal also provides for public access along the margins of Tuckers Pond and associated wetland areas.
- Section 6(e) - the proposal does not compromise the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.
- Section 6(f) - the application has addressed how the proposal will protect any historic heritage values
- Section 6(h) - the application has addressed how the proposal will manage "significant risks from natural hazards".

Section 7 sets out a number of matters that consent authorities are required "to have particular regard to" in assessing proposals. In the context of this application, the following subsections are considered to be relevant:

- Section 7(a) – With regard to part (a) the role of tangata whenua as kaitiaki of the land is acknowledged, and opportunities to recognise and support this role through the development process where possible are welcomed.
- Section 7(b) -

  The proposal will promote the efficient use and development of land and infrastructure within the application site, recognising the finite characteristics of land suitable for rural lifestyle development in the region, and the role that the Rural 3 zone plays in relieving pressure for development of rural land of higher productive value in the region. Of particular relevance is the greater efficiency of land use that is represented by the current proposal in comparison to the consented baseline.
- Sections 7(c), (d) and (f) - he proposal will maintain and enhance the quality and amenity of the rural environment of which the proposal will be part, and recognises and seeks to enhance the intrinsic value of ecosystems. The subdivision will have a high standard of amenity as a residential neighbourhood, and incorporating walkway linkages that will also be of recreational benefit to the wider community.

In terms of section 8, the engagement that undertaken with mana whenua, the measures that have been designed in to the proposal to recognise Maori cultural and spiritual considerations and the role that local iwi can play in the development demonstrates that full account has been taken of the principles of

Te Tiriti o Waitangi/ the Treaty of Waitangi in the context of the proposal.

SECTION 95 OF THE RESOURCE MANAGEMENT ACT 1991

The following addresses matters under sec95 of the RMA:

Public notification

Section 95A of the RMA outlines the assessment criteria for public notification. It sets out four steps for determining whether to publicly notify an application.

Mandatory Public notification (Step 1): Subsection (2) states that if any of the criteria in subsection (3) is met the application shall be publicly notified. If not, then step 2 will be applied.

None of the criteria of subsection (3) are triggered by the application and mandatory public notification is not applicable.

Public notification precluded (Step 2): Subsection (4) states that if the application meets the criteria set out in subsection (5), step four shall be applied. If not, then step 3 will be applied.

None of the subsection (5) tests are relevant to this application; therefore, public notification is not precluded and step three applies.

Public notification required in certain circumstances (Step 3): If either of the criteria in subsection (8) are met, then the application shall be publicly notified.

With appropriate mitigation in place, this activity is considered to have no more than minor adverse effects on the environment for the reasons detailed above, and no applicable rules require public notification.

The criteria of subsection (8) do not apply to this application.

Public notification in special circumstances (Step 4): Subsection (9) states that consideration must be given to whether special circumstances exist that warrant public notification of an application.

There are no special circumstances that relate to this application.

Limited notification

If the application is not subject to public notification, then an assessment against section 95B is required.

Certain affected groups and affected persons must be notified (Step 1): Subsection (2) requires any affected protected customary rights groups or customary marine title groups to be notified.

None of these groups are affected by the application.

Subsection (3) requires identification of statutory acknowledgements and assessment of the activity section 95(E) to determine if those to who the acknowledgement is given are an affected party.

The proposal is not located within a Statutory Acknowledgement Area.

Limited notification precluded in certain circumstances (Step 2): If either of the criteria in Subsection (6) are met, being works subject to a rule precluding notification or a controlled activity, then limited notification is precluded.

The criteria of subsection (6) do not apply to this application.

Certain other persons to be notified (Step 3): Subsection (9) requires parties identified under section 95(E) to be notified.

The proposal represents a conventional subdivision and development of land that has been zoned for rural lifestyle purposes, and in a manner that is generally anticipated by the TRMP. The development will be serviced appropriately such that there will be no adverse off-site effects associated with wastewater and stormwater discharges.

The surrounding road network is able to comfortably accommodate the additional traffic movements that will be generated by occupants of the proposed allotments, and access to the road network from the site will be via a new intersection that has been designed to provide for safe and convenient access and egress. Traffic effects on persons, as a result of the proposed activities, will be less than minor.

Earthworks and construction activities will be managed to avoid or minimise any potential adverse effects to surrounding land owners through management of sediment, dust and noise such that these effects are generally less than minor, bearing in mind that these effects will be temporary. Given the spatial relationship of 56 Marriages Road to the subject site (it is bounded on three sides by it) and that there will be a reasonable level of earthworks required proximate to these boundaries, effects on the owners and occupants of this site are considered to be minor. Limited notification to this neighbour is considered to be appropriate.

Site management methodologies will also ensure that effects associated with disturbance of soil with elevated concentrations of contaminants are less than minor. Longer term, earthworks have been designed to ensure there will not be adverse land stability effects, and detailed design of drainage will ensure that effects of earthworks on drainage of neighbouring land (in particular that at 100 Marriages Road) will be less than minor.

The proposal is considered to represent the nature of development anticipated and encouraged in the Rural 3 zone and CTA in general, and specifically so within the Inland Tasman landscape unit. The proposal is also similar in nature to the consented Harakeke development for the site. However, it is acknowledged that the proposal will result in a notable change to the appearance of the site, both relative to its current use and appearance, and also to the number of private allotments provided on site relative to the Harakeke consent.

As such, it is considered potentially adverse visual effects that will be experienced by owners and occupants of some surrounding properties, which will be minor. BML have undertaken a comprehensive assessment of these effects on all properties that have a level of visual connectivity with the subject site. These are detailed in the BML Landscape and Visual Effects Assessment at Table 1: Assessment of visual effects on residential dwellings.

Relying on the expertise of BML in assessing these visual effects, the properties that may be the subject of minor adverse visual effects are considered to comprise the following:

- 179, 181, 185 195, 201, 205, 207 Horton Road (Beulah Ridge);
- 42, 44, 46, 62, 64, 66, 76, 78 and 80 Mamaku Road;
- 65, 66, 67, 68, 69, 70, 71 and 72 Suncrest Drive;
- 83, 85, 87, 93, 100 and 115 Marriages Road;
- 370, 372, 374, 376, 378, 380, 382 and 384 Pomona Road.

Limited notification to the owners and occupiers of these properties is considered to be appropriate.

It is noted that this level of effects is assessed by BML to diminish over time as visual mitigation planting matures.

Visual effects of the development on persons occupying properties in the surrounding area, other than those detailed above, are considered to be less than minor for the reasons detailed in the BML report.

Further feedback is currently being sought from iwi with regard to the final application details, and this feedback will be considered and provided to Council to assist in determining whether there are any affected parties in relation to cultural values.

The criteria of subsection (9) apply to this application.

Special circumstances (Step 4): Subsection (10) states that consideration must be given to whether special circumstances exist that warrant limited notification of an application.

There are no special circumstances that relate to this application.

Notification summary

The proposed activity has been assessed against the provisions of sections 95A and 95B of the RMA. None of the reasons for public notification are triggered by the proposal. A well-defined list of properties has been compiled above, the owners or occupants of which may experience minor adverse visual effects initially, which will diminish over time. Additionally, one neighbouring property is considered to be adversely affected by temporary construction effects.

It is therefore considered that this application can be processed by Council on a limited-notified basis with notification to the parties identified above.

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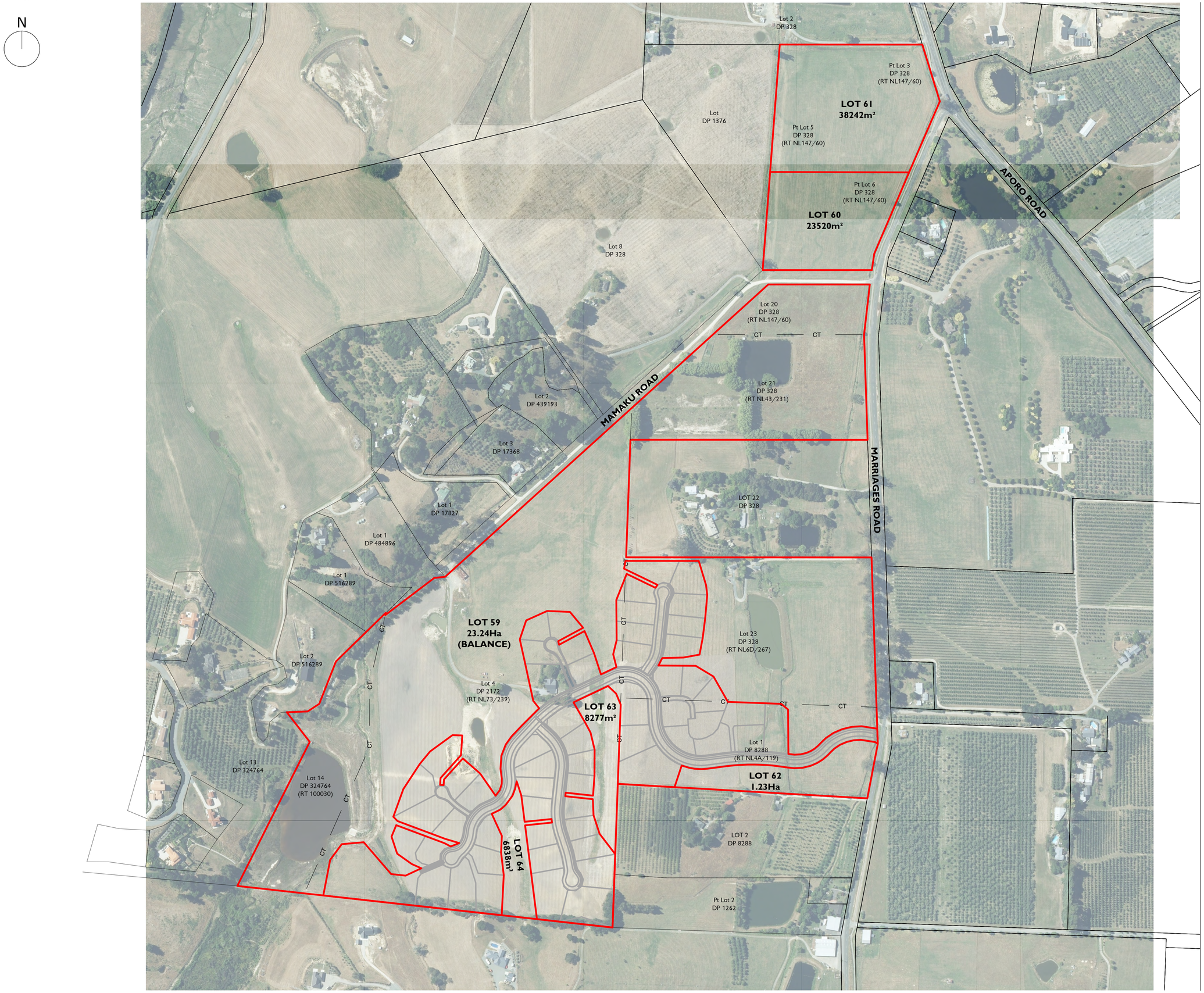

DISCLAIMER

NOTES

AMALGAMATION CONDITIONS:
THAT LOTS 59, 60, 61, 62, 63 & LOT 64 HEREON BE HELD TOGETHER IN ONE COMPUTER FREEHOLD REGISTER

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:2500 [A1]

RECORD OF TITLE OVERVIEW PLAN

LOTS 1 - 64 BEING PROPOSED SUBDIVISION OF LOT 14 DP 324764, LOT 4 DP 2172, LOT 1 DP 8288, LOTS 20, 20 & 23 DP 328 & Pt LOTS 3, 5 & 6 DP 328

PROJECT	SET	SHEET	REV.
11460	1	1	A

eliot sinclair

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N

SCHEDULE OF EASEMENTS

PURPOSE	SHOWN	OWNED BY	USED BY
RIGHT OF WAY RIGHT TO CONVEY WATER, ELECTRICITY AND TELECOMMUNICATIONS	ROW 1	LOT 6	LOTS 10, 11 & 12
	ROW 2	LOTS 25 & 26	LOTS 24, 27 & 28
	ROW 3	LOTS 47 & 48	LOTS 46 & 49
	ROW 4	LOTS 57 & 58	LOTS 55 & 56

SCHEDULE OF EASEMENTS IN GROSS

PURPOSE	SHOWN	OWNED BY	GRANTEE
PEDESTRIAN WALKWAY/ CYCLE WAY	A	LOT 59	TASMAN DISTRICT COUNCIL

CONCRETE PAVEMENT AREAS

PERMANENTLY SURFACED CARRIAGEWAY AND FOOTPATH

STAGING BOUNDARIES

STAGE 1
STAGE 2
STAGE 3
STAGE 4
STAGE 5

NOTES

1. LOT AREAS SHOWN ARE NET AREAS NOT INCLUDING ANY SHARE OF THE RIGHT OF WAY OWNERSHIP.
2. NO UNDERLYING EASEMENTS
3. AMALGAMATION CONDITIONS:
   THAT LOTS 59, 60, 61, 62 & LOT 63 HEREON BE HELD TOGETHER IN ONE COMPUTER FREEHOLD REGISTER

PROPOSED ROAD 1 AND MARRIAGES ROAD INTERSECTION DETAILS

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:1250 [A1] 625

SUBDIVISION AND ROADING LAYOUT PLAN

LOTS 1 - 64 BEING PROPOSED SUBDIVISION OF LOT 14 DP 324764, LOT 4 DP 2172, LOT 1 DP 8288, LOTS 20, 21 & 23 DP 328 & Pt LOTS 3, 5 & 6 DP 328

PROJECT	SET	SHEET	REV.
11460	1	2	A

eliot sinclair

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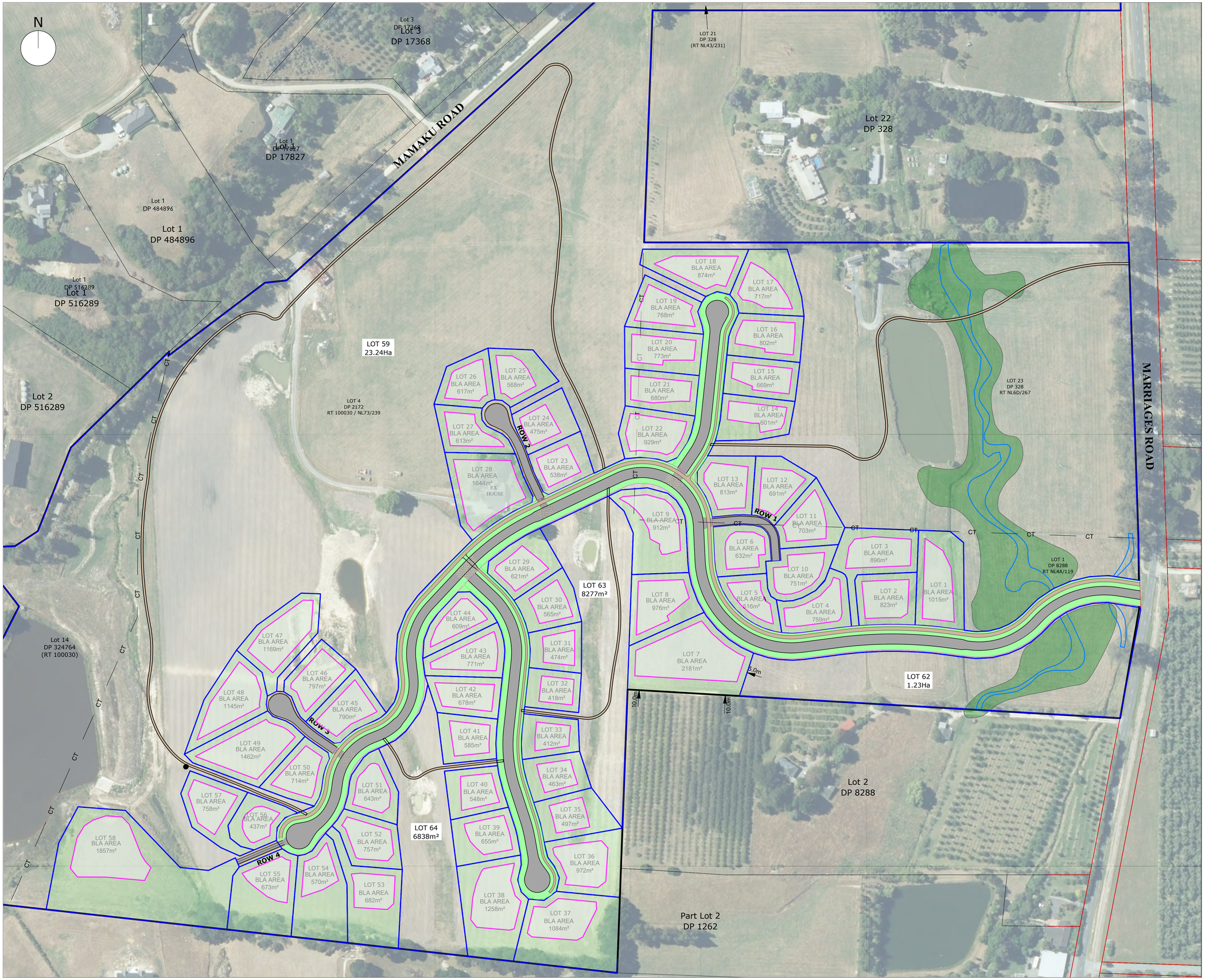


DISCLAIMER

NOTES

1. ALL BUILDING LOCATION AREAS SET-BACKS ARE 5.0m UNLESS OTHERWISE SHOWN.

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:1250 [A1] 625

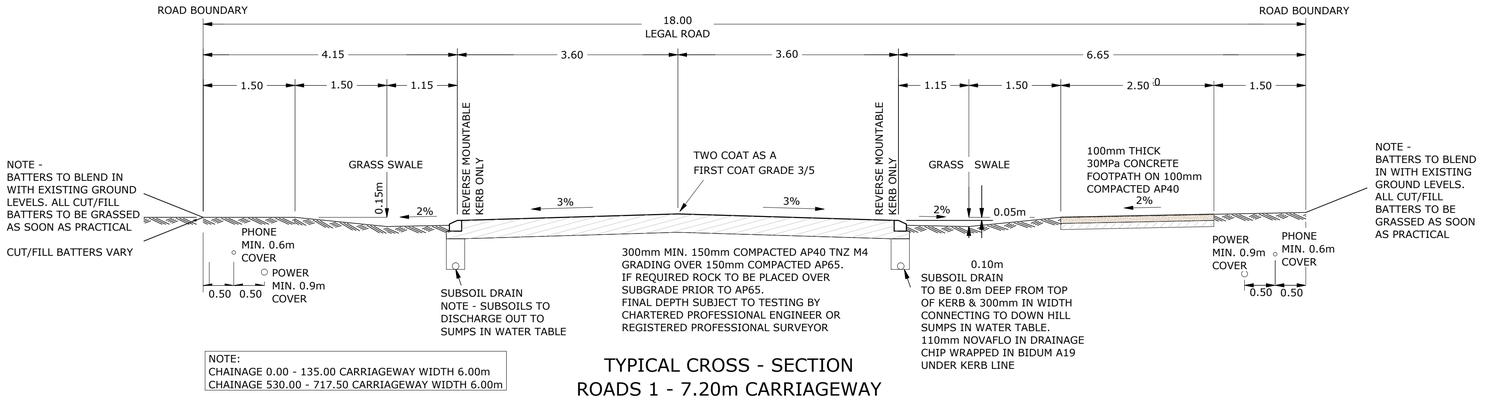
BUILDING LOCATION AREAS (BLA)

LOTS 1 - 64 BEING PROPOSED SUBDIVISION OF LOT 14 DP 324764, LOT 4 DP 2172, LOT 1 DP 8288, LOTS 20, 21 & 23 DP 328 & Pt LOTS 3, 5 & 6 DP 328

PROJECT	SET	SHEET	REV.
11460	1	3	A

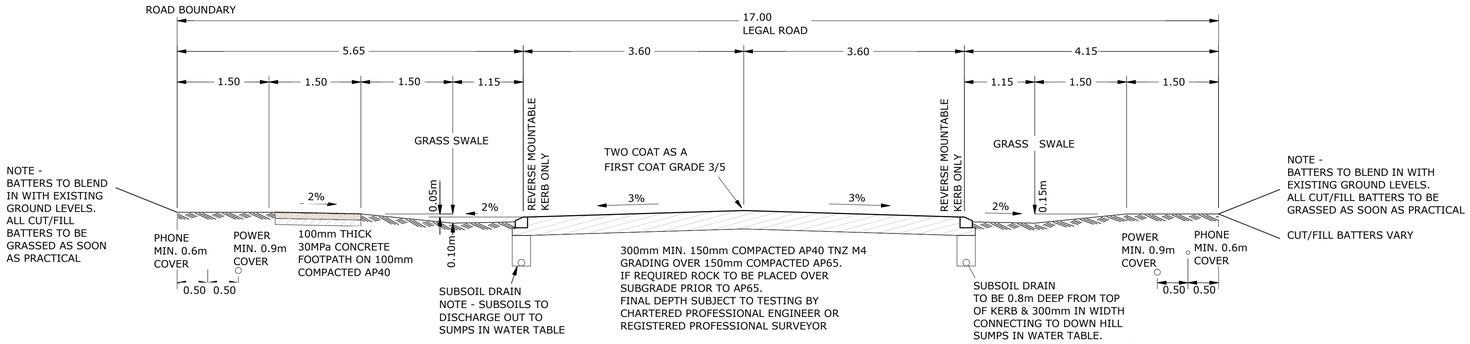
eliot sinclair

N

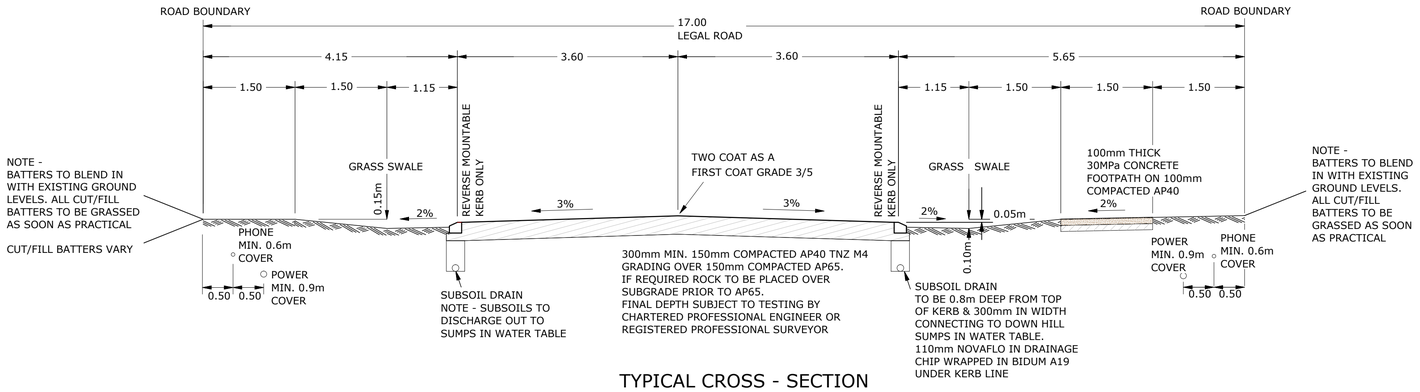


NOTE:
CHAINAGE 0.00 - 135.00 CARRIAGEWAY WIDTH 6.00m
CHAINAGE 530.00 - 717.50 CARRIAGEWAY WIDTH 6.00m

TYPICAL CROSS - SECTION
ROADS 1 - 7.20m CARRIAGEWAY
SCALE 1:50 [A1]



TYPICAL CROSS - SECTION
ROADS 2 - 7.20m CARRIAGEWAY
SCALE 1:50 [A1]



TYPICAL CROSS - SECTION
ROADS 3 - 7.20m CARRIAGEWAY
SCALE 1:50 [A1]

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:50 [A1]

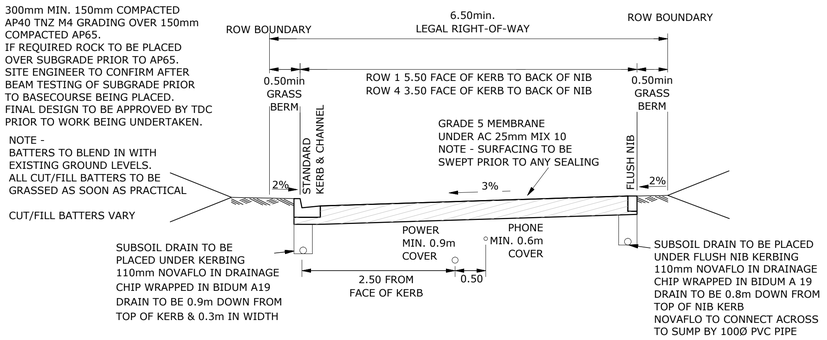
TYPICAL CROSS SECTIONS
APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	1	4	A

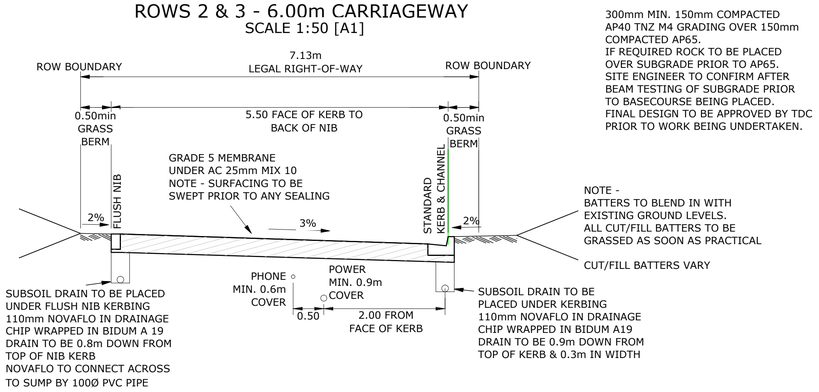
eliot sinclair

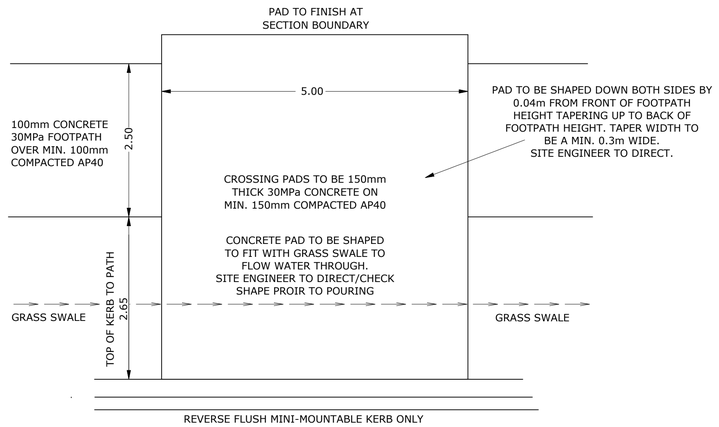
N

TYPICAL CROSS - SECTION
ROW 1 5.50m & ROW 4 3.50m CARRIAGEWAY
SCALE 1:50 [A1]



TYPICAL CROSS - SECTION
ROWS 2 & 3 - 6.00m CARRIAGEWAY
SCALE 1:50 [A1]





TYPICAL DETAIL
PRIVATE VEHICLE CROSSING
SCALE 1:50 [A1]

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

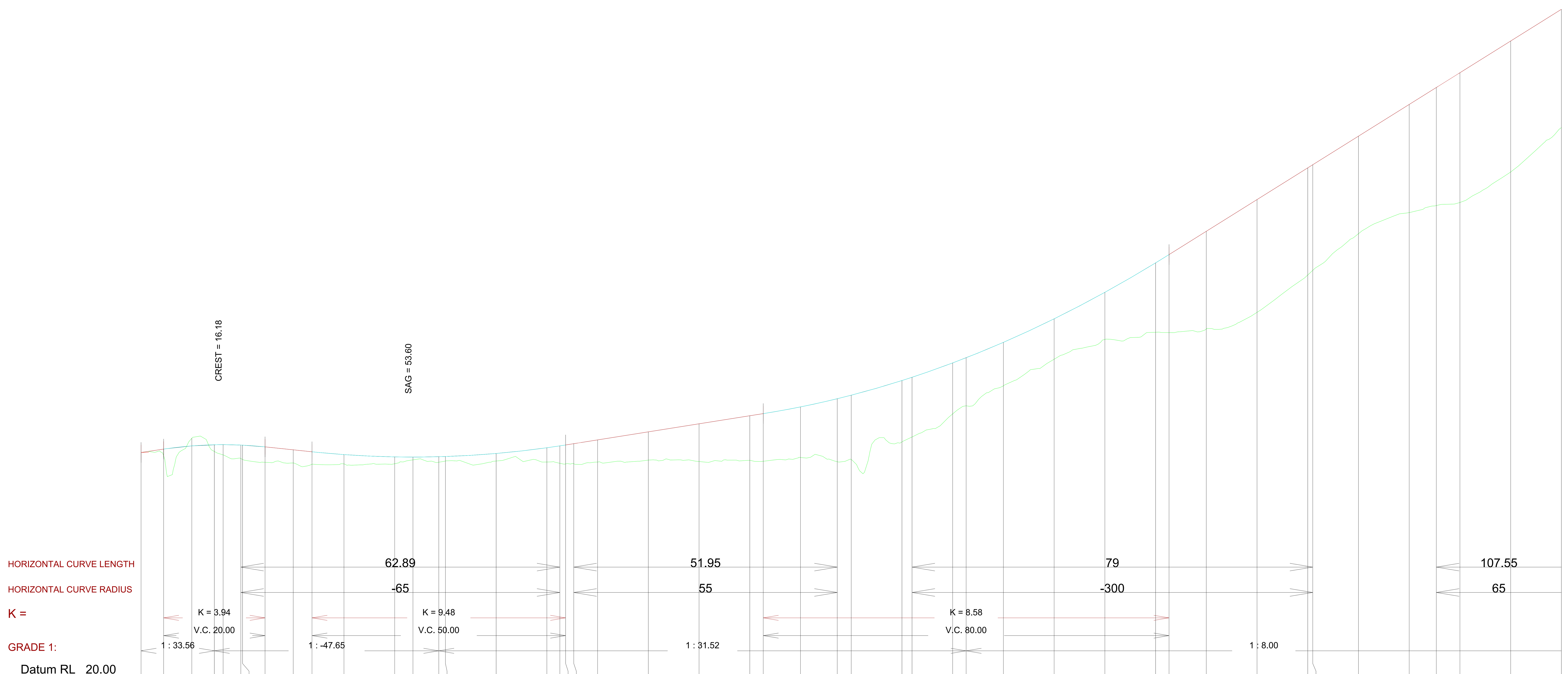
TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:50 [A1]

TYPICAL CROSS SECTIONS
APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	1	5	A

eliot sinclair



CHAINAGE	DESIGN CL	NAT. SURFACE	CUT/FILL
0.00	28.82	28.82	0.00
4.44	28.95	28.69	-0.26
10.00	29.08	29.38	0.30
14.44	29.12	28.86	-0.26
16.18	29.13	28.72	-0.40
19.66	29.11	28.58	-0.53
20.00	29.11	28.55	-0.56
24.44	29.04	28.43	-0.61
30.00	28.92	28.40	-0.52
33.69	28.85	28.36	-0.49
40.00	28.73	28.37	-0.37
50.00	28.64	28.37	-0.27
53.60	28.64	28.52	-0.11
58.69	28.65	28.44	-0.22
60.00	28.66	28.48	-0.18
70.00	28.78	28.48	-0.30
80.00	29.00	28.44	-0.56
82.56	29.08	28.39	-0.69
83.69	29.11	28.37	-0.75
85.30	29.17	28.37	-0.79
90.00	29.31	28.44	-0.87
100.00	29.63	28.52	-1.11
110.00	29.95	28.46	-1.49
120.00	30.27	28.51	-1.76
122.66	30.35	28.47	-1.88
130.00	30.62	28.62	-1.99
137.25	30.94	28.45	-2.48
140.00	31.08	28.54	-2.54
150.00	31.65	29.24	-2.42
151.99	31.78	29.43	-2.35
160.00	32.35	30.34	-2.01
162.66	32.55	30.66	-1.89
170.00	33.16	31.45	-1.71
180.00	34.09	32.49	-1.59
190.00	35.13	33.27	-1.86
200.00	36.29	33.56	-2.74
202.66	36.62	33.54	-3.08
210.00	37.54	33.68	-3.85
220.00	38.79	34.34	-4.44
230.00	40.04	35.82	-4.22
230.98	40.16	36.00	-4.16
240.00	41.29	37.44	-3.84
250.00	42.54	38.28	-4.26
255.34	43.21	38.55	-4.65
260.00	43.79	38.67	-5.11
270.00	45.04	39.87	-5.16
280.00	46.29	41.63	-4.66

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 100 AT A1

LONGSECTION OF ROAD 1

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED **RJG**
DRAWN **MDW**
REVIEWED **SE**
APPROVED

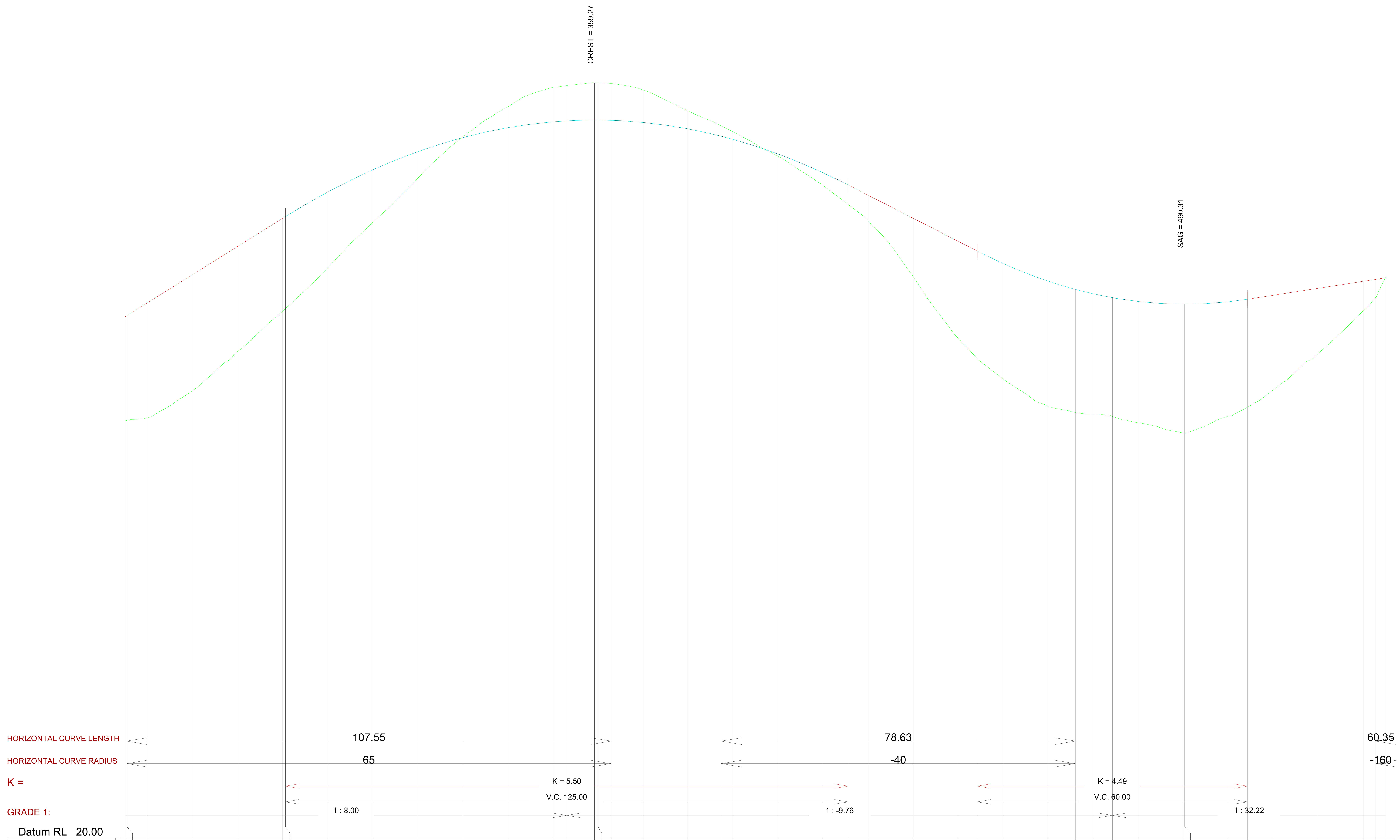
STATUS **FOR CONSENT**
SCALE

ROADING LONGSECTION PLANS

APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	**1**	**6**	**A**

eliot sinclair



CHAINAGE	DESIGN CL	NAT. SURFACE	CUT/FILL
255.00	43.16	38.54	-4.63
255.34	43.21	38.55	-4.65
260.00	43.79	38.67	-5.11
270.00	45.04	39.87	-5.16
280.00	46.29	41.63	-4.66
290.00	47.54	43.41	-4.12
290.57	47.61	43.52	-4.09
300.00	48.71	45.34	-3.37
310.00	49.69	47.36	-2.34
320.00	50.50	49.32	-1.18
330.00	51.12	51.16	0.04
340.00	51.57	52.49	0.92
350.00	51.83	53.36	1.53
353.07	51.87	53.44	1.57
359.27	51.90	53.56	1.66
360.00	51.90	53.56	1.66
362.90	51.89	53.53	1.64
370.00	51.80	53.24	1.44
380.00	51.51	52.31	0.79
387.41	51.18	51.64	0.46
390.00	51.04	51.38	0.34
400.00	50.39	50.29	-0.10
410.00	49.56	49.00	-0.56
415.57	49.02	48.15	-0.86
420.00	48.57	47.43	-1.14
430.00	47.54	44.95	-2.59
440.00	46.52	42.20	-4.31
444.26	46.08	41.30	-4.78
450.00	45.53	40.39	-5.14
460.00	44.74	39.17	-5.57
466.04	44.38	38.90	-5.47
470.00	44.18	38.83	-5.35
474.26	44.01	38.73	-5.27
480.00	43.84	38.45	-5.39
490.00	43.72	38.00	-5.72
490.31	43.72	37.99	-5.73
500.00	43.82	38.75	-5.08
504.26	43.94	39.14	-4.80
510.00	44.11	39.91	-4.21
520.00	44.43	41.53	-2.90
530.00	44.74	43.42	-1.32
532.82	44.82	44.03	-0.79
535.00	44.89	44.95	0.06

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 100 AT A1

LONGSECTION OF ROAD 1

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

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DRAWN **MDW**
REVIEWED **SE**
APPROVED

STATUS **FOR CONSENT**
SCALE

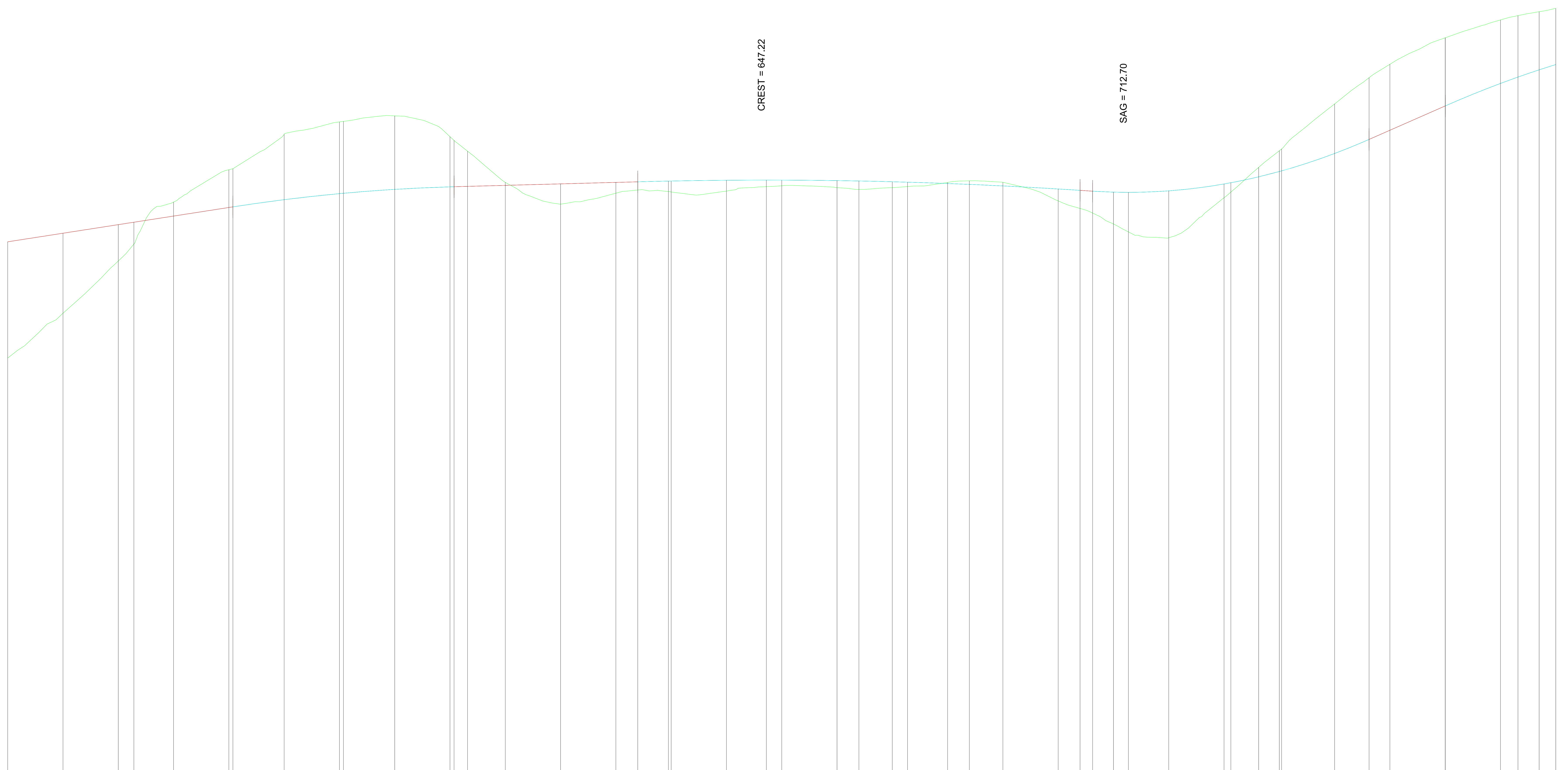
ROADING LONGSECTION PLANS

APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	**1**	**7**	**A**

eliot sinclair

NOTES



HORIZONTAL CURVE LENGTH: 60.35 | 43.25 | 52.33 | 42.75 | 36.27

HORIZONTAL CURVE RADIUS: -160 | -50 | 40 | -40 | 40

K =: K = 15.58, V.C. 40.00 | K = 43.37, V.C. 80.00 | K = 4.95, V.C. 50.00 | K = 7.63, V.C. 55.00

GRADE 1: 1 : 32.22 | 1 : 186.46 | 1 : -76.44 | 1 : 11.37

Datum RL 20.00

CHAINAGE	DESIGN CL	NAT. SURFACE	CUT/FILL
510.00	44.11	39.91	-4.21
520.00	44.43	41.53	-2.90
530.00	44.74	43.42	-1.32
532.82	44.82	44.03	-0.79
540.00	45.05	45.55	0.51
550.00	45.36	46.72	1.36
550.73	45.38	46.76	1.38
560.00	45.64	48.00	2.36
570.00	45.86	48.45	2.59
570.73	45.87	48.47	2.60
580.00	46.01	48.67	2.66
590.00	46.10	47.92	1.81
590.73	46.11	47.78	1.68
593.17	46.12	47.39	1.27
600.00	46.16	46.26	0.11
610.00	46.21	45.48	-0.73
620.00	46.26	45.87	-0.39
623.96	46.29	45.99	-0.30
629.50	46.31	45.93	-0.38
630.00	46.31	45.92	-0.40
640.00	46.34	45.95	-0.39
647.22	46.35	46.10	-0.25
650.00	46.35	46.14	-0.21
660.00	46.33	46.07	-0.25
663.96	46.32	46.01	-0.31
670.00	46.29	46.07	-0.21
672.75	46.27	46.11	-0.16
680.00	46.22	46.26	0.04
683.93	46.19	46.32	0.13
690.00	46.14	46.27	0.13
700.00	46.03	45.60	-0.43
703.96	45.98	45.33	-0.65
706.23	45.95	45.17	-0.78
710.00	45.91	44.76	-1.15
712.70	45.90	44.48	-1.42
720.00	45.96	44.26	-1.70
730.00	46.21	45.71	-0.50
731.23	46.25	45.92	-0.34
736.26	46.47	46.81	0.34
740.00	46.66	47.41	0.75
740.41	46.68	47.47	0.79
750.00	47.31	49.10	1.79
756.23	47.82	50.05	2.23
760.00	48.15	50.54	2.39
770.00	49.03	51.49	2.46
770.01	49.03	51.50	2.46
780.00	49.84	52.14	2.30
783.17	50.07	52.30	2.22
787.00	50.34	52.44	2.10
790.00	50.53	52.56	2.03

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 100 AT A1

LONGSECTION OF ROAD 1

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

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STATUS **FOR CONSENT**
SCALE

ROADING LONGSECTION PLANS

APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	**1**	**8**	**A**

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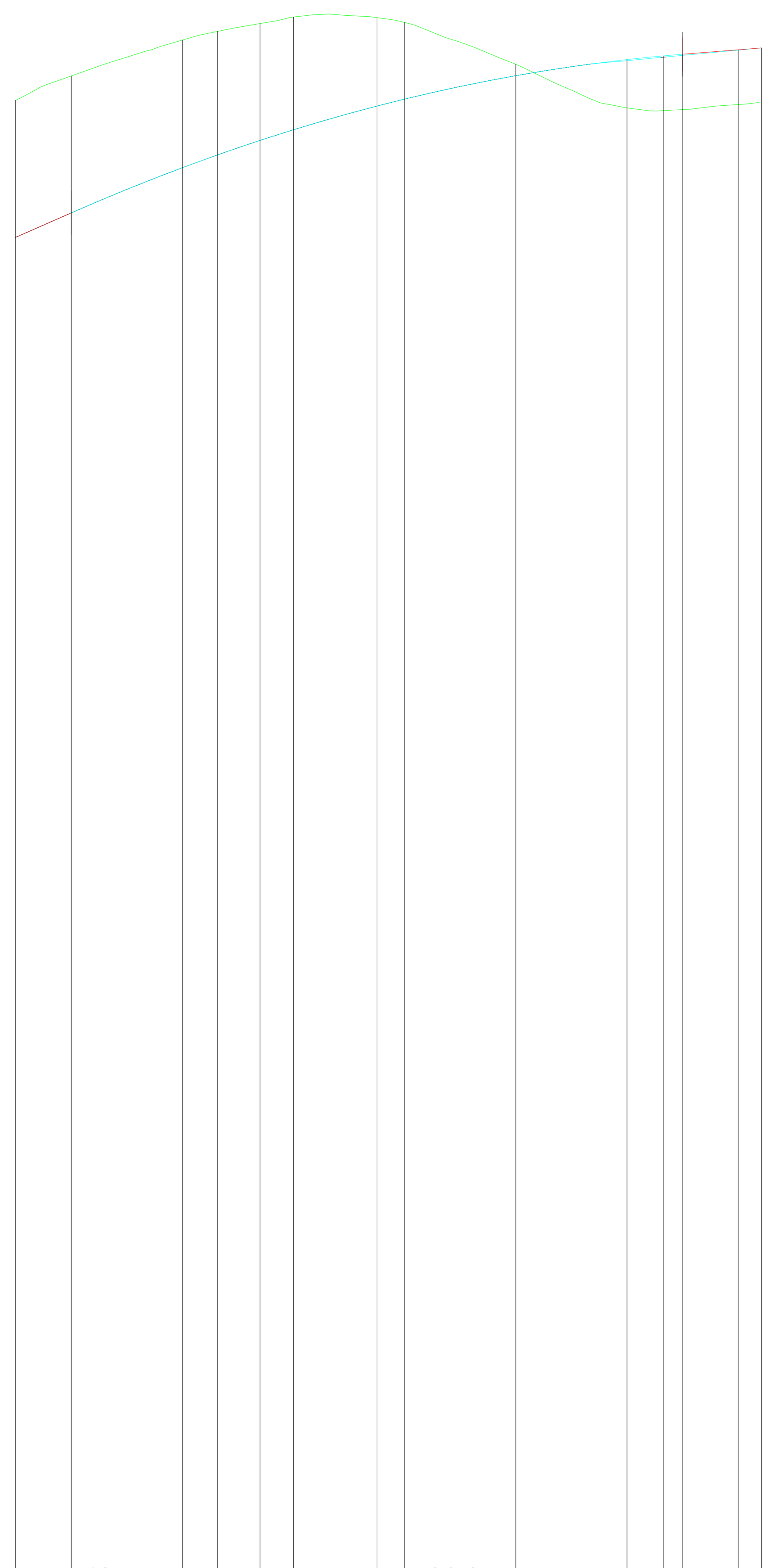

HORIZONTAL CURVE LENGTH 42.75 36.27

HORIZONTAL CURVE RADIUS -40 40

K = K = 7.63

V.C. 55.00

GRADE 1: 1 : 11.37 1 : 62.86

Datum RL 20.00

DESIGN CL	48.59	49.03	49.03	49.84	50.07	50.34	50.53	50.95	51.08	51.50	51.79	51.86	51.89	51.97	52.00
NAT. SURFACE	51.06	51.49	51.50	52.14	52.30	52.44	52.56	52.55	52.46	51.71	50.92	50.87	50.89	50.98	51.01
CUT/FILL	2.47	2.46	2.46	2.30	2.22	2.10	2.03	1.59	1.38	0.20	-0.87	-0.98	-1.00	-0.99	-0.99
CHAINAGE	765.00	770.00	770.01	780.00	783.17	787.00	790.00	797.51	800.00	810.00	820.00	823.26	825.01	830.00	832.09

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 100 AT A1

LONGSECTION OF ROAD 1

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

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REVIEWED **SE**
APPROVED

STATUS **FOR CONSENT**
SCALE

ROADING LONGSECTION PLANS

APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	**1**	9	**A**

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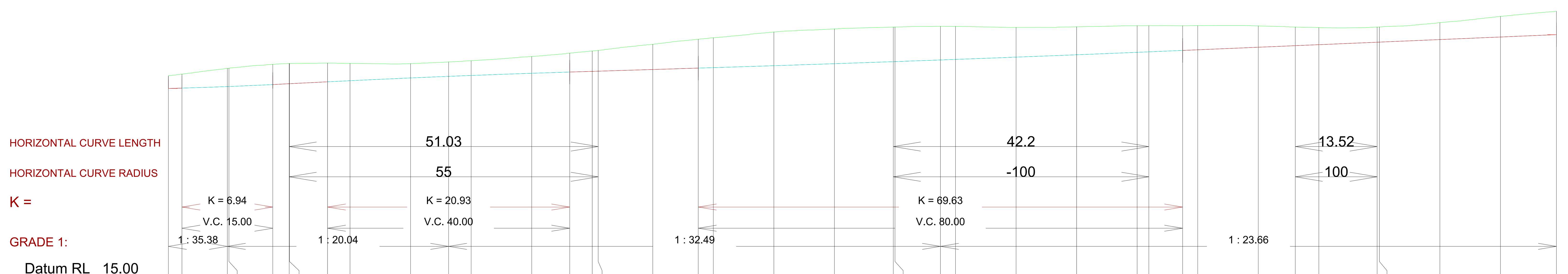
C:\12dSynergy\data\SQL01\11460_106053\12d\RESTORED_Engineering Design\Engineering Design.12dmodel\Engineering Design [Thu Nov 30 11:33:56 2023] [MDW]



DESIGN CL	46.10	46.16	46.42	46.43	46.75	46.89	46.89	47.20	47.38	47.84	48.10	48.25	48.61
NAT. SURFACE	48.20	48.47	49.42	49.45	50.09	50.23	50.23	50.29	50.25	50.21	50.48	50.68	51.38
CUT/FILL	2.10	2.30	3.00	3.02	3.34	3.34	3.34	3.09	2.87	2.37	2.38	2.43	2.77
CHAINAGE	0.00	2.24	9.74	10.00	17.24	19.95	20.00	26.28	30.00	40.00	46.28	50.00	60.00

DESIGN CL	48.82	48.93	48.96	49.24	49.47	49.55	49.86	50.20	50.53	50.54	50.81	50.91	51.28
NAT. SURFACE	51.93	52.29	52.39	53.40	54.24	54.48	55.43	55.95	56.26	56.27	56.37	56.35	56.20
CUT/FILL	3.12	3.36	3.43	4.17	4.77	4.93	5.56	5.75	5.72	5.72	5.55	5.45	4.92
CHAINAGE	66.28	70.00	70.98	80.00	87.51	90.00	100.00	110.00	119.73	120.00	127.51	130.00	140.00

DESIGN CL	51.67	52.08	52.16	52.39	52.50	52.92	53.18	53.34	53.75	53.76	54.19	54.61	55.00
NAT. SURFACE	56.30	56.47	56.48	56.47	56.49	56.44	56.26	56.17	56.26	56.28	56.98	58.01	58.86
CUT/FILL	4.63	4.40	4.32	4.08	3.99	3.52	3.08	2.83	2.51	2.52	2.79	3.40	3.86
CHAINAGE	150.00	160.00	161.93	167.51	170.00	180.00	186.11	190.00	199.63	200.00	210.00	220.00	229.24

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 500 AT A1

LONGSECTION OF ROAD 2

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED **RJG**
DRAWN **MDW**
REVIEWED **SE**
APPROVED

STATUS **FOR CONSENT**
SCALE

ROADING LONGSECTION PLANS
APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	**1**	10	**A**

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Datum RL 15.00

DESIGN CL	48.14	47.80	47.67	47.38	47.07	46.90	46.27	45.55	45.29	45.27	44.95	44.31	43.99	43.64	43.41	43.23	42.87	42.50	42.14	41.77	41.50
NAT. SURFACE		46.82	46.79	46.67	46.42	46.26	45.81	45.55	45.48	45.48	45.41	45.25	45.15	44.94	44.72	44.53	44.10	43.80	43.27	42.91	42.58
CUT/FILL		-0.98	-0.89	-0.70	-0.65	-0.63	-0.46	-0.01	0.19	0.20	0.46	0.93	1.16	1.31	1.31	1.30	1.24	1.29	1.13	1.13	1.08
CHAINAGE	-0.00	7.40	10.00	15.35	20.00	22.40	30.00	37.40	40.02	40.02	43.19	50.00	54.19	60.00	65.19	70.00	80.00	90.00	100.00	110.00	117.52

HZ SCALE 1: 500 AT A1
VERTICAL SCALE 1: 500 AT A1

LONGSECTION OF ROAD 3

NOTES

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	

ROADING LONGSECTION PLANS

APPLICATION PLAN

PROJECT	SET	SHEET	REV.
11460	1	11	A

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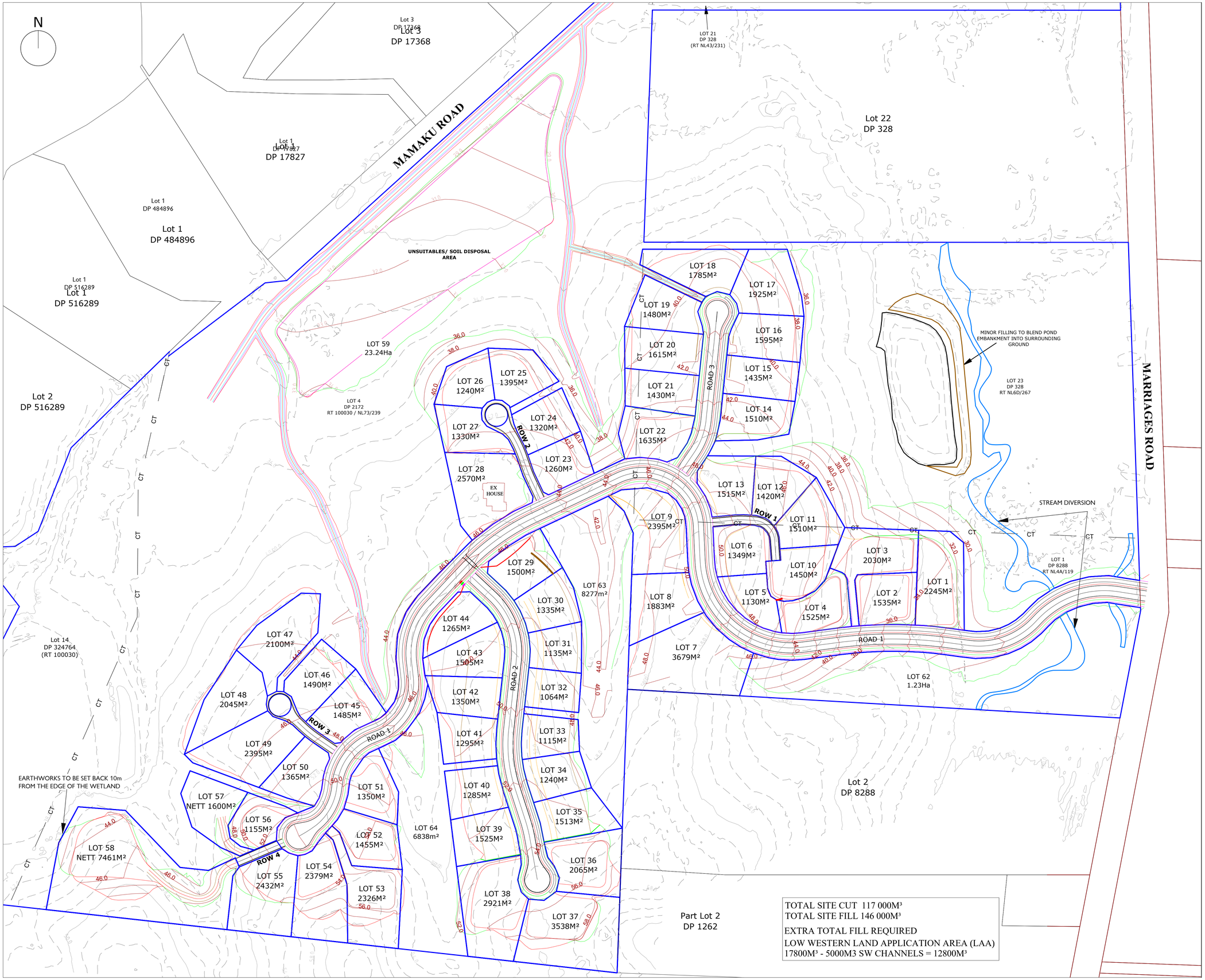

TOTAL SITE CUT 117 000M³
TOTAL SITE FILL 146 000M³
EXTRA TOTAL FILL REQUIRED
LOW WESTERN LAND APPLICATION AREA (LAA)
17800M³ - 5000M3 SW CHANNELS = 12800M³

NOTES

1. LOT 58 EARTHWORKS TO BE SET-BACK 10.0m FROM THE EDGE OF WETLAND.
2. EARTHWORKS WILL BE REQUIRED AROUND THE OUTLET OF THE NORTHERN POND THROUGH TO MAMAKU ROAD. THIS WILL INCLUDE REPLACEMENT OF THE EXISTING CULVERT UNDER MAMAKU ROAD.
3. CONTOUR INTERVAL: 2.0m

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:1250 [A1]

EARTHWORKS PLAN

Application Plan

PROJECT	SET	SHEET	REV.
11460	1	12	A

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NOTES
WASTEWATER LAND APPLICATION AREAS
ARE OFFSET 5.0m FROM PROPERTY BOUNDARIES
AND 10.0m FROM STORMWATER CHANNELS UNLESS
SHOWN OTHERWISE.
NO WASTEWATER LAND APPLICATION AREAS (LAA) LOCATED
ON FILL AREAS.

TOTAL WASTEWATER LAND APPLICATION AREA (LAA) = 52500m² (5.25Ha)

WASTEWATER LAND APPLICATION AREAS (LAA)

STORMWATER FLOW DIRECTION

CULVERTED CROSSINGS

REV.	DRAWN	DATE	NOTE
1	MDW	17-04-2024	FOR CONSENT

CLIENT

TASMAN BAY ESTATES LTD

DESIGNED	RJG
DRAWN	MDW
REVIEWED	SE
APPROVED	
STATUS	FOR CONSENT
SCALE	1:1500 [A1] 1500

STORMWATER MANAGEMENT PLAN & WASTEWATER LAND APPLICATION AREAS (LAA)

Application Plan

PROJECT	SET	SHEET	REV.
11460	1	13	A

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Tasman Bay ESTATES

TASMAN BAY ESTATES MASTERPLAN

Boffa Miskell

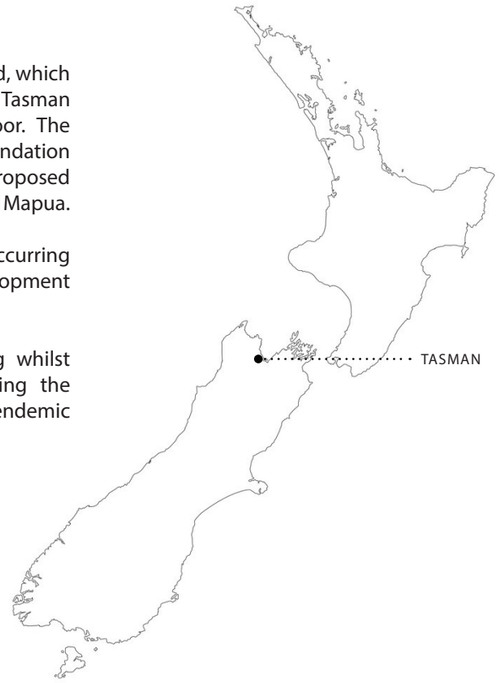
0.0
TABLE OF CONTENTS

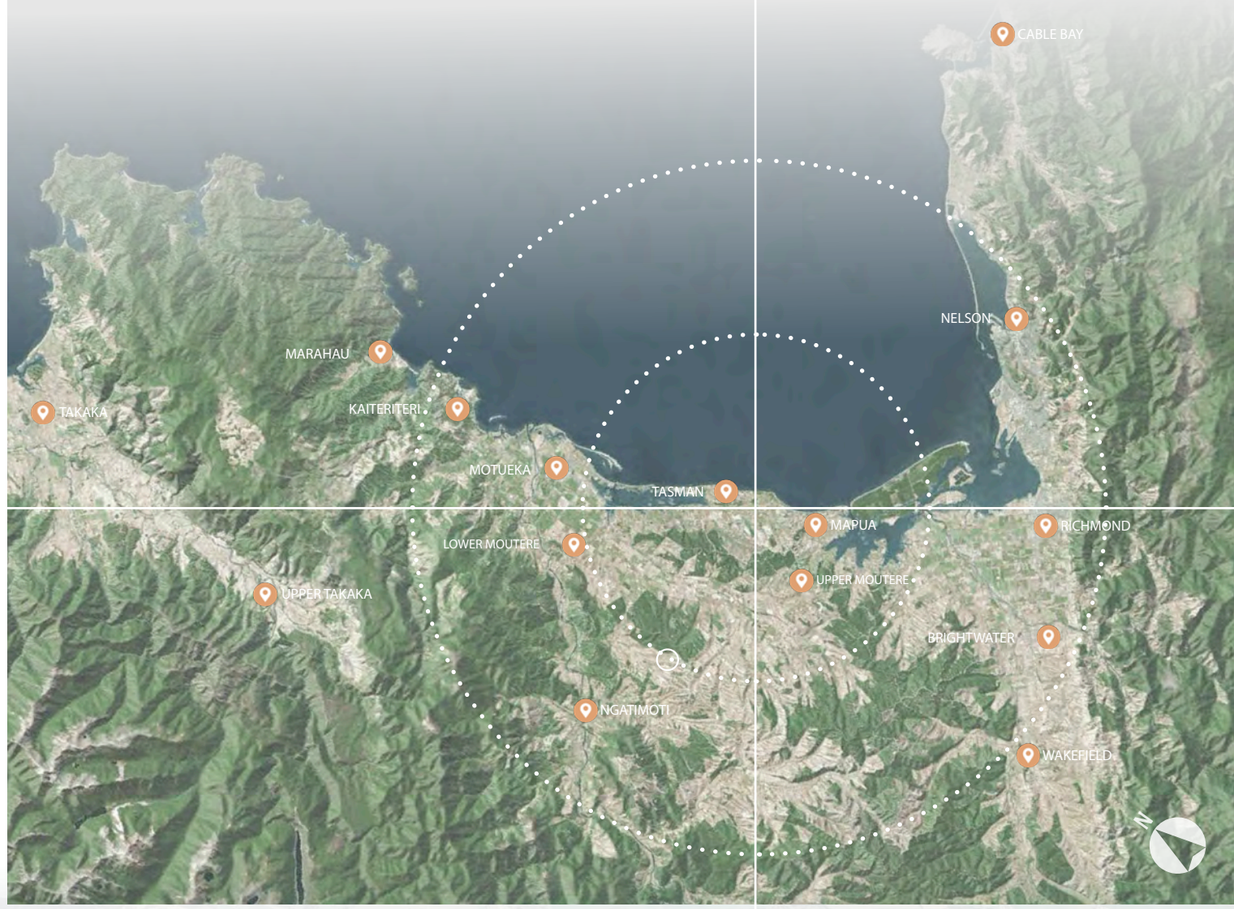
1.0 SITE CONTEXT

Tasman Bay Estates is located on the Ruby Coast, accessed by Aporo Road, which links the site with both Motueka and Māpua, with the small settlement of Tasman 1.3km to the northwest. The site is 15m above sea level on the valley floor. The valley protects the site and proposed residential lots from coastal inundation and sea level rise, this is an important point of difference between this proposed development and other coastal development areas including Motueka and Mapua.

The surrounding area has experienced wide ranging residential growth. Occurring both in the Rural 3 zone as well as the rural residential zone, many development opportunities have been tested by the RMA and in many cases built.

Tasman Bay Estates is well positioned to provide additional housing whilst encouraging a healthy community with a strong focus on enhancing the environment, improving biodiversity within the area and expressing the endemic coastal character.





KEY

- GREAT TASTE TRAIL
- THE COASTAL HIGHWAY (STATE HIGHWAY 60)
- OLD COASTAL HIGHWAY
- SITE BOUNDARY
- DEVELOPED AREAS

2.0 ROADING AND CONNECTIONS

Roading has been developed to connect to existing main roads and active transport corridors along Aporo Road.

Within the site a hierarchy of streets with a focus on active transport movement and amenity through planting of street trees provides a pleasant environment with meandering streets intended to slow traffic speeds.

1 Main Entrance / Access Road
2 Collector Road - 7.2m wide
3 Feeder Roads
4 Right of Way
5 Shared Pathways
6 Private Recreational/Active Linkages
7 Public Recreational/Active Linkages
Great Taste Trail
Existing Roading network
Tuckers Dam Outflow

HEALTHY COMMUNITY

RECREATION + CONNECTIVITY

3.0 DEVELOPMENT PLAN

The proposal will see 58 residential lots created, ranging from smaller lot sizes of around 1100m^2, up to larger more generous lot sizes of up to 7461m^2. These will be clustered on the main spurs making the most of views and easy access,

The development will include a trail and pathway network to enable a strong connection between houses and nature as well as with external linkages such as the Great Taste Trail.

Stormwater and Wastewater systems have been considered as part of the design and have been approached holistically to integrate successfully within the structure of the subdivision.

SUSTAINABLE MANAGEMENT

RURAL LAND

ECOSYSTEM

- ① Wastewater Dispersal Fields
- ② Wastewater Treatment Facility
- Residential Lots
- Building restrictions (5m setback from road edge)
- Existing house to remain
- Proposed houses (Indicative only approx 200-250m2 shown)

4.0 ENVIRONMENT/MITIGATION PLAN

Native Planting is proposed on completion of the subdivision and roading network to provide amenity and ecological values to the area. Biodiversity islands are located throughout the site to connect with the wider ecological setting.

Sustainable management systems for both stormwater and wastewater are provided to create an innovative and resourceful method to overcome challenges resulting from a climate and biodiversity crisis.

RECREATION + CONNECTIVITY

SUSTAINABLE MANAGEMENT

ECOSYSTEM

5.0 CONCEPT MASTERPLAN

The proposal will see 58 residential lots created, ranging from smaller lot sizes of around 1100m^2, up to larger more generous lot sizes of up to 7461m^2, These will be clustered on the main spurs making the most of views and easy access, whilst settling into the landscape with gully and riparian planting. The balance of the land of which will be restored, retained in pasture and wastewater application areas.

The development will include a trail and pathway network to enable a strong connection between houses and nature as well as with the outer community through the Great Taste Trail.

1. Main Entrance / Access Road
2. Collector Road
3. Feeder Roads
4. Native Planting Areas: Refer to Section 7 - Indicative Drainage/Gully Sections
5. Detention Ponds
6. Constructed Marsh Area (using proposed borrow pit)
7. Existing Outflow from Tuckers Dam
8. Wastewater filtration plant
9. Wastewater Dispersal Field
10. Walkway/Cycleway
11. Great Taste Trail

ESTIMATED EXTENT OF EXISTING WATERCOURSE RE-ALIGNMENT ADJACENT TO MARRIAGES ROAD

N

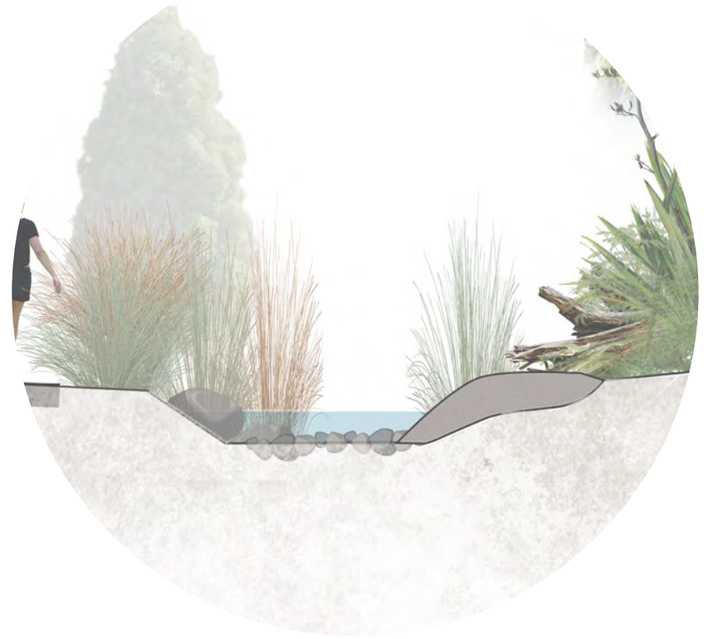
6.0 CONSENTED DEVELOPMENT/PROPOSAL OVERLAY

To assist with assessing the effects of the increase in density proposed within this stage the following overlay plan has been provided.

Refer to key for area comparison

7.0 INDICATIVE DRAINAGE/GULLY SECTIONS

1. TYPICAL GULLY PLANTING CROSS SECTION



2. DRAINAGE CROSS SECTION SHOWING VARIED BANK FEATURES (to be confirmed with ecologist)

3. DRAINAGE CROSS SECTION SHOWING VARIED BANK FEATURES (to be confirmed with ecologist)

8.0 WATERCOURSE IMPROVEMENTS/POND SECTION C-C

EXISTING POND | ACCESS | PLANTING | EXISTING MODIFIED WATERCOURSE IMPROVEMENTS (TO BE CONFIRMED BY ECOLOGIST) | PLANTING

9.0 INDICATIVE ROADING AND LONG SECTIONS

INDICATIVE ROAD SECTION

MITIGATION

Mitigation trees feature throughout the site in key locations providing points of interest, high amenity value and mitigation of the increased density. The mitigation tree selection is in response to the coil characteristics and

A sporadic native plant palette provides juxtaposition to the exotic street trees within the streetscape.

KĀNUKA
Kunzea ericoides

TORO
Myrsine salicina

KĀHIKATEA
Dacrycarpus dacrydoides

TŌTARA
Podocarpus totara

KŌHŪHŪ
Pittosporum tenufolium

MĀHOE
Melicytus ramiflorus

STREET TREES

Street trees have been used to set a clear street hierarchy within the site. Variation in heights and form of tree species will assist to create identifiable neighbourhoods and roading types.

Larger avenue trees form the spine that runs along the collector road's. Species along the collector roads are typically larger providing a high level of amenity within the site.

The access roads will be lined with typically smaller sized amenity trees, which when combined with the narrower road width, provide visual cues to aid in way finding through the site.

Trees have been selected based on their high amenity values and suitability to the site conditions. Selection criteria also includes form, scale, autumn colour, hardiness, and seasonal change.

(Feeder Roads)

TRIDENT MAPLE
Acer buergerianum

(Collector Roads)

COPPER BEECH
Fagus sylvatica 'Purpurea

WETLAND

Native plantings within the existing gullies and low lying ponding areas enhance habitat and improve biodiversity throughout the development area and provide interconnected corridors within the site and externally.

A natural approach to stormwater and wastewater are provided to assist with infiltration within the site, reducing the extent of water entering the catchment further down stream.

TŪRUTU
Dianella nigra

WIWI
Juncus edgariae

HARAKEKE
Phormium tenax

REVEGETATION

Pockets of local, native vegetation are proposed to strengthen the mitigation planting proposal and integrate the proposed development into the context.

Hardy species such as Olearia, Akeake and red tussock are suited to the more exposed ridge areas while moisture tolerant species will be selected for the lower elevations, within shaded gully areas and areas adjacent to the proposed wetlands and waterways.

Further detailed planting design will be guided by the relevant Moutere ecosystem native plant lists.

Planted groupings provide refugia opportunities in the form of biodiversity islands.

RAUTAHI

Carex geminata

PŪREI

Carex secta

PUKIO

Carex virgata

TOE TOE

Cortaderia richardii

HARAKEKE

Phormium tenax

KŌHŪHŪ

Pittosporum tenufolium

TĪ KOUKA

Cordyline australis

KĀPUKA / PĀPĀUMA

Griselinea littoralis

KĀNUKA

Kunzea ericoides

MĀNUKA

Leptospermum scoparium

TORO

Myrsine salicina

TARATA

Pittosporum eugenioides

KŌHŪHŪ

Pittosporum tenufolium

TŌTARA

Podocarpus totara

PUAHOU

Pseudopanax arboreus

HOROPITO

Pseudowintera colorata

MINGIMINGI

Coprosma propinqua

KARAMŪ

Coprosma robusta

KOROMIKO

Hebe stricta var. atkinsonii

MANAKURA

Melicytus micranthus

TOE TOE

Cortaderia richardii

11.0 RESTORATION PLANT LIST

Moutere Downlands – Valleys Ecosystem Native Plant Restoration List

Locality:	Valleys of the Moutere catchment, between Ruby Bay and Tasman, and parts of Waiwhero and Dove catchments.
Topography:	*Flat to gently undulating flood-plains and low terraces*
Soils and Geology:	*Alluvial clayey loams with impeded drainage and low fertility. Heavy, leached subsoil with iron pans. Derived from strongly weathered sedimentary gravels. Not drought-prone except where intensively drained*
Climate:	*High sunshine hours; mild annual temperatures; frosts moderate to heavy; rainfall 900-1000mm.*
Coastal influence:	*At Kina only*
Original Vegetation	*ly covered in a range of vegetated wetlands, especially swamp forest.*
Human Modification	*A few small forest patches and narrow valley wetlands remaining. Hydrology has been profoundly altered by drainage.*

Source: https://www.doc.govt.nz/globalassets/documents/conservation/native-plants/nelson-marlborough/ecological-restoration/tasman-bay/moutere-downlands-valleys.pdf.

Last update: July 2008. Accessed 18.12.2023

Botanical Names	Māori & Common Names
TREES	
Aristotelia serrata	makomako, wineberry
Carpodetus serratus	putaputāwētā, marbleleaf
Coprosma areolata	thin-leaved coprosma
Coprosma grandifolia	raurekau
Coprosma linariifolia	yellow-wood
Coprosma rotundifolia	hairy coprosma
Cordyline australis	tī kouka, cabbage tree
Cordyline banksii	tī ngahere
Coriaria arborea	tree tutu
Cyathea dealbata	ponga, silver fern
Dacrycarpus dacrydioides	kāhikatea
Dacrydium cupressinum	rimu
Dicksonia fibrosa	whekī ponga
Dicksonia squarrosa	whekī
Elaeocarpus dentatus	hīnau
Elaeocarpus hookerianus	pōkākā
Fuchsia excorticata	kōtukutuku, tree fuchsia
Griselinia littoralis	papauma, broadleaf
Hedycarya arborea	porokaiwhiri, pigeonwood
Kunzea ericoides	kānuka
Leptospermum scoparium	mānuka
Lophomyrtus obcordata	rōhutu
Macropiper excelsum	kawakawa, pepperwood
Melicope simplex	poataniwha
Melicytus lanceolatus	māhoe wao, narrow-leaved māhoe
Melicytus ramiflorus	māhoe, whiteywood
Myoporum laetum	ngaio
Myrsine australis	māpou
Myrsine divaricata	weeping māpou
Myrsine salicina	toro
Neomyrtus pedunculata	rōhutu
Nestegis lanceolata	white maire
Nothofagus menziesii	silver beech
Nothofagus solandri var. solandri	black beech
Pennantia corymbosa	kaikōmako
Pittosporum eugenioides	tarata, lemonwood
Pittosporum tenuifolium	kōhūhū
Podocarpus totara	tōtara
Prumnopitys ferruginea	miro
Prumnopitys taxifolia	mataī
Pseudopanax arboreus	orihou, five finger
Pseudopanax crassifolius	horoeka, lancewood
Pseudowintera colorata	horopito
Rhopalostylis sapida	nīkau
Schefflera digitata	patē, seven-finger
Streblus heterophyllus	milkwood
Weinmannia racemosa	kāmahi
CLIMBERS	
Rhipogonum scandens	kareao, supplejack
Rubus australis	swamp lawyer
Rubus schmidelioides	shrub lawyer
SHRUBS	
Coprosma tayloriae	tier coprosma
Coprosma foetidissima	hūpiro, stinkwood
Coprosma microcarpa	beech coprosma
Coprosma propinqua	mikimiki
Coprosma rhamnoides	bucks-horn coprosma
Coprosma rigida	streamside coprosma
Coprosma robusta	karamū
Coprosma tenuicaulis	swamp coprosma
Hebe stricta var. atkinsonii	koromiko
Leptecophylla juniperina	prickly mingimingi
Leucopogon fasciculatus	mingimingi
Melicytus micranthus	manakura, swamp māhoe
Raukaua anomalus	stout netting bush
GRASSES, SEDGES, RUSHES & GROUND COVERS	
Asplenium bulbiferum	mauku, hen and chicken fern
Asplenium oblongifolium	shining spleenwort
Blechnum discolor	piupiu crown fern
Blechnum minus	swamp kiokio
Blechnum novae-zelandiae	kiokio
Blechnum penna-marina	little hardfern
Blechnum procerum	beech hardfern
Hypolepis ambigua	hypolepis
Paesia scaberula	mātātā, scented fern
Pneumatopteris pennigera	pākau, gully fern
Polystichum vestitum	prickly shield fern
Microlaena avenacea	bush ricegrass
Cortaderia richardii	South Island toetoe
Astelia fragrans	ground lily
Astelia grandis	swamp lily
Baumea rubiginosa	stout pākihi sedge
Baumea tenax	slender pākihi sedge
Carex cockayneana	bush sedge
Carex comans	maurea
Carex geminata	toetoe rautahi
Carex lessoniana	rautahi
Carex maorica	Māori sedge
Carex secta	pūrei
Carex virgata	pukio
Dianella nigra	tūrutu, blueberry
Eleocharis acuta	spike rush
Gahnia xanthocarpa	giant cutty sedge
Isolepis polifer	multiplying sedge
Juncus australis	wiwi
Juncus edgariae	wiwi
Juncus pallidus	tall swamp rush
Juncus sarophorus	blue wiwi
Libertia mooreae	native iris
Phormium tenax	harakeke, swamp flax
Typha orientalis	raupō
Uncinia banksii	tufted hookgrass
Uncinia uncinata	hookgrass

Boffa Miskell

Tasman Estate

Landscape Effects Assessment
Prepared for Tasman Bay Estates Limited

23 April 2024

Boffa Miskell is proudly a
Toitū net carbonzero certified consultancy

Document Quality Assurance

Bibliographic reference for citation: Boffa Miskell Limited 2024. *Tasman Estate: Landscape Effects Assessment*. Report prepared by Boffa Miskell Limited for Tasman Bay Estates Limited.		
Prepared by:	Emma McRae Landscape Architect - Principal Boffa Miskell Limited	
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Status: Final	Revision / version: 2	Issue date: 23 April 2024

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Template revision: 20220720 0000

File ref: BM220666_TasmanBay_LVEA_20231219_AAn.docx

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Appendices

Appendix 1: Method Statement

Appendix 2: Assessment against Coastal Tasman Design Guide

Graphic Supplement (bound separately)

1.0 Introduction

1.1 Scope of the report

1.1.1 Boffa Miskell Limited (BML) has been engaged by Tasman Bay Estates Ltd in October 2022 to undertake a Landscape Effects Assessment (LEA) for a proposed 58 lot subdivision at 64 Marriages Rd and 77 Mamaku Road, Tasman. The area under assessment is located to the west of Marriages Road, approximately 5 km north of Māpua, in Tasman (otherwise referred to as 'the Site' in this report), see **Map 1 of graphic supplement** for location. The Site is zoned Rural 3 within the Tasman Resource Management Plan (TRMP). The site does not contain land identified as an outstanding natural landscape or feature and is not an identified landscape in the TRMP[1]. The following LEA has considered the proposal in the context of the existing environment, the statutory context and the potential effects arising from the proposed subdivision on the existing landscape character of the immediate and surrounding environment and any potential visual effects resulting from the proposal.

1.2 Project background

1.2.1 In 2015, Resource Consent was sought for subdivision of the Site and adjacent land (to the north) centred around Aporo Road, up Mamaku Valley and across on to the western side of Marriages Road and the south east side of Horton Road. The 2015 Site also extended across Aporo Road to Permin Road and an unnamed Legal Road, with the Moutere Bluffs forming the eastern edge of the Site above Ruby Beach.

1.2.2 The consented subdivision involved 17 existing land parcels with an overall area of 178 hectares (ha) of land zoned Rural 3 for the staged development of 96 allotments. One 31.19 ha productive horticultural block; and six large lots to be planted for productive and rural character outcomes, see **Image 1** below. The current proposed Site boundary in relation this this is outlined in red.

1.2.3 The subdivision illustrated in **Image 1** below was consented in December 2016. The eastern extent of this subdivided development has now been constructed and is known as Tasman Bay Estates, see **Image 2** below.

1.2.4 The consented proposal for the current Site extent, known in the original masterplan as the Mamaku Cluster comprised of 24 residential lots ranging in size from 3730m^2 to 8160m^2 and 20.82ha of productive land. This detail is illustrated on the **Figure 1** in the **Graphic Supplement**.

[1] TRMP Volume 2 Areas Map 86

***Image 1**: 2016 Consented subdivision. Current Site area the subject of this assessment outlined in red.*

***Image 2**: Landscape context photo showing view southwest from consented subdivision at Deck Road (Tasman Bay Estates) off Aporo Road near Ruby Bay.*

1.3 Assessment Process

1.3.1 This assessment follows the concepts and principles outlined in *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines*[2]. A full methodology is outlined in **Appendix 1** of this report. The effects ratings are based upon a seven-point scale, which ranges from very low to very high. Te Tangi a te Manu recognises the term 'landscape effects' as all-encompassing, and that visual effects and natural character effects are a subset of landscape effects. This assessment provides separate chapters to discuss landscape, visual and natural character effects, but is referred to throughout as a Landscape Effects Assessment in accordance with the Guidelines.

1.3.2 A Site visit was undertaken by Emma McRae (Principal Landscape Architect, BML) on 2 August 2022 to understand the Site, its context and visibility. The weather was sunny with clear views of the Site from the immediate surrounding areas. While on the Site visit, the immediate surrounding area was also visited to understand the Site's physical and visual relationship to nearby public and private locations. Representative public viewpoints were visited, and Site photos are included in **Appendix 3: Graphic Supplement**.

[2] *Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.*

2.0 Proposal Description

2.1.1 The proposal is outlined in the Assessment of Environmental Effects (AEE)[3] submitted with the application. The concept contains 58 residential lots ranging from small lot sizes of around 1,100m², up to larger more generous lot sizes of up to 7,461m², refer **Image 3** below and **Figure 2** in the **Graphic Supplement**. The proposed residential lots will be clustered on the main spurs to make the most of coastal views towards Tasman Bay to east and the Mount Arthur Range to the west. The location of the residential lots also facilitates easy access, whilst settling into the landscape with extensive gully and riparian restoration native planting proposed. Refer to **Figure 2 and 3** in the Graphic Supplement for the Proposed Masterplan Plan and Long Sections. The balance of the Site will be revegetated in native species, retained in pasture and used for stormwater/wastewater storage areas.

2.1.2 The development will include a pathway network to enable a strong connection between houses and nature as well as link with the wider community through the Great Taste Trail.

2.1.3 Sustainable management systems for both stormwater and wastewater are also to be provided. Details of these systems are provided in the Wastewater Servicing Assessment (Envirolink, 12 December 2023) and the Stormwater Report (CGW Engineers, 16 February 2024). In summary effluent will be treated with a single community system and will be disposed of onsite. The wastewater treatment system tanking will be located at the end of Mamaku Road. The location of this and the wastewater dispersal fields are located on Sheet 3 of the Masterplan set. The existing man-made ponds within the site are to be modified to achieve hydraulic neutrality at the downstream discharge.

2.1.4 Through specific design of key culverts and bunding in locations, along with the other stormwater design components described in the stormwater, offsite flood risks can be mitigated so that the effects are less than minor. Provision of channels along the western boundary sized for primary and secondary flows will provide the offset required to the effluent land application areas designed by Envirolink.

[3] Assessment of Environmental Effects, prepared by Planscapes Ltd

***Image 3**: Proposed Masterplan for 58 lot subdivision*

2.2 Masterplan development

2.2.1 The development of the Site has followed the guidelines[4] for the Rural 3 Zone. The initial Site analysis which has fed into the masterplan process identified the following values, attributes, constraints and opportunities for the Site:

- Currently used as arable land for cropping, with pastoral land use in the northern corner.
- An existing dwelling located at 56 Marriages Road lies outside the Site however is surrounded Site on three sides by the Site.
- Gently sloping landforms form the three main ridgelines in the southern portion of the Site, these landforms are not local high points and are well contained within the wider landscape.
- There is existing rural residential subdivision in the surrounding area which overlooks the Site, including Beulah Ridge to the west, dwellings on Mamaku Road to the west and Suncrest Drive to the south.
- Existing eucalypts along Marriages Road create a strong and locally distinctive landscape structure.

[4] See TRMP Part II Appendix 3

- Presence of the Great Taste Trail along the eastern Site boundary provides opportunities for cycle connections.
- The Site is located within Tasman landscape unit 6B where avoiding development on steep slopes or extensive earthworks is required.
- Maintaining the existing Marriages Stream, other minor unnamed stream and ponds as landscape features.
- There are opportunities for amenity and conservation tree planting to replace and supplement existing tree pattern which has been modified and reduced.
- There are opportunities for integrating patterns of use, development and landscape enhancement with the adjacent Inland Tasman landscape unit 5.

2.2.2 The masterplan is included as Figure 2 of the Graphic Supplement. This has been developed through collaboration with the wider project team, including planners, engineers, ecologists and landscape architects. The masterplan has taken into account the above values, attributes, constraints and opportunities and has been developed to address these matters as follows:

- Road access and building platforms have been very carefully designed to follow the natural contours as closely as practicable.
- The road alignment has been designed to follow the ridgelines of the Site, with development situated on lower platforms either side of the road, situating the building platforms off the ridgeline.
- The master plan locates development on the wide gentle spurs of the Site. The intervening shallow valleys are to be used for stormwater conveyance before the water disperses to detention areas on the lower lying ground, with proposed native shrubs and vegetation in these valleys filtering the stormwater. This proposed native planting also increases the amenity and biodiversity of the Site.
- Former irrigation ponds are to be maintained and planted to increase amenity and biodiversity.
- Development has been located sensitively in terms of neighbouring private views of the Site and public views from public areas, with suitable offsets created to establish screen planting for the nearest neighbours.

3.0 Existing Environment

3.1 Landscape Context

3.1.1 The wider landscape that surrounds the Site varies in terms of topographical change, land use and settlement patterns. Approximately 1 km east of the Site is the coastline of Tasman Bay, defined by a sandy beach and the steep, vegetated Moutere Bluffs which rise sharply from the coast. Residential properties border the cliff top with views orientated towards the sea.

3.1.2 West of the Tasman Bay coastline, the landform comprises gentle undulations which rise to minor ridgelines and peaks. The landform becomes more pronounced and elevated to the south and west of the Site boundary, rising to a prominent ridgeline along which State Highway (SH) 60 follows, see **Map 2**.

3.1.3 In the Tasman District Landscape Study (Bridget Gilbert Landscape Architecture Ltd, 2022), The Site lies within Landscape Character Unit 8: Waimea, Mapua, Motueka and Riuwaka River Plains and Coastal Flats. Key characteristics of this area are described as follows:

> *Roughly corresponds to the recent floodplains and riverbeds, low terraces, and associated back swamp wetlands, flights of intermediate and high terraces and minor fans in the upper tributaries; and the deltaic fringe complexes of barrier islands, spits, beach ridges, sand dunes, and estuaries of the lower Motueka, Moutere, Riuwaka, and Waimea Rivers. Includes the adjoining seascape. Vegetation patterning dominated by shelterbelt/orchard plantings and amenity plantings around dwellings and buildings with isolated bush and riparian fragments in places and sizeable wetlands around river mouths. Production forestry dominates on Moturoa/Rabbit Island and Jackett Island. A reasonably consistent patterning of rural living and rural lifestyle settlement between the nodes of urban development associated with Riuwaka, Motueka, Mapua and Richmond. Predominantly permanent homes with some holiday homes evident along the coastline. Popular scenic route between Nelson/Richmond and Motueka (and beyond) (vehicular and cycling). The identity and sense of place associated with LCU 8 can be described as a mixed urban, rural amenity and working rural landscape that is valued as a place in which to live and work and to visit. Attractive seascape outlook along coastal edge, albeit a generally inhabited/modified coastal interface.*

3.1.4 The wider landscape surrounding the Site has a mixed rural character which is typical of the Rural 3 zone. This area predominately consists of rural residential lifestyle properties, along with horticulture and farmland including orchards, vineyards and small farmlets. Stafford Drive and Aporo Road are the main vehicular access routes along the Tasman Bay coastline. Local roads stem from these, providing access to rural properties and small settlement clusters, see **Map 3** for the existing settlement pattern of the area. Lot sizes generally range between 5,000m^2 to 5ha in size, with some larger blocks above 5ha retained as rural productive land. As a result of previous subdivisions in the Rural 3 zone there are also smaller lots, such as at Beulah Ridge to the west of the Site, and the subdivision off Aporo Road to the southeast.

3.1.5 Aside from horticulture, vegetation is comprised of occasional shelterbelts, roadside planting/gardens and shelterbelts associated with residential properties, including boundary trees and shrubs. Areas of open arable farmland occur across the wider landscape, while areas of commercial forestry are found upon steeper and more elevated landforms to the west of the Site, in the vicinity of SH60.

3.1.6 Inland ponds and small lakes (largely man-made) are frequent across the landscape, including two which lie within the Site boundary. The Moutere River is the main water course within 5 km of the Site, although a number of streams flow through valleys across the landscape in the immediate area of the Site to outfall in the Moutere Inlet. The Marriages Stream is one such tributary and runs along the eastern Site boundary parallel to Marriages Road.

3.1.7 Overall, the wider landscape varies in terms of land use, land cover and topography, with a generally dispersed rural residential pattern with discrete pockets of higher residential density apparent.

3.2 Landscape change

3.2.1 The Coastal Tasman Area Subdivision and Development Design Guide (CTDG)[5] which identifies Landscape Units and Landscape Sub-Units within the coastal Tasman Area was published in September 2006. Since this time the area of the Site and its surroundings have changed from that of a largely rural area with vineyards and orchards dominating the land use, to that of a more settled landscape, largely as a result of the Rural 3 zone provisions, refer **Images 4-6** below which illustrate the changing nature of the Rural 3 zone in this location. Of note also is the increase in tree and shelterbelt plantings that have occurred along with development in the area.

Image 4 *- Marriages Road 2006 (Source: Google Earth)*

[5] Comissisoned by the Tasman District Council and incorporated into the Tasman District Plan as Part II Appendix 3

Image 5 *- Marriages Road 2014 (Source: Google Earth)*

Image 6 *- Marriages Road 2020 (Source: Google Earth)*

3.2.2 The CTDG has identified that removal of vegetation diminishes or compromises landscape values. Accordingly, the proposal seeks to maintain the large row of eucalypts along Marriages Road, which form a local landscape feature, and supplement this with further planting to maintain and enhance landscape values within the Site.

3.3 Associative values

3.3.1 To the northeast of the Site, within the consented Tasman Bay Estates subdivision on Moutere Bluffs, lies Te Papa Pā Site, This Pā Site was incorporated into the masterplan to be maintained and protected as undeveloped. The draft Nelson Tasman Future Development Strategy – Technical Report (Nelson City Council, Tasman District Council, March 2022) also identifies that the area in which the Site is located has spiritual and cultural significance to Te Ātiawa.

3.3.2 Based on this, the proposed activities that occur in and around the Site are relevant to iwi cultural values and other associative values.

3.3.3 Details of consultation and engagement carried out with iwi and hapu are detailed in full in the AEE.

3.4 Site Description

3.4.1 The Site is formed of six titles totalling approximately 40 ha in area, having a roughly triangular shape, bound to the northeast by the unsealed local Road of Mamaku Road and the east by Marriages Road. Landform within the Site is gently rolling, with three minor, gently rolling spurs located in the southern portion of the Site, which form the toe of the wider and higher ridgeline covered by the existing subdivision to the south on Suncrest Drive, see **Map 2**. The southern portion of the Site is currently used as arable land for cropping, with the smaller northern area at the corner of Marriages and Mamaku Roads used for grazing, see **Images 7 and 8 below**. An existing dwelling lies outside the Site but surrounded by the Site on three sides at 56 Marriages Road. Views from this dwelling and surrounding land towards the Site are largely screened by shelterbelt vegetation around the perimeter of the lot.

3.4.2 The Site is typical of the open rural land within this location, with paddocks delineated by trees providing the main landscape structure. A row of mature eucalypts along Marriages Road, which run parallel with the road and the Great Taste Trail, provide a particular landscape feature of the area (see **Image 9**). There is one existing dwelling within the Site boundary, with the only other buildings within the Site comprising farm sheds accessed from the end of Mamaku Road. There are two existing tiny homes adjacent to 56 Marriages Road, which are proposed to be removed as part of the site development. An existing dam occupies the southwest corner of the Site, and there are two further man-made former irrigation ponds within the Site boundary, one off Mamaku Road, and the other to the east closer to Marriages Road.

3.4.3 As part of the resource consent (RM150576V2 etc), 96 rural residential lots also form part of the existing environment. Of the 96 lots, 24 lots were proposed in the location of the current site. Separate from the Site, but as part of the resource consent, 33 lots have been completed within the coastal cluster at Aporo Road.

Image 7 *– View west from gently rolling central ridge with Site showing arable land use. Existing development at Beulah Ridge visible in distant centre view.*

Image 8 *– View southwest from corner of Marriages/Mamaku Road out over Site showing pastoral land use. The dwelling at 56 Marriages Road is screened beyond vegetation in the centre of the view.*

Image 9 *– View northwest towards Site from Marriages Road with large eucalypts along eastern boundary visible in left hand side of the photo.*

3.5 Visual Catchment

3.5.1 Although the proposed development Site is located on slightly elevated topography above the lower lying coastal edge, its visual catchment is relatively contained to within 500 – 600 m from the Site boundary, with potential for some longer distance glimpsed views within 1km. Views towards the Site are well contained within the wider landscape by the higher landforms or Beulah Ridge to the west, Suncrest Drive to the south and the higher ridge of land which runs to the east of Pomona Road/ Marriages Road, roughly parallel with these roads, see **Map 2**.

Public Vantage Points

3.5.2 Views from publicly accessible locations are largely restricted to collector and local access roads in the area. SH60, the Coastal Highway, is the key road corridor in proximity to the Site and is a notable tourist route for visitors to the Tasman District. As it passes by the Site approximately 950m to the west, it lies in cutting for a distance of more than 5km. Topography and roadside planting prevent any views across the landscape or seascape to the east of the road. Therefore, there would be no view of the proposed development from this key route, and it is not considered further.

3.5.3 Two local access roads border the Site to the east and northwest, Marriages Road and Mamaku Road. These roads are situated across low lying areas of the landscape and provide access to a number of scattered rural residential properties. In the area of the Site, Marriages Road is lined by occasional street trees or boundary vegetation, however views are largely open across the wider landscape. Broad roadside shoulders and a lack of paddock boundaries create an open character from roadside views, although longer distance views are truncated by gently rising topography to the east and west. The Great Taste Trail, a 175km walking/ biking trail which passes through the coastal Tasman area and forms a loop around the Nelson-Tasman region, follows along Marriages Road (see **Map 2**). This trail is promoted for its coastal scenery, bird watching and its passage through the Tasman region's attractions, including art galleries, fruit stalls, restaurants, craft breweries and wineries.

3.5.4 Mamaku Road originates from Marriages Road, providing access to local properties only and has no throughfare or connection to the wider road network at its southern end. It is an un-paved, gravel road with open views across the immediate landscape to the southeast. The topography rises to the west of the road, directing views east towards the Site.

3.5.5 In the wider area, Aporo Road passes to the northeast of the Site area, at a distance of approximately 250m at its closest point. Views from Aporo Road are largely open to the north of the Site, however local gentle undulations in topography and areas of vegetation across the wider landscape prevent long ranging views across the wider area. Views of the Site become more noticeable as the road passes the Marriages Road junction. South of this junction, roadside vegetation becomes more frequent as orchards become more prolific and boundary vegetation increases and views are largely contained to within the road corridor and the immediate area.

3.5.6 There are no views towards the proposed development Site from the beach/ coastline of Ruby Bay or Tasman Bay due to the bluffs which contain views inland from the shore.

3.5.7 A visual appraisal (see **Map 2** for Viewpoint locations) from local viewpoints in relation to the Site has been carried out, and is described in detail below:

Views from the north

3.5.8 **Viewpoint Photograph 1** illustrates a view from the corner of Mamaku and Marriages Road. The ground surface of the Site is visible in the foreground of the view, this area will be retained in pastoral use. The existing dwelling at 56 Marriages Road is screened from view by vegetation in the distant centre of the view. The open, gently sloping spur landforms where the residential lots are proposed are screened beyond vegetation in the view.

3.5.9 **Viewpoint Photograph 11** illustrates a view looking northwest from the corner of Aporo and Marriages Road, around 250m from the Site boundary. The view illustrates how localised topography and vegetation screens views towards the Site, which is screened beyond vegetation in the distant centre of the photo.

3.5.10 **Viewpoint Photograph 12** lies around 570m north of the Site boundary, at the corner of Deck Road and Aporo Road, which forms the entrance to Stage 1 of the Tasman Bay Estates development which has already been constructed. The view looks southwest towards the Site, which is screened from view by vegetation in the photograph.

Views from the east

3.5.11 **Viewpoint Photograph 2** illustrates a view at the Site boundary on Marriages Road looking west into the Site from the access to 56 Marriages Road. The large eucalypt trees which form a prominent feature along the Marriages Road frontage are visible in the foreground of the view. The ground surface of the Site is visible to the left of the photograph beyond the trees, with the eastern most open spur forming the skyline.

3.5.12 **Viewpoint Photograph 3** illustrates a view looking northwest from the Great Taste Trail where it crosses Marriages Road. The open spur landform of the Site is visible in the left hand side of the photograph, with the eucalypt shelterbelt visible in the right hand side. The Great Taste Trail is visible in the centre of the view. A similar but more open view further south down Marriages Road, looking directly towards the Site is shown in **Viewpoint Photograph 4**. Users of Marriages Road and the Great Taste Trail would experience these views.

Views from the south

3.5.13 **Viewpoint Photograph 5** illustrates a view at the southern Site boundary on Marriages Road looking north. The Site is visible in the left hand side of the view, with the property at 56 Marriages Road visible in the distant centre of the view.

3.5.14 **Viewpoint Photograph 6** illustrates a view from the right of way to 384 Pomona Road. Similar but slightly more elevated views to this would be experienced from this dwelling and other at 378-382 Pomona Road. The open ground surface of the Site is just visible, partially screened and framed beyond vegetation in the view.

3.5.15 **Viewpoint Photograph 7** illustrates a more distant view from the south from the corner of Suncrest Drive and Westmere Drive towards the Site. The view illustrates how the local landform screen views of the Site from nearly all but the immediate roads surrounding the Site. The Site is screened beyond landform and vegetation in the centre of the view.

3.5.16 **Viewpoint Photograph 8** is taken from the end of Suncrest Drive and looks towards the Site boundary. The wattle trees forming the southern Site boundary are visible on the horizon in the centre of the view. The ground surface of the Site is just visible beyond this, with the existing dwelling at 77 Mamaku Road within the Site visible in the centre left of the photo, with vegetation forming the backdrop to this dwelling.

Views from the west

3.5.17 **Viewpoint Photograph 9** illustrates a view from the end of Mamaku Road, near the access to the existing dwelling to be retained within the Site at 77 Mamaku Road. This dwelling is visible on the horizon in the centre left of the photograph and will be retained within the proposed development.

3.5.18 **Viewpoint Photograph 10** illustrates a view from Mamaku Road looking northeast out over the Site. The open rolling spur landforms of the Site are visible in the view. The proposed development would be set back around 185m from this viewpoint and would appear on the rolling spurs interspersed with the proposed planting.

Private Vantage Points

3.5.19 There are a number of existing rural residential properties in the area surrounding the Site which would have views towards the proposed development. These properties can broadly be grouped together as follows and illustrated on **Map 2**:

- Beulah Ridge
- Mamaku Road
- Suncrest Drive
- Marriages Road
- Aporo Road
- Pomona Road
- Brooks View Heights

4.0 Relevant Statutory Provisions

4.1.1 As part of this assessment, there are a number of planning provisions that are relevant to this project. Specifically, they include:

- The Resource Management Act;
- Tasman Regional Policy Statement; and
- Tasman Resource Management Plan.

4.2 The Resource Management Act (RMA)

4.2.1 The RMA provisions relevant to landscape and visual effects addressed in this report are in respect of:

- Section 7(e) – the maintenance and enhancement of amenity values;
- Section 7(f) – the maintenance and enhancement of the quality of the environment.

4.3 Tasman Regional Policy Statement (TRPS)

4.3.1 The Tasman Regional Policy Statement (TRPS) (Tasman District Council, 2001) is the strategic resource management plan to promote sustainable resource management in the Tasman District. It contains the broad issues, objectives and policies for the district as well as methods of implementation, anticipated environmental results and performance monitoring indicators.

4.3.2 General Objective 6 of the TRPS is for the protection and enhancement of significant natural, heritage and cultural values of resources, including the protection of the many outstanding natural areas, features and landscapes found within the District. The nearest ONL to the proposed development Site is the Parapara-Kahurangi Ranges ONL located approximately 22km northwest of the Site boundary.

4.3.3 Issue 6.2 of the TRPS notes the requirement for the management of the adverse effects of land fragmentation. This section of the plan notes that values of rural land, other than its productive value, may be adversely affected by land fragmentation, including those associated with the visual landscape qualities such as open space and other amenity values. Additionally, the value associated with the character of rural areas, derived from attributes such as open space, the density, scale, pattern and form of buildings, productive activities and the absence of signs. This issue is addressed by the following objectives and policies (of relevance to this LEA):

4.3.4 **Policy 6.2:** The Council will ensure that subdivision and uses of land in the rural areas of the District avoid, remedy or mitigate adverse effects on:

(i) productivity and versatility of land, particularly in areas of high productive value; and

(ii) provision of services, including roading, access, water availability, wastewater treatment or disposal; and

(iii) amenity, natural and heritage values of Sites, places or areas including landscape features such as karst terrain; and

(iv) accessibility of mineral resources; and

(v) socioeconomic viability of adjacent areas; and that are not unnecessarily exposed to adverse effects from:

a. adjacent land uses across property boundaries; and

b. natural hazards.

4.4 Tasman Resource Management Plan (TRMP)

4.4.1 Chapter 7 of the TRMP (Tasman District Council, 2014) sets out the objectives and policies for the Rural Environment. The chapter deals with the fragmentation of rural land, the availability of rural land for a range of purposes, protection of rural character and amenity, and reverse sensitivity.

4.4.2 Issues, Objectives and Policies of relevant to this LVEA include:

Relevant Issue in the TRMP	Supporting Objectives and Policies
Cumulative Effects of land fragmentation on productive opportunities	
Issue 7.1.1.1 Cumulative adverse effects of the subdivision, development, and use of rural land other than for plant and animal production, on: a) the life-supporting capacity of soil, water and ecosystems in rural areas; b) the availability of land for plant and animal production and other natural resource-based production opportunities for the well-being of present and future generations; c) service provision including the road network, Site amenity, contamination and natural hazard risk, and on heritage and landscape values.	• Policy 7.1.3.1 • Policy 7.1.3.3
Provision for activities other than plant and animal production	
Issue 7.2.1: How to provide for activities other than plant and animal production in rural areas, without diminishing the availability of the productive land resource.	• Objective 7.2.2.1 • Objective 7.2.2.2 • Policy 7.2.3.1 • Policy 7.2.3.2
Rural Residential Development in Coastal Tasman Area	
Issue 7.3.1: 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	• Policy 7.3.3.1 • Policy 7.3.3.3 • Policy 7.3.3.14

the productive value of the rural land resource, coastal and rural character, and amenity values.	
Rural Character and Amenity Values	
Issue 7.4.1 An appropriate level of protection of rural character, ecosystems and amenity values.	• Objective 7.4.2 • Policy 7.4.3.3
Chapter 9: Landscape	
Objective 9.2.2 Retention of the contribution rural landscapes make to the amenity values and rural character of the District, and protection of those values from inappropriate subdivision and development	• Policy 9.2.3.1 To integrate consideration of rural landscape values into any evaluation of proposals for more intensive subdivision and development than the Plan permits. • Policy 9.2.3.3 To retain the rural characteristics of the landscape within rural areas • Policy 9.2.3.4 To encourage landscape enhancement and mitigation of changes through landscape analysis, subdivision design, planting proposals, careful siting of structures and other methods, throughout rural areas. • **Policy 9.2.3.5** To evaluate, and to avoid, remedy or mitigate cumulative adverse effects of development on landscape values within rural areas.

4.4.3 Chapter 16 sets out the Rules for subdivision within the Rural Zone 3. The minimum lot size of the Rural 3 Zone is 50ha (Rule 16.3.7.1(a)). The proposed subdivision does not meet the conditions in relation to the proposed lot areas being less than 50ha, 100m minimum frontage widths not being met for all road frontage sites, 10m road frontage setback not being achieved for the existing dwelling within proposed Lot 28, due to not meeting the transport requirements of Schedule 16.3B on account of Road 2 and 3 footpath widths only, and as stormwater discharges are not a permitted activity. The proposed subdivision is a **restricted discretionary** activity under Rule 16.3.7.3. All conditions of Rule 16.3.7.3 are met, including Condition (b) which requires that the subject land to have not been the subject of a subdivision consent granted after 20 December 2003. This condition is met. The only existing title that is more recent that that is the title containing Tuckers Pond, which is not proposed to be subdivided.

4.4.4 The proposed dwellings with road frontage (where road boundary setback reductions are sought) are a restricted discretionary activity under Rule 17.7.3.3 of the TRMP. All other dwellings are a controlled activity under Rule 17.7.3.2 of the TRMP.

4.5 Coastal Tasman Area Subdivision and Development Design Guide

4.5.1 The TRMP includes Appendix 3: The Coastal Tasman Area Subdivision and Development Design Guide (CTDG) which identifies Landscape Units and Landscape Sub-Units within the coastal Tasman Area and provides a description of each unit. The guide also assesses each the capacity of each unit (in landscape terms) to absorb further subdivision and development, and uses the findings of this assessment to present location specific guidelines for development in each unit/ subunit.

4.5.2 The proposed Site is located within Landscape Unit 6: Inland Tasman (Sub-Unit 6B: Beulah Ridge) and is directly adjacent to the Coastal Highway Landscape Unit (Sub-Units 5B and 5A), see **Map 4**. The capacity of these Landscape Units for further development, as assessed by the CTDG, are set out below. The CTDG also sets out requirements for developers to ensure that the landscape qualities of each landscape unit and subunit are maintained.

Landscape Unit 6: Inland Tasman

"*The Inland Tasman unit consists of three internal valleys like sub-units that display similar characteristics and development opportunities as those in the Inland Waimea unit (Unit 8). The difference between these units is in part the nature of the current land use, the steepness of the topography, and the more visually apparent sub-unit definition in the Inland Waimea unit. In general, the Inland Tasman unit is more undulating, not as steep, and has a more distinctive and diverse landscape pattern. However, while the sub-units in this unit may not appear to be as visually well-defined and self-contained as those in the Inland Waimea unit, there are distinct landscape boundaries between the sub-units.*

Within the Inland Tasman unit, considerable changes in land use are occurring with large areas of forest being clear-felled and orchards behind removed. Rural residential subdivision is also occurring in localities around the mid-slope of the sub areas. In recent years the character of the area has changed with the removal of both forest and orchard trees. Generally, the landscape in Unit five has more open appearance and, in many areas, is relatively devoid of any visible tree plantings. Trees, both productive and amenity or conservation plantings, are an important element in the coastal Tasman landscape. Where extensive areas of woody vegetation are removed, the qualities of the landscape tend to diminish and, in some cases, are severely compromised.

Sub-units Beulah Ridge (6B), William Road (6A) and to a lesser extent Pomona Road (6C) have considerable potential for cluster-like development, particularly if this was carried out comprehensively and on an individual or extensive sub-unit basis. Sub-units Beulah Ridge (6B) and Williams Road (6A) also have potential for the development of rural village concepts as stand-alone developments or integrated with cluster or similar development concepts. In order to achieve the optimum outcome, a comprehensive and integrated approach needs to be undertaken. Similar opportunities are available in the

upper area of the Horton Road sub-unit (5A), particularly if this is integrated with Beulah Ridge (6B)."

Landscape Unit 5: Coastal Highway North

"Landscape Unit 5 largely covers the flat and low rolling ridges south of the Coastal Highway between Ruby Bay and the settlement of Tasman. There are two sub-units within this landscape unit.

While the two sub-units have potential for cluster-like development and should be comprehensively planned on a unit basis, both areas offer opportunities for a farm or orchard park type development, either on a large scale or as smaller developments. Likewise, a compact village-like development may also be an appropriate form of development. The retention of a meaningful productive pattern to the landscape is, however, considered to be essential with any form of development under the Rural 3 Zone. As previously noted, there are visual relationships and connections between sub-units Ruby Bay Cliffs (5B), Horton Road (5A) and Beulah Ridge (6B). This relationship should be respected, particularly if development occurs in close proximity to each of these sub-units."

4.5.3 The CTDG identifies that maintaining the landscape qualities within landscape unit 6 will involve:

(a) Comprehensively planned proposals as a means of optimising development opportunities.

(b) Maintaining as far as possible the particular character of each sub-unit.

(c) Ensuring that substantial plantings of trees, including back drop plantings on the higher slopes are initiated and maintained in order to provide a distinctive landscape setting for development.

(d) Ensuring that development of this landscape unit does not compromise development opportunities in Landscape Unit 6.

(e) Utilising existing streams, ponds and wetland areas as landscape features.

(f) Seeking to ensure that areas used for rural production activities are maintained and protected wherever possible as an integral part of the 'developed' landscape pattern

(g) Keeping all development off significant landforms and ridges that are characteristic and/or define the landscape sub-units.

(h) Avoiding development on steep slopes, visually prominent landforms, and where extensive earthworks are required.

(i) Having no development fronting or directly accessing Old Coach Road.

(j) Consideration of farm parks concepts as an alternative to cluster developments.

(k) Consideration of rural village concepts as a feature and focus within the landscape unit.

(l) Being sensitive to views from the Coastal Highway.

4.5.4 Landscape qualities to be maintained specific to Unit 6B are:

(a) Avoiding visually prominent development on the main ridges and internal spurs.

(b) Utilising local internal terraces and plateaus for cluster-like developments.

(c) Being mindful and sensitive to the development impacts and relationships between adjacent sub-units and, in particular, sub-unit 6B and to a lesser extent sub-units 5A and 6A.

(d) Focusing development opportunities west of the ridge above Awa Awa Road.

(e) Generally keeping development below spurs and ridgelines within the sub-unit.

4.5.5 An assessment of the proposed development against these landscape qualities is provided in **Appendix 2**.

5.0 Assessment of Effects

5.1.1 Landscape and visual impacts result from natural or induced change in the components, character or quality of the landscape. Usually these are the result of landform or vegetation modification or the introduction of new structures, facilities or activities. All these impacts are assessed to determine their effects on character and quality, amenity as well as on public and private views.

5.1.2 In this study, the assessment of potential effects is based on a combination of the landscape's sensitivity and visibility together with the nature and scale of the development proposal.

5.1.3 Particular effects considered relate to the following:

- Landscape / rural character effects
- Natural Character Effects
- Visual amenity effects from public and private locations;
- Potential cumulative effects; and
- Effects in relation to statutory provisions.

5.1.4 The principal elements of the proposal that will give rise to landscape and visual effects are:

- Earthworks to establish road access and building platforms
- Construction activities to build roadways and dwellings
- The introduction of roads and dwellings into the rural landscape

5.2 Natural Character Effects

5.2.1 In terms of natural character, the highest degree of naturalness occurs where there is the least amount of human induced modification. Development, including subdivision, can adversely change and alter the natural character of an area. The significance of this effect is dictated by the size, location and sensitivity of the receiving environment.

5.2.2 The Site lies outside the Coastal Environment identified within the Tasman Environment Plan (Tasman District Council, 2022), and is also located outside any identified areas of high natural character. The site is however within the Coastal Tasman Area and sits within the coastal context, outside the Coastal Environment Area identified in the TRMP. It does not have a close or visual relationship with the coast. The existing character of the area in which the Site is located has already been modified by agricultural and arable land use, the presence of rural residential development, roads and shelterbelt and tree planting, and natural character values in the area are considered to be low. The proposed development includes a focus on stream, pond and wetland restoration. There are a series of ponds and streams within the existing Site which have been utilised as part of the masterplan framework to provide landscape features, along with additional proposed ponds for stormwater attenuation. Gully and riparian planting are proposed adjacent to these water features throughout the development. The existing outflow from Tuckers dam will be made a feature with proposed native planting and a proposed walkway/cycleway alongside.

5.2.3 Once completed, the proposed development is considered to have a **neutral to beneficial** effect on the natural character values of the area due to the already modified nature of the landscape within the Site and resulting improvements to stream areas carried out as a result of the masterplan development.

5.3 Landscape Effects

Rural Character Effects

5.3.1 Landscape character is derived from the distinct and recognisable pattern of elements that occur consistently in a particular landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and features of human settlement. It creates the unique sense of place defining different areas of the landscape.

5.3.2 The Site is formed of agricultural farmland used for grazing and arable cultivation. The Site is typical of the open rural land within this location, with field boundary trees providing the main landscape structure. A row of mature eucalypts along Marriages Road, provide a particular landscape feature of the area and these trees have been incorporated into the landscape plan. There is one existing dwelling within the Site boundary, with the only other buildings within the Site comprising farm sheds accessed from the end of Marriages Road. An existing dam occupies the southwest corner of the Site, and there are two further man-made ponds within the Site boundary.

5.3.3 Effects on landscape character will result from the temporary disruption to existing rural characteristics and values during construction; and the permanent modification of the existing rural values and wider long-term impacts on the landscape character and amenity of the area. The Site's location within the Rural 3 zone means that residential development is anticipated. Although the proposed lots at 1100m^2 to 7461m^2 are smaller than the consented lots (3730m^2 to 8160m^2), the residential curtilage area is smaller – 105,000m^2 compared to 187,000m^2 in the consented masterplan (Refer Plan 6 in the Masterplan set). The masterplan has been developed to follow the outcomes outlined in the Coastal Tasman Subdivision and Design Guide for sub-unit 6B Beulah Ridge in which the Site is located, which is identified as having "considerable potential for cluster-like development and the rural village concepts identified". The Design Guide identifies a number of landscape qualities that should be maintained by any development in the Beulah Ridge landscape sub unit These are outlined in **Appendix 2**, with commentary on how each has been achieved.

5.3.4 During construction, there would be landscape effects as a results of earthworks required for recontouring to create the access roads and building platforms.

5.3.5 As with the consented design, the master planning process has focused upon having development on the wide spurs of the Site, with the intervening shallow valleys used to carry the stormwater, with vegetation filtering the stormwater. Setbacks between the southern boundary of the Site have also been allowed for to provide separation between the existing rural lifestyle dwellings to the south of the Site. Planting along this boundary is proposed to integrate the development into the surrounding rural landscape. The area of development footprint is similar to that of the consented development, see **Figure 2**, but with smaller lot sizes there is a greater density of dwellings, which has also created greater allowance for setbacks from Mamaku and Marriages Roads for the proposed development. The character of the proposed development will remain similar to that of the consented development, but with a greater density of dwellings visible.

5.3.6 Proposed building and architectural controls are outlined in Section 6. This will ensure the built form will be of a bulk, form and materials suited to the landscape context of the Site and surrounding landscape.

5.3.7 Development is avoided in proximity to the nearest roads of Marriages and Mamaku. The size of the Site offers mitigation opportunities through planting, lot orientation and design. This is particularly the case with skyline infringements – where buildings will appear located along the skyline. The consented development identified that “skyline infringements” would be visible along the closest skyline to Mamaku Road, within landscape Unit 5A. This infringement is also visible with the proposed development.

5.3.8 This was identified as being sensitive due to the angle of view and the proximity to the viewer. This closest ridgeline is on the skyline for a small portion of Mamaku Road. As with the consented proposal, development could not be avoided on this ridgeline so measures have been incorporated into the design to reduce the sky-lining effects of development. Emphasis has been placed on reducing the visual prominence of built development from public roads and other public places. This in part led to the location of development on the spurs and plateaus of the development area, leaving the lower land adjoining the district roads in rural production with enhanced wetland, pond and stream areas. This has been achieved by positioning the building platforms below the ridgeline as far as practicable, leaving room for landscape mitigation in the foreground of building platforms when viewed from Marriages and Mamaku Roads.

5.3.9 Proposed lot sizes range from around 1100m^2 to 7461m^2 in size. Surrounding these rural residential lots are balance areas of landscaped gullies and rural flats. From more elevated views (such as the residential houses in Beulah Ridge that look across at the Site), the rural residential character will be more evident.

5.3.10 Further to this, proposed building and architectural controls are outlined in Section 6. This will ensure the built form will be of a bulk, form and materials suited to the landscape context of the Site and surrounding landscape.

5.3.11 Any development of this nature will require recontouring and large-scale earthworks in order to create road access and building platforms. This has been considered carefully from the early stages of the development in the master planning process, with the emphasis on retaining the integrity of the Site’s landform. The proposed access roads and feeder roads have been placed to ensure that they follow the underlying contours as closely as possible. The principal access road from Marriages Road provides access to the primary roads along the flatter open spurs, which reduces the need for earthworks to create roading.

5.3.12 Off the primary access roads, the gently rolling form of the topography creates natural opportunities for building platforms. Building orientation and natural changes in the elevation of the topography situated on the spurs have been used to create privacy and enable outlook over top of the houses situated lower on the spur, refer Long Section on **Figure 3**. Landscaping proposed as part of the application – especially those forming amenity along access ways and within the gullies creates separation and screening between building location areas. Earthworks and construction activities would initially create **low** level adverse effects, increasing to **moderate** adverse during the earthworks period of construction. Overall, while there will be a change to the landscape character of the area as a result of the proposed development, the Site's location within the well-settled Tasman landscape and the proposed masterplan landscape structure, means that once construction is complete, the Site has the capacity to absorb such changes, resulting in **low-moderate** adverse landscape character effects.

Biophysical Effects

5.3.13 During construction, there would be localised landform effects as a result of earthworks to construct accessways and building platforms. This would be contained to the areas of the Site where construction is occurring, and with the earthworks being minimised to maintain the natural contours of the existing spurs, earthworks activities on the Site will be not dissimilar in effect to the existing earthworks undertaken to turn arable land. Effects of earthworks are anticipated to be **low** initially, increasing to **moderate** adverse as a greater area of the Site is earthworked as the construction progresses, creating temporary moderate adverse effects.

5.3.14 The layout of building platforms within the Site has been designed to accommodate platforms within the existing rolling spurs and ensure any change can remain contained by vegetation below the ridgeline in order to minimise the potential for adverse landform effects.

5.3.15 The development would facilitate localised modification of the natural form of the open spurs as building platforms and accessways in the master plan are formed. The proposed building platforms have been sited to occupy gentler slopes and flatter areas identified along spurs and the heads of localised gullies. These have been designed to step down along contours to balance cut and fill and eliminate the requirement for retaining structures.

5.3.16 In the longer term, changes in landform would remain localised and integrated into the Site with new planting. Restorative planting on batter slopes associated with access and along building platform edges as illustrated on the landscape masterplan would further conceal the effect of earthworks following construction. Once established, any adverse effects resulting from changes in the existing landform would be reduced to **low** adverse.

5.3.17 The existing vegetation cover of the Site consists of both arable and pastoral landcover, with exotic shelterbelt species, including wattle on the southern boundaries and eucalypts on the eastern boundary with Marriages Road. There is also existing planted riparian vegetation around the edge of Tuckers Dam. Existing shelterbelts in the northern part of the Site to remain in pasture will be retained, as will the eucalypt shelterbelt along Marriages Road. The existing wattle shelterbelt along the southern boundary will be retained, and supplemented with native planting as illustrated on the masterplan. Planting in the area of Tuckers Dam will be retained and reinforced with further areas native riparian planting as illustrated on the masterplan. The effects of the removal of existing vegetation within the Site are anticipated to be **low** adverse.

5.3.18 The masterplan concept illustrates vegetation enhancement throughout the Site, with a particular focus on the restoration of gullies and waterways and around existing and proposed detention ponds within the Site. Once established, this planting will have a beneficial effect on the vegetation pattern of the area.

5.4 Visual Effects

5.4.1 Visual amenity effects are influenced by a number of factors including the nature of the proposal, the landscape absorption capability and the character of the Site and the surrounding area. Visual amenity effects are also dependent on the distance between the viewer and the proposal, the complexity of the intervening landscape and the nature of the view.

Effects from public vantage points

5.4.2 Although the proposed development Site is located on slightly elevated topography above the lower lying coastal edge, its visual catchment is relatively contained to within 500 – 600 m from the Site boundary, with potential for some longer distance glimpsed views within 1km. Views towards the Site are well contained within the wider landscape by the higher landforms or Beulah Ridge to the southwest, Suncrest Drive to the south and the higher ridge of land which runs to the east of Pomona Road/ Marriages Road, roughly parallel with these roads, see **Map 2**.

5.4.3 To assess the overall nature and level of visual effects, the potential visual sensitivity of identified viewing audiences was considered together with the overall magnitude of change resulting from the proposed development.

5.4.4 When assessing visual effects, it is important to highlight that views of a development do not necessarily equate to adverse visual effects. Visual impact is not always negative and a change in view is not automatically unacceptable. The proposed development also needs to be considered in the context of the Rural 3 zone, where rural living is an anticipated outcome, and the consented subdivision at the Site which provides for 24 rural residential lots ranging in size from 3790m^2 to 2.21ha.

Marriages Road

5.4.5 Views from Marriages Road towards the Site will be contained by the existing shelterbelt of mature eucalypts which provide screening along around 270m of the Site boundary. Views towards the Site from Marriages Road travelling north are screened by roadside vegetation and buildings until near the Site boundary. From there is around an 150m long stretch, where the development will be visible, before it becomes screened/filtered by roadside vegetation, see **Viewpoint Photograph 4**. The masterplan proposes some vegetation along this boundary that will assist with providing glimpsed/filtered views of the development from Marriages Road. Development is also proposed to be set back between 120-240m back from Marriages Road.

5.4.6 Travelling south, the developed part of the Site is screened by vegetation from the Marriages/Aporo intersection and will be largely screened by existing vegetation within the Site and the vegetation around 56 Marriages Road. Dwellings on the upper spur may be partially visible through vegetation as road users approach the Site boundary, and views will be filtered by the retained eucalypts, with more open views along the 150m long stretch to the south. During construction, visual effects will range from **low** adverse, increasing to **moderate** adverse during the Site stripping and earthworks period of construction, reducing to **low** adverse at completion. Following the establishment of the vegetation outlined in the masterplan, visual effects would reduce to **low** adverse, as the development becomes anchored in its landscape setting which forms part of the settled nature of the rural Tasman area.

Great Taste Trail

5.4.7 The Great Taste Trail adjoins the Site from the east, crossing Marriages Road near the southern end of the eucalypt shelterbelt, and travels north/south along Marriages Road, see **Viewpoint Photograph 3**. **VS1A** illustrates a similar view further south. Views from the Great Taste Trail would be similar filtered views to that of road users on Marriages Road, albeit cycle users will be travelling at a slower pace and closer to the Site boundary with views through the trees (see **Image 9**). The greatest visual effects for cycle trail users would be during the construction period along the 150m long open stretch of road as earthworks are undertaken to create roads and building platforms, resulting in **moderate** adverse visual effects. Once completed and vegetation has been established, visual effects would reduce for users of the Great Taste Trail to **low** adverse, see **VS1B**.

***Image 10**: View south along Great Taste Trail on Marriages Road, Site boundary to the right hand side of the photograph*

Mamaku Road

5.4.8 Mamaku Road is an unsealed, dead end local road, used by a limited number of vehicles. Users of Mamaku Road would experience views of the development as they travel along the length of the road, particularly once past the retained shelterbelts in the north of the Site. This final stretch of the road is around 300m in length and terminates with no throughfare, see **Viewpoint Photograph 9**. The masterplan provides an offset of at least 120m from the road to the nearest dwellings. During the construction period, earthworks would have the greatest visual impact, resulting in a **moderate** adverse effect as building platforms and roads are formed. Once the subdivision has been established and planting implemented, this level of effect would reduce to **low-moderate** adverse, reducing over time to **low** adverse once vegetation in the masterplan has established.

Aporo Road and Horton Road

5.4.9 Views towards the development from Aporo Road are screened by existing vegetation and landform, see **Viewpoint Photographs 11 and 12**. Views from Horton Road to the northeast are screened by surrounding landforms and vegetation. Based on this the visual effects from Aporo and Horton Roads are neutral.

Pomona Road

5.4.10 Views from Pomona Road itself are screened by vegetation and farm buildings, see **Viewpoint Photograph 6** from elevated driveway off Pomona Road. Based on this the visual effects from Pomona Road is neutral. There are views from elevated areas of subdivision off Pomona Road, refer **Table 1** below for discussion.

Awa Awa Rd

5.4.11 Views from Awa Awa Road towards the Site are screened by surrounding vegetation and landform and the visual effects are neutral.

Suncrest Drive/Westmere Drive

5.4.12 Views from the majority of Suncrest Drive and Westmere Drive are screened from view by surrounding dwellings and landform, see **Viewpoint Photograph 7** from the corner of Westemere Road and Suncrest Drive. The exception is where views towards the southern end of the Site are visible from the end of Suncrest Drive, see **Viewpoint Photograph 8** which looks towards vegetation on the Site boundary. Construction activities, including earthworks to create roads and building platforms, would be visible for road users, partially screened by the existing vegetation. The visual effect would be **low-moderate** adverse during construction, reducing to **low** adverse at completion. Once vegetation has established visual effects would be **very low** adverse. Dwellings in elevated positions on Westmere Drive, Sunset Drive and Amber Rise potentially have views towards the proposed development, and the effects on these residents are discussed further in **Table 1**.

Private Effects from private vantage points

5.4.13 An assessment of the visual prominence of the proposal from groups of rural residential dwellings adjoining the Site or within proximity of the Site was undertaken. This assessment assigned a degree of effect[6], based on the following: visibility and proximity to the Site (to the nearest built-up edge within the Site); the apparent orientation of the house and the nature of the view, including any existing or proposed vegetation that might provide full or partial screening of views.

5.4.14 The assessment is based on observations from public roads, use of aerial photos and also use of photographs taken from the Site or publicly accessible viewpoints, as well as views from the Site itself towards the dwellings. Private dwellings were not visited as part of the Site visit.

5.4.15 With regard to the RMA 1991 and how the seven-point scale relates to the interpretation of minor – refer **to Appendix 1.** A map showing the locations of the properties outlined in the table below is provided on **Map 2 and Map 5.**

5.4.16 The assessment of the visual effects on neighbouring properties is tabled below:

[6] Based on a seven-point scale: Very Low (VL); Low (L) Low-Moderate (LM); Moderate (M); Moderate-High (MH); High (H); Very High (VH).

Table 1: Assessment of visual effects on residential dwellings				
Property group *(refer to Map 2 and Map 5 for details)*	**Distance[7] & Nature of View**	**Visual Effect**		**Assessment**
		Post construction	**Year 5**	**Notes**
Beulah Ridge – 179, 181, 185 195, 201, 205, 207 Horton Road	Open to oblique, 200-380m away from nearest house lot boundary	M	LM	Dwellings in Beulah Ridge would have elevated views out over the Site to the east. During construction, earthworks to create roads and building platforms would be visible. Once competed, proposed building locations would be visible, interspersed with planting and viewed in the context of the neighbouring Rural 3 developments on the opposite side of Marriages Road. Views would be similar to that of the consented development, but with a greater number of potential dwellings visible.
126 Horton Road	Oblique, 850m away from nearest house lot boundary	L	VL	There are oblique views from the front windows of this dwelling towards the Site, separated by a distance of over 850m to the nearest dwelling lot boundary. Other dwellings on Horton Rd have their views towards the Site obscured by Beulah Ridge or the Mamaku Road ridge which separates them from the Site.
78 Mamaku Rd	Open, approx. 200m to nearest house lot boundary	M	LM	Similar to above views from Beulah Ridge, although not as elevated, this dwelling has open views from southeast facing windows towards the Site. Earthworks construction effects will have the greatest impact, reducing as the development is established. Views towards the stormwater treatment facility will be possible, which the masterplan proposed to screen with planting. Effects reduce to low-moderate once masterplan planting has established.
76, 80 Mamaku Road	Open, approx. 300m away from nearest house lot boundary	M	L	Dwellings at 76 and 80 Mamaku Road have open elevated views to the east and south respectively towards the Site. During construction, earthworks to create roads and building platforms would be visible. Views towards the stormwater treatment facility will also be possible, which the masterplan proposed to screen with planting. Once construction has been completed and planting established, visual effects reduce as the development becomes integrated into the wider view.

[7] Measured from the edge of the dwelling to the closest boundary of Site or nearest new house Sites as stated.

62 & 64 Mamaku Road	Partially screened, approx. 200m to nearest house lot boundary	LM	L	These dwellings on Mamaku Road are sited within a well-established tree framework. These will have oblique views, partially screened by vegetation towards the proposed development.
42, 44, 46 and 66 Mamaku Road	Partially screened, minimum 300m away from nearest house lot boundary	LM	L	These dwellings are elevated, but more distant from the proposed building lots and therefore earthworks activities.
16 Mamaku Road	Partially screened, 380m away form nearest house lot boundary	L	VL	This dwelling is framed by vegetation and is more distant from the proposed building areas of the masterplan. Existing vegetation around 56 Marriages Rd will intervene in views from here. Views will be oblique and partially screened by vegetation.
66, 68 Suncrest Drive	Open to partially screened, approx. 370m from nearest house lot boundary	LM/L	VL	These dwellings are located on elevated ground to the south of the Site and will have views north, with the nearest proposed dwellings within the Site lying around 350m away. Views of earthworks and construction activities would generate temporary low-moderate adverse effects, reducing to low adverse following completion of construction and very low adverse once planting has been established.
67, 69, 70, 71-72 Suncrest Drive	Open, min 60m from nearest house lot boundary	M	LM	Views are available from dwellings on the Site boundary at the northern end of Suncrest Drive towards the Site. A 10m offset between the developed lot boundary and the adjoining boundary within dwellings on Suncrest Drive has been allowed for within the masterplan to establish screen planting between the two developments. During construction, there would be temporary effects as a result of earthworks to establish the roads and building platforms, visible close to the boundaries of these properties. Effects would reduce once construction has been completed and reduce further once screen planting has been established.
65, 70 Suncrest Drive	Open, 170-270m away from nearest house lot boundary	LM/L	VL	Views from these dwellings are more distant and further screened by the existing dwellings and localised topography, as well as existing vegetation. Views of earthworks and construction activities would generate temporary low-moderate adverse effects, reducing to low adverse following completion of construction and very low adverse once planting has been established.
17 Marriages Road	Screened, 550m from nearest house lot boundary	VL	VL	Views towards the Site are screened by existing vegetation.

56 Marriages Road **(land parcel surrounded by Site)**	Partially screened	L	VL	There are two dwellings within 56 Marriages Road, both of which are surrounded by vegetation and buildings within the property. There is potential for limited filtered views towards the construction site from this property, once construction is complete, effects would reduce to very low adverse.
75 Marriages Rd	Screened, 470m to nearest house lot	L	VL	Views from this dwelling towards the Site are screened by surrounding vineyards and the retained shelterbelt on the Site's eastern boundary.
83 Marriages Rd	Partially screened, 180m from nearest house lot boundary	M/LM	L	Views towards the Site from this dwelling on Marriages Road will be filtered by the retained shelterbelt vegetation along Marriages Road. Views of earthworks and construction activity will be visible through the trees. Once established, proposed vegetation contained within the masterplan reduce visual effects to low adverse.
85, 87, 93, 115 Marriages Rd	Open to partially screened, min 415m away from nearest house lot	LM	L	These dwellings are situated on an elevated spur to the east of Marriages Road, and have views directly to the east and west. The nearest dwelling is 415m from the nearest lot boundary, with other dwellings being over 500m away. These properties will experience mid distance views of the proposed construction activities, including earthworks, which will reduce post construction and as vegetation establishes, integrating the development into its landscape setting.
93 Marriages Road	Open, 150m from nearest house lot boundary	MH/M	L	There are open views from the front windows of this dwelling, which fronts Marriages Road, directly towards the Site. During construction, construction of the Site access way will be visible directly oppoSite the dwelling, with earthworks for house lots located some 150m away, creating temporary moderate-high adverse effects during the temporary period of exposed earthworks. Once earthworks, building and planting has been completed, effects reduce to moderate adverse, reducing to low-moderate adverse as the development integrates into its surroundings once planting has established. A similar view once planting has established is illustrated in **VS1B.**
100 Marriages Rd	Open, oblique, 60m to the nearest house lot boundary	M/MH	LM	There are two dwellings within this address, one close to the boundary is located around 70m away from lot 1, with the other dwelling around 10m away from lot 7 at its nearest point. These dwellings will experience views of construction activities which will be greatest during the earthworks and construction of the access road. Post

				construction, effects reduce as proposed roadside planting establishes filtering views.
114 Marriages Rd	Partially screened, 220m away from nearest house lot	L	VL	Views from this dwelling towards the Site are partially screened by surrounding vegetation and orchard plantings. There would be oblique views from side windows of the house towards the Site access road and dwellings.
109 Aporo Road	Screened, 500m away from nearest house lot	VL	VL	This dwelling is situated on a low spur but is screened from view of the Site by surrounding vegetation.
370, 372, 374, 376, 378, 380, 382, 384, Pomona Road	Open	LM/L	VL	There are elevated views from these dwellings to the southeast towards the proposed development Site. Earthworks to create building platforms and roads would be initially the most visible part of the proposed development, with effects reducing as slopes are regressed and vegetated and construction is completed. Effects would reduce to very low once proposed planting outlined within the masterplan has established.
Brooks View Heights	Open to partially screened, 1.2km from Site boundary	VL	VL	There are distant elevated views from dwellings on Brooks View Heights towards the Site, from a distance of around 1.2km from the Site boundary.