

## Tasman Resource Management Plan

### DRAFT PLAN CHANGE NO. 79

WITHOUT LEGAL EFFECT

# Deferred Zoning

## Schedule of Amendments

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

NOTE:

- Red underlined text denotes proposed new text inserted or amended.
- Blue text denotes text deleted.

**Notified: TBC**

# CHAPTER 6: URBAN ENVIRONMENT EFFECTS

[Unchanged or irrelevant text omitted]

## 6.3 URBAN INFRASTRUCTURE SERVICES

### 6.3.1 Issue

Planning and provision of servicing infrastructure is essential for the sustainable management of the effects of urban growth. The District has many small settlements – some of which have minimal, incomplete or inadequate servicing that results in inconvenience, contamination and health risks. Services are a physical resource, the efficient and effective provision and use of which has important economic and environmental effects for the community.

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

### 6.3.2 Objectives

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

6.3.2.2 Retention of opportunities for efficient future urban purposes on rural land that is identified for future urban use and development but deferred for this purpose, while enabling rural activities for the time it remains deferred.

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6.3.2.3 Deferred Zones are developed in a way that:

- (a) provides a safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities; and that enables active and public modes of transport and a shift to renewable energy sources; and
- (b) provides appropriate servicing infrastructure (water, wastewater stormwater, power and internet) that is integrated with adjoining land and surrounding networks, so as to minimise adverse effects on the natural and built environment.

### 6.3.3 Policies

*Refer to Policy sets 6.4, 8.1, 8.2, 9.2, 11.1, 11.2, 33.3.*

*Refer to Rule sections 16.2, 16.3, 16.5, 16.6, 17.1, 17.14, 18.8, 36.4.*

### 6.3.3 Policies

*Refer to Policy sets 6.4, 8.1, 8.2, 9.2, 11.1, 11.2, 33.3.*

*Refer to Rule sections 16.2, 16.3, 16.5, 16.6, 17.1, 17.14, 18.8, 36.4.*

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

- 6.3.3.2** To require financial contributions towards the provision of servicing infrastructure at the time of subdivision or development.
- 6.3.3.3** To promote the establishment of a reticulated servicing system for wastewater treatment and disposal and water supply at Marahau by ensuring the design of the water and wastewater systems for the tourism development at Marahau (Section 111 Block VI and Block XII) can incorporate the necessary upgrades to service the wider settlement.
- 6.3.3.4** Where future urban development is proposed and existing services require upgrading, to defer and stage development to avoid adverse effects on the environment.
- 6.3.3.4A** Where rural land is identified as subject to a deferral for any urban zoned purpose, despite the land's rural zoning, to restrict activities requiring a consent for subdivision or development by:
- (a) considering the scale, location, design, and servicing features; and
- (b) limiting any potential adverse effects of such features on efficient future urban subdivision, use, and development opportunities as indicated by the urban zone that is deferred, for the transition period until the deferral is removed; and
- (c) where the period of transition until the expected removal of the deferral is significantly long or is uncertain, to enable potential rural activities.
- 6.3.3.4B** Where any rural land is identified as deferred for any urban zoned purpose until adequate provision of any infrastructure service, to enable:
- (a) the provision of the necessary service by any person or by the Council for any part or all of that land either before or after rezoning by the removal of the deferral; but:
- (b) to ensure that the concept servicing plans that are approved by Council before the removal of the deferral, are required to be implemented under the urban zone through subsequent subdivision or development.
- 6.3.3.4C** Where rural land is subject to a deferral for any urban purpose subject to adequate provision of any infrastructure service, to enable:
- (a) the provision of the necessary service by any person or by the Council for any part or all of that land, and
- (b) whether this is done before or after rezoning by the removal of the deferral, but: to ensure that the servicing plans that are approved by Council, prior to the removal of the deferral, are required to be implemented under the urban zone through subsequent subdivision or development.
- 6.3.3.4D** The development anticipated by a deferred zoning is coordinated with, necessary infrastructure upgrades, by ensuring:
- (a) development or subdivision does not precede the delivery of necessary intersections, connections and upgrade of roads to an appropriate standard to ensure safe and efficient access to the precinct; and
- (b) development or subdivision does not precede the delivery of necessary servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard, to ensure levels of service are met-and
- (c) development is sequenced with Council 0strategic planning, infrastructure delivery and land release programmes.
- 6.3.3.5** To promote a pattern of roading in urban areas that maximises choice of route through a network, with recognition of the contributions of individual extensions to the network pattern and of the constraints of topography.

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- 6.3.3.6** To allow development to occur only where adequate provision is made for:
- (a) control of sediment discharges;
  - (b) control of stormwater discharges to avoid adverse downstream erosion or flooding effects;
  - (c) protection of fresh water and coastal water quality, including through source control techniques, stream management, and where necessary, stormwater treatment, including aquifers and karst drainage systems and caves; C7 7/07  
Op 10/10
  - (d) retention or establishment of appropriate vegetation wherever practicable adjacent to water bodies and coastal waters;
  - (e) maintenance of natural, cultural and intrinsic values of aquatic systems, including aquifers and karst drainage systems and caves;
  - (f) protection of riparian margins;
  - (g) the use of Low Impact Design solutions for the management of stormwater run-off where practicable. C7 7/07  
Op 10/10
- 6.3.3.7** To require developers to adopt appropriate management methods to avoid or mitigate the adverse effects of stormwater run-off.
- 6.3.3.7A** To ensure effective and efficient network asset infrastructure within urban communities by implementing the Nelson Tasman Land Development Manual 2019. C69 6/19  
Op 6/20
- 6.3.3.8** To consider options for treatment in all or parts of the Special Domestic Wastewater Disposal Areas where there are:
- (a) significant actual or potential adverse effects from on-site domestic wastewater systems on receiving water quality, habitats, human health and amenity values; or
  - (b) site limitations which may create increased risk of adverse effects either by individual systems or cumulatively.
- 6.3.3.9** In the Takaka-Eastern Golden Bay Area, to ensure that: C8 7/07  
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- (a) settlement objectives, policies and residential location options inform and guide Long Term Council Community Plan servicing decisions;
  - (b) wastewater, water supply, stormwater management, transportation networks (including State Highway 60), and parks and reserves issues and options are addressed before land is zoned for residential settlement;
  - (c) minimum standards for human health and safety, long-term cost effectiveness and environmental quality are met or bettered for any alternative wastewater management and water supply options, such as de-centralised and independent solutions;
  - (d) where on-site wastewater treatment and disposal solutions are used, the standard of management avoids, remedies or mitigates adverse effects on water quality, and that long-term management and maintenance responsibilities are clearly defined;
  - (e) structure planning with the local community and landowners is undertaken where appropriate and necessary to achieve comprehensive infrastructure planning;
  - (f) private infrastructure service provision is considered where the legal, financial and practical responsibilities for design, construction, maintenance and repair are clearly defined.
- 6.3.3.10** In the Takaka-Eastern Golden Bay Area, to ensure that: C8 7/07  
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- (a) new residential development consolidates around existing residential development in locations that have been zoned for that purpose;
  - (b) settlement areas are well connected with safe and efficient roads, safe and pleasant walkways, cycle lanes and bridle-paths;

- (c) appropriate residential settlement opportunity is provided for in a location that is within walking and biking distance to the existing Takaka township;
- (d) appropriate residential settlement opportunities are provided for in locations that are in proximity to effective and efficient wastewater treatment and disposal facilities;
- (e) opportunities for light industrial and commercial activity are provided for in appropriate locations that are within proximity to existing settlement areas and transport networks.

**6.3.3.11** In the Takaka-Eastern Golden Bay Area, to ensure that:

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- (a) local communities are involved in determining appropriate development standards for built development and infrastructure planning prior to the re-zoning of land for residential development;
- (b) the character of development and built infrastructure is in keeping with the natural heritage, landscape character and amenity values of the surrounding environment, without compromising human health and safety;
- (c) landowners and developers are actively encouraged to use the New Zealand Standards Handbook of Subdivision for People and the Environment (SNZ HB44:2001), in the design of future subdivision and development, where these standards are consistent with the Long Term Council Community Plan objectives for settlement planning and development.

## **6.3.20 Methods of Implementation**

### **6.3.20.1 Regulatory**

- (a) Rules establishing what works, services, land or money are to be provided by developers, including for the upgrading of existing facilities.
- (b) The location, scale and staging of urban development shown on planning maps.
- (c) Rules regarding connection to Council utility services or whether alternative means of managing effects are acceptable.
- (d) Rules that require roads to be formed to standards of connectivity as a result of subdivision in urban or rural-residential areas.
- (e) Rules that encourage the use of Low Impact Design solutions in the management of stormwater.
- (f) Standards of the Nelson Tasman Land Development Manual 2019 that ensure the design and construction of effective and efficient network asset infrastructure.

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### **6.3.20.2 Investigations and Monitoring**

- (a) Investigations into the capability of utility services to support further urban development.
- (b) Investigation into options for domestic wastewater treatment and disposal in all risk areas, including:
  - (i) Tasman
  - (ii) Marahau
  - (iii) Upper Moutere
  - (iv) Patons Rock
  - (v) Brooklyn
  - (vi) karst
- (c) Monitoring the performance of utility services in avoiding, remedying and mitigating adverse effects on the environment.
- (d) Regular preparation of a “State of the Environment” report.

### 6.3.20.3 Works and Services

- (a) Provision, extension or upgrading of utilities and services by Council.
- (b) Establishment of current and deferred standards of service or performance in terms of both community expectation and environmental performance for infrastructure services, including requirements for the quality of stormwater discharged into the Council's stormwater network.
- (c) Council liaison with infrastructure service providers to promote and plan for effective infrastructure service development.

## 6.3.30 Principal Reasons and Explanation

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

In ~~some most~~ settlements ~~such as Motueka, Mapua, Richmond, Kaiteriteri, Marahau and Patons Rock,~~ future growth will necessitate further upgrading of services and a series of deferrals will enable a staged provision of these, rather than creating a false expectation that all areas will be immediately available for development. The logical pattern to service development in a hilly area such as Richmond is to proceed from the bottom to the top of a catchment. The deferral and staging proposed emphasises such a pattern of development.

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Where new development is proposed, an integrated, catchment-based approach to the management of stormwater is to be used.

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

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

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Deferred zoned lands may be ~~the subject of servicing proposals from any developer, or may be~~ programmed for extensions or upgrades of existing urban services ~~by Council itself.~~ Council or any person may provide the services or upgrades required to enable the destination zone development. Adequate standards of all necessary services will be required for deferred zoned land, whether or not the services are provided before or after removal of the deferral.

Once land becomes urban zoned, existing uses on the land will be able to continue.

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

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

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

In catchments served by inadequate stormwater networks, any proposed development will not be allowed to increase peak run-off further.

Where necessary, regulation of stormwater discharges will be reviewed in these areas. Council will be able to make decisions on urban development proposals and the allocation of funds for stormwater infrastructure in a co-ordinated, consistent and efficient manner.

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

Actual and potential adverse effects from the on-site treatment and disposal of domestic wastewater will be managed both by land use and discharge rules. However, in some parts of the District the cumulative adverse effects of such systems requires that Council consider other options for wastewater treatment and disposal. These may include small-scale package treatment plants or large-scale reticulation schemes.

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

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

This may occur in the form of a structure planning exercise or through an integrated approach to Long Term Council Community Plan and resource management planning discussions. C8 7/07  
Op 10/10

All policies, objectives and location options should be used to inform other Council processes, such as the Nelson Tasman Land Development Manual 2019 and the Long Term Plan. C69 6/19  
Op 6/20

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

*[Unchanged or irrelevant text omitted]*

## 6.5 LAND FOR INDUSTRIAL ACTIVITIES

### 6.5.1 Issues

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

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

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

### 6.5.2 Objectives

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

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

## 6.5.3 Policies

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

- 6.5.3.1 To promote a form of settlement that identifies areas where industry can operate with the required services and without adverse effects on or from other activities.
- 6.5.3.2 To identify areas where heavy industry can operate with convenient access to the transport system and without adverse effects on or from other activities.
- 6.5.3.3 To identify areas where light industry can operate with convenient access to the transport system and without adverse effects on or from other activities.
- 6.5.3.4 To avoid the adverse effect of residential and retailing activities consuming the land resource that is made available for industry through lower standards of environmental effects.
- 6.5.3.5 To avoid a reduction of amenity standards in residential areas by industrial activities.
- 6.5.3.6 To avoid the adverse effects of industrial activities that are unrelated to the rural environment on the amenity and character of rural areas.
- 6.5.3.7 To prevent the expansion of industrial zones, or the creation of new industrial zones, in sensitive environments such as aquifer recharge areas and margins of lakes, rivers and wetlands.
- 6.5.3.8 To prevent the expansion of industrial zones, or the creation of new industrial zones, in the coastal environment.
- 6.5.3.9 To provide a medium-term supply of suitable industrial land close to urban areas and strategic road networks.
- 6.5.3.10 To ensure that within the Richmond West Development Area, a long-term land bank of industrial land is provided to meet regional needs.

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### 6.5.3.10A In the Light Industrial Zone location that is subject to Schedule 17.4A:

- (a) to enable industrial activities and buildings that are temporary, relocatable or readily removable in the short to medium term;
- (b) to avoid industrial buildings that are not temporary, relocatable or readily removable;
- (c) To ensure that industrial activities and buildings are removed from the land that is subject to Schedule 17.4A (as identified on the planning maps) when inundation risks and coastal hazards are unacceptable.
- (d) to only grant resource consent for industrial activities and buildings where the applicant has a plan that satisfactorily addresses how the activities and structures are able, both physically and financially, to be removed from the site.

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

### 6.5.3.10B To avoid the subdivision of land in the Light Industrial Zone location that is subject to Schedule 17.4A, to avoid an increase in the number of landowners who will be affected by long term inundation and coastal hazards due to sea level rise.

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



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

**6.5.3.11** To enhance the amenity values of new industrial areas for employees, customers and for the public when viewed from public areas such as roads, and open space.

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Op 3/14

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

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

## **6.5.20 Methods of Implementation**

### **6.5.20.1 Regulatory**

- (a) Zoning of separate heavy, light industrial and rural industrial areas.
- (b) Rules that limit retailing activities and other non-industrial activities in industrial zones.
- (c) Rules that limit industrial activities in residential areas.
- (d) Zones that limit the extent of industrial development in the coastal environment.
- (e) Rules that require time-limited resource consents for industrial activities and buildings where they are established in the Light Industrial Zone location that is subject to Schedule 17.4A.

## **6.5.30 Principal Reasons and Explanation**

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

- (a) Proximity to main access roads.
- (b) Adequate roading for heavy vehicles.
- (c) Proximity to labour force.
- (d) Separation from sensitive environments, including residential areas, rivers, streams, the coast and aquifer recharge areas.
- (e) Services such as sewer and water.
- (f) Flat land.

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

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

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Op 3/14

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

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

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

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

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

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

Industrial zoned land in smaller towns such as Motueka, Brightwater, Wakefield and Takaka provides for local needs and contributes to a wider need.

The Rural Industrial zones, particularly Eves Valley, will provide the localities for rural industrial and heavy industrial activities.

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

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

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

#### **6.5.40 Performance Monitoring Indicators**

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

*[Unchanged or irrelevant text omitted]*

## **6.8 RICHMOND**

### **6.8.1 Issues**

The key issues for the future development of Richmond are:

- |                |   |                       |
|----------------|---|-----------------------|
| <b>6.8.1.1</b> | The management of peripheral growth in a manner that enables Council to progressively upgrade services on the western, south-eastern and north-eastern margins of Richmond.           | C10 10/07<br>Op 3/14  |
| <b>6.8.1.2</b> | Industrial and mixed business land located to minimise adverse effects on neighbours, on the Waimea estuary, watercourses and their margins, and on the productive potential of land. |                       |
| <b>6.8.1.3</b> | Enhancement of the setting of Richmond, especially the coastal margin and the hill backdrop.  |                       |
| <b>6.8.1.4</b> | Upgrading of the amenity of the central business area, main highway routes and town entrances.  | C10 10/07<br>Op 3/14  |
| <b>6.8.1.5</b> | Maintaining the Central Business Zone as the central focus for intensive retailing, administration and community interaction, and as the core pedestrian-oriented area.               |                       |
| <b>6.8.1.6</b> | Meeting the demand for a range and choice of residential housing within the Residential Zone in Richmond.   | C66 10/17<br>Op 12/18 |

### **6.8.3 Policies**

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|----------------|--|---------------------|
| <b>6.8.3.1</b> | To provide serviced residential and rural-residential land on the less versatile land on the north-east fringe of Richmond and to establish higher performance standards for the use of on-site disposal of domestic wastewater systems in the Richmond Foothills Special Domestic Wastewater Disposal Area.   | C20 8/10<br>Op 8/12 |
| <b>6.8.3.2</b> | To extend business zoning on Gladstone Road south-west of the existing Commercial Zone from Lower Queen Street to the northern end of Jubilee Park.  |                     |
| <b>6.8.3.4</b> | To develop a reserve network along the coastal margin where practicable to protect the wetlands and high conservation values of the Waimea Inlet and to provide reserve linkages between the coastline and the Richmond hills.   |                     |
| <b>6.8.3.5</b> | In the north-east Richmond Residential and Rural Residential Serviced zones, to utilise as far as practicable natural watercourses in an unenclosed and natural state for stormwater disposal.   | C20 8/10<br>Op 8/12 |
| <b>6.8.3.6</b> | To enable the expansion to the south of Richmond, limited by the spur ridges between Hart Road and White Road, while ensuring:<br><ul style="list-style-type: none"><li>(a) a range of housing densities with high amenity levels is encouraged;</li><li>(b) the efficient use of land and infrastructure; and</li><li>(c) the provision of high levels of amenity and public access within the area; and</li><li>(d) the reverse sensitivity of existing rural activities to residential development arising from adverse cross-boundary effects and amenity values across the interface of urban and rural areas is addressed.</li></ul> | C5 3/06<br>Op 10/10 |
| <b>6.8.3.7</b> | To retain a rural environment on the spur ridge hill land between Hart Road and White Road but to consider appropriate provision for future residential development to some degree on the  |                     |

land, following structure planning and the provision of an appropriate level of infrastructural servicing.

- |                |  |  |
|----------------|--|--|
| <b>6.8.3.8</b> | To require residential development in the Richmond South, Richmond West and Richmond East development areas to occur in a staged manner based on the provision of infrastructure, including water, wastewater and stormwater, and so defer development until these services can be provided or upgraded to the Council's satisfaction. | C5 3/06<br>Op 10/10<br>C10 10/07<br>Op 3/14<br>C20 8/10<br>Op 8/12 |
| <b>6.8.3.9</b> | To establish in the Richmond South Development Area a linked open space network with public access, integrated with:<br><br>(a) walkways and cycleways; and<br><br>(b) waterway networks to ensure effective stormwater management.  | C5 3/06<br>Op 10/10  |

### Urban Expansion

C10 10/07  
Op 3/14

- 6.8.3.10** To provide for the expansion and intensification of the Richmond urban area over a 20-year timeframe from 2006 to 2026 within a contained footprint and clearly identified urban boundaries in the following localities:

#### **Richmond South**

Limited southward residential expansion between State Highway 6 north of Hope and Hill Street, and a local commercial node, with Stage 1 being defined by Spur Ridges between Hart Road and Whites Road.

#### **Central Richmond**

Residential and business intensification of central Richmond.

C66 10/17  
Op 12/18

The Richmond Intensive Development Area provides for residential intensification through a combination of infill and redevelopment in the existing central residential area close to the town centre.

#### **Richmond East**

Limited residential intensification in suitable locations in Richmond east, including land south of Champion Road and east of Hill Street, where this is not limited by identified natural hazards.

C10 10/07  
Op 3/14

Limited serviced rural residential expansion in Richmond east on the south east hill slope fringe of Richmond, where this is not limited by identified natural hazards.

C20 8/10  
Op 8/12

#### **Richmond West**

Limited urban expansion in Richmond west in the Lower Queen Street area northwest of State Highway 6 to accommodate residential, business and industrial land, with the exception of industrial development which is to occur north of McShane Road and west of Lower Queen Street, and north of Headingly Lane and east of Lower Queen Street.

C10 10/07  
Op 3/14

- 6.8.3.11** To provide for the extension of the Richmond urban area beyond 2026 in the following localities:

#### **Hope**

Limited expansion in Hope to accommodate residential and business development.

#### **Richmond West**

Limited expansion in Richmond West to McShane Road as the town edge and boundary between urban and rural land uses, with the exception of a light industrial park to be located outside the town boundary opposite the MDF plant. This light industrial park is limited in extent and will need to retreat from lower lying land over time in response to its exposure to inundation, coastal hazards and sea level rise.

- 6.8.3.12** To provide for development in a planned way and ensure that the pattern of development being set to 2026 serves the town over the longer term: 2026 to 2051.

- 6.8.3.13** In the Richmond West Development Area to ensure a choice and a regular supply of land through:
- (a) planning development in stages that integrate servicing and economic development efficiencies;

- (b) providing for a sufficient long term land bank;
- (c) providing for a Mixed Business Zone that complements the Richmond Central Business and Commercial zones.

### **Mixed Business Activities – Zone**

- 6.8.3.14** To provide for a mixed use business environment that accommodates a range of business opportunities for commercial activities, large format retail, trade-related supply and small-scale light industrial activities where:
- (a) adverse environmental effects within and beyond the zone boundary can be avoided, remedied and mitigated;
  - (b) a high quality, high amenity business environment can be maintained;
  - (c) the scale, nature and intensity of activities are compatible with maintaining a high quality, high amenity business environment;
  - (d) the role of the existing Richmond town centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction and the core pedestrian-oriented area for Richmond.
- 6.8.3.15** To provide for large format retail ‘only’ activities along the frontage of Lower Queen Street in a Retail Precinct.
- 6.8.3.16** To promote an attractive appearance of the mixed business environment when viewed from Lower Queen Street, the residential environment, Borck Creek and other local purpose reserves, and the Open Space environment, through the planting and retention of street trees, riparian vegetation, landscaped areas, building setbacks from boundaries, and sensitive building design.
- 6.8.3.18** To manage existing industrial activities in the Beach Road area that do not meet the Mixed Business Zone objectives for clean industry by:
- (a) providing for their continuation for a limited period of time consistent with the uplifting of the deferment on industrial zoned land in the Richmond West Development Area; or
  - (b) requiring a reduction in contaminant discharges to air to a level acceptable in the zone;
  - (c) requiring a higher level of performance for the management of contaminant discharges to water, and storage and use of hazardous substances.
- 6.8.3.19** To provide a network of urban open space and amenity reserves, through the subdivision consent process, within residential and business environments to serve the needs of local residents and employees.

### **Industry**

- 6.8.3.20** To provide for a light industrial park opposite Nelson Pine Industries (MDF Plant) and the co-location of activities with similar effects.
- 6.8.3.21** To provide a buffer around the perimeter of the industrial park to assist with noise attenuation at the interface of the rural zone and to reduce visual impacts of large buildings when viewed from Lower Queen Street, McShane Road and the rural zone.
- 6.8.3.22** To manage the cumulative effects of contaminated stormwater runoff from hard-surfaced areas and potential hazardous substance spills from adversely affecting the Waimea Inlet through the establishment of dedicated stormwater treatment areas and provision of on-site interceptor traps.
- 6.8.3.23** To provide a future location for the expansion of industrial land within the Richmond West Development Area to avoid adverse effects on the coastline and the Waimea Inlet, productive land and sensitive activities.

**6.8.3.23A** To avoid the long-term industrial use of land that is at risk of exposure to inundation, coastal hazards and sea level rise in the long term.

## Open Space and Reserve Network

- 6.8.3.24** To establish an open space network that links the hills to the sea and creates a perimeter pedestrian and cycleway network linking the residential environments of Richmond East, West and South with one another.
- 6.8.3.25** To promote multi-purpose use of open space for recreation, non-motorized transport networks, ecological corridors, and stormwater management.
- 6.8.3.26** To define the urban and rural edge of the Richmond West Development Area through the use of a planted amenity setback at McShane Road and at the interface of the Light Industrial and Rural 1 zones to protect rural land from urban encroachment and to mitigate adverse visual effects of built development.

## Richmond Intensive Development Area

- 6.8.3.27C** In the Richmond Intensive Development Area:
- (a) to provide for medium density residential development in the form of intensive housing.
  - (b) to encourage and promote intensive housing with a high standard of amenity through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets.
  - (c) to manage development so that stormwater does not cause flooding or contribute to any damage caused by flooding.

## Electricity Transmission Corridor

- 6.8.3.28** In the Richmond West and Richmond East development areas, to ensure that the national grid for electricity transmission is taken into account in all resource management decision-making, and that any incompatible use or activity affecting the grid is avoided, remedied or mitigated.

C10 10/07  
Op 3/14

C20 8/10  
Op 3/12

## 6.8.20 Methods of Implementation

### 6.8.20.1 Regulatory

- (a) Provision of a serviced Rural Residential Zone.
- (b) Deferred Residential Zone north west of Hill Street.

### 6.8.20.2 Investigations and Monitoring

- (a) Investigate opportunities for industrial and business development through the Coastal Tasman Area Strategic Development Review.

### 6.8.20.3 Works and Services

- (a) Develop a riparian and coastal reserves network for Richmond.

## 6.8.30 Principal Reasons and Explanation

*[First paragraph deleted (re further growth to the south east of Wensley Road and east of Hill Street (North))]*

C66 10/17  
Op 12/18

Options for the growth and development of Richmond were first identified and discussed in the Richmond Development Study (2003). Denser growth and development was identified by Council as part of a package of options, which included outward expansion onto new greenfield land and intensification of existing urban areas.

C66 10/17  
Op 12/18

The Study identified more compact forms of urban growth as important for the following reasons:

- Encroachment onto rural productive land is reduced.
- The extent of adverse effects associated with urban development can be better managed.
- Services such as water, wastewater, and stormwater can be provided more efficiently.
- Better energy efficiency can be achieved, particularly where associated with urban transportation.

An aging population and reduced household sizes are resulting in an increased demand for small and compact properties.

Greenfield expansion was provided for in Richmond South, Richmond West and Richmond East Plan Changes (through Plan Changes 5, 10 and 20). A framework for more compact density development was introduced into the Plan for the South and West Richmond greenfield locations. Development standards, assessment matters and an Urban Design Guide enable and support denser development in the new Residential zones.

Since the consideration of the long-term growth needs for Richmond, commencing with the Richmond Development Study in 2003, ongoing investigation into the future demand and supply for business land has centred on the Richmond West Development Area. Because of its urban proximity and infrastructure features compared with all other undeveloped regional locations, this area has a permanent regional significance for business land, including industrial and commercial needs.

C10 10/07  
Op 3/14

Adoption of an approximate 50-year time horizon for a land bank for business development secures the long-term value of the Richmond West location in the context of the regional need, and seeks to achieve over time the policy objectives of: (i) integrated servicing efficiencies; (ii) economic or business development efficiencies, and (iii) complementary business development between the Richmond CBD and Richmond West Development Area.

Integrated servicing and economic or business development efficiencies are intended to be achieved through the method of zone deferrals for specific servicing and, for some land, until serviced land with the same zoning, in a defined area shown on the planning maps and identified in the rules, is substantially taken up. This will result in a sequence of supply of serviced land in the Richmond West Development Area over the very long term.

In the low-lying Light Industrial Zone area along Lower Queen Street subdivision is not appropriate. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once a sea level rise trigger level is reached.

Soil and topography limitations in the Special Domestic Wastewater Disposal Area result in increased risks of adverse effects from on-site disposal systems.

Watercourses on the north-east side of Richmond in an area of rural-residential development have been identified as a landscape feature that could enhance future subdivision. Where practicable, these should be utilised for stormwater disposal in an unenclosed and natural state.

The Richmond coastline has inherent conservation values that could be enhanced. Reserves linking the coast with the Richmond hills will continue to be developed to enhance the town's character and recreational opportunities.

The Richmond Intensive Development Area provides for more intensive residential development through a combination of infill in and redevelopment of the existing Residential Zone close to the town centre. In acknowledging an aging population, incorporation of universal design principles in the initial design of dwellings in the Richmond Intensive Development Area is encouraged in the Urban Design Guide (Part II, Appendix 2).

C66 10/17  
Op 12/18

Figures 6.8A and Figure 6.8B show how the range of housing choices are provided for in the Richmond residential area. Figure 6.8A also shows the range of housing choices that are provided for in specified development areas elsewhere in the District.

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



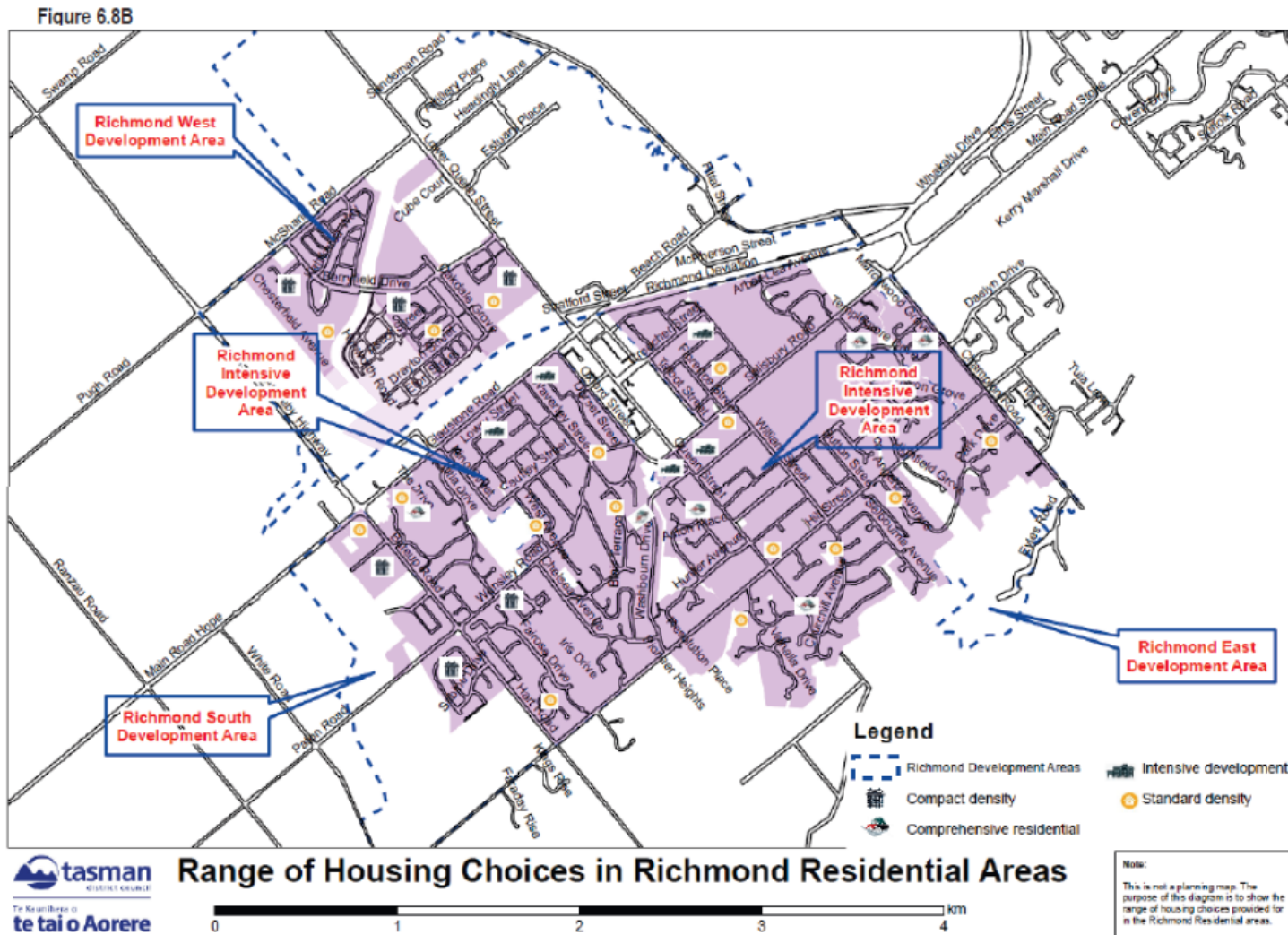
Figure 6.8A: Residential Housing Choices

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

Type of Residential Development	District: Everywhere except 'development areas' and exceptions	Development areas: Richmond South, Richmond West, Richmond East, Brightwater, <b>Wakefield</b> , Motueka West, and Mapua Development Areas, Mapua Special Development Area and Motueka West Compact Density Area	Richmond Intensive Development Area
<b>Standard</b> - Average density - 3 or 4 bedroom house (220 m <sup>2</sup> ) on a 350m <sup>2</sup> - 600m <sup>2</sup> site.	✓	✓	✓
<b>Comprehensive</b> - Three or more dwellings on a site - Building coverage – 40% - Minimum site size = 280m <sup>2</sup> in Richmond and Motueka and 350m <sup>2</sup> elsewhere	✓	X Except for Richmond East below Hill Street and Mapua Development Area where allowed	X
<b>Compact</b> - One or more dwellings on a site - All consents (subdivision, and building) applied for together - No minimum lot size	X	✓ Except for Richmond East; Motueka West Development Area outside of the Motueka <b>West Compact Density Residential Areas</b> ; and Mapua Development Area outside of the Mapua Special Development Area	X
<b>Intensive</b> - One or more dwellings on a site - Minimum lot size 200m <sup>2</sup>	X	X	✓

C80 12/23

# Schedule of Amendments on Proposed Plan Change 79 – Deferred Zoning



C66 10/17  
Op 12/18  
C74 12/20  
Op 3/23  
CL20A 6/23

Schedule of Amendments on Proposed Plan Change 79 – Deferred Zoning

*[Unchanged or irrelevant text omitted]*



# CHAPTER 13: NATURAL HAZARDS

## 13.0 INTRODUCTION

Natural hazards have the potential to damage property, infrastructure and ecosystems, and threaten health and safety. Remedying the damage can cost individuals and the community heavily in financial terms and loss of enjoyment of life.

There is a relatively high level of risk from flooding, earthquake, slope instability and river and coastal erosion hazards in Tasman District. The District has experienced moderate to severe levels of seismic activity relative to other parts of New Zealand, including the severe 1929 Murchison earthquake. Earthquakes cause ground shaking, ground rupture or other deformation (including landslides), that may result in major environmental and infrastructural damage, as well as loss of life. Surface fault rupture may be a significant hazard in the St Arnaud area (Alpine Fault), the Richmond foothills (Waimea-Flaxmore Fault system), and the Murchison area (Buller Catchment Faults). While large earthquakes are very damaging, they are less regular in occurrence than slope instability, flooding and coastal erosion hazard in Tasman District. Slope instability is a general hazard affecting a wide area of the Tasman District, especially on slopes greater than 20 degrees, with soil or rock subject to shear failure. Particularly unstable rock types include the Separation Point Granites and Marsden Coal Measures along the Waimea Fault system.

C21 8/10  
Op 1/15

Most of Tasman District experiences high rainfall intensities. The frequent, high intensity rainfall, combined with generally short, compact catchments, results in short warning times for areas subject to flooding. Flooding is a serious potential problem in valleys of the Aorere, Takaka, Motueka, Riwaka, Moutere, Waititi, Waimea, Wairoa and Buller catchments where several of the District's main settlements are located. Flooding causes damage to property and can threaten human safety.

Coastal processes include beach erosion, cliff and shoreline retreat, and inundation of low-lying areas. These processes are most active in Golden Bay and at Mapua/Ruby Bay. Expected global warming and associated sea-level rise could affect many low-lying parts of Tasman, causing inundation, a rise in groundwater levels, impeded drainage and saltwater intrusion into groundwater.

## 13.1 NATURAL HAZARDS

### 13.1.1 Issues

- 13.1.1.1 Natural hazards can compromise human well-being and safety and cause damage to habitat, amenity values, property and infrastructure.
- 13.1.1.2 Hazards can be aggravated by inappropriate land use management practices and activities.
- 13.1.1.3 Where limited information exists about some natural hazards which could or do affect the District, a precautionary approach is appropriate.

### 13.1.2 Objectives

- 13.1.2.1 Management of areas subject to natural hazard, particularly flooding, instability, coastal and river erosion, inundation and earthquake hazard, to ensure that development is avoided or mitigated, depending on the degree of risk.
- 13.1.2.2 Land development, including supporting network infrastructure asset services, is resilient against natural hazards.

C69 6/19  
Op 6/20

### 13.1.3 Policies

*Refer to Policy sets 5.1, 6.2, 6.4, 6.9, 6.10, 6.12, 6.14 – 6.18, 7.2, 7.3, 8.2, 11.1, 12.1, 21.4, 23.1.  
Refer to Rule sections 16.2 – 16.4, 16.9, 16.10, 17.1, 17.5 – 17.8, 17.12, 18.5, 18.9, 18.11 – 18.13, 19.2.*

- |                         |  |                     |
|-------------------------|--|---------------------|
| <b>13.1.3.1</b>         | To avoid the effects of natural hazards on land use activities in areas or on sites that have a significant risk of instability, earthquake shaking, fault rupture, flooding, erosion or inundation, or in areas with high groundwater levels.   | C21 8/10<br>Op 1/15 |
| <b>13.1.3.2</b>         | When determining appropriate subdivision, use or development in the coastal environment to assess the likely need for coastal protection works and, where practicable, avoid those sites for which coastal protection works are likely to be required.   | C22 2/11<br>Op 1/15 |
| <b>13.1.3.3</b>         | To avoid developments or other activities that are likely to interfere with natural coastal processes including erosion, accretion, inundation, except as provided for in Policy 13.1.3.10.  |                     |
| <b>13.1.3.4</b>         | To avoid or mitigate adverse effects of the interactions between natural hazards and the subdivision, use and development of land.   |                     |
| <b>13.1.3.5</b>         | To avoid the construction of new habitable buildings in the Residential Closed Zone at Ruby Bay, other than on specified sites.  | C22 2/11<br>Op 1/15 |
| <b>13.1.3.6</b>         | To limit the reconstruction or replacement of an existing habitable building to a position that is no further seaward than the original habitable building in the Residential Closed Zone at Ruby Bay.   |                     |
| <b>13.1.3.7</b>         | On the coastal plain from Ruby Bay to Mapua, to limit further subdivision and habitable buildings in order to avoid their exposure to long term coastal inundation, flooding and erosion risks.  |                     |
| <b><u>13.1.3.7A</u></b> | <b><u>To avoid the subdivision of the land that is subject to Schedule 17.4A where it would result in the creation of additional titles.</u></b>   |                     |
| <b><u>13.1.3.7B</u></b> | <b><u>To avoid the long-term industrial use of the land that is subject to Schedule 17.4A, and to require the relocation or removal of industrial activities and buildings from this area to avoid their exposure to inundation, coastal hazards and sea level rise.</u></b>   |                     |
| <b>13.1.3.8</b>         | To avoid, unless there is effective mitigation, the expansion of flood-prone settlements onto those parts of the surrounding flood plains where they might be subject to flood hazard.   |                     |
| <b>13.1.3.9</b>         | To prevent damage or interference with the functioning of the major overland flood flow paths of rivers in the District, except as provided for in Policy 13.1.3.10.   |                     |
| <b>13.1.3.10</b>        | To maintain or consider the need for protection works to mitigate natural hazard risk where:<br>(a) there are substantial capital works or infrastructure at risk; or<br>(b) it is impracticable to relocate assets; or<br>(c) it is an inefficient use of resources to allow natural processes to take their course; or<br>(d) protection works will be effective and economic; or<br>(e) protection works will not generate further adverse effects on the environment, or transfer effects to another location. |                     |
| <b>13.1.3.11</b>        | To promote the maintenance and enhancement of coastal vegetation in areas at risk from coastal erosion.  |                     |
| <b>13.1.3.12</b>        | To provide warnings and emergency response systems for areas at risk from or affected by natural hazards.  |                     |

13.1.3.13	To regulate land disturbance so that slope instability and other erosion processes and inundation are not initiated or accelerated.	C22 2/11 Op 1/15
13.1.3.14	To avoid damage by land use activities to flood control structures or works for flood or erosion control.	
13.1.3.15	To prepare a hazard management strategy identifying hazards and hazardous areas, and management options for these areas.	
13.1.3.16	To avoid new subdivision, use or development that would hinder the ability of natural systems and features (such as beaches, dunes, wetlands or barrier islands) to protect existing subdivision, use or development from natural hazards (such as erosion, inundation, storm surge, or sea level rise).	
13.1.3.17	To mitigate natural hazard risks through the design and construction of network asset infrastructure.	C69 6/19 Op 6/20
13.1.3.18	To design and construct resilient network asset infrastructure.	

## 13.1.20 Methods of Implementation

### 13.1.20.1 Regulatory

- |     |  |                     |
|-----|--|---------------------|
| (a) | Pattern of zoning which emphasises containment of development away from areas of natural hazards, for example, Coastal Risk Area at Mapua and Ruby Bay, <u>and scheduled site for industrial land at Lower Queen Street.</u>   | C22 2/11<br>Op 1/15 |
| (b) | Delineation of land at risk from ground rupture or deformation along active faultlines, actively eroding coastlines and areas prone to flooding and slope instability, on planning maps.   | C21 8/10<br>Op 1/15 |
| (c) | Rules limiting activities, including subdivision, building and land disturbance, in or adjacent to natural hazard areas (such as stopbanks, eroding coastlines, river margins, steepplands and unstable geological formations).  |                     |
| (d) | Rules requiring building setback from rivers, stopbanks, active faultlines and the coastline.  |                     |
| (e) | Conditions on resource consents and building consents recognising where hazards may be present, for example, requiring minimum floor height, particular foundation types, or that buildings be relocatable, <u>or only enabling activities and buildings through resource consents which are short term or time limited.</u> |                     |
| (f) | Standards of the Nelson Tasman Land Development Manual 2019 that can ensure appropriate location for development, management of hazard-related development effects, and a more resilient design, materials and construction of network infrastructure.   | C69 6/19<br>Op 6/20 |

### 13.1.20.2 Investigations and Monitoring

- |     |   |                     |
|-----|---|---------------------|
| (a) | Research into natural processes that may result in hazards for development, such as coastal processes and slope instability.  |                     |
| (b) | Identification of hazardous areas and features such as active faultlines, eroding coastlines, ground susceptible to earthquake shaking effects, slope instability, flooding and river erosion, within three years of this provision becoming operative. |                     |
| (c) | Improving knowledge of past rupture timings, lengths and displacements of active faults and the magnitude of past earthquakes, to contribute to improved estimates of future earthquake risk.   | C21 8/10<br>Op 1/15 |

### 13.1.20.3 Education and Advocacy

- |     |  |  |
|-----|--|--|
| (a) | Advice and information through project information memoranda, land information memoranda and public enquiries. (b) Advice about erosion protection measures, |  |
|-----|--|--|

including tree planting, rock work and structures, subject to the limitations of the New Zealand Coastal Policy Statement for coastal areas.

#### 13.1.20.4 Works and Services

- (a) Maintenance and provision of structural protection works such as stopbanks and groynes on rivers, coastal protection works, soil conservation plantings.
- (b) Early warning systems for flooding and responses to emergency events through the civil defence organisation.

### 13.1.30 Principal Reasons and Explanation

The District has a substantial length of coastline that is subject to coastal erosion. There is a relatively high risk of erosion affecting soft shorelines around the District, particularly at Pakawau, Rangihaeata, Mapua, Ruby Bay, Marahau, and to a lesser extent at Parapara and Pohara.

Significant new built developments in areas that have been identified as subject to coastal or river erosion and inundation are likely to require capital-intensive protective works so are best avoided in such locations. Rules seek to avoid the future demand for protection works and to avoid the effects of known hazards.

Council considers that the advice of the Ministry for the Environment given in July 2008<sup>1</sup> should be adopted in coastal planning. That advice was for a three-part approach for planning and decision timeframes out to 2090 – 2099:

C10 10/07  
Op 3/14

A base value sea level rise of 0.5 m relative to the 1980 – 1999 average; plus

An assessment of the potential consequences from a range of possible higher sea-level rises (for example: from the Greenland and Antarctic ice sheets, carbon cycle feedbacks, and other matters); and

At the very least, assessment of the consequences of a mean sea level rise of 0.8 metres relative to the 1980 – 1999 average.

All three factors place low-lying coastal margins at risk of both flooding from the landward side and inundation from the sea, or transformation by the processes of erosion and deposition.

Activities that affect coastal processes include extraction of sand, dredging and dumping, reclamations and erection of buildings. Most of these activities except the latter, take place in the coastal marine area. In some parts of the District, coastal rock protection has already been undertaken and will need to be maintained. Pakawau, Totara Avenue, Mapua/Ruby Bay and Marahau foreshores have rock armouring works that are functional but mostly of little amenity value. Future maintenance of these works could investigate options for improving the visual amenity and access.

C22 2/11  
Op 1/15

As inundation and erosion are ongoing hazards along the Ruby Bay/Te Mamaku coastline, habitable buildings that are redeveloped are not permitted to locate further seaward than the existing building and new habitable and non-relocatable buildings are to be avoided. The Coastal Risk Area has been adjusted to account for current sea level rise projections and the continuing inundation and erosion hazard risk. The Council intends to maintain its rock revetments at Ruby Bay/Te Mamaku for up to the expiry of their consent (in 2044).

In the low-lying Light Industrial Zone area along Lower Queen Street subdivision is not appropriate. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once a sea level rise trigger level is reached.

There is a need to recognise the relatively high probability of severe earthquake shaking at any of the main settlements in the District in the next 50 years. Major active faultlines at St Arnaud and on the Richmond foothills have been mapped and a restricted development corridor identified.

<sup>1</sup> *Coastal Hazards and Climate Change – A Guidance Manual for Local Government in New Zealand*, 2<sup>nd</sup> Edition, July 2008, Ministry for the Environment

Soil loss through erosion is a significant risk when certain activities, such as tracking, subdivision, and earthworks that disturb the ground, are undertaken. Some parts of the District such as the shallow steepplands soils and the Separation Point Granite terrain from Separation Point/Te Matau to the Glenhope Scenic Reserve have a magnified risk of instability if vegetation or soils are disturbed.

Flooding from rivers is a frequent occurrence in the District and periodically affects the townships of Takaka, Wakefield, Brightwater and Riwaka, which are located on flood plains. A flood warning system operates on the major rivers of the District. Plantings and structures in flood paths interfere with the flow of floodwater.

While the lower reaches of the Motueka River are protected from flooding by stopbanks, it is necessary to maintain existing floodways free of structures in the event that the stopbanks fail or are overtopped. Major floodways in the vicinity of Takaka and Riwaka should also be kept free of structures. Along all waterways, especially those without stopbanks, buildings should be set back to avoid damage by bank erosion. Excavations and tree planting on or near stopbanks can increase the risk of stopbank failure.

Council's Land Development Manual addresses risks associated with network infrastructure and natural hazards through the design of more resilient networks, particularly the mitigation of stormwater effects where they may contribute to flood hazards.

C69 6/19  
Op 6/20

### **13.1.40 Performance Monitoring Indicators**

- 13.1.40.1 Number of incidents of harm or damage to persons or property from flooding, slope instability, erosion, earthquakes or other natural hazards.
- 13.1.40.2 Number of claims to Earthquake Commission.

### **13.50 ENVIRONMENTAL RESULTS ANTICIPATED**

- 13.50.1 Reduced incidence of damage to property and infrastructure, or harm to people's health and safety on the District's floodplains.
- 13.50.2 Reduced incidence of damage or harm to people and property from coastal erosion, slope instability and other forms of natural hazard.
- 13.50.3 Development precluded from areas identified as being of significant risk from natural hazards.
- 13.50.4 More informed communities, prepared for the occurrence of natural hazards.



# Chapter 16: General Rules

[Unchanged or irrelevant text omitted]

## 16.3 SUBDIVISION

[Unchanged or irrelevant text omitted]

### 16.3.2 All Zones

[Unchanged or irrelevant text omitted]

#### 16.3.2.5 Subdivision in any Zone Subject to Deferred Zone Rules, or Where Deferred Zoning Has Been Removed

C51 1/15  
Op 9/16

In all zones, where subdivision is a controlled, restricted discretionary, or discretionary activity, and in addition to the applicable requirements of Schedule 16.3C, where land is, or was formerly, subject to Deferred Zone Rules (Section 17.14, and as set out in Schedule 17.14A), services are provided in accordance with:

EITHER

(a) Mandatory standards of the Nelson Tasman Land Development Manual 2019. C69 6/19 Op 6/20

OR

C51 1/15  
Op 9/16

(b) The services meet the requirements of the deferred zone rules as set out in Section 17.14.2 and Schedule 17.14A ~~and concept engineering plans that formed the basis for Council's resolution to remove the deferral of the urban zone~~ for the whole or any part of that land.

Subdivision that does not comply with (a) or (b) is a discretionary activity.

**Note:** Other consents may be required besides subdivision consent where services are to be provided as part of the subdivision, for example, discharge permit, land disturbance consent.

### 16.3.3 Residential Zone

#### 16.3.3.1 Controlled Subdivision (Residential Zone — Standard Density Development)

C66 10/17  
Op 12/18

Subdivision for standard density development in the Residential Zone is a controlled activity, if it complies with the following conditions:

#### Allotment Area

(a) Except as provided for in condition (n), every allotment has a minimum net area as set out in Figure 16.3A.

Figure 16.3A: Minimum Allotment Areas in the Residential Zone

DESCRIPTION OF LAND TO BE SUBDIVIDED	MINIMUM NET AREA (M <sup>2</sup> )
Without reticulated wastewater servicing	1,000
Except Milnthorpe	1,800
With reticulated wastewater servicing	450
Except:	
(i) Motueka and Richmond complying with rule 16.3.3.1(c).	350
(ii) Allotments adjoining Rural 1 or Rural 2 zones except that on that part of land in Lot 1 DP20082 (Old Wharf Road) and as shown on the planning maps at Motueka as zoned Residential.	1,000
	700
(iia) Allotments at Rototai Road Residential Zone.	600

(iii)	Allotments adjoining Industrial Zones.	800	C58 11/15 Op 7/17
(iiia)	Allotments adjoining the Light Industrial Zone at Bird Lane, Wakefield	1,000	
(iv)	Allotments in St Arnaud Residential Zone not crossed by Alpine Fault (except as specified in (v)).	1,000	
(v)	Allotments in St Arnaud on Lake Road, Robert Street, Holland Street, Arnaud Street and Bridge Street, south of Black Valley Stream in St Arnaud.	1,800	
(vi)	Allotment to be used exclusively as a site for a network utility or public work.	1, with no minimum diameter	
(vii)	Waimea Village	<i>Refer Schedule 17.1D</i>	
(viii)	Richmond South, Richmond West, Motueka West and Mapua development areas.	<i>Refer rule 16.3.3.1 (n)(i)(a) – (d)</i>	
(ix)	Richmond East Development Area south east of Hill Street.	600	C20 8/10 Op 8/12
(x)	Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900	C20 8/10 Op 8/12

DESCRIPTION OF LAND TO BE SUBDIVIDED		MINIMUM NET AREA (M <sup>2</sup> )	
(xi)	Tahi St and Iwa St Residential Coastal Zone	One new allotment of at least 650m <sup>2</sup> with a balance allotment of at least 650m <sup>2</sup> may be created from a record of title existing as at 26 February 2011	C22 2/11 Op 1/15
(xii)	Richmond Intensive Development Area	<i>Refer rule 16.3.3.1(n)(i)(a) – (d)</i>	C66 10/17 Op 12/18
(xiii)	Brightwater <u>and Wakefield</u> Development Areas, where the parent title has a net area of 2 hectares or less.	450	C75 9/22 Op 10/23 C76 9/22
(xiv)	Brightwater <u>and Wakefield</u> Development Areas, where the parent title has a net area greater than 2 hectares.	Refer to rule 16.3.3.1B Residential Zone – Specific Location: <u>Brightwater and Wakefield Development Areas</u>	C75 9/22 Op 10/23 C76 9/22

- (b) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the minimum net area for new allotments (except for network utilities) in Motueka and Richmond is 350 square metres if reticulated wastewater servicing is available to the allotment and the following applies:
- (i) the land to be subdivided comprises less than 1 hectare and two or more allotments are to be created and the average net allotment area is at least 500 square metres in Motueka and 450 square metres in Richmond;
- (c) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), for subdivision in Motueka and Richmond where the land to be subdivided comprises more than 1 hectare:
- (i) at least 20 percent of residential allotments have a net area of 700 square metres or more;
- (ii) at least 60 percent of residential allotments have a net area between 550 and 800 square metres;
- (iii) not more than 20 percent of residential allotments have a net area of 550 square metres or less.
- (d) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the land to be subdivided does not include any allotment in Motueka or Richmond of less than 1,000 square metres created by a subdivision approved since 1 January 1987, unless the subdivision is for a network utility.

C5 3/06 Op 10/10  
C20 8/10 Op 8/12  
C66 10/17 Op 12/18

C5 3/06 Op 10/10  
C20 8/10 Op 8/12  
C66 10/17 Op 12/18

C5 3/06 Op 10/10  
C20 8/10 Op 8/12  
C66 10/17 Op 12/18

## Average Net Area

C5 3/06 Op 10/10  
C20 8/10 Op 8/12  
C66 10/17 Op 12/18

- (e) Except at St Arnaud and Waimea Village and as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), for subdivisions producing three or more allotments the average net area of each allotment is:
- (i) 1,200 square metres in areas without reticulated wastewater servicing;
  - (ii) 600 square metres in areas with reticulated wastewater servicing;
  - (iii) 500 square metres in areas with reticulated wastewater servicing in Motueka and 450 square metres in Richmond, where the land to be subdivided comprises less than one hectare;
  - (iv) 800 square metres in areas shown as Rototai Road Residential Zone.

## Frontage

- (f) Except as provided for in condition (n), every allotment that has a frontage has a minimum frontage width of 3.5 metres, except for Waimea Village (*see Schedule 17.1D*).

## Shape Factor

- (g) Every allotment is capable of containing, within its net area, a circle with a diameter of 16 metres, except for Waimea Village (*see Schedule 17.1D*).

## Lot Width

- (h) Allotments created by a subdivision that adjoins any Rural or Industrial zone have a width of at least 30 metres between the zone boundary and the farthest boundary of the allotment.

## Services

- (i) Every allotment in the Richmond West, Brightwater, Motueka West, Wakefield, Richmond East, Richmond Intensive and Mapua development areas (excluding the Residential Coastal Zone) is provided with services as set out in Schedule 16.3C, except for allotments created for access, utility, segregation, road or road reserve purposes. The appropriate trenches, ducts, cables, pipes and other necessary works are provided to the internal boundary of each allotment.

C10 10/07 Op 3/14  
C20 8/10 Op 8/12  
C22 4/13 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
OP 10/23  
C76 9/22

## Comprehensive Residential Development

- (k) The subdivision is not part of a comprehensive residential development.

## Existing Buildings

- (l) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity with the relevant zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the relevant general rules.

## Heritage Site or Item Present

- (m) The land being subdivided does not include:
- (i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or
  - (ii) a protected tree referred to in Schedule 16.13B in the Richmond West, Brightwater, Motueka West, Wakefield, Richmond East, Richmond Intensive or Mapua development area.

C10 10/07 Op 3/14  
C16 9/09 Op 8/12  
C20 8/10 Op 8/12  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23  
C76 9/22

## Cultural Heritage Sites

C16 9/09  
Op 8/12

- (ma) An authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an authority is not considered necessary. C66 10/17  
Op 12/18
- (mb) Where the listed cultural heritage site is a wāhi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.
- Notes:**
- (1) An assessment may be required in accordance with requirement 19.2.2.41.
- (2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.
- (3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site. C16 9/09  
Op 8/12  
C66 10/17  
Op 12/18

*[Unchanged or irrelevant text omitted]*

## Transport

- (mf) The transport conditions in Schedule 16.3B are complied with, unless the subdivision is for a single allotment for a network utility. C66 10/17  
Op 12/18

## Richmond South, Richmond West, Brightwater, Motueka West, Wakefield, Mapua and Richmond Intensive Development Areas

- (n) Subdivision for standard density development in the Richmond South, Richmond West, Motueka West, Wakefield, Mapua, Brightwater and Richmond Intensive development areas, as shown on the planning maps, complies with the following conditions: C5 3/06 Op 10/10  
C10 10/07 Op 3/14  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23  
C76 9/22
- (i) **Allotments** C5 3/06 Op 10/10  
C10 10/07 Op 3/14
- (a) The minimum net area of every allotment is at least 350 square metres, except in the Mapua Development Area where each allotment is at least 450 square metres and in the Brightwater and Wakefield Development Areas where Rule 16.3.3.1B(a) applies. C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C75 9/22  
Op 10/23  
C76 9/22
- (b) The minimum average net area for all allotments is 550 square metres, except in the Motueka West area where the minimum average net area is 500 square metres and in the Richmond Intensive Development Area, and in the Brightwater and Wakefield Development Areas, where there is no average. C10 10/07 Op 3/14  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23  
C76 9/22
- (c) Every allotment is capable of containing a circle with a diameter of 16 metres or greater.
- (d) Except for the Richmond Intensive Development Area, no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres wide. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage. C66 10/17  
Op 12/18

(ii) **Allotment Access and Road Network**

- (a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules). C69 6/19  
Op 6/20
- (b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.
- (c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C11 10/07  
Op 10/10
- (d) Except for the indicative roads shown in the Richmond South and the Richmond West development areas on the planning maps; C10 10/07  
Op 3/14
- (i) no road in the Richmond South Development Area is designed to connect directly with Hart/Bateup roads, Wensley/Paton roads, Hill Street or State Highway 6; C66 10/17  
Op 12/18  
C75 9/22  
Op 10/23
- (ii) no road in the Richmond West Development Area is designed to connect to State Highway 6 or Lower Queen St; and
- (iii) no road in the Richmond Intensive Development Area is designed to connect to Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.
- (iv) no road in the Brightwater Development Area is designed to connect to State Highway 6.
- [Items (e) and (f) are deleted]* C69 6/19 Op 6/20
- (g) The transport conditions in Schedule 16.3B are complied with.
- (h) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area, except that existing lawful access crossings may continue to be used. C10 10/07  
Op 3/14
- (i) No allotment in the Motueka West Development Area created after public notification of Motueka West plan change gains direct access on to Queen Victoria Street except that existing lawful crossings may continue to be used. C43 4/13  
Op 1/15
- (j) No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points.
- (k) No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area, except that existing lawful access crossings may continue to be used. C10 10/07  
Op 3/14
- (l) No allotment created after 28 August 2010 gains direct access from Champion Road or from Salisbury Road if the allotment is located within 215 metres or 100 metres respectively of the intersection of Champion and Salisbury roads as measured from the intersection of the extension of the road boundary tangent point, except that existing lawful crossings may continue to be used. C20 8/10  
Op 8/12
- (m) No allotment in the Richmond Intensive Development Area created after 14 October 2017 gains direct access onto Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street. C66 10/17  
Op 12/18
- (n) No allotment in the Brightwater Development Area gains direct access onto State Highway 6. Lawful existing accessways may continue to be used. C75 9/22  
Op 10/23

(iii) **Reserves**

C5 3/06 Op 10/10

Subject to but not limited by rule 16.4.2.1:

C10 10/07 Op 3/14

- (a) land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon C5 3/06  
Op 10/10

subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows:	C10 10/07 Op 3/14
<ul style="list-style-type: none"> <li>• 70 metre wide reserve along Borck Creek from the Light Industrial Zone to the Mixed Business Zone</li> <li>• 15 metre wide reserve along Poutama Drain</li> <li>• 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek</li> <li>• <u>10 metre wide reserve separating the Mixed Business Zone from the Residential zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions.</u></li> </ul>	C5 3/06 Op 10/10
(b) <u>Except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek</u> , indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4.	C10 10/07 Op 3/14
<b>(iv) Indicative Stormwater Retention Area</b>	C5 3/06 Op 10/10
(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in the Richmond South and Motueka West development areas on the planning maps to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4.	C43 4/13 Op 1/15
<b>Notes:</b>	C5 3/06 Op 10/10
(1) The Urban Design Guide (Part II, Appendix 2) should be considered in preparing applications under this rule.	C10 10/07 Op 3/14
(2) In the Richmond South and Mapua development areas, it is intended that all existing reservoirs not expressly forming part of the stormwater network will be dewatered at the time of subdivision.	C22 2/11 Op 1/15
<b>Allotment Access and Road Network – Richmond East</b>	C66 10/17 Op 12/18
(o) Subdivision in the Richmond East Development Area complies with conditions 16.3.3.1 (n)(ii)(a), (n)(ii)(c), and (n)(ii)(l).	C20 8/10 Op 8/12
<b>Sites in the Coastal Environment Area - Little Kaiteriteri</b>	
(q) For residential sites on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles between Cook Crescent at Stephens Bay and Rowling Road at Little Kaiteriteri and within the Coastal Environment Area, no more than 20 percent of indigenous coastal shrubland or coastal forest on a site may be cleared.	C73 12/20 Op 6/23
In the notated area shown on the planning maps on Record of Title NL 13A/194 (Talisman Heights) or its successive titles, there shall be no more than three residential allotments.	
<b>Landscape Treatment – Old Wharf Road (Motueka) and Mapua Drive</b>	C22 2/11 Op 1/15 C66 10/17 Op 12/18
(r) Where allotments are created within 150 metres of the boundary of the Heavy Industrial Zone in Old Wharf Rd (Motueka), subdivision of Pt Lot 3 DP 1654, Lot 2 DP 424497 and Lot 1 DP 20082 (High Street and Old Wharf Road) incorporates a 12-metre wide landscaped earth mound at least 3 metres high along the boundary with the Heavy Industrial Zone.	
(s) Where allotments adjoin Mapua Drive between the Ruby Bay bypass (Te Mamaku Drive) and Aranui Park, amenity plantings 3 metres wide are provided, and there is no close-boarded or solid fencing.	C22 2/11 Op 1/15

## Amenity Plantings within a Boundary Setback – Richmond West Development Area

C10 10/07  
Op 3/14

- (t) In the Richmond West Development Area, amenity plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:
- (i) Adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain southwest to the point where Poutama Drain intersects with the designation.
  - (ii) Adjoining the ~~Indicative Collector Road~~ and indicative walkway that separates the Residential zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.

## Amenity Plantings – Richmond West and Mapua Development Area

C66 10/17  
Op 12/18

- (u) In the Richmond West and Mapua development areas, a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback or adjoins Mapua Drive at Mapua.
- (v) In the Richmond West and Mapua development areas, the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

C10 10/07  
Op 3/14  
C22 2/11  
Op 1/15

C10 10/07  
Op 3/14  
C22 2/11  
Op 1/15

**A resource consent is required.** The Council has reserved control over the following matters:

### Traffic

- (1) Access.
- (2) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including:
- the number of intersections between the frontage of any site and the nearest of those roads;
  - the driving time between any site and the nearest of those roads;
  - the walking distance between any site and an arterial or principal road, along public roads, pedestrian ways, or footpaths through reserves.
- (3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.
- (4) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access.
- (5) The relationship of any new road with existing roads, adjoining land, and any future roading requirements.

C69 6/19  
Op 6/20

C69 6/19  
Op 6/20

C69 6/19  
Op 6/20

## Services

- (6) Availability and provision of services, including the appropriate trenches, ducts, cables, pipes and other ancillary works provided to the road boundary for each allotment, except for rear allotments or those located off shared accesses where the services shall be provided to an internal boundary.

## Stormwater Management

- (7) Any matter necessary to manage stormwater run-off, including low impact design solutions where appropriate. C7 7/07  
Op 10/10
- (8) The physical and legal protection of primary and secondary stormwater flow paths and indicative reserves. C10 10/07  
Op 3/14
- (9) Any mandatory or good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the efficient and effective provision of stormwater network reticulation. C69 6/19  
Op 6/20

## Open Space/Reserves

- (10) The extent and location of indicative reserves. C10 10/07 Op 3/14
- (11) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse. C7 7/07 Op 10/10

## Access for Earthworks

- (12) Location and effects of earthworks necessary to achieve (1) and (7). C10 10/07 Op 3/14

## Natural Heritage

- (13) Potential effects on heritage protection and protected trees. C10 10/07 Op 3/14
- (14) Potential adverse effects on wetland values.
- (15) Potential adverse effects on indigenous coastal vegetation and fauna values at Little Kaiteriteri/Stephens Bay.
- (16) The degree of compliance with any mandatory requirements of the Nelson Tasman Land Development Manual 2019. C69 6/19  
Op 6/20

## Cultural Heritage

- (17) Where there is a listed cultural heritage site present on any part of the land being subdivided: C16 9/09  
Op 8/12  
C66 10/17  
Op 12/18
- (a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;
- (b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;
- (c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;
- (d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;
- (e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

*[Unchanged or irrelevant text omitted]*



### 16.3.3.2 Restricted Discretionary Subdivision (Residential Zone – Listed Cultural Heritage Site)

C16 9/09  
Op 8/12

Subdivision in the Residential Zone that does not comply with controlled condition (ma) of rule 16.3.3.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

- (1) Where there is a listed cultural heritage site present on any part of the land being subdivided:
  - (a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;
  - (b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;
  - (c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;
  - (d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction;
  - (e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

### 16.3.3.2A Restricted Discretionary Subdivision (Residential Zone - Standard Density Development)

C66 10/17  
Op 12/18

C75 9/22  
(d 6/23)

Subdivision for standard density development in the Residential Zone that does not comply with the controlled conditions of rule 16.3.3.1 is a restricted discretionary activity, if it complies with the following conditions:

#### Stormwater

- (a) In the Residential Zone:
  - (i) EITHER:

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.
  - AND
  - (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

**Note:** A discharge consent may be required where new stormwater infrastructure is being created.
- (b) In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the Part II Special planning map:
  - (i) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;
  - (ii) the flood flow path surface is constructed or treated to prevent erosion of the surface.

C66 10/17  
Op 12/18

**Richmond South, Richmond West, Brightwater, Wakefield, and Richmond Intensive Development Areas**

C10 10/07  
Op 3/14

C66 10/17  
Op 12/18

- (c) Land to be subdivided for standard density development in the Richmond South, Richmond West, Brightwater, Wakefield and Richmond Intensive development areas that does not comply with the conditions of rule 16.3.3.1 is a restricted discretionary activity, if it complies with the following conditions:

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

**Minimum Allotment Size**

- (i) The minimum net area for each allotment is 350 square metres, except in the Brightwater and Wakefield Development Areas where:
- The minimum net area for each allotment is 450 square metres if the land to be subdivided comprises 2 hectares or less in net area.
  - The minimum net area for each allotment is in accordance with Rule 16.3.3.2C *Restricted Discretionary Subdivision (Residential Zone – Specific Location: Brightwater and Wakefield Development Areas)* if the land to be subdivided is greater than 2 hectares in net area.

**Allotment Access, Road Network, Reserves and Indicative Stormwater Retention Area**

- (i) The subdivision meets conditions 16.3.3.1(n)(ii)(a), (n)(ii)(c) to (n)(ii)(n), (n)(iii) and (n)(iv).
- (ii) Except in the Richmond Intensive Development Area, the subdivision meets condition 16.3.3.1(n)(ii)(b).

**Reverse Sensitivity**

- (iv) The subdivision must comply with 16.3.3.1(me)(ii) and (iii) *Cross Boundary Effects. (This applies to the Brightwater Development Area and not the Wakefield Development Area).*

**Amenity Plantings within a Boundary Setback – Richmond West Development Area**

C10 10/07  
Op 3/14

C66 10/17  
Op 12/18

- (d) In the Richmond West Development Area amenity, plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:
- (i) adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain south west to the point where Poutama Drain intersects with the designation.
- (ii) adjoining the ~~Indicative Collector Road~~ and indicative walkway that separates the Residential zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.
- (iii) a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback.
- (iv) the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

**Tahi and Iwa Streets, Mapua**

C22 2/11  
Op 1/15

- (e) The subject land is not in the Residential Coastal Zone at Tahi Street or Iwa Street, Mapua.

C66 10/17  
Op 12/18

**Comprehensive Development**

C66 10/17  
Op 12/18

- (f) The subdivision is not part of a Comprehensive Development.

C75 9/22  
Op 10/23

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) Matters (1) to (37) of rule 16.3.3.3 *Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)*.

**Non-Notification**

In respect of non-compliance with condition (c)(iii) [cul-de-sac length], applications for resource consent for an activity under this rule will be decided without limited notification and without public notification.

**16.3.3.2B Restricted Discretionary Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)**

C66 10/17  
Op 12/18  
C73 12/20  
Op 6/23

Subdivision for intensive development in the Richmond Intensive Development Area that does not comply with the controlled conditions of rule 16.3.3.1(mc) is a restricted discretionary activity, if it complies with the following conditions:

- (a) The subdivision meets controlled conditions 16.3.3.1(i), (m) to (mb), (md) to (mf) and 16.3.3.1A (a) to (c).
- (b) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a Restricted Discretionary activity with the 17.1.3.4C zone rules relating to site and building coverage, fences, outdoor living space, setbacks, building envelope, building height and length; and with parking and access requirements under the relevant general rules.

C66 10/17  
Op 12/18  
C73 12/20  
Op 6/23

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

C66 10/17  
Op 12/18

- (1) Matters (1) to (18) of rule 16.3.3.1A.
- (2) The layout and design of a subdivision in relation to stormwater.

**Non-Notification**

Applications for resource consent that comply with the conditions of this rule will be decided without public notification.

**16.3.3.2C Restricted Discretionary Subdivision (Residential Zone — Specific Location: Brightwater and Wakefield Development Areas)**

C75 9/22  
Op 10/23

- (a) Subdivision in the Brightwater Development Area and Subdivision for intensive development in the Wakefield Development Area, that does not comply with the controlled conditions of rule 16.3.3.1B is a restricted discretionary activity, if it complies with the following conditions:
- i) 16.3.3.1B(a)-(b) *Minimum Allotment Size*
  - ii) 16.3.3.1(n)(ii)(a), (n)(ii)(b), (n)(ii)(c), (n)(ii)(g) and (n)(ii)(n) *Allotment Access and Road Network*
  - iii) 16.3.3.1 (me)(ii) *Cross Boundary Effects*.
  - iv) 16.3.3.2A(a) *Stormwater*
  - v) 16.3.3.2A (f) *Comprehensive Development*
- (b) Matters of control  
Matters (1) to (37) of Rule 16.3.3.3 (*Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)*)

**16.3.3.3 Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)**

C5 3/06  
Op 10/10

C66 10/17  
Op 12/18

Subdivision for compact density development in the Residential Zone is a restricted discretionary activity, if it complies with the following conditions:

**Compact Density Development in Richmond, Brightwater, Wakefield, Mapua and Motueka**

C5 3/06 Op 10/10  
C10 10/07 Op 3/14  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23  
C76 9/22

- (a) Land to be subdivided for compact density development in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, complies with the following conditions:
- (i) **Land Requirements**
    - (a) The subject land comprises (either in one or more existing titles) at least 1500 square metres in the Richmond South, Richmond West, Brightwater, Wakefield, and Mapua Special development areas and the Motueka West Compact Density Residential Area.
  - (ii) **Allotments**
    - Allotment Area*
      - (a) There is no minimum net allotment area, except that in the Mapua Special Development Area the minimum allotment area is 200 square metres and except that in the Motueka West Compact Density Residential Area to the west of Kerei Street the minimum allotment area is 270 square metres.

C5 3/06 Op 10/10  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23  
C76 9/22

C5 3/06  
Op 10/10

C22 2/11  
Op 1/15

C43 4/13  
Op 1/15

**C80 12/23**

*Allotment Layout*

- (b) The design and layout of each allotment has been established by reference to the siting of the dwelling and any other building on the allotment, to be authorized by land use consent under rule 17.1.3.3. For the avoidance of doubt, this means that both land use and subdivision consents must be applied for and processed at the same time.

**Note:** Council will ensure that this standard can be complied with by requiring the lodgement of all land use consent applications at the same time as the subdivision consent application, under Section 91 of the Act.

*Allotment Frontage*

- (c) No fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres. For the avoidance of doubt, this

means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

(iii) **Allotment Access and Road Network**

- |     |   |                       |
|-----|---|-----------------------|
| (a) | All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules).   | C69 6/19<br>Op 6/20   |
| (b) | Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.  |                       |
| (c) | Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access.                  | C11 10/07<br>Op 10/10 |
| (d) | Except for the indicative roads shown in the Richmond South and Richmond West development areas on the planning maps:   | C11 10/07<br>Op 10/10 |
|     | (i) no road in the Richmond South Development Area is designed to connect directly to Hart/Bateup roads, Wensley/Paton roads, Hill Street and State Highway 6; and  |                       |
|     | (ii) no road in the Richmond West Development Area is designed to connect directly to State Highway 6, State Highway 60, Lower Queen Street and McShane Road.   |                       |
|     | <i>[Items (e) and (ea) are deleted]</i>   | C69 6/19<br>Op 6/20   |
| (f) | The transport conditions in Schedule 16.3B are complied with.   |                       |
| (g) | No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area. Existing lawful access crossings may continue to be used.  | C11 10/07<br>Op 10/10 |
| (h) | No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points. |                       |
| (i) | No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area.   | C10 10/07<br>Op 3/14  |
| (j) | No allotment gains direct access from State Highway 6 in the Brightwater Development Area. Existing lawful access crossing may continue to be used.   | C75 9/22<br>Op 10/23  |

(iv) **Reserves**

C5 3/06 Op 10/10  
C10 10/07 Op 3/14

Subject to but not limited by rule 16.4.2.1:

- |     |  |   |
|-----|--|---|
| (a) | Land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows:  | C5 3/06<br>Op 10/10<br>C10 10/07<br>Op 3/14 |
|     | <ul style="list-style-type: none"> <li>• 70 metre wide reserve along Borck Creek from Light Industrial Zone to the Mixed Business Zone;</li> <li>• 15 metre wide reserve along Poutama Drain;</li> <li>• 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek;</li> <li>• <u>10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions.</u></li> </ul> |   |
| (b) | <u>Except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, indicative</u> reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation)  | C5 3/06<br>Op 10/10<br>C10 10/07<br>Op 3/14 |

will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4.

- (v) **Indicative Stormwater Retention Area** C5 3/06  
C7 7/07  
Op 10/10
- (a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in Richmond South and Motueka West development areas on the planning maps, to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4. C43 4/13  
Op 1/15
- (vi) **Reverse Sensitivity** C75 9/22  
Op 10/23
- The subdivision must comply with 16.3.3.1(me)(ii) *Cross Boundary Effects*.

**Amenity Plantings within a Boundary Setback – Richmond West Development Area**

C66 10/17  
Op 12/18

- (b) The subdivision meets condition (d) of rule 16.3.3.2A.

**Stormwater**

C5 3/06  
Op 10/10

- (f) In the Residential Zone:
- (i) EITHER:  
Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.  
OR  
The discharge complies with section 36.4 of this Plan.

C10 10/07  
Op 3/14

AND

AND

- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

C5 3/06  
Op 10/10

C10 10/07  
Op 3/14

**Note:** A discharge consent may be required where new stormwater infrastructure is being created.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

C5 3/06  
Op 10/10

**Site Layout**

- (1) The extent to which the mix of allotment sizes can provide for different housing types and densities.
- (2) Whether each allotment has appropriate area and shape to enable efficient siting and construction of one or more dwellings and any ancillary buildings, provision of private outdoor space, convenient vehicle access to a public road, and adequate on-site parking.
- (3) Where the subject land adjoins any developed site with a different density character, the extent to which the allotment layout and location of any dwelling or building location area avoids or mitigates adverse amenity effects across the property boundary.

**Privacy and Solar Access**

C22 2/11  
Op 1/15

- (4) In the case of compact density developments, whether allotments and proposed dwellings are designed and shaped to protect the privacy of and solar access for future occupiers.

## Safety

- (5) The extent to which the subdivision will enhance personal safety by providing urban open spaces to be fronted and overlooked by housing and actively used facilities.

## Servicing

- (6) The extent to which the street and allotment layout enables efficient provision of infrastructure to new areas.
- (7) The likely effects of the subdivision in relation to the location of significant infrastructure facilities and networks and any related constraints on nearby development, and whether they have been identified and protected.

## Landscape Treatment

- (8) The extent to which the use of landscape treatment will enhance street amenity, the use and enjoyment of public spaces, and differentiate street hierarchy.
- (9) The ability to use landscaping to direct run-off from impervious areas into vegetated landscaped areas to filter and soak up stormwater.

## Open Space/Reserves

- (10) The extent to which the subdivision provides well-distributed small neighbourhood reserves that contribute to the legibility and character of the area, provide for a range of uses and activities, and are cost-effective to maintain.
- (11) The extent to which greenway reserves incorporate stormwater management and use low impact stormwater management principles.
- (12) The extent and location of reserves, sportsgrounds, and urban open space and amenity reserves. C10 10/07  
Op 3/14
- (12A) The extent to which mandatory and good practice matters of chapter 10 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of parks and reserves. C69 6/19  
Op 6/20

## Traffic (streets, access, parking, manoeuvring, loading)

- (13) Whether the road network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and cycle movements, incorporating traffic management to control vehicle speed and create safe conditions for all street users.
- (14) The ability of roads to provide multi-purpose public spaces that are designed to balance their role for traffic with their other roles as community spaces, pedestrian environments with easy access to the town centre, parking, and as settings for residential and commercial uses. C43 4/13  
Op 1/15
- (15) The extent to which roads provide an attractive streetscape which enhances the amenity of adjacent housing and development.
- (16) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads, Hill Street, Salisbury Road, Wensley Road, Oxford Street, Gladstone Road and Queen Street has been minimised. C66 10/17  
Op 12/18

## Stormwater Management

- (17) Whether an integrated approach to stormwater management is used, by creating areas of open space (including reserves along watercourses and some streets with swales), that can be used for effective stormwater management, including enhancing water quality without compromising an efficient urban structure. In the Mapua Special Development Area, the provisions of the Site Management Plan will need to be complied with. C22 2/11  
Op 1/15

- (18) The extent to which natural and artificial watercourses, wetlands and riparian vegetation are retained and enhanced, while also making alignment modification that may be appropriate to enhance the urban structure.
- (19) Any matter set out in Schedule 16.3A. C7 7/07 Op 10/10
- (19A) The extent to which mandatory and good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of stormwater networks. C69 6/19  
Op 6/20
- (19B) In the Wakefield Development Area, the management of flood and dam break hazard risks. C76 9/22

#### **Richmond West Development Area Amenity Plantings**

C10 10/07  
Op 3/14

- (20) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding.
- (21) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.
- (22) The extent to which the amenity plantings create a visually attractive appearance when viewed from roads, reserves and adjoining zones.
- (23) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Residential and Mixed Business zones, and reserves.
- (24) The depth and height of plantings from the Open Space Zone and the Borck Creek indicative reserve.

*[Unchanged or irrelevant text omitted]*

### **16.3.4 Business and Industrial Zones**

#### **16.3.4.1 Controlled Subdivision (Business and Industrial Zones)**

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones is a controlled activity, if it complies with the following conditions: C10 10/07  
Op 3/14

##### **Location**

C58 11/15  
Op 7/17

- (aa) The subject land is not in the Heavy Industrial Closed Zone at Wakefield or in the Light Industrial Zone or Rural Industrial Zone at Brightwater at specified sites (as shown on the planning maps) or in the Commercial Closed Zone at Marahau. C57 11/15  
Op 12/18

(ab) The land is not subject to Schedule 17.4A (as shown on the planning maps).

##### **Electricity Transmission Corridor**

C10 10/07  
Op 3/14

- (a) In the Richmond West Development Area, any land to be subdivided is located at least 12 metres from the centre of any electricity transmission line as shown on the planning maps.

##### **Area**

- (b) Every allotment created by the subdivision has a minimum net area and can contain a circle within its net area of at least the minimum diameter stated in Figure 16.3B.

**Figure 16.3B: Minimum Allotment Areas in Central Business, Commercial, Mixed Business, Tourist Services, and Heavy, Light and Rural Industrial Zones**



ZONE	MINIMUM NET AREA (M <sup>2</sup> )	MINIMUM DIAMETER OF CIRCLE IN NET AREA OF ALLOTMENT (M)
Central Business and Commercial Zones	200	8
Mixed Business Zone		
- Activities other than retail	1000	20
- Activities other than retail on Lot 1 DP 10599 (Alliance Land)	750	20
- Retail activities (including Retail Frontage <sup>①</sup> )	1250	30
Light Industrial Zone: Richmond West, Motueka West and Mapua Development Areas	750	15
Tourist Services Zone	2,000	15
Heavy Industrial/Rural Industrial Zones	1,000	15
Light Industrial Zone	500	15
All zones listed above – allotment to be used exclusively as a site for a network utility or public work	1	—
<b>Footnote:</b> ① Richmond West Development Area.		

C10 10/07  
Op 3/14

C22 2/11  
Op 1/15  
C43 4/13  
Op 1/15

### Services

- (c) Every allotment is provided with services as set out in Schedule 16.3C, except for allotments created for access, utility, segregation, road or reserve purposes. The appropriate trenches, ducts, cables, pipes and other necessary works are provided to the internal boundary of each allotment.

### Transport

- (d) The subdivision complies with the transport conditions in Schedule 16.3B, unless the subdivision is for a single allotment for a network utility.

#### Transport - Richmond West and Motueka West Development Areas

C10 10/07 Op 3/14

C22 2/11 Op 1/15

C43 4/13 Op 1/15

- (e) All roads are constructed with reference to the Urban Design Guide (Part II, Appendix 2).
- (f) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension where no maximum length applies.
- (g) Except for the indicative roads shown in the Richmond West Development Area on the planning maps, no road is designed to connect directly with Lower Queen Street and McShane Road.
- (h) Except for Lower Queen Street and McShane Road, every road has a maximum block length of 200 metres and a maximum perimeter distance of 800 metres.
- (i) No allotment created after 6 October 2007 (except Record of Title 459167 (580 Lower Queen Street) gains direct access from McShane Road or Lower Queen Street, except in the retail frontage shown on the planning maps in the Richmond West Development Area where access is restricted to one access per frontage.
- (ia) No allotment created after 27 April 2013 gains direct access from Queen Victoria Street.
- (j) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access.

C10 10/07  
Op 3/14

C10 10/07  
Op 3/14  
C73 12/20  
Op 6/23

C43 4/13  
Op 1/15

C10 10/07  
Op 3/14

## Transport – Mapua Development Area

C22 2/11  
Op 1/15

- (k) No lot gains direct access from Stafford Drive.

## Frontage

- (l) Every allotment that has a frontage has a minimum frontage width of six metres.
- (m) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), the minimum frontage width for allotments in the: C10 10/07 Op 3/14  
C43 4/13 Op 1/15
- (i) Mixed Business Zone is 30 metres, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, which is 25 metres, excluding the Retail Frontage; C10 10/07  
Op 3/14
  - (ii) Mixed Business Zone Retail Frontage (as shown on the planning maps) is 40 metres;
  - (iii) Light Industrial Zone is 10 metres.
- (n) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres (except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension) where no fewer than 80 percent of all allotments have direct access to a public road. For the avoidance of doubt, this means that no more than 5 percent of all allotments may be rear allotments without any road or reserve frontage. C10 10/07  
Op 3/14  
C43 4/13  
D 8/14

## Heritage Site or Item Present

- (o) The land being subdivided does not include: C10 10/07  
Op 3/14
- (i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or C16 9/09  
Op 8/12
  - (ii) a protected tree in the Richmond West Development Area referred to in Schedule 16.13B.

## Existing Buildings

- (p) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a permitted activity with the relevant zone rules relating to building coverage, building setbacks, building height, daylight admission lines, outlook, privacy and outdoor living space; and with parking and access requirements under the relevant general rules.

## Amenity Plantings within a Boundary Setback - Light Industrial Zone in Richmond West, Motueka West and Mapua Development Areas C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15

- (q) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications: C10 10/07  
Op 3/14
- (i) In the Light Industrial Zone north of Headingly Lane, bounded by Lower Queen Street, Sandeman Road, Borck Creek and the Open Space Zone, amenity plantings are:
    - (a) 2.5 metres wide adjoining Borck Creek comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);
    - (b) 12 metres wide adjoining the Open Space Zone comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from the Open Space Zone (requires knowledge of the building location);

- (c) 2.5 metres wide adjoining Sandeman Road and Artillery Place, including any indicative road extension;
    - (d) 15 metres wide adjoining Lower Queen Street, except where an indicative reserve adjoins Lower Queen Street. A framework of large trees is provided continuing the theme of existing Oak trees, within which other plantings are incorporated to provide an 'avenue' park-like setting.
  - (ii) In the Light Industrial Zone bounded by Lower Queen Street, McShane Road and Swamp Road, amenity plantings are:
    - (a) 20 metres wide incorporating a 2.5 metre bund adjoining the Rural 1 Zone and Swamp Road;
    - (b) 15 metres wide adjoining Lower Queen Street, except for that allotment containing the group of protected trees (Tree ID 872);
    - (c) 2.5 metres wide adjoining McShane Road.
  - (iii) In the Light Industrial Zone bounded by Borck Creek and McShane Road, amenity plantings are:
    - (a) 2.5 metres wide adjoining Borck Creek, comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);
    - (b) 2.5 metres wide adjoining McShane Road and the Mixed Business Zone.
  - (iv) In the Light Industrial Zone bounded by State Highway 60, State Highway 6, Borck Creek and the Residential Zone, amenity plantings are:
    - (a) 6 metres adjoining the Residential Zone;
    - (b) 2.5 metres adjoining Borck Creek;
    - (c) 10 metres adjoining State Highway 60.
  - (v) In all Light Industrial Zone locations, amenity plantings are 2.5 metres wide adjoining Indicative Collector Road reserve boundaries, except at access points.
  - (vi) Amenity plantings at least 2.5 metres wide are provided on boundaries adjoining Stafford Drive and Seaton Valley Stream. The latter shall be locally sourced indigenous plantings. C22 2/11  
Op 1/15
- (r) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. C10 10/07  
Op 3/14
- (s) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

**Amenity Plantings within a Boundary Setback - Mixed Business Zone, Richmond West Development Area**

C10 10/07  
Op 3/14

- (t) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications:
  - (i) Adjoining the Open Space Zone and the Recreation Zone north east of Lower Queen Street, amenity plantings are at least 10 metres wide for the full length of the boundary adjoining those zones, except that on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, amenity plantings adjoining the Open Space Zone are not required. Amenity plantings are to comprise species consistent with those of the Waimea Inlet Coastal Flats Indigenous Ecosystem, and planting ensures that buildings are screened from the Open Space Zone, Recreation Zone, and State Highway 6.

(ii)	Adjoining McShane Road and State Highway 60, amenity plantings are 10 metres wide for the full length of the zone boundary. A framework of large trees is provided continuing the theme of Lower Queen Street, within which other plantings are incorporated to provide a park-like setting and partial screening of buildings from McShane Road, State Highway 60 and the Rural 1 Zone.	
(iii)	Adjoining Borck Creek indicative reserve, amenity plantings are 2.5 metres wide and adjoining Poutama Drain indicative reserve, amenity plantings are 2.0 metres wide, for the full length of the zone.	
(iv)	Amenity plantings west of Borck Creek comprise species that, at maturity, provide a visual screen, the height of which averages at least 50 percent of the building height.	
(v)	Adjoining the Lower Queen Street road reserve boundary in the Retail Frontage shown on the planning maps, amenity plantings are 2.5 metres wide.	
(vi)	Adjoining the Residential Zone, <u>Open Space Zone</u> and the Light Industrial Zone, amenity plantings are at least 2.5 metres wide, except that this requirement does not apply on Lot 1 DP 457909 at the eastern end of the McPherson Street extension.	
(u)	A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback.	C10 10/07 Op 3/14
(v)	The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.	C10 10/07 Op 3/14
<b>Reserves</b>		C10 10/07 Op 3/14
(w)	Subject to but not limited by rule 16.4.2.1, in the Richmond West Development Area and Mapua Light Industrial Zone, land subject to a notation on the planning maps as indicative reserve is set aside and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where these are specified as follows:	C22 2/11 Op 1/15
(i)	70 metre wide reserve along Borck Creek to Lower Queen Street and a 61 metre wide reserve from Lower Queen Street to the Open Space Zone adjoining Waimea inlet;	C10 10/07 Op 3/14
(ii)	6 metre wide reserve on Part Lot 1 DP 94 linking the existing indicative road to Borck Creek reserve;	
(iii)	15 metre wide reserve along the northwest boundary of Lot 1 DP 17704, Lot 1 DP 20017 and Lot 1 DP 20497;	
(iv)	5,500 square metre reserve along the southwest boundary of Part Lot 1 DP 94 fronting Lower Queen Street;	
(iv)	15 metre wide reserve incorporating Poutama Drain;	
(va)	<u>10 metre wide reserve separating the Mixed Zone from the Residential zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (walkway) without compensation or credit against Reserve Financial Contributions.</u>	
(vi)	5 metre wide reserve adjoining the western side of Seaton Valley Stream.	C22 2/11 Op 1/15
(x)	<u>Except for the 10 metre wide reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek,</u> Subject to but not limited by rule 16.4.2.1, indicative reserve areas are to be vested in the Council as Local Purpose Reserve walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area	C10 10/07 Op 3/14

vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4.

### Building Platform Levels

- (y) In the Richmond West Development Area, the building platform level is 4.6 metres above mean sea level and constructed in a way which provides a gradual transition between the ground level (datum reference: NVD55) and 4.6 metres to achieve a visually natural appearance, except that the 4.6 metre building platform level does not apply to those parts of Lot 1 DP 18146 and Lot 4 DP 18918 (Nelson Pine Industries), Lot 3 DP 18918 (Dynea NZ Ltd) and land held in Record of Title 459167 (580 Lower Queen Street) that are protected from inundation from the sea by a seawall; nor in the Light Industrial Zone location at Beach Road as shown on the planning maps.

C10 10/07  
Op 3/14  
C73 12/20  
Op 6/23

A consent notice is to be registered on the record of title for any allotment for which a building platform is required by this condition, pursuant to Section 221 of the Act.

C10 10/07  
Op 3/14

### Filling of Allotments

- (z) In the Richmond West Development Area, allotments below the 4.6-metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area. This condition does not apply in the Light Industrial Zone location at Beach Road as shown on the planning maps.

C10 10/07  
Op 3/14

### Development Plan

- (za) Allotments in the Rural Industrial Zone form part of an overall development plan for each zone.
- (zb) In the Tourist Services Zone at Salisbury Road, Richmond, access to Salisbury Road from Lot 2 DP 18824 (123 Salisbury Road, occupied by the Baptist Church) and Lot 3 DP 18824 (141 Salisbury Road, occupied by the Aquatic Centre) is by way of a joint access.

### Stormwater

- (zc) In the Central Business, Commercial, Mixed Business and Tourist Services zones, and in the Heavy, Light and Rural Industrial zones:

C7 7/07  
Op 10/10

- (i) EITHER

Stormwater from every allotment is discharged to a Council-maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

AND

- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

C10 10/07  
Op 3/14

- (iii) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site in an Industrial Zone is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network.

C10 10/07  
Op 3/14

**Note:** Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the Nelson Tasman Land Development Manual 2019.

C10 10/07  
Op 3/14  
C69 6/19  
Op 6/20

(iv) A planting plan and design statement by an appropriately competent person in landscape architecture is provided with any plan submitted showing a stormwater greenway and/or retention area.

C43 4/13  
Op 1/15

(v) **Indicative Stormwater Retention Area**  
Where applicable, a stormwater retention area is to be provided in the location of any indicative stormwater retention area shown in the Motueka West Development Area on the planning maps in order to mitigate downstream stormwater effects such as flooding.

C43 4/13  
Op 1/15

**Note:** A discharge consent may be required where new stormwater infrastructure is being created.

C7 7/07  
Op 10/10

### Cultural Heritage Sites

C16 9/09  
Op 8/12

(zd) An Authority from Heritage New Zealand Pouhere Taonga has been obtained under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy a cultural heritage site; or, written evidence from Heritage New Zealand Pouhere Taonga has been obtained to show that such an authority is not considered necessary.

(ze) Where the listed cultural heritage site is a wāhi tapu site, manawhenua iwi have given their written approval to the proposed activity as an affected party.

#### Notes:

- (1) An assessment may be required in accordance with requirement 19.2.2.41.
- (2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.
- (3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

**A resource consent is required.** The Council has reserved control over the following matters:

- (1) Access.
- (2) The proximity, safety and ease of access between any site and the nearest collector, distributor or arterial road.
- (3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.
- (4) The relationship of any new road with existing roads, adjoining land and any future roading requirements.
- (5) Availability and provision of services, including the appropriate trenches, ducts, cables, pipes and other ancillary works provided to the road boundary for each allotment, except for rear

C69 6/19  
Op 6/20

allotments or those located off shared accesses where the services shall be provided to an internal boundary.

- (6) Location and effects of earthworks necessary to achieve matters (1) and (5).
- (7) Potential effects on heritage protection and protected trees. C10 10/07 Op 3/14
- (8) Financial contributions.
- (9) All matters referred to in Section 220 of the Act.
- (10) The degree of compliance with any mandatory and good practice matters of any Nelson Tasman Land Development Manual 2019. C69 6/19 Op 6/20
- (11) Matters relevant to the development of a neighbourhood centre, in the Urban Design Guide (Part II, Appendix 2). C22 3/11 Op 1/15
- (12) Effective stormwater management, including the use of Low Impact Design solutions and any other mandatory or good practice matter of chapter 5 of the Nelson Tasman Land Development Manual 2019. C69 6/19 Op 6/20

**Amenity Plantings - Richmond West and Motueka West Development Areas**

C10 10/07 Op 3/14  
C43 4/13 Op 1/15

- (13) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding. C10 10/07 Op 3/14
- (14) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.
- (15) The extent to which the amenity plantings create a visually attractive appearance when viewed from public roads and reserves, adjoining zones and the coastal environment.
- (16) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Light Industrial and Mixed Business zones.
- (17) The depth and height of plantings and the extent of the screening effect of industrial buildings from the adjoining roads, Rural 1 and Open Space zones, and Borek Creek reserve.
- (18) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth within the buffer in front of screen planting.
- (19) The appropriateness of the species to the local environment and conditions.
- (20) The degree of site contouring in association with planting to assist with screening buildings and car parks from view.
- (21) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

**Traffic - Richmond West Development Area**

- (22) The assessment and management of traffic safety of the cross intersection created by the formation of the indicative road in the Richmond West Development Area on the west of lower Queen Street opposite Headingly Lane. C10 10/07 Op 3/14

## Cultural Heritage

- (23) Where there is a listed cultural heritage site present on any part of the land being subdivided:
- (a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;
  - (b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;
  - (c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;
  - (d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;
  - (e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

C16 9/09  
Op 8/12

### 16.3.4.2 Restricted Discretionary Subdivision (Business and Industrial Zones – Richmond West Development Area)

C10 10/07  
Op 3/14

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones that does not comply with controlled condition (a) of rule 16.3.4.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

- (1) In the Richmond West Development Area:
- (a) the extent to which the design of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
  - (b) the extent to which the design of the subdivision allows for activities to be set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

### 16.3.4.3 Restricted Discretionary Subdivision (Business and Industrial Zones – Cultural Heritage Sites)

C16 9/09  
Op 8/12

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services, Rural Industrial, Heavy Industrial and Light Industrial zones that does not comply with controlled condition (zd) of rule 16.3.4.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

- (1) Where there is a listed cultural heritage site present on any part of the land being subdivided:
- (a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;



- (b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;
- (c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;
- (d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.
- (e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

#### **16.3.4.3A Restricted Discretionary Subdivision (Industrial Zones – Specified sites at Brightwater)**

C57 11/15  
Op 12/18

Subdivision in the Rural Industrial and Light Industrial zones in specified sites in Brightwater is a restricted discretionary activity, where the subdivision complies with controlled activity conditions 16.3.4.1(b), (c), (d), (l), (o), (p), (zc), (zd) and (ze).

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of controlled activity conditions 16.3.4.1(b), (c), (d), (l), (o), (p), (zc), (zd) and (ze) and the following matter:

- (1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event;
- (b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so that any identified building location is not subject to inundation; and
- (c) the effects of any proposed mitigation on other properties.

#### **16.3.4.4 Discretionary Subdivision (Central Business, Commercial, Mixed Business, Tourist Services (except at Mapua), Rural Industrial, Heavy Industrial and Light Industrial Zones)**

C10 10/07  
Op 3/14

Subdivision in the Central Business, Commercial, Mixed Business, Tourist Services (except at Mapua), Rural Industrial, Heavy Industrial, or Light Industrial zones that does not comply with the controlled conditions of rule 16.3.4.1 is a discretionary activity if it complies with the following conditions:

- (a) The land is not subject to Schedule 17.4A (as shown on the planning maps).

**A resource consent is required.** Consent may be refused, or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

#### **16.3.4.5 Discretionary Subdivision (Tourist Services Zone - Mapua)**

Subdivision by means of the relocation or adjustment of an allotment boundary in the Tourist Services Zone at Mapua is a discretionary activity, if it complies with the following conditions:

- (a) It does not create any additional allotments on which a dwelling can be built.
- (b) It does not require works that would exacerbate erosion or inundation.

**A resource consent is required.** Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

#### 16.3.4.5A Discretionary Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15  
Op 7/17

Subdivision by means of the relocation or adjustment of an allotment boundary in the Heavy Industrial Closed Zone at Wakefield is a discretionary activity, if it complies with the following conditions:

- (a) The land being subdivided does not create any additional allotments on which a building can be built.
- (b) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.

**A resource consent is required.** Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

#### 16.3.4.5B Discretionary Subdivision (Commercial Closed Zone - Marahau)

C58 11/15  
Op 7/17

Subdivision by means of the relocation or adjustment of an allotment boundary in the Commercial Closed Zone at Marahau is a discretionary activity, if it complies with the following conditions:

- (a) It does not create any additional allotments on which a building or dwelling can be built.
- (b) It does not require works that would exacerbate coastal erosion or inundation.
- (c) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks.

**A resource consent is required.** Consent may be refused or conditions imposed. In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

#### 16.3.4.6 Non-Complying Subdivision (Tourist Services Zone - Mapua)

Except as provided for in rule 16.3.4.5, subdivision in the Tourist Services Zone at Mapua is a non-complying activity.

#### 16.3.4.7 Prohibited Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15  
Op 7/17

Except as provided for in rule 16.3.4.5A, subdivision in the Heavy Industrial Closed Zone at Wakefield is a prohibited activity for which no resource consent will be granted.

#### 16.3.4.8 Prohibited Subdivision (Commercial Closed Zone - Marahau)

C58 11/15  
Op 7/17

Except as provided for in rule 16.3.4.5B, subdivision in the Commercial Closed Zone at Marahau is a prohibited activity.

*[Unchanged or irrelevant text omitted]*

## SCHEDULES

*[Unchanged or irrelevant text omitted]*

### Schedule 16.3B: Transport Conditions

*Refer to rules 16.3.3.1, 16.3.3.1B, 16.3.3.2C 16.3.3.3, 16.3.3.4, 16.3.4.1, 16.3.5.1, 16.3.6.1, 16.3.7.1, 16.3.8.1.*

#### Roads, Access and Parking

- (a) All roads, including indicative and connecting roads, are laid out, constructed and vested in the Council in accordance with the road construction conditions specified in section 18.8. C10 10/07 Op 3/14  
C69 6/19 Op 6/20
- (b) Every allotment has vehicle access to a formed legal road other than a limited access road (unless written consent is given by the authority controlling the limited access road). Access to allotments is constructed in accordance with section 4.6.1.1 of the Nelson Tasman Land Development Manual 2019. C69 6/19  
Op 6/20
- (c) Where subdivision creates or alters title boundaries of developed sites, every allotment created (including any balance title) has vehicle parking provided and constructed in accordance with the conditions specified in section 16.2.

#### Linking Subdivision Roads to Existing Roads

- (d) Where any land to be subdivided is subject to a road designation, provision is made for the land to vest in the Council as road at the time of subdivision. Where the land cannot legally vest in the Council as road at the time of subdivision, provision is made to enable the Council to acquire the land, by separately defining the parcels of land, which must be held in conjunction with adjoining land and a Consent Notice pursuant to Section 221 of the Act registered on the title, until such time as the Council acquires the land.
- (e) Where any land to be subdivided is subject to a notation on the planning maps as an “Indicative Road”, a road is laid out and constructed on the general alignment of the indicative road, ~~except that in the Richmond West Development Area, the location of:~~ C10 10/07  
Op 3/14  
C73 12/20  
Op 6/23
- ~~(i) any point of intersection of an indicative road with an existing formed road must not vary;~~
  - ~~(ii) the indicative roads shown adjoining the indicative reserve that contains Borek Creek must not vary from those positions;~~
  - ~~(iii) the indicative roads shown along the boundaries of the locations of the Mixed Business Zone and Residential Zone must not vary from those boundaries;~~
  - ~~(iv) the indicative road shown along the boundary of the Recreation Zone must not vary from that boundary.~~

The requirement to lay out and construct a road on the general alignment of the indicative road means that desired connectivity, (to both the transport and reserves network), resilience, drainage and access requirements of the future roading network can still be achieved even if the final road location changes from that of the indicative road (except as specified in (i) – (iv) above).

- (f) Where any land to be subdivided is subject to a notation on the planning maps indicating that a “Connecting Road” is required through the land, the road is to be laid out, constructed and vested in the Council at the time of the subdivision.
- Note:** In the Richmond West Development Area, the intersection to be formed between the indicative road and State Highway 60, between State Highway 6 and McShane Road, shown on the planning maps, is subject to approval by the New Zealand Transport Agency under the Government Roding Powers Act 1989. C10 10/07  
Op 3/14
- (g) Where any new road extends or completes an existing road, the road is constructed at the developer’s cost to the relevant conditions specified in section 18.8. C69 6/19  
Op 6/20

- (h) Except in the Rural 3 Zone and Services Contribution Area, and in the Lower Queen Street and McShane Road in the Richmond West Development Area, where any land to be subdivided has frontage to any existing road that is not constructed to the conditions set out in section 18.8 for the relevant level of the existing road in the Road Hierarchy, the road along the frontage adjoining the land to be subdivided is formed and upgraded by the developer to the conditions of road widths, kerb and channelling and associated drainage attributable to the subdivision, berm, footpath, crossings and street lighting specified in section 18.8. C10 10/07  
Op 3/14
- (i) Where any land to be subdivided has a frontage to an existing Council road which has inadequate road reserve width to meet the condition in the Plan, adequate land to meet the condition is vested in the Council at the time of subdivision, at no cost to the Council. C69 6/19  
Op 6/20
- (j) The subdivision provides a safe and efficient road, cycleway and pedestrian access connection to adjoining land and roads, cycleways and pedestrian accessways.

### Schedule 16.3C: Services Required on Subdivision in Certain Zones

Refer to rules 16.3.3.1, 16.3.4.1, 16.3.3.1B, 16.3.3.2C

This schedule applies to Central Business, Commercial, Mixed Business, Tourist Services, Heavy and Light Industrial and Rural Industrial zones, and the Residential Zone in the Richmond South, Richmond West, Richmond East, Richmond Intensive, Brightwater, Motueka West and Mapua development areas (excluding the Residential Coastal Zone), and the Rural Residential Serviced Zone in the Richmond East and Mapua development areas.

C10 10/07 Op 3/14  
C20 8/10 Op 8/12  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18  
C75 9/22  
Op 10/23

SERVICE	STANDARD
Stormwater	<p>The land to be subdivided is connected to a Council stormwater network (including any stream that has been modified to function as a stormwater drain) that is capable of receiving additional stormwater because of the subdivision.</p> <p>OR</p> <p>The discharge complies with 36.4 of this Plan.</p> <p>AND</p> <p>All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.</p> <p>In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the planning maps:</p> <p>(a) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;</p> <p>(b) the flood flow path surface is constructed or treated to prevent erosion of the surface.</p>
Wastewater	The land to be subdivided is connected to a Council wastewater reticulation that is capable of receiving additional wastewater as a result of the subdivision.
Water Supply	The land to be subdivided is connected to a Council potable water supply reticulation that is capable of providing a potable water supply for each allotment and sufficient water for fire-fighting purposes, unless in the Rural Residential Zone (other than the Rural Residential Serviced Zone in the Richmond East and Mapua development areas), rule 17.8.3.1(m) is complied with.
Electricity	The land to be subdivided is provided with electric power, appropriate to the circumstances.

C69 6/19  
Op 6/20

C66 10/17  
Op 12/18

C20 8/10  
Op 8/12  
C22 2/11  
Op 1/15

Telephone	The land to be subdivided is provided with a telephone system, appropriate to the circumstances.
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**Note:** Schedule 16.3A contains an assessment criterion that refers to this table.

*[Unchanged or irrelevant text omitted]*

# CHAPTER 17: ZONE RULES

[Unchanged or irrelevant text omitted]

## 17.1 RESIDENTIAL ZONE RULES

Refer to Policy sets 5.1, 5.2, 5.3, 6.2, 6.3, 11.1, 11.2, 13.1, 33.4.

### 17.1.1 Scope of Section

This section deals with land uses in the Residential Zone. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

NES-FW (ca)  
12/20

### 17.1.2 Land Use

#### 17.1.2.1 Permitted Activities (Land Use - General)

C19 5/10  
Op 8/12

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

[Unchanged or irrelevant text omitted]

### 17.1.3 Building Construction or Alteration

#### 17.1.3.1 Permitted Activities (Building Construction or Alteration — Standard Density Development)

C66 10/17  
Op 12/18

Construction or alteration of a building for a standard density development is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) Where the activity is part of the Waimea Village Residential Development, it complies with the permitted activity conditions as set out in Schedule 17.1D and is otherwise exempt from conditions in 17.1.3.1(d) to (v).

*Item (b) deleted as part of Plan Change 73.*

C10 10/07 Op 3/14  
C20 8/10 Op 8/12  
C43 4/13 Op 1/15  
C73  
Op 6/23

- (c) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels, as follows:

C10 10/07  
Op 3/14

**Figure 17.1A: Internal Sound Levels**

HOUSES AND APARTMENTS NEAR MAJOR ROADS	DESIGN SOUND LEVEL (dBA L <sub>eq</sub> )
Living areas	35
Sleeping areas	30
Work areas	35
Apartment common areas (e.g. foyer, lift, lobby)	45
<b>Note:</b> Dwellings are designed to meet "satisfactory" internal sound levels of AS/NZS 2107:20016	

## Residential Site Density

- (d) Sites have a net area of at least:
- (i) 1000 square metres for each dwelling in St Arnaud (except 1,800 square metres for any site on Lake Road, Robert Street, Holland Street, Arnaud Street or Bridge Street);

### Proposed as at 1 November 2008

[(c)(ii) Proposed] (ii) 1000 square metres for each dwelling in settlements without wastewater reticulation except that where any allotment existed at 25 May 1996, the net area is at least 800 square metres, but that in each case, at least 500 square metres is available and suitable for effluent disposal;

C2 12/00

- (iii) 1800 square metres for each dwelling for Milnthorpe.
- (iv) 450 square metres for each dwelling in settlements (other than Richmond and Motueka) with wastewater reticulation and treatment on allotments not adjoining an Industrial Zone;
- (v) 350 square metres for each dwelling in Richmond and Motueka on allotments not adjoining an Industrial Zone except in the Richmond East Development Area to the south east of Hill Street; C20 8/10  
Op 8/12
- (vi) 800 square metres for each dwelling in serviced settlements on allotments adjoining an Industrial Zone;
- (vii) 600 square metres for each dwelling in the Richmond East Development Area south east of Hill Street; C20 8/10  
Op 8/12
- (viii) 900 square metres for each dwelling in the Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.

## Building Coverage

- (e) Maximum building coverage is 33 percent, provided:
- (i) the maximum building coverage is reduced by 18 square metres if a garage is not provided on site;
- (ii) the maximum building coverage in St Arnaud is 20 percent;
- (iii) telecommunication and radio-communication facilities which are less than 10 square metres in area, and which are less than 3 metres in height are exempt from the maximum coverage (one facility per site is exempt);
- (iv) the maximum area for a sleepout is 36 square metres;
- (v) where detention of stormwater runoff is provided on site for the additional building coverage over 33 percent, the maximum building coverage is 40 percent in Richmond, Motueka, Wakefield and Brightwater. C59 11/15  
Op 3/16
- For the additional building coverage, stormwater detention at the rate of 50 litres per 1 square metre is required on site.

## Site Coverage

- (f) Maximum site coverage in Richmond, Motueka, Wakefield and Brightwater is 70 percent.

## Maximum Dwellings per Site

- (g) At Milnthorpe, a maximum of one dwelling for Record of Title 11A/641 (20 Nelson Street, Milnthorpe) and one dwelling for each certificate of title issued before 12 November 1987. C73  
Op 6/23
- (h) There is no more than one dwelling per site.

## Outdoor Living Space

- (i) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:
  - (i) has a minimum area of 60 square metres;
  - (ii) contains a circle with a diameter of at least 6 metres;
  - (iii) is located to receive sunshine in midwinter;
  - (iv) is readily accessible from a living area of the dwelling.

### Balcony or Deck

- (j) Where a dwelling does not have outdoor living space at ground level, the dwelling is provided with a balcony or deck at first floor level of at least seven square metres and 1.5 metres minimum dimension, directly accessible from a living area.
- (k) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

### Walls

- (l) Detached residential units on a site that are separated by less than 6 metres are arranged on the site so that the alignment of outside walls is stepped at least 2.5 metres relative to each other.

### Building Envelope – Daylight Over and Around

- (m) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A, except that:
  - (i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and
  - (ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

C73  
Op 6/23

#### EXCEPT

*Item (n) became item (m) (i) as part of Plan Change 73. Item (n) was intentionally left blank.*

- (o) As an **alternative** to conditions (m) of this rule, buildings on south-facing slopes (between west and east) over 10 degrees comply with the following on any nominated boundary:

A building must fit within the arms of a 110-degree angle shape placed 35 degrees from the boundary (as shown in Schedule 17.1B). Only one angle may be used on any one boundary.

Permitted intrusions into the daylight around angle are:

- (i) eaves (not more than 600 millimetres);
- (ii) buildings and structures complying with the special height limiting lines outside the angle.

The following applies with respect to (ii). Parts of the building or detached outbuildings may be outside the daylight around angle but only up to a certain height. To find out how high a building outside the arms may be, use the following steps:

- (a) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point “P”. The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point “P”.
- (b) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

### Height

- (p) The maximum height of buildings is:



- (i) 5 metres on sites of less than 400 square metres net area, except in the Mapua Special Development Area and the Richmond Intensive Development Area where the height limit is 6.5; C22 2/11 Op 1/15  
C66 10/17 Op 12/18
  - (ii) 7.5 metres on sites of more than 400 square metres net area;
  - (iii) 3.6 metres for accessory buildings;
  - (iv) (iv) at Kaiteriteri, the highest point of buildings is not more than 4.5 metres above a ridgeline identified on the planning maps;
- subject to condition 16.6.2.1(k).

## Setbacks

- (q) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least:
  - (i) 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road;
  - (ii) 7.5 metres from the top of the bank adjoining Collingwood Quay;
  - (iii) 15 metres from Queen Victoria Street between Pah and Whakarewa streets. C43 4/13  
Op 1/15
- (r) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings except:
  - (i) 3 metres from side and rear boundaries in the case of buildings at St Arnaud;
  - (ii) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;
  - (iii) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (t) apply to that part of the dwelling that is a garage or carport;
  - (iv) accessory buildings;
  - (v) telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.
- (s) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling.
- (t) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:
  - (i) where any accessory building has a wall adjacent to the boundary, that wall contains no windows; C73  
Op 6/23
  - (ii) any accessory buildings adjacent to an individual boundary do not exceed a cumulative total of 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;
  - (iii) stormwater is contained within the site.
- (u) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary, except that:
  - (i) on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, C73  
Op 6/23
  - (ii) on Old Wharf Road, Motueka, the setback from the Heavy Industrial Zone is at least 20 metres and the setback from the Rural 1 Zone is at least 10 metres;
  - (iii) on area of land zoned Residential located on the north side of Mapua Drive and west of Seaton Valley Road, the setback is at least 5 metres from the Rural 1 Deferred Residential Zone (2031) boundary. C22 2/11  
Op 1/15

- (iv) adjacent to the Light Industrial Zone at Bird Lane, Wakefield, the setback is at least 30 metres. C58 11/15  
Op 7/17
- (v) The building is set back at least:
- (i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;
- (ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;
- (iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.
- (w) Every building is set back a minimum of 25 metres from any boundary with Milnthorpe Quay, Esplanade Reserve, except that on Record of Title 11A/641 (20 Nelson Street Milnthorpe) and Record of Title 9B/454 (14 Nelson Street, Milnthorpe) the minimum setback is 16.5 metres. C73  
Op 6/23
- (wa) The building is not located within, or within 10 metres of any indicative road or indicative reserve, except for the following: C73  
Op 6/23
- (i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
- (ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
- (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.
- (x) In the Richmond West Development Area, fences, including security fences, are set back at least 2.5 metres from any sub-collector road to accommodate the amenity planting required by condition 16.3.3.1(t)(ii), and are not higher than 1.8 metres. C10 10/07  
Op 3/14  
C69 6/19  
Op 6/20

### Wastewater Disposal

- (y) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

**Note:** The Urban Design Guide (Part II, Appendix 2) applies in the Richmond South and Richmond West development areas and may be considered in preparing applications under this rule.

C5 3/06  
Op 10/10

### Stormwater

C7 7/07  
Op 10/10

- (z) (i) EITHER
- All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
- OR
- The discharge complies with section 36.4 of this Plan.
- AND
- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

- (za) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths.

C66 10/17  
Op 12/18

### Access

- (zb) Access to each dwelling complies with 16.3.3.1(n)(ii)(h).

## Fences

- (zc) (a) In the Richmond East Development Area on principal or collector roads, any fence on a road boundary does not exceed 1.2 metres in height, and any fence on a side boundary is constructed to taper from 1.2 metres at the road boundary to any height not exceeding 1.8 metres, reaching that height no closer than 5 metres from the boundary.
- (b) In the Richmond West Development Area, on the indicative walkway or walkway separating the Mixed Business Zone from the Residential Zone west of Borck Creek any fence fronting onto the walkway reserve (or residential lanes or rights-of-way running parallel to the reserve) does not exceed 1.2 metres in height.

C20 8/10  
Op 8/12  
C69 6/19  
Op 6/20

## Reverse Sensitivity

- (zd) In the Brightwater Development Area:
- (a) All new dwellings, or dwelling extensions, are setback 20m from the state highway's white edge line.
- (b) Internal Noise: New dwellings, or new or altered habitable rooms in existing dwellings, in the Brightwater and Wakefield Development Areas which are situated within 100m of the state highway's white edge line are designed to meet internal sounds levels, as follows:

C75 9/22  
Op 10/23

C76 9/22

Figure 17.1B: Internal Sound Levels

Dwelling near State Highway 6 – Brightwater Development Area – Habitable Room	Maximum Indoor Design Noise Level $L_{Aeq(24h)}$
Habitable Room	40dB

Note that the measured or predicted road traffic noise level must be determined in accordance with NZS 6801:2008 *Acoustics – Environmental Noise* and NZS 6806:2010 *Acoustics – Road Traffic Noise – New and Altered Roads*. Any extraneous noise sources such as abnormal events (e.g. cicadas and crickets, or a neighbour mowing the lawn or doing construction work) must be removed.

Ventilation: The following applies when windows are required to be closed to achieve the internal noise levels for habitable rooms in the Brightwater Development Area. Habitable rooms must have a ventilation and cooling system(s) designed, constructed, and maintained to achieve the following requirements:

- Provides mechanical ventilation to satisfy Clause G4 of the New Zealand Building Code, and
- Is adjustable by the occupants to control the ventilation rate in increments up to a high airflow setting that provides at least 6 air changes per hour; and
- Provides cooling that is controllable by the occupant and can maintain the inside temperature to be no greater than 25° C; and
- Provides relief for equivalent volumes of supply air; and
- Does not generate more than 35dB  $L_{Aeq}$  when measured at 1 metre away from any grille or diffuser during the night-time period.

Except where:

- The sound incident on the most exposed part of the proposed dwelling's facade is less than 57 dB  $L_{Aeq(24h)}$  for road traffic noise; or
- All parts of the dwelling are at least 50m from the white edge line of the state highway and there is a solid building, fence (density of at least 10kg/m<sup>2</sup> with no gaps), wall or landform that blocks the line-of-sight from all parts of all windows and doors of the

new or altered dwelling to any part of the state highway road surface within 100m of the dwelling.

A design report prepared by a suitably qualified and experienced acoustic specialist must be submitted to Council with the building consent application, demonstrating noise compliance prior to the construction or alteration of any dwelling being undertaken. Where a dwelling has habitable rooms on more than one floor, compliance shall be assessed on each floor separately. The report must add 3 dB to the measured or predicted noise level to take into account the future growth and peaks in road noise.

Note that an applicable acoustic report previously undertaken at the time of subdivision (in accordance with 16.3.3.1 (me)(ii)) may be used for the purpose of this rule, provided that the report is dated within the last two years, or is confirmed by a suitably qualified and experienced acoustic specialist to still be applicable to the site.

Note: For the purpose of rule 17.1.3.1(zd)(b), habitable room is defined as per the National Planning Standards – Any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

### 17.1.3.2 Controlled Activities (Building Construction — Standard Density Development)

C66 10/17  
Op 12/18

Construction of a second dwelling on a site for a standard density development is a controlled activity, if it complies with the following conditions:

- (a) The activity does not contravene any other applicable condition in rule 17.1.3.1.
- (b) The site does not adjoin an Industrial Zone.
- (c) The site is not in the Residential Closed Zone at Ruby Bay. C22 2/11  
Op 1/15
- (d) The site is not in the Residential Zone at Mapua, the Residential Coastal Zone at Mapua or the Mapua Special Development Area.
- (e) In the Brightwater Development Area, the activity must comply with 17.1.3.1(zd) Reverse Sensitivity. C75 9/22  
Op 10/23

**A resource consent is required** and may include conditions on the following matters over which the Council has reserved its control:

- (1) Vehicle access and parking.
- (2) Amenity effects arising from the proximity of neighbouring buildings.
- (3) Drainage and provision of services.
- (4) Financial contributions.
- (5) In the Brightwater Development Area, whether the location and design of the dwelling appropriately addresses noise and vibration from the state highway. C75 9/22  
Op 6/23

### 17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development)

C66 10/17  
Op 12/18

Where a resource consent application for compact density development subdivision Construction or alteration of a building on a site within an approved subdivision plan for a compact density development in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, has been lodged concurrently, the construction or alteration of a building on a site within that proposed subdivision is a controlled activity, if it complies with the following conditions:

C5 3/06 Op 10/10  
C10 10/07 Op 3/14  
C22 2/11 &  
C43 4/13 Op 1/15  
C66 10/17 (D 7/18)  
C75 9/22  
Op 10/23  
C76 9/22  
C80 12/23

## Multiple Consents

- (a) All buildings are **or will be** located within a site that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7. **C80 12/23**
- Note:** Subdivision condition 16.3.3.3(a) requires that for compact density developments both the land use and subdivision consents are lodged with Council at the same time and assessed together.

### Dwellings on a Site

- (b) More than one dwelling may be constructed on any site. **C5 3/06  
Op 10/10**

### Site Coverage

- (c) Maximum site coverage is 70 percent. **C59 11/15  
Op 3/16**

### Building Coverage

- (ca) Maximum building coverage is 50 percent.

### Stormwater – Richmond South and West Development Areas

- (d) The stormwater generated from an individual site or development approved as part of any subdivision after 11 March 2006 in the Richmond South Development Area and 6 October 2007 in the Richmond West Development Area must comply with condition 16.3.3.1(mc). **C10 10/07  
Op 3/14  
C66 10/17  
Op 12/18**

### Reverse Sensitivity

- (n) For Compact Density Development in the Brightwater Development Area, the activity must comply with rule 17.1.3.1(zd) *Reverse Sensitivity*. **C75 9/22  
Op 10/23**

## Internal Boundaries

- (e) Notwithstanding condition 17.1.3.3(g), all buildings are set back at least 2 metres from the road boundary, and no more than 5 metres, except that: **C73  
Op 6/23**
- (i) all garages and carports are set back at least 5.5 metres from road boundaries if the vehicle entrance of the garage or carport faces the road;
  - (ii) there is no side boundary setback where there is vehicular access to the rear of the site from a legal road or approved access;
  - (iii) where there is no vehicular access to the rear of the site, a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site;
  - (iv) there is at least a 5-metre setback from the rear boundary;
  - (v) a minimum of 4.5 metres applies in the Mapua Special Development Area with an intrusion no more than 1.5 metres deep and 3 metres wide for an entry feature or bay window. **C22 2/11  
Op 1/15**

## Building Envelope

- (f) All buildings comply with the following requirements: **C73  
Op 6/23**
- (i) There is no road boundary building envelope requirement.
  - (ii) All buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length.
  - (iii) For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

[Unchanged or irrelevant text omitted]

Construction or alteration of a building that does not comply with the conditions of rules

C5 3/06 Op 10/10

*[Unchanged or irrelevant text omitted]*

### **Building Design and Appearance**

- (27) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk, architectural style, materials, colours and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.
- (28) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking, landscaped areas and vegetation.
- (29) The extent to which building design and appearance will adversely affect the natural character of the coast.
- (30) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining sites.
- (31) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.
- (32) The extent to which practical use of the site will be affected by the proposal.

### **Privacy**

- (33) Adverse effects in terms of reduced privacy through being overlooked from, or being in close proximity to, neighbouring buildings, to an extent which is inconsistent with the surrounding environment.
- (34) The ability to mitigate any adverse effects of the proposal on adjoining sites, including planting and landscaping and the relocation of windows to alternative practical positions.

### **Outdoor Living Space**

- (35) The extent to which the reduction in outdoor living space and its location will adversely affect the ability of the site to provide for the outdoor living needs of future residents of the site.
- (36) Alternative provision of outdoor living space to meet the needs of future residents of the site.
- (37) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.

### **Services**

- (38) Provision for the collection and disposal of stormwater and sewage.
- (39) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following:
- (a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

- (b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.
- (c) The degree of maintenance or enhancement of natural drainage characteristics in development.
- (d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.
- (e) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

#### **Richmond East Development Area**

C20 8/10  
Op 8/12

- (40) The extent to which the increased height of fences located along principal or collector roads within the Richmond East Development Area may detract from public safety and visual amenity.

C69 6/19  
Op 6/20

#### **Richmond West Development Area**

- (40A) The extent to which the increased height of fences located along the indicative walkway or walkway separating the Mixed Business Zone from the Residential Zone west of Borck Creek may detract from public safety and visual amenity.

#### **Miscellaneous**

- (41) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (42) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

#### **17.1.3.4A Restricted Discretionary Activities (Building Construction or Alteration — Comprehensive Development)**

C66 10/17  
(D 7/18)

Construction or alteration of a building that does not comply with the conditions of rules 17.1.3.1 or 17.1.3.2 is a restricted discretionary activity, if it complies with the following conditions:

##### **Three or More Dwellings on a Site**

- (a) There are three or more dwellings on one site that comply with the following:
  - (i) the development complies with the service requirements of Schedule 16.3C;
  - (ii) the minimum net area for each unit is at least 280 square metres in Motueka and Richmond and at least 350 square metres in other settlements with wastewater reticulation and treatment services;
  - (iii) building coverage does not exceed 40 percent;
  - (iv) the development is a comprehensive residential development; or the allotment or site was approved as part of a subdivision under rule 16.3.3.4;
  - (v) the development is not within the Richmond South, Richmond West or

C75 9/22  
(d 6/23)  
C76 9/22

Richmond East development areas south east of Hill Street, the Richmond Intensive Development Area or within the Brightwater, Wakefield or, Motueka West Development Areas, as shown on the planning maps.

#### **Garages and Stormwater**

- (b) The activity complies with condition 17.1.3.4(g) relating to garages and 17.1.3.4(i) relating to stormwater.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) Matters of restricted discretion (1) to (39) of rule 17.1.3.4.

[Unchanged or irrelevant text omitted]

## 17.1.20 Principal Reasons for Rules

### Building Coverage

Both maximum building coverage and the minimum net site area enable the retention of settlements dominated by open space, rather than buildings, with space available for tree and garden plantings.

C59 11/15  
Op 3/16

Building coverage in Richmond, Motueka, Wakefield and Brightwater is increased, giving greater opportunity to meet the demand for consolidation of these settlements and flexibility for building design provided there is adequate stormwater detention as a consequence of the increased building coverage.

A site coverage limit is introduced to help ensure there is space for some stormwater mitigation on site.

C22 2/11  
Op 1/15

Higher coverage is permitted on sites for comprehensive, intensive and compact density development compared with standard density residential sites. With sites for intensive and compact density development, it is intended to encourage two-storey developments that enhance thermal efficiency but also to ensure that there is sufficient outdoor space provision, some stormwater dispersal and sunlight entry on site.

C66 10/17  
Op 12/18

### Setback from Roads

The setback will promote an open and pleasant appearance of sites as viewed from the streets and adjoining properties and to allow space for vegetation, but also to enable efficient and practical use of sites.

Where garage doors face the road, sufficient space is required to allow for a vehicle to be parked off the street and for garage doors to be opened. Locating a garage closer than 5.5 metres to the road boundary is a non-complying activity. Garages may be located closer to the road boundary (up to 2 metres from the boundary) as a discretionary activity where the vehicle door of the garage is at right angles to the road boundary. This acknowledges that vehicle parking and manoeuvring occurs elsewhere on the site, and it may enable a site to be used more efficiently. As a discretionary activity, consideration can be given to the visual effects of the garage location.

Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass.

C43 4/13  
Op 1/15

The setback for compact density and intensive building development from the road boundary is less than the setback for standard development. The reduced setback enables buildings to front onto the street. This is encouraged for both amenity and safety reasons provided that the safe functioning of the road is not compromised.

C66 10/17  
Op 12/18

### Indicative Roads and Reserves

C73  
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area.

The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

### Setbacks from Internal Boundaries



Side yard requirements are set to provide sufficient space to manoeuvre a vehicle to the back of a site, if required, and to enable efficient and practical use of the rest of the site, whilst also mitigating adverse effects of buildings on adjoining sites. A separation distance of buildings from adjoining neighbours' boundaries reduces the dominance of buildings on the outlook of adjoining sites, enables access to daylight along all sides of the site and provides a degree of privacy consistent with urban living. These values are likely to have been taken into account in the design of buildings that share a common wall and the requirement of setback is relaxed accordingly.

Accessory buildings are permitted closer to or up to the boundary in order to allow more flexible use of this space. However, if accessory buildings are located close to boundaries and have long blank walls, this may affect the outlook from adjoining properties as a result of the dominance of the site by a lengthy wall at close proximity. Consequently, provisions limit the length of walls of accessory buildings if located within 1.5 metres of a boundary.

### **Other Setbacks**

Setbacks have been required for dwellings on sites adjoining Rural 1, Rural 2, Rural 3 and Industrial zones, in order to protect residential activities on these sites from potential adverse effects of non-residential activities.

Buildings need to be set back from accesses to allow sufficient space for windows and doors of buildings to open and the doors of vehicles to be opened.

Natural hazards, particularly erosion, are also a consideration in requiring setbacks, including building setbacks within specified distances from rivers.

### **Building Height**

The height and daylight admission performance requirements are intended to retain outlooks which are not dominated by buildings, and to ensure good access to sunlight and daylight and levels of privacy by not being overlooked, consistent with urban living. The maximum of 7.5 metres will generally achieve this.

The lower height provisions for small sections reflect the need to avoid dominance and overlooking of adjoining sections by larger, higher buildings on smaller sites.

However, for compact residential development, a higher height limit is permitted if there is careful integration of buildings and surrounding spaces that retains residential amenities.

C22 2/11  
Op 1/15

The lower height of accessory buildings compared with the principal building is also consistent with the ability to locate accessory buildings in the side and rear yards.

### **Daylight Admission**

C73  
Op 6/23

Daylight admission lines are intended to reduce shading of adjoining sites by ensuring that buildings fall within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line is based on obtaining some sun onto sites even in mid-winter at midday. The angles ensure reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

Some exceedances of the daylight admission lines are allowable for the end of a roof ridge or for solar panels, recognising the limited dimensions of these items. These allowances only apply to standard density development in the Residential Zone. Exceedance of daylight admission lines in compact density, intensive, and comprehensive residential developments may have a greater level of effect that should be considered through a resource consent process.

C73  
Op 6/23

### **Building Design and Appearance**

In residential areas, long buildings parallel to boundaries can be visually unattractive and affect the visual amenity enjoyed on adjoining properties and from streets. Breaks between buildings or changes in building orientation with associated change in roof line, can improve the pleasantness and openness of outlook from adjoining streets and sites by avoiding the dominance of continuous lengthy building form.

#### **Fence Height**

C69 6/19  
Op 6/20

Reduced fence heights are required along principal or collector roads within the Richmond East Development Area and in the Richmond West Development Area on the indicative walkway or

C20 8/10  
Op 8/12

walkway separating the Mixed Zone from the Residential Zone west of Borek Creek for the purposes of promoting public safety and visual amenity.

In comprehensive, compact and intensive density residential development, reduced fence heights are required to encourage informal surveillance between the property and the street and to maintain street amenity.

C43 4/13 Op 1/15  
C66 10/17 Op 12/18

### **Outdoor Living Space**

A minimum area, shape and location of outdoor living space is required for dwellings to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and meet needs for access to sunlight and fresh air. Requirements regarding proximity to living areas are intended to ensure that outdoor living spaces are pleasant, convenient and are likely to be available to be used by residents.

Alternative provision of a balcony reflects the practical difficulties for residents of units above ground-floor level of using outdoor living space at ground level. Reduced requirements for dwellings on sites of less than 350 square metres reflect the smaller potential size of units and the lower levels of occupancy likely.

The size of buildings as dwellings on any residential site and the number of dwellings allowed are governed by the building coverage limits. Open space amenity for each dwelling is protected by other rules, in addition to building coverage.

C59 11/15  
Op 3/16

### **Home Occupations**

Home occupations have the potential to impact on neighbours in terms of noise, odour, dust, visual effects, vibration, glare, loss of privacy, traffic and parking congestion. Specific activities (spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing) are not permitted home occupations due to the activities inherent unsuitability to the residential environment. The controls are intended to ensure that the residential areas of the District remain dominated by residential, rather than by non-residential, activities.

C73  
Op 6/23

The total floor area of buildings used for home occupations and the number of people employed on site are limited as key factors in minimising the scale and size of home occupations so that they remain incidental to residential activities on the site. The location of activities is also limited as it can affect the noise and visual amenity enjoyed within a Residential Zone. The hours that a home occupation can operate will affect the level of noise and disturbance experienced in Residential Zones. However, hours of operation are not applicable for home occupations that are visitor accommodation.

Retail sales and display of goods are excluded from sites of home occupations as this activity often involves significant vehicle and pedestrian movements which may generate noise, fumes, glare, disturbance, loss of privacy, traffic and parking congestion, and loss of traffic safety incompatible with the amenity and character of residential areas. Activities which are highly likely to have adverse effects such as odour, dust, vibration and noxiousness are excluded to preserve the amenity of residential areas.

Vehicle trips associated with home occupations are commonly the cause of nuisance, inconvenience, or loss of amenity for neighbours, and limitations on the scale of vehicle trips generated can allow the assessment by way of a resource consent of any activity likely to result in additional traffic generation. The adverse effects of vehicle generation can be exacerbated in cul-de-sacs or on residential accessways shared with neighbours, which are often quieter, narrower, and with more limited parking and manoeuvring space than through streets.

### **Community Activities**

Small-scale community activities are permitted provided they do not generate excessive traffic and noise that can cause a nuisance to neighbours.

### **Noise**

Restrictions on noise levels are necessary in and adjoining a Residential Zone, as generally, prevailing noise levels are low and need to be maintained low in order to protect the pleasantness and amenity of these areas. In addition, limits on the hours of operation of non-residential activities in residential areas are necessary to maintain the amenity of these areas. The hours over which a non-residential activity operates is a significant

determinant in the level of adverse effects likely for neighbours as a result of noise, traffic generation, vibration, loss of privacy, and general disturbance incompatible with residential amenity.

Noise limits are set in relation to the existing background noise levels which have been measured in many residential parts of the District. The dBA  $L_{eq}$  level sets a standard for noise measurement attuned to the human ear, which is an average of the noise measured over a specified time interval. This reflects noise levels generated by normal residential activities. The  $L_{max}$  level controls peak levels of noise at night-time, and minimises sleep disturbance.

Heavy vehicle trips can result in adverse effects that are significantly greater than those of other vehicle trips, as a result of noise, vibration, fumes, traffic congestion and safety. This rule recognises that the storage of heavy vehicles on a site in a residential area can have adverse effects on amenity values.

However, by enabling one vehicle to be stored on a site, it recognises that residents often need to store their employment-related vehicle at home.

### Dust and Odour

Dust and odour can adversely affect health and the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

### Glare

Lighting can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting. Reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

### Farming, Horticulture and Keeping of Animals

The keeping of animals, birds and bees in a Residential Zone is limited so as to avoid and mitigate any adverse effects such as noise, odour, flies, stings (which may be a nuisance or to which people may be allergic). The establishment of new horticultural units is also limited, to mitigate the adverse effects associated with the use of agricultural sprays, shelter belts and trees close to neighbours' boundaries.

### Papakainga Development

Provision for papakainga development in the Residential Zone acknowledges the differing housing needs of the Māori community and the likelihood that this type of development will not conform with the standards and terms for traditional New Zealand low density subdivision and housing developments. By making papakainga developments a controlled activity, the Plan is providing greater flexibility whilst ensuring control is reserved over matters that have the potential to adversely affect adjoining landowners.

#### **Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, Mapua Special and Mapua Development Areas**

C5 3/06  
Op 10/10

The Residential Zone forms part of the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Mapua development areas. Compact density development is provided for through specific standards, and dwellings are to be located as approved through the subdivision process. Quality urban design is an important factor to achieving the overall goals for the Development Areas, and this has been implemented through a subdivision and development design guide. All development in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, Mapua and Mapua Special development areas is subject to the requirements of the Urban Design Guide (Part II, Appendix 2). In the Brightwater and Wakefield Development Areas, development is to take into account the management of noise received from the state highway.

C22 2/11  
Op 1/15

C43 4/13  
Op 1/15

C75 9/22  
Op 6/23

C76 9/22

**C80 12/23**

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies ~~and Motueka West Compact Density Residential Area south of Whakarewa Street for Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use.~~ This responds to the objectives and policies in the TRMP which:

- Seek efficient use of land and infrastructure,

- Encourages medium density housing development of a high standard in suitable locations,
- Seeks a range of living opportunities and residential densities.

The non-notification provision is used for Compact Density Development in the Brightwater, Wakefield Development Areas and Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

### **Stormwater**

C7 7/07  
Op 10/10

Building work and land development which involves the use of hard (impervious) surfaces, affects stormwater flows and water quality from land. Rules require the effective management of stormwater and control of the effects of stormwater run-off in residential areas.

### **Water and Wastewater**

C22 2/11  
Op 1/15

Because water, wastewater and some stormwater services at Mapua and Ruby Bay are over their design capacity, second dwellings are not included as a controlled activity in the Residential Zone in this locality. At Ruby Bay and parts of Tahī and Iwa streets, there is also a need to minimise the number of dwellings exposed to coastal hazard risk so second dwellings are not permitted there.

### **Richmond Intensive Development Area**

C66 10/17  
Op 12/18

The Richmond Intensive Development Area (RIDA) is located in the Residential Zone in Richmond close to the town centre. It provides for residential intensification through a combination of infill in and redevelopment of the existing area. In addition to standard density development, medium density development in the form of Intensive development is provided for through specific standards.

In RIDA, consent for subdivision and residential building activity for Intensive development can be applied for separately. Land Use (building construction) is a Restricted Discretionary activity if key standards are met.

In RIDA, Intensive housing with a high standard of amenity is provided for through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets. For RIDA, a reduced lot size of 200sqm is provided for Intensive housing, along with reduced parking and access standards that are appropriate for Intensive housing located close to the town centre. Standards for Intensive housing in RIDA also protect privacy and visual amenity.

Some of the bulk and location standards for Intensive housing are the same as those for Compact Density housing including the requirements for outdoor living space, the building envelope and external boundary setback standards. Buildings up to 7.5 metres in height are Restricted Discretionary activity. Buildings that are higher than 7.5m are a Discretionary activity.

The building construction provisions for RIDA include a condition that provides for a recess in buildings that have two or more storeys and exceed a certain length. The provision is expected to reduce the visual effects of solid walls on neighbouring properties and contribute to amenity values in the vicinity.

Stormwater from additional development in RIDA is managed so that it does not cause flooding or contribute to any damage caused by flooding. To that end, a permitted stormwater standard provides for onsite stormwater detention for additional site coverage resulting from new development; for specified flow path protection and for partial infiltration of stormwater to ground. The planning map titled 'Richmond Intensive Development Area – Specified Stormwater Flood Flowpaths' shows the major flowpaths within RIDA. It does not show minor stormwater flowpaths or flows resulting from unexpected blockages.

[Unchanged or irrelevant text omitted]

## 17.3 MIXED BUSINESS ZONE RULES

C10 10/07  
Op 3/14

*Refer to Policy sets 5.1, 5.5, 6.5, 6.6, 9.3, 11.1, 11.2.*

### 17.3.1 Scope of Section

This section deals with land uses in the Mixed Business Zone. Subdivisions are dealt within Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

NES-FW (ca)  
12/20

[Unchanged or irrelevant text omitted]

### 17.3.3 Building Construction or Alteration

C10 10/07  
Op 3/14

#### 17.3.3.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building is a permitted activity, if it complies with the following conditions:

C10 10/07 Op 3/14  
C19/5/10 Op 8/12

- (a) The activity is not the construction or alteration of any building:
- Item (a) (i) removed as part of plan change 73.*
- (ii) where any side of the building is more than 50 metres in length (regardless of any wall off set provided in condition 17.3.3.1(i));
- (iii) where the gross floor area is greater than 2,000 square metres.

C10 10/07  
Op 3/14  
C73  
Op 6/23

C10 10/07  
Op 3/14

#### Building Coverage

- (b) The maximum building coverage is 50 percent, subject to compliance with the conditions of all other permitted activity rules relevant to the use of space on the site.

#### Height

- (c) The maximum height of any building is 10 metres, except that:
- (i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;
- (ii) for antenna attached to a building, condition 16.6.2.1(k) applies;
- (iii) in the Richmond West and Motueka West development areas for any site adjoining the Residential and Open Space zones and any indicative reserve, the maximum height is 8.5 metres.

C43 4/13  
Op 1/15

#### Building Envelope

C10 10/07  
Op 3/14

- (d) Buildings on sites that adjoin a Residential Zone or an indicative reserve do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone or an indicative reserve. The angle is calculated according to the elevation calculator in Schedule 17.1A.

## Setbacks

- (e) The building is set back from roads and zone boundaries at least:
- (i) 10 metres from roads, except where these roads adjoin the Borck Creek indicative reserve;
  - (ii) 5 metres from roads adjoining the Borck Creek indicative reserve;
  - (iii) 10 metres from the boundaries of sites in an adjoining Residential, Open Space, Recreation, or Rural 1 zone.
- (f) The building is set back from reserves, rivers and amenity planting setbacks at least:
- (i) 5 metres from boundaries of public reserves;
  - (ii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;
- (g) Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from setback requirements.
- (h) In the Richmond West Development Area, notwithstanding condition (g) of this rule, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.
- (ha) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following:
- (i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
  - (ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
  - (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

C73  
Op 6/23

## Walls and Modulation

- (i) An offset of at least 2.5 metres is required at intervals no greater than 25 metres along any wall that adjoins a road, a reserve, or a Residential, Recreation, Open Space or Rural zone.

## Building Frontage

- (j) The front of buildings on any site along the Retail Frontage in the Richmond West Development Area shown on the planning maps face Lower Queen Street.

## Windows

- (k) The front of buildings in (j) adjoining the Retail Frontage shown on the planning maps contain display windows at least 2.4 metres high starting at ground floor level or no higher than 500 millimetres above ground floor level, and cover at least 50 percent of the area of the ground floor walls for the purpose of display of goods and services, except on Part Section 215 Waimea East District (Lower Queen Street, Richmond, occupied by Grace Church) while the activity remains a community activity.

## Fences

- (l) Fences no higher than 600 millimetres are constructed along the Retail Frontage shown on the planning maps and are set back at least 2.5 metres from lower Queen Street, behind the amenity planting, except on Part Section 215 Waimea East District (Lower Queen Street, Richmond, occupied by Grace Church), while the activity remains a community activity, fences are no higher than 1.2 metres and set back behind the amenity planting.

- (m) Fences (including security fences) along site boundaries that adjoin a road, a reserve, or an Open Space or Recreation zone are set back behind the width of amenity plantings required in condition 16.3.4.1(t) and condition 17.3.3.1(n)(iii), and are no higher than 1.8 metres.

### **Landscaping**

- (n) The site is landscaped, comprising:
  - (i) amenity planting required in car park areas in rule 16.2.2.4;
  - (ii) amenity planting required by conditions 16.3.4.1(t) and (u) which have been completed;
  - (iii) amenity planting at least 2.5 metres wide along the road frontage of any site, except where required in condition 16.3.4.1(t) and the width of the site access;
  - (iv) except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, additional amenity planting so that the total planting is at least 10 percent of the total site area;
  - (v) despite condition (n)(iii), on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, where any site adjoins Designation 132 (Richmond Deviation), on the south boundary of this land, additional amenity planting at least 5 metres wide along the entire south boundary provides, at maturity, a dense screen of at least 2.5 metres high;
  - (vi) amenity planting at least 2.5 metres wide along any boundary of a site that adjoins a Residential Zone ~~or the Open Space Zone separating the Residential Zone from the Mixed Business Zone west of Borck Creek.~~
- (o) Amenity plantings are maintained and replaced where dead, damaged or diseased.

### **Cross-boundary Effects**

- (p) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or facility located on an adjoining site.
- (q) Sites are screened from adjoining land in a Residential Zone by a fence, a wall, or planting that at maturity provides a dense screen, 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). Any such fence or wall does not include barbed or razor wire.

### 17.3.3.2 Controlled Activities (Building Construction or Alteration)

C10 10/07  
Op 3/14

Construction or alteration of a building is a controlled activity if it complies with the following conditions:

- (a) All the conditions of rule 17.3.3.1, except condition (a)(iii).
- (b) The building has a gross floor area greater than 2,000 square metres.

*[Unchanged or irrelevant text omitted]*

## 17.4 INDUSTRIAL ZONE RULES

*Refer to Policy sets 5.1, 5.5, 6.5, 6.7, 9.1, 9.3, 11.1, 11.2, 13.1, 14.4.*

### 17.4.1 Scope of Section

This section deals with land uses in the Heavy Industrial Zone and the Light Industrial Zone. Rules apply to each zone unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

NES-FW (ca)  
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### 17.4.2 Land Use

#### 17.4.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

#### Particular Activities

(aa) The location of the activity (as shown on the planning maps) is not subject to Schedule 17.4A.

- (a) The activity is not one of the following:
  - (i) a residential activity;
  - (ii) a community activity (except in the Light Industrial Zone location at Beach Road as shown on the planning maps);
  - (iii) motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone;
  - (iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.
- (b) Retail sales are limited to:
  - (i) goods produced on, or ancillary to, the industrial use of the site (maximum retail area 100 square metres); or
  - (ii) goods of sufficient bulk to require outdoor storage such as landscape materials, machinery, or vehicles; or
  - (iii) takeaway food bars.

C10 10/07  
Op 3/14



- (c) On Lot 1 DP 18856, located on parts of 67, 69 and 71 Ellis Street, Brightwater permitted activities are limited to those listed under condition 17.4.2.1(b)(i), (ii) and (iii), plus indoor storage of goods.

### Screening

- (d) Outdoor storage areas are screened where directly exposed to immediately adjoining sites zoned Residential (except those across a road) by a wall or close-boarded fence at least 1.8 metres high.

### Air Emissions – Dust and Odour

- |     |  |                     |
|-----|--|---------------------|
| (e) | There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site.   | C68 7/18<br>Op 6/19 |
| (f) | Open areas of land and stockpiles of loose material are contained or maintained so that dust does not cause an adverse effect at, or beyond, the boundary of the site. | C68 7/18<br>Op 6/19 |

### Glare

- (g) Exterior lighting is directed away from adjacent residential properties and public places.
- (h) All metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

### Amenity Plantings

- |     |  |   |
|-----|--|---|
| (i) | Amenity plantings 2 metres wide are provided along all site boundaries with formed roads and sites adjoining a Residential Zone and the Seaton Valley Stream. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres; except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height. | C10 10/07<br>Op 3/14<br>C22 2/11<br>Op 1/15 |
| (j) | In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: <ul style="list-style-type: none"> <li>(i) access to support structures is retained; and</li> <li>(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.</li> </ul>   | C10 10/07<br>Op 3/14                        |
| (k) | Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres.  | C22 2/11<br>Op 1/15                         |

### Noise

- |           |  |   |            |              |          |        |        |           |  |        |  |
|-----------|--|---|------------|--------------|----------|--------|--------|-----------|--|--------|--|
| (l)       | Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity, measured at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, or at or within the boundary of any site within the Central Business, Commercial or Rural Industrial zones, does not exceed:  | C10 10/07<br>Op 3/14<br>C19 5/10<br>Op 8/12 |            |              |          |        |        |           |  |        |  |
|           | <table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="text-align: center;"><b>Day</b></td> <td style="text-align: center;"><b>Night</b></td> </tr> <tr> <td style="text-align: right;"><math>L_{eq}</math></td> <td style="text-align: center;">65 dBA</td> <td style="text-align: center;">55 dBA</td> </tr> <tr> <td style="text-align: right;"><math>L_{max}</math></td> <td></td> <td style="text-align: center;">85 dBA</td> </tr> </table> |   | <b>Day</b> | <b>Night</b> | $L_{eq}$ | 65 dBA | 55 dBA | $L_{max}$ |  | 85 dBA |  |
|           | <b>Day</b>   | <b>Night</b>                                |            |              |          |        |        |           |  |        |  |
| $L_{eq}$  | 65 dBA   | 55 dBA                                      |            |              |          |        |        |           |  |        |  |
| $L_{max}$ |  | 85 dBA                                      |            |              |          |        |        |           |  |        |  |

- (m) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity measured at or within the boundary of any site within a Residential or Tourist Services Zone, or at or within the notional boundary of any dwelling in the Rural, Rural Residential or Papakainga Zone, does not exceed:

		<b>Day</b>	<b>Night</b>	
$L_{eq}$		55 dBA	40 dBA	C19 5/10 Op 8/12
$L_{max}$			70 dBA	
<b>N.B.</b>	Day	= 7.00 am to 9.00 pm, Monday to Friday, inclusive of 7.00 am to 6.00 pm Saturday (but excluding public holidays).		

Night = All other times, including public holidays.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. C19 5/10 Op 8/12

This rule also applies to that part of the Quarry Area in Lee Valley which is also Industrial Heavy Zone in and adjoining Record of Title 11A/542, and accordingly the provisions of condition 18.6.4.1(e) do not apply to that particular part of the Quarry Area.

(n) The following are exceptions to conditions (l) and (m): C19 5/10 Op 8/12

(i) In the Light Industrial Zone located on Part Section 18 and Part Sections 18A District of Takaka; Lot 4 District Plan 9734; Lot 1 District Plan 7173; Part Lot 1 District Plan 8754; and Part Lot 1 District Plan 11703 (68 Meihana Street, Takaka, occupied by Fonterra Ltd), noise measured at night does not exceed 45 dBA  $L_{eq}$ ; and 'Day' equals 7:00 am to 9:00 pm every day of the year;

(ii) In the Light Industrial Zone located on Lots 1 and 2 DP 12079, and Lot 2 DP 11787 (Poutama Street, Richmond), noise measured at night does not exceed 45dBA  $L_{eq}$ .

(iii) In the Light Industrial Zone located in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), noise generated by the activity, measured: C10 10/07 Op 3/14

(a) at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, does not exceed:

	<b>Day</b>	<b>Night</b>
$L_{eq}$	60 dBA	50 dBA
$L_{max}$		80 dBA

(b) at or within the notional boundary of any dwelling in the Rural 1 Zone, does not exceed:

	<b>Day</b>	<b>Night</b>
$L_{eq}$	55 dBA	40 dBA
$L_{max}$		70 dBA

(c) at or within the boundary of the Mixed Business Zone, does not exceed:

	<b>Day</b>	<b>Night</b>
$L_{eq}$	60 dBA	45 dBA
$L_{max}$		70 dBA

(d) at or within the boundary of the Residential Zone, does not exceed:

	<b>Day</b>	<b>Night</b>
$L_{eq}$	55 dBA	40 dBA
$L_{max}$		70 dBA

N.B. Day = 7.00 am to 9.00 pm, Monday to Sunday inclusive (including public holidays)  
Night = All other times.

(iv) In the Light Industrial Zone located at Bird Lane, Wakefield, noise generated by the activity, measured at 20 metres from the zone boundary, within the Residential Zone, does not exceed: C58 11/15 Op 7/17

	<b>Day</b>	<b>Night</b>
$L_{eq}$	55 dBA	40dBA
$L_{max}$		70dBA

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

- (o) For the areas of land located at 68 Meihana Street, Takaka (occupied by Fonterra Ltd), there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:
- (i) aims and approach;
  - (ii) the noise rules in this Plan which apply to the site;
  - (iii) the approach to compliance monitoring;
  - (iv) a complaints procedure;
  - (v) the best practicable option methods for noise mitigation for site areas, activities, and/or processes;
  - (vi) equipment maintenance requirements;
  - (vii) any site layout provisions relating to noise mitigation;
  - (viii) new plant/equipment policy;
  - (ix) staff training;
  - (x) means of communication with local residents and the wider community;
  - (xi) methods for review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Takaka office of the Tasman District Council for inspection by the Public at any time.

#### Stormwater

C7 7/07  
Op 10/10

- (p) (i) EITHER
- All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
- OR
- The discharge complies with section 36.4 of this Plan.
- AND
- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

- (q) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network.

C10 10/07  
Op 3/14

**Note:** Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.

#### Filling of Allotments

- (r) In the Richmond West Development Area, allotments below the 4.6 metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area. This condition does not apply in the Light Industrial Zone location at Beach Road as shown on the planning maps.

### 17.4.2.1A Controlled Activities (Scheduled Location)

Any land use that does not comply with permitted condition (aa) of rule 17.4.2.1 is a controlled activity if it complies with the following conditions:

- (a) The activity complies with conditions (a) to (r) of rule 17.4.2.1.
- (b) Mean Sea Level is lower than *(the approach is to be confirmed)*
- (c) Any resource consent issued will expire 12 months after Mean Sea Level reaches or exceeds *(the approach is to be confirmed)*

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The removal of structures and materials associated with the activity from the site.
- (2) The restoration of the site
- (3) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

### 17.4.2.2 Restricted Discretionary Activities (Land Use)

C10 10/07  
Op 3/14

Any land use that does not comply with permitted condition (j) of rule 17.4.2.1, but does comply with all other conditions of that rule, is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

#### Amenity Plantings

C10 10/07  
Op 3/14

- (1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

### 17.4.2.3 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.4.2.1, 17.4.2.1A and 17.4.2.2 is a discretionary activity, if it complies with the following conditions:

C10 10/07  
Op 3/14

- (a) The activity is not a residential activity other than a caretaker's residence on the same site as the caretaker works.
- (b) The activity is not motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone.
- (c) The activity is not a community activity.

C10 10/07 Op 3/14

**A resource consent is required** and may include conditions.

### 17.4.2.4 Non-Complying Activities (Land Use)

C10 10/07  
Op 3/14

Any land use that does not comply with the conditions for a discretionary activity is a non-complying activity.

**A resource consent is required.** Consent may be refused or conditions imposed.

## 17.4.3 Building Construction or Alteration

### 17.4.3.1 Permitted Activities (Building Construction or Alteration)

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(aa) The building is not on a site (as shown on the planning maps) that is subject to Schedule 17.4A.

(a) The building is not on any of the Specified Sites in the Light Industrial Zone at Brightwater (as shown on the planning maps). C57 11/15  
Op 12/18

*Item (b) deleted as part of Plan Change 73*

C10 10/07  
Op 3/14  
C73  
Op 6/23

## Building Coverage

- (c) Maximum building coverage is 90 percent, except:
- (i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua C10 10/07  
Op 3/14  
C22 2/11  
& C43 4/13  
Op 1/15
  - (ii) in the Heavy Industrial Zone in the Motueka West Development Area; C57 11/15  
Op 12/18
  - (iii) in the Light Industrial Zone at Brightwater.
- where the maximum building coverage is 75 percent.

## Height

- (d) The maximum height of a building is:
- (i) 15 metres in the Light Industrial Zone other than on Lot 1 DP 6223 (Batchelor Ford Road) where the maximum height limit is 8 metres;
  - (ii) 20 metres in the Heavy Industrial Zone;
  - (iii) 7.5 metres on Lot 1 DP 18856 on parts of 67, 69 and 71 Ellis Street, Brightwater;
- except that:
- (a) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;
  - (b) for antenna attached to a building, condition 16.6.2.1(k) applies;
  - (c) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan;
  - (d) at Motueka West Development Area, the building or structure does not exceed the height limits shown in Schedule 16.11A for Motueka Aerodrome. C43 4/13  
Op 1/15

## Walls

- (e) In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), an offset of at least 2.5 metres is required at intervals no greater than 25 metres along any wall that adjoins a road, a reserve, or Open Space or Residential zone, except that on Part Section 108 Waimea East District (Appleby Highway) adjoining the Residential boundary, the interval is no greater than 15 metres. C10 10/07  
Op 3/14

## No Dwellings

- (f) The building is not a dwelling.

## Cross-boundary Effects

- (g) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or public facility located on an adjoining site.
- (h) Sites are screened from adjoining land in any Residential Zone by a fence or wall 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). C10 10/07  
Op 3/14

## Glare

- (i) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

## Building Envelope

- (j) Buildings on sites which adjoin a Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

## Setbacks

- (k) The building is set back from road boundaries at least: C10 10/07  
Op 3/14
- (i) 3 metres in the Light Industrial Zone, except that in the Richmond West Development Area (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) buildings are set back at least 10 metres from roads, and in Motueka West Development Area buildings along the east side of Queen Victoria Street are set back at least 15 metres. C43 4/13  
Op 1/15
- (ii) 10 metres in the Heavy Industrial Zone;
- except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
- Note:** Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements. C68 7/18  
Op 6/19
- (ka) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the Light Industrial Zone where buildings are set back at least 10 metres from indicative roads and 5 metres from indicative reserves, except for the following: C73  
Op 6/23
- (i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
- (ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
- (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.
- (l) In the Light Industrial Zone, the building is set back from roads and zone boundaries at least: C10 10/07  
Op 3/14  
C73  
Op 6/23
- Item (i) removed as part of plan change 73*
- (ii) 20 metres from the boundaries of sites in an adjoining Rural 1 Zone, except adjoining Swamp Road where the setback is 15 metres and adjoining McShane Road, where the setback is 10 metres; C10 10/07  
Op 3/14
- (iii) 10 metres from the Open Space Zone.
- (m) In the Richmond West Development Area, notwithstanding the exemption in condition (k) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.
- (n) In the Heavy Industrial Zone, buildings are set back 10 metres from any boundary of a public reserve and from any adjoining Residential Zone, and at least 15 metres from Queen Victoria Street in the Motueka West Development Area. C43 4/13  
Op 1/15
- (o) The building is set back at least:
- (i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;
- (ii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.
- (p) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, C10 10/07  
Op 3/14

reserves, and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres.

### Wastewater Disposal

- (q) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

### Stormwater

- (r) (i) EITHER  
All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.  
OR  
The discharge complies with section 36.4 of this Plan.

C7 7/07  
Op 10/10

AND

- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.
- (s) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network.

C10 10/07  
Op 3/14

**Note:** Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.

### Landscaping

C10 10/07  
Op 3/14

- (t) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, the site is landscaped comprising:
- (i) amenity planting required in carparking areas in rule 16.2.2.4;
  - (ii) amenity planting required by conditions 16.3.4.1(q), (r) and (s);
  - (iii) amenity planting at least 2.5 metres wide along the frontage of any site, except where required in condition 16.3.4.1(q);
  - (iv) additional amenity planting so that the total planting is at least 10 percent of the site area.
- (u) Amenity plantings are maintained and replaced where dead, damaged or diseased.

#### **17.4.3.2 Controlled Activities (Building Construction or Alteration - Light Industrial Zone at Brightwater: Specified Sites)**

C19 5/10  
Op 8/12

For the area of the Light Industrial zone in Brightwater contained within Part Section 2, Waimea South District, being the land contained in Record of Title 65/68 12C/239 or on those parts of Lots 4 and 5 DP 18856 (Spencer Place, Brightwater), any construction or alteration of a building is a controlled activity, if it complies with the following conditions:

C57 11/15  
Op 12/18

- (a) The maximum height of a building is 8 metres; and
- (b) The building coverage is not extended on the site.

**A resource consent is required** and may include conditions on the following matters over which the Council has reserved control:



- (1) The location and size of building. C57 11/15 Op 12/18
- (2) The location of mounding, landscaping, ponding areas and flood flow paths.
- (3) The duration of the consent and the timing of reviews of condition and purpose of reviews.
- (4) Financial contributions, bonds and covenants in respect of the performance of conditions.

### 17.4.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the conditions of rules 17.4.3.1, 17.4.3.2(a) or 17.4.3.3A is a restricted discretionary activity- if it complies with the following condition: C19 5/10 Op 8/12  
C57 11/15 Op 12/18

- (a) The building is not on a site (as shown on the planning maps) that is subject to Schedule 17.4A.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

#### **Building Coverage**

- (1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.
- (2) The extent to which site development will be able to comply with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.
- (3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard or flood hazard risk will be a consideration at Brightwater, including: C57 11/15  
Op 12/18
  - (a) protection for flood flow paths during a 1 percent Annual Exceedance Probability flood event;
  - (b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and
  - (c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.
- (4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

#### **Setback from Roads**

- (5) The extent to which reduced setback will affect compliance with parking, loading and access rules.
- (6) The design and appearance of the building and its visual impact from the street or adjoining properties.
- (7) The necessity for a reduced setback to enable more efficient or practical use of a site.
- (8) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale, and the openness and visual amenity of the street when viewed from adjoining properties.
- (9) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.
- (10) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

### **Setback from a Residential Zone or Public Reserve**

- (11) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or reserve, taking into account its design and appearance, bulk and length of walls.
- (12) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.
- (13) The potential for the development to affect the privacy of the residents or users of the reserve.
- (14) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.
- (15) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

### **Setbacks from Indicative Roads and Reserves**

C73  
Op 6/23

- (15A) The extent to which alternative practical locations are available for the building.
- (15B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.
- (15C) The extent to which alternative practical locations are available for future reserves.
- (15D) The effects of the building being sited within the setback of the indicative road or reserve.

### **Height**

- (16) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.
- (17) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.
- (18) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.
- (19) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.
- (20) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

### **Services**

- (21) Provision for the collection and disposal of stormwater and wastewater.

### **Stormwater**

C7 7/07  
Op 10/10

- (22) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.
- (23) The extent to which the stormwater run-off generated by additional development has been managed.

- (24) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.
- (25) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

## Electricity Transmission Corridor

C10 10/07  
Op 3/14

- (26) In the Richmond West Development Area:
- (a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
  - (b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

### Duration and Financial Matters

- (27) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

### 17.4.3.3A Restricted Discretionary Activities (Building Construction or Alteration - Specified Sites in Brightwater)

C57 11/15  
Op 12/18

Construction or alteration of a building that either:

- (a) creates a new footprint or extends the footprint of a building in the Light Industrial zone in specified sites in Brightwater (as shown on the planning maps) that complies with permitted activity conditions 17.4.3.1(c)(iii), (d), (f) to (u); or
  - (b) does not comply with Controlled Activity condition 17.4.3.2(b);
- is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

- (1)
  - (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;
  - (b) the effects of a 1 percent Annual Exceedance Probability event flood event are mitigated so the building is not subject to inundation; and
  - (c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

## 17.4.20 Principal Reasons for Rules

### Building Coverage

Setting maximum building coverage enables space available for tree and garden plantings and parking. In Light Industrial and Heavy Industrial zones, building coverage allows for landscaping, parking, access and manoeuvring. The performance requirements allow reasonable development opportunities.

In Brightwater, a flexible approach to building coverage has been introduced in 2017 to enable site-by-site design for avoidance or mitigation of flood hazards from a 1 percent Annual Exceedance Probability flood event. The sites are located in on the floodplain of the Wairoa River at Brightwater and have been subject to periodic flooding. A site at the northern end of Spencer Place, Brightwater, is also bisected by the main trunk wastewater line.

C57 11/15  
Op 12/18

In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) and the Motueka West Development Area, coverage is limited to provide a standard of amenity and open space anticipated in a new industrial park. C10 10/07 Op 3/14  
C43 4/13 Op 1/15

### **Building Setbacks**

Setback is a means of mitigating various adverse effects, such as loss of privacy, loss of amenity, the visual impact of buildings from the street and from other zones (especially the Residential Zone), the lack of available parking areas and lack of opportunity for landscaping. Natural hazards, particularly river erosion, are also a consideration.

In the Industrial zones, road boundary setback is required in order to provide space for landscaping and parking, and due to the potential need for higher buildings, greater setback will enhance the feeling of spaciousness in these areas. Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass. C43 4/13  
Op 1/15

Side and rear yards are required where Industrial zones adjoin a Residential Zone or public reserve to allow for screening, landscaping and to provide a degree of separation to protect the amenity of residential areas and reserves from dominance by industrial buildings.

### **Indicative Roads and Reserves**

C73  
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

### **Building Height**

Height is a key factor in determining the visual amenity, dominance of buildings, levels of privacy, access to sunlight and daylight, and the spaciousness of an area.

The maximum height in the Light Industrial and Heavy Industrial zones is higher than in other zones to allow for machinery and processes which may be necessary for industrial activity to occur. There is a lower height limit on Lot 1 DP 6223 (Batchelor Ford Road, Motueka) as it is a small isolated coastal site. At Motueka West Development Area, the obstacle limitation surface for the aerodrome may be a relevant matter. C43 4/13  
Op 1/15

Daylight admission lines are intended to reduce shading of adjoining sites by buildings by ensuring that buildings fall within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line will vary depending on the orientation of the building to the sun and is based on obtaining some sun onto sites even in mid-winter at midday. Consequently, north-facing walls will be able to be higher than south-facing walls. The angle has been set at a level that ensures reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

### **Privacy**

The proximity and location of windows adjacent to site boundaries can affect the privacy enjoyed on adjoining sites through being overlooked from buildings. Privacy is particularly valued in areas zoned Residential and therefore rules only relate to sites adjacent to these areas.

### **Landscaping and Visual Amenity**

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a

Residential Zone. Fences or walls are required where industrial zones adjoin a Residential Zone, in order to contain debris within the site and to screen business activities from residential areas. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas.

### **Retailing**

Limitations on retailing in Light Industrial and Heavy Industrial zones are imposed in order to encourage retail activity to consolidate in and close to the Central Business and Commercial zones. An additional reason for this rule involves the lower standard of amenity which is usually allowed for in Industrial zones compared with Central Business and Commercial Zones. This is sometimes necessary to enable activities to occur. Retailing that is primarily limited to bulky items and goods made on the site is unlikely to undermine the coherence and amenity values of either the commercial or industrial areas.

### **Noise**

Restrictions on noise levels are necessary adjoining a Residential Zone as prevailing noise levels are low and need to be maintained at a low level in order to protect the pleasantness and amenity of these areas.

There are some specific sites where the permitted activity standards are set at a slightly higher level than for the Zone generally. This is in recognition of industrial activities which have been established under previous plans which have provided for such levels, and which are not practicably able to meet the standards now generally applying to the industrial/residential interface. For the larger of these sites, there is also a requirement for a Noise Management Plan to assist in mitigating effects of noise.

In some areas, such as in the vicinity of 68 Meihana and/or 83 Motupipi Streets (Fonterra Ltd) in Takaka, there are established existing use rights, and nearby residents may at times be affected by higher levels of noise than the Plan provides for.

In the Light Industrial Zone in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) the intra-zone noise emission control allows for light industrial activities to operate for 24 hours at a noise emission level that is compatible with the zone use. On the zone boundary, day and night controls (apart from exemptions) ensure compatibility with adjoining land uses and provides certainty as to the measurement point, compared with other controls such as “notional boundaries” where the establishment of sensitive activities nearby outside the zone may have the effect of continually altering the measurement point for noise assessment.

C10 10/07  
Op 3/14

The use of a gradation of zones between Industrial zones and sensitive Residential Zones where the intermediate zones act as buffers, means that the separation distance will provide an effective mitigation measure from the adverse effects of noise emitted from the Light Industrial Zone. A buffer provided around the perimeter of the Light Industrial Zone at the interface with the Rural 1 Zone will also assist with providing noise attenuation at the boundary of the zone.

### **Residential Activities**

Residential activities are excluded from Light Industrial and Heavy Industrial zones as often a lower standard of amenity is required in these zones for industrial activities to operate than would be expected in areas of residential activity. Therefore, if residential activities were located in industrial areas, the operation of these activities could be adversely affected by pressure from residents to reduce noise levels (and other effects) to levels compatible with residential activities.

Due to the level of amenity sought in the Residential Zone, where Light Industrial and Heavy Industrial zones adjoin this zone, performance requirements are provided regarding the location of work bays and vehicle access, parking and loading areas as it is considered that the effects of these activities, such as visual effects and noise, can be mitigated in this way.

Certain activities, which are known to be likely to cause noise nuisance (and other effects incompatible with residential amenity), are excluded from Light Industrial and Heavy Industrial zones where they adjoin a Residential Zone in order to protect the amenity of a Residential Zone.

## Dust and Odour

Dust and odour can adversely affect the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

The effects of odour can also affect the amenity enjoyed in areas and in some cases, can be hazardous to people's health, particularly where adjoining residential areas.

## Glare

Lighting can have effects due to the glare or illumination produced, which can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting.

In addition, reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

## Stormwater

C7 7/07  
Op 10/10

The effective management of stormwater within industrial developments is an important issue that must be addressed. The risk of stormwater contamination is generally higher than in other zones. Industrial sites can have large areas of sealed or compact surfaces for outdoor storage, such as heavy machinery. Industrial businesses often also use and store hazardous substances and potentially contaminating substances.

## Filling of Allotments

The standard seeks to avoid inhibiting or altering the course of natural over-land stormwater flow paths and the risk of flooding other properties.

*[Unchanged or irrelevant text omitted]*

## SCHEDULES

### Schedule 17.4A: Subdivision and building on low-lying light industrial land, Lower Queen Street, Richmond

This schedule provides rules for the land that is subject to Schedule 17.4A as shown in the planning maps. Rules for subdivision and building construction or alteration are provided in this schedule. Rules for land use activities are in Section 17.4.2.1.

#### 17.4A.1 Subdivision

##### 17.4A.1.1 Discretionary

Subdivision within this scheduled area is a discretionary activity, if it meets the following condition:

(a) The subdivision is a boundary adjustment and no additional titles are created as a consequence of the subdivision.

OR

(b) The subdivision is for the purposes of constructing a network utility.

### **17.4A.1.2 Prohibited**

Except as provided for above in 17.4A.1.1, subdivision in this scheduled area is a prohibited activity for which no resource consent will be granted.

### **17.4A.2 Building Construction or Alteration**

Except as provided for above, subdivision in this scheduled area is a prohibited activity for which no resource consent will be granted.

#### **17.4A.2.1 No Permitted Building**

No buildings are permitted.

#### **17.4A.2.2 Controlled Activities**

Construction or alteration of a building is a controlled activity, if it complies with the following conditions:

- (a) The building complies with the conditions (a) to (u) of Rule 17.4.3.1
- (b) The building is temporary, relocatable, or readily removable.
- (c) A condition is placed on any resource consent to the effect that the building must be relocated or removed from the site when Mean Sea Level reaches or exceeds *(to be confirmed)*.
- (d) With any resource consent application, the applicant provides a plan that satisfactorily addresses how the buildings are able, both physically and financially, to be removed from the site.

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

**A resource consent is required** and may include conditions on the following matters over which the Council has reserved control:

- (1) The nature of the building and its construction.
- (2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.
- (3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character and the coastal environment.
- (4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

#### **17.4A.2.3 Restricted Discretionary Activities**

Construction or alteration of a building is a restricted discretionary activity, if it complies with the following conditions:

- (a) The building complies with conditions (b) to (d) of rule 17.4A.2.2

**A resource consent is required.** Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) All matters identified in Rule 17.4A.2.2
- (2) All matters identified in Rule 17.4.3.3.



#### **17.4A.2.4 Discretionary Activities**

Construction or alteration of a building that does not comply with the conditions of Rule 17.4A.2.3 is a discretionary activity.

**A resource consent is required.** Consent may be granted and conditions imposed, or consent may be refused.

#### **Principal Reasons for Rules**

This scheduled area is subject to projected future inundation in the area of Light Industrial Zone that was established by Plan Change 10. The rules for this area reflect that use of this land for light industrial purposes may be appropriate for a period of time, but that ultimately landowners must be responsible for removing industrial buildings and activities, and that this should be done “on a fine day” before significant damage or destruction of the buildings is done requiring forced relocation and coastal clean-up.

*[Unchanged or irrelevant text omitted]*

### **17.14 DEFERRED ZONE RULES**

*Refer to Policy sets 5.1, 6.1, 6.3.*

#### **17.14.1 Scope of Section**

~~This section deals with the procedure for removal of deferrals of future urban or rural residential zones on rural, residential or rural residential zoned land in the Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial and Deferred Papakainga zones.~~

C10-10/07  
Op-3/14  
C51-1/15  
Op-9/16

~~This section also provides the ability to remove the indicative road, reserve or walkway symbology from the planning maps once land for the purpose of those items has been vested in Council, or the land has been otherwise acquired by Council for these purposes.~~

C73  
Op-6/23

~~In conjunction with the removal of a zone’s deferral, this section enables the removal of the associated deferral of the Fire Ban or Fire Sensitive Area status that may apply to some location.~~

This section addresses the planning provisions that apply to areas that are mapped as Deferred Zones.

Deferred zones are identified in the planning maps and feature the word “deferred” in the title. For example, “Rural 1 deferred Light Industrial Zone”.

The “destination zone” is the zone that the deferred zone is transitioning to. In the above example, the destination zone is Light Industrial Zone.

Deferred Zones are subject to provisions in multiple chapters of the Plan, but with a trigger rule that must be satisfied before certain provisions can be relied on for development or subdivision.

A Resource Management Act Schedule 1 plan change process is required to transition from the deferred zone to the destination zone.

#### **17.14.2 Procedure for Removal of Deferral All Deferred Zones**

(a) ~~Any area of land listed in Schedule 17.14A and shown on the planning maps that is zoned Rural 1, Rural 2, Rural Residential, or Residential and with a notation of Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial, or Deferred~~

C51-1/15  
Op-9/16

~~Papakāinga zone, becomes effective as the zone that is deferred, from the date that Council resolves that:~~

- ~~(i) — the relevant service being a reticulated water supply, wastewater, stormwater, or transportation service, as applicable, has been provided, or can be provided to the satisfaction of the Council, either for the whole or for any part of each area of land, including any part that is sought to be developed, to service the land; or~~
- ~~(ii) — where applicable, the date until which the area remains deferred is now due.~~
  
- ~~(b) — Where the relevant service is to be provided by any person other than the Council, concept engineering plans for the service must be approved by the Council before the Council resolves that the deferral for the relevant zone may be removed so that the zone that was deferred becomes effective over that land that is the subject of the service provision.~~
  
- ~~(c) — The removal of the deferred status and the commencement of the new effective zone as listed in Schedule 17.14A is effected by a resolution of Council when the required services have been provided, or can be provided, to the satisfaction of the Council and the Plan is amended without further formality from that date of resolution, to show the new effective zone. Council will advise landowners when it has made a resolution.~~
  
- ~~(d) — When a resolution of Council is made for the removal of the deferred status of an area's zoning, this will also apply to the removal of the deferred status of the applicable Fire Ban of Fire Sensitive Area where either exist.~~

~~C22-2/11 Op 1/15  
C10-10/07 Op 3/14  
C51-1/15 Op 9/16~~

~~C73  
Op 6/23~~

- ~~(e) — Indicative road, reserve or walkway symbology shall be removed once land has been vested with Council for the purpose of the intended road, reserve, or walkway, or the land has been otherwise acquired by Council for these purposes.~~

~~C73  
Op 6/23~~

~~Note deleted as part of Plan Change 73.~~

~~C10-10/07 Op 3/14  
C51-1/15 Op 9/16~~

~~(a) Before any subdivision, land use activity, building construction, alteration or use anticipated by a deferred zoning (as stated in Schedule 17.14A, Column H) can be undertaken, the infrastructure requirements specified in Schedule 17.14A, Column D, must be delivered, and~~

~~C73  
Op 6/23~~

~~(b) Any subdivision, land use activity, building construction, alteration or use anticipated by a deferred zoning (as stated in Schedule 17.14A, Column H) must occur within 10 years from the date land was deferred~~

~~Subdivision that does not comply with (a) and (b) is a discretionary activity.~~

~~(a) Any activity, including subdivision, land use, structure or building, that is occurring or is proposed on land that is subject to a deferred zone must be subject to the provisions specified in the relevant row of Column C of Schedule 17.14A.~~

~~(b) However, if the reason for the deferral (as stated in Schedule 17.14A, Column D) has been satisfied, either through infrastructure being constructed or planned and funded within the next three years, to the satisfaction of the Council's Group Manager – Community Infrastructure then (a) above shall not apply and instead the provisions specified in the relevant row of Column H of Schedule 17.14A shall apply.~~

~~(c) In the event that (b) has not be satisfied once 10 years has elapsed from the date that a site location identified in Column A of Schedule 17.14A becomes operatively a deferred zone, (b) shall no longer apply and Column C of Schedule 17.14A shall apply thereafter.~~

~~These zones are temporary, transitional zones on land which the Council wishes to retain for future urban, more intensive activities, either when more appropriate levels of servicing are available or after a time period to maintain a coherent urban form.~~ C22-2/11 Op 1/15  
C51-1/15 Op 9/16

~~The rules enable either the Council or any person to provide the required services and any person may propose to service any part or all of any deferred zone area. In either case, the Council has to approve the servicing proposal, before the deferred status over the relevant part of the future zone can be removed by a resolution of Council. Services may be provided either before or after removal of any deferral.~~ C51-1/15  
Op 9/16

Deferred zones are applied to land in locations where future urban, or more intensive activities, can be appropriately undertaken after specific servicing requirements are satisfied.

Deferred zones rely on planning provisions in multiple chapters in the Plan but operate so that certain of those provisions are only triggered after a specific activity has been completed.

The Deferred zone method requires the delivery of the necessary upgrades of infrastructure or servicing before development but does not require the Council to be responsible for delivering any upgrades. Any person may provide the upgrades in order to satisfy the trigger rule.

Schedule 17.14A specifies the planning provisions that apply to Deferred Zones before (Column B) and after (Column H) the trigger rule is satisfied.

Rule 17.14.2 enables development to proceed before a plan change is progressed to change the land to its destination zone.

In the Richmond West Development Area, integrated servicing and economic or business development efficiencies are intended to be achieved through the method of zone deferrals for specific servicing and, for some land, until serviced land with the same zoning, in a defined area shown on the planning maps and identified in the rules, is substantially taken up. This will result in a sequence of supply of serviced land in the Richmond West Development Area over the long term.

C10 10/07  
Op 3/14  
C51 1/15  
Op 9/16

**Note:** The areas notated on the planning maps are deferred for servicing and, for some land, substantial take-up, as shown in the table below.

A, C & F	<ul style="list-style-type: none"> <li>Upgrade the stormwater network.</li> </ul>
G	<ul style="list-style-type: none"> <li>Construction of the Lower Queen Street water treatment plant.</li> <li>Upgrade of the stormwater network.</li> <li>Extension of and connection to Council's bulk waste and water supply networks.</li> </ul>
B & D	<ul style="list-style-type: none"> <li>Construction of the Lower Queen Street water treatment plant.</li> <li>Construction of the Borck Creek and Poutama Drain bulk stormwater network.</li> <li>Extension of and connection to Council's bulk waste, water supply and stormwater networks.</li> </ul>
H	<ul style="list-style-type: none"> <li>Construction of the Lower Queen Street water treatment plant.</li> <li>Construction of the Borck Creek bulk stormwater network.</li> <li>Extension of and connection to Council's bulk waste, water supply and stormwater networks.</li> </ul>
E	<ul style="list-style-type: none"> <li>Construction of the Borck Creek bulk stormwater network.</li> <li>Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.</li> <li>Extension of and connection to Council's bulk waste, water supply and stormwater networks.</li> <li>Substantial take-up of serviced land in the Richmond West Development Area with the same zoning.</li> </ul>
I	<ul style="list-style-type: none"> <li>Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.</li> <li>Extension of and connection to Council's bulk waste, water supply and stormwater networks.</li> <li>Substantial take-up of serviced land in Area H.</li> </ul>

Borck Creek construction will progress from the intersection of Lower Queen Street and McShane Road toward State Highway 60, Poutama Drain construction will progress from Borck Creek toward State Highway 6.

~~Development proposals will be considered by the Council before deferrals are removed, if services compatible with the Council's long term servicing needs as set out in the Council's Long Term Plan are provided by Council or to the satisfaction of Council.~~

~~C51-1/15  
Op-9/16~~

~~Indicative roads, reserves and walkways are able to be removed from the planning maps once the land for these purposes is vested with Council as part of the subdivision and development process, or the land has been otherwise acquired by Council for these purposes. This ensures redundant items on the planning maps can be simply removed.~~

~~C73  
Op-6/23~~

## SCHEDULES

### Schedule 17.14A: Deferred Zone Locations

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
<b>Richmond South Development Area</b> (planning maps 23, 57, 127–129, 133)							
South-of-Hart and Bateup Roads ↳ 7 & 20 Paton Road	Rural-1	Reticulated water supply service required	27/8/15	↳ Lot 1 DP 18100 Pt Lot 1 DP 17738	6915, 6915/1 and Schedule C	Residential (serviced)	
South-of-Hart and Bateup Roads ↳ 36 & 40 Hart Road	Rural-1	Reticulated water supply service required	3/5/18	NE part of Lot 2 DP 20243 Pt Sec Waimea East DIST	5915/7	Residential (serviced)	
South-of-Hart and Bateup Roads: -50 Hart Road -72 Hart Road -472 Hill St	Rural-1	Reticulated water supply service required	5/11/20	↳ Lot 1 DP 450177 ↳ Lot 1 DP 545967 ↳ Part of Pt Sec 34 Waimea East DIST, Lot 1 DP 431455 & Lot 1 DP 8205		Residential (serviced)	12/20
South-of-Hart and Bateup Roads: -Bateup Road (Reserve) -92, 92A & 92B Bateup Road -28, 29A, 29B & 29C Collins Road -3, 26 & 52 Paton Road -45 Main Road	Rural-1	Reticulated water supply service required	4/3/21	↳ Lot 5 DP 446793 ↳ Lots 1, 2 & 3 DP 446793 ↳ Lots 1, 2, 3 & 4 DP 361254 ↳ Pt Lot 1 DP 17290 ↳ Lot 1 DP 4858 ↳ Lot 2 DP 17738 ↳ Lot 1 DP 6754		Residential (serviced)	9/21
South-of-Hart and Bateup Roads: ↳ Lot 2 DP 450177 -66 Hart Road ↳ Lots 4 & 5 DP 431455 -Hart Road ↳ Lot 3 DP 411584 -Hart Road ↳ Lot 2 DP 20243 -SW part of 36 Hart Road ↳ Lot 2 DP 411584 -68 Hart Road ↳ Pt Sec 35 Waimea East DIST -520 Hill St South ↳ Lot 1 DP 8205 & Pt Sec 34 Waimea East DIST -472 Hill St	Rural-1	Reticulated water supply service required				Residential (serviced)	9/21

C51 1/15  
Op 9/16

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
<b>Richmond West Development Area</b> (planning maps 23, 57, 121 – 125, 127, 128, 130)						
Areas notated A and B (375 and 387 Lower Queen St) on the planning maps	Rural 1 and Recreation	Area A: Stormwater Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	25/9/15	Area A: Lot 1 DP 13664 Lot 6 DP 6697 Lot 3 DP 465626 Pt Sec 100 Waimea East District (two areas) Part Lot 1 DP 470387 Lot 2 DP 13664 Pt Lot 1 DP 20409	6906 S1 – S7	Residential (serviced)
			9/6/16	Part Area B: Pt Lot 2 DP 470387 Pt Lot 2 DP 446230 Pt Lot 1 DP 446 230	6906/1	Residential (serviced)
			5/11/20	Part Area B: Lot 205 DP 537200 Lot 302 DP 542339 Lot 3 DP 470387 Pt Lot 3 DP 15764 Lot 303 DP 542339 Lot 304 DP 542339 Sec 6 SO 455144		Residential (serviced)
Areas notated B (395 Lower Queen Street) on the planning maps	Rural 1	Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	26/7/18	Part Area B: Sections 3 – 5 SO 506258 Section 1 SO 490525 and sections 1 & 2 SO 506258	RM1600673	Residential (serviced)
Area notated B (Borck Creek) on the planning maps			16/12/21	Part Area B: Part Lot 6 DP 520567		Open Space
Areas notated C on the planning maps	Rural 1	Area C: Stormwater service required.				Mixed Business
Areas notated D on the planning maps	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/9/19	Lot 1 DP 511566		Mixed Business
			16/12/21	Part Area D: All of D except: Lot 1 DP 20409 Sec 2 SO 450816 Sec 1 SO 512154 Sec 28 SO 455144 Sec 2 SO 512154 Lot 1 DP 511566		Residential
			16/12/21	Part Area D: Part Lot 6 DP 520567		Open Space
Areas notated E on the planning maps	Rural 1	Area E: Reticulated water from Richmond South High Level Reservoir, wastewater, stormwater (Borck Creek construction) services required and in respect of Area E, there is substantial take-up of serviced land in the Richmond West Development Area with the same zoning.				Mixed Business
Areas notated E (91 McShane Road) on the planning maps			16/12/21	Part Area E: Part Sec 16 SO 455144 Part Lot 2 DP 467493		Residential
			16/12/21	Part Area E: Part Sec 16 SO 455144 Part Lot 2 DP 467493 Part Sec 13 SO 455144		Commercial

12/20

C74-12/20  
Op-3/23C74-12/20  
Op-3/23C74-12/20  
Op-3/23

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Area notated F (part) at 28 Appleby Highway, Pt Section 108 Waimea East District	Rural-1	Area F: Stormwater service required	14/12/17	Pt Section 108 Waimea East District (part of title only)	6906/1, 2 sheets	Light Industrial
Areas notated F (part), G, H and I on the planning maps	Rural-1	Area F: Stormwater service required	31/8/17		6960	Light Industrial
		Area G: Reticulated water, wastewater and stormwater services required Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of Area H	16/12/21	Area H: All of H except Lot 5 DP20409 and Lot 6 470387 and Lot 1000 DP 556528		Residential
<b>Richmond East Development Area</b> (planning maps 23, 57, 130, 135)						
Parts of the Area at 118, 126 Champion Road (Pt Lot 2 DP 3780; Lot 1 DP 5661)	Rural Residential (serviced)	Reticulated wastewater service required	16/3/17			Residential (serviced)
Parts of the Area at 134 Champion Road (Pt Sec 93 Waimea East District)	Rural-2	Reticulated wastewater service required	16/3/17			Residential (serviced)
Part of Area at 134 Champion Road	Rural-2	Reticulated wastewater required	16/3/17			Rural Residential (serviced)
Parts of the Area at 138 and 140 Champion Road	Rural-2	Reticulated wastewater service required	27/8/15	Lot 1 and 2 DP 387909	6835/1	Residential (serviced)
Parts of the Area at 144 Champion Road, below the 62.5m contour	Rural-2	Reticulated water supply service required	16/3/17			Rural Residential (serviced)
Parts of the Area at 144, 206, 208 and 210 Champion Road (Pt Sec 93 Waimea East District; Lot 4 DP 2035; Lot 1 DP 19116; Pt Lot 3 DP 6202; Lot 1 DP 19012 and Sec 4 SO452872); and at Secs 1, 3 and 7 SO452872)	Rural-2	At Champion Road, reticulated wastewater service required; above the 62.5 metre contour (Secs 1, 3 and 7 SO452872) reticulated water supply service required				Rural Residential (serviced)
<b>Mapua Development Area</b> (planning maps 19, 54, 87)						
125 Mapua Drive	Rural 1	Reticulated water supply, wastewater and stormwater services required	22/5/14	Lot 2 DP17670		Residential (serviced)
87 – 93 Mapua Drive	Rural Residential		22/5/14	Lots 8 – 11 DP 480837 (Part of Lot 4 DP 469498)	6848/3	Residential (serviced)
			27/8/15	Lots 2 and 3 DP 480837		
69 – 93 Mapua Drive	Rural Residential (in part)		5/11/20	Lot 1 DP 17670 Lot 2 DP 469498 Lot 3 DP 469498 Lot 3 DP 494693 Lot 1 DP 19875		Residential
Stage 2	Rural 1	Reticulated water supply, wastewater and stormwater services required and deferred until 2031				Residential (serviced)

11/21

C74 12/20

Op 3/23

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Mapua Drive South	Rural 1 (in part)					Residential
166 Mapua Drive	Rural 1 (in part)	Reticulated water supply	30/9/21	Lot 2 DP 479544		Residential
Higgs Road South	Rural 1					Residential
Southern extension of the Korepo Road Rural Residential Zone	Rural 1	Reticulated water, wastewater and stormwater services required				Rural Residential (served)
29 Aranui Road (Lot 59, DP 17242), Mapua Special Development Area	Residential	Reticulated water supply, wastewater and stormwater services required				Residential (served) (rules for Mapua Special Development Area)
Between Iwa Street and Aranui Road (Lot 1 DP 17890; Lot 1 307114; and Lots 1, 77-91, 101 & 102 DP 504876)	Rural 1	Stormwater	28/9/17		Plan 6937/5	Residential
North of Warren Place, Mapua	Rural 1	Reticulated water, wastewater and stormwater services required				Light Industrial
<b>Motueka West Development Area</b> (planning maps 19, 52, 116, 118, 119)						
North and east of the northern and eastern greenways and south of the southern greenway	Rural 1	Reticulated water supply, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west and from south east to south west, along the two greenways, shown by directional arrows on the planning maps				Residential (served)
South of the eastern greenway	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Mixed Business
South of the western greenway/south of Green Lane	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Light Industrial and Heavy Industrial
Corner of Pah and Queen Victoria streets	Rural 1	Reticulated water supply, wastewater, stormwater services required				Papakainga

12/20

11/21

C57 11/15  
Op 12/18



Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
<b>Motueka (outside the Motueka West Development Area) (planning maps 19, 52, 119)</b>							
South of King Edward Street, Motueka	Rural 1	Reticulated water, wastewater and stormwater services required				Residential (serviced)	
<b>Brightwater (planning maps 22, 56, 90)</b>							
South-east of Snowdens Bush	Rural-1	Reticulated water supply, wastewater and transport (Ellis St intersection)	15/4/21	Lot 1 DP 3638 Lot 4 DP 4841 Lot 2 DP 534911 (part) Lot 1 DP 304184 (part) Pt Sec 33 Waimea South Dist		Residential	C57-11/15 Op-12/18 9/21
<i>Reticulated water supply between Wanderers Ave &amp; Lord Rutherford Road Removed as part of Plan Change 75</i>							C57-11/15 Op-12/18 C75-9/22  Op-10/23 12/20 CI20A-U69 7/22
Corner of Factory Road and River Terrace Road	Rural-1	Reticulated water supply	5/11/20	Lot 1 DP 456011 Lot 1 DP 395051		Light Industrial	CI20A-U69 7/22
East of River Terrace Road	Rural-1	Reticulated water supply	5/11/20	Lot 2 DP456011		Light Industrial	CI20A-U69 7/22
East of River Terrace Road	Rural-1	Reticulated water supply	5/11/20	Lot 2 DP3453		Light Industrial	CI20A-U69 7/22
104 Waimea West Road, Brightwater (Part of Pt Section 33 Waimea South District)	Rural-1	Reticulated water supply				Residential	C68-7/18 Op-6/19
<b>Brightwater Development Area (planning maps 22, 56, 90)</b>							
Between Lord Rutherford Road, Main Road Spring Grove (State Highway 6); and Pitfure Stream	Rural-1	Reticulated water supply. Stormwater and water supply required.				Residential	C75-9/22 Op-10/23
<b>Wakefield Development Area (planning maps 22, 58, 91)</b>							
Between Pitfure Road, Edward Street, and Higgins Road	Rural-2	Reticulated wastewater, stormwater, and water supply required				Residential (serviced)	C76-9/22
<b>Wakefield (planning maps 22, 58, 91)</b>							
Bird Lane, Wakefield	Rural-1	Stormwater services; reticulated water supply upgrade; and roading improvements to Bird Lane and the intersection with SH6.				Residential	C65-10/17 Op-4/18
Higgins Road, Wakefield (Part Lot 1 DP 303114)	Rural-2	Higgins Road upgrade south of the Pitfure Bridge to ensure access in a Q100 event; and pedestrian/cycle link over the Pitfure Stream to Ryeland Avenue.				Rural Residential	C65-10/17 Op-4/18 C76-9/22
<b>Other Settlements and Areas</b>							
Parts of Murchison	Rural-2	Stormwater service required				Residential (serviced)	
65 Hotham Street, Murchison	Rural-2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77-9/22 Op-10/23
161 Fairfax Street	Rural-2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77-9/22 Op-10/23

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
166, 170, 174, 176, 178 Fairfax Street	Rural-2	Reticulated water, wastewater and stormwater services required				Residential (serviced)
Riwaka-Kaiteriteri Road, Kaiteriteri	Rural-2	Upgrading required adjoining Riwaka-Kaiteriteri Road	11/12/14	N/A	N/A	Rural Residential
Part of Patons Rock	Rural-1	Reticulated wastewater service required				Residential (serviced)
Sandy Bay Road, Marahau	Rural-1	Reticulated wastewater and water supply services required				Tourist Services
Marahau	Rural-1	Reticulated wastewater service required				Residential (serviced)
Old Coach Road, Mariri	Rural-2	Road upgrading required once the existing tree crop has matured and been harvested				Rural Residential

C77-9/22  
Op-10/23

A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
<b><u>Richmond West Development Area (planning maps, 23, 57, 121 – 125, 127, 128, 130)</u></b>									
<u>McShane Road</u>	<u>RW5</u>	<u>Chapters 7, 16.3.2.1-16.2.5, 16.3.5 and 17.5</u>	<p><b><u>Wastewater:</u></b>  <u>Provision for a new trunk pressure main along indicative road layout through development area; provision for new pressure trunk main connection to existing 525mm gravity main along decommissioned rail corridor to the south of RW5 (now NZTA and Great Taste Trail corridor).</u></p> <p><b><u>Water Supply:</u></b>  <u>Provision of a new trunk watermain through the mixed business area along the indicative road layout, including connection to existing 200mm watermain under Borck Creek at southern end of Summersfield Boulevard.</u></p> <p><b><u>Transportation:</u></b>  <u>Provision for a single mid-block intersection with SH60 to be approved by NZTA as part of the central access roadway through mixed business area as per indicative road layout on planning maps.</u></p>				<u>Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.4 and 17.3</u>		

A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
<b><u>Richmond South Development Area</u></b> (planning maps 23, 57, 127 – 129, 133)									
<u>South West Hart Road</u>	<u>RS14</u>	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	<b><u>Water Supply:</u></b> Provision of planned “Richmond High Level Reservoir” to service the Richmond South area, or equivalent measure proposed by Council or developers to provide adequate level of service for water supply. See AMP ID 86120 in LTP 2024.				Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1		
<b><u>Brightwater Development Area</u></b> (planning maps 22,56,90)									
<u>Between Lord Rutherford Road, Main Road Spring Grove (SH6) and Pitfure Stream</u>	<u>BW17</u>	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	<b><u>Wastewater:</u></b> Construction of the “Waimea Wastewater Strategy”, including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024.  <b><u>Water Supply:</u></b>				Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1		

A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
			Construction of the "Waimea Water Strategy", including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.						
<b><u>Wakefield Development Area (planning maps 22,58,91)</u></b>									
Bird Lane	WK20	Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5	<p><b><u>Wastewater:</u></b> Construction of the "Waimea Wastewater Strategy", including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024.</p> <p><b><u>Water Supply:</u></b> Construction of the "Waimea Water Strategy", including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.</p>				Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1		

A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
			<p><b>Stormwater:</b> Identification and implementation of a stormwater discharge pathway to Pitfure Stream or the Wai-iti River, to be provided by the developer.</p> <p><b>Transportation:</b> Upgrade of the Bird Land intersection with State Highway 6; see AMP ID 46024 in LTP 2024. Access to WK20 will be from Bird Lane, no direct access onto State Highway 6 is available.</p>						
<u>Higgins Road</u>	<u>WK21</u>	<u>Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6</u>	<p><b>Wastewater:</b> Construction of the “Waimea Wastewater Strategy”, including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024.</p> <p><b>Water Supply:</b> Construction of the “Waimea Water Strategy”, including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to</p>				<u>Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1</u>		

A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
			<p>distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.</p> <p><b>Transportation:</b> Formation of Higgins Road up to the site boundary, and upgrade of the Higgins Road crossing over Pitfure Stream to provide adequate flood conveyance level of service for the level of traffic that will be supported by the upgraded road.</p>						
<b>Murchison</b> (planning maps 33 and 92)									
Grey Street	MR22	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	<p><b>Wastewater:</b> Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024.</p> <p><b>Water Supply:</b> Upgrade of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.</p>				Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1		
55 Hotham Street	MR24	Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6	<p><b>Wastewater:</b> Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024.</p>				Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1		

			<b>Water Supply:</b> <u>Upgrade of the Hotham Street watermain.</u> <u>See AMP ID 86175 in LTP 2024.</u>						
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A	B	C	D	E	F	G	H	I	J
<u>Site location</u>	<u>Site location number</u>	<u>Plan provisions that apply before services are provided</u>	<u>Reason for deferral</u>	<u>Date when Column H provisions apply</u>	<u>Legal descriptions of land to which Column H planning provisions apply</u>	<u>Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services agreed with Council</u>	<u>Plan provisions that apply after services are provided</u>	<u>Number and date of plan change removing deferral (Operative Date)</u>	<u>Number and date of plan update</u>
<u>65 Hotham Street</u>	<u>MR25</u>	<u>Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6</u>	<u><b>Wastewater:</b></u> Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024.  <u><b>Water Supply:</b></u> Upgrade of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.				<u>Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1</u>		
<u>Fairfax Street South</u>	<u>MR26</u>	<u>Chapters 7, 16.3.2.1-16.2.5 16.3.6 and 17.6</u>	<u><b>Wastewater:</b></u> Upgrade of the Hotham Street wastewater pump station and a new rising main to the Murchison wastewater treatment plant.  <u><b>Water Supply:</b></u> Upgrade of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.				<u>Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1</u>		

# CHAPTER 19: INFORMATION REQUIRED WITH LAND USE CONSENT OR SUBDIVISION CONSENT APPLICATIONS

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## 19.1 SCOPE OF CHAPTER 19

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This Chapter outlines the information required to accompany particular types of land use and subdivision consent applications. More than one of the requirements may apply to a particular application. For example, an application involving gravel extraction in most cases will have to include information under 19.2.1 (land use), 19.2.9 (land disturbance) and 19.2.10 (quarrying). The matters listed will not be relevant to every class of application, nor are they an exhaustive list.

For controlled activities and restricted discretionary activities, the information must include material addressing the matters over which the Council has retained control or discretion. Additional information will be needed for discretionary activities and non-complying activities. In all cases, the obligation remains with applicants to provide sufficient information to meet the requirements of Section 88 and the Fourth Schedule of the Act.

**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

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## 19.2 INFORMATION REQUIRED FOR LAND USE OR SUBDIVISION CONSENT APPLICATIONS

### 19.2.1 Land Use

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Applicants must submit, and the Council may request further information, on the following matters to the extent that they are relevant to any land use consent rule, together with information required under any other relevant section of this chapter:

- 19.2.1.1** Location of the proposed activity, including the legal description and address.
- 19.2.1.2** Name and address of the owner and occupier (other than the applicant) of any land to which the application relates.
- 19.2.1.3** The full name of the applicant, whether an individual, partnership or company and who will hold the consent. If the applicant is a partnership, the full names of all the partners.
- 19.2.1.4** Full description of the activity, including:
- (a) hours or duration of operation;
  - (b) number of people involved (e.g. working on, capable of being accommodated on, or expected to visit or use the site);
  - (c) description of parking arrangements, and access and service provision, e.g. sewage and water;
  - (d) expected traffic flows to and from the site;
  - (e) details of any hazardous substances involved with the activity and any materials being extracted, used, or processed on the site (including an indication of volumes and quantities);
  - (f) any signs to be erected relating to the proposal (*refer to 19.2.5*).
- 19.2.1.5** A site plan showing:
- (a) roads onto which the property has frontage;
  - (b) boundaries, area and dimensions of the subject property(s);
  - (c) existing and proposed car parks, cycle parks, loading areas and utility, on-site access, on-site manoeuvring areas, vehicle crossings and their proximity to intersections; C66 10/17  
Op 12/18
  - (d) formation of crossings, access and car parks; stormwater disposal from access and parking areas; C69 6/19  
Op 6/20
  - (e) location and dimensions of existing and proposed buildings, including the percentage coverage if the application is in a residential, commercial or industrial area;
  - (f) location of known archaeological sites, significant individual or groups of trees, and details of proposed landscaping;
  - (g) any topographic features (embankments, cliffs, streams, wetlands, drains), selected ground heights and main power lines;
  - (h) present use of adjoining properties;
  - (i) the visibility available from any access, measured in terms of the requirements in rule 16.2.2.1;
  - (j) the location, type and anticipated maximum height of any proposed landscaping;
  - (k) details of any legal public access along and to any water body or the coast.

19.2.1.6	Elevation drawings showing building height and natural ground level, and the relationship of the building to the height limit and daylight angle controls for the relevant zone and set back from the Ruby Bay ridge top and toe, if applicable.	C22 2/11 Op 1/15 C69 6/19 Op 6/20
19.2.1.7	A description of actual and potential adverse environmental effects (including cumulative effects) of undertaking the activity, including: <ul style="list-style-type: none"> <li>(a) effects on ecosystems and natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, cultural or any other special values for present or future generations;</li> <li>(b) noise emissions;</li> <li>(c) dust generation;</li> <li>(d) traffic generation;</li> <li>(e) visual effects;</li> <li>(f) any other nuisance elements;</li> <li>(g) stormwater management.</li> </ul>	
19.2.1.8	A description of any possible alternative methods or locations.	
<b>19.2.1.8A</b>	<b><u>Land use application under Schedule 17.4A</u></b> <u>For any land use application under Rule 17.4A.2.2, a plan which demonstrates how buildings are able, both physically and financially, to be removed from the site.</u>	
19.2.1.9	A description of mitigating measures (safeguards and contingency plans where relevant) to help prevent or reduce actual or potential effects of the activity.	
19.2.1.10	For an activity involving a building or modification of landform in the Rural 3 Zone, or a building on an allotment in the Mapua or Waimea Inlet Rural Residential Zone which is below the controlled activity lot size for the zone, a statement outlining the extent of consistency of the activity with the ‘Coastal Tasman Area Subdivision and Development Design Guide’, prepared by an appropriately competent person in landscape or urban design analysis, including any suggested conditions to avoid, remedy or mitigate effects on the wider environment and within the vicinity of the activity.	C6 7/07 Op 10/10
19.2.1.11	For an activity involving a building in the Rural 3 Zone on a site that adjoins any horticultural planting, details of how any exposure of the building to cross-boundary effects such as noise, odour, or pesticide discharge, may be avoided or mitigated, in addition to compliance with Plan rules.	
19.2.1.12	For an activity involving a building in the Residential Zone in the Richmond South, Brightwater, <u>Wakefield</u> , or the Mapua Special development areas or the Motueka West Compact Density Residential Area: <ul style="list-style-type: none"> <li>(a) information describing the extent to which compliance is achieved with the conditions in rule 17.1.3.3 <i>Controlled Activities (Building Construction or Alteration – Compact Density Development)</i> for buildings in the Residential Zone in the Richmond South, Brightwater, <u>Wakefield</u>, or Mapua Special development areas or the Motueka West Compact Density Residential Area, or – in the case of the Brightwater <u>and Wakefield Development Areas</u> – compliance with 17.1.3.2 <i>Controlled Activities (Building Construction or Alteration – Standard Density Development)</i>;</li> <li>(b) where the application is for a compact density land use development and subdivision, information describing consistency with the Urban Design Guide (Part II, Appendix 2).</li> </ul>	C22 2/11 & C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 C75 9/22 Op 10/23
19.2.1.13	An assessment of the effects of the development on stormwater run-off and natural drainage characteristics of the land, including: <ul style="list-style-type: none"> <li>(a) changes to natural and/or existing drainage patterns;</li> <li>(b) changes in land cover, such as vegetation removal;</li> <li>(c) changes in infiltration characteristics, such as areas of proposed impervious surface cover, including buildings and sealed surfaces;</li> </ul>	C7 7/07 Op 10/10

	(d) proposed stormwater management methods, including the application of Low Impact Design solutions for the control of stormwater run-off and water quality;	
	(e) primary stormwater flows;	
	(f) secondary stormwater flows;	
	(g) changes to areas that are inundated.	C7 7/07 Op 10/10
<b>19.2.1.14</b>	A cultural heritage site assessment of:	C22 2/11 Op 1/15 C16 9/09 Op 8/12
	(a) the land subject to the proposed activity, where there is a listed cultural heritage site or precinct on any part of the land and it is unclear whether the proposed activity will have an effect on it or it is very clear that the proposed activity will have an effect on it;	
	(b) any site that is an archaeological site that must be prepared by an appropriately competent archaeologist and address:	
	(i) the location and extent of any cultural heritage sites, using a hand-held GPS or similar device to locate the site accurately;	
	(ii) the nature or type of physical evidence identified at each cultural heritage site;	
	(iii) an assessment of significance of each Cultural Heritage Site in terms of its archaeological values;	
	(iv) any recommended actions to avoid the potential for the modification, damage or destruction of any identified cultural heritage site in terms of its archaeological values;	
	(c) any site that is a wāhi tapu or wāhi tapu area that must be prepared by manawhenua iwi and must address:	
	(i) where appropriate, the location of any wāhi tapu or wāhi tapu area;	
	(ii) an assessment of the significance of the cultural heritage site in terms of cultural values, not otherwise covered within an archaeological assessment;	
	(iii) any recommended actions that could be used to avoid the potential for adverse effects of the proposed activity on any identified Cultural Heritage Site in terms of its significance to manawhenua iwi.	
<b>19.2.1.15</b>	For amenity planting and specimen tree planting required by any rule, a description of the proposed tree root management, including root pit dimensions, soil structure, aeration, irrigation, and proximity to underground services.	C10 10/07 Op 3/14
<b>19.2.1.16</b>	For any habitable building in the Fault Rupture Risk Area, provision of the report as required by condition (a) of rule 18.13.3.2.	C21 8/10 Op 1/15
<b>Richmond North Commercial Zone</b>		C62 3/16 Op 10/17
<b>19.2.1.16A</b>	(a) A construction management plan (CMP) must be prepared by a suitably qualified person in civil engineering. The CMP must at least address the following:	
	(i) Regulatory obligations	
	(ii) The scope of construction activities and methods and assessment of effects for each activity	
	(iii) Programme of works	
	(iv) Detail of any proposed remediation if required	
	(v) Erosion and sediment control plan, including stormwater control	
	(vi) Transport management and site logistics	
	(vii) Dust control	
	(viii) Waste and recycling	

- (ix) Hours of operation
  - (x) Parking during construction
  - (xi) Consultation with nearby schools and residents prior to significant construction events that may be the source of nuisance
  - (xii) Contacts for communications
  - (xiii) Complaints procedure
  - (xiv) Methods for monitoring and reporting
  - (xv) Procedures for reviewing, amending and updating the CMP.
- (b) A construction noise management plan (CNMP) must be prepared by a suitably qualified acoustic expert. The CNMP will be designed to achieve compliance with the construction noise limits set out in condition (t) under the controlled activity conditions for 'Building Construction or Alteration' in Schedule 17.2B. The CNMP must specify, as a minimum, the following:
- (i) Construction noise and vibration criteria
  - (ii) Hours of construction activities, including times and days when noisy or vibration-inducing activities could occur
  - (iii) Machinery and equipment to be used
  - (iv) Vibration testing of equipment
  - (v) Preparation of building condition surveys of any critical dwelling prior to, during and after completion of construction works
  - (vi) Roles and responsibilities of personnel on site
  - (vii) Construction operator training procedures
  - (viii) Methods for monitoring and reporting
  - (ix) Procedures for reviewing, amending and updating the CNMP.
- (c) An Operational Noise Management Plan (ONMP) must be prepared by a suitably qualified acoustic expert. The ONMP will be designed to achieve compliance with the noise limits in condition (e) under the permitted activity conditions for 'Land Use' activities in Schedule 17.2B. The ONMP must specify, as a minimum, the following:
- (i) Operational Noise Management Plan objectives.
  - (ii) Mitigation and management measures to be adopted to ensure compliance with the relevant noise limits, including a signed statement by the qualified acoustic expert that the measures specified are adequate to ensure compliance with the noise limits.
  - (iii) Noise modelling; noise monitoring; auditing and reporting procedures.
  - (iv) Specifications for how operational noise is mitigated or controlled within the various loading bays and other goods-handling areas as well as outdoor refuse disposal and recycling materials handling areas.
  - (v) Noise complaint handling procedures and community liaison.
  - (vi) Procedures for amendments and review.

**Advice Note:** It is anticipated that the above management plans will be finalised through the resource consent process for any building proposal in the Richmond North Commercial Zone, and will be adhered to as conditions of any consent being granted.

*[Unchanged or irrelevant text omitted]*