



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Laurie Davidson – Consents Planner, Golden Bay

REFERENCE: RM060920

SUBJECT: **R and A LANGFORD - AORERE CHURCH OF CHRIST – REPORT EP07/05/01** - Report prepared for 7 May 2007 hearing

LOCATION: State Highway 60, Tukurua, Golden Bay.

LAND DESCRIPTION: Lot 1 Deposited Plan 17040, all land contained in Certificate of Title NL 11A/1129

ZONING: Proposed Tasman Resource Management Plan
- Rural Residential
- Special Domestic Wastewater Disposal Area

RESOURCE CONSENT TYPE: Proposed Resource Management Plan - Discretionary Activity

- To expand the use of the Kahurangi Lodge to enable it to be used for church and community activities associated with the Aorere Church of Christ in addition to the current tourist accommodation use.
- To erect an on-site advertising sign with an area of 2 square metres.

NOTIFICATION: Council processed this application under the provisions of the Resource Management Act 1991 as a notified application, as the proposed use has the potential to create effects that could be more than minor and the extent of those effects are uncertain when the surrounding area is considered.

Written approval pursuant to Section 94 of the Act has been provided by;

Transit New Zealand
BJR Mill, D L East and R B East
D J and K L Kerrisk
K S and L I Landaus
R A Palmer and P R Winspear
AMFL and A L Palffy

1. INTRODUCTION

The application lodged by R and A Langford on behalf of the Aorere Church of Christ seeks to expand the use of the Kahurangi Lodge property to enable it to be used for church and related community activities. This use would be in addition to the tourist accommodation operation that has already been approved by Council and while the lodge has not operated for some time, the use can be re-established under the terms of that consent. An application has also been lodged for a Discharge Consent to discharge treated domestic wastewater in the Special Domestic Wastewater Disposal Area that is being reported separately by Mr M Durand.

The church use would involve a weekly Sunday morning service and a fortnightly Sunday evening service. There would also be formal and informal groups meeting in association with the church at other times. Approval is also sought to enable community functions such as weddings, funerals and conferences to take place. Numbers attending these events would be variable, but the application indicates the maximum number of people anticipated is 120 persons. The applicants expect numbers associated with the church use to be between 30 and 45 depending on the time of the service and the community groups would generally vary between 10 and 50 people.

2. SITE DESCRIPTION

The Kahurangi Lodge is a purpose built building that was designed to cater for a selected tourist market. The complex that was built in 1994/95, consists of four accommodation rooms that are catered for by a lounge dining area of approximately 140 square metres together with the required service areas, including a commercial kitchen. The building is of a very high standard and is set on comprehensively landscaped grounds, providing a very attractive rural setting. The large deck on the eastern side of the building provides excellent views toward Separation Point. While consent was granted for 8 accommodation rooms, only four have been built to date.

The lodge is set on a 2.3635 hectare allotment that is zoned Rural Residential and is one of the most elevated properties in the Tukuruia area. It is accessed from State Highway 60 where an access has been formed to a Diagram C standard in accordance with Transit New Zealand's Planning Policy Manual. This standard was deemed appropriate for tourist accommodation consisting of eight rooms. The first 10 metres of access is sealed to prevent the migration of metal on to the State Highway carriageway, then the on site access is a metalled surface approximately 5 metres in width and finished with dolomite chip. The same surface is provided for the parking areas on site which provides ample parking for the current consented use.

There is also a manager's residence on the property on the north western side of the Lodge that provides accommodation and parking for that building. While this building is not seen in the same context as the Lodge, it is compatible with the existing development on the site and is a consented use.

The location of the Lodge building and the landscaping established on the property effectively screen the buildings from neighbouring properties and the nearest dwelling is approximately 120 metres away. Others are generally 200 metres or more from the Lodge building. There is no direct line of sight to any of the dwellings adjoining the subject site.

The development is provided with water from the Tukurua water scheme and relies on an on-site waste water system that is being reported on separately in conjunction with this application.

3. NOTIFICATION AND SUBMISSIONS

The application was notified on 17 February 2007, with submissions closing on 16 March 2007. Twenty six submissions were received regarding the application to enable the Kahurangi Lodge building to be used for church and associated community activities. Of these, 20 of the submissions support the application, three oppose it and three are neutral. Two of the applications were late and as such are invalid unless the applicant chooses to accept them.

Ten of the submitters have indicated they wish to be heard.

3.1 SUBMISSIONS RECEIVED:

3.1.1 Submissions in Support

J Strange, BR and DK Evans, LM Henderson, P Winspear and R Palmer, J and G Wylie, G and B Hampson, D and P Wilkens, JG Kerr, R and L Swafford, M Harte, PF Stocker, R Moretti, H and C Bauer, PA Clements, D and S Clark, P,P,J and A Berkett, J Davis, D Thorpe, D Thorpe and M Thorpe.

The submissions in support have a common theme of providing support for a more permanent base for the Aorere Church of Christ and clearly many of these submitters are also members of that church group. These people see a clear benefit that will strengthen the church group, providing a strong foundation for families and community support. The use of the facility is ideally suited for their purposes through the generosity of two of their members and is widely supported by that community. A clear benefit to the church group is to obtain a centrally located venue that can cater for both the Takaka and Collingwood congregations. The facility will also cater better for children's programmes that are more difficult to undertake in the current church location.

The pastor of the Church has lodged a submission in support that emphasises these aspects and he sees the move as an opportunity for the church, which has been established for a considerable period of time, to grow in a way that will support the local community in the areas of welfare and spiritual well being.

The other community activity uses are seen as church related and appropriate for the facility, as is the continued use of the consented tourist accommodation. These uses are better catered for in a facility that is being used more specifically for that purpose.

One submission in support also expressed some concerns about the standard of the access to be formed and the potential for noise from the activities on the property to affect the rural character of the Tukurua area.

Comment: For members of the Church of Christ, the opportunity to have a base that is more permanent and used more specifically for their purposes, is a very attractive proposition that is being provided very generously by two of their members. There is no doubt the welfare and support provided by such a group to its members is a very healthy and beneficial outcome. The current operation of services that have less than 50 people attending can be seen as an activity that is unlikely to have adverse effects, providing certain criteria are met. It is pertinent to note, that community activities are permitted as of right in Residential Zones where the density of development is much greater than Rural Residential areas. The other community activities proposed require a little more consideration and matters relating to them are discussed in more detail under the “Actual and Potential Effects” section of this report.

The concerns about access and noise raised by a submission in support have also been raised by submitters in opposition and those issues are discussed in more detail within the report.

3.1.2 Submissions that are Neutral

H Wallace, J Morris and HV and EM Eastman. (Note: the Eastman submission was received late).

The neutral submissions neither support nor oppose the proposal, but raise matters of concern that those submitters consider will need to be addressed. These matters include the potential for exterior lighting to change the night time character of the local area and in particular the potential effect on astronomical observations. In much the same way, there is also concern about the rural character of the area changing, especially in relation to noise levels. Two submitters consider any consent granted for Community Activities that are no longer associated with the church could have different effects than those that are church related and because there is no reference to church activities in the Proposed Tasman Resource Management Plan, such a use would be commercial. One of these submissions also considered the consent should be personal to the applicants and that any maintenance work to maintain sight distances should be the responsibility of the consent holder.

Comment: The matters raised by these submitters are generally the potential effects of allowing the activity to take place on this site. As such they are addressed in this report and of appropriate conditions should be considered if the Committee consider consent should be granted. The church use is clearly a Community Activity rather than a commercial use and is treated as a Discretionary Activity under the PTRMP. There do not appear to be any special reasons in this case to make the consent personal to the applicants.

3.1.2 Submissions in Opposition

K and H English, R Cosslett and W Collie (Note: the Collie submission was received late)

Mr and Mrs English own the property to the south of the subject site, where the residence is sited just under 200 metres from the Lodge building. They oppose the application for a number of reasons and declined to provide written approval when they were asked to, pursuant to Section 94 of the Resource Management Act 1991. They are concerned noise generated on the property will have an effect on their enjoyment of the rural character of the area and the hours of 6.00 am until 11.30 pm are excessive. They also consider the noise effects may be exacerbated by doors and windows being opened, due to the lack of air conditioning in the building. The traffic safety effects on State Highway 60 concern them and they think the proposed use is better suited to a suburban environment. Mr Cosslett raises concerns in relation to light shed and considers the likely noise from music is uncharacteristic for a Rural Residential Zone. He asks that the church and community activity uses are tied together and there be no amplified music or singing. The submission by W Collie was received late and as such is invalid, unless the applicants choose to accept it. The matters he has raised in relation to noise and access have also been raised by other submitters. All submitters in opposition have asked that the application be declined.

Comment: The matters raised by the submitters in opposition are valid concerns, considering a Community Activity in a Rural Residential Zone is a Discretionary Activity. It is the extent of these effects that have to be considered. As such these are discussed further within this report and those effects must be carefully considered when making a decision on such an application.

4. ASSESSMENT

The application before the Committee is a Discretionary Activity under the Resource Management Act to use the existing lodge at Tukurua for Church and other Community Activity purposes and a Controlled Activity to erect a sign of 2 m² under the Proposed Tasman Resource Management Plan (PTRMP).

The Transitional District Plan (Golden Bay Section) has virtually no relevance to this application. Section 19 of the Resource Management Act 1991 (as amended by the RMAA in August 2003) makes it very clear that where the provisions of a Plan have passed the point where they are beyond further challenge, the rules become operative. While the Transitional Plan is still technically an operative Plan, the PTRMP has progressed through a major part of the Plan process and it is appropriate to now place the appropriate weighting on the PTRMP when considering this application.

The Committee may grant or decline an application for a Discretionary Activity pursuant to Section 104 B of the Resource Management Act and if consent is granted, conditions may be imposed pursuant to Section 108. Consent must be granted for a Controlled Activity (the signage) pursuant to Section 104A of the Act and conditions can be imposed.

In making such a decision, the Committee is required to first consider the matters set out in Section 104(1) of the Act, in addition to the matters set out in Section 7. Primacy is given to Part II of the Act, "the purpose and principles of sustainable management of natural and physical resources.

The decision should therefore be based, subject to Part II of the Act, on:

- The actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of national or regional policy statements;
- Relevant objectives, policies, rules or other provisions of a plan or proposed plan; and
- Any other matters the Committee considers relevant and reasonably necessary to determine the application.

5. RESOURCE MANAGEMENT ACT

The purpose and principle of the Act is to promote the sustainable management of natural and physical resources. Sustainable management means:

“Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people, and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems;
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment”.

5.1 Matters of National Importance – Section 6 of RMA

The matters of National Importance are set out in Section 6 of the Resource Management Act. In this case there do not appear to be any matters of National Importance that are relevant to this application.

5.2 Other Matters – Section 7 of RMA

Section 7 of the Resource Management Act sets out the other matters that any person exercising powers or functions must have regard to in relation to managing the use, development and protection of natural and physical resources. Matters that are relevant to this application are as follows;

- b) The efficient use and development of natural and physical resources:
- c) The maintenance and enhancement of amenity values:
- f) Maintenance and enhancement of the quality of the environment:
- g) Any finite characteristics of natural and physical resources:

These other matters have more direct relevance and in particular those relating to amenity values and the quality of the environment. These are reflected in the policies and objectives in the Tasman Resource Management Plan and other planning instruments.

6. STATUTORY PLANNING DOCUMENTS

6.1 Tasman Regional Policy Statement

The Tasman District Council has prepared a Regional Policy Statement in accordance with the provisions of the Resource Management Act and this became fully operative in July 2001. The Statement takes national policies and refines and reflects them through to the local area, making them appropriate to the Tasman District. Council is required to have regard to the Regional Policy Statement as an overview of resource management issues.

The policies that are considered relevant to this application are set out in Appendix A to this report.

6.2 The Proposed Tasman Resource Management Plan

The Proposed Tasman Resource Management Plan (PTRMP) has progressed to the point that it is close to being operational. There are still some outstanding matters to be resolved but generally much of the Plan is effectively operational.

The land use must be deemed to be in accordance with relevant objectives and policies pursuant to Section 104(1)(b)(iv) of the Act. The most relevant Plan is considered to be the PTRMP and this is used in the assessment. Because this was developed to be consistent with the Regional Policy Statement, the assessment would also be considered to satisfy an assessment under the Regional Policy Statement.

The following table summarises the most relevant plan matters and provides a brief assessment commentary. The objectives and policies that are particularly relevant to this application relate to site amenity and land transport.

Summary of Objectives and Policies – Proposed Tasman Resource Management Plan

<i>Chapter 5 – Site Amenity Effects</i>	Council must ensure that the rural character and amenity values of a site and the surrounding environment are protected, and any actual or potential effects of the proposed land use must be avoided remedied or mitigated so they are minor.
<i>Objectives 5.1 and 5.2</i> <i>Policies: 5.1.1, 5.1.3, 5.1.3A, 5.1.3B, 5.1.4, 5.2.1, 5.2.8, 5.2.10 and 5.2.13</i>	Management of the effects of the proposed use must protect the use and enjoyment of other land in the area, including the effects of rural character, amenity, noise, traffic and parking.

<i>Chapter 7 – Rural Environment Effects</i>	The use of the rural environment for activities other than productive land use can occur in certain locations, but it should be undertaken in a manner that does not compromise the rural character or amenity values.
<i>Objective: 7.2</i> <i>Policies 7.2.1, 7.2.1A</i>	Allow for activities other than soil based activities to locate in rural areas on land that is not of high productive value. Any proposal is required to preserve the amenity and rural character values of an area.
<i>Chapter 11 – Land Transport Effects</i>	The provision of a safe and efficient transport system is a matter that is pertinent to Golden Bay where there are significant traffic flows, particularly at holiday periods.
<i>Objective 11.1</i> <i>Policies 11.1.1, 11.1.2, 11.1.2B, 11.1.3 and 11.1.4</i>	The effects of traffic and parking can have an effect on the efficiency and safety of the State Highway and activities that can increase those effects are expected to provide appropriate measures to mitigate them to the extent that the functioning of the roading network is not compromised.

The policies that are considered relevant to this application that are summarised above are set out fully in Appendix B to this report. The objectives and policies that relate to site amenity, traffic and the rural environment are deemed to be relevant to this application.

In particular Objective 5.1, supported by Policies 5.1.1 and 5.1.4 seeks to protect the amenity of the area and to avoid, remedy or mitigate adverse effects. Objective 5.2, supported by Policies 5.2.1, 5.2.8 and 5.2.13 are also pertinent to the proposal.

Chapter 11 of the TRMP provides the policy framework for land transport effects and the functioning of the State Highway, access and egress to properties and parking requirements are all applicable to this particular application.

7. ACTUAL AND POTENTIAL EFFECTS OF ALLOWING THE ACTIVITY

The application lodged by R and A Langford on behalf of the Aorere Church of Christ to utilise the existing Kahurangi Lodge building to be used for church and community activity purposes raises a number of issues, some of which have been raised by people making submissions to the application. The amenity of the Tukurua area is a particularly important issue and if there are effects that can alter this, they need to be avoided, mitigated or remedied to the point they are minor and the amenity of the area is preserved.

The issues associated with this application are now discussed in more detail as actual and potential effects.

7.1 Rules of the PTRMP

The land is zoned Rural Residential under the Proposed Tasman Resource Management Plan and the operation of a Community Activity is a Discretionary Activity in such a zone. A community Activity includes land and buildings to be used for welfare, care, cultural and spiritual well being and specifically includes churches.

While Residential, Central Business, Commercial, Tourist Services and Industrial Zones permit Community Activities, none of the Rural or Rural Residential Zones allow such a use as a Permitted Activity. This does not mean they cannot be established in a Rural Residential Zone, but rather the activity requires resource consent for such a use.

7.2 Access and Parking

The existing Lodge at Tukurua has access from State Highway 60 that is formed to a "Diagram C" standard, plus a seal extension of 10 metres into the property. This has functioned satisfactorily for the Lodge operation and has been sanctioned by Transit New Zealand. The current proposal will result in the upgrading of this to a "Diagram D" standard, a standard that has also been approved by Transit New Zealand for up to 100 vehicle movements per day. As such, the traffic effects associated with the church and community activities on the site are judged to be acceptable and the functioning of the State highway operation is not adversely affected.

Some trimming of vegetation on the western side of the highway will improve site distances toward Collingwood, and it would appear from aerial photos this may be able to be achieved within the road reserve itself. If such trimming involves work on the Eastman property, that is a matter that will need to be worked out between the applicants and the Eastman's. This matter can still be included as a condition of consent should it be deemed necessary.

Some submitters have questioned of the standard the access is to be upgraded to and appear to be seeking authorisation to gain access to their properties via a paper road that joins the State Highway at that point. That paper road is unformed legal road that Council has not authorised for access and the use of that access is subject to a separate process that has to be approved by Council's Engineering Department. There are no grounds to require upgrading of the access to an intersection standard until such time that road is formed.

The current Lodge consent requires 8 on-site car parks to be provided and that requirement has been fully complied with to provide more than that number. There is ample land available to provide the required parking of 32 parks for the current proposal and a parking layout has been provided to demonstrate how this will be met. If consent is granted, a condition can be imposed to require a defined number of parks to be formed to a specified standard. On site access is quite adequate for the proposed use but could be further improved with better stormwater control and regular maintenance.

7.3 Hours of Operation and Scale of Use

The proposal lodged with Council is for a Community Activity that would enable 120 people to be present for a function that could take place between the hours of 0600 hrs and 2330 hrs.

While it is acknowledged the extent of the hours is unlikely to be utilised on any regular basis, they are very wide and have the potential to increase the probability of adverse effects. The application does not provide an explanation of the need for such wide hours and the activity becomes subject to a more stringent set of standards may be more difficult to meet.

In the lack of an explanation for such wide hours, there are grounds to reduce such hours of operation if consent is to be considered. A commencement of 0700 and conclusion of 2200 hours would appear to be a more reasonable approach.

The opportunity to have up to 120 people on the site creates an impression of an operation that is quite significant in scale and accordingly the effects are more significant as well. It is reasonable to enable events such as weddings and other community functions to cater for such a number as those events are likely to be intermittent and the effects of a more temporary nature.

It is less predictable in the case of funerals where numbers are totally uncertain. Funerals may well fall into a different category in terms of effects and the frequency and duration of such an activity is unlikely to create adverse effects. If consent is granted to this application it may be reasonable to exclude funerals from the authorised community activity uses, particularly in respect of the numbers of people, to avoid any confusion. There are reasonable grounds to consider funerals as temporary events.

7.4 Noise Effects

A common theme among the submissions that had reservations about the application lodged was for noise to have an adverse effect on the rural amenity of the Tukurua area. In this case the source of the noise is likely to come from three areas, namely traffic noise, music (including amplified music) and general conversation. The Lodge is set in very attractive surroundings that will naturally encourage people to congregate outside on the extensive deck and on the lawn areas surrounding the building.

Depending on the time of the day and the weather conditions, there is a greater or lesser probability for noise to travel in this area and affect adjoining properties. The nearest property to the lodge building is just under 120 metres away and others in the area are around 200 metres or more. Clearly as the distance increases the effects of the noise decrease, but local topography and the type and frequency of noise can have different effects.

If consent is granted to this application, the noise controls as specified in the TRMP will apply to any activity on the site. Because Sunday falls into the definition of night time, the more stringent standard of 40 dBA L₁₀ would apply to the most common activities carried out on site. This level applies at the notional boundary of any residence in the area.

One submission made a very pertinent observation that this building is not air conditioned and during the summer months, doors and windows are likely to be left open for ventilation. This may increase the potential for noise to escape from the building. The applicants may wish to consider the concept of heating and cooling to avoid the necessity to have windows and doors open.

In the same vein, the facility will need to be managed so that any outdoor activity is undertaken in a manner that recognises there are rural neighbours that need to be taken into account. It would be inappropriate to use amplified music or any other form of entertainment in an outdoor setting as it is likely to carry a considerable distance in an area where the noise climate is very rural.

If the Committee consider consent should be granted, it is appropriate to confirm the required standard to be met by condition or advice note and it is then the consent holder's responsibility to ensure that standard is met. Noise emission is seen as an important aspect of this application.

7.5 Light Shed/Glare

Another issue that was raised by some submitters who were concerned about the effects of the proposed use was the potential for increased light shed and potential glare from the site. Any function that will have people on the site after dark will require some lighting to be provided so people can find their way safely to and from the carpark. This will have some potential for that light to spill outside the site. Many people living in Golden Bay value the lack of street lighting and any other form of lighting that many consider to be intrusive. Security lighting in particular can be particularly intrusive and there are alternatives to the standard flood lights that are more appropriate for a rural area. An appropriate condition to avoid the adverse effects of artificial lighting is appropriate if the Committee choose to grant consent to this application.

7.6 Spiritual Wellbeing and Welfare

The submissions in support of the application have a common theme that reflects the benefit people get from participating in the church related activities, be they spiritual or welfare activities. The Aorere Church of Christ is a well established group that have managed to establish themselves using "borrowed" facilities in Collingwood where they have met for a period of time.

The group now find themselves in a position where they have the opportunity to have a permanent base and the benefits that accrue with this are very beneficial for them. The community type of uses for meetings and weddings are also ideally suited to the building that could almost be said to be purpose built for such.

There is no easy way of measuring the effects of spiritual wellbeing and welfare in planning terms but the Resource Management Act takes this into account when considering what sustainable management is and that definition has been set out in full in Section 5 of this report. Sustainable management enables people and communities to provide for their social and cultural wellbeing when using and developing physical resources. The church group is really no different to any other

welfare organisation in the community and the benefits to that section of the community are self evident.

8. CONCLUSION

The application lodged by R and A Langford seeks consent to use the existing Kahurangi Lodge building for Community Activities associated with the Aorere Church of Christ. They also intend to continue with the tourist accommodation that was consented in 1994 and to erect an advertising sign that meets the Controlled Activity standards. The Community activity is treated as a Discretionary Activity and the sign a Controlled Activity under the Proposed Tasman Resource Management Plan. The existing consent for tourist accommodation remains in place and can be re-commenced.

The Transitional Plan now has no real relevance to the application and the Proposed Tasman Resource Management Plan is the correct document to evaluate this application.

The application has been processed as a notified application and attracted twenty six submissions. Of these, twenty have supported the application and ask that consent is granted, three are neutral but want matters of concern addressed and three oppose the application and ask it is declined. The submissions in support focus strongly on the spiritual and welfare benefits to the group and the opportunity to have a more permanent base for the group rather than using a school hall.

The matters of concern raised by submitters in opposition include noise, light shed and traffic/access issues. Local people value the amenity of the Tukurua area and do not wish to see it degraded. The concerns raised have the potential to create adverse effects and will need to be controlled by appropriate conditions if consent is to be granted.

The policies and objectives of the Proposed Tasman Resource Management Plan provide a framework to assess the application. As such it is important to weigh the issues objectively to determine how the proposal fits with the Plan. The policies and objectives that relate to amenity have the most relevance to this application and the rural character of the Tukurua area is a key issue in this case.

The proposed use of the Lodge for the Church and community related activities has the potential to produce some effects that could affect other properties in the Tukurua area if not controlled by appropriate conditions. Of these, the more significant issues are the hours of operation, noise produced and exterior lighting. It is considered these can be managed through the imposition of appropriate conditions to ensure those effects are minor.

Overall, the use of the existing Kahurangi Lodge for Church and community related activities associated with the Aorere Church of Christ is seen as an appropriate use of that facility and will provide a more permanent base for that group in a convenient location in Golden Bay.

Accordingly, I consider consent can be granted to R and A Langford to use the facilities at the Kahurangi Lodge site for the church and community related uses by the Aorere Church of Christ, as applied for.

9. RECOMMENDATION – LAND USE

Pursuant to Section 104(B) of the Resource Management Act 1991, I recommend the application by R and A Langford to use the existing Lodge for a Community Activity associated with the Aorere Church of Christ at Tukurua, on land described as Lot 1 DP 17040, comprised in Certificate of Title NL 11A/1129, is granted. If the Committee choose to grant consent, I recommend the following conditions are included;

1. The use of the existing Kahurangi Lodge building for church and community related activities by the Aorere Church of Christ shall be generally in accordance with the application submitted, dated 3 November 2006. Where there is any conflict between the information provided and any conditions, the conditions shall apply.
2. Access to the property shall be upgraded to a “Diagram D” standard, as specified in Transit New Zealand’s Planning Policy Manual and attached to this consent as “Plan A” before the property is used for any of the consented activities.
3. Vegetation on the western side of the State Highway toward Collingwood shall be trimmed to provide the optimum line of sight for vehicles travelling from Takaka Side of the access. The trimming of the vegetation shall be undertaken in consultation with the owner of that property and be maintained on an on-going basis by the consent holder.
4. On-site parking shall be provided for not less than 32 vehicles, including one bus park, with the parking areas formed to a metalled dust free surface consisting of a 150mm basecourse and a dolomite chip surface. The parking layout and manoeuvring areas shall generally conform with the plan submitted with the application and attached to this consent as “Plan B”.
5. The hours of operation for the church and community related activities shall be limited to 0700 hours to 2200 hours on any day.
6. The number of people attending any of the events held on the property, excluding funerals, shall not exceed 120 people.
7. Noise levels from any activity undertaken on the subject site shall not exceed 40 dBA when measured at the notional boundary of any dwellinghouse in the Tukurua area.
8. Any activities outside the building shall not incorporate any amplified music or other form of musical entertainment at any time.
9. Any exterior lighting including security lights and car parking lighting shall use shielded lights that prevent “light spill” that can affect any other property in the area.
10. The landscaping around the Lodge building shall be retained and managed to prevent the direct line of sight to any adjoining residence at Tukurua.

11. Consent is granted for one sign that does not exceed 2 square metres in area and shall comply with the requirements for rural signage as specified by rule 16.1.5A of the PTRMP. The sign shall be located as shown on "Plan C" attached to this consent.
12. A Development/Financial Contribution to be determined by the Committee shall be payable prior to the consented use commencing.
13. The conditions of the land use consent may be reviewed by Council in accordance with Section 128 of the Resource Management Act 1991 within a period of one month after six months of the consent becoming operational and thereafter at intervals of twelve months, for the purpose of;
 - Dealing with any adverse effect on the environment arising from the exercise of the application;
 - Requiring the applicant to adopt the best practicable option to remove or reduce any adverse effect on the environment.

Notations to be included

1. This consent is issued pursuant to the Resource Management Act 1991 and the Proposed Tasman Resource Management Plan. It does not constitute consent under any other legislation and the consent holder has the duty to comply with any other requirements that may apply under any building, health, sale of liquor or fire safety legislation.
2. This resource consent only authorises the activities described above. Any matters or activities not referred to in this consent or covered by the conditions must either:
 - i comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP);
 - ii be allowed by the Resource Management Act; or
 - iii be authorised by a separate resource consent.
3. This consent is granted to the abovementioned consent holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "consent holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarize themselves with the conditions of this consent as there may be conditions which are required to be complied with on an ongoing basis



Laurie Davidson
Consents Planner (Land) - Golden Bay

REGIONAL POLICY STATEMENT

Policies and objectives appropriate to this application are as follows:

General Objectives

- GO 1 Maintenance and enhancement of the quality of the Tasman District Environment.
- GO 3 Avoidance, remedying or mitigation of the adverse effects on the environment and the community from the use, development or protection of resources.
- GO 4 Efficient use and development of resources.
- GO 5 Maintenance of economic and social opportunities to use, and develop resources in a sustainable manner.
- GO 8 Open, responsive, fair and efficient processes for all Resource Management decision-making.
- GO 9 Resolution of conflicts of interest in resource management between people in the community and within Council.

Land Resource Objectives and Policies

- Obj 6.3 Avoidance, remedying, or mitigation of adverse cross boundary effects of rural land uses on adjacent activities
 - Pol 6.2 Council will ensure that subdivision and uses of land in the rural areas of the District avoid, remedy or mitigate adverse effects on;
 - i) productivity and versatility of land, particularly in areas of high productive value, and
 - ii) provision of services, including roading, access, water availability waste water treatment or disposal, and
 - iii) amenity, natural and heritage values of sites, places or areas including landscape features such as karst terrain, and
 - iv) accessibility of mineral resources, and
 - v) socioeconomic viability of adjacent areas
- and that are not unnecessarily exposed to adverse effects from;
- a) adjacent land uses across property boundaries

b) natural hazards

Pol 6.4 The Council will avoid, remedy or mitigate adverse effects of adjacent rural land use activities across property boundaries including the effects of :

noise;
odour;
contaminant discharges;
shelter belts;
fire risk

Land Transport Effects

Obj 12.4 Maintenance and enhancement of safe and efficient land, maritime, and air transport systems, while avoiding, remedying or mitigating the adverse effects on human health, public amenity and water, soil, air and ecosystems.

Pol 12.5 The Council will ensure that the land transport system efficiently and safely provides for the movement of goods, services and people, including a reasonable level of access, while avoiding, remedying or mitigating adverse effects on the environment including communities.

PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

Policies and objectives appropriate to this application are as follows:

Site Amenity

Avoidance, remedying or mitigation of adverse effects from the use of land, on the use and enjoyment of other land and on the qualities of natural and physical resources. *(Objective 5.1.0)*

To ensure that any adverse effects of subdivision and development on site amenity, natural and built heritage and landscape values and contamination and natural hazard risks are avoided, remedied or mitigated. *(Policy 5.1.1)*

To limit the intensity of development where wastewater reticulation and treatment are not available. *(Policy 5.1.3)*

To ensure that the characteristics, including size, soil type and topography of each lot of any proposed subdivision or built development are suitable for sustainable on-site treatment of domestic waste in unreticulated areas, particularly in areas where higher risks of adverse effects from on-site disposal of domestic wastewater exist. *(Policy 5.1.3A)*

To limit the use of on-site domestic wastewater disposal systems in the Special Domestic Wastewater Disposal Areas (SDWDAs) where cumulative adverse effects including degraded receiving water quality, health risks, nuisance odours, and overland flows of wastewater are likely or have been identified because of increasing system density. *Policy 5.1.3B)*

To avoid, remedy, or mitigate effects of:

- (a) noise and vibration;
- (b) dust and other particulate emissions;
- (c) contaminant discharges;
- (d) odour and fumes;
- (e) glare;
- (f) electrical interference;
- (g) vehicles;

(h) buildings and structures;

(i) temporary activities;

beyond the boundaries of the site generating the effect. *(Policy 5.1.4)*

Maintenance and enhancement of amenity values on-site and within communities, throughout the District. *(Objective 5.2)*

To maintain privacy in residential properties, and for rural dwelling sites. *(Policy 5.2.1)*

To avoid remedy or mitigate the adverse effects of traffic on the amenity of residential, commercial and rural areas. *(Policy 5.2.8)*

To allow signs in residential, rural residential, recreation and rural areas that are necessary for information, direction or safety. *(Policy 5.2.10)*

To limit lighting of rural and residential subdivisions and development, including rural signs, to that which is necessary for safety and security, including public safety and security. (*Policy 5.2.13*)

Rural Environment Effects

Provision of opportunities to use rural land for activities other than soil-based production, including papakainga, tourist services, rural residential and rural industrial activities in restricted locations, while avoiding the loss of land of high productive value. (*Objective 7.2.0*)

To enable activities which are not dependent on soil productivity to be located on land which is not of high productive or versatile value. (*Policy 7.2.1*)

To enable sites in specific locations to be used primarily for rural industrial, tourist services or rural residential purposes (including communal living and papakainga) with any farming or other rural activity being ancillary, having regard to:

- a) the productive and versatile values of the land;
- b) natural hazards;
- c) outstanding natural features and landscapes and the coastal environment;
- d) cross boundary effects, including any actual and potential adverse effects of existing activities on future activities;
- e) servicing availability;
- f) the availability of specific productive natural resources such as aggregates or other mineral resources;
- g) transport, access and effects;
- h) potential for cumulative adverse effects from further land fragmentation;
- i) maintaining a variety of lot size;
- j) efficient use of rural land resource;
- k) cultural relationship of Maori to their land. (*Policy 7.2.1A*)

Transport Effects

A safe and efficient transport system, where any adverse effects of the subdivision, use or development of land on the transport system are avoided, remedied or mitigated. (*Objective 11.1.0*)

To promote the location and form of built development, particularly in urban areas, that:

- a) avoids, remedies or mitigates adverse effects of traffic generation;
- b) provides direct and short travel routes by vehicle, cycling and pedestrian modes between living, working, service, and recreational areas;
- c) avoids an increase in traffic safety risk;
- d) allows opportunities for viable passenger transport services to be realised;
- e) provides a clear and distinctive transition between the urban and rural environments;
- f) segregates roads and land uses sensitive to effects of traffic. (*Policy 11.1.1*)

To ensure that land uses generating significant traffic volume:

- (a) are located so that the traffic has access to classes of roads that are able to receive the increase in traffic volume without reducing safety or efficiency;
- (b) are designed so that traffic access and egress points avoid or mitigate adverse effects on the safety and efficiency of the road network. (*Policy 11.1.2*)

To avoid, remedy or mitigate adverse effects of traffic on amenity values. (*Policy 11.1.2B*)

To control the design, number, location and use of vehicle accesses to roads; including their proximity to intersections and any need for reversing to or from roads; so that the safety and efficiency of the road network is not adversely affected. (*Policy 11.1.3*)

To ensure that adequate and efficient parking and loading spaces are provided, either on individual sites or collectively, to avoid or mitigate adverse effects on the safety and efficiency of the road network. (*Policy 11.1.4*)