

## Appendix 3: Staff Report Recommendations - Schedule of Amendments



Tasman Resource Management Plan

**PROPOSED PLAN CHANGE NO. 75**

**WITHOUT LEGAL EFFECT**

# **Growth**

## **Brightwater**

### **Schedule of Amendments**

Amendments to the proposed Plan Change text and maps as per the recommendations contained in the proposed Plan Change 75 Section 42a Report

**NOTE:**

- Red underlined text denotes proposed new text inserted or amended as notified.
- Blue strikethrough text denotes text deleted as notified.
- Red underlined and highlighted text denotes recommended text inserted or amended in accordance with recommendations in the Section 42a Report.
- Blue strikethrough and highlighted text denotes text recommended to be deleted in accordance with recommendations in the Section 42a Report.

**Notified: 19 September 2022**

## CHAPTER 2: MEANINGS OF WORDS

### 2.2 DEFINED WORDS

*[unchanged or irrelevant text omitted]*

#### B

*[unchanged or irrelevant text omitted]*

**Boundary adjustment** – means a subdivision of existing sites that does not result in any additional sites and adjusts the common boundary between two or more sites. In relation to boundary adjustments, sites are those that have been created by a previous subdivision consent or equivalent approval.

C60 1/16  
Op 5/19

**Brightwater Development Area** – means the area between State Highway 6, Pitfire Stream and Lord Rutherford Road as shown on the planning maps.

**Building** – means any structure (as defined in the Act) or part of a structure whether temporary or permanent, movable or immovable, including accessory buildings but does not include:

*[unchanged or irrelevant text omitted]*

#### C

*[unchanged or irrelevant text omitted]*

**Community water supply** – means a reticulated water supply of potable water to a number of water users primarily for domestic household supply and may include industrial and commercial uses.

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

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**Comprehensive residential development** – means a comprehensively planned and designed collection of three or more dwellings on one site.

*[unchanged or irrelevant text omitted]*

#### I - J

*[unchanged or irrelevant text omitted]*

**Inshore coastal water means** –

- (a) the water in the coastal marine area south of a line drawn south-east from the Farewell Spit lighthouse; and
- (b) the water in the Big River estuary and Whanganui Inlet, being areas 1 and 2 of Schedule 25D, and the water in the Anaweka River estuary;

as shown on the planning maps.

**Integrated Transport Assessment**

Integrated Transport Assessments consider the proposed impact of a development on the transport network and the effectiveness of any potential mitigation measures to address adverse impacts. The ITA should include a review of relevant planning documents and infrastructure plans, needs to consider all modes of transport and should incorporate methods of reducing reliance on private cars.

**Intensive development** – means medium density residential housing development in the Richmond Intensive Development Area, where there is one or more dwellings on any site.

*[unchanged or irrelevant text omitted]*

**U**

*[unchanged or irrelevant text omitted]*

**Urban Design Guide (Part II, Appendix 2)** – means the subdivision and development design guide’ in urban areas such as the Richmond South, Richmond West, Brightwater, and Mapua development areas that forms Appendix 2 of Part II of the Plan and that, for the avoidance of doubt, forms part of the Plan

*[unchanged or irrelevant text omitted]*

**CHAPTER 5: SITE AMENITY EFFECTS**

**5.3.30 Principal Reasons and Explanation**

The ~~community preference for low density~~ ongoing expansion of urban areas can conflict with the need to limit urban encroachment onto two of the District’s land resources: the limited amount of land of high productive value; and the coastline, where natural character is prominent. Enabling medium density development in specified Development Areas, reflects the need to use land more efficiently where expansion does occur.

*[unchanged or irrelevant text omitted]*

**CHAPTER 6: URBAN ENVIRONMENT EFFECTS**

*[unchanged or irrelevant text omitted]*

**6.1 SUSTAINABLE URBAN DESIGN AND DEVELOPMENT**

**6.1.1 Issue**

C5 3/06  
Op 10/10

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

There is a growing realisation of the importance in encouraging future urban development to incorporate design features that make a more liveable and sustainable environment to accommodate

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

*[unchanged or irrelevant text omitted]*

### 6.1.3 Policies

*Refer to Policy sets 8.1, 11.1, 11.2.*

*Refer to Rule sections 16.2, 16.3, 16.4, 17.14, 18.8.*

**6.1.3.1** To encourage subdivision and development to incorporate sustainable urban design principles by: C5 3/06  
Op 10/10

*unchanged or irrelevant text omitted]*

- (j) encouraging medium density housing development in the forms of compact density and comprehensive housing and intensive residential development within walking or cycling distance of or close to town centres and urban facilities, including public transport. C22 2/11  
Op 1/15  
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Op 12/18

*[unchanged or irrelevant text omitted]*

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

- (a) ensuring the suitable and compatible location, height, density, scale and bulk of intensive residential development relative to its context and adjacent land uses, including streets and reserves.
- (b) encouraging best practice and design through the use of the Council's Urban Design Guide.

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

*[unchanged or irrelevant text omitted]*

## 6.2 LAND EFFECTS FROM URBAN GROWTH

*[unchanged or irrelevant text omitted]*

### 6.2.3 Policies

*Refer to Policy sets 6.4, 7.1, 7.2, 7.4, 13.1.*

*Refer to Rule sections 16.3, 16.10, 17.1, 18.9, 18.10, 18.12, 18.13, 18.14.*

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

6.2.3.2 To ~~permit~~ **enable** smaller residential lot sizes in the townships of Motueka, Richmond, **Brightwater**, and part of Mapua. C22 2/11  
Op 1/15

6.2.3.2A To encourage and promote medium density development that achieves a high standard of amenity in areas specified on the planning maps as the Richmond South, Richmond West, **Brightwater**, Mapua Special and Richmond Intensive development areas and the Motueka West Compact Density Residential Area. C66 10/17  
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**6.2.3.2B** **To ensure efficient land use in the Brightwater Development Area by requiring subdivisions that result in increased and varied housing densities and types a variety of lot sizes, including higher density housing options.**

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

- (a) the efficient use of resources, including land, infrastructure, and energy;
- (b) the quality of the urban environment.

*[unchanged or irrelevant text omitted]*

## 6.2.20 Methods of Implementation

### 6.2.20.1 Regulatory

- (a) Subdivision rules permitting small residential allotments in urban zones, except on the urban-rural interface **unless in the Brightwater Development Area**.
- (b) Subdivision rules ~~permitting~~ **enabling the** smallest residential lots in Motueka, **Brightwater**, and Richmond.
- (ba) In the Brightwater Development Area, subdivision rules which ensure increased and varied housing densities and types that a variety of lot sizes and higher density housing options are provided for, and that implement the Urban Design Guide (Part II, Appendix 2).**
- (c) Zones that contain urban development away from land of high productive value.
- (d) Zones that contain urban development away from land with a moderate to high risk of natural hazard.

*[unchanged or irrelevant text omitted]*

## 6.2.30 Principal Reasons and Explanation

*[unchanged or irrelevant text omitted]*

Medium density development is encouraged in development areas shown on the planning maps and identified in the rules in the forms of compact density and intensive residential development. The specified areas are Richmond South, Richmond West, **Brightwater**, Mapua Special, Motueka West Compact Density and the Richmond Intensive development areas. Outside of the above areas, medium density development is provided for in the form of comprehensive development. C66 10/17  
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Intensive residential development is promoted and encouraged within walking **and cycling** distance or close to town centres and urban facilities as it increases lifestyle and housing choices and uses urban land and services, including public transport, efficiently and effectively.

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

[unchanged or irrelevant text omitted]

### 6.8.30 Principal Reasons and Explanation

[unchanged or irrelevant text omitted]

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).

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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.](#)

Figure 6.8A: **Richmond Residential Housing Choices**

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Type of Residential Development	District: Everywhere except 'development areas' and exceptions	Development areas: Richmond South, Richmond West, Richmond East, <b>Brightwater</b> , Motueka West, and Mapua Development Areas, Mapua Special Development Area and Motueka West Compact Density Area	Richmond Intensive Development Area
<b>Standard</b> a) 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> b) Three or more dwellings on a site c) Building coverage – 40% d) 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> e) One or more dwellings on a site f) All consents (subdivision, and building) applied for together g) No minimum lot size	X	✓ Except for Richmond East; Motueka West Development Area outside of the Motueka Compact Area; and Mapua Development Area outside of the Mapua Special Development Area	X
<b>Intensive</b> h) One or more dwellings on a site i) Minimum lot size 200m <sup>2</sup>	X	X	✓

[unchanged or irrelevant text omitted]

## 6.16 BRIGHTWATER

Refer to Policy set 13.1.

### 6.16.1 Issues

Brightwater, one of the earliest European settlements on the Waimea Plains, is projected to have a population of 2412 by 2039, and has experienced significant employment growth in recent years. The current issues are:

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**6.16.1.1** Recognition of flood hazard risk on the low-lying land in the vicinity of the Wairoa and Wai-iti rivers and the Pitfure and Mt Heslington streams.

**6.16.1.2** The need to manage urban expansion on land of high productive value.

**6.16.1.2A** The need to provide increased and varied housing densities and types higher density housing options that achieves a high standard of amenity, and variety of lot sizes on land where urban expansion does occur.

**6.16.1.3** Adverse amenity effects from the dispersed pattern of industrial activities in Brightwater and need for better separation and management of effects.

[unchanged or irrelevant text omitted]

**6.16.1.6** Protection of Brightwater's heritage values and enhanced urban design of Ellis Street and adjoining open space.

**6.16.1.7** Management of road noise received from State Highway 6 within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road.

**6.16.1.8** Potential adverse traffic and safety effects on the transport network including State Highway 6 and Lord Rutherford Road from the Brightwater Development Area.

[unchanged or irrelevant text omitted]

### 6.16.3 Policies

**6.16.3.1** To manage the effects of the expansion of Brightwater on land of high productive value by providing for future residential areas south east of Snowdens Bush ~~and between Wanderers Avenue and Lord Rutherford Road~~ and ~~for~~ further lots on Watertank Hill, and by ensuring efficient use of land in the Brightwater Development Area (between Pitfure Stream, State Highway 6, and Lord Rutherford Road).

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**6.16.3.1A** To require or enable increased and varied housing densities and types higher density housing options and a variety of lot sizes on land within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road which achieves a high standard of residential amenity through design in accordance with the Urban Design Guide (Part II, Appendix 2).

Commented [PR1]: Change made as the increased density is more enabled than required.

**6.16.3.1B** To require or enable increased and varied housing densities and types higher density housing options and a variety of lot sizes on land within the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road through the

Commented [PR2]: Change made as the increased density is more enabled than required.

use of a mandatory mix of lot sizes and encourage Compact Density Development in this area through the use of a non-notification provision.

**6.16.3.2** To rationalise the provision of industrial land so that the effects of industrial activities are minimised.

**6.16.3.3** To manage subdivision and development of industrial land in Brightwater to avoid significant flood hazard risks on the site or beyond the site.

**6.16.3.3A** To manage subdivision and development of residential land in the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road to avoid significant flood hazard risks on the site and beyond the site.

**6.16.3.4** To ensure suitable land and infrastructure is available in Brightwater for residential and business use, and for active and passive recreation.

**6.16.3.5** To develop access to and along the Wairoa River between the former railway reserve and Bryant Road.

**6.16.3.6** To facilitate additional access from the residential area to the Brightwater school.

**6.16.3.7** To support landscape and streetscape initiatives and the retention of heritage buildings and trees that contribute to the character and amenity of Brightwater.

**6.16.3.8** To manage road noise received from State Highway 6 in the Brightwater Development Area between Pitfure Stream, State Highway 6, and Lord Rutherford Road through mitigation methods at the time of subdivision and building.

**6.16.3.8** To manage any potential traffic and safety effects on the transport network including on SH6 and Lord Rutherford Road from residential development of the Brightwater Development Area.

*[unchanged or irrelevant text omitted]*

## **6.16.20 Methods of Implementation**

### **6.16.20.1 Regulatory**

(a) Rezoning land suitable for residential and business use following evaluation of development areas outlined in the Council's growth model.

(b) Zoning Rural Residential land at Wakefield rather than Brightwater.

(c) Rules requiring setbacks and noise standards for industrial activities to manage cross-boundary effects on residential land adjoining industrial zones.

(d) Rules relating to subdivision and building coverage in industrial zones that are subject to flood hazards.

(e) Rules to require or enable increased and varied housing densities and types, variety of lot sizes and enable higher density housing options on land within the Brightwater Development Area.



(f) Rules to manage reverse sensitivity effects road noise received from State Highway 6 in the Brightwater Development Area

**6.16.20.2 Monitoring**

(a) Monitoring of noise and other industrial effects.

**6.16.20.3 Works and Services**

- (a) Acquisition and development of land for recreation, open space and cycle/walk ways.
- (b) Heritage grants for owners for approved work on listed heritage buildings.
- (c) Streetscape works in Ellis Street.

**6.16.30 Principal Reasons and Explanation**

Flooding from the Pitfure Stream and Wairoa and Wai-iti Rivers is a limiting factor which constrains future growth at Brightwater. All the land on the east side of Brightwater is subject to flooding. In the vicinity of Pitfure Stream at the north-western end of the township, it is proposed that flood-prone land be retained for rural or recreational purposes where the flood effects cannot be reasonably managed to enable residential use. Additional land for playing fields is sought and a new site northeast of Lord Rutherford Road North will be developed, which avoids residents having to cross the Brightwater Bypass - a proposal in the previous District Plan.

*[unchanged or irrelevant text omitted]*

Flooding from the Pitfure and Mt Heslington Streams and the Wairoa and Wai-iti rivers is a limiting factor which constrains future growth at Brightwater. Much of the land on the north, west and east sides of Brightwater is prone to flooding. Close to the Pitfure Stream at the north-western end of the township, the flood-prone land has value for rural or recreational purposes where the flood effects cannot be reasonably managed to enable residential use. Walking and cycling on the Great Taste Cycle Trail are popular activities along the banks of the Wairoa River. The Brightwater Bypass provides an edge on the south side of the town.

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There is a modest increase in the amount of urban land provided at Brightwater compared with the previous Plan. There has been a rearrangement of the location of new residential land so that some is located south east of Snowdens Bush that takes into account the results of the Council's 2013 flood hazard mapping project.

Some existing scattered industrial activities have the potential to create effects that are incompatible with residential neighbours. While existing use rights protect existing activities, it is intended to consolidate industrial activities south of State Highway 6 on an area of land adjoining River Terrace Road that has been identified as flood free. Flood hazard risk in the industrial zones is recognised by controlling the location and extent of development, and subdivision in specified sites in the zones most at risk.

Some business-zoned land in Charlotte Lane that has been developed for housing has been rezoned to recognise its current use.

New playing fields have been developed at Lord Rutherford Park to accommodate the needs of organised sport in Brightwater and the adjoining rural area. The relatively young population of Brightwater contrasts with some of the other townships of the district. Access to and alongside the nearby Wai-iti and Wairoa rivers, provides for active and passive recreation. Several indicative

walkways and a reserve extension will integrate new residential developments with the existing residential area, the school, Snowdens Bush, Pitfure Stream and the Lord Rutherford Memorial Reserve, and provide access to Pitfure Stream.

Identified areas of urban expansion are expected to be developed with increased and varied housing densities and types higher density housing options and a variety of lot sizes so that the rural land is more efficiently utilised for residential purposes. This provides for a more varied neighbourhood of differing types of housing. The Brightwater Development Area is intended to develop in this manner while managing noise from the state highway and the flood flows from Pitfure Stream and Watertank Hill (the Katania Heights area).

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies. This responds to the objectives and policies in the Tasman Resource Management Plan which:

- i) Seek efficient use of land and infrastructure.
- ii) Encourage medium density housing development of a high standard in suitable locations.
- iii) Seek a range of living opportunities and residential densities.

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

# CHAPTER 16: GENERAL RULES

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[unchanged or irrelevant text omitted]

## 16.3 SUBDIVISION

[unchanged or irrelevant text omitted]

### 16.3.3 Residential Zone

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

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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.

Description of Land to be Subdivided	Minimum Net Area (m <sup>2</sup> )	
Without reticulated wastewater servicing Except Milnthorpe	1,000 1,800	
With reticulated wastewater servicing Except:	450	
(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	
(iii) Allotments adjoining Industrial Zones.	600	
(iii) Allotments adjoining Industrial Zones.	800	
(iii) Allotments adjoining the Light Industrial Zone at Bird Lane, Wakefield	1,000	C58 11/15 Op 7/17
(iv) Allotments in St Arnaud Residential Zone not crossed by Alpine Fault (except as specified in (v)).	1,000	
(v) Allotments in St Arnaud on Lake Road, Robert Street, Holland Street, Arnaud Street and Bridge Street, south of Black Valley Stream in St Arnaud.	1,800	
(vi) Allotment to be used exclusively as a site for a network utility or public work.	1, with no minimum diameter	
(vii) Waimea Village	Refer Schedule 17.1D	
(viii) Richmond South, Richmond West, Motueka West and Mapua development areas.	Refer rule 16.3.3.1 (n)(i)(a) – (d)	C10 10/07 Op 3/14 C22 2/11 & C43 4/13 Op 1/15
(ix) Richmond East Development Area south east of Hill Street.	600	C20 8/10 Op 8/12
Description of Land to be Subdivided	Minimum Net Area (m <sup>2</sup> )	
(x) Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900	C20 8/10 Op 8/12
(xi) 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	Refer rule 16.3.3.1(n)(i)(a) – (d)	C66 10/17 Op 12/18
(xiii) <u>Brightwater Development Area, where the parent title has a net area of 2 hectares or less.</u>	450	
(xiv) <u>Brightwater Development Area, where the parent title has a net area greater than 2 hectares.</u>	<u>Refer to rule 16.3.3.1B Residential Zone – Specific Location: Brightwater Development Area</u>	

[unchanged or irrelevant text omitted]

#### Services

- (i) Every allotment in the Richmond West, Brightwater, Motueka West, 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

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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.

[unchanged or irrelevant text omitted]

#### 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, Richmond East, Richmond Intensive or Mapua development area.

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[unchanged or irrelevant text omitted]

#### Cross Boundary Effects

- (mc)
- (i) Sites adjoining and within 60 metres of Designation 127 are subject to a consent notice to ensure compliance with condition 17.1.3.1(c).
  - (ii) In the Brightwater Development Area
    - a) A resource consent application for subdivision within 100m of the state highway's white edge line must be accompanied by an acoustic design report, prepared by a suitably qualified and experienced acoustic specialist which details the following:
      - i) The measured or predicted outdoor road traffic noise level, determined in accordance with NZS 6801:2008 Acoustics – Environmental Noise and NZS 6806:2010 Acoustics – Road Traffic Noise – New and Altered Roads.
      - ii) Where the measured or predicted outdoor road traffic noise level exceeds 57 dB L<sub>Aeq</sub>(24h), the report must recommend how the subdivision can best include measures to mitigate the effects of road traffic noise on the inhabitants of any future dwellings and achieve an internal noise level of 40 dB L<sub>Aeq</sub>(24h) in habitable rooms. The report must add 3 dB to the measured or predicted noise level to take into account future growth and peaks in road noise.

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For the purpose of (a):

- Habitable room is defined as per the National Planning Standards – Any room used for the purpose of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.
- As a minimum, noise levels must be measured or predicted within the subdivision area at the boundary closest to the state highway, and at a point furthest from the state highway that is still within 100m of the state highway's white edge line.
- Any extraneous noise sources such as abnormal events (e.g., cicadas and crickets, or a neighbour mowing the lawn or doing construction work) must be removed from the noise analysis.

b) All lots (except network utility lots) within 20m of the state highway's white edge line must be demonstrated to be of sufficient size and dimension for a complying dwelling to be setback at least 20m from the state highway's white edge line.

[unchanged or irrelevant text omitted]

**Richmond South, Richmond West, Brightwater, Motueka West, Mapua and Richmond Intensive Development Areas**

(n) Subdivision for standard density development in the Richmond South, Richmond West, Motueka West, Mapua, Brightwater and Richmond Intensive development areas, as shown on the planning maps, complies with the following conditions:

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(i) **Allotments**

- (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 Development Area where Rule 16.3.3.1B(a) applies.
- (b) The minimum average net area for all allotments is 550 square metres, except in the Motueka West area where the minimum average net area is 500 square metres and in the Richmond Intensive Development Area, and the Brightwater Development Area, where there is no average.

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C10 10/07 Op 3/14  
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C66 10/17 Op 12/18

[unchanged or irrelevant text omitted]

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

[unchanged or irrelevant text omitted]

- (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.
- (d) Except for the indicative roads shown in the Richmond South and the Richmond West development areas on the planning maps:
  - (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;
  - (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.

C11 10/07  
Op 10/10

C10 10/07  
Op 3/14

C66 10/17  
Op 12/18

[Items (e) and (f) are deleted]

C69 6/19 Op 6/20

- (n) No allotment in the Brightwater Development Area gains direct access onto State Highway 6. Lawful existing accessways may continue to be used.

[unchanged or irrelevant text omitted]

(iv) **Indicative Stormwater Retention Area**

- (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.

C5 3/06  
Op 10/10  
C43 4/13  
Op 1/15

**Notes:**

- (1) The Urban Design Guide (Part II, Appendix 2) should be considered in preparing applications under this rule.
- (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.

C5 3/06  
Op 10/10  
C10 10/07  
Op 3/14  
C22 2/11  
Op 1/15

[unchanged or irrelevant text omitted]

**Richmond South, Richmond West, Brightwater, Motueka West, Mapua and Richmond Intensive Development Areas**

- (18) For subdivision for standard density development in the Richmond South, Richmond West, Brightwater, Motueka West, Mapua and Richmond Intensive development areas, control over the following matters apply:
- (a) The extent to which the road network is interconnected within the subdivision and with adjoining networks, including the street network, walkways and cycleway connectedness.

C5 3/06  
Op 10/10  
C10 10/07  
Op 3/14  
C22 2/11  
& C43  
4/13  
Op 1/15  
C66 10/17  
Op 12/18

[unchanged or irrelevant text omitted]

- (m) Ensuring adequate ongoing maintenance and replacement of amenity plantings.
- (n) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads and Hill Street has been minimised.
- (o) In the Brightwater Development Area, where dwellings will be located within 100m of the state highway's white edge line, the type and extent of methods utilised to manage mitigate potential noise and vibration effects from the state highway.

**Note:** Further guidance about good urban design and low impact development can be found in the Urban Design Guide (Part II, Appendix 2).

[unchanged or irrelevant text omitted]

**16.3.3.1B Controlled Subdivision (Residential Zone – Specific Location: Brightwater Development Area)**

C66 10/17  
Op 12/18

Subdivision in the Brightwater Development Area is a controlled activity, if it complies with the following conditions:

**Allotment Area**

(a) Every allotment created by the subdivision has a net area as stated in Figure 16.3AB, except where Compact Density Provisions are used in which case there are no minimum allotment area requirements for the Compact Density Development.

**Figure 16.3AB: Minimum Allotment Areas in the Brightwater Development Area:**

Description of Land to be Subdivided	Net Area Requirements (M <sup>2</sup> )
(i)Where the land to be subdivided has a net area of 2 hectares or less	Refer to Rule 16.3.3.1 Figure 16.3A (xiii) <i>Standard Density Subdivision</i>
(ii)Where the land to be subdivided has a net area greater than 2 hectares	<p>a) A minimum of 20% of the allotments created have a net area of between 270m<sup>2</sup> and 350m<sup>2</sup>.</p> <p>And</p> <p>b) A minimum of 20% of the allotments created have a net area of between 350m<sup>2</sup> and 450m<sup>2</sup>.</p> <p>A maximum of 50% of the allotments created can utilise the allowances under (ii)(a) and (ii)(b) above. The minimum net area for the remaining allotments is 450m<sup>2</sup>.</p> <p>NOTE: The net area requirements do not apply to Compact Density, however, Compact Density subdivision and land use rules (16.3.3.3 and 17.1.3.3) can contribute to achieving the requirements of this rule in both size categories (ii)(a) and (ii)(b).</p>

**Allotment Access and Road Network**

(b) The subdivision meets the controlled conditions:

16.3.3.1(n)(i)(c-d), (n)(ii)(g), and (n)(ii)(n) *Allotment Access and Road Network*.

**Services, Existing Buildings, Heritage Site or Item Present, Cultural Heritage Sites, Protected Trees, Stormwater, Transport and Reserves**



- (c) The subdivision meets the conditions of:
1. 16.3.3.1(i) Services
  2. 16.3.3.1(l) Existing Buildings
  3. 16.3.3.1(m) Heritage Site or Item Present
  4. 16.3.3.1(ma)-(mb) Cultural Heritage Site
  5. 16.3.3.1(mc) Stormwater
  6. 16.3.3.1(me)(ii) Cross Boundary Effects
  7. 16.3.3.1(mf) Transport
  8. 16.3.3.1(n)(iii)(b) Reserves
  9. 16.3.3.2A (f) Comprehensive Development

**Matters of Control**

- (i) Matters (1)-(18) listed in 16.3.3.1
- (ii) The ability to achieve a variety of housing density options.
- (iii) Financial Contributions.
- (iv) All Matters referred to in Section 220 of the Act
- (v) Bonds and covenants.

*[unchanged or irrelevant text omitted]*

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

C66 10/17  
Op 12/18

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:

*[unchanged or irrelevant text omitted]*

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

C10 10/07  
Op 3/14

- (c) Land to be subdivided for standard density development in the Richmond South, Richmond West, Brightwater, 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:

C66 10/17  
Op 12/18

**Minimum Allotment Size**

- (i) The minimum net area for each allotment is 350 square meters, except in the Brightwater Development Area 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 Development Area) if the land to be subdivided is greater than 2 hectares in net area.

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

- (ii) The subdivision meets conditions 16.3.3.1(n)(ii)(a), (n)(ii)(c) to (n)(ii)(~~fn~~n), (n)(iii) and (n)(iv).
- (iii) 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

[unchanged or irrelevant text omitted]

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

[unchanged or irrelevant text omitted]

**16.3.3.2C Restricted Discretionary Subdivision (Residential Zone – Specific Location: Brightwater Development Area).**

- (a) Subdivision in the Brightwater 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

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

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, Mapua and Motueka**

- (a) Land to be subdivided for compact density development in the Richmond South, Richmond West, Brightwater, and Mapua Special development areas

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

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

and the Motueka West Compact Density Residential Area, as shown on the planning maps, complies with the following conditions:

- |      |   |  |
|------|---|--|
| (i)  | <b>Land Requirements</b>  | C5 3/06 Op 10/10<br>C22 2/11 Op 1/15<br>C43 4/13 Op 1/15<br>C66 10/17 Op 12/18 |
| (a)  | The subject land comprises (either in one or more existing titles) at least 1500 square metres in the Richmond South, Richmond West, <u>Brightwater</u> , and Mapua Special development areas and the Motueka West Compact Density Residential Area.            |  |
| (ii) | <b>Allotments</b>   | C5 3/06<br>Op 10/10  |
|      | <i>Allotment Area</i>   | C22 2/11<br>Op 1/15  |
| (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 the minimum allotment area is 270 square metres. | C43 4/13<br>Op 1/15  |

*[unchanged or irrelevant text omitted]*

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

*[unchanged or irrelevant text omitted]*

- |     |   |                       |
|-----|---|-----------------------|
| (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) | <u>No allotment gains direct access from State Highway 6 in the Brightwater Development Area. Existing lawful access crossing may continue to be used.</u>  |                       |

(iv) **Reserves**

*[unchanged or irrelevant text omitted]*

- |      |   |                                |
|------|---|--------------------------------|
| (v)  | <b>Indicative Stormwater Retention Area</b>   | C5 3/06<br>C7 7/07<br>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<br>Op 1/15            |
| (vi) | <u><b>Reverse Sensitivity</b></u>   | C10 10/07<br>Op 3/14           |

The subdivision must comply with 16.3.3.1(me)(ii) Cross Boundary Effects

[unchanged or irrelevant text omitted]

#### Reverse Sensitivity Effects

(32) Where the allotment adjoins any rural zone, the extent to which the potential for adverse cross-boundary effects from rural activities have been avoided, remedied or mitigated.

(32A) In the Brightwater Development Area where dwellings will be located within 100m of the state highway's white edge line, the type and extent of methods utilised to manage mitigate potential noise and vibration effects from the state highway.

[unchanged or irrelevant text omitted]

#### Non-Notification

Where condition (b) of this rule applies, and only in respect of non-compliance with condition 16.3.3.1(n)(ii)(b) (being cul-de-sac length), applications for resource consent for an activity under this rule will be decided without public notification and without limited notification.

In the Brightwater Development Area, applications for resource consent that comply with the conditions of this rule (16.3.3.3) will be decided without limited notification (RMA s95B) or public notification (RMA s95A).

C5 3/06  
Op 10/10

### 16.3.3.4 Discretionary Subdivision (Residential Zone)

[unchanged or irrelevant text omitted]

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

C10 10/07 Op 3/14  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C66 10/17 Op 12/18

(b) Subdivision in the Richmond South, Richmond West, Brightwater, Motueka West and Mapua development areas and Mapua Special Development Area that does not comply with rule 16.3.3.2A, ~~or~~ rule 16.3.3.3, rule 16.3.3.1B, or 16.3.3.2C is a discretionary activity, if it complies with the following conditions.:

EITHER

(i) The subdivision has a minimum net area of 350 square metres for each allotment, except that the Mapua Development Area has a minimum net area of 450 square metres and the Mapua Special Development Area has a minimum net area of 200 square metres and Motueka Compact Density Residential Area has a minimum net area of 270 square metres, and the Brightwater Development Area has site areas complying with 16.3.3.1B(a).

OR

(ii) The subdivision is a compact density subdivision proposal and complies with rule 16.3.3.3(a)(iii)(a), (a)(iii)(c) to (a)(iii)(~~i~~), (a)(iv), and (a)(v).

C10 10/07  
Op 3/14  
C22 2/11  
Op 1/15  
C43 4/13  
Op 1/15

C10 10/07  
Op 3/14

[unchanged or irrelevant text omitted]

(1) The degree of compliance with the applicable conditions of rules 16.3.3.1, 16.3.3.1A, 16.3.3.1B, 16.3.3.2, 16.3.3.2A, 16.3.3.2B, 16.3.3.2C and 16.3.3.3.

(2) The reasons for non-compliance with the conditions of rules 16.3.3.1, 16.3.3.1A, 16.3.3.1B, 16.3.3.2 16.3.3.2A, 16.3.3.2B 16.3.3.2C and 16.3.3.3 that have not been met.

C66 10/17  
Op 12/18

[unchanged or irrelevant text omitted]

### 16.3.3.7 Non-Complying Subdivision (Residential Zone)]

Subdivision in the Richmond South, Richmond West, Richmond East, Richmond Intensive, [Brightwater](#), Motueka West, Mapua and Mapua Special development areas and comprehensive subdivision that does not comply with rule 16.3.3.4 or rule 16.3.3.5 is a non-complying activity.

C10 10/07 Op 3/14  
C20 8/10 Op 8/12  
C22 2/11 Op 1/15  
C43 4/13 Op 1/15  
C51 1/15 Op 9/16  
C66 10/17 Op 12/18

[unchanged or irrelevant text omitted]

### 16.3.20 Principal Reasons for Rules

[unchanged or irrelevant text omitted]

#### Electricity Transmission Corridor

[unchanged or irrelevant text omitted]

#### Richmond East Development Area

[unchanged or irrelevant text omitted]

#### **Brightwater Development Area**

The Brightwater Development Area is intended to provide for additional residential land to meet the growth projections for the township and the wider region. It is located on land between State Highway 6, Pitfire Stream, and Lord Rutherford Road. For any urban expansion, particularly into the Rural Zones, there is a need to ensure this land is efficiently used. There is also a strong community view, and government policy direction, that residential land needs to be more intensively used, and a diversity of lot sizes and range of housing options achieved. To help achieve this objective, the Brightwater Development Area includes subdivision rules requiring a variety of lot sizes, including smaller lots, when larger blocks are subdivided.

These rules mean areas of urban expansion are expected to develop with higher density housing options and a greater variety of lot sizes than may occur through the standard minimum lot size approach. This provides for a more varied neighbourhood of differing types of housing and properties.

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies. This responds to the objectives and policies in the TRMP which:

- Seek efficient use of land and infrastructure.
- Encourage medium density housing development of a high standard in suitable locations.
- Seek a range of living opportunities and residential densities.

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

The Brightwater Development Area includes indicative roads and reserves to ensure appropriate connections are achieved; recreational, amenity and ecological functions are provided for; and stormwater

is effectively managed. Flood flows from Pitfure Stream and Watertank Hill (the Katania Heights area) are able to be accommodated within the indicative reserve areas.

In relation to State Highway 6, reverse sensitivity is managed through a requirement to set development back from the state highway, and to provide an acoustic report for subdivision within 100m of the state highway’s white edge line. Rules also restrict additional direct vehicle access to the state highway

**Motueka West Development Area**

*[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.

**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

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[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:

[unchanged or irrelevant text omitted]

**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 Development Area which are situated within 100m of the state highway’s white edge line are designed to meet internal sounds levels, as follows:

Figure 17.1B: Internal Sound Levels

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

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

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

- a) Provides mechanical ventilation to satisfy Clause G4 of the New Zealand Building Code, and
- b) Is adjustable by the occupants to control the ventilation rate in increments up to a high airflow setting that provides at least 6 air changes per hour; and
- c) Provides cooling that is controllable by the occupant and can maintain the inside temperature to be no greater than 25° C; and
- d) Provides relief for equivalent volumes of supply air; and

e) Does not generate more than 35dB L<sub>Aeq</sub> when measured at 1 metre away from any grille or diffuser during the night-time period.

Except where:

- i) The sound incident on the most exposed part of the proposed dwelling's facade is less than 57 dB L<sub>Aeq</sub> (24h) for road traffic noise; or
- ii) All parts of the dwelling are at least 50m from the white edge line of the state highway and there is a solid building, fence (density of at least 10kg/m<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:

(e) In the Brightwater Development Area, the activity must comply with 17.1.3.1(zd) Reverse Sensitivity.

*[unchanged or irrelevant text omitted]*

**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.



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

C66 10/17  
Op 12/18

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, and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, 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)

**Multiple Consents**

*[unchanged or irrelevant text omitted]*

**Stormwater**

*[unchanged or irrelevant text omitted]*

**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.

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

C5 3/06  
Op 10/10

(1) *[unchanged or irrelevant text omitted]*

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

*[unchanged or irrelevant text omitted]*

(7) Earthworks.

C5 3/06  
Op 10/10

(8) Landscaping.

(9) Vegetation removal, modification and/or planting.

(10) Natural hazards.

(11) Open space.

(12) For the Brightwater Development Area, management of reverse sensitivity effects on the state highway.

**Non-notification**

Applications for resource consent that comply with the conditions of this rule (17.1.3.3) will be decided without limited notification (RMA s95B) or public notification (RMA s95A) in the Brightwater Development Area.

*[unchanged or irrelevant text omitted]*

**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 Richmond East development areas south east of Hill Street, the Richmond Intensive Development Area or within the [Brightwater or](#), Motueka West Development Areas, as shown on the planning maps.

*[unchanged or irrelevant text omitted]*

**17.1.3.4B Restricted Discretionary Activities (Building Construction or Alteration – Specified Locations: Development Areas – Standard Density and Compact Development)**

C66 10/17  
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**Richmond South, Richmond West, Motueka West, [Brightwater](#), Richmond Intensive, Mapua and Mapua Special Development Areas and the Motueka West Compact Density Residential Area**

Construction or alteration of a building in the Richmond South, Richmond West, [Brightwater](#), Motueka West, Richmond Intensive, Mapua and Mapua Special development areas and the Motueka West Compact Density Residential Area that does not comply with the conditions of rules 17.1.3.1, and 17.1.3.2 for standard density development, or rule 17.1.3.3 for compact density development, is a restricted discretionary activity, if it complies with the following conditions:

**Garages and Stormwater**

- (a) The activity complies with condition 17.1.3.4 (g) relating to garages and 17.1.3.4(i) relating to stormwater.
- (b) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths.

**Compact Density Development – Multiple Consents – Richmond South, Richmond West, [Brightwater](#), Mapua Special Development Areas and the Motueka West Compact Density Residential Area**

- (c) Where the activity is a compact density development, all buildings are located within a title that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7.

**Note:** Subdivision condition 16.3.3.3(a) requires that for compact density development both the land use and subdivision consents are lodged with Council at the same time and assessed together.

**Reverse Sensitivity – Brightwater Development Area (new heading)**

**(d)** The activity must comply with rule 17.1.3.1(zd) Reverse Sensitivity.

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

- (1) **Scale and Intensity of Use**
  - (a) Whether the site is of sufficient size and configuration to allow the adequate mitigation of the effects of the proposal on the surrounding neighbourhood.
  - (b) Whether the intensity and scale of the proposal should be controlled to protect the amenity values of that neighbourhood.
  - (c) In the Brightwater Development Area, whether a variety of housing density options is achieved.
- (2) **Site Layout**
  - (a) The extent to which the siting and configuration of buildings and the uses on the site have a positive relationship with the street, in particular whether main entrances front the street with garaging and parking located to the rear of the site.
  - (b) The extent to which the siting and design of buildings, structures and open space adversely affects the acoustic environment of the adjoining property.

*[unchanged or irrelevant text omitted]*

- (11) **Traffic (roadings, access, parking, manoeuvring, loading)**
  - (a) Whether vehicle access provided is functional and safe.
  - (b) Whether car parking is safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the street, in particular, whether hard-paved areas associated with parking and garaging dominate the streetscape.

C66 10/17  
Op 12/18

(11A) Reverse Sensitivity  
In relation to the Brightwater Development Area, whether the location and design of new or altered dwellings have appropriately addressed noise and vibration from the state highway.

**Miscellaneous**

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

*[unchanged or irrelevant text omitted]*

**17.1.20 Principal Reasons for Rules**

*[unchanged or irrelevant text omitted]*

**Richmond South, Richmond West, Brightwater, 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, 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, Mapua and Mapua Special development areas is subject to the requirements of the Urban Design Guide (Part II, Appendix 2). In the Brightwater Development Area, development is to take into account the management of noise received from the state highway.

C22 2/11  
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Op 1/15

Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area applies. This responds to the objectives and policies in the TRMP which:

- Seek efficient use of land and infrastructure,
- 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 Development Area because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard permitted activity bulk and location criteria in the Tasman Resource Management Plan unless the land adjoining the specific boundary is being developed as a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario.

*[unchanged or irrelevant text omitted]*

**SCHEDULES**

**Schedule 17.1A: Daylight Admission Angles**

Refer to rules 17.1.3.1, 17.2.4.1, 17.4.3.1, 17.5.3.1, 17.6.3.1, 17.7.3.1, 17.3.3.3, 17.8.3.1, 17.9.2.1, 17.10.3.1.

The angle of inclination over the site for daylight control planes is determined separately for each boundary of the site using the elevation calculator in the diagram below, in the following manner:

*[unchanged or irrelevant text omitted]*

**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)						
<i>[unchanged or irrelevant text omitted]</i>						
<b>Richmond West Development Area</b> (planning maps 23, 57, 121 - 125, 127, 128, 130)						
<i>[unchanged or irrelevant text omitted]</i>						
<b>Richmond East Development Area</b> (planning maps 23, 57, 130, 135)						
<i>[unchanged or irrelevant text omitted]</i>						
<b>Mapua Development Area</b> (planning maps 19, 54, 87)						
<i>[unchanged or irrelevant text omitted]</i>						
<b>Motueka West Development Area</b> (planning maps 19, 52, 116, 118, 119)						
<i>[unchanged or irrelevant text omitted]</i>						
<b>Motueka (outside the Motueka West Development Area)</b> (planning maps 19, 52, 119)						
<i>[unchanged or irrelevant text omitted]</i>						

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Op 9/16

<b>Brightwater</b> (planning maps 22, 56, 90)						
South east of Snowdens Bush	Rural 1	Reticulated water supply, wastewater and transport (Ellis St intersection)	15/4/21	Lot 1 DP 3638 Lot 4 DP 4841 Lot 2 DP 534911 (part) Lot 1 DP 304184 (part) Pt Sec 33 Waimea South Dist		Residential
<a href="#">Between Wanderers Avenue &amp; Lord Rutherford Road</a>	<a href="#">Rural 1</a>	<a href="#">Reticulated water supply</a>				<a href="#">Residential</a>
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 1 DP 456011 Lot 1 DP 395051		Light Industrial
104 Waimea West Road, Brightwater (Part of Pt Section 33 Waimea South District)	Rural 1	Reticulated water supply				Residential
<b>Brightwater Development Area</b> (planning maps 22, 56, 90)						
<a href="#">Between Lord Rutherford Road, Main Road Spring Grove (State Highway 6), and Pitfure Stream</a>	<a href="#">Rural 1</a>	<a href="#">Reticulated water supply.</a> <a href="#">Stormwater and water supply required.</a>				<a href="#">Residential</a>

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Op 12/18  
9/21

C57 11/15  
Op 12/18

12/20

C68 7/18  
Op 6/19

*[unchanged or irrelevant text omitted]*

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

[unchanged or irrelevant text omitted]

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

### 19.2.1 Land Use

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Op 8/12

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

[unchanged or irrelevant text omitted]

**19.2.1.12** For an activity involving a building in the Residential Zone in the Richmond South, Brightwater, or the Mapua Special development areas or the Motueka West Compact Density Residential Area:

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& C43 4/13  
Op 1/15

- (a) information describing the extent to which compliance is achieved with the conditions in rule 17.1.3.3 Controlled Activities (Building Construction or Alteration – Compact Density Development) for buildings in the Residential Zone in the Richmond South, Brightwater, or Mapua Special development areas or the Motueka West Compact Density Residential Area, or – in the case of the Brightwater Development Area – compliance with 17.1.3.2 Controlled Activities (Building Construction or Alteration – Standard Density Development);
- (b) where the application is for a compact density land use development and subdivision, information describing consistency with the Urban Design Guide (Part II, Appendix 2).

[unchanged or irrelevant text omitted]

### 19.2.2 Subdivision

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

C19 5/10  
Op 8/12

[unchanged or irrelevant text omitted]

**19.2.2.7** For a subdivision in the Residential Zone in the Richmond South, Brightwater, Motueka West or Mapua development areas:

C5 3/06  
Op 10/10

- (a) a plan showing the layout of the subdivision, including all building location areas;
- (b) information describing the extent to which compliance is achieved with the standards and terms in rule 16.3.3.1 Controlled Subdivision (Residential Zone – Standard Density Development) for the Residential Zone in the Richmond South, Brightwater, Motueka West or the Mapua development areas; and the standards and terms in rule 16.3.3.1B Controlled Subdivision (Residential Zone – Specific Location: Brightwater Development Area) for the Brightwater Development Area.

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- (c) information describing consistency with the Urban Design Guide (Part II, Appendix 2);
- (d) information on proposed block perimeter lengths.

(e) In the Brightwater Development Area,

(i) information on how a variety of housing options, including higher density housing options, is achieved, or – where this is not practicable – justification of why.

(ii) where the subdivision is within 100m of the state highway’s white edge line, an acoustic design report, prepared by a suitably qualified and experienced acoustic specialist which details the measured or predicted outdoor road traffic noise level, and, where the measured or predicted outdoor road traffic noise level exceeds 57 dB LAeq (24h), recommends how the subdivision can best include measures to mitigate the effects of road traffic noise on the habitants of any future dwellings.

(iii) Information on how flood hazard risk from Pitfure Stream is managed.

(iv) An Integrated Transport Assessment to understand, assess and mitigate the potential traffic and safety effects (including on Lord Rutherford Road North and SH6 Intersection) to be prepared by a transport planner, transport engineer or other suitably qualified professional.

**PART II – APPENDIX 2: URBAN DESIGN GUIDE**

Applies at the Motueka West, Richmond South, Richmond West, Richmond Intensive, **Brightwater**, Mapua and Mapua Special development areas

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

**1. INTRODUCTION**

*[unchanged or irrelevant text omitted]*

The Motueka West Development Area (MWDA) is a priority area for Motueka’s development over a 50-year timeframe following a structure planning exercise in 2009. This process has identified a need for a consolidation of the town through a planned approach that ensures a quality living and working environment.

C43 4/13  
Op 1/15

The Brightwater Development Area (BDA) provides for some of the township’s, and the region’s, residential growth needs as identified through the Future Development Strategy 2019 and 2022. This area is intended to provide for a variety of lot sizes, increased density, and a quality living environment.

*[unchanged or irrelevant text omitted]*

**3. RELATIONSHIP OF THE DESIGN GUIDE TO THE TASMAN RESOURCE MANAGEMENT PLAN**

This design guide covers a range of urban design matters integral to the subdivision layout and development planning of the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA. The design guide is intended to provide a clear preferred direction for any proponent of a development in the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA. The guide contains provisions that relate to both subdivision and development within the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA.

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The district plan provisions associated with the development of the RSDA, RWDA, RIDA, MWDA, MDA and MSDA are contained in the Tasman Resource Management Plan (the Plan) – these guidelines form part of the Plan as Appendix 2 to Part II. The design guide applies in relation to the following Plan rules:

- 16.3.3.1 Controlled Subdivision (Residential Zone – Standard Density Development)
- 16.3.3.1A Controlled Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)
- [16.3.3.1B Controlled Subdivision \(Residential Zone – Specific Location: Brightwater Development Area\)](#)
- 16.3.3.2A Restricted Discretionary Subdivision (Residential Zone – Standard Density Development)
- 16.3.3.2B Restricted Discretionary Subdivision (Residential Zone – Specific Location: Richmond Intensive Development Area)
- [16.3.3.2C Restricted Discretionary Subdivision \(Residential Zone – Brightwater Development Area\)](#)
- 16.3.3.3 Restricted Discretionary Subdivision (Residential Zone – Compact Density Specific Locations)
- 16.3.3.4 Discretionary Subdivision (Residential Zone)
- 17.1.3.3 Controlled Activities (Building Construction or Alteration – Compact Density Development)
- 17.1.3.4 Restricted Discretionary Activities (Building Construction or Alteration – Standard Density Development)
- 17.1.3.4A Restricted Discretionary Activities (Building Construction or Alteration – Comprehensive Development)
- 17.1.3.4B Restricted Discretionary Activities (Building Construction or Alteration – Specific Locations: Development Areas)
- 17.1.3.4C Restricted Discretionary Activities (Building Construction or Alteration – Specific Locations: Richmond Intensive Development Area)
- 17.1.3.4D Discretionary Activities (Building Constructions or Alteration – Specific Locations: Richmond Intensive Development Area)

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Op 12/18

*[unchanged or irrelevant text omitted]*

For permitted buildings in the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA, the design guide may help in successful design. For controlled and restricted discretionary subdivision and buildings in the [BDA](#), RSDA, RWDA, MWDA, MDA and MSDA, and for discretionary subdivision and restricted discretionary and discretionary buildings in RIDA, consistency with the design guide is a matter for considering in either imposing conditions or considering granting or declining applications (restricted discretionary activities only).

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#### 4. HOW TO USE THIS DESIGN GUIDE

There is no prescribed way to create attractive, liveable, functional, enduring living environments and the guidelines are intended to provide some flexibility in the approach. Accordingly each part describes the subject to be guided and describes the aims with a diagram or image which is for explanatory value.



The design guide should be considered when first beginning to develop any subdivision or building development proposal in the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA.

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## A. Allotment Layout

The allotment layout in a new urban area will pre-determine the position and aspect of resultant houses and other development. Accordingly, attention needs to be given at the outset of the design process to the type of development that will result from the layout prescribed at the time of subdivision.

To achieve the desired environment for the [BDA](#), RSDA, RWDA, MWDA, MDA and MSDA, guidelines for allotment layout are set out below.

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C66 10/17 Op 12/18

*[unchanged or irrelevant text omitted]*

## B. Dwelling Size

The efficient use of the land in new growth areas is important. Land is a finite resource and should be judiciously used to retain a context of productive working land and natural landscapes as these are important to the regional economy, biodiversity and quality of life. The compactness of settlements is also important as it assists servicing efficiency, accessibility of residents to facilities (schools, shops, etc), reduces travel times and energy use, and presents opportunities for various forms of transport. It is recognised in Richmond, [Brightwater](#), Motueka and Mapua that the different dwelling sizes and types will need to be provided for if people are to be comfortable living in Richmond, [Brightwater](#), Motueka and Mapua at various stages of their lives. Part of that difference is recognising the need for a mixture of family homes with large sections and smaller houses with less land to look after, and more opportunities for social contact for people living alone. With an aging population in Tasman, incorporation of universal design principles in the initial design of dwellings in RIDA is encouraged. To encourage efficient land use, the provision of different house types, and an urban form that is compact, guidelines to encourage different forms of development in the [BDA](#), RSDA, RWDA, RIDA, MWDA and MSDA are set out below.

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*[unchanged or irrelevant text omitted]*

## C. Street Network

The street network is the principal way people will get to and from the places they use within Richmond, [Brightwater](#), Motueka and Mapua. These movements are made every day by a range of people with a range of mobility levels and a range of access to vehicles. Movements typically include a child going to school, workers going to work, or an older person going for a walk. Primarily the movement network is provided by streets, but in the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA there will also be pathways on greenways and these are addressed separately. To achieve the desired environment for the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA, guidelines for the street network are set out below.

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*[unchanged or irrelevant text omitted]*

**Guideline C2**  
**STREET CONNECTEDNESS**  
*Refer to Figure C2a*

**Encourage maximum accessibility within the urban area by:**

- Creating streets that are interconnected with other streets and with minimal dead ends or cul-de-sacs.
- Making collector streets that provide for walking, cycling and easy navigability around a neighbourhood by direct routes.
- Ensuring that cul de sacs (where they are rarely provided for) have walking and cycling links to adjacent streets and to provide for a potential vehicle connection in the future.
- Providing cycleways on main routes to Richmond, [Brightwater](#), Motueka and Mapua town centres and schools.
- Creating regular street intersections and limited block lengths.
- Providing clear and safe access to greenway networks from the street network with direct visual and walking links across that follow the street alignment.

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& C43 4/13  
Op 1/15

It is important to have high levels of accessibility because it:

- assists reduced travel distances (walking or driving) between destinations
- enhances walkability by providing reasonably direct routes between places
- enhances the ease with which people can find their way around a place by providing minimal dead ends.

*[unchanged or irrelevant text omitted]*

**D. Garaging and Carparking**

The quality of the Richmond, [Brightwater](#), Motueka and Mapua environment as places to live will need to move towards providing an appropriate balance between provision for private motor vehicles and other forms of transport, and walking as a way of moving around the urban area. Part of that balance is about making the urban environment work well for vehicles and for people moving around in other ways – aspects of this balance are addressed by the street network guidelines. Other guidelines below which address a balanced way of providing for vehicles on private property are also important to the quality of the living environment.

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Op 1/15

*[unchanged or irrelevant text omitted]*

**E. On-site Amenity**

**Proposed as at 2 August 2014**

The [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA are new urban growth areas that will encourage (although not require) a range of house sizes and types to be provided by development to meet projected demand for this by future populations. It is anticipated that some development in the [BDA](#), RSDA, RWDA, RIDA, MWDA and MSDA will take the form of town dwellings, or building formats where people may live closer to one another than they would in single detached dwellings. One essential element of a quality living environment is maintaining the on-site amenity - visual and aural privacy, functionality (rubbish storage, letterboxes), drying of washing, outdoor living - where people are living in closer proximity to one another. The guidelines below encourage the consideration of and provision for amenity in the [BDA](#), RSDA, RWDA, RIDA, MWDA, MDA and MSDA.

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*[unchanged or irrelevant text omitted]*

**F Frontages**

The space between the front of a building and the street is the “public space” and presents the face of urban areas. The quality of the public environment in urban areas is strongly influenced by the characteristics of these spaces. That quality includes safety, amenity and walkability.

To achieve the desired environment for the [BDA](#), RSDA, RWDA, MWDA, RIDA, MDA and MSDA, guidelines for frontages are proposed as set out below.

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*[unchanged or irrelevant text omitted]*

**G Public Open Space**

The provision of public open space within the Richmond, [Brightwater](#), Motueka and Mapua areas is a strong feature of their character. The quality of public open space needs to be considered in the design of subdivision and the implementation of the development of that space to ensure it is functional, safe, and contributes positively to the quality of Richmond, [Brightwater](#), Motueka and Mapua as places to live.

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<b>Guideline G1</b> <b>FUNCTION</b> <i>Refer to Figure G1a</i>
<p><b>Provide for the relationship between public and private space need to be recognized in the subdivision design by:</b></p> <ul style="list-style-type: none"> <li>• Ensuring that greenways are provided to function for stormwater management in accordance with the Tasman District Engineering Standards.</li> <li>• Ensuring that greenways and open space in accordance with the relevant structure plan for <a href="#">BDA</a>, RSDA, RWDA, MDA and MSDA and plan change for MWDA are provided.</li> <li>• Providing public open spaces in addition to greenways at strategic locations where they contribute positively to residential amenity, not as 'left over' spaces from subdivision.</li> <li>• Using a limited range of trees in open spaces that allow visibility under their canopy (rather than low shrub plants) to ensure that they are easily maintained and that there is good public safety.</li> </ul> <p>These guidelines are important because:</p> <ul style="list-style-type: none"> <li>• public open spaces need to be safe and well used to be valued and retained</li> <li>• the greenways function as essential stormwater management networks.</li> </ul>

*[unchanged or irrelevant text omitted]*