

# Rules for Building Construction or Alteration: Residential Zone

**Tasman Resource Management Plan  
(the “TRMP”)**

## **Summary Guide No. 4**

**Current: February 2017**

The following is a **summary** of Tasman Resource Management Plan (**TRMP**) provisions for building construction or alteration in the Residential Zone.

The TRMP specifies, through its rules, whether an activity is permitted (meaning you can do it as of right), or whether it requires a resource consent. For this guide, only the **Permitted** Activity standards are listed.

For activities that require resource consent, the TRMP uses RMA prescribed categories that become increasingly more stringent in terms of assessment criteria. The categories used within the relevant TRMP Chapters are Controlled, Restricted Discretionary, Discretionary, Non Complying and Prohibited Activities. If you do need a resource consent, check with Council’s duty planner for the level of information you will need to provide with a resource consent activity.

A proposed activity may also be subject to additional standards and rules for other aspects of the development (such as access formation and parking requirements). In addition to standards and consents required under the Resource Management Act, the proposed activity may also need building consent, licences and permits under other legislation such as the Building and Health Acts.



### **1. Permitted Activities**

Buildings are permitted provided they meet the following requirements:

- a. There is no more than one **dwelling per site**.
- b. Sites have a **net area** for each dwelling of at least:
  - 450m<sup>2</sup> in settlements (other than Richmond and Motueka) with wastewater reticulation and treatment;
  - 350m<sup>2</sup> in Richmond and Motueka;
  - 1000m<sup>2</sup> in settlements without wastewater reticulation and treatment;
  - 1000m<sup>2</sup> in St Arnaud except for any site on Lake Road or Holland, Robert, Arnaud or Bridge streets, all of which require 1800m<sup>2</sup>;
  - 1800m<sup>2</sup> in Milnthorpe;
  - 600m<sup>2</sup> in Rototai Road Residential Zone;
  - 900m<sup>2</sup> in Richmond East, south east of Hill Street; and
  - 800m<sup>2</sup> where the allotment adjoins an Industrial Zone.

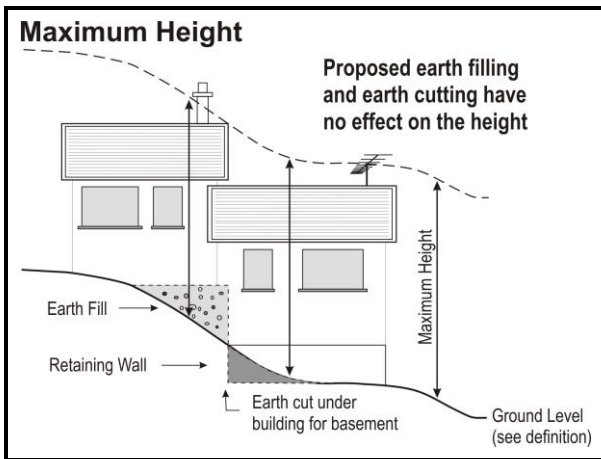
**Note:** The minimum net site areas listed above are primarily set according to whether wastewater reticulation and treatment are available or not.
- c. **Building coverage** is no more than 33% (20% at St Arnaud), but is reduced by 18m<sup>2</sup> if a garage is not provided on site.

d. **Outdoor living space** is:

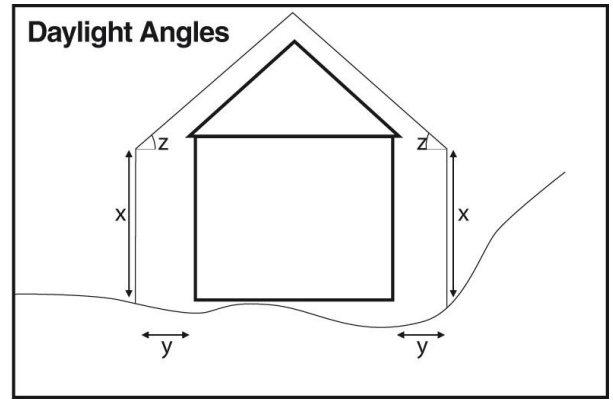
- EITHER at least 60m<sup>2</sup> at ground level that contains a 6-metre diameter circle, is accessible from a living area of the dwelling, and receives sunshine in midwinter
- OR a first floor balcony or deck of at least 7m<sup>2</sup> with a 1.5-metre minimum width and at least 4 metres from site or internal boundaries.

e. The **height** of buildings is regulated in relation to site size, ridgelines at Kaiteriteri, and the daylight needs of adjoining sites. Maximum height above natural ground level is:

- 5 metres for sites up to 400m<sup>2</sup>;
- 7.5 metres for sites over 400m<sup>2</sup>;
- 3.6 metres for accessory buildings; and
- 4.5 metres above an identified ridgeline at Kaiteriteri as shown on the planning maps.
- 6.5 metres in Mapua Special Development Area



f. **Daylight admission angles** are constructed from any point 2.5 metres above ground level on all side and rear boundaries, then at an angle across the site depending on the direction the boundary faces. For example, the angle is 45 degrees for north-facing boundaries, 35 degrees for east and west-facing boundaries and 25 degrees for south-facing boundaries. No building can project beyond these daylight admission angles without consent, although the TRMP includes exceptions for gable ends and alternatives for a site on a south-facing slope.



- x = 2.5 metres up from any point on side and rear boundaries
- y = distance the external wall is from the property boundary
- z = the daylight angle between 25 and 45 degrees depending on the direction the boundary faces

g. **Building setbacks** are at least:

- 4.5 metres from road boundaries (5.5 metres if garage vehicle doors face the road);
- 1.5 metres from one boundary and 3 metres from all other side and rear boundaries except:
  - where a common wall is on a boundary,
  - balconies or decks with a finished floor level above 2 metres high are set back at least 4 metres from side and rear boundaries,
  - in St Arnaud where all side and rear boundaries are set back 3 metres;
- 1.5 metres from all side or rear boundaries for accessory buildings (some exceptions apply) or closer if:
  - the wall adjacent to the boundary contains no windows, and
  - the length of the wall is not greater than 7.2 metres (50% of the length of the boundary), and
  - stormwater is contained on site;
- 1.0 metre from any access on the site that serves another site or dwelling;
- from the top of a riverbank:
  - 3 metres for a river bed less than 1.5 metres wide,
  - 8 metres for a river bed between 1.5 metres and 5 metres wide, and
  - 20 metres for a river bed over 5 metres wide;
- for dwellings, 10 metres from an Industrial Zone boundary and 25 metres from a Rural Zone boundary; and
- in Milnthorpe, 25 metres from any boundary with Milnthorpe Quay.

- h. All buildings (other than accessory buildings) that generate wastewater are connected to a reticulated wastewater system where the service is available.
- i. The maximum area for a sleepout (a detached bedroom containing no kitchen or cooking facilities but may have a bathroom) is 36m<sup>2</sup>.

Resource consent will be required for activities not meeting the above standards.

**Note:** Development in Milnthorpe and Richmond South Development Area (RSDA) and Richmond West Development Area (RWDA) have additional or alternative standards. See the TRMP and the Urban Design Guide for full details.

#### 4. Special Area Rules

Residential Zone buildings must also meet any of the Chapter 18 Special Area rules, for example:

- a. **Quarry Areas** - A new dwelling or residential activity requires a resource consent.
- b. **Residential Activity Restriction Area** - Dwellings or residential activities require resource consent if they are at least 500 metres from a working quarry which disturbs the land more than 50m<sup>3</sup> in any 12-month period.
- c. **Coastal Risk Area** - Only relocatable and non-habitable buildings are permitted.
- d. **Coastal Environment Area** - Extensions to existing buildings are permitted if they do not increase the ground floor area by more than 50%; reduce the existing setback from MHWS; or increase the existing height. Alterations not complying with the above or new buildings within 200 metres of MHWS will require resource consent.  
Resource consent conditions will include a requirement that the external colourings be recessive.
- e. **Slope Instability Risk Area** - Construction or extension to a building is permitted if a geotechnical report:

- states the building will not be subject to damage from slope instability nor contribute to damage on adjoining properties;
- specifies any measures to be carried out to avoid damage; and
- identifies that any earthwork has an average vertical height or depth less than or equal to 1 metre.

- f. **Fault Rupture Risk Area** – Construction or alteration of a habitable building is permitted if a geotechnical/earthquake risk report identified the surface position of the active fault and buildings are set back specified distances from it (see the TRMP, Chapter 18.13 for details).

#### 5. Relocated Dwellings

If any dwelling to which the above provisions apply is a relocated dwelling, then rule 16.8.3.1 or 16.8.3.2 also applies and resource consent will be required. Council will require a refundable bond in addition to other charges to ensure the dwelling's exterior is reinstated within a specified time in order to maintain the visual amenity.

#### 6. Development and Financial Contributions

A development contribution is payable in accordance with the Development Contribution Policy set out in the Council's Long Term Plan and created under the Local Government Act 2002.

The development contribution is required to help fund District roads and infrastructural services other than reserves and community facilities.

A financial contribution for reserves and community services is payable in accordance with the TRMP on all building development other than a first dwelling on a title. You will need to refer to Chapter 16.5 of the TRMP for full details of the financial contributions that are payable and whether any limitations or exceptions apply.

**This guide is a summary of Plan provisions only. Do not rely on this guide to make decisions about your property. Other conditions may apply. Please see the Plan for full details or seek advice from Council staff at one of the offices listed below.**