Notice is given that an ordinary meeting of the Tasman District Council will be held on:

Date:	**Thursday 28 May 2026**
Time:	**9:30am - Annual Plan Deliberations**
Meeting Room:	**Tasman Council Chamber**
Venue:	**189 Queen Street, Richmond**
YouTube Link:	**Tasman District Council Meetings - YouTube**

Tasman District Council

Kaunihera Katoa

AGENDA

MEMBERSHIP

Mayor	Mayor T King	
Deputy Mayor	Deputy Mayor B Maru	
Councillors	Councillor C Butler	
	Councillor J Ellis	Councillor K Maling
	Councillor K Ferneyhough	Councillor D McNamara
	Councillor M Greening	Councillor P Morgan
	Councillor J Gully	Councillor T Neubauer
	Councillor M Hume	Councillor T Walker
	Councillor M Kininmonth	Councillor D Woods

(Quorum 8 members)

Contact Telephone: 03 543 8400
Email: tdc.governance@tasman.govt.nz
Website: www.tasman.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

AGENDA

1 OPENING, WELCOME, KARAKIA

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation
That the apologies be accepted.

3 PUBLIC FORUM

There is no public forum.

4 DECLARATIONS OF INTEREST

5 LATE ITEMS

6 CONFIRMATION OF MINUTES

That the minutes of the Tasman District Council meeting held on Thursday, 14 May 2026, be confirmed as a true and correct record of the meeting.

7 REPORTS

7.1 Plan Change 79 - operative in part 4

7.2 Annual Plan 2026/2027 and Schedule of Fees and Charges - Deliberations Report 352

8 CONFIDENTIAL SESSION

Nil

9 CLOSING KARAKIA

7 REPORTS

7.1 PLAN CHANGE 79 - OPERATIVE IN PART

Decision Required

Report To:	Tasman District Council
Meeting Date:	28 May 2026
Report Author:	Jeremy Butler, Team Leader - Urban and Rural Policy
Report Authorisers:	Barry Johnson, Environmental Policy Manager
Report Number:	RCN26-05-15

1. Purpose of the Report / Te Take mō te Pūrongo

1.1 This report seeks that Council approve Plan Change 79 in part, limited to those provisions that are not subject to appeal, and to make that part of the plan change operative.

1.2 The report is procedural and gives effect to Council's existing decision in respect of zoning and development-enabling provisions that have not been appealed, without prejudicing the Environment Court's consideration of the appeal.

2. Summary / Te Tuhinga Whakarāpoto

2.1 Council adopted the recommendation Plan Change 79 on 19 February 2026. An appeal has since been lodged against specific provisions of the decision. The appeal does not relate to all parts of the Plan Change. The zoning and development-enabling provisions proposed to be made operative are not subject to appeal and are clearly severable from the matters before the Environment Court.

2.2 This report seeks Council approval to make Plan Change 79 operative in part, limited to the provisions that have not been appealed, in accordance with Cl 17(2) Schedule 1 of the RMA 1991.

2.3 Attachment 1 shows highlighted in orange all the amendments to the TRMP which will NOT be approved and will not become operative. All unhighlighted provisions in that document, as well as the zone, area and discharge maps that formed part of the plan change, will be approved under this resolution and will be made operative as soon as practicable.

2.4 All area, zone and discharge maps are also attached and are to be approved and made operative.

3. Recommendation/s / Ngā Tūtohunga

That the Tasman District Council

1. Approves Plan Change 79 – Deferred Zoning in part, being those parts of Plan Change 79 that are not highlighted in orange in Attachment 1 to the agenda report, and the zoning, area and discharge Decision maps. Also to recognise that the provisions

which are highlighted in orange in Attachment 1 are not approved and remain subject to appeal; and

2. Approves the affixing of the Tasman District Council seal to the approved provisions and the public notification of their operative date.

4. Background / Horopaki

4.1 Plan Change 79 – Deferred Zoning (PC79) was publicly notified in November 2024 and progressed through the Schedule 1 process under the Resource Management Act 1991. The primary purpose of PC79 was to amend the Tasman Resource Management Plan (TRMP) to introduce a revised and more robust deferred zone framework, and to give effect to that framework by rezoning and managing a range of existing deferred sites across the District.

4.2 In particular, PC79 sought to:

- clarify how deferred zones transition to their intended end-use zones;
- link the release of deferred land to clearly specified infrastructure requirements; and
- enable the release, retention, or re-zoning of existing deferred land where this was considered appropriate following assessment through the plan change process.

4.3 Following notification, PC79 was the subject of submissions, further submissions, and a hearing before an independent Hearing Panel. The Hearing Panel issued its recommendations to Council, addressing the submissions received and recommending amendments to the notified provisions.

4.4 On 19 February 2026, Council considered the Hearing Panel's recommendations and resolved to adopt decisions on PC79. That decision accepted, accepted in part, or rejected submissions and further submissions, and approved changes to the TRMP as set out in the Council's decision documentation and Schedule of Amendments.

4.5 The Council's decision on PC79 was released on 13 March 2026, in accordance with Schedule 1 of the Resource Management Act. As a result, an appeal period commenced during which appeals could be lodged with the Environment Court.

4.6 An appeal has since been lodged against specific parts of the PC79 decision. The appeal does not challenge the entirety of PC79. Instead, it is limited in scope to particular objectives, policies and rules.

4.7 Under the Resource Management Act, where a plan change decision is appealed in part, Council may approve part, if all submissions or appeals relating to that part have been disposed of; see cl 17 Schedule 1. While the drafting of cl 17 does not explicitly address a situation where no appeal has been filed against certain provisions (c.f. 'disposed of') the clause applies to these circumstances because the submissions on those parts have been disposed of and therefore Council may effectively treat them as unchallenged parts of PC79 and approve them. The effect is that part of the plan change will become operative, while preserving the Environment Court's jurisdiction over the appealed provisions.

4.8 This report addresses whether, and to what extent, provisions of PC79 can be made operative at this stage. It does not reconsider the merits of PC79 or the decisions made by Council on 19 February 2026. Its purpose is solely to enable Council to make those parts of the PC79 decision that are not under appeal operative.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

Status of Plan Change 79

5.1 Council adopted the recommendation on Plan Change 79 (PC79) on 19 February 2026, with the decision released on 13 March 2026. At that point, PC79 moved to decision-stage under Schedule 1 of the Resource Management Act 1991 (RMA).

5.2 An appeal has been lodged against specific provisions of the PC79 decision. The appeal does not relate to all aspects of the plan change. As a consequence, PC79 is now partially subject to the Environment Court's jurisdiction, which may result in changes to PC79.

Statutory Authority to Make PC79 Operative in Part

5.3 Clause 17(2) of Schedule 1 of the Resource Management Act 1991 provides that a local authority may approve part of a plan, where all submissions or appeals relating to that part have been disposed of. In this case, the appeal to Plan Change 79 is limited in scope, and the provisions proposed to be approved are not subject to appeal.

5.4 Once approved in part under Clause 17, Clause 20 of Schedule 1 provides for Council to publicly notify the date on which those approved provisions become operative.

5.5 This approach reflects established and accepted practice under Schedule 1, allowing provisions that are not subject to further consideration, including Environment Court litigation, to take effect without further delay.

Severability of the Unappealed Provisions

5.6 The appeal to PC79 is limited in scope and is directed at particular objectives, policies and rules that relate to the deferral mechanism. The remaining provisions of PC79 have not been appealed by any party and are discrete from those under appeal.

5.7 The provisions not under appeal are capable of operating independently of the appealed provisions and can be integrated into the operative TRMP without affecting:

- the scope of the appeal; or
- the Environment Court's ability to determine the appealed matters.

Why approve and make operative in part now?

5.8 In recommending that PC79 be made partially operative, it is important that the appeal is confined to a discrete set of provisions relating to the deferred zoning mechanism and does not extend to the site-specific rezoning outcomes or the provisions that enable development on land that has been 'up-zoned' (i.e. the zoning has been amended so it is no longer deferred).

5.9 One reason for proceeding to make the provisions not under appeal operative at this stage improves the clarity and usability of the TRMP. This is particularly relevant given the imminent public notification of Plan Change 81. Maintaining a clean and up-to-date operative planning framework will assist the public to understand the operative baseline from which

Plan Change 81 is proposed, and to make informed submissions, as well as assisting with the usability of the Plan generally.

Advice to Council

5.10 This report does not reconsider the merits of PC79. It is procedural in nature and is confined to implementing Council's earlier decision to the extent permitted by the RMA.

5.11 It is therefore lawful for Council to approve and make PC79 operative in part, limited to those parts of PC79 where the submissions on those parts have been disposed of. Put another way, it can approve the PC79 provisions that are not subject (directly or indirectly) to appeal.

5.12 Staff are confident that the identified parts of PC79 can be approved and made operative because the provisions and rezonings relate specifically to rezonings and site specific provisions, whereas the appeal is focused on the deferral mechanism.

5.13 This approach gives effect to Council's decision of 19 February 2026, provides regulatory certainty where possible, improves and assists with the readability and usability of the Plan and preserves the appeal process for the provisions that remain before the Environment Court.

6. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

6.1 The provisions of Plan Change 79 that are not subject to appeal include those that implement zoning changes and enable development to proceed on sites identified for urban use. These provisions give effect to Council's decision to release specified locations from deferred zoning where infrastructure is in place and the resulting urban zoning is no longer in dispute. Enabling development on these locations will provide return on investment for Council for the infrastructure it has installed.

6.2 The appealed provisions are discrete and separable from the zoning and development-enabling provisions proposed to be made operative. Making the provisions not under appeal operative at this stage will enable development to proceed on the up-zoned sites without prejudicing or constraining the Environment Court's consideration of the appeal.

6.3 Management of the appeal – being a separate matter – will involve additional legal and staff costs.

7. Options / Kōwhiringa

7.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Make Plan Change 79 operative in part	Gives effect to Council's decision of 19 February 2026 in respect of the provisions that have been disposed of and are not under appeal. Enables the zoning changes and development-enabling provisions for the up-zoned locations to take effect, providing certainty for landowners and consent processing. Approves usability and readability of the Plan. Is consistent with Clause 17(2) of Schedule 1 of the Resource Management Act 1991 and established practice where only part of a plan change decision is under appeal. Preserves the Environment Court's jurisdiction over the appealed provisions.	None identified. The appealed provisions remain unaffected and are excluded from becoming operative at this time.
2.	Defer making any part of Plan Change 79 operative until the appeal is resolved	Defers implementation of all provisions until the appeal process is complete	Delays the operation of zoning provisions not under appeal that are no longer in dispute. Defers development enabled by the up-zoned locations, contrary to Council's earlier decision. Provides no practical benefit where severable provisions can lawfully be made operative in part

7.2 Option 1 is recommended.

8. Legal / Ngā ture

8.1 A plan change must be approved by Council before it is made operative by public notification under cl 20 Schedule 1 to the Resource Management Act 1991. This is an administrative process rather than a substantive decision. There is a quirk in the Resource Management Act 1991 as it states that rules become operative once they are beyond challenge but then goes on to state in a later clause that to make a plan or change operative requires approval by Council and then it must affix its seal to the change.

8.2 Clause 17(2) of Schedule 1 of the Resource Management Act 1991 provides that Council may approve part of a plan where all submissions or appeals relating to that part have been disposed of. In this case, the provisions proposed to be made operative are not subject to appeal, therefore any submissions on those provisions have been disposed of.

8.3 The appealed provisions of Plan Change 79 remain subject to the jurisdiction of the Environment Court and will not be approved under this process.

8.4 Once approved in part under Clause 17, Clause 20 of Schedule 1 enables Council to publicly notify the date on which the approved PC79 provisions become operative.

9. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

9.1 Iwi were engaged through the Schedule 1 process for Plan Change 79, including during pre-notification and formal consultation stages. That engagement informed Council's decision on the plan change adopted on 19 February 2026.

9.2 This report does not introduce new policy content or alter the substance of the Plan Change. It is procedural in nature and relates solely to the implementation of provisions of the existing decision not under appeal. As such, no additional iwi engagement is required for the matters addressed in this report.

10. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

10.1 The Council is not required to undertake further consultation prior to making the decision sought through this report.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	Low	Procedural step and of little interest to general public
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Medium	Making the plan change operative in part will release deferred zoned land that is serviced, now and in the future for urban development. This will assist to satisfy the residential, housing and business growth demands of the District.

	Issue	Level of Significance	Explanation of Assessment
3.	Is there a significant impact arising from duration of the effects from the decision?	Low	As for 2 above.
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No.	
5.	Does the decision create a substantial change in the level of service provided by Council?	No.	
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater or particular consideration of current legislation relating to water supply, wastewater and stormwater infrastructure and services?	No	

11. Communication / Whakawhitiwhiti Kōrero

11.1 If Council resolves to make Plan Change 79 operative in part, public notice will be given in accordance with Schedule 1 of the Resource Management Act 1991. The operative provisions will be incorporated into the Tasman Resource Management Plan, and the appeal status of the remaining provisions will continue to be clearly identified.

11.2 No additional consultation or targeted communications are proposed, as this decision gives effect to Council's existing decision and does not introduce new policy content.

12. Risks / Ngā Tūraru

12.1 The primary risk associated with making Plan Change 79 operative in part is the potential for confusion if operative and non-operative provisions are not clearly distinguished. This risk will be managed through clear public notice and plan administration, with appealed provisions remaining expressly identified as subject to the Environment Court process.

12.2 There is no legal risk in making Plan Change 79 operative in part where provisions not under appeal are severable from the matters under appeal. This approach is expressly provided for under Schedule 1 of the Resource Management Act 1991 and does not prejudice the appeal.

12.3 Deferring implementation of provisions not under appeal would create a risk of unnecessary delay in giving effect to Council's decision, including delayed uptake of zoning provisions intended to enable development of up-zoned locations. It also increases the risk of confusion for people seeking to make submissions on PC81 when it is notified due to difficulty in identifying which provisions relate to which plan change.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

13.1 Climate change considerations, including natural hazard and sea level rise risks where relevant, were addressed through the Schedule 1 process for Plan Change 79 and informed Council's decision adopted on 19 February 2026.

13.2 This report does not propose any new zoning, policies or rules, nor does it alter the substantive content of Plan Change 79. It is procedural in nature and relates only to making provisions not under appeal operative.

13.3 As such, there are no additional climate change implications arising from the matters addressed in this report beyond those already considered through the plan change process.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

14.1 PC79 contributes to implementing the Nelson Tasman Future Development Strategy (FDS) and assists the Council in meeting its obligations under the National Policy Statement for Urban Development.

14.2 PC79 also enables development that is consistent with the Infrastructure Strategy to ensure that infrastructure that is built by the Council is well utilised.

15. Conclusion / Kupu Whakatepe

15.1 The appeal to Plan Change 79 is limited in scope and does not relate to all provisions of the plan change. The zoning and development-enabling provisions proposed to be made operative are not subject to appeal and are clearly severable from the matters before the Environment Court.

15.2 Clause 17(2) of Schedule 1 of the Resource Management Act 1991 enables Council to approve part of a plan where all submissions or appeals relating to that part have been disposed of. Making Plan Change 79 operative in part gives effect to Council's decision of 19 February 2026 in respect of the provisions not under appeal, without prejudicing the appeal.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

16.1 If Council resolves to make Plan Change 79 operative in part:

- the approved provisions not under appeal will be sealed in accordance with Clause 17 of Schedule 1;
- public notice of the operative provisions and operative date will be given in accordance with Clause 20 of Schedule 1;
- the operative provisions will be incorporated into the Tasman Resource Management Plan and into Plan Change 81 which is due to be publicly notified soon; and
- the appealed provisions will remain subject to the Environment Court process until the appeal is resolved.

17. Attachments / Tuhinga tāpiri

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Appendix 1

Tasman Resource Management Plan

PLAN CHANGE NO. 79

WITHOUT LEGAL EFFECT

Deferred Zoning

Schedule of Amendments

HEARING PANEL RECOMMENDATION VERSION

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

NOTE: Throughout this document the following colours have been used for different purposes, which are:

- Red underlined text denotes proposed new text inserted or amended through Plan Change 79.
  (red text underlined, denotes proposed new text recommended to be inserted or amended through Plan Change 79).
- ~~Blue text strikethrough denotes text deleted through Plan Change 79.~~
  (blue text crossed out, denotes text recommended to be deleted through Plan Change79).

Notified: 1st November 2024

Decision Version Date: 9th February 2026

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Schedule of Amendments - Contents

Chapter 2 – Meaning of Words

Chapter 6 – Environment Effects

- 6.3 Urban Infrastructure Services
- 6.5 Land for Industrial Activities
- 6.8 Richmond

Chapter 13 – Natural Hazards

- 13.1 Natural Hazards

Chapter 16 – General Rules

- 16.3 Subdivision
- Schedule 16.3B

Chapter 17 – Zone Rules

- 17.1 Residential Zone Rules
- 17.3 Mixed Business Zone Rules
- 17.4 Industrial Zone Rules
- Schedule 17.4A
- 17.14 Deferred Zone Rules
- Schedule 17.14ADeferred Zone Locations
- Proposed Deferred Zone Locations

Chapter 19 – Information Required with Consent Applications

Recommended Amendments to Planning Maps

- Richmond South RS14 – Amended Zone Map
- Richmond South RS14 – Amended Discharges Map
- Richmond West RW5 – Amended Area Map
- Richmond West RW1 – Amended Zone Map

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CHAPTER 2 – MEANING OF WORDS

[Unchanged or irrelevant text omitted]

A

Active transport - means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.

S

Scallop spat - means any stage of the lifecycle of Scallop (*Pecten novaezealandiae*) less than 50 millimetres in length.

RCP Op 10/11

Scallop spat catching - means spat catching that is limited to the obtaining or retention of scallop spat and harvesting thereof from aquaculture structures.

Schedule 17.4A sea level rise trigger – means the point at which sea level in the Lower Queen Street area has risen by approximately 0.33 metres. If the Port Nelson tide gauge is used the trigger is 0.26 m (averaged over 10 years) of relative sea-level rise above average mean sea level for the period 2013-2022. If the Little Kaiteriteri tide gauge is used the trigger is 0.30 m (averaged over 10 years) of relative sea-level rise above average mean sea level for the period 2013-2022.

Seawater intrusion – means the entry of saltwater from the sea into a freshwater aquifer.

[Unchanged or irrelevant text omitted]

CHAPTER 6: URBAN ENVIRONMENT EFFECTS

[Unchanged or irrelevant text omitted]

6.3 URBAN INFRASTRUCTURE SERVICES

6.3.1 Issue

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

C51 1/15 Op 9/16

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

6.3.2 Objectives

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

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6.3.2.2 Retention of opportunities for efficient future urban purposes on rural land that is identified for future urban use and development but deferred for this purpose, while enabling rural activities for the time it remains deferred. **C51 1/15 Op 9/16**

6.3.2.3 Development within deferred zones is appropriately sequenced so that it provides:

(a) a safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities, and enables active and public modes of transport and a shift to renewable energy sources; and

(b) necessary servicing infrastructure (water, wastewater stormwater, power and internet) that is provided so that it integrates with adjoining land and surrounding networks, and minimises adverse effects on the natural and built environment; and

(c) where relevant, appropriate access to additional infrastructure, including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-functioning urban environment.

6.3.3 Policies

Refer to Policy sets 6.4, 8.1, 8.2, 9.2, 11.1, 11.2, 33.3.
Refer to Rule sections 16.2, 16.3, 16.5, 16.6, 17.1, 17.14, 18.8, 36.4.

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

6.3.3.2 To require financial contributions towards the provision of servicing infrastructure at the time of subdivision or development.

6.3.3.3 To promote the establishment of a reticulated servicing system for wastewater treatment and disposal and water supply at Marahau by ensuring the design of the water and wastewater systems for the tourism development at Marahau (Section 111 Block VI and Block XII) can incorporate the necessary upgrades to service the wider settlement.

6.3.3.4 Where future urban or rural residential development is proposed and existing services require upgrading, to defer and stage development to avoid adverse effects on the environment and to enable a well-functioning urban environment.

6.3.3.4AA For sites listed in Schedule 17.14A, to enable the release of deferred zone land and development under the relevant urban provisions when the infrastructure or servicing listed in the Schedule is delivered.

Note: 6.3.3.4AA includes a recommended Panel amendment. See paragraph 9 and 89 of the recommendation report.

6.3.3.4A Where rural land is identified as being subject to a ~~deferral~~ deferred zone for any urban or rural residential zoned purpose, despite the land's original rural zoning, to restrict activities requiring a consent for subdivision or development by: **C51 1/15 Op 9/16**

(a) considering the scale, location, design, and servicing features; and

(b) limiting any potential adverse effects of such features on efficient future urban subdivision, use, and development opportunities as indicated by the urban or rural residential end use ~~zone that is deferred~~, for the transition period until the infrastructure has been provided; ~~deferral is removed~~ and

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C51 1/15
Op 9/16

(c) where the period of transition until the expected provision of infrastructure ~~removal of the deferral~~ is significantly long or is uncertain, to enable potential rural activities.

6.3.3.4B Where any rural land is identified as deferred for any urban zoned purpose until adequate provision of any infrastructure service, to enable:

(a) the provision of the necessary service by any person or by the Council for any part or all of that land ~~either before or after rezoning by the removal of the deferral~~; but:

(b) to ensure that the concept servicing plans that are approved by Council ~~before the removal of the deferral,~~ are required to be implemented under the urban zone through subsequent subdivision or development.

~~**6.3.3.4C** Where rural land is subject to a deferral for any urban purpose subject to adequate provision of any infrastructure service, to enable:~~

~~(a) the provision of the necessary service by any person or by the Council for any part or all of that land, and~~

~~(b) whether this is done before or after rezoning by the removal of the deferral, but: to ensure that the servicing plans that are approved by Council, prior to the removal of the deferral, are required to be implemented under the urban zone through subsequent subdivision or development.~~

6.3.3.4D When making decisions on resource consent applications, ~~t~~the urban development anticipated by a deferred zoning that is referred to in 17.4.2 is avoided unless:

(a) the necessary infrastructure has been provided to service it, including, where relevant:

(i) any intersections, connections and upgrades of roads to an appropriate standard; and

(ii) servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard; and

(iii) where relevant, development is sequenced with Council strategic planning, infrastructure provision and land release programmes as shown in the relevant long-term plan; and

(b) for sites that are identified in Schedule 17.14A, the infrastructure or servicing identified as being required to be delivered in Column D of the schedule is not undermined by alternative servicing/infrastructure proposals.

For the purposes of this policy "appropriate standard" refers to, but is not limited to, the Nelson Tasman Land Development Manual.

Note: 6.3.3.4D includes a recommended Panel amendment. See paragraph 91 of the recommendation report.

6.3.3.5 To promote a pattern of roading in urban areas that maximises choice of route through a network, with recognition of the contributions of individual extensions to the network pattern and of the constraints of topography.

6.3.3.6 To allow development to occur only where adequate provision is made for:

(a) control of sediment discharges;

(b) control of stormwater discharges to avoid adverse downstream erosion or flooding effects;

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(c) protection of fresh water and coastal water quality, including through source control techniques, stream management, and where necessary, stormwater treatment, including aquifers and karst drainage systems and caves; **C7 7/07 Op 10/10**

(d) retention or establishment of appropriate vegetation wherever practicable adjacent to water bodies and coastal waters;

(e) maintenance of natural, cultural and intrinsic values of aquatic systems, including aquifers and karst drainage systems and caves;

(f) protection of riparian margins;

(g) the use of Low Impact Design solutions for the management of stormwater run-off where practicable. **C7 7/07 Op 10/10**

6.3.3.7 To require developers to adopt appropriate management methods to avoid or mitigate the adverse effects of stormwater run-off.

6.3.3.7A To ensure effective and efficient network asset infrastructure within urban communities by implementing the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

6.3.3.8 To consider options for treatment in all or parts of the Special Domestic Wastewater Disposal Areas where there are:

(a) significant actual or potential adverse effects from on-site domestic wastewater systems on receiving water quality, habitats, human health and amenity values; or

(b) site limitations which may create increased risk of adverse effects either by individual systems or cumulatively.

6.3.3.9 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) settlement objectives, policies and residential location options inform and guide Long Term Council Community Plan servicing decisions;

(b) wastewater, water supply, stormwater management, transportation networks (including State Highway 60), and parks and reserves issues and options are addressed before land is zoned for residential settlement;

(c) minimum standards for human health and safety, long-term cost effectiveness and environmental quality are met or bettered for any alternative wastewater management and water supply options, such as de-centralised and independent solutions;

(d) where on-site wastewater treatment and disposal solutions are used, the standard of management avoids, remedies or mitigates adverse effects on water quality, and that long-term management and maintenance responsibilities are clearly defined;

(e) structure planning with the local community and landowners is undertaken where appropriate and necessary to achieve comprehensive infrastructure planning;

(f) private infrastructure service provision is considered where the legal, financial and practical responsibilities for design, construction, maintenance and repair are clearly defined.

6.3.3.10 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) new residential development consolidates around existing residential development in locations that have been zoned for that purpose;

(b) settlement areas are well connected with safe and efficient roads, safe and pleasant walkways, cycle lanes and bridle-paths;

(c) appropriate residential settlement opportunity is provided for in a location that is within walking and biking distance to the existing Takaka township;

(d) appropriate residential settlement opportunities are provided for in locations that are in proximity to effective and efficient wastewater treatment and disposal facilities;

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(e) opportunities for light industrial and commercial activity are provided for in appropriate locations that are within proximity to existing settlement areas and transport networks.

6.3.3.11 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) local communities are involved in determining appropriate development standards for built development and infrastructure planning prior to the re-zoning of land for residential development;

(b) the character of development and built infrastructure is in keeping with the natural heritage, landscape character and amenity values of the surrounding environment, without compromising human health and safety;

(c) landowners and developers are actively encouraged to use the New Zealand Standards Handbook of Subdivision for People and the Environment (SNZ HB44:2001), in the design of future subdivision and development, where these standards are consistent with the Long Term Council Community Plan objectives for settlement planning and development.

6.3.20 Methods of Implementation

6.3.20.1 Regulatory

(a) Rules establishing what works, services, land or money are to be provided by developers, including for the upgrading of existing facilities.

(aa) A trigger mechanism (in Section 17.14.2.2) to enable the deferred zone land listed in Schedule 17.14A to be developed efficiently and without unnecessary delay once necessary servicing has been delivered.

(b) The location, scale and staging of urban development shown on planning maps.

(c) Rules regarding connection to Council utility services or whether alternative means of managing effects are acceptable.

(d) Rules that require roads to be formed to standards of connectivity as a result of subdivision in urban or rural-residential areas.

(e) Rules that encourage the use of Low Impact Design solutions in the management of stormwater. **C7 7/07 Op 10/10**

(f) Standards of the Nelson Tasman Land Development Manual 2019 that ensure the design and construction of effective and efficient network asset infrastructure. **C69 6/19 Op 6/20**

6.3.20.2 Investigations and Monitoring

(a) Investigations into the capability of utility services to support further urban development.

(b) Investigation into options for domestic wastewater treatment and disposal in all risk areas, including:

(i) Tasman
(ii) Marahau
(iii) Upper Moutere
(iv) Patons Rock
(v) Brooklyn
(vi) karst

(c) Monitoring the performance of utility services in avoiding, remedying and mitigating adverse effects on the environment.

(d) Regular preparation of a "State of the Environment" report.

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6.3.20.3 Works and Services

(a) Provision, extension or upgrading of utilities and services by Council.

(b) Establishment of current and deferred standards of service or performance in terms of both community expectation and environmental performance for infrastructure services, including requirements for the quality of stormwater discharged into the Council's stormwater network.

(c) Council liaison with infrastructure service providers to promote and plan for effective infrastructure service development.

6.3.30 Principal Reasons and Explanation

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

In ~~some~~ most settlements ~~such as Motueka, Mapua, Richmond, Kaiteriteri, Marahau and Patons Rock,~~ future growth will necessitate further upgrading of services and a series of deferments will enable a staged provision of these, rather than creating a false expectation that all areas will be immediately available for development. The logical pattern to service development in a hilly area such as Richmond is to proceed from the bottom to the top of a catchment. The deferment and staging proposed emphasises such a pattern of development. **C22 2/11 Op 1/15**

Where new development is proposed, an integrated, catchment-based approach to the management of stormwater is to be used. **C7 7/07 Op 10/10**

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

Where land adjacent to urban areas is identified as suitable and appropriate for urban growth, but is not adequately serviced for infrastructure, including water supply, wastewater, stormwater and transportation, this land is deferred for an urban zoning. In the transition to its release for urban purposes, there is a need to retain efficient urban development opportunities, where a variety of subdivision or development proposals may be considered by Council under the existing rural zoning. **C51 1/15 Op 9/16**

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

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

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

In the Richmond West Development Area the rezoning of most land identified for urban development (except the development of some existing zoned land: Light Industrial Zone northwest of Headingly Lane) is deferred until the required infrastructure of water, wastewater, and stormwater) is provided. *(Refer to Section 17.14)* **C10 10/07 Op 3/14**

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

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

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

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

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

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

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

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

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

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

[Unchanged or irrelevant text omitted]

6.5 LAND FOR INDUSTRIAL ACTIVITIES

6.5.1 Issues

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

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

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

6.5.2 Objectives

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

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

6.5.3 Policies

Refer to Policy sets 8.2, 11.1, 33.1, 34.2, 35.1.

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Refer to Rule sections 17.1, 17.3, 17.4, 36.1 – 36.7.

6.5.3.1 To promote a form of settlement that identifies areas where industry can operate with the required services and without adverse effects on or from other activities.

6.5.3.2 To identify areas where heavy industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.3 To identify areas where light industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.4 To avoid the adverse effect of residential and retailing activities consuming the land resource that is made available for industry through lower standards of environmental effects.

6.5.3.5 To avoid a reduction of amenity standards in residential areas by industrial activities.

6.5.3.6 To avoid the adverse effects of industrial activities that are unrelated to the rural environment on the amenity and character of rural areas.

6.5.3.7 To prevent the expansion of industrial zones, or the creation of new industrial zones, in sensitive environments such as aquifer recharge areas and margins of lakes, rivers and wetlands.

6.5.3.8 To prevent the expansion of industrial zones, or the creation of new industrial zones, in the coastal environment.

6.5.3.9 To provide a medium-term supply of suitable industrial land close to urban areas and strategic road networks. **C10 10/07 Op 3/14**

6.5.3.10 To ensure that within the Richmond West Development Area, a long-term land bank of industrial land is provided to meet regional needs.

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

(a) to enable industrial activities and buildings that are temporary, relocatable or readily removable in the short to medium term;

(b) to avoid industrial buildings that are not temporary, relocatable or readily removable;

(c) To ensure that industrial activities and buildings are removed from the land that is subject to Schedule 17.4A (as identified on the planning maps) when inundation risks and coastal hazards are unacceptable.

(d) to only grant resource consent for industrial activities and buildings where the applicant has a plan that satisfactorily addresses how the activities and structures are able, both physically and financially, to be removed from the site.

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

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

Note: 6.5.3.10B includes a recommended Panel amendment. See paragraph 131 - 133 of the recommendation report.

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

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6.5.3.11 To enhance the amenity values of new industrial areas for employees, customers and for the public when viewed from public areas such as roads, and open space. **C10 10/07 Op 3/14**

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

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

6.5.20 Methods of Implementation

6.5.20.1 Regulatory

(a) Zoning of separate heavy, light industrial and rural industrial areas.

(b) Rules that limit retailing activities and other non-industrial activities in industrial zones.

(c) Rules that limit industrial activities in residential areas.

(d) Zones that limit the extent of industrial development in the coastal environment.

(e) Rules that require time-limited resource consents for industrial activities and buildings where they are established in the Light Industrial Zone location that is subject to Schedule 17.4A.

6.5.30 Principal Reasons and Explanation

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

(a) Proximity to main access roads.

(b) Adequate roading for heavy vehicles.

(c) Proximity to labour force.

(d) Separation from sensitive environments, including residential areas, rivers, streams, the coast and aquifer recharge areas.

(e) Services such as sewer and water.

(f) Flat land.

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

From the point-of-view of market demand, Richmond and Nelson urban areas together provide a single supply of land for industrial development, within which potential developers make choices on the basis of location, cost and availability of key servicing needs. The close proximity to the Port and strategic road networks make Richmond and Nelson prime locations for industrial development. **C10 10/07 Op 3/14**

Increasingly there has been pressure on industrial land for use by commercial activities, including office and large format retail and this has contributed to a reduction in available land area. In general, there is a trend of a mixed commercial/industrial use in most urban industrial zones.
From the point-of-view of market demand, Richmond and Nelson urban areas together provide a single supply of land for industrial development, within which potential developers make choices on

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the basis of location, cost and availability of key servicing needs. The close proximity to the Port and strategic road networks make Richmond and Nelson prime locations for industrial development.

C10 10/07
Op 3/14

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

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

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

The relative shortage and constrained land supply of suitable industrial land (lack of new large affordable sites) in Nelson means that the Tasman District, particularly Richmond, is accommodating an increasing proportion of the region's industrial growth, and this trend is set to continue.
However, some areas of land zoned Light Industrial are vulnerable to future sea level rise. These areas are unlikely to be suitable for industrial activities and buildings, and associated servicing, in the long-term. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise.

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

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

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

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

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

6.5.40 Performance Monitoring Indicators

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

[Unchanged or irrelevant text omitted]

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6.8 RICHMOND

6.8.1 Issues

The key issues for the future development of Richmond are:

6.8.1.1 The management of peripheral growth in a manner that enables Council to progressively upgrade services on the western, south-eastern and north-eastern margins of Richmond. C10 10/07 Op 3/14

6.8.1.2 Industrial and mixed business land located to minimise adverse effects on neighbours, on the Waimea estuary, watercourses and their margins, and on the productive potential of land.

6.8.1.3 Enhancement of the setting of Richmond, especially the coastal margin and the hill backdrop.

6.8.1.4 Upgrading of the amenity of the central business area, main highway routes and town entrances. C10 10/07 Op 3/14

6.8.1.5 Maintaining the Central Business Zone as the central focus for intensive retailing, administration and community interaction, and as the core pedestrian-oriented area.

6.8.1.6 Meeting the demand for a range and choice of residential housing within the Residential Zone in Richmond. C66 10/17 Op 12/18

6.8.3 Policies

6.8.3.1 To provide serviced residential and rural-residential land on the less versatile land on the north-east fringe of Richmond and to establish higher performance standards for the use of on-site disposal of domestic wastewater systems in the Richmond Foothills Special Domestic Wastewater Disposal Area. C20 8/10 Op 8/12

6.8.3.2 To extend business zoning on Gladstone Road south-west of the existing Commercial Zone from Lower Queen Street to the northern end of Jubilee Park.

6.8.3.4 To develop a reserve network along the coastal margin where practicable to protect the wetlands and high conservation values of the Waimea Inlet and to provide reserve linkages between the coastline and the Richmond hills.

6.8.3.5 In the north-east Richmond Residential and Rural Residential Serviced zones, to utilise as far as practicable natural watercourses in an unenclosed and natural state for stormwater disposal. C20 8/10 Op 8/12

6.8.3.6 To enable the expansion to the south of Richmond, limited by the spur ridges between Hart Road and White Road, while ensuring: C5 3/06 Op 10/10

(a) a range of housing densities with high amenity levels is encouraged;

(b) the efficient use of land and infrastructure; and

(c) the provision of high levels of amenity and public access within the area; and

(d) the reverse sensitivity of existing rural activities to residential development arising from adverse cross-boundary effects and amenity values across the interface of urban and rural areas is addressed.

6.8.3.7 To retain a rural environment on the spur ridge hill land between Hart Road and White Road but to consider appropriate provision for future residential development to some degree on the land, following structure planning and the provision of an appropriate level of infrastructural servicing.

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6.8.3.8 To require residential development in the Richmond South, Richmond West and Richmond East development areas to occur in a staged manner based on the provision of infrastructure, including water, wastewater and stormwater, and so defer development until these services can be provided or upgraded to the Council's satisfaction.

C5 3/06 Op 10/10
C10 10/07 Op 3/14
C20 8/10 Op 8/12

6.8.3.9 To establish in the Richmond South Development Area a linked open space network with public access, integrated with:

C5 3/06 Op 10/10

(a) walkways and cycleways; and

(b) waterway networks to ensure effective stormwater management.

Urban Expansion

C10 10/07 Op 3/14

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

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

Central Richmond
Residential and business intensification of central Richmond.

C66 10/17 Op 12/18

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

Richmond East
Limited residential intensification in suitable locations in Richmond east, including land south of Champion Road and east of Hill Street, where this is not limited by identified natural hazards.
Limited serviced rural residential expansion in Richmond east on the south east hill slope fringe of Richmond, where this is not limited by identified natural hazards.

C10 10/07 Op 3/14
C20 8/10 Op 8/12

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

C10 10/07 Op 3/14

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

Hope
Limited expansion in Hope to accommodate residential and business development.

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

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

6.8.3.13 In the Richmond West Development Area to ensure a choice and a regular supply of land through:

(a) planning development in stages that integrate servicing and economic development efficiencies;

(b) providing for a sufficient long term land bank;

(c) providing for a Mixed Business Zone that complements the Richmond Central Business and Commercial zones.

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Mixed Business Activities – Zone

6.8.3.14 To provide for a mixed use business environment that accommodates a range of business opportunities for commercial activities, large format retail, trade-related supply and small-scale light industrial activities where:

(a) adverse environmental effects within and beyond the zone boundary can be avoided, remedied and mitigated;

(b) a high quality, high amenity business environment can be maintained;

(c) the scale, nature and intensity of activities are compatible with maintaining a high quality, high amenity business environment;

(d) the role of the existing Richmond town centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction and the core pedestrian-oriented area for Richmond.

6.8.3.15 To provide for large format retail 'only' activities along the frontage of Lower Queen Street in a Retail Precinct.

6.8.3.16 To promote an attractive appearance of the mixed business environment when viewed from Lower Queen Street, the residential environment, Borck Creek and other local purpose reserves, and the Open Space environment, through the planting and retention of street trees, riparian vegetation, landscaped areas, building setbacks from boundaries, and sensitive building design.

6.8.3.18 To manage existing industrial activities in the Beach Road area that do not meet the Mixed Business Zone objectives for clean industry by:

(a) providing for their continuation for a limited period of time consistent with the uplifting of the deferment on industrial zoned land in the Richmond West Development Area; or

(b) requiring a reduction in contaminant discharges to air to a level acceptable in the zone;

(c) requiring a higher level of performance for the management of contaminant discharges to water, and storage and use of hazardous substances.

6.8.3.19 To provide a network of urban open space and amenity reserves, through the subdivision consent process, within residential and business environments to serve the needs of local residents and employees.

Industry

6.8.3.20 To provide for a light industrial park opposite Nelson Pine Industries (MDF Plant) and the co-location of activities with similar effects.

6.8.3.21 To provide a buffer around the perimeter of the industrial park to assist with noise attenuation at the interface of the rural zone and to reduce visual impacts of large buildings when viewed from Lower Queen Street, McShane Road and the rural zone.

6.8.3.22 To manage the cumulative effects of contaminated stormwater runoff from hard-surfaced areas and potential hazardous substance spills from adversely affecting the Waimea Inlet through the establishment of dedicated stormwater treatment areas and provision of on-site interceptor traps.

6.8.3.23 To provide a future location for the expansion of industrial land within the Richmond West Development Area to avoid adverse effects on the coastline and the Waimea Inlet, productive land and sensitive activities.

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

Open Space and Reserve Network

6.8.3.24 To establish an open space network that links the hills to the sea and creates a perimeter pedestrian and cycleway network linking the residential environments of Richmond East, West and South with one another.

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6.8.3.25 To promote multi-purpose use of open space for recreation, non-motorized transport networks, ecological corridors, and stormwater management.

6.8.3.26 To define the urban and rural edge of the Richmond West Development Area through the use of a planted amenity setback at McShane Road and at the interface of the Light Industrial and Rural 1 zones to protect rural land from urban encroachment and to mitigate adverse visual effects of built development.

Richmond Intensive Development Area

6.8.3.27C In the Richmond Intensive Development Area:

(a) to provide for medium density residential development in the form of intensive housing.

(b) to encourage and promote intensive housing with a high standard of amenity through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets.

(c) to manage development so that stormwater does not cause flooding or contribute to any damage caused by flooding.

Electricity Transmission Corridor **C10 10/07 Op 3/14**

6.8.3.28 In the Richmond West and Richmond East development areas, to ensure that the national grid for electricity transmission is taken into account in all resource management decision-making, and that any incompatible use or activity affecting the grid is avoided, remedied or mitigated. **C20 8/10 Op 3/12**

6.8.20 Methods of Implementation

6.8.20.1 Regulatory

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

6.8.20.2 Investigations and Monitoring

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

6.8.20.3 Works and Services

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

6.8.30 Principal Reasons and Explanation

[First paragraph deleted (re further growth to the south east of Wensley Road and east of Hill Street (North)] **C66 10/17 Op 12/18**

Options for the growth and development of Richmond were first identified and discussed in the Richmond Development Study (2003). Denser growth and development was identified by Council as part of a package of options, which included outward expansion onto new greenfield land and intensification of existing urban areas. **C66 10/17 Op 12/18**

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

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

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

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

C10 10/07
Op 3/14

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

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

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

On the land that is subject to Schedule 17.4A appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

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

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

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

C66 10/17
Op 12/18

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).

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

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.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Figure 6.8A: Residential Housing Choices

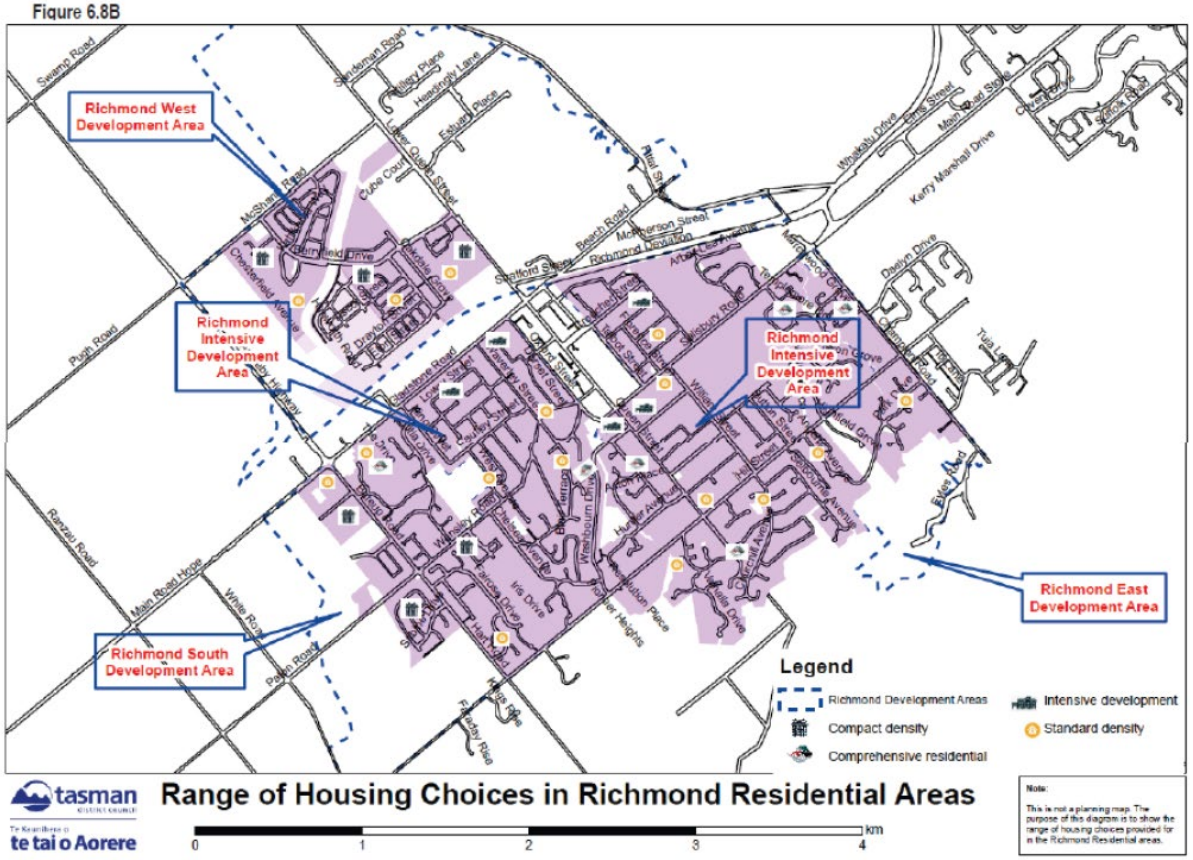
C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

C80 12/23 Op 5/25

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Figure 6.8B



[Unchanged or irrelevant text omitted]

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

CHAPTER 13: NATURAL HAZARDS

13.0 INTRODUCTION

[Unchanged or irrelevant text omitted]

13.1 NATURAL HAZARDS

13.1.1 Issues

13.1.1.1 Natural hazards can compromise human well-being and safety and cause damage to habitat, amenity values, property and infrastructure.

13.1.1.2 Hazards can be aggravated by inappropriate land use management practices and activities.

13.1.1.3 Where limited information exists about some natural hazards which could or do affect the District, a precautionary approach is appropriate.

13.1.2 Objectives

13.1.2.1 Management of areas subject to natural hazard, particularly flooding, instability, coastal and river erosion, inundation and earthquake hazard, to ensure that development is avoided or mitigated, depending on the degree of risk.

13.1.2.2 Land development, including supporting network infrastructure asset services, is resilient against natural hazards. **C69 6/19 Op 6/20**

13.1.3 Policies

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

13.1.3.1 To avoid the effects of natural hazards on land use activities in areas or on sites that have a significant risk of instability, earthquake shaking, fault rupture, flooding, erosion or inundation, or in areas with high groundwater levels. **C21 8/10 Op 1/15**

13.1.3.2 When determining appropriate subdivision, use or development in the coastal environment to assess the likely need for coastal protection works and, where practicable, avoid those sites for which coastal protection works are likely to be required. **C22 2/11 Op 1/15**

13.1.3.3 To avoid developments or other activities that are likely to interfere with natural coastal processes including erosion, accretion, inundation, except as provided for in Policy 13.1.3.10.

13.1.3.4 To avoid or mitigate adverse effects of the interactions between natural hazards and the subdivision, use and development of land.

13.1.3.5 To avoid the construction of new habitable buildings in the Residential Closed Zone at Ruby Bay, other than on specified sites. **C22 2/11 Op 1/15**

13.1.3.6 To limit the reconstruction or replacement of an existing habitable building to a position that is no further seaward than the original habitable building in the Residential Closed Zone at Ruby Bay.

13.1.3.7 On the coastal plain from Ruby Bay to Mapua, to limit further subdivision and habitable buildings in order to avoid their exposure to long term coastal inundation, flooding and erosion risks.

13.1.3.7A To avoid the long-term industrial use of the land that is subject to Schedule 17.4A, and to require the relocation or removal of industrial activities and buildings from this area to avoid their exposure to inundation, coastal hazards and sea level rise.

13.1.3.8 To avoid, unless there is effective mitigation, the expansion of flood-prone settlements onto those parts of the surrounding flood plains where they might be subject to flood hazard.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

13.1.3.9 To prevent damage or interference with the functioning of the major overland flood flow paths of rivers in the District, except as provided for in Policy 13.1.3.10.

13.1.3.10 To maintain or consider the need for protection works to mitigate natural hazard risk where:

(a) there are substantial capital works or infrastructure at risk; or

(b) it is impracticable to relocate assets; or

(c) it is an inefficient use of resources to allow natural processes to take their course; or

(d) protection works will be effective and economic; or

(e) protection works will not generate further adverse effects on the environment, or transfer effects to another location.

[Unchanged or irrelevant text omitted]

13.1.3.15 To prepare a hazard management strategy identifying hazards and hazardous areas, and management options for these areas.

13.1.3.16 To avoid new subdivision, use or development that would hinder the ability of natural systems and features (such as beaches, dunes, wetlands or barrier islands) to protect existing subdivision, use or development from natural hazards (such as erosion, inundation, storm surge, or sea level rise).

13.1.3.17 To mitigate natural hazard risks through the design and construction of network asset infrastructure. **C69 6/19 Op 6/20**

13.1.3.18 To design and construct resilient network asset infrastructure.

13.1.20 Methods of Implementation

13.1.20.1 Regulatory

(a) Pattern of zoning which emphasises containment of development away from areas of natural hazards, for example, Coastal Risk Area at Mapua and Ruby Bay and scheduled site for land zoned Light Industrial at Lower Queen Street. **C22 2/11 Op 1/15**

(b) Delineation of land at risk from ground rupture or deformation along active faultlines, actively eroding coastlines and areas prone to flooding and slope instability, on planning maps. **C21 8/10 Op 1/15**

(c) Rules limiting activities, including subdivision, building and land disturbance, in or adjacent to natural hazard areas (such as stopbanks, eroding coastlines, river margins, steeplands and unstable geological formations).

(d) Rules requiring building setback from rivers, stopbanks, active faultlines and the coastline.

(e) Conditions on resource consents and building consents recognising where hazards may be present, for example, requiring minimum floor height, particular foundation types, or that buildings be relocatable, or only enabling activities and buildings through resource consents which are short term or time limited.

(f) Standards of the Nelson Tasman Land Development Manual 2019 that can ensure appropriate location for development, management of hazard-related development effects, and a more resilient design, materials and construction of network infrastructure. **C69 6/19 Op 6/20**

13.1.20.2 Investigations and Monitoring

(a) Research into natural processes that may result in hazards for development, such as coastal processes and slope instability.

(b) Identification of hazardous areas and features such as active faultlines, eroding coastlines, ground susceptible to earthquake shaking effects, slope instability, flooding and river erosion, within three years of this provision becoming operative.

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(c) Improving knowledge of past rupture timings, lengths and displacements of active faults and the magnitude of past earthquakes, to contribute to improved estimates of future earthquake risk. C21 8/10 Op 1/15

13.1.20.3 Education and Advocacy

(a) Advice and information through project information memoranda, land information memoranda and public enquiries. (b) Advice about erosion protection measures, including tree planting, rock work and structures, subject to the limitations of the New Zealand Coastal Policy Statement for coastal areas.

13.1.20.4 Works and Services

(a) Maintenance and provision of structural protection works such as stopbanks and groynes on rivers, coastal protection works, soil conservation plantings.

(b) Early warning systems for flooding and responses to emergency events through the civil defence organisation.

13.1.30 Principal Reasons and Explanation

The District has a substantial length of coastline that is subject to coastal erosion. There is a relatively high risk of erosion affecting soft shorelines around the District, particularly at Pakawau, Rangihaeata, Mapua, Ruby Bay, Marahau, and to a lesser extent at Parapara and Pohara.
Significant new built developments in areas that have been identified as subject to coastal or river erosion and inundation are likely to require capital-intensive protective works so are best avoided in such locations. Rules seek to avoid the future demand for protection works and to avoid the effects of known hazards.

Council considers that the advice of the Ministry for the Environment given in July 2008[1] should be adopted in coastal planning. That advice was for a three-part approach for planning and decision timeframes out to 2090 – 2099: C10 10/07 Op 3/14

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

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

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

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

Activities that affect coastal processes include extraction of sand, dredging and dumping, reclamations and erection of buildings. Most of these activities except the latter, take place in the coastal marine area. In some parts of the District, coastal rock protection has already been undertaken and will need to be maintained. Pakawau, Totara Avenue, Mapua/Ruby Bay and Marahau foreshores have rock armouring works that are functional but mostly of little amenity value. Future maintenance of these works could investigate options for improving the visual amenity and access. C22 2/11 Op 1/15

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

On the land that is subject to Schedule 17.4A appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

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

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

Council's Land Development Manual addresses risks associated with network infrastructure and natural hazards through the design of more resilient networks, particularly the mitigation of stormwater effects where they may contribute to flood hazards. **C69 6/19 Op 6/20**

13.1.40 Performance Monitoring Indicators

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

13.1.40.2 Number of claims to Earthquake Commission.

13.50 Environmental Results Anticipated

13.50.1 Reduced incidence of damage to property and infrastructure, or harm to people's health and safety on the District's floodplains.

13.50.2 Reduced incidence of damage or harm to people and property from coastal erosion, slope instability and other forms of natural hazard.

13.50.3 Development precluded from areas identified as being of significant risk from natural hazards.

13.50.4 More informed communities, prepared for the occurrence of natural hazards.

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Chapter 16: General Rules

[Unchanged or irrelevant text omitted]

16.3 SUBDIVISION

[Unchanged or irrelevant text omitted]

16.3.2 All Zones

[Unchanged or irrelevant text omitted]

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

C51 1/15 Op 9/16

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

EITHER

(a) Mandatory standards of the Nelson Tasman Land Development Manual 2020 ~~2019~~. C69 6/19 Op 6/20

OR C51 1/15 Op 9/16

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

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

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

16.3.3 Residential Zone

16.3.3.1 Controlled Subdivision (Residential Zone — Standard Density Development)

C66 10/17 Op 12/18

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

Allotment Area

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

Figure 16.3A: Minimum Allotment Areas in the Residential Zone

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

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(iiia)	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
(x)	Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900	C20 8/10 Op 8/12

DESCRIPTION OF LAND TO BE SUBDIVIDED		MINIMUM NET AREA (M^2)	
(xi)	Tahi St and Iwa St Residential Coastal Zone	One new allotment of at least 650m^2 with a balance allotment of at least 650m^2 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)	Brightwater Development Area where the parent title has a net area of 2 hectares or less.	450	C75 9/22 Op 10/23 C76 9/22
(xiv)	Brightwater Development Area where the parent title has a net area greater than 2 hectares, and Wakefield Development Area.	Refer to rule 16.3.3.1B *Residential Zone – Specific Location: Brightwater and Wakefield Development Areas*	C75 9/22 Op 10/23 C76 9/22 Op9/25

(b) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the minimum net area for new allotments (except for network utilities) in Motueka and Richmond is 350 square metres if reticulated wastewater servicing is available to the allotment and the following applies: C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

(i) the land to be subdivided comprises less than 1 hectare and two or more allotments are to be created and the average net allotment area is at least 500 square metres in Motueka and 450 square metres in Richmond;

(c) Except as provided in condition (n) and Figure 16.3A (ix), (x) and xii), for subdivision in Motueka and Richmond where the land to be subdivided comprises more than 1 hectare: C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

(i) at least 20 percent of residential allotments have a net area of 700 square metres or more;

(ii) at least 60 percent of residential allotments have a net area between 550 and 800 square metres;

(iii) not more than 20 percent of residential allotments have a net area of 550 square metres or less.

(d) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the land to be subdivided does not include any allotment in Motueka or Richmond of less than 1,000 square metres created by a subdivision approved since 1 January 1987, unless the subdivision is for a network utility. C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

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Average Net Area

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

(e) Except at St Arnaud and Waimea Village and as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), for subdivisions producing three or more allotments the average net area of each allotment is:

(i) 1,200 square metres in areas without reticulated wastewater servicing;

(ii) 600 square metres in areas with reticulated wastewater servicing;

(iii) 500 square metres in areas with reticulated wastewater servicing in Motueka and 450 square metres in Richmond, where the land to be subdivided comprises less than one hectare;

(iv) 800 square metres in areas shown as Rototai Road Residential Zone.

Frontage

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

Shape Factor

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

Lot Width

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

Services

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

C10 10/07 Op 3/14
C20 8/10 Op 8/12
C22 4/13 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
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Op9/25

Comprehensive Residential Development

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

Existing Buildings

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

Heritage Site or Item Present

(m) The land being subdivided does not include:

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or

(ii) a protected tree referred to in Schedule 16.13B in the Richmond West, Brightwater, Motueka West, Wakefield, Richmond East, Richmond Intensive or Mapua development area.

C10 10/07 Op 3/14
C16 9/09 Op 8/12
C20 8/10 Op 8/12
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
Op 10/23
C76 9/22
Op9/25

Cultural Heritage Sites

C16 9/09
Op 8/12

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

C66 10/17
Op 12/18

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

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

C16 9/09 Op 8/12
C66 10/17 Op 12/18

[Unchanged or irrelevant text omitted]

Transport

C66 10/17 Op 12/18

(mf) The transport conditions in Schedule 16.3B are complied with, unless the subdivision is for a single allotment for a network utility.

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

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

(i) **Allotments**

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) The minimum net area of every allotment is at least 350 square metres, except in the Mapua Development Area where each allotment is at least 450 square metres and in the Brightwater and Wakefield Development Areas where Rule 16.3.3.1B(a) and 16.3.3.1B(b) applies.

C10 10/07 Op 3/14 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

(c) Every allotment is capable of containing a circle with a diameter of 16 metres or greater.

(d) Except for the Richmond Intensive Development Area, no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres wide. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

C66 10/17 Op 12/18

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

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules).

C69 6/19 Op 6/20

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads

C11 10/07 Op 10/10

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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~~,~~:

C10 10/07 Op 3/14

(i) no road in the Richmond South Development Area is designed:

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

a. to connect directly with Hart/Bateup roads, Wensley/Paton roads, Hill Street or State Highway 6;
b. to create a direct road connection between Hart/Bateup roads and Hill Street South or Hill Street North,

(ii) no road in the Richmond West Development Area is designed to connect to State Highway 6 or Lower Queen St; and

(iii) no road in the Richmond Intensive Development Area is designed to connect to Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.

(iv) no road in the Brightwater Development Area is designed to connect to State Highway 6.

[Items (e) and (f) are deleted] C69 6/19 Op 6/20

(g) The transport conditions in Schedule 16.3B are complied with.

(h) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area, except that existing lawful access crossings may continue to be used.

C10 10/07 Op 3/14

(i) No allotment in the Motueka West Development Area created after public notification of Motueka West plan change gains direct access on to Queen Victoria Street except that existing lawful crossings may continue to be used.

C43 4/13 Op 1/15

(j) No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points.

(k) No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area, except that existing lawful access crossings may continue to be used.

C10 10/07 Op 3/14

(l) No allotment created after 28 August 2010 gains direct access from Champion Road or from Salisbury Road if the allotment is located within 215 metres or 100 metres respectively of the intersection of Champion and Salisbury roads as measured from the intersection of the extension of the road boundary tangent point, except that existing lawful crossings may continue to be used.

C20 8/10 Op 8/12

(m) No allotment in the Richmond Intensive Development Area created after 14 October 2017 gains direct access onto Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.

C66 10/17 Op 12/18

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

C75 9/22 Op 10/23

(iii) **Reserves**

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

Subject to but not limited by rule 16.4.2.1:

(a) land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows:

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

- 70 metre wide reserve along Borck Creek from the Light Industrial Zone to the Mixed Business Zone
- 15 metre wide reserve along Poutama Drain
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek
- 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (active transport corridor) without compensation or credit against Reserve Financial Contributions.

(b) Except for the 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. **C5 3/06 Op 10/10** **C10 10/07 Op 3/14**

(c) within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40-metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). **C79 9/22 Op9/25**

(iv) **Indicative Stormwater Retention Area** **C5 3/06 Op 10/10**

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in the Richmond South and Motueka West development areas on the planning maps to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4. **C43 4/13 Op 1/15**

Notes: **C5 3/06 Op 10/10**

(1) The Urban Design Guide (Part II, Appendix 2) should be considered in preparing applications under this rule. **C10 10/07 Op 3/14**

(2) In the Richmond South and Mapua development areas, it is intended that all existing reservoirs not expressly forming part of the stormwater network will be dewatered at the time of subdivision. **C22 2/11 Op 1/15**

Allotment Access and Road Network – Richmond East **C66 10/17 Op 12/18**

(o) Subdivision in the Richmond East Development Area complies with conditions 16.3.3.1 (n)(ii)(a), (n)(ii)(c), and (n)(ii)(l). **C20 8/10 Op 8/12**

Sites in the Coastal Environment Area - Little Kaiteriteri

(q) For residential sites on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles between Cook Crescent at Stephens Bay and Rowling Road at Little Kaiteriteri and within the Coastal Environment Area, no more than 20 percent of indigenous coastal shrubland or coastal forest on a site may be cleared. **C73 12/20 Op 6/23**

In the notated area shown on the planning maps on Record of Title NL 13A/194 (Talisman Heights) or its successive titles, there shall be no more than three residential allotments.

Landscape Treatment – Old Wharf Road (Motueka) and Mapua Drive **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(r) Where allotments are created within 150 metres of the boundary of the Heavy Industrial Zone in Old Wharf Rd (Motueka), subdivision of Pt Lot 3 DP 1654, Lot 2 DP 424497 and Lot 1 DP 20082 (High Street and Old Wharf Road) incorporates a 12-metre wide landscaped earth mound at least 3 metres high along the boundary with the Heavy Industrial Zone.

(s) Where allotments adjoin Mapua Drive between the Ruby Bay bypass (Te Mamaku Drive) and Aranui Park, amenity plantings 3 metres wide are provided, and there is no close-boarded or solid fencing. C22 2/11 Op 1/15

Amenity Plantings within a Boundary Setback – Richmond West Development Area C10 10/07 Op 3/14

(t) In the Richmond West Development Area, amenity plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) Adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain southwest to the point where Poutama Drain intersects with the designation.

(ii) Adjoining the ~~Indicative Collector Road and~~ indicative reserve containing an active transport corridor that separates the Residential Zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.

Amenity Plantings – Richmond West and Mapua Development Area C66 10/17 Op 12/18

(u) In the Richmond West and Mapua development areas, a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback or adjoins Mapua Drive at Mapua. C10 10/07 Op 3/14 C22 2/11 Op 1/15

(v) In the Richmond West and Mapua development areas, the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. C10 10/07 Op 3/14 C22 2/11 Op 1/15

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

Traffic

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including: C69 6/19 Op 6/20

- the number of intersections between the frontage of any site and the nearest of those roads;
- the driving time between any site and the nearest of those roads;
- the walking distance between any site and an arterial or principal road, along public roads, pedestrian ways, or footpaths through reserves. C69 6/19 Op 6/20

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access. C69 6/19 Op 6/20

(5) The relationship of any new road with existing roads, adjoining land, and any future roading requirements.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Services

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

Stormwater Management

(7) Any matter necessary to manage stormwater run-off, including low impact design solutions where appropriate. **C7 7/07 Op 10/10**

(8) The physical and legal protection of primary and secondary stormwater flow paths and indicative reserves. **C10 10/07 Op 3/14**

(9) Any mandatory or good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the efficient and effective provision of stormwater network reticulation. **C69 6/19 Op 6/20**

Open Space/Reserves

(10) The extent and location of indicative reserves. **C10 10/07 Op 3/14**

(11) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse. **C7 7/07 Op 10/10**

Access for Earthworks

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

Natural Heritage

(13) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(14) Potential adverse effects on wetland values.

(15) Potential adverse effects on indigenous coastal vegetation and fauna values at Little Kaiteriteri/Stephens Bay.

(16) The degree of compliance with any mandatory requirements of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Cultural Heritage **C16 9/09 Op 8/12**

(17) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C66 10/17 Op 12/18**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

[Unchanged or irrelevant text omitted]

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C16 9/09 Op 8/12

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

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

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction;

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

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

C66 10/17 Op 12/18

C75 9/22 (d 6/23) C76 9/22 Op9/25

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

Stormwater

(a) In the Residential Zone:

(i) EITHER:

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

OR

The discharge complies with section 36.4 of this Plan.

C66 10/17 Op 12/18

AND

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

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

(b) In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the Part II Special planning map:

(i) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;

(ii) the flood flow path surface is constructed or treated to prevent erosion of the surface.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C10 10/07 Op 3/14
C66 10/17 Op 12/18
C75 9/22 Op 10/23
C76 9/22 Op9/25

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

Minimum Allotment Size

(i) The minimum net area for each allotment is 350 square metres, except in the Brightwater Development Area where the minimum net area for each allotment is 270 square metres, and in the Wakefield Development Area where the minimum net area for each allotment is 200 square metres:

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)(n), (n)(iii) and (n)(iv).

(ii) Except in the Richmond Intensive Development Area, the subdivision meets condition 16.3.3.1(n)(ii)(b).

Reverse Sensitivity

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

Amenity Plantings within a Boundary Setback – Richmond West Development Area

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

(d) In the Richmond West Development Area amenity, plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain south west to the point where Poutama Drain intersects with the designation.

(ii) adjoining the ~~Indicative Collector Road and~~ indicative reserve containing an active transport corridor that separates the Residential Zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.

(iii) a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback.

(iv) the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Tahi and Iwa Streets, Mapua

C22 2/11 Op 1/15
C66 10/17 Op 12/18

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

Comprehensive Development

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

Non-Notification

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

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

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

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

(a) The subdivision meets controlled conditions 16.3.3.1(i), (m) to (mb), (md) to (mf) and 16.3.3.1A (a) to (c). C66 10/17 Op 12/18 C73 12/20 Op 6/23

(b) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a Restricted Discretionary activity with the 17.1.3.4C zone rules relating to site and building coverage, fences, outdoor living space, setbacks, building envelope, building height and length; and with parking and access requirements under the relevant general rules.

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A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion: C66 10/17 Op 12/18

(1) Matters (1) to (18) of rule 16.3.3.1A.

(2) The layout and design of a subdivision in relation to stormwater.

Non-Notification

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

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

C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) Subdivision in the Brightwater Development Area and Subdivision in the Wakefield Development Area, that does not comply with the controlled conditions of rule 16.3.3.1B is a restricted discretionary activity, if it complies with the following conditions:

i) 16.3.3.1B(a)-(b) *Minimum Allotment Size*
ii) 16.3.3.1(n)(ii)(a), (n)(ii)(b), (n)(ii)(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*
vi) 16.3.3.1(n)(iii)(a), 16.3.3.1(n)(iii)(b), 16.3.3.1(n)(iii)(c) *Reserves*

(b) Matters of control

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

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

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

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) Land to be subdivided for compact density development in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, complies with the following conditions:

(i) **Land Requirements**

C5 3/06 Op 10/10 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) The subject land comprises (either in one or more existing titles) at least 1500 square metres in the Richmond South, Richmond West, Brightwater, Wakefield, and Mapua Special development areas and the Motueka West Compact Density Residential Area.

(ii) **Allotments**

C5 3/06 Op 10/10

Allotment Area

C22 2/11 Op 1/15 C43 4/13 Op 1/15 C80 12/23 Op5/25

(a) There is no minimum net allotment area, except that in the Mapua Special Development Area the minimum allotment area is 200 square metres and except that in the Motueka West Compact Density Residential Area to the west of Kerei Street the minimum allotment area is 270 square metres.

Allotment Layout

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

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

Allotment Frontage

(c) No fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

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

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules). C69 6/19 Op 6/20

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C11 10/07 Op 10/10

(d) Except for the indicative roads shown in the Richmond South and Richmond West development areas on the planning maps: C11 10/07 Op 10/10

(i) no road in the Richmond South Development Area is designed to connect directly to Hart/Bateup roads, Wensley/Paton roads, Hill Street and State Highway 6; and

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ii) no road in the Richmond West Development Area is designed to connect directly to State Highway 6, State Highway 60, Lower Queen Street and McShane Road.

[Items (e) and (ea) are deleted] C69 6/19 Op 6/20

(f) The transport conditions in Schedule 16.3B are complied with.

(g) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area. Existing lawful access crossings may continue to be used. C11 10/07 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 Op 3/14

(j) No allotment gains direct access from State Highway 6 in the Brightwater Development Area. Existing lawful access crossing may continue to be used. C75 9/22 Op 10/23

(iv) **Reserves** C5 3/06 Op 10/10 C10 10/07 Op 3/14

Subject to but not limited by rule 16.4.2.1:

(a) Land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows: C5 3/06 Op 10/10 C10 10/07 Op 3/14

- 70 metre wide reserve along Borck Creek from Light Industrial Zone to the Mixed Business Zone;
- 15 metre wide reserve along Poutama Drain;
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek;
- 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (active transport corridor) without compensation or credit against Reserve Financial Contributions.

(b) Except for the 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, ~~i~~indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. C5 3/06 Op 10/10 C10 10/07 Op 3/14

(c) Within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40-metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). C76 9/22 Op9/25

(v) **Indicative Stormwater Retention Area** C5 3/06 C7 7/07 Op 10/10

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in Richmond South and Motueka West development areas on the planning maps, to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the C43 4/13 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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.

(vi) Reverse Sensitivity

The subdivision must comply with 16.3.3.1(me)(ii) *Cross Boundary Effects.* C75 9/22 Op 10/23

Amenity Plantings within a Boundary Setback – Richmond West Development Area C66 10/17 Op 12/18

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

Stormwater C5 3/06 Op 10/10

(f) In the Residential Zone: C10 10/07 Op 3/14

(i) EITHER:

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

OR

The discharge complies with section 36.4 of this Plan.

AND

AND C5 3/06 Op 10/10

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C10 10/07 Op 3/14

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

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion: C5 3/06 Op 10/10

Site Layout

(1) The extent to which the mix of allotment sizes can provide for different housing types and densities.

(2) Whether each allotment has appropriate area and shape to enable efficient siting and construction of one or more dwellings and any ancillary buildings, provision of private outdoor space, convenient vehicle access to a public road, and adequate on-site parking.

(3) Where the subject land adjoins any developed site with a different density character, the extent to which the allotment layout and location of any dwelling or building location area avoids or mitigates adverse amenity effects across the property boundary.

Privacy and Solar Access C22 2/11 Op 1/15

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

Safety

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

Servicing

(6) The extent to which the street and allotment layout enables efficient provision of infrastructure to new areas.

(7) The likely effects of the subdivision in relation to the location of significant infrastructure facilities and networks and any related constraints on nearby development, and whether they have been identified and protected.

Landscape Treatment

(8) The extent to which the use of landscape treatment will enhance street amenity, the use and enjoyment of public spaces, and differentiate street hierarchy.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(9) The ability to use landscaping to direct run-off from impervious areas into vegetated landscaped areas to filter and soak up stormwater.

Open Space/Reserves

(10) The extent to which the subdivision provides well-distributed small neighbourhood reserves that contribute to the legibility and character of the area, provide for a range of uses and activities, and are cost-effective to maintain.

(11) The extent to which greenway reserves incorporate stormwater management and use low impact stormwater management principles.

(12) The extent and location of reserves, sportsgrounds, and urban open space and amenity reserves. **C10 10/07 Op 3/14**

(12A) The extent to which mandatory and good practice matters of chapter 10 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of parks and reserves. **C69 6/19 Op 6/20**

Traffic (streets, access, parking, manoeuvering, loading)

(13) Whether the road network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and cycle movements, incorporating traffic management to control vehicle speed and create safe conditions for all street users.

(14) The ability of roads to provide multi-purpose public spaces that are designed to balance their role for traffic with their other roles as community spaces, pedestrian environments with easy access to the town centre, parking, and as settings for residential and commercial uses. **C43 4/13 Op 1/15**

(15) The extent to which roads provide an attractive streetscape which enhances the amenity of adjacent housing and development.

(16) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads, Hill Street, Salisbury Road, Wensley Road, Oxford Street, Gladstone Road and Queen Street has been minimised. **C66 10/17 Op 12/18**

Stormwater Management

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

(18) The extent to which natural and artificial watercourses, wetlands and riparian vegetation are retained and enhanced, while also making alignment modification that may be appropriate to enhance the urban structure.

(19) Any matter set out in Schedule 16.3A. **C7 7/07 Op 10/10**

(19A) The extent to which mandatory and good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of stormwater networks. **C69 6/19 Op 6/20**

(19B) In the Wakefield Development Area, management of flood risk through infrastructure designed in accordance with any mandatory or good practice matters of Chapter 5 of the Nelson Tasman Land Development Manual and management of dam break hazard. **C76 9/22 Op9/25**

Richmond West Development Area Amenity Plantings **C10 10/07 Op 3/14**

(20) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding.

(21) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(22) The extent to which the amenity plantings create a visually attractive appearance when viewed from roads, reserves and adjoining zones.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(23) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Residential and Mixed Business zones, and reserves.

(24) The depth and height of plantings from the Open Space Zone and the Borck Creek indicative reserve.

[Unchanged or irrelevant text omitted]

16.3.4 Business and Industrial Zones

16.3.4.1 Controlled Subdivision (Business and Industrial Zones)

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

Location C58 11/15 Op 7/17

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

Electricity Transmission Corridor C10 10/07 Op 3/14

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

Area

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

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

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Services

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

Transport

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

Transport - Richmond West and Motueka West Development Areas C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15

(e) All roads are constructed with reference to the Urban Design Guide (Part II, Appendix 2).

(f) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension where no maximum length applies. C10 10/07 Op 3/14

(g) Except for the indicative roads shown in the Richmond West Development Area on the planning maps, no road is designed to connect directly with Lower Queen Street and McShane Road.

(h) Except for Lower Queen Street and McShane Road, every road has a maximum block length of 200 metres and a maximum perimeter distance of 800 metres.

(i) No allotment created after 6 October 2007 (except Record of Title 459167 (580 Lower Queen Street) gains direct access from McShane Road or Lower Queen Street, except in the retail frontage shown on the planning maps in the Richmond West Development Area where access is restricted to one access per frontage. C10 10/07 Op 3/14 C73 12/20 Op 6/23

(ia) No allotment created after 27 April 2013 gains direct access from Queen Victoria Street. C43 4/13 Op 1/15

(j) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C10 10/07 Op 3/14

Transport – Mapua Development Area C22 2/11 Op 1/15

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

Frontage

(l) Every allotment that has a frontage has a minimum frontage width of six metres.

(m) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), the minimum frontage width for allotments in the: C10 10/07 Op 3/14 C43 4/13 Op 1/15

(i) Mixed Business Zone is 30 metres, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, which is 25 metres, excluding the Retail Frontage; C10 10/07 Op 3/14

(ii) Mixed Business Zone Retail Frontage (as shown on the planning maps) is 40 metres;

(iii) Light Industrial Zone is 10 metres.

(n) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres (except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension) where no fewer than 80 percent of all allotments have direct access to a public road. For the avoidance of doubt, this means that no more than 5 percent of all allotments may be rear allotments without any road or reserve frontage. C10 10/07 Op 3/14 C43 4/13 D 8/14

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Heritage Site or Item Present

(o) The land being subdivided does not include: C10 10/07 Op 3/14

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or C16 9/09 Op 8/12

(ii) a protected tree in the Richmond West Development Area referred to in Schedule 16.13B.

Existing Buildings

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

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

(q) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications: C10 10/07 Op 3/14

(i) In the Light Industrial Zone north of Headingly Lane, bounded by Lower Queen Street, Sandeman Road, Borck Creek and the Open Space Zone, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 12 metres wide adjoining the Open Space Zone comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from the Open Space Zone (requires knowledge of the building location);

(c) 2.5 metres wide adjoining Sandeman Road and Artillery Place, including any indicative road extension;

(d) 15 metres wide adjoining Lower Queen Street, except where an indicative reserve adjoins Lower Queen Street. A framework of large trees is provided continuing the theme of existing Oak trees, within which other plantings are incorporated to provide an 'avenue' park-like setting.

(ii) In the Light Industrial Zone bounded by Lower Queen Street, McShane Road and Swamp Road, amenity plantings are:

(a) 20 metres wide incorporating a 2.5 metre bund adjoining the Rural 1 Zone and Swamp Road;

(b) 15 metres wide adjoining Lower Queen Street, except for that allotment containing the group of protected trees (Tree ID 872);

(c) 2.5 metres wide adjoining McShane Road.

(iii) In the Light Industrial Zone bounded by Borck Creek and McShane Road, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek, comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 2.5 metres wide adjoining McShane Road and the Mixed Business Zone.

(iv) In the Light Industrial Zone bounded by State Highway 60, State Highway 6, Borck Creek and the Residential Zone, amenity plantings are:

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(a) 6 metres adjoining the Residential Zone;

(b) 2.5 metres adjoining Borck Creek;

(c) 10 metres adjoining State Highway 60.

(v) In all Light Industrial Zone locations, amenity plantings are 2.5 metres wide adjoining Indicative Collector Road reserve boundaries, except at access points.

(vi) Amenity plantings at least 2.5 metres wide are provided on boundaries adjoining Stafford Drive and Seaton Valley Stream. The latter shall be locally sourced indigenous plantings. **C22 2/11 Op 1/15**

(r) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

(s) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Amenity Plantings within a Boundary Setback - Mixed Business Zone, Richmond West Development Area **C10 10/07 Op 3/14**

(t) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications:

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

(ii) Adjoining McShane Road and State Highway 60, amenity plantings are 10 metres wide for the full length of the zone boundary. A framework of large trees is provided continuing the theme of Lower Queen Street, within which other plantings are incorporated to provide a park-like setting and partial screening of buildings from McShane Road, State Highway 60 and the Rural 1 Zone.

(iii) Adjoining Borck Creek indicative reserve, amenity plantings are 2.5 metres wide and adjoining Poutama Drain indicative reserve, amenity plantings are 2.0 metres wide, for the full length of the zone.

(iv) Amenity plantings west of Borck Creek comprise species that, at maturity, provide a visual screen, the height of which averages at least 50 percent of the building height.

(v) Adjoining the Lower Queen Street road reserve boundary in the Retail Frontage shown on the planning maps, amenity plantings are 2.5 metres wide.

(vi) Adjoining the Residential Zone, Open Space Zone and the Light Industrial Zone, amenity plantings are at least 2.5 metres wide, except that this requirement does not apply on Lot 1 DP 457909 at the eastern end of the McPherson Street extension.

(u) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(v) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. C10 10/07 Op 3/14

Reserves C10 10/07 Op 3/14

(w) Subject to but not limited by rule 16.4.2.1, in the Richmond West Development Area and Mapua Light Industrial Zone, land subject to a notation on the planning maps as indicative reserve is set aside and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where these are specified as follows: C22 2/11 Op 1/15

(i) 70 metre wide reserve along Borck Creek to Lower Queen Street and a 61 metre wide reserve from Lower Queen Street to the Open Space Zone adjoining Waimea inlet; C10 10/07 Op 3/14

(ii) 6 metre wide reserve on Part Lot 1 DP 94 linking the existing indicative road to Borck Creek reserve;

(iii) 15 metre wide reserve along the northwest boundary of Lot 1 DP 17704, Lot 1 DP 20017 and Lot 1 DP 20497;

(iv) 5,500 square metre reserve along the southwest boundary of Part Lot 1 DP 94 fronting Lower Queen Street;

(v) 15 metre wide reserve incorporating Poutama Drain;

(vi) 5 metre wide reserve adjoining the western side of Seaton Valley Stream. C22 2/11 Op 1/15

(x) Subject to but not limited by rule 16.4.2.1, indicative reserve areas are to be vested in the Council as Local Purpose Reserve walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. C10 10/07 Op 3/14

Building Platform Levels C10 10/07 Op 3/14

(y) In the Richmond West Development Area, the building platform level is 4.6 metres above mean sea level and constructed in a way which provides a gradual transition between the ground level (datum reference: NVD55) and 4.6 metres to achieve a visually natural appearance, except that the 4.6 metre building platform level does not apply to those parts of Lot 1 DP 18146 and Lot 4 DP 18918 (Nelson Pine Industries), Lot 3 DP 18918 (Dynea NZ Ltd) and land held in Record of Title 459167 (580 Lower Queen Street) that are protected from inundation from the sea by a seawall; nor in the Light Industrial Zone location at Beach Road as shown on the planning maps. C73 12/20 Op 6/23

A consent notice is to be registered on the record of title for any allotment for which a building platform is required by this condition, pursuant to Section 221 of the Act. C10 10/07 Op 3/14

Filling of Allotments C10 10/07 Op 3/14

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

Development Plan

(za) Allotments in the Rural Industrial Zone form part of an overall development plan for each zone.

(zb) In the Tourist Services Zone at Salisbury Road, Richmond, access to Salisbury Road from Lot 2 DP 18824 (123 Salisbury Road, occupied by the Baptist Church) and Lot 3

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

DP 18824 (141 Salisbury Road, occupied by the Aquatic Centre) is by way of a joint access.

Stormwater C7 7/07 Op 10/10

(zc) In the Central Business, Commercial, Mixed Business and Tourist Services zones, and in the Heavy, Light and Rural Industrial zones: C10 10/07 Op 3/14

(i) EITHER C7 7/07 Op 10/10

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

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C10 10/07 Op 3/14

(iii) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site in an Industrial Zone is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the Nelson Tasman Land Development Manual 2019. C10 10/07 Op 3/14 C69 6/19 Op 6/20

(iv) A planting plan and design statement by an appropriately competent person in landscape architecture is provided with any plan submitted showing a stormwater greenway and/or retention area. C43 4/13 Op 1/15

(v) **Indicative Stormwater Retention Area** C43 4/13 Op 1/15
Where applicable, a stormwater retention area is to be provided in the location of any indicative stormwater retention area shown in the Motueka West Development Area on the planning maps in order to mitigate downstream stormwater effects such as flooding.

Note: A discharge consent may be required where new stormwater infrastructure is being created. C7 7/07 Op 10/10

Cultural Heritage Sites C16 9/09 Op 8/12

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

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

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

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

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, distributor or arterial road.

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) The relationship of any new road with existing roads, adjoining land and any future roading requirements. **C69 6/19 Op 6/20**

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

(6) Location and effects of earthworks necessary to achieve matters (1) and (5).

(7) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(8) Financial contributions.

(9) All matters referred to in Section 220 of the Act.

(10) The degree of compliance with any mandatory and good practice matters of any Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(11) Matters relevant to the development of a neighbourhood centre, in the Urban Design Guide (Part II, Appendix 2). **C22 3/11 Op 1/15**

(12) Effective stormwater management, including the use of Low Impact Design solutions and any other mandatory or good practice matter of chapter 5 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Amenity Plantings - Richmond West and Motueka West Development Areas **C10 10/07 Op 3/14 C43 4/13 Op 1/15**

(13) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding. **C10 10/07 Op 3/14**

(14) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(15) The extent to which the amenity plantings create a visually attractive appearance when viewed from public roads and reserves, adjoining zones and the coastal environment.

(16) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Light Industrial and Mixed Business zones.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(17) The depth and height of plantings and the extent of the screening effect of industrial buildings from the adjoining roads, Rural 1 and Open Space zones, and Borck Creek reserve.

(18) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth within the buffer in front of screen planting.

(19) The appropriateness of the species to the local environment and conditions.

(20) The degree of site contouring in association with planting to assist with screening buildings and car parks from view.

(21) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

Traffic - Richmond West Development Area

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

Cultural Heritage

(23) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C16 9/09 Op 8/12**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision duriing construction.

16.3.4.2 Restricted Discretionary Subdivision (Business and Industrial Zones – Richmond West Development Area) **C10 10/07 Op 3/14**

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

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

(1) In the Richmond West Development Area:

(a) the extent to which the design of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the design of the subdivision allows for activities to be set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C16 9/09 Op 8/12

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

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

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

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

C57 11/15 Op 12/18

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

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

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so that any identified building location is not subject to inundation; and

(c) the effects of any proposed mitigation on other properties.

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

C10 10/07 Op 3/14

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

(a) The land is not within the Commercial Closed Zone at Marahau.

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

16.3.4.5 Discretionary Subdivision (Tourist Services Zone - Mapua)

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

(a) It does not create any additional allotments on which a dwelling can be built.

(b) It does not require works that would exacerbate erosion or inundation.

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

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

C58 11/15
Op 7/17

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

(a) The land being subdivided does not create any additional allotments on which a building can be built.

(b) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.

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

16.3.4.5B Discretionary Subdivision (Commercial Closed Zone - Marahau)

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

(a) It does not create any additional allotments on which a building or dwelling can be built.

(b) It does not require works that would exacerbate coastal erosion or inundation.

(c) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks.

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

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

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

16.3.4.7 Prohibited Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15
Op 7/17

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

16.3.4.8 Prohibited Subdivision (Commercial Closed Zone - Marahau)

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

[Unchanged or irrelevant text omitted]

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

SCHEDULES

[Unchanged or irrelevant text omitted]

Schedule 16.3B: Transport Conditions

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

Roads, Access and Parking

(a) All roads, including indicative and connecting roads, are laid out, constructed and vested in the Council in accordance with the road construction conditions specified in section 18.8. **C10 10/07 Op 3/14 C69 6/19 Op 6/20**

(b) Every allotment has vehicle access to a formed legal road other than a limited access road (unless written consent is given by the authority controlling the limited access road). Access to allotments is constructed in accordance with section 4.6.1.1 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(c) Where subdivision creates or alters title boundaries of developed sites, every allotment created (including any balance title) has vehicle parking provided and constructed in accordance with the conditions specified in section 16.2.

Linking Subdivision Roads to Existing Roads

(d) Where any land to be subdivided is subject to a road designation, provision is made for the land to vest in the Council as road at the time of subdivision. Where the land cannot legally vest in the Council as road at the time of subdivision, provision is made to enable the Council to acquire the land, by separately defining the parcels of land, which must be held in conjunction with adjoining land and a Consent Notice pursuant to Section 221 of the Act registered on the title, until such time as the Council acquires the land.

(e) Where any land to be subdivided is subject to a notation on the planning maps as an "Indicative Road", a road is laid out and constructed on the general alignment of the indicative road~~, except that in the Richmond West Development Area, the location of:~~ **C10 10/07 Op 3/14 C73 12/20 Op 6/23**

~~(i) any point of intersection of an indicative road with an existing formed road must not vary;~~

~~(ii) the indicative roads shown adjoining the indicative reserve that contains Borck Creek must not vary from those positions;~~

~~(iii) the indicative roads shown along the boundaries of the locations of the Mixed Business Zone and Residential Zone must not vary from those boundaries;~~

~~(iv) the indicative road shown along the boundary of the Recreation Zone must not vary from that boundary~~.

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

(f) Where any land to be subdivided is subject to a notation on the planning maps indicating that a "Connecting Road" is required through the land, the road is to be laid out, constructed and vested in the Council at the time of the subdivision.

Note: In the Richmond West Development Area, the intersection to be formed between the indicative road and State Highway 60, between State Highway 6 and McShane Road, shown on the planning maps, is subject to approval by the New Zealand Transport Agency under the Government Roading Powers Act 1989. **C10 10/07 Op 3/14**

(g) Where any new road extends or completes an existing road, the road is constructed at the developer's cost to the relevant conditions specified in section 18.8. **C69 6/19 Op 6/20**

(h) Except in the Rural 3 Zone and Services Contribution Area, and in the Lower Queen Street and McShane Road in the Richmond West Development Area, where any land to be subdivided has frontage to any existing road that is not constructed to the conditions set out **C10 10/07 Op 3/14**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

in section 18.8 for the relevant level of the existing road in the Road Hierarchy, the road along the frontage adjoining the land to be subdivided is formed and upgraded by the developer to the conditions of road widths, kerb and channelling and associated drainage attributable to the subdivision, berm, footpath, crossings and street lighting specified in section 18.8.

(i) Where any land to be subdivided has a frontage to an existing Council road which has inadequate road reserve width to meet the condition in the Plan, adequate land to meet the condition is vested in the Council at the time of subdivision, at no cost to the Council. **C69 6/19 Op 6/20**

(j) The subdivision provides a safe and efficient road, cycleway and pedestrian access connection to adjoining land and roads, cycleways and pedestrian accessways.

Schedule 16.3C: Services Required on Subdivision in Certain Zones

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

This schedule applies to Central Business, Commercial, Mixed Business, Tourist Services, Heavy and Light Industrial and Rural Industrial zones, and the Residential Zone in the Richmond South, Richmond West, Richmond East, Richmond Intensive, Brightwater, Motueka West and Mapua development areas (excluding the Residential Coastal Zone), and the Rural Residential Serviced Zone in the Richmond East and Mapua development areas. **C10 10/07 Op 3/14 C20 8/10 Op 8/12 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23**

SERVICE	STANDARD
Stormwater	The land to be subdivided is connected to a Council stormwater network (including any stream that has been modified to function as a stormwater drain) that is capable of receiving additional stormwater because of the subdivision. **C69 6/19 Op 6/20** OR **C66 10/17 Op 12/18** The discharge complies with 36.4 of this Plan. AND All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the planning maps: (a) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site; (b) the flood flow path surface is constructed or treated to prevent erosion of the surface.
Wastewater	The land to be subdivided is connected to a Council wastewater reticulation that is capable of receiving additional wastewater as a result of the subdivision.
Water Supply	The land to be subdivided is connected to a Council potable water supply reticulation that is capable of providing a potable water supply for each allotment and sufficient water for fire-fighting purposes, unless in the Rural Residential Zone (other than the Rural Residential Serviced Zone in the Richmond East and Mapua development areas), rule 17.8.3.1(m) is complied with. **C20 8/10 Op 8/12 C22 2/11 Op 1/15**
Electricity	The land to be subdivided is provided with electric power, appropriate to the circumstances.
Telephone	The land to be subdivided is provided with a telephone system, appropriate to the circumstances.

Note: Schedule 16.3A contains an assessment criterion that refers to this table.

[Unchanged or irrelevant text omitted]

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CHAPTER 17: ZONE RULES

[Unchanged or irrelevant text omitted]

17.1 RESIDENTIAL ZONE RULES

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

17.1.1 Scope of Section

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

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.1.2 Land Use

17.1.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

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

[Unchanged or irrelevant text omitted]

17.1.3 Building Construction or Alteration

17.1.3.1 Permitted Activities (Building Construction or Alteration — Standard Density Development) **C66 10/17 Op 12/18**

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

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

Item (b) deleted as part of Plan Change 73. **C10 10/07 Op 3/14 C20 8/10 Op 8/12 C43 4/13 Op 1/15 C73 Op 6/23**

(c) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels, as follows: **C10 10/07 Op 3/14**

Figure 17.1A: Internal Sound Levels

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

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Residential Site Density

(d) Sites have a net area of at least:

(i) 1000 square metres for each dwelling in St Arnaud (except 1,800 square metres for any site on Lake Road, Robert Street, Holland Street, Arnaud Street or Bridge Street);

Proposed as at 1 November 2008

[(c)(ii) Proposed]

(ii) 1000 square metres for each dwelling in settlements without wastewater reticulation except that where any allotment existed at 25 May 1996, the net area is at least 800 square metres, but that in each case, at least 500 square metres is available and suitable for effluent disposal; **C2 12/00**

(iii) 1800 square metres for each dwelling for Milnthorpe.

(iv) 450 square metres for each dwelling in settlements (other than Richmond and Motueka) with wastewater reticulation and treatment on allotments not adjoining an Industrial Zone;

(v) 350 square metres for each dwelling in Richmond and Motueka on allotments not adjoining an Industrial Zone except in the Richmond East Development Area to the south east of Hill Street; **C20 8/10 Op 8/12**

(vi) 800 square metres for each dwelling in serviced settlements on allotments adjoining an Industrial Zone;

(vii) 600 square metres for each dwelling in the Richmond East Development Area south east of Hill Street; **C20 8/10 Op 8/12**

(viii) 900 square metres for each dwelling in the Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.

Building Coverage

(e) Maximum building coverage is 33 percent, provided:

(i) the maximum building coverage is reduced by 18 square metres if a garage is not provided on site;

(ii) the maximum building coverage in St Arnaud is 20 percent;

(iii) telecommunication and radio-communication facilities which are less than 10 square metres in area, and which are less than 3 metres in height are exempt from the maximum coverage (one facility per site is exempt);

(iv) the maximum area for a sleepout is 36 square metres;

(v) where detention of stormwater runoff is provided on site for the additional building coverage over 33 percent, the maximum building coverage is 40 percent in Richmond, Motueka, Wakefield and Brightwater. **C59 11/15 Op 3/16 C769/22 Op9/25**

For the additional building coverage, stormwater detention at the rate of 50 litres per 1 square metre is required on site.

Site Coverage

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

Maximum Dwellings per Site

(g) At Milnthorpe, a maximum of one dwelling for Record of Title 11A/641 (20 Nelson Street, Milnthorpe) and one dwelling for each certificate of title issued before 12 November 1987. **C73 Op 6/23**

(h) There is no more than one dwelling per site.

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Outdoor Living Space

(i) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

(i) has a minimum area of 60 square metres;

(ii) contains a circle with a diameter of at least 6 metres;

(iii) is located to receive sunshine in midwinter;

(iv) is readily accessible from a living area of the dwelling.

Balcony or Deck

(j) Where a dwelling does not have outdoor living space at ground level, the dwelling is provided with a balcony or deck at first floor level of at least seven square metres and 1.5 metres minimum dimension, directly accessible from a living area.

(k) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

Walls

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

Building Envelope – Daylight Over and Around

(m) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A, except that: **C73 Op 6/23**

(i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and

(ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

(iii) in the Wakefield Development Area there are no building envelope restrictions for any boundary that faces onto the Pitfure Stream, Gossey Stream and Jenkins Creek open space corridor. **C76 9/22 Op9/25**

EXCEPT

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

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

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

Permitted intrusions into the daylight around angle are:

(i) eaves (not more than 600 millimetres);

(ii) buildings and structures complying with the special height limiting lines outside the angle.

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

(a) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point "P". The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point "P".

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(b) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

Height

(p) The maximum height of buildings is:

(i) 5 metres on sites of less than 400 square metres net area, except in the Mapua Special Development Area and the Richmond Intensive Development Area where the height limit is 6.5; **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

(ii) 7.5 metres on sites of more than 400 square metres net area;

(vi) 3.6 metres for accessory buildings;

(vii) (iv)at Kaiteriteri, the highest point of buildings is not more than 4.5 metres above a ridgeline identified on the planning maps;

subject to condition 16.6.2.1(k).

Setbacks

(q) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least:

(i) 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road;

(ii) 7.5 metres from the top of the bank adjoining Collingwood Quay;

(iii) 15 metres from Queen Victoria Street between Pah and Whakarewa streets. **C43 4/13 Op 1/15**

(r) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings except:

(i) 3 metres from side and rear boundaries in the case of buildings at St Arnaud;

(ii) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;

(iii) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (t) apply to that part of the dwelling that is a garage or carport;

(iv) accessory buildings;

(v) telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

(s) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling.

(t) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:

(i) where any accessory building has a wall adjacent to the boundary, that wall contains no windows; **C73 Op 6/23**

(ii) any accessory buildings adjacent to an individual boundary do not exceed a cumulative total of 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;

(iii) stormwater is contained within the site.

(u) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary, except that:

(i) on Record of Title NL 13A/194(Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, **C73 Op 6/23**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(i) on Record of Title NL 13A/194(Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, C73 Op 6/23

(ii) on Old Wharf Road, Motueka, the setback from the Heavy Industrial Zone is at least 20 metres and the setback from the Rural 1 Zone is at least 10 metres;

(iii) on area of land zoned Residential located on the north side of Mapua Drive and west of Seaton Valley Road, the setback is at least 5 metres from the Rural 1 Deferred Residential Zone (2031) boundary. C22 2/11 Op 1/15

(iv) adjacent to the Light Industrial Zone at Bird Lane, Wakefield, the setback is at least 30 metres. C58 11/15 Op 7/17

(v) for the Wakefield Development Area the setback is 5 metres, except for any part of 320 Higgins Road that is a rural zone, for which the setback remains at 25 metres. C76 9/22 Op9/25

(v) The building is set back at least:

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(w) Every building is set back a minimum of 25 metres from any boundary with Milnthorpe Quay, Esplanade Reserve, except that on Record of Title 11A/641 (20 Nelson Street Milnthorpe) and Record of Title 9B/454 (14 Nelson Street, Milnthrope) the minimum setback is 16.5 metres. C73 Op 6/23

(wa) The building is not located within, or within 10 metres of any indicative road or indicative reserve, except for the following: C73 Op 6/23

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(x) In the Richmond West Development Area, fences, including security fences, are set back at least 2.5 metres from any sub-collector road to accommodate the amenity planting required by condition 16.3.3.1(t)(ii), and are not higher than 1.8 metres. C10 10/07 Op 3/14 C69 6/19 Op 6/20

Wastewater Disposal

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

Note: The Urban Design Guide (Part II, Appendix 2) applies in the Richmond South and Richmond West development areas and may be considered in preparing applications under this rule. C5 3/06 Op 10/10

Stormwater C7 7/07 Op 10/10

(z) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

AND

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

(za) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths. C66 10/17 Op 12/18

Access

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

Fences

(zc) (a) In the Richmond East Development Area on principal or collector roads, any fence on a road boundary does not exceed 1.2 metres in height, and any fence on a side boundary is constructed to taper from 1.2 metres at the road boundary to any height not exceeding 1.8 metres, reaching that height no closer than 5 metres from the boundary. C20 8/10 Op 8/12 C69 6/19 Op 6/20

(b) In the Wakefield Development Area, any fence fronting onto a walkway or an area of public open space (not including the Tasman Great Taste Trail or any neighborhood reserves) does not exceed 1.2 metres in height and is visually permeable. C76 9/22 Op 9/25 CL16A 11/24

(c) In the Richmond West Development Area, on the indicative reserve or reserve containing an active transport corridor separating the Mixed Business Zone from the Residential Zone west of Borck Creek any fence fronting onto the active transport corridor reserve (or residential lanes or rights-of-way running parallel to the reserve) does not exceed 1.2 metres in height. C79 11/24

Reverse Sensitivity C75 9/22 Op 10/23

(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

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

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

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

a) Provides mechanical ventilation to satisfy Clause G4 of the New Zealand Building Code, and

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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 LAeq 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 $L_{Aeq\ (24h)}$ 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^2 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.

[Unchanged or irrelevant text omitted]

17.1.3.2 Controlled Activities (Building Construction — Standard Density Development)

C66 10/17
Op 12/18

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

(a) The activity does not contravene any other applicable condition in rule 17.1.3.1.

(b) The site does not adjoin an Industrial Zone.

(c) The site is not in the Residential Closed Zone at Ruby Bay. C22 2/11 Op 1/15

(d) The site is not in the Residential Zone at Mapua, the Residential Coastal Zone at Mapua or the Mapua Special Development Area.

(e) In the Brightwater Development Area, the activity must comply with 17.1.3.1(zd) Reverse Sensitivity. C75 9/22 Op 10/23

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

(1) Vehicle access and parking.

(2) Amenity effects arising from the proximity of neighbouring buildings.
(3) Drainage and provision of services.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(4) Financial contributions.

(5) In the Brightwater Development Area, whether the location and design of the dwelling appropriately addresses noise and vibration from the state highway. C75 9/22 Op 6/23

17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development) C66 10/17 Op 12/18

Where a resource consent application for compact density development subdivision in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, has been lodged concurrently, the construction or alteration of a building on a site within that proposed subdivision is a controlled activity, if it complies with the following conditions: C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 & C43 4/13 Op 1/15 C66 10/17 (D 7/18) C75 9/22 Op 10/23 C76 9/22 Op9/25 C80 12/23 Op 5/25

Multiple Consents

(a) All buildings are or will be located within a site that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7. C80 12/23 Op 5/25

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

Dwellings on a Site C5 3/06 Op 10/10

(b) More than one dwelling may be constructed on any site.

Site Coverage C59 11/15 Op 3/16

(c) Maximum site coverage is 70 percent.

Building Coverage

(ca) Maximum building coverage is 50 percent.

Stormwater – Richmond South and West Development Areas C10 10/07 Op 3/14

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

Reverse Sensitivity C75 9/22 Op 10/23

(n) For Compact Density Development in the Brightwater Development Area, the activity must comply with rule 17.1.3.1(zd) *Reverse Sensitivity.*

Internal Boundaries

(e) Notwithstanding condition 17.1.3.3(g), all buildings are set back at least 2 metres from the road boundary, and no more than 5 metres, except that: C73 Op 6/23

(i) all garages and carports are set back at least 5.5 metres from road boundaries if the vehicle entrance of the garage or carport faces the road;

(ii) there is no side boundary setback where there is vehicular access to the rear of the site from a legal road or approved access;

(iii) where there is no vehicular access to the rear of the site, a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site;

(iv) there is at least a 5-metre setback from the rear boundary;

(v) a minimum of 4.5 metres applies in the Mapua Special Development Area with an intrusion no more than 1.5 metres deep and 3 metres wide for an entry feature or bay window. C22 2/11 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Building Envelope

(f) All buildings comply with the following requirements:

(i) There is no road boundary building envelope requirement. C73 Op 6/23

(ii) All buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length.

(iii) For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

[Unchanged or irrelevant text omitted]

17.1.3.4 Restricted Discretionary Activities (Building Construction or Alteration — Standard Density Development (excluding the Development Areas)) C66 10/17 Op 12/18

Construction or alteration of a building that does not comply with the conditions of rules C5 3/06 Op 10/10

[Unchanged or irrelevant text omitted]

Building Design and Appearance

(27) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk, architectural style, materials, colours and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.

(28) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking, landscaped areas and vegetation.

(29) The extent to which building design and appearance will adversely affect the natural character of the coast.

(30) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining sites.

(31) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.

(32) The extent to which practical use of the site will be affected by the proposal.

Privacy

(33) Adverse effects in terms of reduced privacy through being overlooked from, or being in close proximity to, neighbouring buildings, to an extent which is inconsistent with the surrounding environment.

(34) The ability to mitigate any adverse effects of the proposal on adjoining sites, including planting and landscaping and the relocation of windows to alternative practical positions.

Outdoor Living Space

(35) The extent to which the reduction in outdoor living space and its location will adversely affect the ability of the site to provide for the outdoor living needs of future residents of the site.

(36) Alternative provision of outdoor living space to meet the needs of future residents of the site.

(37) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.

Services

(38) Provision for the collection and disposal of stormwater and sewage.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(39) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following: C7 7/07 Op 10/10

(a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.

(c) The degree of maintenance or enhancement of natural drainage characteristics in development.

(d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

(e) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

Richmond East Development Area C20 8/10 Op 8/12

(40) The extent to which the increased height of fences located along principal or collector roads within the Richmond East Development Area may detract from public safety and visual amenity. C69 6/19 Op 6/20

Richmond West Development Area

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

Miscellaneous

(41) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(42) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.1.3.4A Restricted Discretionary Activities (Building Construction or Alteration — Comprehensive Development) C66 10/17 (D 7/18)

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

Three or More Dwellings on a Site

(a) There are three or more dwellings on one site that comply with the following:

(i) the development complies with the service requirements of Schedule 16.3C;

(ii) the minimum net area for each unit is at least 280 square metres in Motueka and Richmond and at least 350 square metres in other settlements with wastewater reticulation and treatment services;

(iii) building coverage does not exceed 40 percent;

(iv) the development is a comprehensive residential development; or the allotment or site was approved as part of a subdivision under rule 16.3.3.4; C75 9/22 (d 6/23)

(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, Wakefield or, Motueka West Development Areas, as shown on the planning maps. C76 9/22

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Garages and Stormwater

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

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

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

[Unchanged or irrelevant text omitted]

17.1.20 Principal Reasons for Rules

[Unchanged or irrelevant text omitted]

Setback from Roads

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

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

Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass. **C43 4/13 Op 1/15**

The setback for compact density and intensive building development from the road boundary is less than the setback for standard development. The reduced setback enables buildings to front onto the street. This is encouraged for both amenity and safety reasons provided that the safe functioning of the road is not compromised. **C66 10/17 Op 12/18**

Indicative Roads and Reserves **C73 Op 6/23**

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

Setbacks from Internal Boundaries

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

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

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proximity. Consequently, provisions limit the length of walls of accessory buildings if located within 1.5 metres of a boundary.

Other Setbacks

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

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

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

Building Height

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

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

However, for compact residential development, a higher height limit is permitted if there is careful integration of buildings and surrounding spaces that retains residential amenities. **C22 2/11 Op 1/15**

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

Daylight Admission **C73 Op 6/23**

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

Some exceedances of the daylight admission lines are allowable for the end of a roof ridge or for solar panels, recognising the limited dimensions of these items. These allowances only apply to standard density development in the Residential Zone. Exceedance of daylight admission lines in compact density, intensive, and comprehensive residential developments may have a greater level of effect that should be considered through a resource consent process. **C73 Op 6/23**

Building Design and Appearance

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

Fence Height **C69 6/19 Op 6/20**

Reduced fence heights are required along principal or collector roads within the Richmond East Development Area and in the Richmond West Development Area on the indicative reserve containing an active transport corridor or reserve containing an active transport corridor, separating the Mixed Zone from the Residential Zone west of Borck Creek for the purposes of promoting public safety and visual amenity. **C20 8/10 Op 8/12 PC79**

In comprehensive, compact and intensive density residential development, reduced fence heights are required to encourage informal surveillance between the property and the street and to maintain street amenity. **C43 4/13 Op 1/15 C66 10/17 Op 12/18**

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Outdoor Living Space

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

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

The size of buildings as dwellings on any residential site and the number of dwellings allowed are governed by the building coverage limits. Open space amenity for each dwelling is protected by other rules, in addition to building coverage. **C59 11/15 Op 3/16**

Home Occupations

Home occupations have the potential to impact on neighbours in terms of noise, odour, dust, visual effects, vibration, glare, loss of privacy, traffic and parking congestion. Specific activities (spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing) are not permitted home occupations due to the activities inherent unsuitability to the residential environment. The controls are intended to ensure that the residential areas of the District remain dominated by residential, rather than by non-residential, activities. **C73 Op 6/23**

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

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

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

Community Activities

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

Noise

Restrictions on noise levels are necessary in and adjoining a Residential Zone, as generally, prevailing noise levels are low and need to be maintained low in order to protect the pleasantness and amenity of these areas. In addition, limits on the hours of operation of non-residential activities in residential areas are necessary to maintain the amenity of these areas. The hours over which a non-residential activity operates is a significant determinant in the level of adverse effects likely for neighbours as a result of noise, traffic generation, vibration, loss of privacy, and general disturbance incompatible with residential amenity.

Noise limits are set in relation to the existing background noise levels which have been measured in many residential parts of the District. The dBA L_{eq} level sets a standard for noise measurement attuned to the human ear, which is an average of the noise measured over a specified time interval. This reflects noise

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levels generated by normal residential activities. The L_{max} level controls peak levels of noise at night-time, and minimises sleep disturbance.

Heavy vehicle trips can result in adverse effects that are significantly greater than those of other vehicle trips, as a result of noise, vibration, fumes, traffic congestion and safety. This rule recognises that the storage of heavy vehicles on a site in a residential area can have adverse effects on amenity values.
However, by enabling one vehicle to be stored on a site, it recognises that residents often need to store their employment-related vehicle at home.

Dust and Odour

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

Glare

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

Farming, Horticulture and Keeping of Animals

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

Papakainga Development

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

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

C5 3/06 Op 10/10

C22 2/11 Op 1/15

C43 4/13 Op 1/15

C75 9/22 Op 6/23

C76 9/22 Op 9/25

C80 12/23 Op5/25

The Residential Zone forms part of the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Mapua development areas. Compact density development is provided for through specific standards, and dwellings are to be located as approved through the subdivision process. Quality urban design is an important factor to achieving the overall goals for the Development Areas, and this has been implemented through a subdivision and development design guide. All development in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, Mapua and Mapua Special development areas is subject to the requirements of the Urban Design Guide (Part II, Appendix 2). In the Brightwater and Wakefield Development Areas, development is to take into account the management of noise received from the state highway.
Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area and Motueka West Compact Density Residential Area south of Whakarewa Street for Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use. This responds to the objectives and policies in the TRMP which:

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

The non-notification provision is used for Compact Density Development in the Brightwater, Wakefield Development Areas and Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that

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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 Wakefield Development Area, there is a requirement that subdivisions provide a proportion of lots that are smaller than 450m^2. Rule 17.1.3.1 permits dwellings on standard density lots. An additional permitted rule (Rule 17.1.3.1A) applies to new dwellings on the sites that are smaller than 450m^2, and also permits second dwellings that are on the sites that are greater than 600m^2.

C76 9/22 Op9/25

Stormwater

C7 7/07 Op 10/10

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

Water and Wastewater

C22 2/11 Op 1/15

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

Richmond Intensive Development Area

C66 10/17 Op 12/18

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

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

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

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

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

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

[Unchanged or irrelevant text omitted]

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17.3 MIXED BUSINESS ZONE RULES

C10 10/07 Op 3/14

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

17.3.1 Scope of Section

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

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

NES-FW (ca) 12/20

[Unchanged or irrelevant text omitted]

17.3.3 Building Construction or Alteration

C10 10/07 Op 3/14

17.3.3.1 Permitted Activities (Building Construction or Alteration)

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

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

(a) The activity is not the construction or alteration of any building:

Item (a) (i) removed as part of plan change 73.

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

(ii) where any side of the building is more than 50 metres in length (regardless of any wall off set provided in condition 17.3.3.1(i));

C10 10/07 Op 3/14

(iii) where the gross floor area is greater than 2,000 square metres.

Building Coverage

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

Height

(c) The maximum height of any building is 10 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iv) in the Richmond West and Motueka West development areas for any site adjoining the Residential and Open Space zones and any indicative reserve, the maximum height is 8.5 metres.

C43 4/13 Op 1/15

Building Envelope

C10 10/07 Op 3/14

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

Setbacks

(e) The building is set back from roads and zone boundaries at least:

(i) 10 metres from roads, except where these roads adjoin the Borck Creek indicative reserve;

(ii) 5 metres from roads adjoining the Borck Creek indicative reserve;

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(iii) 10 metres from the boundaries of sites in an adjoining Residential, Open Space, Recreation, or Rural 1 zone.

(f) The building is set back from reserves, rivers and amenity planting setbacks at least:

(i) 5 metres from boundaries of public reserves;

(ii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(g) Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from setback requirements.

(h) In the Richmond West Development Area, notwithstanding condition (g) of this rule, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(ha) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Walls and Modulation

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

Building Frontage

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

Windows

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

Fences

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

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

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Landscaping

(n) The site is landscaped, comprising:

(i) amenity planting required in car park areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(t) and (u) which have been completed;

(iii) amenity planting at least 2.5 metres wide along the road frontage of any site, except where required in condition 16.3.4.1(t) and the width of the site access;

(iv) except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, additional amenity planting so that the total planting is at least 10 percent of the total site area;

(v) despite condition (n)(iii), on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, where any site adjoins Designation 132 (Richmond Deviation), on the south boundary of this land, additional amenity planting at least 5 metres wide along the entire south boundary provides, at maturity, a dense screen of at least 2.5 metres high;

(vi) amenity planting at least 2.5 metres wide along any boundary of a site that adjoins a Residential Zone~~,~~ or the Open Space Zone separating the Residential Zone from the Mixed Business Zone west of Borck Creek.

(o) Amenity plantings are maintained and replaced where dead, damaged or diseased.

Cross-boundary Effects

(p) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or facility located on an adjoining site.

(q) Sites are screened from adjoining land in a Residential Zone by a fence, a wall, or planting that at maturity provides a dense screen, 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). Any such fence or wall does not include barbed or razor wire.

17.3.3.2 Controlled Activities (Building Construction or Alteration)

C10 10/07
Op 3/14

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

(a) All the conditions of rule 17.3.3.1, except condition (a)(iii).

(b) The building has a gross floor area greater than 2,000 square metres.

[Unchanged or irrelevant text omitted]

17.4 INDUSTRIAL ZONE RULES

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

17.4.1 Scope of Section

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

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

NES-FW (ca) 12/20

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17.4.2 Land Use

17.4.2.1 Permitted Activities (Land Use)

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

Particular Activities

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

~~(a)~~(aa) The activity is not one of the following:

(i) a residential activity;

(ii) a community activity (except in the Light Industrial Zone location at Beach Road as shown on the planning maps); C10 10/07 Op 3/14

(iii) motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone;

(iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

(b) Retail sales are limited to:

(i) goods produced on, or ancillary to, the industrial use of the site (maximum retail area 100 square metres); or

(ii) goods of sufficient bulk to require outdoor storage such as landscape materials, machinery, or vehicles; or

(iii) takeaway food bars.

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

Screening

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

Air Emissions – Dust and Odour

(e) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site. C68 7/18 Op 6/19

(f) Open areas of land and stockpiles of loose material are contained or maintained so that dust does not cause an adverse effect at, or beyond, the boundary of the site. C68 7/18 Op 6/19

Glare

(g) Exterior lighting is directed away from adjacent residential properties and public places.

(h) All metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Amenity Plantings

(i) Amenity plantings 2 metres wide are provided along all site boundaries with formed roads and sites adjoining a Residential Zone and the Seaton Valley Stream. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres; except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height. C10 10/07 Op 3/14 C22 2/11 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(j) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: C10 10/07 Op 3/14

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

(k) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. C22 2/11 Op 1/15

Noise

(l) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity, measured at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, or at or within the boundary of any site within the Central Business, Commercial or Rural Industrial zones, does not exceed: C10 10/07 Op 3/14 C19 5/10 Op 8/12

	Day	**Night**
L_{eq}	65 dBA	55 dBA
L_{max}		85 dBA

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

	Day	**Night**
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

C19 5/10 Op 8/12

N.B. Day = 7.00 am to 9.00 pm, Monday to Friday, inclusive of 7.00 am to 6.00 pm Saturday (but excluding public holidays).

Night = All other times, including public holidays.

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

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

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

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

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

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

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

	Day	**Night**
L_{eq}	60 dBA	50 dBA
L_{max}		80 dBA

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

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

	Day	Night
L_{eq}	60 dBA	45 dBA
L_{max}		70 dBA

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

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

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

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

	Day	Night
L_{eq}	55 dBA	40dBA
L_{max}		70dBA

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

(o) For the areas of land located at 68 Meihana Street, Takaka (occupied by Fonterra Ltd), there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:

(i) aims and approach;

(ii) the noise rules in this Plan which apply to the site;

(iii) the approach to compliance monitoring;

(iv) a complaints procedure;

(v) the best practicable option methods for noise mitigation for site areas, activities, and/or processes;

(vi) equipment maintenance requirements;

(vii) any site layout provisions relating to noise mitigation;

(viii) new plant/equipment policy;

(ix) staff training;

(x) means of communication with local residents and the wider community;

(xi) methods for review.

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

Stormwater **C7 7/07 Op 10/10**

(p) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

The discharge complies with section 36.4 of this Plan.

AND

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

(q) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

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

Filling of Allotments

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

17.4.2.1A Permitted Activities (Scheduled Location)

Any land use within the area that is subject to Schedule 17.4A (as shown on the planning maps) is a permitted activity that may be undertaken without a resource consent, if it is an activity that is permitted by Rule 17.5.2.1 or 17.5.4.1.

17.4.2.1B Controlled Activities (Scheduled Location)

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

(a) The activity complies with conditions (aa) and (b) to (r) of rule 17.4.2.1.

(b) Mean Sea Level is lower than the Schedule 17.4A sea level rise trigger.

(c) Any resource consent issued will expire 12 months after Mean Sea Level reaches or exceeds the Schedule 17.4A sea level rise trigger.

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

(1) The removal of structures and materials associated with the activity from the site.

(2) The restoration of the site

(3) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4.2.2 Restricted Discretionary Activities (Land Use)

C10 10/07 Op 3/14

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Amenity Plantings C10 10/07 Op 3/14

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

17.4.2.3 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.4.2.1, 17.4.2.1A, 17.4.2.1B and 17.4.2.2 is a discretionary activity, if it complies with the following conditions: C10 10/07 Op 3/14

(a) The activity is not a residential activity other than a caretaker's residence on the same site as the caretaker works.

(b) The activity is not motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone.

(c) The activity is not a community activity. C10 10/07 Op 3/14

A resource consent is required and may include conditions.

17.4.2.4 Non-Complying Activities (Land Use) C10 10/07 Op 3/14

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

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

17.4.3 Building Construction or Alteration

17.4.3.1 Permitted Activities (Building Construction or Alteration)

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

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

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

Item (b) deleted as part of Plan Change 73 C10 10/07 Op 3/14 C73 Op 6/23

Building Coverage

(c) Maximum building coverage is 90 percent, except: C10 10/07 Op 3/14

(i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua C22 2/11 & C43 4/13 Op 1/15

(ii) in the Heavy Industrial Zone in the Motueka West Development Area; C57 11/15 Op 12/18

(iii) in the Light Industrial Zone at Brightwater.

where the maximum building coverage is 75 percent.

Height

(d) The maximum height of a building is:

(i) 15 metres in the Light Industrial Zone other than on Lot 1 DP 6223 (Batchelor Ford Road) where the maximum height limit is 8 metres;

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ii) 20 metres in the Heavy Industrial Zone;

(iii) 7.5 metres on Lot 1 DP 18856 on parts of 67, 69 and 71 Ellis Street, Brightwater;

except that:

(a) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(b) for antenna attached to a building, condition 16.6.2.1(k) applies;

(c) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan;

(d) at Motueka West Development Area, the building or structure does not exceed the height limits shown in Schedule 16.11A for Motueka Aerodrome. **C43 4/13 Op 1/15**

Walls **C10 10/07 Op 3/14**

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

No Dwellings

(f) The building is not a dwelling.

Cross-boundary Effects

(g) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or public facility located on an adjoining site.

(h) Sites are screened from adjoining land in any Residential Zone by a fence or wall 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). **C10 10/07 Op 3/14**

Glare

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

Building Envelope

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

Setbacks

(k) The building is set back from road boundaries at least: **C10 10/07 Op 3/14**

(i) 3 metres in the Light Industrial Zone, except that in the Richmond West Development Area (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) buildings are set back at least 10 metres from roads, and in Motueka West Development Area buildings along the east side of Queen Victoria Street are set back at least 15 metres. **C43 4/13 Op 1/15**

(ii) 10 metres in the Heavy Industrial Zone;

except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.

Note: Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements. **C68 7/18 Op 6/19**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ka) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the Light Industrial Zone where buildings are set back at least 10 metres from indicative roads and 5 metres from indicative reserves, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(l) In the Light Industrial Zone, the building is set back from roads and zone boundaries at least: **C10 10/07 Op 3/14 C73 Op 6/23**

Item (i) removed as part of plan change 73

(ii) 20 metres from the boundaries of sites in an adjoining Rural 1 Zone, except adjoining Swamp Road where the setback is 15 metres and adjoining McShane Road, where the setback is 10 metres; **C10 10/07 Op 3/14**

(iii) 10 metres from the Open Space Zone.

(m) In the Richmond West Development Area, notwithstanding the exemption in condition (k) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(n) In the Heavy Industrial Zone, buildings are set back 10 metres from any boundary of a public reserve and from any adjoining Residential Zone, and at least 15 metres from Queen Victoria Street in the Motueka West Development Area. **C43 4/13 Op 1/15**

(o) The building is set back at least:

(i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(ii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(p) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves, and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. **C10 10/07 Op 3/14**

Wastewater Disposal

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

Stormwater

(r) (i) EITHER **C7 7/07 Op 10/10**

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

AND

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(s) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

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

Landscaping C10 10/07 Op 3/14

(t) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, the site is landscaped comprising:

(i) amenity planting required in carparking areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(q), (r) and (s);

(iii) amenity planting at least 2.5 metres wide along the frontage of any site, except where required in condition 16.3.4.1(q);

(iv) additional amenity planting so that the total planting is at least 10 percent of the site area.

(u) Amenity plantings are maintained and replaced where dead, damaged or diseased.

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

C19 5/10 Op 8/12
C57 11/15 Op 12/18

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

(a) The maximum height of a building is 8 metres; and

(b) The building coverage is not extended on the site.

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

(1) The location and size of building. C57 11/15 Op 12/18

(2) The location of mounding, landscaping, ponding areas and flood flow paths.

(3) The duration of the consent and the timing of reviews of condition and purpose of reviews.

(4) Financial contributions, bonds and covenants in respect of the performance of conditions.

17.4.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the conditions of rules 17.4.3.1, 17.4.3.2(a) or 17.4.3.3A is a restricted discretionary activity. However, this rule shall not apply to the construction or alternation of a building in a location that is subject to Schedule 17.4A. C19 5/10 Op 8/12 C57 11/15 Op 12/18

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:

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Building Coverage

(1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.

(2) The extent to which site development will be able to comply with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.

(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard or flood hazard risk will be a consideration at Brightwater, including: **C57 11/15 Op 12/18**

(a) protection for flood flow paths during a 1 percent Annual Exceedance Probability flood event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

(4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

Setback from Roads

(5) The extent to which reduced setback will affect compliance with parking, loading and access rules.

(6) The design and appearance of the building and its visual impact from the street or adjoining properties.

(7) The necessity for a reduced setback to enable more efficient or practical use of a site.

(8) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale, and the openness and visual amenity of the street when viewed from adjoining properties.

(9) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.

(10) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

Setback from a Residential Zone or Public Reserve

(11) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or reserve, taking into account its design and appearance, bulk and length of walls.

(12) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.

(13) The potential for the development to affect the privacy of the residents or users of the reserve.

(14) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

(15) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

Setbacks from Indicative Roads and Reserves **C73 Op 6/23**

(15A) The extent to which alternative practical locations are available for the building.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(15B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.

(15C) The extent to which alternative practical locations are available for future reserves.

(15D) The effects of the building being sited within the setback of the indicative road or reserve.

Height

(16) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.

(17) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.

(18) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.

(19) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.

(20) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Services

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

Stormwater C7 7/07 Op 10/10

(22) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.

(23) The extent to which the stormwater run-off generated by additional development has been managed.

(24) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

(25) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

Electricity Transmission Corridor C10 10/07 Op 3/14

(26) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Duration and Financial Matters

(27) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C57 11/15 Op 12/18

Construction or alteration of a building that either:

(a) creates a new footprint or extends the footprint of a building in the Light Industrial zone in specified sites in Brightwater (as shown on the planning maps) that complies with permitted activity conditions 17.4.3.1(c)(iii), (d), (f) to (u); or

(b) does not comply with Controlled Activity condition 17.4.3.2(b);

is a restricted discretionary activity.

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

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;

(b) the effects of a 1 percent Annual Exceedance Probability event flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

17.4.20 Principal Reasons for Rules

Building Coverage

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

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

C57 11/15 Op 12/18

In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) and the Motueka West Development Area, coverage is limited to provide a standard of amenity and open space anticipated in a new industrial park.

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

Building Setbacks

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

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

C43 4/13 Op 1/15

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Indicative Roads and Reserves

C73
Op 6/23

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

Building Height

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

C43 4/13
Op 1/15

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

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

Privacy

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

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone. Fences or walls are required where industrial zones adjoin a Residential Zone, in order to contain debris within the site and to screen business activities from residential areas. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas.

Retailing

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

Noise

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

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

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

C10 10/07
Op 3/14

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

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

Residential Activities

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

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

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

Dust and Odour

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

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

Glare

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

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

C7 7/07
Op 10/10

Stormwater

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

Filling of Allotments

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

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Lower Queen Street Light Industrial Zone location

Part of the Light Industrial Zone location in Lower Queen Street is subject to Schedule 17.4A. In this low-lying area appropriate land use activities and buildings can be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Activities that are permitted in the Rural 1 zone remain permitted in this scheduled area.

Buildings in this area are subject to specific rules in the schedule and are required to obtain a resource consent and to be reassessed, and/or removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

[Unchanged or irrelevant text omitted]

SCHEDULES

Schedule 17.4A: Building on low-lying light industrial land, Lower Queen Street, Richmond

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

17.4A.1 Building Construction or Alteration

17.4A.1.1 No Permitted Building

No buildings are permitted.

17.4A.1.2 Controlled Activities

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

(a) The building complies with the conditions (a) to (u) of Rule 17.4.3.1

(b) The building is temporary, relocatable, or readily removable.

(c) A condition is placed on any resource consent to the effect that the building must be relocated or removed from the site within 12 months following Mean Sea Level reaching or exceeding the Schedule 17.4A sea level rise trigger.

(d) With any resource consent application, the applicant provides a plan that satisfactorily addresses how the buildings are able, both physically and financially, to be removed from the site.

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

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

(1) The nature of the building and its construction.

(2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.

(3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character and the coastal environment.

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

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17.4A.1.3 Restricted Discretionary Activities

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

(a) The building complies with conditions (b) to (d) of rule 17.4A.1.2

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

(1) All matters identified in Rule 17.4A.1.2
(2) All matters identified in Rule 17.4.3.3.

17.4A.1.4 Discretionary Activities

Construction or alteration of a building that does not comply with the conditions of Rule 17.4A.1.3 is a discretionary activity.

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

.

Principal Reasons for Rules

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

[Unchanged or irrelevant text omitted]

17.14 Deferred Zone Rules

Refer to Policy sets 5.1, 6.1, 6.3.

17.14.1 Scope of Section

~~This section deals with the procedure for removal of deferrals of future urban or rural residential zones on rural, residential or rural residential zoned land in the Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial and Deferred Papakainga zones.~~ ~~C10 10/07 Op 3/14~~ ~~C51 1/15 Op 9/16~~

~~This section also provides the ability to remove the indicative road, reserve or walkway symbology from the planning maps once land for the purpose of those items has been vested in Council, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

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

This section outlines the planning provisions that apply to areas mapped as deferred zones, and which are subject to the Deferred Zone Framework.

Deferred zones are identified in the planning maps and feature the word "deferred" in the title. For example, "Rural 1 deferred Light Industrial Zone". Deferred zones are used to enable the efficient and streamlined transition of undeveloped land with insufficient servicing to developable land.

For the purposes of this section the "original zone" is the zone that is stated first in the name. The "end use" is the provision or zone framework that applies to the anticipated future use of the land, once a specific requirement is satisfied. In the above example, the original zone is Rural 1 and the end use zone is Light Industrial.

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17.14.2 ~~Procedure for Removal of Deferral~~ All Deferred Zones

~~(a) Any area of land listed in Schedule 17.14A and shown on the planning maps that is zoned Rural 1, Rural 2, Rural Residential, or Residential and with a notation of Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial, or Deferred Papakainga zone, becomes effective as the zone that is deferred, from the date that Council resolves that:~~ ~~C51 1/15 Op 9/16~~

~~(i) the relevant service being a reticulated water supply, wastewater, stormwater, or transportation service, as applicable, has been provided, or can be provided to the satisfaction of the Council, either for the whole or for any part of each area of land, including any part that is sought to be developed, to service the land; or~~

~~(ii) where applicable, the date until which the area remains deferred is now due.~~

~~(b) Where the relevant service is to be provided by any person other than the Council, concept engineering plans for the service must be approved by the Council before the Council resolves that the deferral for the relevant zone may be removed so that the zone that was deferred becomes effective over that land that is the subject of the service provision.~~

~~(c) The removal of the deferred status and the commencement of the new effective zone as listed in Schedule 17.14A is effected by a resolution of Council when the required services have been provided, or can be provided, to the satisfaction of the Council and the Plan is amended without further formality from that date of resolution, to show the new effective zone. Council will advise landowners when it has made a resolution.~~ ~~C22 2/11 Op 1/15~~ ~~C10 10/07 Op 3/14~~ ~~C51 1/15 Op 9/16~~

~~(d) When a resolution of Council is made for the removal of the deferred status of an area's zoning, this will also apply to the removal of the deferred status of the applicable Fire Ban of Fire Sensitive Area where either exist.~~ ~~C73 Op 6/23~~

~~(e) Indicative road, reserve or walkway symbology shall be removed once land has been vested with Council for the purpose of the intended road, reserve, or walkway, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

Note: deleted as part of Plan Change 73.

C10 10/07 Op 3/14
C51 1/15 Op 9/16
C73 Op 6/23

17.14.2.1 Deferred land not listed in Schedule 17.14A

For any deferred site that is not listed in Schedule 17.14A, the plan provisions that apply to the original zone and the plan provisions that apply to deferred zoned sites continue to apply regardless of provision 17.14.2.2.

17.14.2.2 Deferred land listed in Schedule 17.14A

(a) The provisions specified in the relevant row of Column C of Schedule 17.14A apply to any activity, including subdivision, land use, structure or building, on land that is subject to a deferred zone listed in Schedule 17.14A, until rule 17.14.2.2.(b) is satisfied.

(b) If the infrastructure required as stated in Schedule 17.14A, Column D is delivered then the relevant provisions of Column G of Schedule 17.14A apply.

For the purpose of rule 17.14.2.2, 'delivered' means infrastructure is:

(i) Physically constructed, or

(ii) Council and a landowner or developer have an agreement that the infrastructure will be constructed within three years of the date of the agreement, and

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(iii) Council's Chief Executive Officer has published notice on the Council's website that (i) or (ii) has been satisfied.

Note: 17.14.2.2 includes a recommended Panel amendment. See paragraph 97 of the recommendation report.

(c) In the event that 10 or more years elapses from the operative date of the plan change that added a site to Schedule 17.14A (as specified in the relevant row of Schedule 17.14A, Column I) to the delivery of the necessary infrastructure, then provision 17.14.2.2.(b) must not be applied and the provisions in the relevant row of Column C of Schedule 17.14A will continue to apply thereafter.

17.14.20 Principal Reasons for Rules

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

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

Deferred zones rely on a framework that engages planning provisions in multiple chapters in the Plan. Each deferred zone is a separate zone which, through the mechanism set out in this Section 17.14, incorporates the planning provisions of two other zones (the original zone and the end use zone).

For deferred zones listed in Schedule 17.14A the application of the provisions changes from the original zone to the end use zone depending on a trigger: the delivery of the necessary infrastructure that is specified in Schedule 17.14A. Confirmation of the activation of that trigger for any given parcel of land is provided on the Council's website.

A plan change process is undertaken, to add a deferred zone into Schedule 17.14A. Once the land has been confirmed as a deferred zone, work can begin either by the Council or any other person on delivering the infrastructure to enable development to commence. Once infrastructure has been delivered (as defined in Rule 17.14.2.2) then a mechanism is provided in Rule 17.14.2.2 whereby the land can be developed in accordance with the provisions that apply to the anticipated end use. For the avoidance of doubt, at this time the zone will not change but a different set of planning provisions (urban or rural residential provisions) will apply.

A 10-year expiry period applies to deferred zone locations (provision 17.14.2.2(c)). If servicing is not delivered within 10 years, then the trigger becomes unavailable and the original zone provisions will continue to apply thereafter. This 'sunset clause' approach is needed in order to require a further assessment of the appropriateness of the end use of the land as circumstances may have changed (for example, sea level rise).

Some deferred zone locations shown on the planning maps (located in Motueka and Māpua) are not included in Schedule 17.14A because they are being addressed through other processes. Therefore some provisions apply specifically to deferred sites listed in Schedule 17.14A and some provisions apply to all deferred sites.

In the Richmond West Development Area, integrated servicing and economic or business development efficiencies are intended to be achieved through the ~~method of zone deferrals~~ deferred zone method for specific servicing This will result in a sequence of supply of serviced land in the Richmond West Development Area over the long term. **C10 10/07 Op 3/14** **C51 1/15 Op 9/16**

Note: The areas notated on the planning maps are deferred for servicing.

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~~A, C & F~~	• ~~Upgrade the stormwater network.~~
~~G~~	• ~~Construction of the Lower Queen Street water treatment plant.~~ • ~~Upgrade of the stormwater network.~~ • ~~Extension of and connection to Council's bulk waste and water supply networks.~~
~~B & D~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek and Poutama Drain bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~H~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~E~~	~~Construction of the Borck Creek bulk stormwater network.~~ ~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~ ~~Substantial take-up of serviced land in the Richmond West Development Area with the same zoning.~~
~~I~~	~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~ ~~Substantial take-up of serviced land in Area H.~~

B	Construction of the Borck Creek and Poutama Drain bulk stormwater network. Extension of and connection to Council's bulk waste, water supply and stormwater networks.
E	Construction of the Borck Creek bulk stormwater network. Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area. Extension of and connection to Council's bulk waste, water supply and stormwater networks. Transportation: Provision for a single mid-block intersection with SH60 to be approved by NZTA as part of the central access roadway through mixed business area as per indicative road layout on planning map.

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

~~Development proposals will be considered by the Council before deferrals are removed, if services compatible with the Council's long term servicing needs as set out in the Council's Long Term Plan are provided by Council or to the satisfaction of Council.~~ ~~C51 1/15 Op 9/16~~

~~Indicative roads, reserves and walkways are able to be removed from the planning maps once the land for these purposes is vested with Council as part of the subdivision and development process, or the land has been otherwise acquired by Council for these purposes. This ensures redundant items on the planning maps can be simply removed.~~ ~~C73 Op 6/23~~

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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	CS1 1/15 Op 9/16
Richmond South Development Area (planning maps 23, 57, 127 - 129, 133)							
South of Hart and Bateup Roads • 7 & 20 Paton Road	Rural 1	Reticulated water supply service required	27/8/15	Lot 1 DP 18100 Pt Lot 1 DP 17738	6915, 6915/1 and Schedule C	Residential (serviced)	
South of Hart and Bateup Roads • 36 & 40 Hart Road	Rural 1	Reticulated water supply service required	3/5/18	NE part of Lot 2 DP 20243 Pt Sec Waimea East DIST	5915/7	Residential (serviced)	
South of Hart and Bateup Roads: - 50 Hart Road - 72 Hart Road - 472 Hill St	Rural 1	Reticulated water supply service required	5/11/20	• Lot 1 DP 450177 • Lot 1 DP 545967 • Part of Pt Sec 34 Waimea East DIST, Lot 1 DP 431455 & Lot 1 DP 8205		Residential (serviced)	12/20
South of Hart and Bateup Roads: - Bateup Road (Reserve) - 92, 92A & 92B Bateup Road - 28, 29A, 29B & 29C Collins Road - 3, 26 & 52 Paton Road - 45 Main Road	Rural 1	Reticulated water supply service required	4/3/21	• Lot 5 DP 446793 • Lots 1, 2 & 3 DP 446793 • Lots 1, 2, 3 & 4 DP 361254 • Pt Lot 1 DP 17290 • Lot 1 DP 4858 • Lot 2 DP 17738 • Lot 1 DP 6754		Residential (serviced)	9/21
South of Hart and Bateup Roads: • Lot 2 DP 450177 - 66 Hart Road • Lots 4 & 5 DP 431455 - Hart Road • Lot 3 DP 411584 - Hart Road • Lot 2 DP 20243 - SW part of 36 Hart Road • Lot 2 DP 411584 - 68 Hart Road • Pt Sec 35 Waimea East DIST - 520 Hill St South • Lot 1 DP 8205 & Pt Sec 34 Waimea East DIST - 472 Hill St	Rural 1	Reticulated water supply service required				Residential (serviced)	9/21

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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	
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)							
Areas notated A and B (375 and 387 Lower Queen St) on the planning maps	Rural 1 and Recreation	Area A: Stormwater Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	25/9/15	**Area A:** Lot 1 DP 13664 Lot 6 DP 6697 Lot 3 DP 465626 Pt Sec 100 Waimea East District (two areas) Part Lot 1 DP 470387 Lot 2 DP 13664 Pt Lot 1 DP 20409	6906 51 - 57	Residential (serviced)	
			9/6/16	**Part Area B:** Pt Lot 2 DP 470387 Pt Lot 2 DP 446230 Pt Lot 1 DP 446 230	6906/1	Residential (serviced)	
			5/11/20	**Part Area B:** Lot 205 DP 537200 Lot 302 DP 542339 Lot 3 DP 470387 Pt Lot 3 DP 15764 Lot 303 DP 542339 Lot 304 DP 542339 Sec 6 SO 455144		Residential (serviced)	12/20
Areas notated B (395 Lower Queen Street) on the planning maps	Rural 1	Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	26/7/18	**Part Area B:** Sections 3 – 5 SO 506258 Section 1 SO 490525 and sections 1 & 2 SO 506258	RM1600673	Residential (serviced)	C74 12/20 Op 3/23
Area notated B (Borck Creek) on the planning maps			16/12/21	**Part Area B:** Part Lot 6 DP 520567		Open Space	
Areas notated C on the planning maps	Rural 1	Area C: Stormwater service required.				Mixed Business	
Areas notated D on the planning maps	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/9/19	Lot 1 DP 511566		Mixed Business	
			16/12/21	**Part Area D:** All of D except: Lot 1 DP 20409 Sec 2 SO 450816 Sec 1 SO 512154 Sec 28 SO 455144 Sec 2 SO 512154 Lot 1 DP 511566		Residential	C74 12/20 Op 3/23
			16/12/21	**Part Area D:** Part Lot 6 DP 520567		Open Space	
Areas notated E on the planning maps	Rural 1	Area E: Reticulated water from Richmond South High Level Reservoir, wastewater, stormwater (Borck Creek construction) services required and in respect of Area E, there is substantial take-up of serviced land in the Richmond West Development Area with the same zoning.				Mixed Business	C74 12/20 Op 3/23
Areas notated E (91 McShane Road) on the planning maps			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493		Residential	
			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493 Part Sec 13 SO 455144		Commercial	

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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	Effective Zone after Removal of Deferral	
Area notated F (part) at 28 Appleby Highway, Pt Section 108 Waimea East District	Rural 1	Area F: Stormwater service required	14/12/17	Pt Section 108 Waimea East District (part of title only)	6906/1, 2 sheets	Light Industrial	
Areas notated F (part), G, H and I on the planning maps	Rural 1	Area F: Stormwater service required Area G: Reticulated water, wastewater and stormwater services required Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of Area H	31/8/17		6960	Light Industrial	11/21
			16/12/21	Area H: All of H except Lot 5 DP20409 and Lot 6 470387 and Lot 1000 DP 556528		Residential	C74 12/20 Op 3/23
Richmond East Development Area (planning maps 23, 57, 130, 135)							
Parts of the Area at 118, 126 Champion Road (Pt Lot 2 DP 3780, Lot 1 DP 5661)	Rural Residential (serviced)	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Parts of the Area at 134 Champion Road (Pt Sec 93 Waimea East District)	Rural 2	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Part of Area at 134 Champion Road	Rural 2	Reticulated wastewater required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 138 and 140 Champion Road	Rural 2	Reticulated wastewater service required	27/8/15	Lot 1 and 2 DP 387909	6835/1	Residential (serviced)	
Parts of the Area at 144 Champion Road, below the 62.5m contour	Rural 2	Reticulated water supply service required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 144, 206, 208 and 210 Champion Road (Pt Sec 93 Waimea East District; Lot 4 DP 2035; Lot 1 DP 19116; Pt Lot 3 DP 6202; Lot 1 DP 19012 and Sec 4 SO452872); and at Secs 1, 3 and 7 SO452872)	Rural 2	At Champion Road, reticulated wastewater service required; above the 62.5 metre contour (Secs 1, 3 and 7 SO452872) reticulated water supply service required				Rural Residential (serviced)	
Mapua Development Area (planning maps 19, 54, 87)							
125 Mapua Drive	Rural 1	Reticulated water supply, wastewater and stormwater services required	22/5/14	Lot 2 DP17670		Residential (serviced)	
87 – 93 Mapua Drive	Rural Residential		22/5/14 27/8/15	Lots 8 – 11 DP 480837 (Part of Lot 4 DP 469498) Lots 2 and 3 DP 480837	6848/3	Residential (serviced)	
69 – 93 Mapua Drive	Rural Residential (in part)		5/11/20	Lot 1 DP 17670 Lot 2 DP 469498 Lot 3 DP 469498 Lot 3 DP 494693 Lot 1 DP 19875		Residential	
Stage 2	Rural 1	Reticulated water supply, wastewater and stormwater services required and deferred until 2031				Residential (serviced)	

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Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Mapua Drive South	Rural 1 (in part)					Residential	12/20
166 Mapua Drive	Rural 1 (in part)	Reticulated water supply	30/9/21	Lot 2 DP 479544		Residential	11/21
Higgs Road South	Rural 1					Residential	
Southern extension of the Korepo Road Rural Residential Zone	Rural 1	Reticulated water, wastewater and stormwater services required				Rural Residential (serviced)	
29 Aranui Road (Lot 59, DP 17242), Mapua Special Development Area	Residential	Reticulated water supply, wastewater and stormwater services required				Residential (serviced) (rules for Mapua Special Development Area)	
Between Iwa Street and Aranui Road (Lot 1 DP 17890; Lot 1 307114, and Lots 1, 77-91, 101 &102 DP 504876)	Rural 1	Stormwater	28/9/17		Plan 6937/5	Residential	
North of Warren Place, Mapua	Rural 1	Reticulated water, wastewater and stormwater services required				Light Industrial	
Motueka West Development Area (planning maps 19, 52, 116, 118, 119)							
North and east of the northern and eastern greenways and south of the southern greenway	Rural 1	Reticulated water supply, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west and from south east to south west, along the two greenways, shown by directional arrows on the planning maps				Residential (serviced)	
South of the eastern greenway	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Mixed Business	
South of the western greenway/south of Green Lane	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Light Industrial and Heavy Industrial	
Corner of Pah and Queen Victoria streets	Rural 1	Reticulated water supply, wastewater, stormwater services required				Papakainga	C57 11/15 Op 12/18

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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	
Motueka (outside the Motueka West Development Area) (planning maps 19, 52, 119)							
South of King Edward Street, Motueka	Rural 1	Reticulated water, wastewater and stormwater services required				Residential (serviced)	
Brightwater (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	C57 11/15 Op 12/18 9/21
Reticulated water supply between Wanderers Ave & Lord Rutherford Road Removed as part of Plan Change 75							C57 11/15 Op 12/18 C75 9/22
Corner of Factory Road and River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 1 DP 456011 Lot 1 DP 395051		Light Industrial	Op 10/23 12/20 Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP456011		Light Industrial	Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP3453		Light Industrial	Cl20A U69 7/22
104 Waimea West Road, Brightwater (Part of Pt Section 33 Waimea South District)	Rural 1	Reticulated water supply				Residential	C68 7/18 Op 6/19
Brightwater Development Area (planning maps 22, 56, 90)							
Between Lord Rutherford Road, Main Road Spring Grove (State Highway 6), and Pitfure Stream	Rural 1	Reticulated water supply. Stormwater and water supply required.				Residential	C75 9/22 Op 10/23
Wakefield Development Area (planning maps 22, 58, 91)							
Between Pitfure Road, Edward Street, and Higgins Road	Rural 2	Reticulated wastewater, stormwater, and water supply required				Residential (serviced)	C76 9/22
Wakefield (planning maps 22, 58, 91)							
Bird Lane, Wakefield	Rural 1	Stormwater services, reticulated water supply upgrade, and roading improvements to Bird Lane and the intersection with SH6.				Residential	C65 10/17 Op 4/18
Higgins Road, Wakefield (Part Lot 1 DP 303114)	Rural 2	Higgins Road upgrade south of the Pitfure Bridge to ensure access in a Q100 event; and pedestrian/cycle link over the Pitfure Stream to Ryeland Avenue.				Rural Residential	C65 10/17 Op 4/18 C76 9/22
Other Settlements and Areas							
Parts of Murchison	Rural 2	Stormwater service required				Residential (serviced)	
65 Hotham Street, Murchison	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23
161 Fairfax Street	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23

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166, 170, 174, 176, 178 Fairfax Street	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23
Riwaka-Kaiteriteri Road, Kaiteriteri	Rural 2	Upgrading required adjoining Riwaka-Kaiteriteri Road	11/12/14	N/A	N/A	Rural Residential	
Part of Patons Rock	Rural 1	Reticulated wastewater service required				Residential (serviced)	
Sandy Bay Road, Marahau	Rural 1	Reticulated wastewater and water supply services required				Tourist Services	
Marahau	Rural 1	Reticulated wastewater service required				Residential (Serviced)	
Old Coach Road, Mariri	Rural 2	Road upgrading required once the existing tree crop has matured and been harvested				Rural Residential	

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McShane Road	RW5	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Provision for a new trunk pressure main along indicative road layout through development area; provision for new pressure trunk main connection to existing 525mm gravity main along decommissioned rail corridor to the south of RW5 (now NZTA and Great Taste Trail corridor). See AMP ID 96118 in LTP 2024. **Water Supply:** Provision of a new trunk watermain through the mixed business area along the indicative road layout, including connection to existing 200mm watermain under Borck Creek at southern end of Summersfield Boulevard. See AMP ID 86204 in LTP 2024. **Transportation:** Provision for a single mid-block intersection with SH60 that complies with NZTA standards as part of the central access roadway through mixed business area as per indicative road layout on planning maps. The specific location of the intersection of the indicative road with SH6 is flexible subject to complying with the required standards. To be provided by developer, plus some Council funding available. See AMP ID 46094 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.4, Subdivision - Business and Industrial Zones Chapter 17.3, Mixed Business Zone Rules.		

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Between Lord Rutherford Road, Main Road Spring Grove (SH6) and Pitfure Stream	BW17	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield-Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield-Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Bird Lane	WK20	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024. **Stormwater:** Identification and implementation of a stormwater discharge pathway to Pitfure Stream or the Wai-iti River, to be provided by the developer. **Transportation:** Upgrade of the Bird Land intersection with State Highway 6; see AMP ID 46024 in LTP 2024. Access to WK20 will be from Bird Lane, no direct access onto State Highway 6 is available.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Higgins Road	WK21	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024. **Transportation**: Formation of Higgins Road up to the site boundary, and upgrade of the Higgins Road crossing over Pitfure Stream to provide adequate flood conveyance level of service for the level of traffic that will be supported by the upgraded road. To be completed by the developer.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Grey Street	MR22	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		
55 Hotham Street	MR24	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to		

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		Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.				Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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65 Hotham Street	MR25	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		
Fairfax Street South	MR26	Chapter 5, Site Amenity Effects. Chapter 6, Urban	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects		

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		Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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

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19.1 SCOPE OF CHAPTER 19

C19 5/10
Op 8/12

[Unchanged or irrelevant text omitted]

19.2 INFORMATION REQUIRED FOR LAND USE OR SUBDIVISION CONSENT APPLICATIONS

19.2.1 Land Use

C19 5/10
Op 8/12

[Unchanged or irrelevant text omitted]

Productive Value Report

C60 1/16
Op 6/19

19.2.1.17 A productive value report may be required for any land use consent and must contain the following:

(a) Soil type patterns across a site.

(b) The characteristics of soils, including drainage, potential rooting depth, present fertility, existing contamination and erosion proneness.

(c) Land form features, including slope and aspect, and flood proneness.

(d) Climate, including general characteristics relating to suitability for productive use.

(e) Historical and existing land uses, including crop type, surrounding uses and existing markets.

(f) Effects on potential land uses and productivity, including loss of land from production through access, curtilage development and required setbacks.

(g) Availability of water.

19.2.1.18A **Land use application under Schedule 17.4A**

C79 11/24

For any land use application under Rule 17.4A.1.2, a plan which demonstrates how buildings are able, both physically and financially, to be removed from the site.

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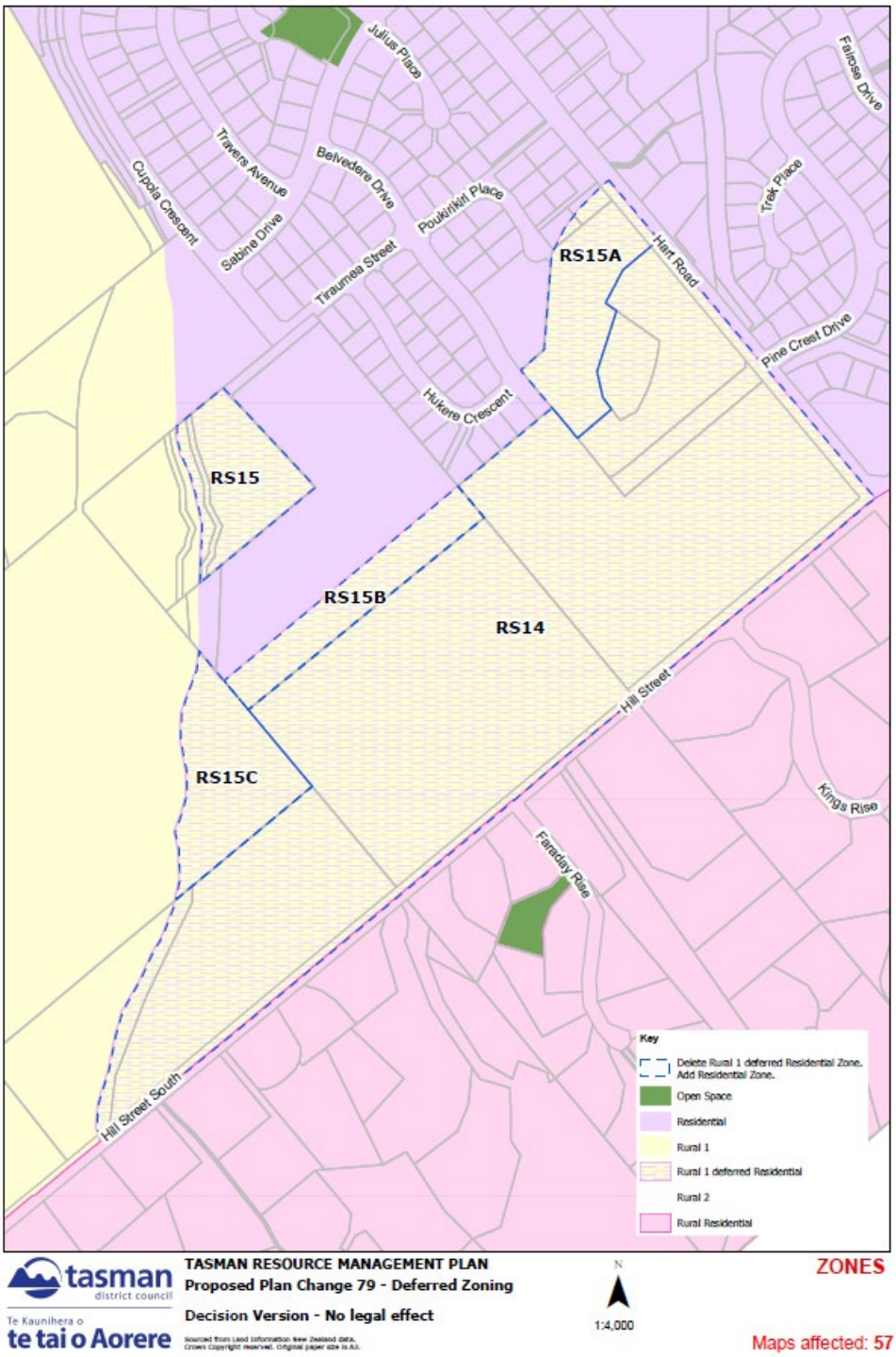
Planning Map Amendments to the Planning Maps

Recommended Amendments to Planning Maps

Richmond South RS14 – Amended Update Zone Map 76-10



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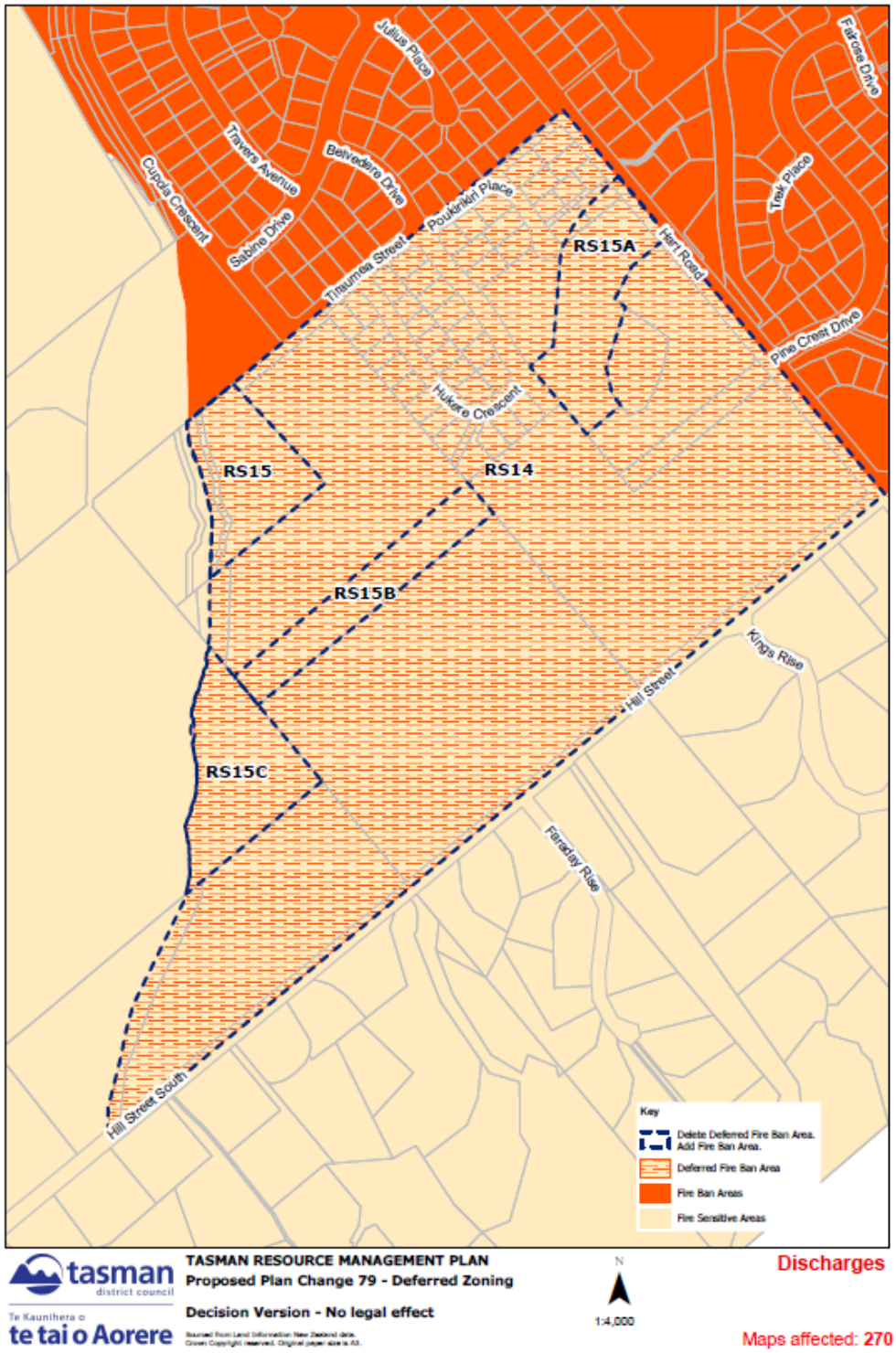
Richmond South RS14 – Amended Update Discharges

Map 76-17



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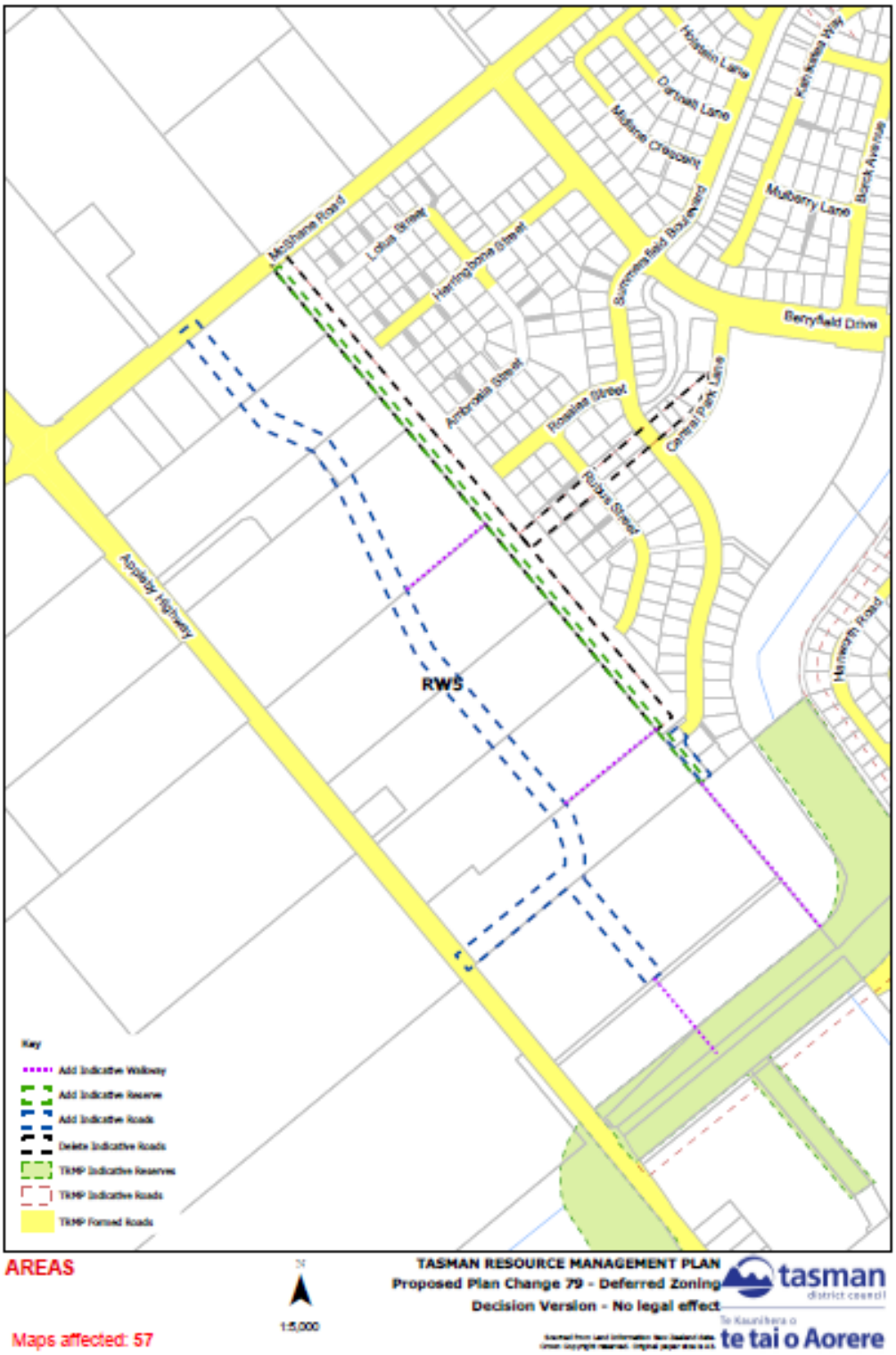
Richmond West RW5 – Amended Update Area Map 76-03



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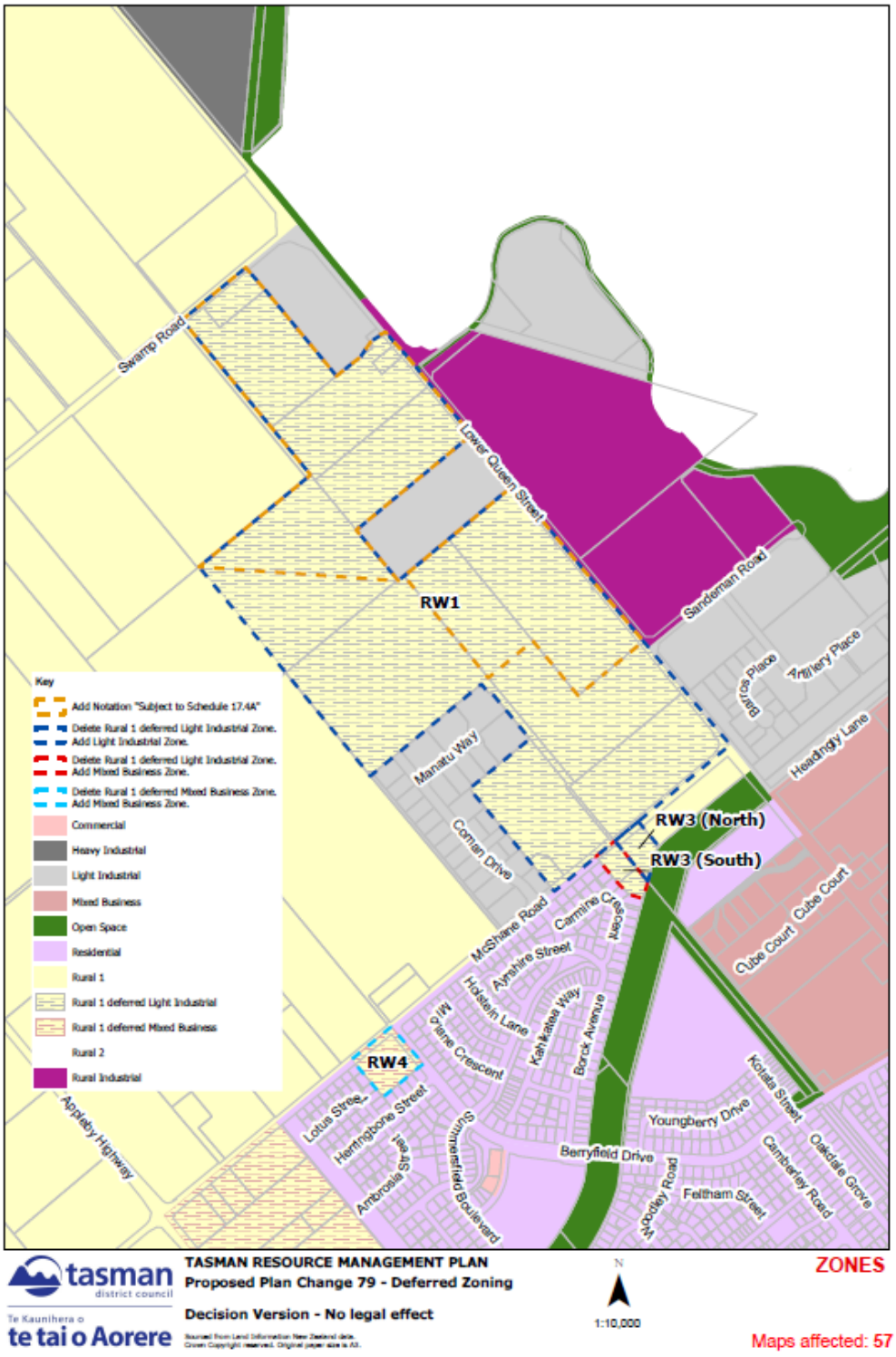
Richmond West RW1 – Amended Update Zone Map 76-12



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IN THE ENVIRONMENT COURT **ENV-2023-CHC-**
AT CHRISTCHURCH

TE KŌTI TAIAO O AOTEAROA

IN THE MATTER	of an appeal against Plan Change 79 to the Tasman Resource Management Plan
UNDER	clause 14, schedule 1 of the Resource Management Act 1991
BETWEEN	**ANDREW TALLEY AND SUSAN TALLEY**
	Appellants
AND	**TASMAN DISTRICT COUNCIL**
	Respondent

NOTICE OF APPEAL

30 APRIL 2026

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TO: The Registrar
Environment Court
CHRISTCHURCH

1. Andrew Talley and Susan Talley (**the appellants**) appeal against part of a decision of Tasman District Council on Plan Change 79 to the Tasman Resource Management Plan under clause 14, schedule 1 of the Resource Management Act 1991.

2. The appellants made a submission and a further submission on that Plan Change.

3. The appellants are not a trade competitor for the purpose of section 308D of the Resource Management Act 1991.

4. The appellants received notice of the decision on 13 March 2026.

5. The decision was made by Tasman District Council on the recommendation of a panel.

6. The part of the decision that the appellants are appealing against are:

    6.1. Objective 6.3.2.3;

    6.2. Policy 6.3.3.4D;

    6.3. Policy 6.3.3.4AA;

    6.4. Rule 16.3.2.5;

    6.5. Schedule 16.3C;

    6.6. Scope of section 17.14.1 and Principal Reasons for Rules 17.14.20;

    6.7. Rule 17.14.2.2; and

    6.8. Schedule 17.14A.

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7. The reasons for the appeal, and relief sought, are as follows (paragraphs 8 to 40 of this document).

8. The appellants' submission, further submission and subsequent appeal of PC79 in summary seek amendments to ensure that the deferred zone framework is certain, clear, does not rely on subjective assessments or discretionary processes, and is readily understandable to future plan users. They also seek amendments to ensure that the provisions clearly separate out the deferred zone areas in Māpua and Motueka and provide appropriate policy direction for resource consents and private plan changes in these areas.

9. The appellants consider that without further amendments, PC79:

    9.1. Will not promote the sustainable management of resources and will therefore not achieve the purpose of the RMA, including by not meeting the reasonable foreseeable needs of future generations;

    9.2. Is contrary to the purpose and provisions of the RMA;

    9.3. Fails to give effect to the National Policy Statements for Indigenous Biodiversity, Freshwater Management, Highly Productive Land, Infrastructure and Natural Hazards, and the National Environmental Standards for Freshwater;

    9.4. Is not supported by a sufficient s 32 and s 32 AA analysis or evidential basis as to the effects of the proposed changes on the environment, or sufficient evidence of proper consultation with iwi;

    9.5. Will not promote the efficient use and development of natural and physical resources of the whole region;

    9.6. Will not achieve integrated management of the natural and physical resources of the whole region; and

    9.7. Does not represent the most appropriate way of exercising the

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Council's functions, having regard to the efficiency and effectiveness of other reasonable practicable options, and therefore not appropriate in terms of s 32 and other provisions of the RMA.

Objective 6.3.2.3

10. The wording of this objective in the decisions version is not aligned with clause 3.5(1) of the National Policy Statement for Urban Development.

11. The reference in the wording of the chapeau of this objective to development being "appropriately sequenced" is unclear and imprecise. The deferred zone planning mechanism relies principally on key infrastructure being delivered before development in deferred zones progresses. Sequencing development with infrastructure delivery is therefore a fundamental outcome for deferred zone management, and should be clearly articulated in this objective.

12. The relief sought is amendments as follows, or to similar effect:

Urban ~~D~~development **within deferred zones ~~is appropriately sequenced so that it provides~~**:

(a) **Provides a~~A~~** safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities, and enables active and public modes of transport and a shift to renewable energy sources; and

(b) **Provides the** necessary servicing infrastructure (water, wastewater stormwater, power and internet) that **~~is provided so that it~~** integrates with adjoining land and surrounding networks, and minimises adverse effects on the natural and built environment; and

(c) **Provides,** where relevant, appropriate access to additional infrastructure, including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-

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functioning urban environment~~.~~**; and**

(d) **Is avoided if it is ad-hoc or out-of-sequence with upgrades and extensions to infrastructure and services that are required to support well-functioning urban environments and minimise adverse effects of urban development on the environment.**

Policy 6.3.3.4D

13. The policy is not aligned with the requirements of clause 3.5(1) of the National Policy Statement for Urban Development in terms of providing for "additional infrastructure".

14. The policy is imprecise in its reference to "appropriate standard". It should expressly refer to a standard that can be objectively assessed, such as the Nelson Tasman Land Development Manual. The policy currently refers to the NTLDM as one standard but does not limit it to this standard.

15. The policy only partially addresses the need for policy to avoid development in non-scheduled sites until infrastructure is in place, and to provide direction in infrastructure provision in non-scheduled sites. While Schedule 17.14A specifies the necessary infrastructure upgrades for deferred sites listed in that schedule, there is no equivalent specification for deferred sites that are not in the schedule. The policy needs explicit direction to ensure any wider infrastructure deficiencies are identified and resolved before development in non-schedule deferred sites is enabled.

16. The relief sought is amendments as follows, or to similar effect:

When making decisions on resource consent applications, the urban development anticipated by a deferred zoning that is referred to in 17.4.2 is avoided unless:

(a) the necessary infrastructure has been provided to service it, including, where

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relevant:

(i) any intersections, connections and upgrades of roads to an appropriate standard; and

(ii) servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard; and

(iii) for sites not identified in Schedule 17.14A, infrastructure or servicing identified by a comprehensive assessment of network infrastructure capacity as being required to service urban growth in the area; and

(iv) for sites identified in Schedule 17.14A, the infrastructure or servicing specified in the relevant row of Column D of Schedule 17.14A; and

(iv) additional infrastructure, including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-functioning urban environment.

(b)~~(iii)~~ where relevant, development is sequenced with Council strategic planning, infrastructure provision and land release programmes as shown in the relevant long-term plan; and

(c)~~(b)~~ for sites that are identified in Schedule 17.14A, the infrastructure or servicing identified as being required to be delivered in Column D of the schedule is not undermined by alternative servicing/infrastructure proposals.

For the purposes of this policy "appropriate standard" refers to**~~, but is not limited to,~~** the **mandatory matters in the** Nelson Tasman Land Development Manual **September 2020, Revision 1**.

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Policy 6.3.3.4AA

17. This policy is not clear or precise in its description of the rule flip process provided for in Rule 17.14.2.2 for release of deferred zone land.

18. If amendments are made to Rule 17.12.2.2 as proposed below, then consequential amendments to the policy direction in Policy 6.3.3.4AA are required.

19. The relief sought is amendments as follows, or to similar effect:

~~**For sites listed in Schedule 17.14A, to enable the release of deferred zone land and development under the relevant urban provisions when the infrastructure or servicing listed in the Schedule is delivered.**~~

To manage deferred zone sites listed in Schedule 17.14A by applying the provisions of this Plan identified in Column C of the schedule, unless all of the following apply, whereupon the provisions of this Plan identified in Column G of the schedule shall apply:

(a) The infrastructure specified in the relevant row of Column D of Schedule 17.14A has been physically constructed; and

(b) Not more than 10 years have elapsed between the operative date of the plan change that added the relevant deferred zone site to Schedule 17.14A (as specified in Column I of the schedule) and the date the infrastructure specified in Column D of the schedule was delivered.

Rule 16.3.2.5

20. The approach in this policy of requiring either compliance with clause (a) (mandatory standards of the NTLDM) or with clause (b) that the services meet

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the requirements of the deferred zone rules as set out in rule 17.14.2 does not align with the updated deferred zone framework. Clause (a) is focussed primarily on infrastructure that is to be provided within the subdivision, whereas clause (b) primarily relates to external infrastructure that is needed to service the development. Both (a) and (b) are necessary for a subdivision application to proceed — they are not either/or alternatives.

21. The rule implies in clause (b) that services may meet the requirements of the deferred zone rules in Rule 17.14.2 for part only of the deferred zone land. This is inconsistent with the deferred zone framework, which is premised on infrastructure being provided for the whole zone (being the deferred zone site listed in Schedule 17.14A). The original zone provisions continue to apply to a deferred zone site until the specified infrastructure is delivered to the whole deferred zone. This approach aligns with providing for efficient infrastructure provision and plan implementation certainty, and minimising ad-hoc and out-of-sequence development.

22. The drafting of this rule is unusual in that:

    22.1. it alludes to the applicable requirements in Schedule 16.3C but does not expressly require that they are complied with or achieved.

    22.2. It contemplates that where subdivision is a discretionary activity but where certain standards are not met, then that subdivision activity would be a discretionary activity. There is no cascade in activity status following from non-compliance with a standard, which is unorthodox.

    22.3. Schedule 16.3C applies to specific zones that are listed in the schedule. This includes the Residential Zone and Rural Residential Serviced Zone within some areas, including in Māpua development areas. Schedule 16.3C includes some core standards that must be met for a subdivision consent application to proceed, and provides a fall-back mechanism that the Council can rely on if a rule-flip in a

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deferred zone has occurred but previously arranged infrastructure delivery does not actually eventuate (it provides for a controlled activity subdivision application relying on the flipped zone provisions to be upgraded to a discretionary activity if the infrastructure to secure the rule flip is not actually to be delivered as originally anticipated).

22.4. A consequence of the Plan Change 79 is that the actual zoning of deferred zone sites no longer changes when the infrastructure pre-requisites are in place; deferred zone sites remain in the Deferred Zone irrespective of whether necessary infrastructure has been delivered. Under the operative plan, Schedule 16.3C would have applied to subdivision proposals in deferred zone areas where either their original or destination zoning was one of the zones listed in the schedule. Consequential changes are required to Schedule 16.3C so that it also applies to deferred zones.

23. The relief sought is amendments to Rule 16.3.2.5 as follows, or to similar effect:

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

~~**EITHER**~~

(a) **The** ~~**M**~~**m**andatory standards of the Nelson Tasman Land Development Manual 2020

~~**OR**~~ **AND**

(b) The ~~**services meet the**~~ requirements of the deferred zone rules ~~**as set out**~~ in Rule 17.14.2 ~~and concept engineering plans that formed the~~

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~~basis for Council's resolution to remove the deferral of the urban zone for the whole or any part of that land~~.

Subdivision that does not comply with **this rule** ~~**(a) or (b)**~~ is a ~~**discretionary**~~ **non-complying** activity.

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

24. The further and consequential relief sought is amendments to Schedule 16.3C as follows, or to similar effect:

This schedule applies to Central Business, Commercial, Mixed Business, Tourist Services, Heavy and Light Industrial and Rural Industrial zones, and the Residential Zone **and Deferred Zones** in the Richmond South, Richmond West, Richmond East, Richmond Intensive, Brightwater, Wakefield, 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.

17.14.1 Scope of section and 17.14.20 Principal reasons for Rules

25. Consequential amendments to these provisions are sought if other relief sought by the appellants is granted.

Rules 17.14.2.2

26. The definition of the delivered in rule 17.14.2.2(b)(ii) is insufficiently certain and relies on a subjective evaluation because:

26.1. The provision does not specify whether the agreement is required

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to be with the party responsible for constructing the infrastructure;

26.2. The form of agreement is not specified, and there is no requirement that the agreement be in writing or legally binding;

26.3. The structure of the definition does not provide certainty that other consents and approvals needed for the specified infrastructure are in place, that sufficient funding is in place and guaranteed, and that there is no scope for design modifications, delivery delays or non-delivery after approvals;

26.4. The use of the date of the agreement as the starting date for application of the rule is problematic given the possibility of actual delivery of infrastructure being contingent on secondary processes such as contractor engagement, securing resource consents and other statutory approvals for work and approvals from third parties, and other unknowns or matters outside the direct control of the developer and Council;

26.5. The rule relies on the actions of third parties to be activated, which gives the Council unfettered discretion to control the timing of land releases through private agreements, rather than a public process.

27. The rule appears to rely on Policy 6.3.3.4D as a means of reducing uncertainty around the precursors to switching to the new zone provisions. However, as the rule flip process in rule 17.14.2.2 is not a resource consent process, there is no statutory mechanism for Policy 6.3.3.4D to be considered in the application of rule 17.14.2.2.

28. For the reasons set out in paragraphs 26 and 27 above, clause (ii) of the definition of 'delivered' for the purposes of rule 17.14.2.2 is too uncertain to form part of a valid and appropriate rule. Rule 17.14.2.2 should be amended to remove clause (ii), so that the definition of 'delivered' requires infrastructure to be physically constructed.

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29. The rule does not provide adequate transparency for plan users regarding what arrangements are in place to deliver the infrastructure so that users can readily discern which plan provisions apply to a parcel of land.

30. The rule also allows the timing of a rule flip to depend on the discretionary timing of when the CEO gives notice on the Council's website. There is no legal obligation on the CEO to publish notice on the Council's website. It is unlawful for a rule to create a framework where the rules that apply to land change depending on a third party discretionary process such as the CEO publishing a notice on a website.

31. It is unclear from the rule framework whether it allows the 'rule flip' to only occur for an entire deferred zone, or whether a 'rule flip' can be applied at the level of individual landholdings within a deferred zone. Rule 17.14.2.2(b) refers to the infrastructure requirements stated in Column D of Schedule 17.14A, which contains infrastructure requirements for the entirety of a deferred site location, rather than components necessary to service individual landholdings. However, other provisions including the explanatory text in rule 17.14.20 and rule 16.3.2.5 a rule flip under rule 17.14.2.2 can for a parcel of land or for part of a deferred site. Therefore, rule 17.14.2.2 lacks sufficient certainty to form part of a valid rule framework.

32. The appellants seek clarifications to rule 17.14.2.2 and other provisions to confirm that a rule flip may only occur when the required infrastructure or servicing is delivered for the entirety of the deferred site location.

33. The relief sought is amendments as follows, or to similar effect:

17.14.2.2 Deferred land listed in Schedule 17.14A

(a) The provisions specified in the relevant row of Column C of Schedule 17.14A apply to any activity, including subdivision, land use, structure or building, ~~**on land that is subject to**~~ **within** a deferred zone **site** listed in Schedule 17.14A. ~~**until**~~ **unless** rule 17.14.2.2.(b) **applies**~~**is satisfied**~~.

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(b) ~~If~~**Subject to Rule 17.14.2.2(c), if** the infrastructure ~~**required as stated**~~ **specified** in **Column D of** Schedule 17.14A~~, **Column D**~~ **for a deferred zone site has been** ~~**is**~~ delivered then the relevant provisions of Column G of Schedule 17.14A **apply to any activity, including subdivision, land use, structure or building, within that deferred zone site**.

For the purpose of rule 17.14.2.2, 'delivered' means infrastructure is:

(i) Physically constructed~~, or~~

~~**(ii) Council and a landowner or developer have an agreement that theinfrastructure will be constructed within three years of the date of the agreement, and**~~

~~**(iii) Council's Chief Executive Officer has published notice on the Council's website that (i) or (ii) has been satisfied.**~~

(c) In the event that 10 or more years elapses from the operative date of the plan change that added a site to Schedule 17.14A (as specified in the relevant row of Schedule 17.14A, Column I) to the ~~**delivery of**~~**date that** the ~~**necessary**~~ infrastructure **specified in the relevant row of of Column D of Schedule 17.14A was delivered**, then provision 17.14.2.2.(b) must not be applied and the provisions in the relevant row of Column C of Schedule 17.14A will continue to apply thereafter.

Schedule 17.14A

34. Column E is unnecessary and confusing. As explained above in paragraph 31, the deferred zone rule flip mechanism is only activated when the specified infrastructure is provided for the whole deferred zone, and not for individual landholdings or parcels within it. Therefore, the potential for provision of detail about the "legal descriptions of land to which Column G planning provisions apply" is unnecessary and should be removed from Schedule

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17.14A.

35. Column F should be deleted as a consequence of the appellants' position as set out above in paragraphs 26–28.

36. Column I in the Decisions Version of Schedule 17.14A contains no dates on which the deferred sites were added to Schedule 17.14A. This omission means that the operation of the sunset provision in rule 17.14.2.2(c) is uncertain. The Council will have information as to the dates on which the deferred zone sites were originally added to the Plan, and should be directed to provide this information so that Column I can be populated. Sites with deferred zones on them for more than 10 years, are based on outdated information and should be deleted from Schedule 17.14A

37. Column D contains details of the infrastructure or servicing requirements to trigger the rule flip under rule 17.14.2.2. These descriptions are lacking in clarity and certainty, including for example only:

    37.1. RW5 (McShane Road) – refers to "Provision for" new trunk pressure mains and a single mid-block intersection. It is unclear whether "provision for" means physical works or could be met by something less such as an easement or setting aside land for the infrastructure at an unknown future date.

    37.2. WK20 (Bird Lane) – the description of water supply infrastructure does not include any design parameters, such as volumes or rates of water delivery or reservoir capacity. The cross-reference to AMP ID 86123 in the long-term plan does not assist because it does not include this detail. There is no objective standard for what water supply infrastructure is required.

    37.3. MR25 (65 Hotham Street) – the reference to 'upsizing of the Hotham Street watermain' does not give any indication of what the appropriate upsizing is or what service capacity needs to be

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achieved.

38. The relief sought is amendments as follows, or to similar effect:

    38.1. Delete Column E

    38.2. Delete Column F

    38.3. Review and amend the descriptions of the infrastructure and servicing in Column D so that it includes objectively measurable details about the infrastructure and/or servicing required.

39. The appellants seek the relief as sought out above, or any relief to similar effect and/or relief that addresses the concerns raised and points of appeal set out in this notice, and any consequential relief as may be required to give effect to the relief sought by the appellants, and further or other additional relief that the Court considers just.

40. If the Court does not consider that the relief sought by the appellants can be granted, or that the issues raised by this appeal are such that it is not possible to fix those matters the appellants seek in the alternative that the "Deferred Zone Framework" provisions of PC79 are withdrawn.

41. The appellants seek costs.

42. The following documents are attached to this notice:

    42.1. A copy of the appellants' submission and further submission;

    42.2. A copy of the relevant recommendations report of the independent hearings panel appointed by the Tasman District Council;

    42.3. A list of names and addresses of persons to be served with a copy of

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this notice.

DATED at Wellington this 30th day of April 2026

_____

Phernne Tancock/Duncan Ballinger
Counsel for the appellants

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Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not have attached a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

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Attachment One: Copy of submission and further submission

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tasman district council | Te Kaunihera o te tai o Aorere

Submission on a Change to the Tasman Resource Management Plan (TRMP)

COVER SHEET

Return your submission by the advertised closing date to:
Environmental Policy
Tasman District Council
Private Bag 4, Richmond 7050 OR
189 Queen Street, Richmond OR
Fax 03 543 9524 OR
Email: tasmanrmp@tasman.govt.nz

OFFICE USE

Date received stamp:

Initials:

Submitter No.

Note:

1. This form is only for the purpose of making a submission on the Plan. It is NOT for making a further submission (i.e. in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
2. It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g., what is supported or opposed, the reason why and the decision sought, contact details, etc.
3. **Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e. Council makes a decision to refuse, amend or accept the changes). Please include specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.**

Submitter Name: Andrew and Susan Talley
(organisation/individual)

Representative/Contact: Phernne Tancock and Duncan Ballinger (Barristers)
(if different from above)

Postal Address:

Phone: 021 496 823 / 027 779 6672

Fax:

Email: phernne.tancock@legalchambers.co.nz

Date: 13 December 2024

Postal address for service of person making submission:
(if different from above)

Stout Street Chambers
Level 6
1 Post Office Square
Wellington 6011

Total number of pages submitted *(including this page)*:

Signed: D W Ballinger

Signature of submitter (or person authorised to sign on behalf of submitter). *NOTE: A signature is not required if you make your submission by electronic means.*

IMPORTANT – Please state:

This submission relates to Change No.: 79

Change Title/Subject: Deferred Zoning

☑ I/we wish to be heard in support of my/our submission.

☐ I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Could you gain an advantage in trade competition through this submission? *(tick one)* ☐ Yes ☑ No

If '**Yes**' are you directly affected by an effect of the subject matter of this submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition?

(tick one) ☐ Yes ☐ No

05/19

Remember: *Attach this Cover Sheet to as many Content Sheets as required.*

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SUBMISSION ON TASMAN RESOURCE MANAGEMENT PLAN, CHANGE 79: DEFERRED ZONING

To: Tasman District Council

Name of submitter: Andrew and Susan Talley

1. This is a submission by Andrew Talley and Susan Talley on Change 79: Deferred Zoning to the Tasman Resource Management Plan (TRMP). Plan Change 79 (PC79) was notified on 1 November 2024.

2. The submitters, Andrew and Susan Talley, could not gain an advantage in trade competition through this submission.

3. The submitters wish to be heard in support of their submission.

4. This submission is in two parts:

    4.1 General and overarching submission points and relief sought; and

    4.2 Detailed comment on specific provisions of the proposal and relief sought, set out in table form.

General points

5. There are a number of general relief points that the submitters raise.

6. The first is a concern that the new trigger mechanism in clause 17.12.2.2(b) is unlawful. That provision purports to enables a change in land subject to a deferred zone from its "original zone" to its "end use zone" by way of a discretionary assessment by a Council employee of whether infrastructure is "planned and funded to be constructed within the next three years". This is unlawful because:

    6.1 It depends on a subjective input of the "satisfaction" of a Council officer. It is unlawful under the Resource Management Act 1991 (RMA) for an activity status to depend on a subjective assessment.

    6.2 The expression "planned and funded to be constructed within the next three years" is uncertain and imprecise. Again, this too uncertain to be a lawful plan provision.

7. These issues must be remedied if PC79 is to achieve its goal of providing a certain and legally reliable approach to deferred zoning.

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8. The submitters first raised concerns with the Council about the lawfulness of the trigger mechanism to uplift deferred zoning in the TRMP in September 2022. As a consequence, the Council ceased uplifting deferred zones using the existing TRMP trigger mechanism. The Council has undertaken analysis and taken legal advice over the past two years. Despite this, the proposal in PC79 still does not address the underlying problem that the uplift mechanism is unlawful as it results in a change in activity status without a formal plan change process under Schedule 1 of the RMA.

9. Secondly, the submitters also consider that the land that has been identified for deferred zoning and inclusion in the table in Schedule 17.14A has not been subject to a detailed assessment of the environmental effects arising from the potential rezoning, in order to confirm its suitability (or not) for residential (or other intended use). The cursory information included in PC79 is insufficient and inadequate.

10. There has also been no consideration or assessment of the relevant tests in the RMA to determine whether that zoning is ultimately appropriate or not.

11. These sites need to be subject to the Schedule 1 plan change process and relevant information requirements of ss 32, 73, 74, 75, 106, and all relevant National Directions and Standards etc to confirm the suitability of the proposed new zone at a particular site and to ensure that the environmental effects of doing so are understood. This is particularly relevant where the uplifted zone will allow development of the site as a permitted activity without first determining the appropriateness of that activity. A fundamental flaw of PC79 is that it continues to seek to bypass the proper process to rezone land via plan change in the RMA.

12. Without limitation, the submitters remain of the view that the provisions of PC79 (when considered in the whole) adopt an approach that is ultra vires the RMA.

13. The second general relief point is that the new provisions are lacking in clarity. This will undermine the effectiveness and efficiency of the proposal. Our detailed comments outline a number of areas where greater clarity and specificity is required. The entire plan change document would benefit from a detailed review to improve its clarity and consistency. This is important so that the plan is easily understandable to future users who are not aware of the background to PC79 and what it is attempting to achieve.

14. The submitters seek as general relief that the provisions to be introduced or amended by PC79 are amended to improve their clarity and certainty.

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15. The third point is that the submitters support the decision to exclude Māpua and Motueka from the current plan change. Provision 17.14.2.1 states that sites not listed in Schedule 17.14A are subject to the plan provisions that applied to the original zone. That provision is supported.

16. However, there is a much simpler and more satisfactory way of achieving the underlying intent that Māpua and Motueka are not to be subject to the new trigger mechanism. All that is required is to delete the references to deferred zoning in the Māpua and Motueka maps in the TRMP, and replace those with references to the original zone in each area. Then, if the Council proposes to make those areas subject to the deferred zoning trigger mechanism in future then it would go through a proper plan change assessment in light of the state of the environment and planning framework as it exists at this time. The advantage of this approach is that it makes the TRMP maps more user friendly and less confusing.

17. The submitters seek as general relief that all references to "deferred zoning" in the TRMP maps for Māpua and Motueka are amended and replaced with references to the original zone.

18. The fourth general matter is that several objectives and policies of the Plan that apply to subdivision and development proposals within the deferred zones will still apply to resource applications made in the Māpua and Motueka deferred zones. Based on the s 32 report, it is not the Council's intention that PC79 preserves a consenting pathway for intensification development in the Māpua and Motueka deferred zones, however the plan drafting has this effect.

19. The submitters seek as general relief that there are changes to the objectives and policies to ensure they do not enable intensification development within any deferred zone land in Māpua and Motueka.

20. The fifth and final general matter is that it is essential that a proper assessment under the usual RMA processes is undertaken prior to any change in the zoning of the deferred land. The submitters therefore propose amendments to clarify that a full Schedule 1 process must take place:

    20.1 When any land is inserted into the list of deferred zone land in Schedule 17.14A; and

    20.2 When any deferred zone land is rezoned to its end use zone.

21. The submitters seek as general relief that PC79 introduces any provisions necessary to ensure that any changes in the zoning of land are subject to a full Schedule 1 plan change process.

22. The submitter generally considers that Proposed PC79:

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22.1 Will not promote the sustainable management of resources and will therefore not achieve the purpose of the RMA, including by not meeting the reasonable foreseeable needs of future generations;

22.2 Is contrary to the purpose and provisions of the RMA;

22.3 In particular (but not limited to) fails to give effect to the National Policy Statements for Indigenous Biodiversity, Freshwater Management and Highly Productive Land, or the National Environmental Standards for Freshwater;

22.4 Is not supported by a sufficient evidential basis as to the effects of the proposed changes on the environment, or sufficient evidence of proper consultation with iwi;

22.5 Will not promote the efficient use and development of natural and physical resources of the whole region;

22.6 Will not achieve integrated management of the natural and physical resources of the whole region; and

22.7 Does not represent the most appropriate way of exercising the Council's functions, having regard to the efficiency and effectiveness of other reasonable practicable options, and therefore not appropriate in terms of s 32 and other provisions of the RMA.

Detailed comment on specific provisions

23. For the reasons set out above and below, the submitters considers that PC79 is fundamentally flawed both in terms of the information that supports it and the detail of the proposed changes. If these issues are to be addressed then that will require substantial redrafting, and there are likely to be scope issues in implementing the redrafting required. The submitters' position is that it will be more efficient for the plan change to be withdrawn in its entirety.

24. In the alternative, the submitters seek that changes are made to address the concerns raised in this submission. The submitters' position on the provisions in the proposal is set out in the table in Schedule 1 to this submission.

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Conclusion and contact details

25. The submitters contact details for electronic service are:

Phernne Tancock and Duncan Ballinger
phernne.tancock@legalchambers.co.nz
Duncan.ballinger@stoutstreet.co.nz
021 496 823 / 027 779 6672

Dated: 13 December 2024

P D Tancock / D W Ballinger
Counsel for Mr and Mrs Talley

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Provision	Support / oppose	Reasons	Relief sought
Chapter 2 – Meaning of Words			
Schedule 17.4A sea level rise trigger (definition)	Oppose	As currently worded, this definition is imprecise and lacks clarity.	Amendments to the definition to provide further certainty and detail.
6.3 Urban Infrastructure Services			
6.3.2 Objectives			
6.3.2.3	Oppose	The plan change provides a mechanism for ensuring there is sufficient 'development infrastructure' to service urban development that comes forward in deferred zones, but it does not provide certainty that 'additional infrastructure' as that term is defined in the NPS on Urban Development 2020, is likely to be available. The social and community infrastructure elements are also critical to achieving a well-functioning urban environment.	Amend Objective 6.3.2.3 so that it includes a requirement for the urban development to be able to readily access 'additional infrastructure', including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-functioning urban environment. These matters are currently missing from the objective and policy framework.
6.3.3 Policies			
6.3.3.4A	Oppose	As currently drafted, it is unclear whether the policy would apply to the deferred zones in Māpua or Motueka which are not subject to Plan Change PC79.	Insert the following additional text, or words that achieve the same effect, so it is clear that the policy does not apply in those areas which are not included in the plan change scope, i.e. Māpua or Motueka: *Where rural land is identified as being subject to a deferred zone* ***in Schedule 17.14A*** *for any....*

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Provision	Support / oppose	Reasons	Relief sought
6.3.3.4A(b)	Oppose	The s 32 report states that this policy is designed to ensure that land zoned but deferred for specific urban purposes is not compromised for that purpose, before the appropriate services are available (at section 4.1.3 of that report). As the policy is currently proposed, this purpose is not very clearly articulated. The policy is an important component of the plan framework to manage these effects. In addition, as currently worded, this policy would only limit the effects of development of deferred sites which are listed in Schedule 17.14A, and would not apply to sites within other deferred zones which are not subject to this plan change, i.e. in Māpua or Motueka. Given the uncertainty as to when those areas might be brought under the new deferred zoning approach, this needs to be rectified, so that this policy direction also applies in those areas.	Redraft clause (b) of the policy to make the purpose clearer.

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Provision	Support / oppose	Reasons	Relief sought
6.3.3.4B	Oppose	As currently drafted, the policy would apply to the deferred zones in Māpua or Motueka. The policy requires amending so that it doesn't enable urban infrastructure development in the Māpua or Motueka deferred zones ahead of the review of the appropriateness of those deferred zones. Otherwise, this policy provides support for urban rezoning through that future review, which may or may not be appropriate. It is also relevant that 'delivered' in the context of infrastructure provision is deemed to include infrastructure that is planned and funded but not yet built (see 17.14).	Insert the following additional text, or words that achieve the same effect, so it is clear that the policy does not apply in Māpua and Motueka: *Where any rural land is identified* ***in Schedule 17.14A*** *as deferred for any urban zoned purpose...*
6.3.3.4D	Oppose	As currently drafted, the policy would apply to the deferred zones in Māpua or Motueka. The reference to 'has been delivered' in this policy appears to apply the normal meaning (i.e physically delivered). This is different to the use of 'delivered' in the rules in 17.14.2, which include infrastructure that is planned and funded. This creates confusion within the provisions.	Insert the following additional text, or words that achieve the same effect, so it is clear that the policy does not apply in Māpua or Motueka: *The urban development anticipated by a deferred zoning* ***in Schedule 17.14A*** *is avoided unless...* Update the policy (and the rules where appropriate) to use a consistent meaning of 'delivered', and ensure that the meaning is certain.

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Provision	Support / oppose	Reasons	Relief sought
6.3.3.4D	Oppose	The plan change provides a mechanism for ensuring there is sufficient 'development infrastructure' to service urban development that comes forward in deferred zones. But it does not provide certainty that 'additional infrastructure' as that term is defined in the NPS on Urban Development 2020, is likely to be available. The social and community infrastructure elements are also critical to achieving a well-functioning urban environment.	Amend Policy 6.3.3.4D so that these provisions include a requirement for the urban development to be able to readily access 'additional infrastructure', including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-functioning urban environment. These matters are currently missing from the objective and policy framework.
6.3.3.4D(c)	Oppose	Clause (c) is opposed, because it has a high degree of uncertainty in its interpretation and application. This is not appropriate in an 'avoid' policy. For example, the reference to 'land release programmes' is uncertain and there are no apparent procedural requirements associated with this. The reference to 'strategic planning' is also unclear. The policy would be improved by making specific reference to development being consistent with master plans.	That clause (c) be amended to be more specific and certain in what is required of development proposals. This should include requiring consistency with approved master plans and structure plans. Reference to 'land release programme' should be removed.
6.3.20 Methods of Implementation			
6.3.20.1 Regulatory (aa)	Oppose	As currently drafted, the method would apply to the deferred zones in Māpua or Motueka.	Amend the method so it is clear that the mechanism only applies to deferred zones listed in Schedule 17.14A.

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Provision	Support / oppose	Reasons	Relief sought
16.3.2.5 Subdivision in any Zone Subject to Deferred Zone Rules or Where Deferred Zoning has been Removed	Oppose in part	The title of this rule and the chapeau are not proposed to be amended by PC79. However, this creates uncertainty and ambiguity, as there appear to be references to the previous approach in both. It is not clear why the rule would apply to land where deferred zoning has been removed, and how a plan user would tell that the rule applied, if a plan change had removed the deferred zoning.	The references to 'was formerly' and 'Where Deferred Zoning has been Removed' are not consistent with the proposed approach. Amend the title of the rule and the chapeau so that it is more certain as to what land it would apply to, and is consistent with the proposed approach.

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16.3.2.5(a)	Oppose	Clause (a) requires compliance with the mandatory standards of the Nelson Tasman Land Development Manual 2019. This clause is not proposed to be amended by PC79. It is also not clear why, under the revised approach, the rule provides the option of either compliance with the mandatory standards of the Land Development Manual, or the provision of the infrastructure in Schedule 17.14A. The new approach is to ensure the infrastructure in the Schedule is delivered before, or at the same time as, development proceeds. Potentially, compliance only with the Land Development Manual could undermine that approach. Any infrastructure delivered to enable these zones would presumably have to comply with the mandatory standards of the Development Manual because ultimately, it will be vested in Council. The mandatory standards in the Nelson Tasman Land Development Manual 2019 are drafted in a way that retains elements of discretion to the Council, as well as a number of circular references back to the relevant resource management plan. These 'mandatory standards' are not able to be interpreted with the certainty that is required from a rule in the plan.	Restructure the rule so that clause (b) is the first condition of the rule, and clause (a) must also be achieved, ie. the two conditions must both apply. Review whether clause (a) is necessary, and might already be achieved through other provisions in the plan.

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Provision	Support / oppose	Reasons	Relief sought
		Also, the clause refers to an outdated version of the Manual, the latest manual is dated 2020 (Revision 1).	
16.3.2.5(b)	Oppose	"*meet the requirements of the deferred zone rules as set out in section 17.14.2 and Schedule 17.14A...*" This wording is imprecise and uncertain. It would be clearer if the clause was drafted so that it required compliance with specified rules, rather than imprecise references to meeting "the requirements of" rules set out in a section of the plan. This would be a simple edit as there are only two rules and the schedule that require cross- referencing. It is also important that rule 17.14.2.1 is specifically referenced, as otherwise, there is a potential opportunity for subdivision (and subsequent development) in the Māpua and Motueka deferred zones under the plan change, as an applicant could make an application which complies with the Land Development Manual. That would not be consistent with the intention of PC79.	Amend the clause so it is more precise and refers to compliance with specific rules, including Rule 17.14.2.1.

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Provision	Support / oppose	Reasons	Relief sought
17.4 Industrial Zone Rules Land Use			
17.4.2.1A Controlled Activities (Scheduled Location)	Oppose	The impacts of the managed retreat regime proposed by the amendments to 17.4 are unclear and untested. The submitters oppose these provisions in their entirety, and will revisit their position once they have had the opportunity to review the full suite of information that the Council will need to provide if these provisions are to be justified.	Remove changes to chapter 17.4 from PC79.
17.4.3 Building Construction or Alteration	Oppose	See above reasons.	Remove changes to chapter 17.4 from PC79.
Schedule 17.4A	Oppose	See above reasons	Remove changes to chapter 17.4 from PC79.

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Provision	Support / oppose	Reasons	Relief sought
17.14 Deferred Zone Rules			
17.14.1 Scope of Section	Oppose in part	The s32 report states at section 2.3 that the plan change proposes to amend the TRMP by introducing a requirement that, for existing deferred land to remain deferred or for additional land to be deferred after this plan change is operative, funding for the infrastructure should be included in the Council's Long-Term Plan within the next 1-10 years and the infrastructure upgrades required to service the area identified in the TRMP, LTP, and Activity Management Plans that support the LTP. These specific requirements, which provide a level of assurance and robustness to the revised approach, should be clearly stated in this section of the Plan. As the proposed text is drafted, this detail has not been provided.	Amend the reference to infrastructure requirements being "*able to be clearly defined and planned to be delivered within 10 years*" so that the text refers to the infrastructure and associated funding being identified in the TRMP, LTP, AMPs as described in section 2.3 of the s32 report. The wording (in the s32 report) is more specific.

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Provision	Support / oppose	Reasons	Relief sought
17.14.2 All Deferred Zones	Support in part	17.14.2.1 is supported because it clarifies that the deferred zones that are not listed in Schedule 17.14A are subject to the original zone rules. This includes the deferred zones in Māpua and Motueka. It is not clear what status the text in this section is intended to have. 17.14.2.1 appears to be a standalone rule, but is drafted as a condition of a rule. The rule would benefit from being restructured so it is clear it is a standalone rule.	Retain Rule 17.14.2.1 Restructure the rule so it is clearer that it is a standalone rule. Make amendments to provide greater clarity that sites not in Schedule 17.14A cannot benefit from the trigger mechanism.
Maps for Motueka and Māpua	Oppose	PC79 does not propose to make any amendments to the maps for Motueka and Māpua. To improve readability and user-friendliness of the plan, all references to "deferred zones" in the maps for Motueka and Māpua should be deleted and replaced with references to the original zones in those locations. This is consistent with the intention that Motueka and Māpua are not to be subject to the new deferred zoning trigger mechanism and provisions.	Amend all maps for Motueka and Māpua to replace references to deferred zones with references to the original zones.

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Provision	Support / oppose	Reasons	Relief sought
17.14.2.2(a)	Oppose	As currently drafted, clause (a) appears to apply even if clause (b) has been activated, which does not appear to be the intention of the plan change. The use of the words '*that is occurring or is proposed to occur*' is unnecessary and confuses the provision. This could be removed. The phrase '… is subject to the provisions specified in the relevant row of Column C…' is not clear as to whether only those provisions apply. The phrase should be consistent with the headings in Columns C and G, and 17.14.2.2 (b) and state that the provisions 'apply'.	Amend clause (a) of the rule so that it expressly states that it only applies to the deferred zones/areas listed in Schedule 17.14A. Amend clause (a) so that it is clear that it only applies until clause (b) is satisfied. Remove the words '*that is occurring or is proposed to occur*'. Delete 'subject to' and redraft the clause to state that provisions in Column C 'apply'.

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17.14.2.2 (b)	Oppose	This clause is uncertain and imprecise. It is not lawful for the status of an activity to depend on subjective assessment such as the satisfaction of a particular officer of the Council. Clause (b) states that for the purpose of the rule, 'delivered' means infrastructure that is either physically constructed, or is planned and funded to be constructed within the next three years, "to the satisfaction of the Council's Group Manager – Community Infrastructure..." That drafting retains an element of discretion to an individual officer within the Council as to when the deferred zone rules apply. It is not clear how the Group Manager would be 'satisfied'. Further, it is not clear what "planned and funded to be constructed within the next three years" entails and how it would be demonstrated that this had been met. This is not sufficiently certain to be a valid planning provision. Finally "confirmation that the infrastructure has been delivered must also be posted on the Council's website", relies on a Council discretionary action before an applicant can	Amend clause (b) of the rule to remove the discretion provided to the Council's Group Manager. This is ultra vires. Amend clause (b) so that it is more specific as to when "planned and funded to be constructed within the next three years" would be satisfied. Include defined terms to improve the certain and consistency of how the concept of 'delivered/delivery' is used throughout the plan provisions. In the event that amendments cannot be drafted to provide a lawful (intra vires) trigger mechanism, then the deferred zoning provisions should be removed from the plan. A Schedule 1 plan change would then be required to change zoning.

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Provision	Support / oppose	Reasons	Relief sought
		comply with it. It is not lawful for an activity status to depend on such action. It is also unclear how the public would be aware of uplifts occurring without a plan change or whether adequate assessment has been carried out as to the effects of the zoning change as these have not been properly assessed and the information supporting these zones is inadequate.	

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Provision	Support / oppose	Reasons	Relief sought
17.14.2.2 (c)	Oppose	The reference to the 'operative date of the plan change that originally established the deferred zone' is unclear. This may mean the date on which the zone was originally established, or may mean the date on which PC79 becomes operative. Deferred zones were first introduced into the Plan in 1996 and made operative in November 2008, so this would mean that a number of those zones would already have passed the lapse date of 10 years. A sunset clause approach is supported in terms of the requirement for a further assessment of the appropriateness of the end use of the land, as circumstances may have changed, e.g sea level rise, and the need to consider National Direction when making zoning decisions.. By tying the lapse period of the deferred zoning to the 'delivery' of the infrastructure, which could include 'planned and funded within 3 years', creates a high degree of uncertainty as to when development rights are altered.	Amend the clause so that it cross references specific dates for each area in Schedule 17.14A, and amend the schedule to include the relevant date for each area. Amend the rule to provide certainty as to what 'delivery' means in the context of this rule. A serious issue arises as to whether individual areas of land to be included in the deferred zones have been properly assessed to determine their suitability for zoning. The information included in PC79 does not provide a proper evidential basis to assess the matters relevant to a zoning change for these sites in sufficient detail and has not considered relevant provisions of the RMA when assessing the suitability of the land included for an uplift. For example, many of the area of land to be included, pre-date the National Directions on NPS-IB, NPS-FM, NES-F, NPS-HPL, and natural hazards nor does it appear that iwi have been sufficiently consulted. The environmental effects of the rezoning for a particular area of land are not known and has not been properly quantified to determine whether the land is suitable candidate for residential development. This is a consequence of PC79's attempt to bypass the usual plan making process and checks and balances inherent in the RMA for rezoning decisions.

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17.14.20 Principal Reasons for the Rules	Oppose in Part	<u>Process for making land subject to a deferred zone</u> The principal reasons includes the following text: "Comprehensive planning, including a full Schedule 1 (RMA) assessment and plan change process is undertaken, including an assessment of the necessary infrastructure, to rezone undeveloped land to a deferred zone". The intention behind this sentence seems to be that land will be subject to a full plan change assessment before it is included as deferred land listed in Schedule 17.14A. That intention is supported, but this could be clarified in the reasons. <u>Process for rezoning land to end use zone</u> The section 32 report states at section 2.5 that Plan change PC79 "removes the process by which a zone map is changed in the TRMP by way of a council resolution under the LGA which is not a method provided for in the RMA". This is achieved by the proposed deletion of the text in Section 17.14.2 Procedure for Removal of Deferral. However, it is not clear from the notified provisions whether a further plan change will be needed to rezone land to the end use zone. This seems to be what will occur based on	Amend the principal reasons to say: "Comprehensive planning including a full Schedule 1 (RMA) assessment and plan change process is undertaken, including an assessment of the necessary infrastructure, to rezone undeveloped land ~~to a deferred zone~~ <u>and include it in the list of deferred land in schedule 17.14A</u>". Clarify in the explanatory text in this section, that a Schedule 1 plan change process will be used to change a zone to the end use zone, once the infrastructure has been delivered and a 'deferred zone' is no longer required. As described above, a plan change is the only way of ensuring that the land to be rezoned is suitable for that purpose and allows that to be properly assessed.

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Provision	Support / oppose	Reasons	Relief sought
		Column I of Schedule 17.14A, but the explanatory text suggests a different approach, stating that "For the avoidance of doubt, at this time the zone will not change but a different set of planning provisions will apply". The submitters support the requirement for a Schedule 1 plan change process to rezone land to the end use zone. It would seem appropriate for a future plan change to amend the zoning to the end use, as this would enable the Council to include it within its calculation of 'plan-enabled' short term development capacity, as defined in Clause 3.4 of the NPS on Urban Development 2020. Reference to sunset clause The principal reasons explaining the 10-year expiry period for deferred zone locations is supported. Exclusion of Motueka and Māpua The principal reasons explaining that deferred zone locations in Motueka and Māpua are not included in Schedule 17.14A is supported.	
Table in the Principal Reasons for the Rules	Oppose in part	It is not clear what status this table has or what it covers. It has no title or column descriptors.	Amend the plan so it is clear as to what purpose this table has and consider whether this information should be provided in an alternative format.

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Provision	Support / oppose	Reasons	Relief sought
Schedule 17.14A: Deferred Zone Locations	Oppose in part	<u>Deletion of existing table</u> The deletion of the existing table in full is supported. <u>New table</u> It is not clear what column I and J are intended to do, or whether they are necessary. There is no clear statement in the table as to the date from which the sunset clause in 17.4.2.2 is to apply.	Amend the titles of Columns I and J so it is clearer what information they are intended to provide. The schedule should include the date from which the sunset clause in 17.4.2.2 applies.
Schedule 17.14A: Deferred Zone Locations	Oppose	Some of the entries in the table are imprecise and uncertain in nature, and it will not be clear to applicants or members of the public whether the infrastructure requirements are met. This is a particular issue in relation to the "Waimea Wastewater Strategy" referred to in the table.	Amend the schedule to remove references to constructing 'Strategies' and instead just list the infrastructure that is required to be delivered. Be more specific about the nature of the upgrades required, to remove future uncertainty as to whether the provision has been met, or not.
Schedule 17.14A: Deferred Zone Locations - RW5	Oppose	The transportation requirements for RW5 require an intersection with SH60 "to be approved by NZTA". Discretion for approval should not sit with a third party, as this is unlawful.	Amend wording so that compliance with this provision is not at the discretion of a third party.

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Provision	Support / oppose	Reasons	Relief sought
Schedule 17.14A: Deferred Zone Locations — Column C and Column G	Oppose	The list of provisions in Columns C and G is not exhaustive and infers that other relevant provisions of the Plan are not applicable. The intention of the table is to apply either the underlying or destination zone rules and other provisions (objectives and policies) that apply to those zones *as well as* any other rules and other provisions that should apply (such as natural hazards provisions). The table needs to be amended to clarify the full range of provisions that apply to the original zone and to the end use zone.	Amend the table so it is clear which provisions apply under each deferred scenario, including provisions in other sections of the plan that continue to apply.
Schedule 17.14A: Deferred Zone Locations	Oppose	The title of Column E refers to Column H. This should refer to Column G.	Amend the title of Column E to refer to Column G.

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Further submissions on Plan Change 79

To Tasman District Council

The further submissions set out below are from **Andrew Talley and Susan Talley**.

The further submissions are on **Proposed Plan Change 79 to the Tasman Resource Management Plan (the proposal)**

We have an interest in the proposal that is greater than the interest the general public has. This is because the plan change, and submissions made on it, will directly affect the local environment where we live and own property. While our property is in Māpua, which is outside of the scope of the plan change, the approach taken in this plan change may set a precedent for how future plan changes proceed in respect of Māpua. In addition, the plan settings that result from the plan change may in future apply to our area of Māpua. Finally, we first raised issues with the deferred zoning provisions that the Council is seeking to address via this plan change some time ago and have been treated as an interested party throughout previous consultation steps.

We made a primary submission on the plan change dated 13 December 2024.

The table below sets out the relevant parts of the original submissions, whether we support or oppose those submissions and the reasons for our support or opposition.

We **wish to be heard** in support of our further submissions.

If others make similar submissions, we will consider presenting a joint case with them at a hearing.

The submitters contact details for electronic service are:

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Dated: 18 February 2025

_____

P D Tancock / D W Ballinger
Counsel for Mr and Mrs Talley

Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
4222	28	AB and SL Family Trust	General	General	Amend	Addendum to main submission. Request that plan change incudes reference to acceptance of a subdivision layout attached to application for resource consent to subdivide 563 Lower Queen Street, lodged on 22 August 2022. Page 76 – 79 of main submission. Points: 2. We have been working with Council Staff since mid-2020 on development of our property with the intention of uplifting the deferment to enable the property to be developed by way of	Oppose	Disallow	Sufficient analysis of the appropriatness of the requested change has not been undertaken. The submission is inconsistent with the relief sought in our primary submission.

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						subdivision and subsequent construction of buildings for "Light Industrial" use. 3. A formal application for Deferment Uplifting was made on 22nd August 2022. A set of plans of the intended subdivision into 5 lots was lodged with that application along with servicing solutions. 4. A copy of that proposed subdivision is attached as a part of this submission – AMK Plans. 5. Those plans are comprehensive and include reference to a report by AMK that addressed the issue of overland flows from upstream, the potential for inundation from sea level rise plus the discharge of			

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						stormwater runoff. That information is already on Council files. 6. The proposed subdivision layout has been specifically designed to comply with the restrictions from the existing overhead electricity transmission lines that traverse the site plus provide "larger" lots that met the market demand of that time. 7. It is noted though that Subdivision Rules provide for lots to be created with the minimum area of 750m2 as a Controlled Activity hence there is potential for several more lots. 8. We seek that Council include reference to acceptance of this proposed			

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						subdivision layout within this Plan Change.			
4227	5	Appleby 88 Ltd	6.3 Urban Infrastructure Services	6.3.30 Principal Reasons and Explanation	Support in part	Provided Appleby 88's requests in relation to Section 17.14.1, Rule 17.14.2.2 and Schedule 17.4A in this submission are accepted, then retain the notified amendments to Principal Reasons 6.3.30, as between "Deferred zoned lands may be programmed [...] existing uses on the land will be able to continue."	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping.

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The land is not suitable for development at this time. The changes sought in the submission are inconsistent with the relief sought in our original submission.
4222 4228 1651	3 3 3	AB and SL Family Trust Flowerlands Ltd Wai-West Horticulture Ltd	6.5 Land for Industrial Activities	6.5.3.10A Policy	Support in part.	Amend Policy 6.5.3.10A to enable exemption pathway, as follows: "In the Light Industrial Zone location that is subject to Schedule 17.4A: (a) to enable industrial activities and buildings that are	Oppose	Disallow	The requested changes do not reflect best practice for managing natural hazard risk.

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
4230	3	Coral and Tracy Yelverton				temporary, relocatable or readily removable in the short to medium term. (b) to avoid industrial buildings that are not temporary, relocatable or readily removable, unless otherwise remedied or mitigated in accordance with Policy 6.5.3.10AA; (c) To ensure that industrial activities and buildings are able to be removed from the land that is subject to Schedule 17.4A (as identified on the planning maps) when inundation risks and coastal hazards are ~~unacceptable~~ not otherwise remedied or mitigated.			

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						~~(d) to only grant resource consent for industrial activities and buildings where the applicant has a plan that satisfactorily addresses how the activities and structures are able, both physically and financially, to be removed from the site.~~ For the purpose of this policy, "readily removable", means that the building is designed to be deconstructed with minimal destructive demolition. For example, it is made with			
4222 4228	8 8	AB and SL Family Trust Flowerlands Ltd	6.5 Land for Industrial Activities	6.5.30 Principal Reasons and Explanation	Support in part	Amend Principal Reasons 6.5.30 to enable exemption pathway, as follows: "…. However, some areas of land zoned Light Industrial are	Neutral	Reject the submission	While a transition period to enable existing development to respond to sea level rise is appropriate, enabling new

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
1651 4230	8 8	Wai-West Horticulture Ltd Coral and Tracy Yelverton				~~subject~~ vulnerable to future sea level rise. These areas ~~are unlikely to~~ may not be suitable for industrial activities and buildings, and associated servicing, in the long term. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to significant adverse effects from inundation, coastal hazards and sea level rise, or where otherwise provided for by Policy 6.5.3.10AA".			development to estabilish and persist until sea level rise effects become significant is inappropriate and will generate signficant costs to other individuals, the community and the environment.
4230	14.1	Coral and Tracy Yelverton	16.3 Subdivision	16.3 Subdivision	Amend	Insert new subdivision rule to ensure subdivision of existing residential dwelling on Lot 2 DP 9797 and Pt Lot 1 DP 7236	Oppose	Disallow	Allowing subdivision consent to be declined is appropirate and necessary to

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						(RTNL5B/490) is a Controlled activity.			address potential cummulative effects.
4227	6	Appleby 88 Ltd	16.3 Subdivision	16.3.2.5 Subdivision in any Zone subject to Deferred Zone Rules, or where Deferred Zoning has been Removed	Support	Retain the amendments to 16.3.2.5 and retain the Operative TRMP text that (a) and (b) are "OR" options, as notified.	Oppose	Disallow	The relief sought does not assist in resolving the issues with the deferred zone uplift approach the plan change is intended to resolve.
4222 4228 1651 4230	20 20 20 20	AB and SL Family Trust Flowerlands Ltd Wai-West Horticulture Ltd	17.4 Industrial Zone Rules	17.4A Schedule - Subdivision and building on low-lying light industrial land, Lower Queen Street, Richmond - Heading	Support in part	Support in part. Amend to correct error in Schedule 17.4A Heading, as follows: "Schedule 17.4A: ~~Subdivision and b~~ Building on low-lying light industrial land, Lower Queen Street, Richmond"	Neutral	Disallow	While a transition period to enable existing development to respond to sea level rise is appropriate, enabling new development to estabilish and persist until sea level rise effects become significant is inappropriate

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
		Coral and Tracy Yelverton							and will generate signficant costs to other individuals, the community and the environment.
4222 4228 1651 4230	15 15 15 15	AB and SL Family Trust Flowerlands Ltd Wai-West Horticulture Ltd Coral and Tracy Yelverton	Industrial Zone Rules	17.4.2.1 (a) – (ab) Land Use, Permitted Activity Rules	Support in part	Support in part. Amend Rule 17.4.2.1 (a) – (ab): I. to ensure Rural 1 rules are available to entire RW1 area, not just the Schedule 17.4A area, whilst retaining the trigger for requiring consent, and II. to avoid applicability of Schedule 17.4A provisions where land is within the schedule area but with a ground level exceeding 5.1m. Amend Rule as follows: "(a) If the location of the activity is within the area that is subject	Neutral	Disallow	While a transition period to enable existing development to respond to sea level rise is appropriate, enabling new development to estabilish and persist until sea level rise effects become significant is inappropriate and will generate signficant costs to other individuals, the community and the environment.

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						to Schedule 17.4A (as shown on the planning maps) and has a proposed ground level of less than 5.1m (NZVD 2016), the activity is permitted by Rule 17.5.2.1 or 17.5.4.1.' (aa) If the location of the activity is within the area that is bounded by Swamp Road, Lower Queen Street and McShane Road, but is not subject to Schedule 17.4A (as shown on the planning maps) and/ or has a proposed ground level of at least 5.1m (NZVD 2016) the activity is either: (i) permitted by Rule 17.5.2.1 or 17.5.4.1, or; (ii) (ii) meets the other conditions of this Rule. (ab) The activity is not one of the following…"			

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
4227	8	Appleby 88 Ltd	17.14 Deferred Zone Rules	17.14.1 Scope of Section	Oppose in part.	Amend the notified Scope of Section 17.14.1as follows: "... Deferred zones are used to enable the efficient and streamlined transition of undeveloped land with insufficient servicing to developable land. Deferred zones are used when the infrastructure requirements are able to be clearly defined and planned to be delivered within 10 years, or 15 years in respect of transportation requirements for RW5."	Oppose	Disallow	If longer-term infrastructure is required for development of land, zoning of that land should be updated, if appropriate at the time, once infrastructure delivery is certain or in place. Broader spatial planning documents are more appropriate mechanisms for signaling longer term growth areas.
4227	9	Appleby 88 Ltd	17.14 Deferred Zone Rules	17.14.2.2 Rule - Deferred Land Listed in Schedule17.14 A	Oppose in part.	Amend the notified Rule 17.14.2.2 as follows: "(c) In the event that 10 years elapses from the operative date of	Oppose	Disallow	If longer-term infrastructure is required for development of land, zoning of that land should be updated, if

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						the plan change that originally established the deferred zone to the delivery of the necessary infrastructure, or 15 years in respect of transportation requirements for RW5, then provision 17.14.2.2.(b) must not be applied and the provisions in Column C of Schedule 17.14A will continue to apply thereafter."			appropriate at the time, once infrastructure delivery is certain or in place. Broader spatial planning documents are more appropriate mechanisms for signaling longer term growth areas.
4227	8	Appleby 88 Ltd	17.14 Deferred Zone Rules	17.14.1 Scope of Section	Oppose in part	Amend the notified Scope of Section 17.14.1as follows: "… Deferred zones are used to enable the efficient and streamlined transition of undeveloped land with insufficient servicing to developable land. Deferred zones are used when the infrastructure requirements are able to be clearly defined	Oppose	Disallow	If longer-term infrastructure is required for development of land, zoning of that land should be updated, if appropriate at the time, once infrastructure delivery is certain or in place. Broader spatial

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						and planned to be delivered within 10 years, or 15 years in respect of transportation requirements for RW5."			planning documents are more appropriate mechanisms for signaling longer term growth areas.
4229	1	Daniel Huelsmeyer	17.4 Industrial Zone Rules Schedule 17.4A	17.14A Schedule -- Subdivision and building on low-lying light industrial land, Lower Queen Street, Richmond - Heading	Amend	Change the operative zoning of Lot 12 DP1512 (54 Green Lane Motueka) from Rural 1 to either "deferred light industrial" or "deferred residential" and include in Schedule 17.14A.	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping.

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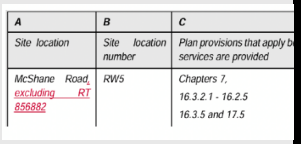
Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The changes sought in the submission are inconsistent with the relief sought in our original submission.
4227	2	Appleby 88 Ltd	17.14 Deferred Zone Rules	17.14A (staff edit) Schedule – Deferred Zone Locations	Oppose in part.	Amend the listing of "McShane Road / RW5" in Schedule 17.4A to enable Appleby 88's Property to be upzoned as follows:  A: Site location: McShane Road, excluding RT 856882 B: Site location number: RW5 C: Plan provisions that apply b… services are provided: Chapters 7, 16.3.2.1 - 16.2.5 16.3.5 and 17.5	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping.

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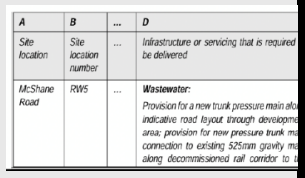
Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The changes sought in the submission are inconsistent with the relief sought in our original submission.
4227	10	Appleby 88 Ltd	17.14 Deferred Zone Rules	17.14A (staff edit) Schedule – Deferred Zone Locations	Oppose in part.	Amend Schedule 17.14A in respect of RW5 in a way that resolves Appleby 88's request to enable development to proceed on sites where services are available without undue delay. For example: 	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping.

A	B	...	D
Site location	Site location number	...	Infrastructure or servicing that is required be delivered
McShane Road	RW5	...	**Wastewater:** Provision for a new trunk pressure main alo indicative road layout through developm area; provision for new pressure trunk ma connection to existing 525mm gravity ma along decommissioned rail corridor to t

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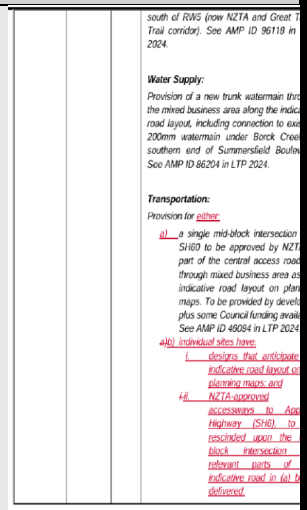
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The changes sought in the submission are inconsistent with the relief sought in our original submission.
4227	1	Appleby 88 Ltd	Update Area Map 76-03	Update Area Map 76-03, RW5	Oppose in part	Rezone Submitters property, Record of Title 856882, to Mixed Business from Rural 1 deferred Mixed Business.	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process.

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping. The changes sought in the submission are inconsistent with the relief sought in our original submission.
4225	1	Stephen and Abbie Field	Update Zone Map 76-10	Update Zone Map 76-10, RS14, RS15 and RS15A-C	Support in part	Retain upzoning of RS15 and RS15A-C but amend map to upzone all of RS14, including Submitter's land.	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process.

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping. The changes sought in the submission are inconsistent with the relief sought in our original submission.
4222 4228 1651	2	AB and SL Family Trust Flowerlands Ltd	Update Zone Map 76-12	Update Zone Map 76 -12, RW1	Oppose	Oppose extent of area identified as 'Subject to Schedule 17.4A' as notified. Amend extent to reflect cadastral boundaries, with only land	Neutral	Disallow	While a transition period to enable existing development to respond to sea level rise is appropriate, enabling new development to

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
4230		Wai-West Horticulture Ltd Coral and Tracy Yelverton				parcels that are entirely below 5.1m (NZVD 2016) included within the Schedule area; and Clarify data/information used to establish the Schedule 17.4A boundary.			establish and persist until sea level rise effects become significant is inappropriate and will generate signficant costs to other individuals, the community and the environment.
4215	1	Kainga Ora Homes and Communities	Update Zone Map 76-12	Update Zone Map 76-12, RW3	oppose	Oppose proposed zone change to RW3 (South) from Rural 1 deferred to Light Industrial to Mixed Business. Amend zoning on the Submitter's property as follows: Delete Rural 1 deferred Light Industrial Zone and add Residential Zone.	Oppose	Disallow	Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									relation to up-to-date natural hazard mapping. The changes sought in the submission are inconsistent with the relief sought in our original submission.
4219	1	Michael Toll	Operative Planning Map 87	Planning Map 87	oppose	Oppose exclusion of change to Planning Map 87 in respect of zoning of Submitters land. Amend Operative Planning Map 87 to remove 'Rural Residential deferred Residential' zoning from 109 and 119 Aranui Road land and add 'Residential' zoning.	Oppose	Disallow	The requested change is outside the scope of the plan change. Any 'deferred zone uplift' or changes to deferred zones should be subject to a comprehensive plan change process.

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
									The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping. The changes sought in the submission are inconsistent with the relief sought in our original submission.
3720	1	Mt Hope Holdings Ltd	Operative Planning Map 87	Planning Map 87	Oppose	Oppose exclusion of Operative Planning Map 87 from maps to be changed under PC79. Amend Planning Map 87 to remove remaining 'Rural 1 deferred Residential' zoning from Submitter's land and add 'Residential'	Oppose	Disallow	The reqested change is outside the scope of the plan change. Any 'deferred zone uplift' or changes to deferred zones should be

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						zoning. Alternatively: Oppose exclusion of deferred part of the Mt Hope land from Schedule 17.14A: Deferred Zone Locations - detailing works required to activate trigger rule. Amend Schedule 17.14A to include text in: I. Column A identifying the deferred part of Mt Hope Holdings Ltd land located at 166 Māpua Drive'; II. Column C reading 'Chapters 7, 16.3.2.1-16.2.5 16.3.5 and 17.5'; III. Columns I and J Column D reading 'Stormwater: connection to reticulated stormwater network within Māpua Drive', and;			subject to a comprehensive plan change process. The area hasn't been comprehensively assessed, including in relation to up-to-date natural hazard mapping. The changes sought in the submission are inconsistent with the relief sought in our original submission.

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Original submission details							Further submissions		
Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						IV. Column G reading 'Chapters 5, 6, 16.3.2.1-16.2.5, 16.3.3 and 17.1'.			
1063		Ministry of Education Te Tāhuhu o Te Mātauranga	6.3 Urban Infrastructure Services	6.3.2.3 Objective	Support in part.	Amend Objective 6.3.2.3 as follows: "Objective 6.3.2.3 - Development within deferred zones is appropriately sequenced so that it provides: (a) a safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities, and enables active and public modes of transport and a shift to renewable energy sources; and (b) necessary servicing infrastructure (water, wastewater	Oppose	Disallow	The change is unnecessary and adds uncertainty to the objective

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Original submission details							Further submissions		
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						stormwater, power and internet) that it integrates with adjoining land and surrounding networks and minimises adverse effects on the natural and built environment; and (c) where relevant, appropriate consideration of additional infrastructure where there is an operational need."			
4224	2	Nelson Tasman Climate Forum	6.5 Land for Industrial Activities .	6.5.3.10 Policy	Support in part	Amend policy 6.5.3.10 to reduce risks of seepage and long-term contamination from toxic materials stored on sites, include provisions to specify types of business that can use this land and provide more specificity about the time for relocation and	Support in part	Allow in part	Responding to sea level rise requires consideration of all aspects of development, including legacy activities such as site contamination.

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Sub-mitter No.	**Sub-mission Point No.**	**Submitter Name**	**Plan Topic**	**Plan topic number**	**Oppose / support**	**Relief Sought**	**Position**	**Relief sought**	**Reasons**
						management of residues and wastes.			

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Attachment Two: Panel recommendation report

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Appendix 1

Tasman Resource Management Plan

PLAN CHANGE NO. 79

WITHOUT LEGAL EFFECT

Deferred Zoning

Schedule of Amendments

HEARING PANEL RECOMMENDATION VERSION

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

NOTE: Throughout this document the following colours have been used for different purposes, which are:

- Red underlined text denotes proposed new text inserted or amended through Plan Change 79.
  (red text underlined, denotes proposed new text recommended to be inserted or amended through Plan Change 79).
- ~~Blue text strikethrough denotes text deleted through Plan Change 79.~~
  (blue text crossed out, denotes text recommended to be deleted through Plan Change79).

Notified: 1st November 2024

Decision Version Date: 9th February 2026

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Schedule of Amendments - Contents

Chapter 2 – Meaning of Words

Chapter 6 – Environment Effects

- 6.3 Urban Infrastructure Services
- 6.5 Land for Industrial Activities
- 6.8 Richmond

Chapter 13 – Natural Hazards

- 13.1 Natural Hazards

Chapter 16 – General Rules

- 16.3 Subdivision
- Schedule 16.3B

Chapter 17 – Zone Rules

- 17.1 Residential Zone Rules
- 17.3 Mixed Business Zone Rules
- 17.4 Industrial Zone Rules
- Schedule 17.4A
- 17.14 Deferred Zone Rules
- Schedule 17.14ADeferred Zone Locations
- Proposed Deferred Zone Locations

Chapter 19 – Information Required with Consent Applications

Recommended Amendments to Planning Maps

- Richmond South RS14 – Amended Zone Map
- Richmond South RS14 – Amended Discharges Map
- Richmond West RW5 – Amended Area Map
- Richmond West RW1 – Amended Zone Map

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CHAPTER 2 – MEANING OF WORDS

[Unchanged or irrelevant text omitted]

A

Active transport - means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.

S

Scallop spat - means any stage of the lifecycle of Scallop (*Pecten novaezealandiae*) less than 50 millimetres in length. RCP Op 10/11

Scallop spat catching - means spat catching that is limited to the obtaining or retention of scallop spat and harvesting thereof from aquaculture structures.

Schedule 17.4A sea level rise trigger – means the point at which sea level in the Lower Queen Street area has risen by approximately 0.33 metres. If the Port Nelson tide gauge is used the trigger is 0.26 m (averaged over 10 years) of relative sea-level rise above average mean sea level for the period 2013-2022. If the Little Kaiteriteri tide gauge is used the trigger is 0.30 m (averaged over 10 years) of relative sea-level rise above average mean sea level for the period 2013-2022.

Seawater intrusion – means the entry of saltwater from the sea into a freshwater aquifer.

[Unchanged or irrelevant text omitted]

CHAPTER 6: URBAN ENVIRONMENT EFFECTS

[Unchanged or irrelevant text omitted]

6.3 URBAN INFRASTRUCTURE SERVICES

6.3.1 Issue

Planning and provision of servicing infrastructure is essential for the sustainable management of the effects of urban growth. The District has many small settlements – some of which have minimal, incomplete or inadequate servicing that results in inconvenience, contamination and health risks. Services are a physical resource, the efficient and effective provision and use of which has important economic and environmental effects for the community. C51 1/15 Op 9/16

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

6.3.2 Objectives

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

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6.3.2.2 Retention of opportunities for efficient future urban purposes on rural land that is identified for future urban use and development but deferred for this purpose, while enabling rural activities for the time it remains deferred. **C51 1/15 Op 9/16**

6.3.2.3 Development within deferred zones is appropriately sequenced so that it provides:

(a) a safe, well-connected and legible transport network that integrates with the surrounding transport network and local facilities, and enables active and public modes of transport and a shift to renewable energy sources; and

(b) necessary servicing infrastructure (water, wastewater stormwater, power and internet) that is provided so that it integrates with adjoining land and surrounding networks, and minimises adverse effects on the natural and built environment; and

(c) where relevant, appropriate access to additional infrastructure, including public open space, community infrastructure and social infrastructure (schools and health facilities) that is necessary for a well-functioning urban environment.

6.3.3 Policies

Refer to Policy sets 6.4, 8.1, 8.2, 9.2, 11.1, 11.2, 33.3.
Refer to Rule sections 16.2, 16.3, 16.5, 16.6, 17.1, 17.14, 18.8, 36.4.

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

6.3.3.2 To require financial contributions towards the provision of servicing infrastructure at the time of subdivision or development.

6.3.3.3 To promote the establishment of a reticulated servicing system for wastewater treatment and disposal and water supply at Marahau by ensuring the design of the water and wastewater systems for the tourism development at Marahau (Section 111 Block VI and Block XII) can incorporate the necessary upgrades to service the wider settlement.

6.3.3.4 Where future urban or rural residential development is proposed and existing services require upgrading, to defer and stage development to avoid adverse effects on the environment and to enable a well-functioning urban environment.

6.3.3.4AA For sites listed in Schedule 17.14A, to enable the release of deferred zone land and development under the relevant urban provisions when the infrastructure or servicing listed in the Schedule is delivered.

Note: 6.3.3.4AA includes a recommended Panel amendment. See paragraph 9 and 89 of the recommendation report.

6.3.3.4A Where rural land is identified as being subject to a ~~deferral~~ deferred zone for any urban or rural residential zoned purpose, despite the land's original rural zoning, to restrict activities requiring a consent for subdivision or development by: **C51 1/15 Op 9/16**

(a) considering the scale, location, design, and servicing features; and

(b) limiting any potential adverse effects of such features on efficient future urban subdivision, use, and development opportunities as indicated by the urban or rural residential end use ~~zone that is deferred~~, for the transition period until the infrastructure has been provided; ~~deferral is removed~~ and

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(c) where the period of transition until the expected provision of infrastructure ~~removal of the deferral~~ is significantly long or is uncertain, to enable potential rural activities. C51 1/15 Op 9/16

6.3.3.4B Where any rural land is identified as deferred for any urban zoned purpose until adequate provision of any infrastructure service, to enable:

(a) the provision of the necessary service by any person or by the Council for any part or all of that land ~~either before or after rezoning by the removal of the deferral~~; but:

(b) to ensure that the concept servicing plans that are approved by Council ~~before the removal of the deferral,~~ are required to be implemented under the urban zone through subsequent subdivision or development.

~~**6.3.3.4C** Where rural land is subject to a deferral for any urban purpose subject to adequate provision of any infrastructure service, to enable:~~

~~(a) the provision of the necessary service by any person or by the Council for any part or all of that land, and~~

~~(b) whether this is done before or after rezoning by the removal of the deferral, but: to ensure that the servicing plans that are approved by Council, prior to the removal of the deferral, are required to be implemented under the urban zone through subsequent subdivision or development.~~

6.3.3.4D When making decisions on resource consent applications, ~~t~~the urban development anticipated by a deferred zoning that is referred to in 17.4.2 is avoided unless:

(a) the necessary infrastructure has been provided to service it, including, where relevant:

(i) any intersections, connections and upgrades of roads to an appropriate standard; and

(ii) servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard; and

(iii) where relevant, development is sequenced with Council strategic planning, infrastructure provision and land release programmes as shown in the relevant long-term plan; and

(b) for sites that are identified in Schedule 17.14A, the infrastructure or servicing identified as being required to be delivered in Column D of the schedule is not undermined by alternative servicing/infrastructure proposals.

For the purposes of this policy "appropriate standard" refers to, but is not limited to, the Nelson Tasman Land Development Manual.

Note: 6.3.3.4D includes a recommended Panel amendment. See paragraph 91 of the recommendation report.

6.3.3.5 To promote a pattern of roading in urban areas that maximises choice of route through a network, with recognition of the contributions of individual extensions to the network pattern and of the constraints of topography.

6.3.3.6 To allow development to occur only where adequate provision is made for:

(a) control of sediment discharges;

(b) control of stormwater discharges to avoid adverse downstream erosion or flooding effects;

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(c) protection of fresh water and coastal water quality, including through source control techniques, stream management, and where necessary, stormwater treatment, including aquifers and karst drainage systems and caves; **C7 7/07 Op 10/10**

(d) retention or establishment of appropriate vegetation wherever practicable adjacent to water bodies and coastal waters;

(e) maintenance of natural, cultural and intrinsic values of aquatic systems, including aquifers and karst drainage systems and caves;

(f) protection of riparian margins;

(g) the use of Low Impact Design solutions for the management of stormwater run-off where practicable. **C7 7/07 Op 10/10**

6.3.3.7 To require developers to adopt appropriate management methods to avoid or mitigate the adverse effects of stormwater run-off.

6.3.3.7A To ensure effective and efficient network asset infrastructure within urban communities by implementing the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

6.3.3.8 To consider options for treatment in all or parts of the Special Domestic Wastewater Disposal Areas where there are:

(a) significant actual or potential adverse effects from on-site domestic wastewater systems on receiving water quality, habitats, human health and amenity values; or

(b) site limitations which may create increased risk of adverse effects either by individual systems or cumulatively.

6.3.3.9 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) settlement objectives, policies and residential location options inform and guide Long Term Council Community Plan servicing decisions;

(b) wastewater, water supply, stormwater management, transportation networks (including State Highway 60), and parks and reserves issues and options are addressed before land is zoned for residential settlement;

(c) minimum standards for human health and safety, long-term cost effectiveness and environmental quality are met or bettered for any alternative wastewater management and water supply options, such as de-centralised and independent solutions;

(d) where on-site wastewater treatment and disposal solutions are used, the standard of management avoids, remedies or mitigates adverse effects on water quality, and that long-term management and maintenance responsibilities are clearly defined;

(e) structure planning with the local community and landowners is undertaken where appropriate and necessary to achieve comprehensive infrastructure planning;

(f) private infrastructure service provision is considered where the legal, financial and practical responsibilities for design, construction, maintenance and repair are clearly defined.

6.3.3.10 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) new residential development consolidates around existing residential development in locations that have been zoned for that purpose;

(b) settlement areas are well connected with safe and efficient roads, safe and pleasant walkways, cycle lanes and bridle-paths;

(c) appropriate residential settlement opportunity is provided for in a location that is within walking and biking distance to the existing Takaka township;

(d) appropriate residential settlement opportunities are provided for in locations that are in proximity to effective and efficient wastewater treatment and disposal facilities;

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(e) opportunities for light industrial and commercial activity are provided for in appropriate locations that are within proximity to existing settlement areas and transport networks.

6.3.3.11 In the Takaka-Eastern Golden Bay Area, to ensure that: **C8 7/07 Op 10/10**

(a) local communities are involved in determining appropriate development standards for built development and infrastructure planning prior to the re-zoning of land for residential development;

(b) the character of development and built infrastructure is in keeping with the natural heritage, landscape character and amenity values of the surrounding environment, without compromising human health and safety;

(c) landowners and developers are actively encouraged to use the New Zealand Standards Handbook of Subdivision for People and the Environment (SNZ HB44:2001), in the design of future subdivision and development, where these standards are consistent with the Long Term Council Community Plan objectives for settlement planning and development.

6.3.20 Methods of Implementation

6.3.20.1 Regulatory

(a) Rules establishing what works, services, land or money are to be provided by developers, including for the upgrading of existing facilities.

(aa) A trigger mechanism (in Section 17.14.2.2) to enable the deferred zone land listed in Schedule 17.14A to be developed efficiently and without unnecessary delay once necessary servicing has been delivered.

(b) The location, scale and staging of urban development shown on planning maps.

(c) Rules regarding connection to Council utility services or whether alternative means of managing effects are acceptable.

(d) Rules that require roads to be formed to standards of connectivity as a result of subdivision in urban or rural-residential areas.

(e) Rules that encourage the use of Low Impact Design solutions in the management of stormwater. **C7 7/07 Op 10/10**

(f) Standards of the Nelson Tasman Land Development Manual 2019 that ensure the design and construction of effective and efficient network asset infrastructure. **C69 6/19 Op 6/20**

6.3.20.2 Investigations and Monitoring

(a) Investigations into the capability of utility services to support further urban development.

(b) Investigation into options for domestic wastewater treatment and disposal in all risk areas, including:

(i) Tasman
(ii) Marahau
(iii) Upper Moutere
(iv) Patons Rock
(v) Brooklyn
(vi) karst

(c) Monitoring the performance of utility services in avoiding, remedying and mitigating adverse effects on the environment.

(d) Regular preparation of a "State of the Environment" report.

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6.3.20.3 Works and Services

(a) Provision, extension or upgrading of utilities and services by Council.

(b) Establishment of current and deferred standards of service or performance in terms of both community expectation and environmental performance for infrastructure services, including requirements for the quality of stormwater discharged into the Council's stormwater network.

(c) Council liaison with infrastructure service providers to promote and plan for effective infrastructure service development.

6.3.30 Principal Reasons and Explanation

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

In ~~some~~ most settlements ~~such as Motueka, Mapua, Richmond, Kaiteriteri, Marahau and Patons Rock,~~ future growth will necessitate further upgrading of services and a series of deferments will enable a staged provision of these, rather than creating a false expectation that all areas will be immediately available for development. The logical pattern to service development in a hilly area such as Richmond is to proceed from the bottom to the top of a catchment. The deferment and staging proposed emphasises such a pattern of development. **C22 2/11 Op 1/15**

Where new development is proposed, an integrated, catchment-based approach to the management of stormwater is to be used. **C7 7/07 Op 10/10**

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

Where land adjacent to urban areas is identified as suitable and appropriate for urban growth, but is not adequately serviced for infrastructure, including water supply, wastewater, stormwater and transportation, this land is deferred for an urban zoning. In the transition to its release for urban purposes, there is a need to retain efficient urban development opportunities, where a variety of subdivision or development proposals may be considered by Council under the existing rural zoning. **C51 1/15 Op 9/16**

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

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

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

In the Richmond West Development Area the rezoning of most land identified for urban development (except the development of some existing zoned land: Light Industrial Zone northwest of Headingly Lane) is deferred until the required infrastructure of water, wastewater, and stormwater) is provided. *(Refer to Section 17.14)* **C10 10/07 Op 3/14**

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

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

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

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

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

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

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

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

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

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

[Unchanged or irrelevant text omitted]

6.5 LAND FOR INDUSTRIAL ACTIVITIES

6.5.1 Issues

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

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

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

6.5.2 Objectives

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

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

6.5.3 Policies

Refer to Policy sets 8.2, 11.1, 33.1, 34.2, 35.1.

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Refer to Rule sections 17.1, 17.3, 17.4, 36.1 – 36.7.

6.5.3.1 To promote a form of settlement that identifies areas where industry can operate with the required services and without adverse effects on or from other activities.

6.5.3.2 To identify areas where heavy industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.3 To identify areas where light industry can operate with convenient access to the transport system and without adverse effects on or from other activities.

6.5.3.4 To avoid the adverse effect of residential and retailing activities consuming the land resource that is made available for industry through lower standards of environmental effects.

6.5.3.5 To avoid a reduction of amenity standards in residential areas by industrial activities.

6.5.3.6 To avoid the adverse effects of industrial activities that are unrelated to the rural environment on the amenity and character of rural areas.

6.5.3.7 To prevent the expansion of industrial zones, or the creation of new industrial zones, in sensitive environments such as aquifer recharge areas and margins of lakes, rivers and wetlands.

6.5.3.8 To prevent the expansion of industrial zones, or the creation of new industrial zones, in the coastal environment.

6.5.3.9 To provide a medium-term supply of suitable industrial land close to urban areas and strategic road networks. **C10 10/07 Op 3/14**

6.5.3.10 To ensure that within the Richmond West Development Area, a long-term land bank of industrial land is provided to meet regional needs.

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

(a) to enable industrial activities and buildings that are temporary, relocatable or readily removable in the short to medium term;

(b) to avoid industrial buildings that are not temporary, relocatable or readily removable;

(c) To ensure that industrial activities and buildings are removed from the land that is subject to Schedule 17.4A (as identified on the planning maps) when inundation risks and coastal hazards are unacceptable.

(d) to only grant resource consent for industrial activities and buildings where the applicant has a plan that satisfactorily addresses how the activities and structures are able, both physically and financially, to be removed from the site.

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

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

Note: 6.5.3.10B includes a recommended Panel amendment. See paragraph 131 - 133 of the recommendation report.

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

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6.5.3.11 To enhance the amenity values of new industrial areas for employees, customers and for the public when viewed from public areas such as roads, and open space. C10 10/07 Op 3/14

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

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

6.5.20 Methods of Implementation

6.5.20.1 Regulatory

(a) Zoning of separate heavy, light industrial and rural industrial areas.

(b) Rules that limit retailing activities and other non-industrial activities in industrial zones.

(c) Rules that limit industrial activities in residential areas.

(d) Zones that limit the extent of industrial development in the coastal environment.

(e) Rules that require time-limited resource consents for industrial activities and buildings where they are established in the Light Industrial Zone location that is subject to Schedule 17.4A.

6.5.30 Principal Reasons and Explanation

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

(a) Proximity to main access roads.

(b) Adequate roading for heavy vehicles.

(c) Proximity to labour force.

(d) Separation from sensitive environments, including residential areas, rivers, streams, the coast and aquifer recharge areas.

(e) Services such as sewer and water.

(f) Flat land.

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

From the point-of-view of market demand, Richmond and Nelson urban areas together provide a single supply of land for industrial development, within which potential developers make choices on the basis of location, cost and availability of key servicing needs. The close proximity to the Port and strategic road networks make Richmond and Nelson prime locations for industrial development. C10 10/07 Op 3/14

Increasingly there has been pressure on industrial land for use by commercial activities, including office and large format retail and this has contributed to a reduction in available land area. In general, there is a trend of a mixed commercial/industrial use in most urban industrial zones.
From the point-of-view of market demand, Richmond and Nelson urban areas together provide a single supply of land for industrial development, within which potential developers make choices on

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the basis of location, cost and availability of key servicing needs. The close proximity to the Port and strategic road networks make Richmond and Nelson prime locations for industrial development.

C10 10/07
Op 3/14

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

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

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

The relative shortage and constrained land supply of suitable industrial land (lack of new large affordable sites) in Nelson means that the Tasman District, particularly Richmond, is accommodating an increasing proportion of the region's industrial growth, and this trend is set to continue.
However, some areas of land zoned Light Industrial are vulnerable to future sea level rise. These areas are unlikely to be suitable for industrial activities and buildings, and associated servicing, in the long-term. Appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise.

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

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

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

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

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

6.5.40 Performance Monitoring Indicators

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

[Unchanged or irrelevant text omitted]

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6.8 RICHMOND

6.8.1 Issues

The key issues for the future development of Richmond are:

6.8.1.1 The management of peripheral growth in a manner that enables Council to progressively upgrade services on the western, south-eastern and north-eastern margins of Richmond. C10 10/07 Op 3/14

6.8.1.2 Industrial and mixed business land located to minimise adverse effects on neighbours, on the Waimea estuary, watercourses and their margins, and on the productive potential of land.

6.8.1.3 Enhancement of the setting of Richmond, especially the coastal margin and the hill backdrop.

6.8.1.4 Upgrading of the amenity of the central business area, main highway routes and town entrances. C10 10/07 Op 3/14

6.8.1.5 Maintaining the Central Business Zone as the central focus for intensive retailing, administration and community interaction, and as the core pedestrian-oriented area.

6.8.1.6 Meeting the demand for a range and choice of residential housing within the Residential Zone in Richmond. C66 10/17 Op 12/18

6.8.3 Policies

6.8.3.1 To provide serviced residential and rural-residential land on the less versatile land on the north-east fringe of Richmond and to establish higher performance standards for the use of on-site disposal of domestic wastewater systems in the Richmond Foothills Special Domestic Wastewater Disposal Area. C20 8/10 Op 8/12

6.8.3.2 To extend business zoning on Gladstone Road south-west of the existing Commercial Zone from Lower Queen Street to the northern end of Jubilee Park.

6.8.3.4 To develop a reserve network along the coastal margin where practicable to protect the wetlands and high conservation values of the Waimea Inlet and to provide reserve linkages between the coastline and the Richmond hills.

6.8.3.5 In the north-east Richmond Residential and Rural Residential Serviced zones, to utilise as far as practicable natural watercourses in an unenclosed and natural state for stormwater disposal. C20 8/10 Op 8/12

6.8.3.6 To enable the expansion to the south of Richmond, limited by the spur ridges between Hart Road and White Road, while ensuring: C5 3/06 Op 10/10

(a) a range of housing densities with high amenity levels is encouraged;

(b) the efficient use of land and infrastructure; and

(c) the provision of high levels of amenity and public access within the area; and

(d) the reverse sensitivity of existing rural activities to residential development arising from adverse cross-boundary effects and amenity values across the interface of urban and rural areas is addressed.

6.8.3.7 To retain a rural environment on the spur ridge hill land between Hart Road and White Road but to consider appropriate provision for future residential development to some degree on the land, following structure planning and the provision of an appropriate level of infrastructural servicing.

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6.8.3.8 To require residential development in the Richmond South, Richmond West and Richmond East development areas to occur in a staged manner based on the provision of infrastructure, including water, wastewater and stormwater, and so defer development until these services can be provided or upgraded to the Council's satisfaction.

C5 3/06 Op 10/10
C10 10/07 Op 3/14
C20 8/10 Op 8/12

6.8.3.9 To establish in the Richmond South Development Area a linked open space network with public access, integrated with:

C5 3/06 Op 10/10

(a) walkways and cycleways; and

(b) waterway networks to ensure effective stormwater management.

Urban Expansion

C10 10/07 Op 3/14

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

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

Central Richmond
Residential and business intensification of central Richmond.

C66 10/17 Op 12/18

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

Richmond East
Limited residential intensification in suitable locations in Richmond east, including land south of Champion Road and east of Hill Street, where this is not limited by identified natural hazards.
Limited serviced rural residential expansion in Richmond east on the south east hill slope fringe of Richmond, where this is not limited by identified natural hazards.

C10 10/07 Op 3/14
C20 8/10 Op 8/12

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

C10 10/07 Op 3/14

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

Hope
Limited expansion in Hope to accommodate residential and business development.

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

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

6.8.3.13 In the Richmond West Development Area to ensure a choice and a regular supply of land through:

(a) planning development in stages that integrate servicing and economic development efficiencies;

(b) providing for a sufficient long term land bank;

(c) providing for a Mixed Business Zone that complements the Richmond Central Business and Commercial zones.

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Mixed Business Activities – Zone

6.8.3.14 To provide for a mixed use business environment that accommodates a range of business opportunities for commercial activities, large format retail, trade-related supply and small-scale light industrial activities where:

(a) adverse environmental effects within and beyond the zone boundary can be avoided, remedied and mitigated;

(b) a high quality, high amenity business environment can be maintained;

(c) the scale, nature and intensity of activities are compatible with maintaining a high quality, high amenity business environment;

(d) the role of the existing Richmond town centre (Central Business Zone) is not undermined as the central focus for intensive retail and administrative activity, community interaction and the core pedestrian-oriented area for Richmond.

6.8.3.15 To provide for large format retail 'only' activities along the frontage of Lower Queen Street in a Retail Precinct.

6.8.3.16 To promote an attractive appearance of the mixed business environment when viewed from Lower Queen Street, the residential environment, Borck Creek and other local purpose reserves, and the Open Space environment, through the planting and retention of street trees, riparian vegetation, landscaped areas, building setbacks from boundaries, and sensitive building design.

6.8.3.18 To manage existing industrial activities in the Beach Road area that do not meet the Mixed Business Zone objectives for clean industry by:

(a) providing for their continuation for a limited period of time consistent with the uplifting of the deferment on industrial zoned land in the Richmond West Development Area; or

(b) requiring a reduction in contaminant discharges to air to a level acceptable in the zone;

(c) requiring a higher level of performance for the management of contaminant discharges to water, and storage and use of hazardous substances.

6.8.3.19 To provide a network of urban open space and amenity reserves, through the subdivision consent process, within residential and business environments to serve the needs of local residents and employees.

Industry

6.8.3.20 To provide for a light industrial park opposite Nelson Pine Industries (MDF Plant) and the co-location of activities with similar effects.

6.8.3.21 To provide a buffer around the perimeter of the industrial park to assist with noise attenuation at the interface of the rural zone and to reduce visual impacts of large buildings when viewed from Lower Queen Street, McShane Road and the rural zone.

6.8.3.22 To manage the cumulative effects of contaminated stormwater runoff from hard-surfaced areas and potential hazardous substance spills from adversely affecting the Waimea Inlet through the establishment of dedicated stormwater treatment areas and provision of on-site interceptor traps.

6.8.3.23 To provide a future location for the expansion of industrial land within the Richmond West Development Area to avoid adverse effects on the coastline and the Waimea Inlet, productive land and sensitive activities.

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

Open Space and Reserve Network

6.8.3.24 To establish an open space network that links the hills to the sea and creates a perimeter pedestrian and cycleway network linking the residential environments of Richmond East, West and South with one another.

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6.8.3.25 To promote multi-purpose use of open space for recreation, non-motorized transport networks, ecological corridors, and stormwater management.

6.8.3.26 To define the urban and rural edge of the Richmond West Development Area through the use of a planted amenity setback at McShane Road and at the interface of the Light Industrial and Rural 1 zones to protect rural land from urban encroachment and to mitigate adverse visual effects of built development.

Richmond Intensive Development Area

6.8.3.27C In the Richmond Intensive Development Area:

(a) to provide for medium density residential development in the form of intensive housing.

(b) to encourage and promote intensive housing with a high standard of amenity through adherence to minimum standards for density, height, setbacks, bulk and scale of the housing relative to its context, and adjacent land uses, including streets.

(c) to manage development so that stormwater does not cause flooding or contribute to any damage caused by flooding.

Electricity Transmission Corridor **C10 10/07 Op 3/14**

6.8.3.28 In the Richmond West and Richmond East development areas, to ensure that the national grid for electricity transmission is taken into account in all resource management decision-making, and that any incompatible use or activity affecting the grid is avoided, remedied or mitigated. **C20 8/10 Op 3/12**

6.8.20 Methods of Implementation

6.8.20.1 Regulatory

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

6.8.20.2 Investigations and Monitoring

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

6.8.20.3 Works and Services

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

6.8.30 Principal Reasons and Explanation

[First paragraph deleted (re further growth to the south east of Wensley Road and east of Hill Street (North)] **C66 10/17 Op 12/18**

Options for the growth and development of Richmond were first identified and discussed in the Richmond Development Study (2003). Denser growth and development was identified by Council as part of a package of options, which included outward expansion onto new greenfield land and intensification of existing urban areas. **C66 10/17 Op 12/18**

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

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

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

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

Since the consideration of the long-term growth needs for Richmond, commencing with the Richmond Development Study in 2003, ongoing investigation into the future demand and supply for business land has centred on the Richmond West Development Area. Because of its urban proximity and infrastructure features compared with all other undeveloped regional locations, this area has a permanent regional significance for business land, including industrial and commercial needs. **C10 10/07 Op 3/14**

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

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

On the land that is subject to Schedule 17.4A appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

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

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

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

The Richmond Intensive Development Area provides for more intensive residential development through a combination of infill in and redevelopment of the existing Residential Zone close to the town centre. In acknowledging an aging population, incorporation of universal design principles in the initial design of dwellings in the Richmond Intensive Development Area is encouraged in the Urban Design Guide (Part II, Appendix 2). **C66 10/17 Op 12/18**

Figures 6.8A and Figure 6.8B show how the range of housing choices are provided for in the Richmond residential area. Figure 6.8A also shows the range of housing choices that are provided for in specified development areas elsewhere in the District. **C75 9/22 Op 10/23 C76 9/22**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Figure 6.8A: Residential Housing Choices

C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

C80 12/23 Op 5/25

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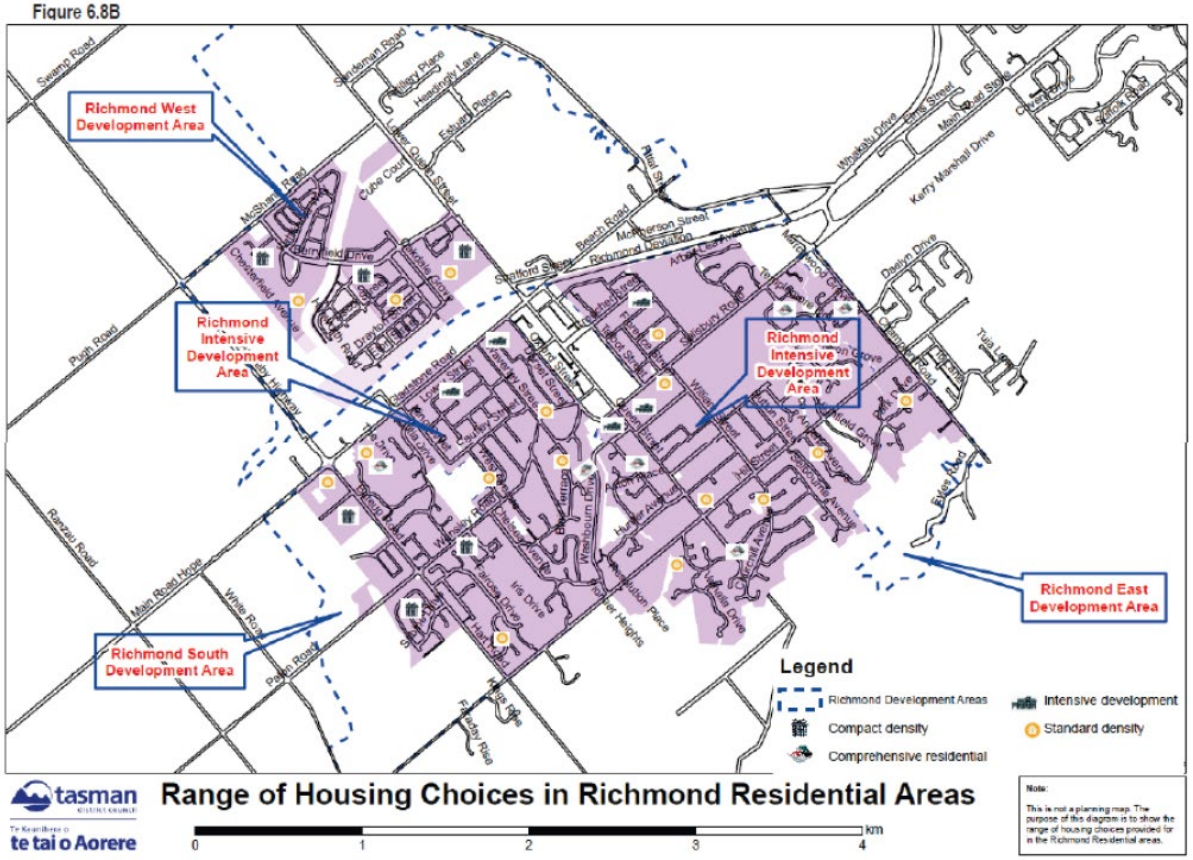
Figure 6.8B



[Unchanged or irrelevant text omitted]

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CHAPTER 13: NATURAL HAZARDS

13.0 INTRODUCTION

[Unchanged or irrelevant text omitted]

13.1 NATURAL HAZARDS

13.1.1 Issues

13.1.1.1 Natural hazards can compromise human well-being and safety and cause damage to habitat, amenity values, property and infrastructure.

13.1.1.2 Hazards can be aggravated by inappropriate land use management practices and activities.

13.1.1.3 Where limited information exists about some natural hazards which could or do affect the District, a precautionary approach is appropriate.

13.1.2 Objectives

13.1.2.1 Management of areas subject to natural hazard, particularly flooding, instability, coastal and river erosion, inundation and earthquake hazard, to ensure that development is avoided or mitigated, depending on the degree of risk.

13.1.2.2 Land development, including supporting network infrastructure asset services, is resilient against natural hazards. **C69 6/19 Op 6/20**

13.1.3 Policies

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

13.1.3.1 To avoid the effects of natural hazards on land use activities in areas or on sites that have a significant risk of instability, earthquake shaking, fault rupture, flooding, erosion or inundation, or in areas with high groundwater levels. **C21 8/10 Op 1/15**

13.1.3.2 When determining appropriate subdivision, use or development in the coastal environment to assess the likely need for coastal protection works and, where practicable, avoid those sites for which coastal protection works are likely to be required. **C22 2/11 Op 1/15**

13.1.3.3 To avoid developments or other activities that are likely to interfere with natural coastal processes including erosion, accretion, inundation, except as provided for in Policy 13.1.3.10.

13.1.3.4 To avoid or mitigate adverse effects of the interactions between natural hazards and the subdivision, use and development of land.

13.1.3.5 To avoid the construction of new habitable buildings in the Residential Closed Zone at Ruby Bay, other than on specified sites. **C22 2/11 Op 1/15**

13.1.3.6 To limit the reconstruction or replacement of an existing habitable building to a position that is no further seaward than the original habitable building in the Residential Closed Zone at Ruby Bay.

13.1.3.7 On the coastal plain from Ruby Bay to Mapua, to limit further subdivision and habitable buildings in order to avoid their exposure to long term coastal inundation, flooding and erosion risks.

13.1.3.7A To avoid the long-term industrial use of the land that is subject to Schedule 17.4A, and to require the relocation or removal of industrial activities and buildings from this area to avoid their exposure to inundation, coastal hazards and sea level rise.

13.1.3.8 To avoid, unless there is effective mitigation, the expansion of flood-prone settlements onto those parts of the surrounding flood plains where they might be subject to flood hazard.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

13.1.3.9 To prevent damage or interference with the functioning of the major overland flood flow paths of rivers in the District, except as provided for in Policy 13.1.3.10.

13.1.3.10 To maintain or consider the need for protection works to mitigate natural hazard risk where:

(a) there are substantial capital works or infrastructure at risk; or

(b) it is impracticable to relocate assets; or

(c) it is an inefficient use of resources to allow natural processes to take their course; or

(d) protection works will be effective and economic; or

(e) protection works will not generate further adverse effects on the environment, or transfer effects to another location.

[Unchanged or irrelevant text omitted]

13.1.3.15 To prepare a hazard management strategy identifying hazards and hazardous areas, and management options for these areas.

13.1.3.16 To avoid new subdivision, use or development that would hinder the ability of natural systems and features (such as beaches, dunes, wetlands or barrier islands) to protect existing subdivision, use or development from natural hazards (such as erosion, inundation, storm surge, or sea level rise).

13.1.3.17 To mitigate natural hazard risks through the design and construction of network asset infrastructure. **C69 6/19 Op 6/20**

13.1.3.18 To design and construct resilient network asset infrastructure.

13.1.20 Methods of Implementation

13.1.20.1 Regulatory

(a) Pattern of zoning which emphasises containment of development away from areas of natural hazards, for example, Coastal Risk Area at Mapua and Ruby Bay and scheduled site for land zoned Light Industrial at Lower Queen Street. **C22 2/11 Op 1/15**

(b) Delineation of land at risk from ground rupture or deformation along active faultlines, actively eroding coastlines and areas prone to flooding and slope instability, on planning maps. **C21 8/10 Op 1/15**

(c) Rules limiting activities, including subdivision, building and land disturbance, in or adjacent to natural hazard areas (such as stopbanks, eroding coastlines, river margins, steeplands and unstable geological formations).

(d) Rules requiring building setback from rivers, stopbanks, active faultlines and the coastline.

(e) Conditions on resource consents and building consents recognising where hazards may be present, for example, requiring minimum floor height, particular foundation types, or that buildings be relocatable, or only enabling activities and buildings through resource consents which are short term or time limited.

(f) Standards of the Nelson Tasman Land Development Manual 2019 that can ensure appropriate location for development, management of hazard-related development effects, and a more resilient design, materials and construction of network infrastructure. **C69 6/19 Op 6/20**

13.1.20.2 Investigations and Monitoring

(a) Research into natural processes that may result in hazards for development, such as coastal processes and slope instability.

(b) Identification of hazardous areas and features such as active faultlines, eroding coastlines, ground susceptible to earthquake shaking effects, slope instability, flooding and river erosion, within three years of this provision becoming operative.

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(c) Improving knowledge of past rupture timings, lengths and displacements of active faults and the magnitude of past earthquakes, to contribute to improved estimates of future earthquake risk. C21 8/10 Op 1/15

13.1.20.3 Education and Advocacy

(a) Advice and information through project information memoranda, land information memoranda and public enquiries. (b) Advice about erosion protection measures, including tree planting, rock work and structures, subject to the limitations of the New Zealand Coastal Policy Statement for coastal areas.

13.1.20.4 Works and Services

(a) Maintenance and provision of structural protection works such as stopbanks and groynes on rivers, coastal protection works, soil conservation plantings.

(b) Early warning systems for flooding and responses to emergency events through the civil defence organisation.

13.1.30 Principal Reasons and Explanation

The District has a substantial length of coastline that is subject to coastal erosion. There is a relatively high risk of erosion affecting soft shorelines around the District, particularly at Pakawau, Rangihaeata, Mapua, Ruby Bay, Marahau, and to a lesser extent at Parapara and Pohara.
Significant new built developments in areas that have been identified as subject to coastal or river erosion and inundation are likely to require capital-intensive protective works so are best avoided in such locations. Rules seek to avoid the future demand for protection works and to avoid the effects of known hazards.

Council considers that the advice of the Ministry for the Environment given in July 2008[1] should be adopted in coastal planning. That advice was for a three-part approach for planning and decision timeframes out to 2090 – 2099: C10 10/07 Op 3/14

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

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

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

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

Activities that affect coastal processes include extraction of sand, dredging and dumping, reclamations and erection of buildings. Most of these activities except the latter, take place in the coastal marine area. In some parts of the District, coastal rock protection has already been undertaken and will need to be maintained. Pakawau, Totara Avenue, Mapua/Ruby Bay and Marahau foreshores have rock armouring works that are functional but mostly of little amenity value. Future maintenance of these works could investigate options for improving the visual amenity and access. C22 2/11 Op 1/15

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

On the land that is subject to Schedule 17.4A appropriate activities are able to be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Buildings in this area will be required to obtain a resource consent and will be required to be removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

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

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

Council's Land Development Manual addresses risks associated with network infrastructure and natural hazards through the design of more resilient networks, particularly the mitigation of stormwater effects where they may contribute to flood hazards. **C69 6/19 Op 6/20**

13.1.40 Performance Monitoring Indicators

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

13.1.40.2 Number of claims to Earthquake Commission.

13.50 Environmental Results Anticipated

13.50.1 Reduced incidence of damage to property and infrastructure, or harm to people's health and safety on the District's floodplains.

13.50.2 Reduced incidence of damage or harm to people and property from coastal erosion, slope instability and other forms of natural hazard.

13.50.3 Development precluded from areas identified as being of significant risk from natural hazards.

13.50.4 More informed communities, prepared for the occurrence of natural hazards.

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Chapter 16: General Rules

[Unchanged or irrelevant text omitted]

16.3 SUBDIVISION

[Unchanged or irrelevant text omitted]

16.3.2 All Zones

[Unchanged or irrelevant text omitted]

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

C51 1/15 Op 9/16

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

EITHER

(a) Mandatory standards of the Nelson Tasman Land Development Manual 2020 ~~2019~~. C69 6/19 Op 6/20

OR C51 1/15 Op 9/16

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

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

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

16.3.3 Residential Zone

16.3.3.1 Controlled Subdivision (Residential Zone — Standard Density Development)

C66 10/17 Op 12/18

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

Allotment Area

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

Figure 16.3A: Minimum Allotment Areas in the Residential Zone

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(iiia)	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
(x)	Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.	900	C20 8/10 Op 8/12

DESCRIPTION OF LAND TO BE SUBDIVIDED		MINIMUM NET AREA (M^2)	
(xi)	Tahi St and Iwa St Residential Coastal Zone	One new allotment of at least 650m^2 with a balance allotment of at least 650m^2 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)	Brightwater Development Area where the parent title has a net area of 2 hectares or less.	450	C75 9/22 Op 10/23 C76 9/22
(xiv)	Brightwater Development Area where the parent title has a net area greater than 2 hectares, and Wakefield Development Area.	Refer to rule 16.3.3.1B *Residential Zone – Specific Location: Brightwater and Wakefield Development Areas*	C75 9/22 Op 10/23 C76 9/22 Op9/25

(b) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the minimum net area for new allotments (except for network utilities) in Motueka and Richmond is 350 square metres if reticulated wastewater servicing is available to the allotment and the following applies: C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

(i) the land to be subdivided comprises less than 1 hectare and two or more allotments are to be created and the average net allotment area is at least 500 square metres in Motueka and 450 square metres in Richmond;

(c) Except as provided in condition (n) and Figure 16.3A (ix), (x) and xii), for subdivision in Motueka and Richmond where the land to be subdivided comprises more than 1 hectare: C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

(i) at least 20 percent of residential allotments have a net area of 700 square metres or more;

(ii) at least 60 percent of residential allotments have a net area between 550 and 800 square metres;

(iii) not more than 20 percent of residential allotments have a net area of 550 square metres or less.

(d) Except as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), the land to be subdivided does not include any allotment in Motueka or Richmond of less than 1,000 square metres created by a subdivision approved since 1 January 1987, unless the subdivision is for a network utility. C5 3/06 Op 10/10 C20 8/10 Op 8/12 C66 10/17 Op 12/18

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Average Net Area

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

(e) Except at St Arnaud and Waimea Village and as provided in condition (n) and Figure 16.3A (ix), (x) and (xii), for subdivisions producing three or more allotments the average net area of each allotment is:

(i) 1,200 square metres in areas without reticulated wastewater servicing;

(ii) 600 square metres in areas with reticulated wastewater servicing;

(iii) 500 square metres in areas with reticulated wastewater servicing in Motueka and 450 square metres in Richmond, where the land to be subdivided comprises less than one hectare;

(iv) 800 square metres in areas shown as Rototai Road Residential Zone.

Frontage

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

Shape Factor

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

Lot Width

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

Services

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

C10 10/07 Op 3/14
C20 8/10 Op 8/12
C22 4/13 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
OP 10/23
C76 9/22
Op9/25

Comprehensive Residential Development

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

Existing Buildings

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

Heritage Site or Item Present

(m) The land being subdivided does not include:

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or

(ii) a protected tree referred to in Schedule 16.13B in the Richmond West, Brightwater, Motueka West, Wakefield, Richmond East, Richmond Intensive or Mapua development area.

C10 10/07 Op 3/14
C16 9/09 Op 8/12
C20 8/10 Op 8/12
C22 2/11 Op 1/15
C43 4/13 Op 1/15
C66 10/17 Op 12/18
C75 9/22
Op 10/23
C76 9/22
Op9/25

Cultural Heritage Sites

C16 9/09
Op 8/12

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

C66 10/17
Op 12/18

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

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

C16 9/09 Op 8/12
C66 10/17 Op 12/18

[Unchanged or irrelevant text omitted]

Transport

C66 10/17 Op 12/18

(mf) The transport conditions in Schedule 16.3B are complied with, unless the subdivision is for a single allotment for a network utility.

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

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

(i) **Allotments**

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) The minimum net area of every allotment is at least 350 square metres, except in the Mapua Development Area where each allotment is at least 450 square metres and in the Brightwater and Wakefield Development Areas where Rule 16.3.3.1B(a) and 16.3.3.1B(b) applies.

C10 10/07 Op 3/14 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

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

(c) Every allotment is capable of containing a circle with a diameter of 16 metres or greater.

(d) Except for the Richmond Intensive Development Area, no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres wide. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

C66 10/17 Op 12/18

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

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules).

C69 6/19 Op 6/20

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads

C11 10/07 Op 10/10

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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~~,~~:

C10 10/07 Op 3/14

(i) no road in the Richmond South Development Area is designed:

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

a. to connect directly with Hart/Bateup roads, Wensley/Paton roads, Hill Street or State Highway 6;
b. to create a direct road connection between Hart/Bateup roads and Hill Street South or Hill Street North,

(ii) no road in the Richmond West Development Area is designed to connect to State Highway 6 or Lower Queen St; and

(iii) no road in the Richmond Intensive Development Area is designed to connect to Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.

(iv) no road in the Brightwater Development Area is designed to connect to State Highway 6.

[Items (e) and (f) are deleted] C69 6/19 Op 6/20

(g) The transport conditions in Schedule 16.3B are complied with.

(h) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area, except that existing lawful access crossings may continue to be used.

C10 10/07 Op 3/14

(i) No allotment in the Motueka West Development Area created after public notification of Motueka West plan change gains direct access on to Queen Victoria Street except that existing lawful crossings may continue to be used.

C43 4/13 Op 1/15

(j) No allotment access is located within 30 metres of the intersection of Hart/Bateup and Wensley/Paton roads, or Hart/Bateup roads and Hill Street, as measured from the intersection of the extension of the road boundary tangent points.

(k) No allotment created after 6 October 2007 gains direct access from State Highway 6 or Lower Queen Street in the Richmond West Development Area, except that existing lawful access crossings may continue to be used.

C10 10/07 Op 3/14

(l) No allotment created after 28 August 2010 gains direct access from Champion Road or from Salisbury Road if the allotment is located within 215 metres or 100 metres respectively of the intersection of Champion and Salisbury roads as measured from the intersection of the extension of the road boundary tangent point, except that existing lawful crossings may continue to be used.

C20 8/10 Op 8/12

(m) No allotment in the Richmond Intensive Development Area created after 14 October 2017 gains direct access onto Salisbury Road, Wensley Road, Oxford Street, Gladstone Road or Queen Street.

C66 10/17 Op 12/18

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

C75 9/22 Op 10/23

(iii) **Reserves**

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

Subject to but not limited by rule 16.4.2.1:

(a) land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows:

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

- 70 metre wide reserve along Borck Creek from the Light Industrial Zone to the Mixed Business Zone
- 15 metre wide reserve along Poutama Drain
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek
- 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (active transport corridor) without compensation or credit against Reserve Financial Contributions.

(b) Except for the 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. **C5 3/06 Op 10/10** **C10 10/07 Op 3/14**

(c) within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40-metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). **C79 9/22 Op9/25**

(iv) **Indicative Stormwater Retention Area** **C5 3/06 Op 10/10**

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in the Richmond South and Motueka West development areas on the planning maps to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the stormwater retention area overlies an indicative reserve on the planning maps, all the land in that indicative reserve will vest with Council and reserve fund contributions will be adjusted in accordance with rule 16.5.2.4. **C43 4/13 Op 1/15**

Notes: **C5 3/06 Op 10/10**

(1) The Urban Design Guide (Part II, Appendix 2) should be considered in preparing applications under this rule. **C10 10/07 Op 3/14**

(2) In the Richmond South and Mapua development areas, it is intended that all existing reservoirs not expressly forming part of the stormwater network will be dewatered at the time of subdivision. **C22 2/11 Op 1/15**

Allotment Access and Road Network – Richmond East **C66 10/17 Op 12/18**

(o) Subdivision in the Richmond East Development Area complies with conditions 16.3.3.1 (n)(ii)(a), (n)(ii)(c), and (n)(ii)(l). **C20 8/10 Op 8/12**

Sites in the Coastal Environment Area - Little Kaiteriteri

(q) For residential sites on Record of Title NL 13A/194 (Talisman Heights, Kaiteriteri) or its successive titles between Cook Crescent at Stephens Bay and Rowling Road at Little Kaiteriteri and within the Coastal Environment Area, no more than 20 percent of indigenous coastal shrubland or coastal forest on a site may be cleared. **C73 12/20 Op 6/23**

In the notated area shown on the planning maps on Record of Title NL 13A/194 (Talisman Heights) or its successive titles, there shall be no more than three residential allotments.

Landscape Treatment – Old Wharf Road (Motueka) and Mapua Drive **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(r) Where allotments are created within 150 metres of the boundary of the Heavy Industrial Zone in Old Wharf Rd (Motueka), subdivision of Pt Lot 3 DP 1654, Lot 2 DP 424497 and Lot 1 DP 20082 (High Street and Old Wharf Road) incorporates a 12-metre wide landscaped earth mound at least 3 metres high along the boundary with the Heavy Industrial Zone.

(s) Where allotments adjoin Mapua Drive between the Ruby Bay bypass (Te Mamaku Drive) and Aranui Park, amenity plantings 3 metres wide are provided, and there is no close-boarded or solid fencing. C22 2/11 Op 1/15

Amenity Plantings within a Boundary Setback – Richmond West Development Area C10 10/07 Op 3/14

(t) In the Richmond West Development Area, amenity plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) Adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain southwest to the point where Poutama Drain intersects with the designation.

(ii) Adjoining the ~~Indicative Collector Road and~~ indicative reserve containing an active transport corridor that separates the Residential Zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.

Amenity Plantings – Richmond West and Mapua Development Area C66 10/17 Op 12/18

(u) In the Richmond West and Mapua development areas, a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback or adjoins Mapua Drive at Mapua. C10 10/07 Op 3/14 C22 2/11 Op 1/15

(v) In the Richmond West and Mapua development areas, the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. C10 10/07 Op 3/14 C22 2/11 Op 1/15

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

Traffic

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, principal or arterial road, or state highway, including: C69 6/19 Op 6/20

- the number of intersections between the frontage of any site and the nearest of those roads;
- the driving time between any site and the nearest of those roads;
- the walking distance between any site and an arterial or principal road, along public roads, pedestrian ways, or footpaths through reserves. C69 6/19 Op 6/20

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) Any mandatory or good practice matters of chapter 4 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the safe, efficient and effective provision of transportation and access. C69 6/19 Op 6/20

(5) The relationship of any new road with existing roads, adjoining land, and any future roading requirements.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Services

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

Stormwater Management

(7) Any matter necessary to manage stormwater run-off, including low impact design solutions where appropriate. **C7 7/07 Op 10/10**

(8) The physical and legal protection of primary and secondary stormwater flow paths and indicative reserves. **C10 10/07 Op 3/14**

(9) Any mandatory or good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 necessary to ensure the efficient and effective provision of stormwater network reticulation. **C69 6/19 Op 6/20**

Open Space/Reserves

(10) The extent and location of indicative reserves. **C10 10/07 Op 3/14**

(11) The appropriate setback of allotment boundaries from the top of the bank of any open drain or natural watercourse. **C7 7/07 Op 10/10**

Access for Earthworks

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

Natural Heritage

(13) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(14) Potential adverse effects on wetland values.

(15) Potential adverse effects on indigenous coastal vegetation and fauna values at Little Kaiteriteri/Stephens Bay.

(16) The degree of compliance with any mandatory requirements of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Cultural Heritage **C16 9/09 Op 8/12**

(17) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C66 10/17 Op 12/18**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

[Unchanged or irrelevant text omitted]

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C16 9/09 Op 8/12

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

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

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction;

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

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

C66 10/17 Op 12/18

C75 9/22 (d 6/23) C76 9/22 Op9/25

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

Stormwater

(a) In the Residential Zone:

(i) EITHER:

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

OR

The discharge complies with section 36.4 of this Plan.

C66 10/17 Op 12/18

AND

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

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

(b) In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the Part II Special planning map:

(i) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site;

(ii) the flood flow path surface is constructed or treated to prevent erosion of the surface.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C10 10/07 Op 3/14
C66 10/17 Op 12/18
C75 9/22 Op 10/23
C76 9/22 Op9/25

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

Minimum Allotment Size

(i) The minimum net area for each allotment is 350 square metres, except in the Brightwater Development Area where the minimum net area for each allotment is 270 square metres, and in the Wakefield Development Area where the minimum net area for each allotment is 200 square metres:

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)(n), (n)(iii) and (n)(iv).

(ii) Except in the Richmond Intensive Development Area, the subdivision meets condition 16.3.3.1(n)(ii)(b).

Reverse Sensitivity

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

Amenity Plantings within a Boundary Setback – Richmond West Development Area

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

(d) In the Richmond West Development Area amenity, plantings are provided within the boundary setbacks on allotments in the following locations and in accordance with the following specifications:

(i) adjoining Designation 127, amenity plantings are 20 metres wide incorporating a 2.5 metre bund, with a 2:1 batter, extending from the easternmost point of Poutama Drain south west to the point where Poutama Drain intersects with the designation.

(ii) adjoining the ~~Indicative Collector Road and~~ indicative reserve containing an active transport corridor that separates the Residential Zone from the Mixed Business Zone, west of Borck Creek, amenity plantings are 2.5 metres wide.

(iii) a planting plan, cross section and design statement, prepared by an appropriately competent person in landscape architecture, are provided with every application for subdivision that show the bunding (where specified), species, height at maturity, planting and spacing layout, maintenance and replacement programme, and the planting theme where the allotment is in the amenity planting setback.

(iv) the amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Tahi and Iwa Streets, Mapua

C22 2/11 Op 1/15
C66 10/17 Op 12/18

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

Comprehensive Development

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

Non-Notification

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

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

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

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

(a) The subdivision meets controlled conditions 16.3.3.1(i), (m) to (mb), (md) to (mf) and 16.3.3.1A (a) to (c). C66 10/17 Op 12/18 C73 12/20 Op 6/23

(b) Where a new allotment contains an existing building, the boundaries of the allotment are drawn relative to the building so that the building complies as a Restricted Discretionary activity with the 17.1.3.4C zone rules relating to site and building coverage, fences, outdoor living space, setbacks, building envelope, building height and length; and with parking and access requirements under the relevant general rules.

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A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion: C66 10/17 Op 12/18

(1) Matters (1) to (18) of rule 16.3.3.1A.

(2) The layout and design of a subdivision in relation to stormwater.

Non-Notification

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

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

C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) Subdivision in the Brightwater Development Area and Subdivision in the Wakefield Development Area, that does not comply with the controlled conditions of rule 16.3.3.1B is a restricted discretionary activity, if it complies with the following conditions:

i) 16.3.3.1B(a)-(b) *Minimum Allotment Size*
ii) 16.3.3.1(n)(ii)(a), (n)(ii)(b), (n)(ii)(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*
vi) 16.3.3.1(n)(iii)(a), 16.3.3.1(n)(iii)(b), 16.3.3.1(n)(iii)(c) *Reserves*

(b) Matters of control

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

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

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

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

C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) Land to be subdivided for compact density development in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, complies with the following conditions:

(i) **Land Requirements**

C5 3/06 Op 10/10 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23 C76 9/22 Op9/25

(a) The subject land comprises (either in one or more existing titles) at least 1500 square metres in the Richmond South, Richmond West, Brightwater, Wakefield, and Mapua Special development areas and the Motueka West Compact Density Residential Area.

(ii) **Allotments**

C5 3/06 Op 10/10

Allotment Area

C22 2/11 Op 1/15 C43 4/13 Op 1/15 C80 12/23 Op5/25

(a) There is no minimum net allotment area, except that in the Mapua Special Development Area the minimum allotment area is 200 square metres and except that in the Motueka West Compact Density Residential Area to the west of Kerei Street the minimum allotment area is 270 square metres.

Allotment Layout

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

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

Allotment Frontage

(c) No fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres. For the avoidance of doubt, this means that no more than 5 percent of allotments may be rear allotments without any road or reserve frontage.

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

(a) All roads are constructed in accordance with the standards set out in section 18.8 (Road Area rules). C69 6/19 Op 6/20

(b) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less.

(c) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C11 10/07 Op 10/10

(d) Except for the indicative roads shown in the Richmond South and Richmond West development areas on the planning maps: C11 10/07 Op 10/10

(i) no road in the Richmond South Development Area is designed to connect directly to Hart/Bateup roads, Wensley/Paton roads, Hill Street and State Highway 6; and

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ii) no road in the Richmond West Development Area is designed to connect directly to State Highway 6, State Highway 60, Lower Queen Street and McShane Road.

[Items (e) and (ea) are deleted] C69 6/19 Op 6/20

(f) The transport conditions in Schedule 16.3B are complied with.

(g) No allotment created after 28 July 2007 gains direct access from State Highway 6 in the Richmond South Development Area. Existing lawful access crossings may continue to be used. C11 10/07 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 Op 3/14

(j) No allotment gains direct access from State Highway 6 in the Brightwater Development Area. Existing lawful access crossing may continue to be used. C75 9/22 Op 10/23

(iv) **Reserves** C5 3/06 Op 10/10 C10 10/07 Op 3/14

Subject to but not limited by rule 16.4.2.1:

(a) Land that is subject to a notation on the planning maps as indicative reserve is set aside as reserve and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where specified, as follows: C5 3/06 Op 10/10 C10 10/07 Op 3/14

- 70 metre wide reserve along Borck Creek from Light Industrial Zone to the Mixed Business Zone;
- 15 metre wide reserve along Poutama Drain;
- 15 metre wide reserve along Eastern Hills Drain adjoining State Highway 6 to Borck Creek;
- 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek which will vest in the Council as Local Purpose Reserve (active transport corridor) without compensation or credit against Reserve Financial Contributions.

(b) Except for the 7 metre wide indicative reserve separating the Mixed Business Zone from the Residential Zone west of Borck Creek, ~~i~~indicative reserve areas are to be vested in the Council as Local Purpose Reserve (walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. C5 3/06 Op 10/10 C10 10/07 Op 3/14

(c) Within the Wakefield Development Area no credit against the reserve financial contributions will be provided for the Local Purpose (Esplanade) Reserve to vest based on an average total width of 40 metres relating to the Pitfure Stream. The 40-metre total esplanade width excludes Pitfure Stream's bed (as defined in the RMA). C76 9/22 Op9/25

(v) **Indicative Stormwater Retention Area** C5 3/06 C7 7/07 Op 10/10

(a) Where applicable, a stormwater retention area is to be provided in the location of any indicative Stormwater Retention Area shown in Richmond South and Motueka West development areas on the planning maps, to enable stormwater to be retained in order to mitigate the downstream stormwater effects such as flooding. Where the C43 4/13 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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.

(vi) Reverse Sensitivity

The subdivision must comply with 16.3.3.1(me)(ii) *Cross Boundary Effects.* C75 9/22 Op 10/23

Amenity Plantings within a Boundary Setback – Richmond West Development Area C66 10/17 Op 12/18

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

Stormwater C5 3/06 Op 10/10

(f) In the Residential Zone: C10 10/07 Op 3/14

(i) EITHER:

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

OR

The discharge complies with section 36.4 of this Plan.

AND

AND C5 3/06 Op 10/10

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C10 10/07 Op 3/14

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

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion: C5 3/06 Op 10/10

Site Layout

(1) The extent to which the mix of allotment sizes can provide for different housing types and densities.

(2) Whether each allotment has appropriate area and shape to enable efficient siting and construction of one or more dwellings and any ancillary buildings, provision of private outdoor space, convenient vehicle access to a public road, and adequate on-site parking.

(3) Where the subject land adjoins any developed site with a different density character, the extent to which the allotment layout and location of any dwelling or building location area avoids or mitigates adverse amenity effects across the property boundary.

Privacy and Solar Access C22 2/11 Op 1/15

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

Safety

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

Servicing

(6) The extent to which the street and allotment layout enables efficient provision of infrastructure to new areas.

(7) The likely effects of the subdivision in relation to the location of significant infrastructure facilities and networks and any related constraints on nearby development, and whether they have been identified and protected.

Landscape Treatment

(8) The extent to which the use of landscape treatment will enhance street amenity, the use and enjoyment of public spaces, and differentiate street hierarchy.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(9) The ability to use landscaping to direct run-off from impervious areas into vegetated landscaped areas to filter and soak up stormwater.

Open Space/Reserves

(10) The extent to which the subdivision provides well-distributed small neighbourhood reserves that contribute to the legibility and character of the area, provide for a range of uses and activities, and are cost-effective to maintain.

(11) The extent to which greenway reserves incorporate stormwater management and use low impact stormwater management principles.

(12) The extent and location of reserves, sportsgrounds, and urban open space and amenity reserves. **C10 10/07 Op 3/14**

(12A) The extent to which mandatory and good practice matters of chapter 10 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of parks and reserves. **C69 6/19 Op 6/20**

Traffic (streets, access, parking, manoeuvering, loading)

(13) Whether the road network provides a high level of internal connectivity and good external linkages for local vehicle, pedestrian and cycle movements, incorporating traffic management to control vehicle speed and create safe conditions for all street users.

(14) The ability of roads to provide multi-purpose public spaces that are designed to balance their role for traffic with their other roles as community spaces, pedestrian environments with easy access to the town centre, parking, and as settings for residential and commercial uses. **C43 4/13 Op 1/15**

(15) The extent to which roads provide an attractive streetscape which enhances the amenity of adjacent housing and development.

(16) The extent to which the number of individual allotment accesses onto Hart/Bateup and Wensley/Paton roads, Hill Street, Salisbury Road, Wensley Road, Oxford Street, Gladstone Road and Queen Street has been minimised. **C66 10/17 Op 12/18**

Stormwater Management

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

(18) The extent to which natural and artificial watercourses, wetlands and riparian vegetation are retained and enhanced, while also making alignment modification that may be appropriate to enhance the urban structure.

(19) Any matter set out in Schedule 16.3A. **C7 7/07 Op 10/10**

(19A) The extent to which mandatory and good practice matters of chapter 5 of the Nelson Tasman Land Development Manual 2019 have been achieved in the design and establishment of stormwater networks. **C69 6/19 Op 6/20**

(19B) In the Wakefield Development Area, management of flood risk through infrastructure designed in accordance with any mandatory or good practice matters of Chapter 5 of the Nelson Tasman Land Development Manual and management of dam break hazard. **C76 9/22 Op9/25**

Richmond West Development Area Amenity Plantings **C10 10/07 Op 3/14**

(20) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding.

(21) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(22) The extent to which the amenity plantings create a visually attractive appearance when viewed from roads, reserves and adjoining zones.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(23) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Residential and Mixed Business zones, and reserves.

(24) The depth and height of plantings from the Open Space Zone and the Borck Creek indicative reserve.

[Unchanged or irrelevant text omitted]

16.3.4 Business and Industrial Zones

16.3.4.1 Controlled Subdivision (Business and Industrial Zones)

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

Location C58 11/15 Op 7/17

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

Electricity Transmission Corridor C10 10/07 Op 3/14

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

Area

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

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

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Services

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

Transport

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

Transport - Richmond West and Motueka West Development Areas C10 10/07 Op 3/14 C22 2/11 Op 1/15 C43 4/13 Op 1/15

(e) All roads are constructed with reference to the Urban Design Guide (Part II, Appendix 2).

(f) Every road is through-connected, unless it is a cul-de-sac of 80 metres or less, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension where no maximum length applies. C10 10/07 Op 3/14

(g) Except for the indicative roads shown in the Richmond West Development Area on the planning maps, no road is designed to connect directly with Lower Queen Street and McShane Road.

(h) Except for Lower Queen Street and McShane Road, every road has a maximum block length of 200 metres and a maximum perimeter distance of 800 metres.

(i) No allotment created after 6 October 2007 (except Record of Title 459167 (580 Lower Queen Street) gains direct access from McShane Road or Lower Queen Street, except in the retail frontage shown on the planning maps in the Richmond West Development Area where access is restricted to one access per frontage. C10 10/07 Op 3/14 C73 12/20 Op 6/23

(ia) No allotment created after 27 April 2013 gains direct access from Queen Victoria Street. C43 4/13 Op 1/15

(j) Where any property adjoining the subdivision may require complying road access across the common boundary with the subdivision, roads are located so that no adjoining property is left without a complying road access. C10 10/07 Op 3/14

Transport – Mapua Development Area C22 2/11 Op 1/15

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

Frontage

(l) Every allotment that has a frontage has a minimum frontage width of six metres.

(m) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), the minimum frontage width for allotments in the: C10 10/07 Op 3/14 C43 4/13 Op 1/15

(i) Mixed Business Zone is 30 metres, except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, which is 25 metres, excluding the Retail Frontage; C10 10/07 Op 3/14

(ii) Mixed Business Zone Retail Frontage (as shown on the planning maps) is 40 metres;

(iii) Light Industrial Zone is 10 metres.

(n) In the Richmond West and Motueka West development areas (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) no fewer than 95 percent of all allotments have direct frontage to a public road or public reserve that is at least 10 metres (except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension) where no fewer than 80 percent of all allotments have direct access to a public road. For the avoidance of doubt, this means that no more than 5 percent of all allotments may be rear allotments without any road or reserve frontage. C10 10/07 Op 3/14 C43 4/13 D 8/14

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Heritage Site or Item Present

(o) The land being subdivided does not include: C10 10/07 Op 3/14

(i) a heritage site or item referred to in Schedule 16.13A [Heritage Buildings and Structures]; or C16 9/09 Op 8/12

(ii) a protected tree in the Richmond West Development Area referred to in Schedule 16.13B.

Existing Buildings

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

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

(q) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications: C10 10/07 Op 3/14

(i) In the Light Industrial Zone north of Headingly Lane, bounded by Lower Queen Street, Sandeman Road, Borck Creek and the Open Space Zone, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 12 metres wide adjoining the Open Space Zone comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from the Open Space Zone (requires knowledge of the building location);

(c) 2.5 metres wide adjoining Sandeman Road and Artillery Place, including any indicative road extension;

(d) 15 metres wide adjoining Lower Queen Street, except where an indicative reserve adjoins Lower Queen Street. A framework of large trees is provided continuing the theme of existing Oak trees, within which other plantings are incorporated to provide an 'avenue' park-like setting.

(ii) In the Light Industrial Zone bounded by Lower Queen Street, McShane Road and Swamp Road, amenity plantings are:

(a) 20 metres wide incorporating a 2.5 metre bund adjoining the Rural 1 Zone and Swamp Road;

(b) 15 metres wide adjoining Lower Queen Street, except for that allotment containing the group of protected trees (Tree ID 872);

(c) 2.5 metres wide adjoining McShane Road.

(iii) In the Light Industrial Zone bounded by Borck Creek and McShane Road, amenity plantings are:

(a) 2.5 metres wide adjoining Borck Creek, comprising species consistent with those of the Waimea Inlet Indigenous Ecosystem, and which at maturity ensure buildings are screened from Borck Creek (requires knowledge of the building location);

(b) 2.5 metres wide adjoining McShane Road and the Mixed Business Zone.

(iv) In the Light Industrial Zone bounded by State Highway 60, State Highway 6, Borck Creek and the Residential Zone, amenity plantings are:

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(a) 6 metres adjoining the Residential Zone;

(b) 2.5 metres adjoining Borck Creek;

(c) 10 metres adjoining State Highway 60.

(v) In all Light Industrial Zone locations, amenity plantings are 2.5 metres wide adjoining Indicative Collector Road reserve boundaries, except at access points.

(vi) Amenity plantings at least 2.5 metres wide are provided on boundaries adjoining Stafford Drive and Seaton Valley Stream. The latter shall be locally sourced indigenous plantings. **C22 2/11 Op 1/15**

(r) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

(s) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument.

Amenity Plantings within a Boundary Setback - Mixed Business Zone, Richmond West Development Area **C10 10/07 Op 3/14**

(t) Amenity plantings are provided within the boundary setbacks on allotments in the following locations in accordance with the following specifications:

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

(ii) Adjoining McShane Road and State Highway 60, amenity plantings are 10 metres wide for the full length of the zone boundary. A framework of large trees is provided continuing the theme of Lower Queen Street, within which other plantings are incorporated to provide a park-like setting and partial screening of buildings from McShane Road, State Highway 60 and the Rural 1 Zone.

(iii) Adjoining Borck Creek indicative reserve, amenity plantings are 2.5 metres wide and adjoining Poutama Drain indicative reserve, amenity plantings are 2.0 metres wide, for the full length of the zone.

(iv) Amenity plantings west of Borck Creek comprise species that, at maturity, provide a visual screen, the height of which averages at least 50 percent of the building height.

(v) Adjoining the Lower Queen Street road reserve boundary in the Retail Frontage shown on the planning maps, amenity plantings are 2.5 metres wide.

(vi) Adjoining the Residential Zone, Open Space Zone and the Light Industrial Zone, amenity plantings are at least 2.5 metres wide, except that this requirement does not apply on Lot 1 DP 457909 at the eastern end of the McPherson Street extension.

(u) A planting plan, cross section and design statement prepared by an appropriately competent person in landscape architecture are provided with every application for subdivision that show the species, height at maturity, planting and spacing layout, maintenance and replacement programme and the planting theme, where the allotment is in the amenity planting setback. **C10 10/07 Op 3/14**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(v) The amenity planting of the setback is carried out prior to the issue of the Section 224(c) certificate, with such amenity planting managed and maintained on an ongoing basis under an appropriate legal instrument. C10 10/07 Op 3/14

Reserves C10 10/07 Op 3/14

(w) Subject to but not limited by rule 16.4.2.1, in the Richmond West Development Area and Mapua Light Industrial Zone, land subject to a notation on the planning maps as indicative reserve is set aside and vested in the Council upon subdivision in general alignment with the indicative reserve areas shown on the maps and dimensions where these are specified as follows: C22 2/11 Op 1/15

(i) 70 metre wide reserve along Borck Creek to Lower Queen Street and a 61 metre wide reserve from Lower Queen Street to the Open Space Zone adjoining Waimea inlet; C10 10/07 Op 3/14

(ii) 6 metre wide reserve on Part Lot 1 DP 94 linking the existing indicative road to Borck Creek reserve;

(iii) 15 metre wide reserve along the northwest boundary of Lot 1 DP 17704, Lot 1 DP 20017 and Lot 1 DP 20497;

(iv) 5,500 square metre reserve along the southwest boundary of Part Lot 1 DP 94 fronting Lower Queen Street;

(v) 15 metre wide reserve incorporating Poutama Drain;

(vi) 5 metre wide reserve adjoining the western side of Seaton Valley Stream. C22 2/11 Op 1/15

(x) Subject to but not limited by rule 16.4.2.1, indicative reserve areas are to be vested in the Council as Local Purpose Reserve walkway/recreation) and Local Purpose Reserve (drainage) and the part of the area vested as Local Purpose Reserve (walkway/recreation) will form part of the financial contribution for reserves and community services in accordance with rule 16.5.2.4. C10 10/07 Op 3/14

Building Platform Levels C10 10/07 Op 3/14

(y) In the Richmond West Development Area, the building platform level is 4.6 metres above mean sea level and constructed in a way which provides a gradual transition between the ground level (datum reference: NVD55) and 4.6 metres to achieve a visually natural appearance, except that the 4.6 metre building platform level does not apply to those parts of Lot 1 DP 18146 and Lot 4 DP 18918 (Nelson Pine Industries), Lot 3 DP 18918 (Dynea NZ Ltd) and land held in Record of Title 459167 (580 Lower Queen Street) that are protected from inundation from the sea by a seawall; nor in the Light Industrial Zone location at Beach Road as shown on the planning maps. C73 12/20 Op 6/23

A consent notice is to be registered on the record of title for any allotment for which a building platform is required by this condition, pursuant to Section 221 of the Act. C10 10/07 Op 3/14

Filling of Allotments C10 10/07 Op 3/14

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

Development Plan

(za) Allotments in the Rural Industrial Zone form part of an overall development plan for each zone.

(zb) In the Tourist Services Zone at Salisbury Road, Richmond, access to Salisbury Road from Lot 2 DP 18824 (123 Salisbury Road, occupied by the Baptist Church) and Lot 3

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

DP 18824 (141 Salisbury Road, occupied by the Aquatic Centre) is by way of a joint access.

Stormwater C7 7/07 Op 10/10

(zc) In the Central Business, Commercial, Mixed Business and Tourist Services zones, and in the Heavy, Light and Rural Industrial zones: C10 10/07 Op 3/14

(i) EITHER C7 7/07 Op 10/10

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

OR

The discharge complies with section 36.4 of this Plan.

AND

(ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. C10 10/07 Op 3/14

(iii) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site in an Industrial Zone is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the Nelson Tasman Land Development Manual 2019. C10 10/07 Op 3/14 C69 6/19 Op 6/20

(iv) A planting plan and design statement by an appropriately competent person in landscape architecture is provided with any plan submitted showing a stormwater greenway and/or retention area. C43 4/13 Op 1/15

(v) **Indicative Stormwater Retention Area** C43 4/13 Op 1/15
Where applicable, a stormwater retention area is to be provided in the location of any indicative stormwater retention area shown in the Motueka West Development Area on the planning maps in order to mitigate downstream stormwater effects such as flooding.

Note: A discharge consent may be required where new stormwater infrastructure is being created. C7 7/07 Op 10/10

Cultural Heritage Sites C16 9/09 Op 8/12

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

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

Notes:

(1) An assessment may be required in accordance with requirement 19.2.2.41.

(2) The modification, damage or destruction of any cultural heritage site that is an archaeological site under the Heritage New Zealand Pouhere Taonga Act 2014 must be authorised by an authority from Heritage New Zealand Pouhere Taonga.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(3) If any cultural heritage site is exposed during site works then all site works must cease immediately. The areas must be immediately secured in a way that any artefacts or remains are untouched. Manawhenua Iwi, Heritage New Zealand Pouhere Taonga, Department of Conservation, and Tasman District Council must be notified, and the Police in the case of human remains, that an archaeological site has been exposed, so that appropriate action can be taken. This includes such persons being given reasonable time to record and recover archaeological features discovered before work may recommence on the site.

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

(1) Access.

(2) The proximity, safety and ease of access between any site and the nearest collector, distributor or arterial road.

(3) The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads.

(4) The relationship of any new road with existing roads, adjoining land and any future roading requirements. **C69 6/19 Op 6/20**

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

(6) Location and effects of earthworks necessary to achieve matters (1) and (5).

(7) Potential effects on heritage protection and protected trees. **C10 10/07 Op 3/14**

(8) Financial contributions.

(9) All matters referred to in Section 220 of the Act.

(10) The degree of compliance with any mandatory and good practice matters of any Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(11) Matters relevant to the development of a neighbourhood centre, in the Urban Design Guide (Part II, Appendix 2). **C22 3/11 Op 1/15**

(12) Effective stormwater management, including the use of Low Impact Design solutions and any other mandatory or good practice matter of chapter 5 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

Amenity Plantings - Richmond West and Motueka West Development Areas **C10 10/07 Op 3/14 C43 4/13 Op 1/15**

(13) Landscaping and amenity plantings for the identified allotments, including the type, height and location of species to be planted, planting plan, planting and maintenance programme, and bunding. **C10 10/07 Op 3/14**

(14) The variation in the use of trees, shrubs and groundcovers to create a planting framework, including the utilisation of existing plantings, where appropriate.

(15) The extent to which the amenity plantings create a visually attractive appearance when viewed from public roads and reserves, adjoining zones and the coastal environment.

(16) The degree of application of a consistent landscape theme that links amenity plantings with plantings within the Light Industrial and Mixed Business zones.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(17) The depth and height of plantings and the extent of the screening effect of industrial buildings from the adjoining roads, Rural 1 and Open Space zones, and Borck Creek reserve.

(18) The extent of use of both fast-growing species for initial screening and suitable longer-lasting species, and the use of open-grassed areas or low vegetation of varying depth within the buffer in front of screen planting.

(19) The appropriateness of the species to the local environment and conditions.

(20) The degree of site contouring in association with planting to assist with screening buildings and car parks from view.

(21) The legal instrument for ensuring ongoing management, maintenance and replacement of amenity plantings.

Traffic - Richmond West Development Area

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

Cultural Heritage

(23) Where there is a listed cultural heritage site present on any part of the land being subdivided: **C16 9/09 Op 8/12**

(a) any matters raised in a report prepared in accordance with Information Requirement 19.2.2.41;

(b) any matters raised in the authority granted by Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014, that are relevant to control of the design and construction of the proposed subdivision activity;

(c) any matter necessary to ensure the appropriate management, protection or enhancement of a cultural heritage site;

(d) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(e) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision duriing construction.

16.3.4.2 Restricted Discretionary Subdivision (Business and Industrial Zones – Richmond West Development Area) **C10 10/07 Op 3/14**

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

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

(1) In the Richmond West Development Area:

(a) the extent to which the design of the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the design of the subdivision allows for activities to be set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C16 9/09 Op 8/12

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

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

(1) Where there is a listed cultural heritage site present on any part of the land being subdivided:

(a) any matters raised in a report prepared in accordance with requirement 19.2.2.41;

(b) any matter necessary to ensure the appropriate management, protection or enhancement of a Cultural Heritage Site;

(c) any matter necessary to ensure kaitiakitanga over a wāhi tapu site or wāhi tapu area;

(d) any matters relevant to ensuring the appropriate management of a previously unknown cultural heritage site that is discovered during any land disturbance activities associated with the subdivision during construction.

(e) any matter relevant to the absence of an authority from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014.

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

C57 11/15 Op 12/18

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

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

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so that any identified building location is not subject to inundation; and

(c) the effects of any proposed mitigation on other properties.

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

C10 10/07 Op 3/14

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

(a) The land is not within the Commercial Closed Zone at Marahau.

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

16.3.4.5 Discretionary Subdivision (Tourist Services Zone - Mapua)

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

(a) It does not create any additional allotments on which a dwelling can be built.

(b) It does not require works that would exacerbate erosion or inundation.

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

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

C58 11/15
Op 7/17

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

(a) The land being subdivided does not create any additional allotments on which a building can be built.

(b) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks, and there is adequate provision for stormwater.

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

16.3.4.5B Discretionary Subdivision (Commercial Closed Zone - Marahau)

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

(a) It does not create any additional allotments on which a building or dwelling can be built.

(b) It does not require works that would exacerbate coastal erosion or inundation.

(c) Following subdivision, existing buildings meet the relevant permitted conditions for wastewater, water supply and boundary setbacks.

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

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

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

16.3.4.7 Prohibited Subdivision (Heavy Industrial Closed Zone – Wakefield)

C58 11/15
Op 7/17

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

16.3.4.8 Prohibited Subdivision (Commercial Closed Zone - Marahau)

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

[Unchanged or irrelevant text omitted]

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

SCHEDULES

[Unchanged or irrelevant text omitted]

Schedule 16.3B: Transport Conditions

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

Roads, Access and Parking

(a) All roads, including indicative and connecting roads, are laid out, constructed and vested in the Council in accordance with the road construction conditions specified in section 18.8. **C10 10/07 Op 3/14 C69 6/19 Op 6/20**

(b) Every allotment has vehicle access to a formed legal road other than a limited access road (unless written consent is given by the authority controlling the limited access road). Access to allotments is constructed in accordance with section 4.6.1.1 of the Nelson Tasman Land Development Manual 2019. **C69 6/19 Op 6/20**

(c) Where subdivision creates or alters title boundaries of developed sites, every allotment created (including any balance title) has vehicle parking provided and constructed in accordance with the conditions specified in section 16.2.

Linking Subdivision Roads to Existing Roads

(d) Where any land to be subdivided is subject to a road designation, provision is made for the land to vest in the Council as road at the time of subdivision. Where the land cannot legally vest in the Council as road at the time of subdivision, provision is made to enable the Council to acquire the land, by separately defining the parcels of land, which must be held in conjunction with adjoining land and a Consent Notice pursuant to Section 221 of the Act registered on the title, until such time as the Council acquires the land.

(e) Where any land to be subdivided is subject to a notation on the planning maps as an "Indicative Road", a road is laid out and constructed on the general alignment of the indicative road~~, except that in the Richmond West Development Area, the location of:~~ **C10 10/07 Op 3/14 C73 12/20 Op 6/23**

~~(i) any point of intersection of an indicative road with an existing formed road must not vary;~~

~~(ii) the indicative roads shown adjoining the indicative reserve that contains Borck Creek must not vary from those positions;~~

~~(iii) the indicative roads shown along the boundaries of the locations of the Mixed Business Zone and Residential Zone must not vary from those boundaries;~~

~~(iv) the indicative road shown along the boundary of the Recreation Zone must not vary from that boundary~~.

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

(f) Where any land to be subdivided is subject to a notation on the planning maps indicating that a "Connecting Road" is required through the land, the road is to be laid out, constructed and vested in the Council at the time of the subdivision.

Note: In the Richmond West Development Area, the intersection to be formed between the indicative road and State Highway 60, between State Highway 6 and McShane Road, shown on the planning maps, is subject to approval by the New Zealand Transport Agency under the Government Roading Powers Act 1989. **C10 10/07 Op 3/14**

(g) Where any new road extends or completes an existing road, the road is constructed at the developer's cost to the relevant conditions specified in section 18.8. **C69 6/19 Op 6/20**

(h) Except in the Rural 3 Zone and Services Contribution Area, and in the Lower Queen Street and McShane Road in the Richmond West Development Area, where any land to be subdivided has frontage to any existing road that is not constructed to the conditions set out **C10 10/07 Op 3/14**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

in section 18.8 for the relevant level of the existing road in the Road Hierarchy, the road along the frontage adjoining the land to be subdivided is formed and upgraded by the developer to the conditions of road widths, kerb and channelling and associated drainage attributable to the subdivision, berm, footpath, crossings and street lighting specified in section 18.8.

(i) Where any land to be subdivided has a frontage to an existing Council road which has inadequate road reserve width to meet the condition in the Plan, adequate land to meet the condition is vested in the Council at the time of subdivision, at no cost to the Council. **C69 6/19 Op 6/20**

(j) The subdivision provides a safe and efficient road, cycleway and pedestrian access connection to adjoining land and roads, cycleways and pedestrian accessways.

Schedule 16.3C: Services Required on Subdivision in Certain Zones

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

This schedule applies to Central Business, Commercial, Mixed Business, Tourist Services, Heavy and Light Industrial and Rural Industrial zones, and the Residential Zone in the Richmond South, Richmond West, Richmond East, Richmond Intensive, Brightwater, Motueka West and Mapua development areas (excluding the Residential Coastal Zone), and the Rural Residential Serviced Zone in the Richmond East and Mapua development areas. **C10 10/07 Op 3/14 C20 8/10 Op 8/12 C22 2/11 Op 1/15 C43 4/13 Op 1/15 C66 10/17 Op 12/18 C75 9/22 Op 10/23**

SERVICE	STANDARD
Stormwater	The land to be subdivided is connected to a Council stormwater network (including any stream that has been modified to function as a stormwater drain) that is capable of receiving additional stormwater because of the subdivision. **C69 6/19 Op 6/20** OR **C66 10/17 Op 12/18** The discharge complies with 36.4 of this Plan. AND All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. In the Richmond Intensive Development Area, where a site or part of a site is located within a specified stormwater flood flow path as shown on the planning maps: (a) the development provides for the stormwater flood flow to cross the post-development site and retains the predevelopment upstream entry and downstream exit points of the stormwater flood flow to and from the site; (b) the flood flow path surface is constructed or treated to prevent erosion of the surface.
Wastewater	The land to be subdivided is connected to a Council wastewater reticulation that is capable of receiving additional wastewater as a result of the subdivision.
Water Supply	The land to be subdivided is connected to a Council potable water supply reticulation that is capable of providing a potable water supply for each allotment and sufficient water for fire-fighting purposes, unless in the Rural Residential Zone (other than the Rural Residential Serviced Zone in the Richmond East and Mapua development areas), rule 17.8.3.1(m) is complied with. **C20 8/10 Op 8/12 C22 2/11 Op 1/15**
Electricity	The land to be subdivided is provided with electric power, appropriate to the circumstances.
Telephone	The land to be subdivided is provided with a telephone system, appropriate to the circumstances.

Note: Schedule 16.3A contains an assessment criterion that refers to this table.

[Unchanged or irrelevant text omitted]

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CHAPTER 17: ZONE RULES

[Unchanged or irrelevant text omitted]

17.1 RESIDENTIAL ZONE RULES

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

17.1.1 Scope of Section

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

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. **NES-FW (ca) 12/20**

17.1.2 Land Use

17.1.2.1 Permitted Activities (Land Use - General) **C19 5/10 Op 8/12**

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

[Unchanged or irrelevant text omitted]

17.1.3 Building Construction or Alteration

17.1.3.1 Permitted Activities (Building Construction or Alteration — Standard Density Development) **C66 10/17 Op 12/18**

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

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

Item (b) deleted as part of Plan Change 73. **C10 10/07 Op 3/14 C20 8/10 Op 8/12 C43 4/13 Op 1/15 C73 Op 6/23**

(c) Dwellings on sites adjoining or within 60 metres of Designation 127 (Proposed Hope Bypass) are designed to meet internal sound levels, as follows: **C10 10/07 Op 3/14**

Figure 17.1A: Internal Sound Levels

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

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Residential Site Density

(d) Sites have a net area of at least:

(i) 1000 square metres for each dwelling in St Arnaud (except 1,800 square metres for any site on Lake Road, Robert Street, Holland Street, Arnaud Street or Bridge Street);

Proposed as at 1 November 2008

[(c)(ii) Proposed]

(ii) 1000 square metres for each dwelling in settlements without wastewater reticulation except that where any allotment existed at 25 May 1996, the net area is at least 800 square metres, but that in each case, at least 500 square metres is available and suitable for effluent disposal; **C2 12/00**

(iii) 1800 square metres for each dwelling for Milnthorpe.

(iv) 450 square metres for each dwelling in settlements (other than Richmond and Motueka) with wastewater reticulation and treatment on allotments not adjoining an Industrial Zone;

(v) 350 square metres for each dwelling in Richmond and Motueka on allotments not adjoining an Industrial Zone except in the Richmond East Development Area to the south east of Hill Street; **C20 8/10 Op 8/12**

(vi) 800 square metres for each dwelling in serviced settlements on allotments adjoining an Industrial Zone;

(vii) 600 square metres for each dwelling in the Richmond East Development Area south east of Hill Street; **C20 8/10 Op 8/12**

(viii) 900 square metres for each dwelling in the Richmond East Development Area south east of Hill Street: foothill precinct, as notated on the planning maps.

Building Coverage

(e) Maximum building coverage is 33 percent, provided:

(i) the maximum building coverage is reduced by 18 square metres if a garage is not provided on site;

(ii) the maximum building coverage in St Arnaud is 20 percent;

(iii) telecommunication and radio-communication facilities which are less than 10 square metres in area, and which are less than 3 metres in height are exempt from the maximum coverage (one facility per site is exempt);

(iv) the maximum area for a sleepout is 36 square metres;

(v) where detention of stormwater runoff is provided on site for the additional building coverage over 33 percent, the maximum building coverage is 40 percent in Richmond, Motueka, Wakefield and Brightwater. **C59 11/15 Op 3/16 C769/22 Op9/25**

For the additional building coverage, stormwater detention at the rate of 50 litres per 1 square metre is required on site.

Site Coverage

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

Maximum Dwellings per Site

(g) At Milnthorpe, a maximum of one dwelling for Record of Title 11A/641 (20 Nelson Street, Milnthorpe) and one dwelling for each certificate of title issued before 12 November 1987. **C73 Op 6/23**

(h) There is no more than one dwelling per site.

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Outdoor Living Space

(i) Each dwelling has an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

(i) has a minimum area of 60 square metres;

(ii) contains a circle with a diameter of at least 6 metres;

(iii) is located to receive sunshine in midwinter;

(iv) is readily accessible from a living area of the dwelling.

Balcony or Deck

(j) Where a dwelling does not have outdoor living space at ground level, the dwelling is provided with a balcony or deck at first floor level of at least seven square metres and 1.5 metres minimum dimension, directly accessible from a living area.

(k) A balcony or deck with a finished floor level above 2 metres high is no closer than 4 metres from site or internal boundaries.

Walls

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

Building Envelope – Daylight Over and Around

(m) No building projects beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries. The angle to be used is to be determined using the diagram in Schedule 17.1A, except that: **C73 Op 6/23**

(i) for any roof with a slope of 15 degrees or greater and the roof ridge generally at right angles to the boundary, the end of the ridge may be up to 1.5 metres above the daylight admission line and the end area up to 2.5 square metres when viewed in elevation; and

(ii) any solar panel mounted flush to a building roof may project through the daylight admission line, provided they extend no greater than 250 millimetres above the roof plan on which they are mounted.

(iii) in the Wakefield Development Area there are no building envelope restrictions for any boundary that faces onto the Pitfure Stream, Gossey Stream and Jenkins Creek open space corridor. **C76 9/22 Op9/25**

EXCEPT

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

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

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

Permitted intrusions into the daylight around angle are:

(i) eaves (not more than 600 millimetres);

(ii) buildings and structures complying with the special height limiting lines outside the angle.

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

(a) Apply the daylight around angle (Schedule 17.1C) to find out how high exceptions may be. Start at 2 metres above ground level at point "P". The maximum height then increases 0.5 metres for each 2 metres distance from the boundary. All heights are measured relative to point "P".

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(b) The right-hand side of the indicator is at 1:200 scale, and 1:100 on the left-hand side. Apply the one that is appropriate to your site plan.

Height

(p) The maximum height of buildings is:

(i) 5 metres on sites of less than 400 square metres net area, except in the Mapua Special Development Area and the Richmond Intensive Development Area where the height limit is 6.5; **C22 2/11 Op 1/15 C66 10/17 Op 12/18**

(ii) 7.5 metres on sites of more than 400 square metres net area;

(vi) 3.6 metres for accessory buildings;

(vii) (iv)at Kaiteriteri, the highest point of buildings is not more than 4.5 metres above a ridgeline identified on the planning maps;

subject to condition 16.6.2.1(k).

Setbacks

(q) Buildings are set back at least 4.5 metres from road boundaries, in the case of all buildings; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement; except also that buildings are at least:

(i) 5.5 metres from road boundaries in the case of garages if the vehicle door of the garage faces the road;

(ii) 7.5 metres from the top of the bank adjoining Collingwood Quay;

(iii) 15 metres from Queen Victoria Street between Pah and Whakarewa streets. **C43 4/13 Op 1/15**

(r) Buildings are set back at least 1.5 metres from the internal boundaries on one side and at least 3 metres from all other internal boundaries (side and rear) in the case of all buildings except:

(i) 3 metres from side and rear boundaries in the case of buildings at St Arnaud;

(ii) no setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall;

(iii) where a garage or carport is an integral part of a dwelling and forms an external wall adjoining a site boundary; or a carport is attached to an external wall of a dwelling; the provisions of (t) apply to that part of the dwelling that is a garage or carport;

(iv) accessory buildings;

(v) telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height.

(s) Buildings are set back at least 1 metre from any access located within the site if the access serves another site or dwelling.

(t) Accessory buildings are set back at least 1.5 metres from side and rear boundaries, but less than 1.5 metres if all of the following apply:

(i) where any accessory building has a wall adjacent to the boundary, that wall contains no windows; **C73 Op 6/23**

(ii) any accessory buildings adjacent to an individual boundary do not exceed a cumulative total of 7.2 metres in length or 50 percent of the length of the boundary, whichever is the lesser;

(iii) stormwater is contained within the site.

(u) Dwellings are set back at least 25 metres from a rural zone boundary and at least 10 metres from an industrial zone boundary, except that:

(i) on Record of Title NL 13A/194(Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, **C73 Op 6/23**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(i) on Record of Title NL 13A/194(Talisman Heights, Kaiteriteri) or its successive titles, the setback from the rural zone is at least 5 metres, C73 Op 6/23

(ii) on Old Wharf Road, Motueka, the setback from the Heavy Industrial Zone is at least 20 metres and the setback from the Rural 1 Zone is at least 10 metres;

(iii) on area of land zoned Residential located on the north side of Mapua Drive and west of Seaton Valley Road, the setback is at least 5 metres from the Rural 1 Deferred Residential Zone (2031) boundary. C22 2/11 Op 1/15

(iv) adjacent to the Light Industrial Zone at Bird Lane, Wakefield, the setback is at least 30 metres. C58 11/15 Op 7/17

(v) for the Wakefield Development Area the setback is 5 metres, except for any part of 320 Higgins Road that is a rural zone, for which the setback remains at 25 metres. C76 9/22 Op9/25

(v) The building is set back at least:

(i) 3 metres from the top of the bank of any river with a bed less than 1.5 metres in width;

(ii) 8 metres from the top of the bank of any river with a bed between 1.5 metres and 5 metres;

(iii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(w) Every building is set back a minimum of 25 metres from any boundary with Milnthorpe Quay, Esplanade Reserve, except that on Record of Title 11A/641 (20 Nelson Street Milnthorpe) and Record of Title 9B/454 (14 Nelson Street, Milnthrope) the minimum setback is 16.5 metres. C73 Op 6/23

(wa) The building is not located within, or within 10 metres of any indicative road or indicative reserve, except for the following: C73 Op 6/23

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(x) In the Richmond West Development Area, fences, including security fences, are set back at least 2.5 metres from any sub-collector road to accommodate the amenity planting required by condition 16.3.3.1(t)(ii), and are not higher than 1.8 metres. C10 10/07 Op 3/14 C69 6/19 Op 6/20

Wastewater Disposal

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

Note: The Urban Design Guide (Part II, Appendix 2) applies in the Richmond South and Richmond West development areas and may be considered in preparing applications under this rule. C5 3/06 Op 10/10

Stormwater C7 7/07 Op 10/10

(z) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

The discharge complies with section 36.4 of this Plan.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

AND

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

(za) Where the activity is in the Richmond Intensive Development area, the activity complies with condition (k) of Rule 17.1.3.4C relating to specified stormwater flood flow paths. C66 10/17 Op 12/18

Access

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

Fences

(zc) (a) In the Richmond East Development Area on principal or collector roads, any fence on a road boundary does not exceed 1.2 metres in height, and any fence on a side boundary is constructed to taper from 1.2 metres at the road boundary to any height not exceeding 1.8 metres, reaching that height no closer than 5 metres from the boundary. C20 8/10 Op 8/12 C69 6/19 Op 6/20

(b) In the Wakefield Development Area, any fence fronting onto a walkway or an area of public open space (not including the Tasman Great Taste Trail or any neighborhood reserves) does not exceed 1.2 metres in height and is visually permeable. C76 9/22 Op 9/25 CL16A 11/24

(c) In the Richmond West Development Area, on the indicative reserve or reserve containing an active transport corridor separating the Mixed Business Zone from the Residential Zone west of Borck Creek any fence fronting onto the active transport corridor reserve (or residential lanes or rights-of-way running parallel to the reserve) does not exceed 1.2 metres in height. C79 11/24

Reverse Sensitivity C75 9/22 Op 10/23

(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

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

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

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

a) Provides mechanical ventilation to satisfy Clause G4 of the New Zealand Building Code, and

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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 LAeq 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 $L_{Aeq\ (24h)}$ 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^2 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.

[Unchanged or irrelevant text omitted]

17.1.3.2 Controlled Activities (Building Construction — Standard Density Development)

C66 10/17
Op 12/18

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

(a) The activity does not contravene any other applicable condition in rule 17.1.3.1.

(b) The site does not adjoin an Industrial Zone.

(c) The site is not in the Residential Closed Zone at Ruby Bay. C22 2/11 Op 1/15

(d) The site is not in the Residential Zone at Mapua, the Residential Coastal Zone at Mapua or the Mapua Special Development Area.

(e) In the Brightwater Development Area, the activity must comply with 17.1.3.1(zd) Reverse Sensitivity. C75 9/22 Op 10/23

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

(1) Vehicle access and parking.

(2) Amenity effects arising from the proximity of neighbouring buildings.
(3) Drainage and provision of services.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(4) Financial contributions.

(5) In the Brightwater Development Area, whether the location and design of the dwelling appropriately addresses noise and vibration from the state highway. C75 9/22 Op 6/23

17.1.3.3 Controlled Activities (Building Construction or Alteration — Compact Density Development) C66 10/17 Op 12/18

Where a resource consent application for compact density development subdivision in the Richmond South, Richmond West, Brightwater, Wakefield and Mapua Special development areas and the Motueka West Compact Density Residential Area, as shown on the planning maps, has been lodged concurrently, the construction or alteration of a building on a site within that proposed subdivision is a controlled activity, if it complies with the following conditions: C5 3/06 Op 10/10 C10 10/07 Op 3/14 C22 2/11 & C43 4/13 Op 1/15 C66 10/17 (D 7/18) C75 9/22 Op 10/23 C76 9/22 Op9/25 C80 12/23 Op 5/25

Multiple Consents

(a) All buildings are or will be located within a site that has been approved as part of a compact density subdivision under rules 16.3.3.3, 16.3.3.4 or 16.3.3.7. C80 12/23 Op 5/25

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

Dwellings on a Site C5 3/06 Op 10/10

(b) More than one dwelling may be constructed on any site.

Site Coverage C59 11/15 Op 3/16

(c) Maximum site coverage is 70 percent.

Building Coverage

(ca) Maximum building coverage is 50 percent.

Stormwater – Richmond South and West Development Areas C10 10/07 Op 3/14

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

Reverse Sensitivity C75 9/22 Op 10/23

(n) For Compact Density Development in the Brightwater Development Area, the activity must comply with rule 17.1.3.1(zd) *Reverse Sensitivity.*

Internal Boundaries

(e) Notwithstanding condition 17.1.3.3(g), all buildings are set back at least 2 metres from the road boundary, and no more than 5 metres, except that: C73 Op 6/23

(i) all garages and carports are set back at least 5.5 metres from road boundaries if the vehicle entrance of the garage or carport faces the road;

(ii) there is no side boundary setback where there is vehicular access to the rear of the site from a legal road or approved access;

(iii) where there is no vehicular access to the rear of the site, a side boundary setback of at least 1.5 metres on at least one side is provided, enabling access to the rear of the site;

(iv) there is at least a 5-metre setback from the rear boundary;

(v) a minimum of 4.5 metres applies in the Mapua Special Development Area with an intrusion no more than 1.5 metres deep and 3 metres wide for an entry feature or bay window. C22 2/11 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Building Envelope

(f) All buildings comply with the following requirements:

(i) There is no road boundary building envelope requirement. C73 Op 6/23

(ii) All buildings are wholly within an envelope created by taking a vertical line from the boundary 6 metres above ground level and then at an angle of 45 degrees inwards from that point. This applies for no more than 50 percent of the total boundary length.

(iii) For the balance 50 percent of the total boundary length, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point.

[Unchanged or irrelevant text omitted]

17.1.3.4 Restricted Discretionary Activities (Building Construction or Alteration — Standard Density Development (excluding the Development Areas)) C66 10/17 Op 12/18

Construction or alteration of a building that does not comply with the conditions of rules C5 3/06 Op 10/10

[Unchanged or irrelevant text omitted]

Building Design and Appearance

(27) The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk, architectural style, materials, colours and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.

(28) The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking, landscaped areas and vegetation.

(29) The extent to which building design and appearance will adversely affect the natural character of the coast.

(30) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining sites.

(31) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.

(32) The extent to which practical use of the site will be affected by the proposal.

Privacy

(33) Adverse effects in terms of reduced privacy through being overlooked from, or being in close proximity to, neighbouring buildings, to an extent which is inconsistent with the surrounding environment.

(34) The ability to mitigate any adverse effects of the proposal on adjoining sites, including planting and landscaping and the relocation of windows to alternative practical positions.

Outdoor Living Space

(35) The extent to which the reduction in outdoor living space and its location will adversely affect the ability of the site to provide for the outdoor living needs of future residents of the site.

(36) Alternative provision of outdoor living space to meet the needs of future residents of the site.

(37) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.

Services

(38) Provision for the collection and disposal of stormwater and sewage.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(39) The actual and potential adverse effects of the development in terms of existing catchment drainage characteristics, stormwater flow, erosion and sedimentation, and stormwater quality, including the following: C7 7/07 Op 10/10

(a) The extent to which all stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

(b) The degree to which the development has used Low Impact Design solutions in the management of stormwater.

(c) The degree of maintenance or enhancement of natural drainage characteristics in development.

(d) The degree to which the design of the stormwater management network accounts for any possible future changes in development that may have an effect on, or be affected by, the development.

(e) The degree to which water conservation principles, such as rainwater collection and stormwater detention, have been used in the development.

Richmond East Development Area C20 8/10 Op 8/12

(40) The extent to which the increased height of fences located along principal or collector roads within the Richmond East Development Area may detract from public safety and visual amenity. C69 6/19 Op 6/20

Richmond West Development Area

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

Miscellaneous

(41) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(42) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.1.3.4A Restricted Discretionary Activities (Building Construction or Alteration — Comprehensive Development) C66 10/17 (D 7/18)

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

Three or More Dwellings on a Site

(a) There are three or more dwellings on one site that comply with the following:

(i) the development complies with the service requirements of Schedule 16.3C;

(ii) the minimum net area for each unit is at least 280 square metres in Motueka and Richmond and at least 350 square metres in other settlements with wastewater reticulation and treatment services;

(iii) building coverage does not exceed 40 percent;

(iv) the development is a comprehensive residential development; or the allotment or site was approved as part of a subdivision under rule 16.3.3.4; C75 9/22 (d 6/23)

(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, Wakefield or, Motueka West Development Areas, as shown on the planning maps. C76 9/22

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Garages and Stormwater

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

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

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

[Unchanged or irrelevant text omitted]

17.1.20 Principal Reasons for Rules

[Unchanged or irrelevant text omitted]

Setback from Roads

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

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

Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass. **C43 4/13 Op 1/15**

The setback for compact density and intensive building development from the road boundary is less than the setback for standard development. The reduced setback enables buildings to front onto the street. This is encouraged for both amenity and safety reasons provided that the safe functioning of the road is not compromised. **C66 10/17 Op 12/18**

Indicative Roads and Reserves **C73 Op 6/23**

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

Setbacks from Internal Boundaries

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

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

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proximity. Consequently, provisions limit the length of walls of accessory buildings if located within 1.5 metres of a boundary.

Other Setbacks

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

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

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

Building Height

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

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

However, for compact residential development, a higher height limit is permitted if there is careful integration of buildings and surrounding spaces that retains residential amenities. **C22 2/11 Op 1/15**

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

Daylight Admission **C73 Op 6/23**

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

Some exceedances of the daylight admission lines are allowable for the end of a roof ridge or for solar panels, recognising the limited dimensions of these items. These allowances only apply to standard density development in the Residential Zone. Exceedance of daylight admission lines in compact density, intensive, and comprehensive residential developments may have a greater level of effect that should be considered through a resource consent process. **C73 Op 6/23**

Building Design and Appearance

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

Fence Height **C69 6/19 Op 6/20**

Reduced fence heights are required along principal or collector roads within the Richmond East Development Area and in the Richmond West Development Area on the indicative reserve containing an active transport corridor or reserve containing an active transport corridor, separating the Mixed Zone from the Residential Zone west of Borck Creek for the purposes of promoting public safety and visual amenity. **C20 8/10 Op 8/12 PC79**

In comprehensive, compact and intensive density residential development, reduced fence heights are required to encourage informal surveillance between the property and the street and to maintain street amenity. **C43 4/13 Op 1/15 C66 10/17 Op 12/18**

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Outdoor Living Space

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

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

The size of buildings as dwellings on any residential site and the number of dwellings allowed are governed by the building coverage limits. Open space amenity for each dwelling is protected by other rules, in addition to building coverage. **C59 11/15 Op 3/16**

Home Occupations

Home occupations have the potential to impact on neighbours in terms of noise, odour, dust, visual effects, vibration, glare, loss of privacy, traffic and parking congestion. Specific activities (spray painting, motor vehicle repairs or dismantling, fibre-glassing, sheet-metal work, bottle or scrap storage, rubbish collection, motor body building, or fish or meat processing) are not permitted home occupations due to the activities inherent unsuitability to the residential environment. The controls are intended to ensure that the residential areas of the District remain dominated by residential, rather than by non-residential, activities. **C73 Op 6/23**

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

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

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

Community Activities

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

Noise

Restrictions on noise levels are necessary in and adjoining a Residential Zone, as generally, prevailing noise levels are low and need to be maintained low in order to protect the pleasantness and amenity of these areas. In addition, limits on the hours of operation of non-residential activities in residential areas are necessary to maintain the amenity of these areas. The hours over which a non-residential activity operates is a significant determinant in the level of adverse effects likely for neighbours as a result of noise, traffic generation, vibration, loss of privacy, and general disturbance incompatible with residential amenity.

Noise limits are set in relation to the existing background noise levels which have been measured in many residential parts of the District. The dBA L_{eq} level sets a standard for noise measurement attuned to the human ear, which is an average of the noise measured over a specified time interval. This reflects noise

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levels generated by normal residential activities. The L_{max} level controls peak levels of noise at night-time, and minimises sleep disturbance.

Heavy vehicle trips can result in adverse effects that are significantly greater than those of other vehicle trips, as a result of noise, vibration, fumes, traffic congestion and safety. This rule recognises that the storage of heavy vehicles on a site in a residential area can have adverse effects on amenity values.
However, by enabling one vehicle to be stored on a site, it recognises that residents often need to store their employment-related vehicle at home.

Dust and Odour

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

Glare

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

Farming, Horticulture and Keeping of Animals

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

Papakainga Development

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

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

C5 3/06 Op 10/10

C22 2/11 Op 1/15

C43 4/13 Op 1/15

C75 9/22 Op 6/23

C76 9/22 Op 9/25

C80 12/23 Op5/25

The Residential Zone forms part of the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West and Mapua development areas. Compact density development is provided for through specific standards, and dwellings are to be located as approved through the subdivision process. Quality urban design is an important factor to achieving the overall goals for the Development Areas, and this has been implemented through a subdivision and development design guide. All development in the Richmond South, Richmond West, Brightwater, Wakefield, Motueka West, Mapua and Mapua Special development areas is subject to the requirements of the Urban Design Guide (Part II, Appendix 2). In the Brightwater and Wakefield Development Areas, development is to take into account the management of noise received from the state highway.
Non-notification (both public (s95A) and limited (s95B)) of Compact Density Development within the Brightwater Development Area and Motueka West Compact Density Residential Area south of Whakarewa Street for Restricted Discretionary Activity applications for subdivision and Controlled Activity applications for land use. This responds to the objectives and policies in the TRMP which:

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

The non-notification provision is used for Compact Density Development in the Brightwater, Wakefield Development Areas and Motueka West Compact Density Residential Area south of Whakarewa Street because the structure of Compact Density Development rule 17.1.3.3 g) means that

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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 Wakefield Development Area, there is a requirement that subdivisions provide a proportion of lots that are smaller than 450m^2. Rule 17.1.3.1 permits dwellings on standard density lots. An additional permitted rule (Rule 17.1.3.1A) applies to new dwellings on the sites that are smaller than 450m^2, and also permits second dwellings that are on the sites that are greater than 600m^2.

C76 9/22 Op9/25

Stormwater

C7 7/07 Op 10/10

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

Water and Wastewater

C22 2/11 Op 1/15

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

Richmond Intensive Development Area

C66 10/17 Op 12/18

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

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

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

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

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

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

[Unchanged or irrelevant text omitted]

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17.3 MIXED BUSINESS ZONE RULES

C10 10/07 Op 3/14

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

17.3.1 Scope of Section

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

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

NES-FW (ca) 12/20

[Unchanged or irrelevant text omitted]

17.3.3 Building Construction or Alteration

C10 10/07 Op 3/14

17.3.3.1 Permitted Activities (Building Construction or Alteration)

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

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

(a) The activity is not the construction or alteration of any building:

Item (a) (i) removed as part of plan change 73.

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

(ii) where any side of the building is more than 50 metres in length (regardless of any wall off set provided in condition 17.3.3.1(i));

C10 10/07 Op 3/14

(iii) where the gross floor area is greater than 2,000 square metres.

Building Coverage

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

Height

(c) The maximum height of any building is 10 metres, except that:

(i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(ii) for antenna attached to a building, condition 16.6.2.1(k) applies;

(iv) in the Richmond West and Motueka West development areas for any site adjoining the Residential and Open Space zones and any indicative reserve, the maximum height is 8.5 metres.

C43 4/13 Op 1/15

Building Envelope

C10 10/07 Op 3/14

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

Setbacks

(e) The building is set back from roads and zone boundaries at least:

(i) 10 metres from roads, except where these roads adjoin the Borck Creek indicative reserve;

(ii) 5 metres from roads adjoining the Borck Creek indicative reserve;

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(iii) 10 metres from the boundaries of sites in an adjoining Residential, Open Space, Recreation, or Rural 1 zone.

(f) The building is set back from reserves, rivers and amenity planting setbacks at least:

(i) 5 metres from boundaries of public reserves;

(ii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(g) Telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from setback requirements.

(h) In the Richmond West Development Area, notwithstanding condition (g) of this rule, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(ha) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

Walls and Modulation

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

Building Frontage

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

Windows

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

Fences

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

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

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Landscaping

(n) The site is landscaped, comprising:

(i) amenity planting required in car park areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(t) and (u) which have been completed;

(iii) amenity planting at least 2.5 metres wide along the road frontage of any site, except where required in condition 16.3.4.1(t) and the width of the site access;

(iv) except on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, additional amenity planting so that the total planting is at least 10 percent of the total site area;

(v) despite condition (n)(iii), on Lot 1 DP 457909 at the eastern end of the McPherson Street extension, where any site adjoins Designation 132 (Richmond Deviation), on the south boundary of this land, additional amenity planting at least 5 metres wide along the entire south boundary provides, at maturity, a dense screen of at least 2.5 metres high;

(vi) amenity planting at least 2.5 metres wide along any boundary of a site that adjoins a Residential Zone~~,~~ or the Open Space Zone separating the Residential Zone from the Mixed Business Zone west of Borck Creek.

(o) Amenity plantings are maintained and replaced where dead, damaged or diseased.

Cross-boundary Effects

(p) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or facility located on an adjoining site.

(q) Sites are screened from adjoining land in a Residential Zone by a fence, a wall, or planting that at maturity provides a dense screen, 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). Any such fence or wall does not include barbed or razor wire.

17.3.3.2 Controlled Activities (Building Construction or Alteration)

C10 10/07
Op 3/14

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

(a) All the conditions of rule 17.3.3.1, except condition (a)(iii).

(b) The building has a gross floor area greater than 2,000 square metres.

[Unchanged or irrelevant text omitted]

17.4 INDUSTRIAL ZONE RULES

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

17.4.1 Scope of Section

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

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

NES-FW (ca) 12/20

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17.4.2 Land Use

17.4.2.1 Permitted Activities (Land Use)

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

Particular Activities

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

~~(a)~~(aa) The activity is not one of the following:

(i) a residential activity;

(ii) a community activity (except in the Light Industrial Zone location at Beach Road as shown on the planning maps); C10 10/07 Op 3/14

(iii) motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone;

(iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

(b) Retail sales are limited to:

(i) goods produced on, or ancillary to, the industrial use of the site (maximum retail area 100 square metres); or

(ii) goods of sufficient bulk to require outdoor storage such as landscape materials, machinery, or vehicles; or

(iii) takeaway food bars.

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

Screening

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

Air Emissions – Dust and Odour

(e) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site. C68 7/18 Op 6/19

(f) Open areas of land and stockpiles of loose material are contained or maintained so that dust does not cause an adverse effect at, or beyond, the boundary of the site. C68 7/18 Op 6/19

Glare

(g) Exterior lighting is directed away from adjacent residential properties and public places.

(h) All metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Amenity Plantings

(i) Amenity plantings 2 metres wide are provided along all site boundaries with formed roads and sites adjoining a Residential Zone and the Seaton Valley Stream. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres; except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height. C10 10/07 Op 3/14 C22 2/11 Op 1/15

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(j) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: C10 10/07 Op 3/14

(i) access to support structures is retained; and

(ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

(k) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. C22 2/11 Op 1/15

Noise

(l) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity, measured at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, or at or within the boundary of any site within the Central Business, Commercial or Rural Industrial zones, does not exceed: C10 10/07 Op 3/14 C19 5/10 Op 8/12

	Day	**Night**
L_{eq}	65 dBA	55 dBA
L_{max}		85 dBA

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

	Day	**Night**
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

C19 5/10 Op 8/12

N.B. Day = 7.00 am to 9.00 pm, Monday to Friday, inclusive of 7.00 am to 6.00 pm Saturday (but excluding public holidays).

Night = All other times, including public holidays.

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

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

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

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

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

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

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

	Day	**Night**
L_{eq}	60 dBA	50 dBA
L_{max}		80 dBA

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

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

	Day	Night
L_{eq}	60 dBA	45 dBA
L_{max}		70 dBA

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

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

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

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

	Day	Night
L_{eq}	55 dBA	40dBA
L_{max}		70dBA

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

(o) For the areas of land located at 68 Meihana Street, Takaka (occupied by Fonterra Ltd), there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:

(i) aims and approach;

(ii) the noise rules in this Plan which apply to the site;

(iii) the approach to compliance monitoring;

(iv) a complaints procedure;

(v) the best practicable option methods for noise mitigation for site areas, activities, and/or processes;

(vi) equipment maintenance requirements;

(vii) any site layout provisions relating to noise mitigation;

(viii) new plant/equipment policy;

(ix) staff training;

(x) means of communication with local residents and the wider community;

(xi) methods for review.

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

Stormwater **C7 7/07 Op 10/10**

(p) (i) EITHER

All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.

OR

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

The discharge complies with section 36.4 of this Plan.

AND

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

(q) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

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

Filling of Allotments

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

17.4.2.1A Permitted Activities (Scheduled Location)

Any land use within the area that is subject to Schedule 17.4A (as shown on the planning maps) is a permitted activity that may be undertaken without a resource consent, if it is an activity that is permitted by Rule 17.5.2.1 or 17.5.4.1.

17.4.2.1B Controlled Activities (Scheduled Location)

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

(a) The activity complies with conditions (aa) and (b) to (r) of rule 17.4.2.1.

(b) Mean Sea Level is lower than the Schedule 17.4A sea level rise trigger.

(c) Any resource consent issued will expire 12 months after Mean Sea Level reaches or exceeds the Schedule 17.4A sea level rise trigger.

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

(1) The removal of structures and materials associated with the activity from the site.

(2) The restoration of the site

(3) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4.2.2 Restricted Discretionary Activities (Land Use)

C10 10/07 Op 3/14

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

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Amenity Plantings C10 10/07 Op 3/14

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

17.4.2.3 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.4.2.1, 17.4.2.1A, 17.4.2.1B and 17.4.2.2 is a discretionary activity, if it complies with the following conditions: C10 10/07 Op 3/14

(a) The activity is not a residential activity other than a caretaker's residence on the same site as the caretaker works.

(b) The activity is not motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone.

(c) The activity is not a community activity. C10 10/07 Op 3/14

A resource consent is required and may include conditions.

17.4.2.4 Non-Complying Activities (Land Use) C10 10/07 Op 3/14

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

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

17.4.3 Building Construction or Alteration

17.4.3.1 Permitted Activities (Building Construction or Alteration)

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

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

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

Item (b) deleted as part of Plan Change 73 C10 10/07 Op 3/14 C73 Op 6/23

Building Coverage

(c) Maximum building coverage is 90 percent, except: C10 10/07 Op 3/14

(i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua C22 2/11 & C43 4/13 Op 1/15

(ii) in the Heavy Industrial Zone in the Motueka West Development Area; C57 11/15 Op 12/18

(iii) in the Light Industrial Zone at Brightwater.

where the maximum building coverage is 75 percent.

Height

(d) The maximum height of a building is:

(i) 15 metres in the Light Industrial Zone other than on Lot 1 DP 6223 (Batchelor Ford Road) where the maximum height limit is 8 metres;

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ii) 20 metres in the Heavy Industrial Zone;

(iii) 7.5 metres on Lot 1 DP 18856 on parts of 67, 69 and 71 Ellis Street, Brightwater;

except that:

(a) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;

(b) for antenna attached to a building, condition 16.6.2.1(k) applies;

(c) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan;

(d) at Motueka West Development Area, the building or structure does not exceed the height limits shown in Schedule 16.11A for Motueka Aerodrome. **C43 4/13 Op 1/15**

Walls **C10 10/07 Op 3/14**

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

No Dwellings

(f) The building is not a dwelling.

Cross-boundary Effects

(g) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or public facility located on an adjoining site.

(h) Sites are screened from adjoining land in any Residential Zone by a fence or wall 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). **C10 10/07 Op 3/14**

Glare

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

Building Envelope

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

Setbacks

(k) The building is set back from road boundaries at least: **C10 10/07 Op 3/14**

(i) 3 metres in the Light Industrial Zone, except that in the Richmond West Development Area (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) buildings are set back at least 10 metres from roads, and in Motueka West Development Area buildings along the east side of Queen Victoria Street are set back at least 15 metres. **C43 4/13 Op 1/15**

(ii) 10 metres in the Heavy Industrial Zone;

except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.

Note: Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements. **C68 7/18 Op 6/19**

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(ka) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the Light Industrial Zone where buildings are set back at least 10 metres from indicative roads and 5 metres from indicative reserves, except for the following: **C73 Op 6/23**

(i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.

(ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.

(iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

(l) In the Light Industrial Zone, the building is set back from roads and zone boundaries at least: **C10 10/07 Op 3/14 C73 Op 6/23**

Item (i) removed as part of plan change 73

(ii) 20 metres from the boundaries of sites in an adjoining Rural 1 Zone, except adjoining Swamp Road where the setback is 15 metres and adjoining McShane Road, where the setback is 10 metres; **C10 10/07 Op 3/14**

(iii) 10 metres from the Open Space Zone.

(m) In the Richmond West Development Area, notwithstanding the exemption in condition (k) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps.

(n) In the Heavy Industrial Zone, buildings are set back 10 metres from any boundary of a public reserve and from any adjoining Residential Zone, and at least 15 metres from Queen Victoria Street in the Motueka West Development Area. **C43 4/13 Op 1/15**

(o) The building is set back at least:

(i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;

(ii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width.

(p) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves, and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. **C10 10/07 Op 3/14**

Wastewater Disposal

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

Stormwater

(r) (i) EITHER **C7 7/07 Op 10/10**

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

AND

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(s) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network. C10 10/07 Op 3/14

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

Landscaping C10 10/07 Op 3/14

(t) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, the site is landscaped comprising:

(i) amenity planting required in carparking areas in rule 16.2.2.4;

(ii) amenity planting required by conditions 16.3.4.1(q), (r) and (s);

(iii) amenity planting at least 2.5 metres wide along the frontage of any site, except where required in condition 16.3.4.1(q);

(iv) additional amenity planting so that the total planting is at least 10 percent of the site area.

(u) Amenity plantings are maintained and replaced where dead, damaged or diseased.

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

C19 5/10 Op 8/12
C57 11/15 Op 12/18

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

(a) The maximum height of a building is 8 metres; and

(b) The building coverage is not extended on the site.

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

(1) The location and size of building. C57 11/15 Op 12/18

(2) The location of mounding, landscaping, ponding areas and flood flow paths.

(3) The duration of the consent and the timing of reviews of condition and purpose of reviews.

(4) Financial contributions, bonds and covenants in respect of the performance of conditions.

17.4.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the conditions of rules 17.4.3.1, 17.4.3.2(a) or 17.4.3.3A is a restricted discretionary activity. However, this rule shall not apply to the construction or alternation of a building in a location that is subject to Schedule 17.4A. C19 5/10 Op 8/12 C57 11/15 Op 12/18

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:

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Building Coverage

(1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.

(2) The extent to which site development will be able to comply with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.

(3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard or flood hazard risk will be a consideration at Brightwater, including: **C57 11/15 Op 12/18**

(a) protection for flood flow paths during a 1 percent Annual Exceedance Probability flood event;

(b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

(4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

Setback from Roads

(5) The extent to which reduced setback will affect compliance with parking, loading and access rules.

(6) The design and appearance of the building and its visual impact from the street or adjoining properties.

(7) The necessity for a reduced setback to enable more efficient or practical use of a site.

(8) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale, and the openness and visual amenity of the street when viewed from adjoining properties.

(9) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.

(10) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

Setback from a Residential Zone or Public Reserve

(11) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or reserve, taking into account its design and appearance, bulk and length of walls.

(12) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.

(13) The potential for the development to affect the privacy of the residents or users of the reserve.

(14) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.

(15) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

Setbacks from Indicative Roads and Reserves **C73 Op 6/23**

(15A) The extent to which alternative practical locations are available for the building.

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

(15B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.

(15C) The extent to which alternative practical locations are available for future reserves.

(15D) The effects of the building being sited within the setback of the indicative road or reserve.

Height

(16) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.

(17) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.

(18) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.

(19) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.

(20) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Services

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

Stormwater C7 7/07 Op 10/10

(22) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.

(23) The extent to which the stormwater run-off generated by additional development has been managed.

(24) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

(25) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

Electricity Transmission Corridor C10 10/07 Op 3/14

(26) In the Richmond West Development Area:

(a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);

(b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Duration and Financial Matters

(27) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

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

C57 11/15 Op 12/18

Construction or alteration of a building that either:

(a) creates a new footprint or extends the footprint of a building in the Light Industrial zone in specified sites in Brightwater (as shown on the planning maps) that complies with permitted activity conditions 17.4.3.1(c)(iii), (d), (f) to (u); or

(b) does not comply with Controlled Activity condition 17.4.3.2(b);

is a restricted discretionary activity.

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

(1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;

(b) the effects of a 1 percent Annual Exceedance Probability event flood event are mitigated so the building is not subject to inundation; and

(c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

17.4.20 Principal Reasons for Rules

Building Coverage

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

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

C57 11/15 Op 12/18

In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) and the Motueka West Development Area, coverage is limited to provide a standard of amenity and open space anticipated in a new industrial park.

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

Building Setbacks

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

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

C43 4/13 Op 1/15

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

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Indicative Roads and Reserves

C73
Op 6/23

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

Building Height

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

C43 4/13
Op 1/15

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

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

Privacy

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

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone. Fences or walls are required where industrial zones adjoin a Residential Zone, in order to contain debris within the site and to screen business activities from residential areas. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas.

Retailing

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

Noise

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

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

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

C10 10/07
Op 3/14

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

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

Residential Activities

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

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

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

Dust and Odour

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

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

Glare

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

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

C7 7/07
Op 10/10

Stormwater

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

Filling of Allotments

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

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Lower Queen Street Light Industrial Zone location

Part of the Light Industrial Zone location in Lower Queen Street is subject to Schedule 17.4A. In this low-lying area appropriate land use activities and buildings can be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Activities that are permitted in the Rural 1 zone remain permitted in this scheduled area.

Buildings in this area are subject to specific rules in the schedule and are required to obtain a resource consent and to be reassessed, and/or removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

[Unchanged or irrelevant text omitted]

SCHEDULES

Schedule 17.4A: Building on low-lying light industrial land, Lower Queen Street, Richmond

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

17.4A.1 Building Construction or Alteration

17.4A.1.1 No Permitted Building

No buildings are permitted.

17.4A.1.2 Controlled Activities

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

(a) The building complies with the conditions (a) to (u) of Rule 17.4.3.1

(b) The building is temporary, relocatable, or readily removable.

(c) A condition is placed on any resource consent to the effect that the building must be relocated or removed from the site within 12 months following Mean Sea Level reaching or exceeding the Schedule 17.4A sea level rise trigger.

(d) With any resource consent application, the applicant provides a plan that satisfactorily addresses how the buildings are able, both physically and financially, to be removed from the site.

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

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

(1) The nature of the building and its construction.

(2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.

(3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character and the coastal environment.

(4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

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17.4A.1.3 Restricted Discretionary Activities

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

(a) The building complies with conditions (b) to (d) of rule 17.4A.1.2

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

(1) All matters identified in Rule 17.4A.1.2
(2) All matters identified in Rule 17.4.3.3.

17.4A.1.4 Discretionary Activities

Construction or alteration of a building that does not comply with the conditions of Rule 17.4A.1.3 is a discretionary activity.

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

.

Principal Reasons for Rules

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

[Unchanged or irrelevant text omitted]

17.14 Deferred Zone Rules

Refer to Policy sets 5.1, 6.1, 6.3.

17.14.1 Scope of Section

~~This section deals with the procedure for removal of deferrals of future urban or rural residential zones on rural, residential or rural residential zoned land in the Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial and Deferred Papakainga zones.~~ ~~C10 10/07 Op 3/14~~ ~~C51 1/15 Op 9/16~~

~~This section also provides the ability to remove the indicative road, reserve or walkway symbology from the planning maps once land for the purpose of those items has been vested in Council, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

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

This section outlines the planning provisions that apply to areas mapped as deferred zones, and which are subject to the Deferred Zone Framework.

Deferred zones are identified in the planning maps and feature the word "deferred" in the title. For example, "Rural 1 deferred Light Industrial Zone". Deferred zones are used to enable the efficient and streamlined transition of undeveloped land with insufficient servicing to developable land.

For the purposes of this section the "original zone" is the zone that is stated first in the name. The "end use" is the provision or zone framework that applies to the anticipated future use of the land, once a specific requirement is satisfied. In the above example, the original zone is Rural 1 and the end use zone is Light Industrial.

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17.14.2 ~~Procedure for Removal of Deferral~~ All Deferred Zones

~~(a) Any area of land listed in Schedule 17.14A and shown on the planning maps that is zoned Rural 1, Rural 2, Rural Residential, or Residential and with a notation of Deferred Residential, Deferred Mixed Business, Deferred Light Industrial, Deferred Rural Residential, Deferred Tourist Services, Deferred Heavy Industrial, or Deferred Papakainga zone, becomes effective as the zone that is deferred, from the date that Council resolves that:~~ ~~C51 1/15 Op 9/16~~

~~(i) the relevant service being a reticulated water supply, wastewater, stormwater, or transportation service, as applicable, has been provided, or can be provided to the satisfaction of the Council, either for the whole or for any part of each area of land, including any part that is sought to be developed, to service the land; or~~

~~(ii) where applicable, the date until which the area remains deferred is now due.~~

~~(b) Where the relevant service is to be provided by any person other than the Council, concept engineering plans for the service must be approved by the Council before the Council resolves that the deferral for the relevant zone may be removed so that the zone that was deferred becomes effective over that land that is the subject of the service provision.~~

~~(c) The removal of the deferred status and the commencement of the new effective zone as listed in Schedule 17.14A is effected by a resolution of Council when the required services have been provided, or can be provided, to the satisfaction of the Council and the Plan is amended without further formality from that date of resolution, to show the new effective zone. Council will advise landowners when it has made a resolution.~~ ~~C22 2/11 Op 1/15~~ ~~C10 10/07 Op 3/14~~ ~~C51 1/15 Op 9/16~~

~~(d) When a resolution of Council is made for the removal of the deferred status of an area's zoning, this will also apply to the removal of the deferred status of the applicable Fire Ban of Fire Sensitive Area where either exist.~~ ~~C73 Op 6/23~~

~~(e) Indicative road, reserve or walkway symbology shall be removed once land has been vested with Council for the purpose of the intended road, reserve, or walkway, or the land has been otherwise acquired by Council for these purposes.~~ ~~C73 Op 6/23~~

Note: deleted as part of Plan Change 73.

C10 10/07 Op 3/14
C51 1/15 Op 9/16
C73 Op 6/23

17.14.2.1 Deferred land not listed in Schedule 17.14A

For any deferred site that is not listed in Schedule 17.14A, the plan provisions that apply to the original zone and the plan provisions that apply to deferred zoned sites continue to apply regardless of provision 17.14.2.2.

17.14.2.2 Deferred land listed in Schedule 17.14A

(a) The provisions specified in the relevant row of Column C of Schedule 17.14A apply to any activity, including subdivision, land use, structure or building, on land that is subject to a deferred zone listed in Schedule 17.14A, until rule 17.14.2.2.(b) is satisfied.

(b) If the infrastructure required as stated in Schedule 17.14A, Column D is delivered then the relevant provisions of Column G of Schedule 17.14A apply.

For the purpose of rule 17.14.2.2, 'delivered' means infrastructure is:

(i) Physically constructed, or

(ii) Council and a landowner or developer have an agreement that the infrastructure will be constructed within three years of the date of the agreement, and

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(iii) Council's Chief Executive Officer has published notice on the Council's website that (i) or (ii) has been satisfied.

Note: 17.14.2.2 includes a recommended Panel amendment. See paragraph 97 of the recommendation report.

(c) In the event that 10 or more years elapses from the operative date of the plan change that added a site to Schedule 17.14A (as specified in the relevant row of Schedule 17.14A, Column I) to the delivery of the necessary infrastructure, then provision 17.14.2.2.(b) must not be applied and the provisions in the relevant row of Column C of Schedule 17.14A will continue to apply thereafter.

17.14.20 Principal Reasons for Rules

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

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

Deferred zones rely on a framework that engages planning provisions in multiple chapters in the Plan. Each deferred zone is a separate zone which, through the mechanism set out in this Section 17.14, incorporates the planning provisions of two other zones (the original zone and the end use zone).

For deferred zones listed in Schedule 17.14A the application of the provisions changes from the original zone to the end use zone depending on a trigger: the delivery of the necessary infrastructure that is specified in Schedule 17.14A. Confirmation of the activation of that trigger for any given parcel of land is provided on the Council's website.

A plan change process is undertaken, to add a deferred zone into Schedule 17.14A. Once the land has been confirmed as a deferred zone, work can begin either by the Council or any other person on delivering the infrastructure to enable development to commence. Once infrastructure has been delivered (as defined in Rule 17.14.2.2) then a mechanism is provided in Rule 17.14.2.2 whereby the land can be developed in accordance with the provisions that apply to the anticipated end use. For the avoidance of doubt, at this time the zone will not change but a different set of planning provisions (urban or rural residential provisions) will apply.

A 10-year expiry period applies to deferred zone locations (provision 17.14.2.2(c)). If servicing is not delivered within 10 years, then the trigger becomes unavailable and the original zone provisions will continue to apply thereafter. This 'sunset clause' approach is needed in order to require a further assessment of the appropriateness of the end use of the land as circumstances may have changed (for example, sea level rise).

Some deferred zone locations shown on the planning maps (located in Motueka and Māpua) are not included in Schedule 17.14A because they are being addressed through other processes. Therefore some provisions apply specifically to deferred sites listed in Schedule 17.14A and some provisions apply to all deferred sites.

In the Richmond West Development Area, integrated servicing and economic or business development efficiencies are intended to be achieved through the ~~method of zone deferrals~~ deferred zone method for specific servicing This will result in a sequence of supply of serviced land in the Richmond West Development Area over the long term. **C10 10/07 Op 3/14** **C51 1/15 Op 9/16**

Note: The areas notated on the planning maps are deferred for servicing.

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~~A, C & F~~	~~• Upgrade the stormwater network.~~
~~G~~	~~• Construction of the Lower Queen Street water treatment plant.~~ ~~• Upgrade of the stormwater network.~~ ~~• Extension of and connection to Council's bulk waste and water supply networks.~~
~~B & D~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek and Poutama Drain bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~H~~	~~Construction of the Lower Queen Street water treatment plant.~~ ~~Construction of the Borck Creek bulk stormwater network.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~
~~E~~	~~Construction of the Borck Creek bulk stormwater network.~~ ~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~ ~~Substantial take-up of serviced land in the Richmond West Development Area with the same zoning.~~
~~I~~	~~Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area.~~ ~~Extension of and connection to Council's bulk waste, water supply and stormwater networks.~~ ~~Substantial take-up of serviced land in Area H.~~

B	Construction of the Borck Creek and Poutama Drain bulk stormwater network. Extension of and connection to Council's bulk waste, water supply and stormwater networks.
E	Construction of the Borck Creek bulk stormwater network. Construction of the bulk water supply network from the Richmond South High Level Reservoir to the Richmond West Development Area. Extension of and connection to Council's bulk waste, water supply and stormwater networks. Transportation: Provision for a single mid-block intersection with SH60 to be approved by NZTA as part of the central access roadway through mixed business area as per indicative road layout on planning map.

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

~~Development proposals will be considered by the Council before deferrals are removed, if services compatible with the Council's long term servicing needs as set out in the Council's Long Term Plan are provided by Council or to the satisfaction of Council.~~ ~~C51 1/15 Op 9/16~~

~~Indicative roads, reserves and walkways are able to be removed from the planning maps once the land for these purposes is vested with Council as part of the subdivision and development process, or the land has been otherwise acquired by Council for these purposes. This ensures redundant items on the planning maps can be simply removed.~~ ~~C73 Op 6/23~~

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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	C51 1/15 Op 9/16
Richmond South Development Area (planning maps 23, 57, 127 - 129, 133)							
South of Hart and Bateup Roads • 7 & 20 Paton Road	Rural 1	Reticulated water supply service required	27/8/15	Lot 1 DP 18100 Pt Lot 1 DP 17738	6915, 6915/1 and Schedule C	Residential (serviced)	
South of Hart and Bateup Roads • 36 & 40 Hart Road	Rural 1	Reticulated water supply service required	3/5/18	NE part of Lot 2 DP 20243 Pt Sec Waimea East DIST	5915/7	Residential (serviced)	
South of Hart and Bateup Roads: - 50 Hart Road - 72 Hart Road - 472 Hill St	Rural 1	Reticulated water supply service required	5/11/20	• Lot 1 DP 450177 • Lot 1 DP 545967 • Part of Pt Sec 34 Waimea East DIST, Lot 1 DP 431455 & Lot 1 DP 8205		Residential (serviced)	12/20
South of Hart and Bateup Roads: - Bateup Road (Reserve) - 92, 92A & 92B Bateup Road - 28, 29A, 29B & 29C Collins Road - 3, 26 & 52 Paton Road - 45 Main Road	Rural 1	Reticulated water supply service required	4/3/21	• Lot 5 DP 446793 • Lots 1, 2 & 3 DP 446793 • Lots 1, 2, 3 & 4 DP 361254 • Pt Lot 1 DP 17290 • Lot 1 DP 4858 • Lot 2 DP 17738 • Lot 1 DP 6754		Residential (serviced)	9/21
South of Hart and Bateup Roads: • Lot 2 DP 450177 - 66 Hart Road • Lots 4 & 5 DP 431455 - Hart Road • Lot 3 DP 411584 - Hart Road • Lot 2 DP 20243 - SW part of 36 Hart Road • Lot 2 DP 411584 - 68 Hart Road • Pt Sec 35 Waimea East DIST - 520 Hill St South • Lot 1 DP 8205 & Pt Sec 34 Waimea East DIST - 472 Hill St	Rural 1	Reticulated water supply service required				Residential (serviced)	9/21

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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	
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)							
Areas notated A and B (375 and 387 Lower Queen St) on the planning maps	Rural 1 and Recreation	Area A: Stormwater Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	25/9/15	**Area A:** Lot 1 DP 13664 Lot 6 DP 6697 Lot 3 DP 465626 Pt Sec 100 Waimea East District (two areas) Part Lot 1 DP 470387 Lot 2 DP 13664 Pt Lot 1 DP 20409	6906 51 - 57	Residential (serviced)	
			9/6/16	**Part Area B:** Pt Lot 2 DP 470387 Pt Lot 2 DP 446230 Pt Lot 1 DP 446 230	6906/1	Residential (serviced)	
			5/11/20	**Part Area B:** Lot 205 DP 537200 Lot 302 DP 542339 Lot 3 DP 470387 Pt Lot 3 DP 15764 Lot 303 DP 542339 Lot 304 DP 542339 Sec 6 SO 455144		Residential (serviced)	12/20
Areas notated B (395 Lower Queen Street) on the planning maps	Rural 1	Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	26/7/18	**Part Area B:** Sections 3 – 5 SO 506258 Section 1 SO 490525 and sections 1 & 2 SO 506258	RM1600673	Residential (serviced)	C74 12/20 Op 3/23
Area notated B (Borck Creek) on the planning maps			16/12/21	**Part Area B:** Part Lot 6 DP 520567		Open Space	
Areas notated C on the planning maps	Rural 1	Area C: Stormwater service required.				Mixed Business	
Areas notated D on the planning maps	Rural 1	Area D: Reticulated water, wastewater and stormwater (Borck Creek and Poutama Drain construction) services required.	5/9/19	Lot 1 DP 511566		Mixed Business	
			16/12/21	**Part Area D:** All of D except: Lot 1 DP 20409 Sec 2 SO 450816 Sec 1 SO 512154 Sec 28 SO 455144 Sec 2 SO 512154 Lot 1 DP 511566		Residential	C74 12/20 Op 3/23
			16/12/21	**Part Area D:** Part Lot 6 DP 520567		Open Space	
Areas notated E on the planning maps	Rural 1	Area E: Reticulated water from Richmond South High Level Reservoir, wastewater, stormwater (Borck Creek construction) services required and in respect of Area E, there is substantial take-up of serviced land in the Richmond West Development Area with the same zoning.				Mixed Business	C74 12/20 Op 3/23
Areas notated E (91 McShane Road) on the planning maps			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493		Residential	
			16/12/21	**Part Area E:** Part Sec 16 SO 455144 Part Lot 2 DP 467493 Part Sec 13 SO 455144		Commercial	

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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	Effective Zone after Removal of Deferral	
Area notated F (part) at 28 Appleby Highway, Pt Section 108 Waimea East District	Rural 1	Area F: Stormwater service required	14/12/17	Pt Section 108 Waimea East District (part of title only)	6906/1, 2 sheets	Light Industrial	
Areas notated F (part), G, H and I on the planning maps	Rural 1	Area F: Stormwater service required Area G: Reticulated water, wastewater and stormwater services required Area H: Reticulated water, wastewater and stormwater (Borck Creek construction) services required Area I: Reticulated water, wastewater and stormwater services required and in respect of Area I, there is substantial take-up of AreaH	31/8/17		6960	Light Industrial	11/21
			16/12/21	Area H: All of H except Lot 5 DP20409 and Lot 6 470387 and Lot 1000 DP 556528		Residential	C74 12/20 Op 3/23
Richmond East Development Area (planning maps 23, 57, 130, 135)							
Parts of the Area at 118, 126 Champion Road (Pt Lot 2 DP 3780; Lot 1 DP 5661)	Rural Residential (serviced)	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Parts of the Area at 134 Champion Road (Pt Sec 93 Waimea East District)	Rural 2	Reticulated wastewater service required	16/3/17			Residential (serviced)	
Part of Area at 134 Champion Road	Rural 2	Reticulated wastewater required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 138 and 140 Champion Road	Rural 2	Reticulated wastewater service required	27/8/15	Lot 1 and 2 DP 387909	6835/1	Residential (serviced)	
Parts of the Area at 144 Champion Road, below the 62.5m contour	Rural 2	Reticulated water supply service required	16/3/17			Rural Residential (serviced)	
Parts of the Area at 144, 206, 208 and 210 Champion Road (Pt Sec 93 Waimea East District; Lot 4 DP 2035; Lot 1 DP 19116; Pt Lot 3 DP 6202; Lot 1 DP 19012 and Sec 4 SO452872); and at Secs 1, 3 and 7 SO452872)	Rural 2	At Champion Road, reticulated wastewater service required; above the 62.5 metre contour (Secs 1, 3 and 7 SO452872) reticulated water supply service required				Rural Residential (serviced)	
Mapua Development Area (planning maps 19, 54, 87)							
125 Mapua Drive	Rural 1	Reticulated water supply, wastewater and stormwater services required	22/5/14	Lot 2 DP17670		Residential (serviced)	
87 – 93 Mapua Drive	Rural Residential		22/5/14 27/8/15	Lots 8 – 11 DP 480837 (Part of Lot 4 DP 469498) Lots 2 and 3 DP 480837	6848/3	Residential (serviced)	
69 – 93 Mapua Drive	Rural Residential (in part)		5/11/20	Lot 1 DP 17670 Lot 2 DP 469498 Lot 3 DP 469498 Lot 3 DP 494693 Lot 1 DP 19875		Residential	
Stage 2	Rural 1	Reticulated water supply, wastewater and stormwater services required and deferred until 2031				Residential (serviced)	

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Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Mapua Drive South	Rural 1 (in part)					Residential	12/20
166 Mapua Drive	Rural 1 (in part)	Reticulated water supply	30/9/21	Lot 2 DP 479544		Residential	11/21
Higgs Road South	Rural 1					Residential	
Southern extension of the Korepo Road Rural Residential Zone	Rural 1	Reticulated water, wastewater and stormwater services required				Rural Residential (serviced)	
29 Aranui Road (Lot 59, DP 17242), Mapua Special Development Area	Residential	Reticulated water supply, wastewater and stormwater services required				Residential (serviced) (rules for Mapua Special Development Area)	
Between Iwa Street and Aranui Road (Lot 1 DP 17890; Lot 1 307114; and Lots 1, 77-91, 101 &102 DP 504876)	Rural 1	Stormwater	28/9/17		Plan 6937/5	Residential	
North of Warren Place, Mapua	Rural 1	Reticulated water, wastewater and stormwater services required				Light Industrial	
Motueka West Development Area (planning maps 19, 52, 116, 118, 119)							
North and east of the northern and eastern greenways and south of the southern greenway	Rural 1	Reticulated water supply, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west and from south east to south west, along the two greenways, shown by directional arrows on the planning maps				Residential (serviced)	
South of the eastern greenway	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Mixed Business	
South of the western greenway/south of Green Lane	Rural 1	Reticulated water, wastewater and stormwater services required and in accordance with the development sequence starting from the south east to north west, and from south east to south west, along the two greenways, as shown by directional arrows on the planning maps				Light Industrial and Heavy Industrial	
Corner of Pah and Queen Victoria streets	Rural 1	Reticulated water supply, wastewater, stormwater services required				Papakainga	C57 11/15 Op 12/18

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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, Reference to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral	
Motueka (outside the Motueka West Development Area) (planning maps 19, 52, 119)							
South of King Edward Street, Motueka	Rural 1	Reticulated water, wastewater and stormwater services required				Residential (serviced)	
Brightwater (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	C57 11/15 Op 12/18 9/21
Reticulated water supply between Wanderers Ave & Lord Rutherford Road Removed as part of Plan Change 75							C57 11/15 Op 12/18 C75 9/22
Corner of Factory Road and River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 1 DP 456011 Lot 1 DP 395051		Light Industrial	Op 10/23 12/20 Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP456011		Light Industrial	Cl20A U69 7/22
East of River Terrace Road	Rural 1	Reticulated water supply	5/11/20	Lot 2 DP3453		Light Industrial	Cl20A U69 7/22
104 Waimea West Road, Brightwater (Part of Pt Section 33 Waimea South District)	Rural 1	Reticulated water supply				Residential	C68 7/18 Op 6/19
Brightwater Development Area (planning maps 22, 56, 90)							
Between Lord Rutherford Road, Main Road Spring Grove (State Highway 6), and Pitfure Stream	Rural 1	Reticulated water supply. Stormwater and water supply required.				Residential	C75 9/22 Op 10/23
Wakefield Development Area (planning maps 22, 58, 91)							
Between Pitfure Road, Edward Street, and Higgins Road	Rural 2	Reticulated wastewater, stormwater, and water supply required				Residential (serviced)	C76 9/22
Wakefield (planning maps 22, 58, 91)							
Bird Lane, Wakefield	Rural 1	Stormwater services; reticulated water supply upgrade; and roading improvements to Bird Lane and the intersection with SH6.				Residential	C65 10/17 Op 4/18
Higgins Road, Wakefield (Part Lot 1 DP 303114)	Rural 2	Higgins Road upgrade south of the Pitfure Bridge to ensure access in a Q100 event; and pedestrian/cycle link over the Pitfure Stream to Ryeland Avenue.				Rural Residential	C65 10/17 Op 4/18 C76 9/22
Other Settlements and Areas							
Parts of Murchison	Rural 2	Stormwater service required				Residential (serviced)	
65 Hotham Street, Murchison	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23
161 Fairfax Street	Rural 2	Reticulated water, wastewater and stormwater services required				Residential (serviced)	C77 9/22 Op 10/23

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~~166, 170, 174, 176, 178 Fairfax Street~~	~~Rural 2~~	~~Reticulated water, wastewater and stormwater services required~~				~~Residential (serviced)~~	~~C77 9/22 Op 10/23~~
~~Riwaka-Kaiteriteri Road, Kaiteriteri~~	~~Rural 2~~	~~Upgrading required adjoining Riwaka-Kaiteriteri Road~~	~~11/12/14~~	~~N/A~~	~~N/A~~	~~Rural Residential~~	
~~Part of Patons Rock~~	~~Rural 1~~	~~Reticulated wastewater service required~~				~~Residential (serviced)~~	
~~Sandy Bay Road, Marahau~~	~~Rural 1~~	~~Reticulated wastewater and water supply services required~~				~~Tourist Services~~	
~~Marahau~~	~~Rural 1~~	~~Reticulated wastewater service required~~				~~Residential (Serviced)~~	
~~Old Coach Road, Mariri~~	~~Rural 2~~	~~Road upgrading required once the existing tree crop has matured and been harvested~~				~~Rural Residential~~	

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Deferred Site Location	Deferred Site location number	Plan provisions that apply before services are provided	Infrastructure or servicing that is required to be delivered (Rule 17.14.2.2 refers)	Legal descriptions of land to which Column G planning provisions apply	Where infrastructure or services proposed by developer, references to detailed performance requirements and engineering plans of services agreed with Council	Plan provisions that apply after services are delivered	Date when Column G provisions apply	Number and Operative Date of plan change that adds a deferred site to Schedule 17.14A
McShane Road	RW5	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Provision for a new trunk pressure main along indicative road layout through development area; provision for new pressure trunk main connection to existing 525mm gravity main along decommissioned rail corridor to the south of RW5 (now NZTA and Great Taste Trail corridor). See AMP ID 96118 in LTP 2024. **Water Supply:** Provision of a new trunk watermain through the mixed business area along the indicative road layout, including connection to existing 200mm watermain under Borck Creek at southern end of Summersfield Boulevard. See AMP ID 86204 in LTP 2024. **Transportation:** Provision for a single mid-block intersection with SH60 that complies with NZTA standards as part of the central access roadway through mixed business area as per indicative road layout on planning maps. The specific location of the intersection of the indicative road with SH6 is flexible subject to complying with the required standards. To be provided by developer, plus some Council funding available. See AMP ID 46094 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.4, Subdivision - Business and Industrial Zones Chapter 17.3, Mixed Business Zone Rules.		

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Between Lord Rutherford Road, Main Road Spring Grove (SH6) and Pitfure Stream	BW17	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield-Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield-Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Bird Lane	WK20	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapters 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.5, Subdivision - Rural 1 Zone. Chapter 17.5, Rural 1 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024. **Stormwater:** Identification and implementation of a stormwater discharge pathway to Pitfure Stream or the Wai-iti River, to be provided by the developer. **Transportation:** Upgrade of the Bird Land intersection with State Highway 6; see AMP ID 46024 in LTP 2024. Access to WK20 will be from Bird Lane, no direct access onto State Highway 6 is available.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Higgins Road	WK21	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Construction of the Richmond Wakefield Trunkmain upgrade - Wastewater from Wakefield to Beach Road in Richmond including new Wakefield pump station and pressure main to Brightwater, bypass of wastewater flows from Wakefield around the Brightwater pump station, and construction of a new pressure main from Burkes Bank to Beach Road to carry the additional wastewater flows. See AMP IDs 96053, 96080, and 96081 in LTP 2024. **Water Supply:** Construction of the Richmond Wakefield Trunkmain upgrade - Water including development of a new bore field and water treatment plant at the proposed Clover Road site, and associated reticulation, reservoirs and pump stations to distribute the water to Wakefield and Brightwater. See AMP ID 86123 in LTP 2024. **Transportation**: Formation of Higgins Road up to the site boundary, and upgrade of the Higgins Road crossing over Pitfure Stream to provide adequate flood conveyance level of service for the level of traffic that will be supported by the upgraded road. To be completed by the developer.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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Grey Street	MR22	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		
55 Hotham Street	MR24	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to		

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		Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.				Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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65 Hotham Street	MR25	Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024. **Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		
Fairfax Street South	MR26	Chapter 5, Site Amenity Effects. Chapter 6, Urban	**Wastewater:** Upgrade of the Hotham Street wastewater pump station and construction of a new rising main to the Murchison wastewater treatment plant. See AMP ID 96091 in LTP 2024.			Chapter 5, Site Amenity Effects. Chapter 6, Urban Environment Effects		

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		Environment Effects. Chapter 7, Rural Environment Effects. Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.6, Subdivision - Rural 2 Zone. Chapter 17.6, Rural 2 Zone Rules.	**Water Supply:** Upsizing of the Hotham Street watermain. See AMP ID 86175 in LTP 2024.			Section 16.3.2.5, Subdivision in any Zone Subject to Deferred Zone Rules. Section 16.3.3, Subdivision – Residential Zone Chapter 17.1, Residential Zone Rules.		

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

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19.1 SCOPE OF CHAPTER 19

C19 5/10
Op 8/12

[Unchanged or irrelevant text omitted]

19.2 INFORMATION REQUIRED FOR LAND USE OR SUBDIVISION CONSENT APPLICATIONS

19.2.1 Land Use

C19 5/10
Op 8/12

[Unchanged or irrelevant text omitted]

Productive Value Report

C60 1/16
Op 6/19

19.2.1.17 A productive value report may be required for any land use consent and must contain the following:

(a) Soil type patterns across a site.

(b) The characteristics of soils, including drainage, potential rooting depth, present fertility, existing contamination and erosion proneness.

(c) Land form features, including slope and aspect, and flood proneness.

(d) Climate, including general characteristics relating to suitability for productive use.

(e) Historical and existing land uses, including crop type, surrounding uses and existing markets.

(f) Effects on potential land uses and productivity, including loss of land from production through access, curtilage development and required setbacks.

(g) Availability of water.

19.2.1.18A **Land use application under Schedule 17.4A**

C79 11/24

For any land use application under Rule 17.4A.1.2, a plan which demonstrates how buildings are able, both physically and financially, to be removed from the site.

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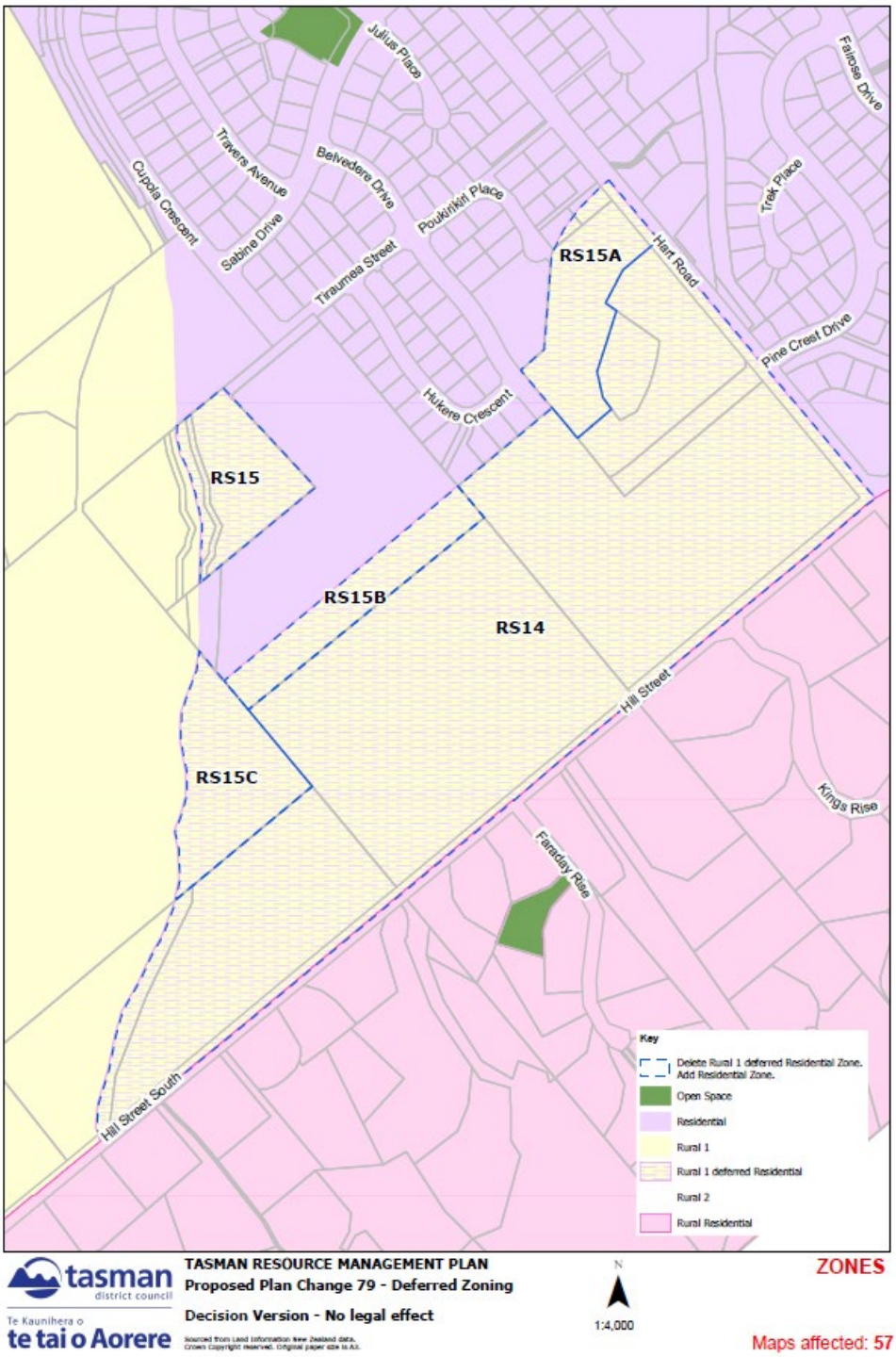
Planning Map Amendments to the Planning Maps

Recommended Amendments to Planning Maps

Richmond South RS14 – Amended Update Zone Map 76-10



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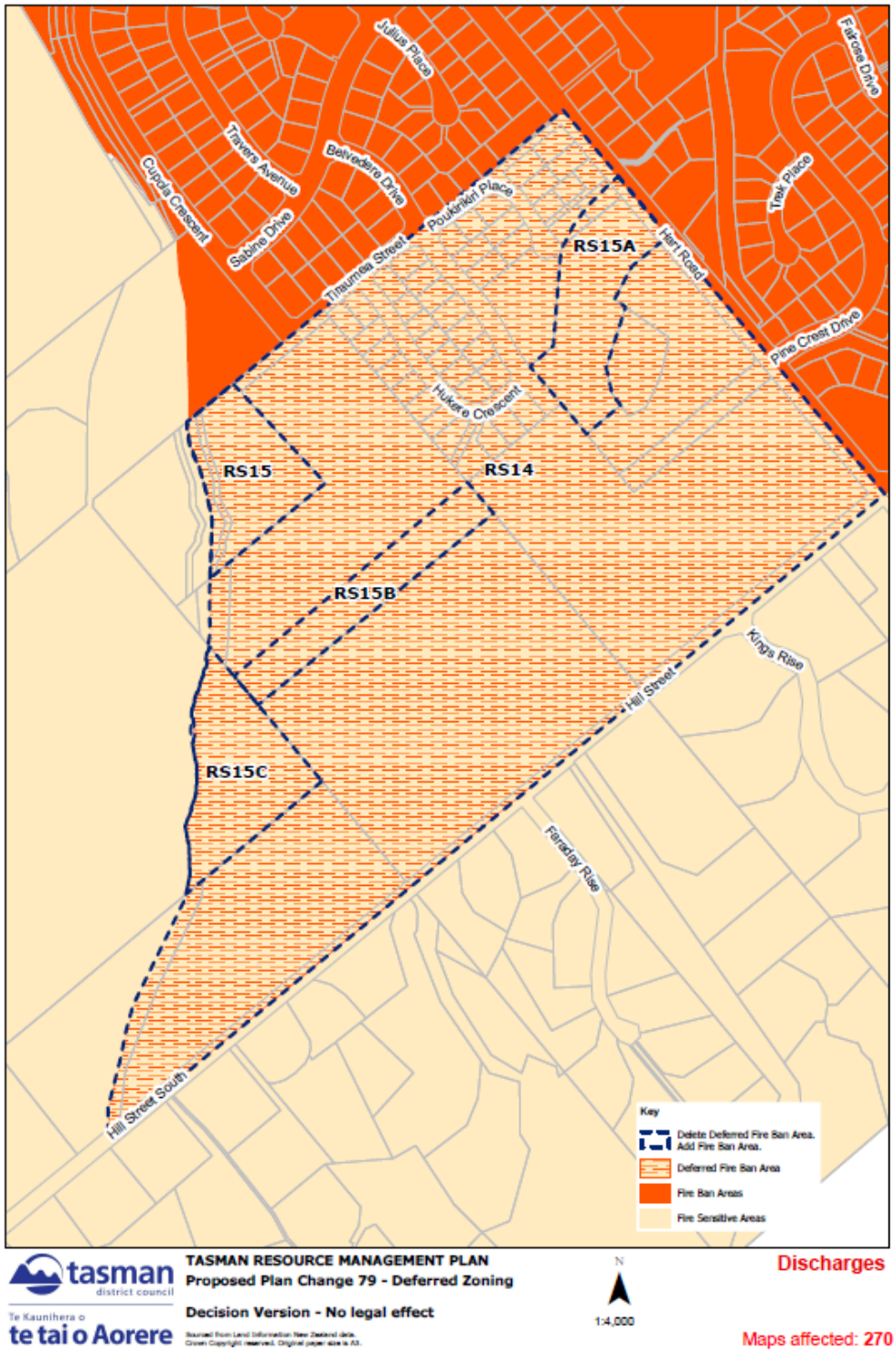
Richmond South RS14 – Amended Update Discharges

Map 76-17



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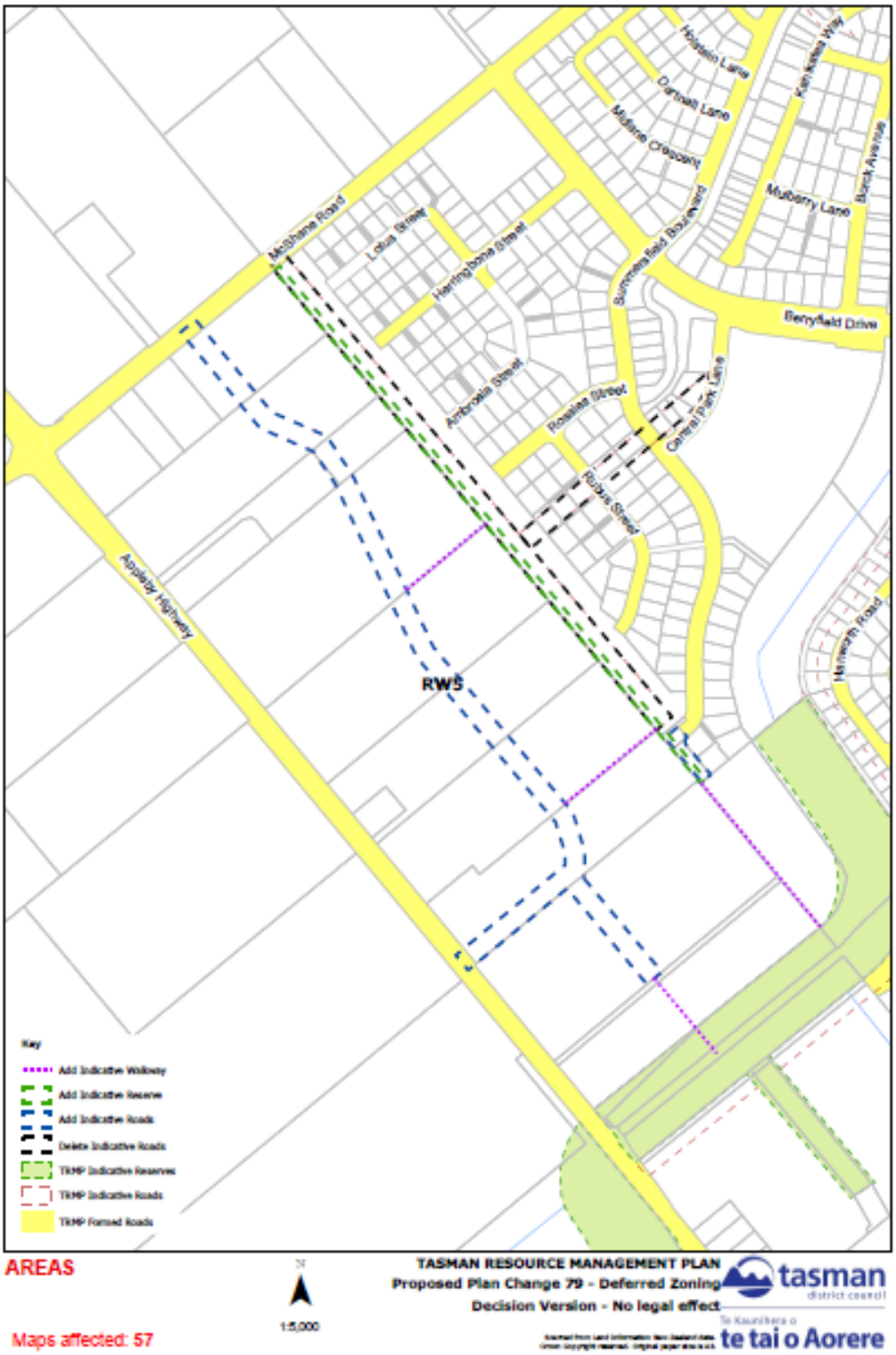
Richmond West RW5 – Amended Update Area Map 76-03



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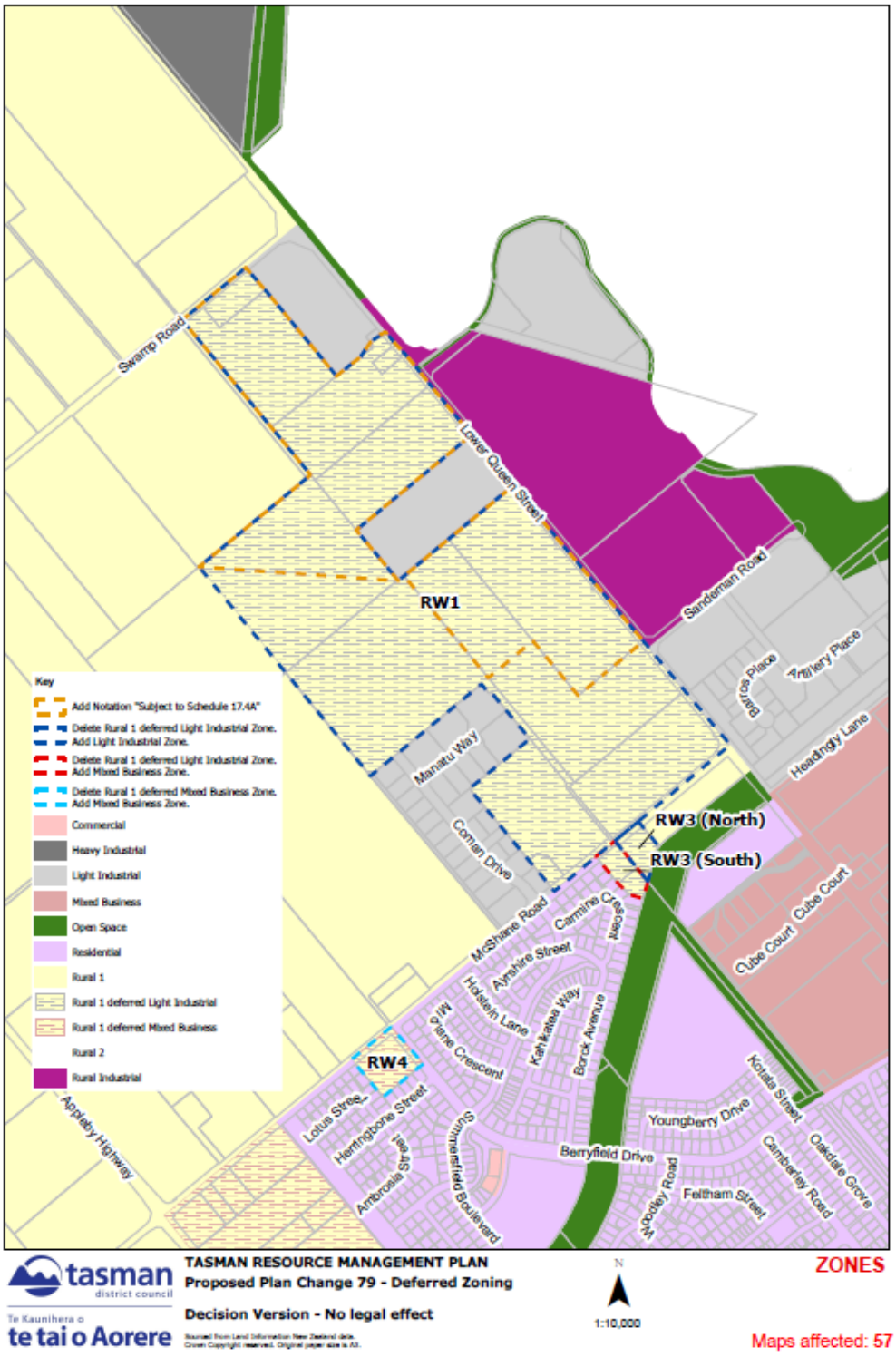
Richmond West RW1 – Amended Update Zone Map 76-12



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Tasman District Council
Recommendations on submissions to Proposed Plan Change 79 to the Tasman Resource Management Plan

From: Gina Sweetman, Kit Maling and Christeen Mackenzie

Hearing date: Monday 23 June 2025

Hearing closed: Monday 13 October 2025

Recommendation date: 09/02/2026

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Appendices Includes:

- Schedule of Amendments Hearing Panel Recommendation Version Includes Planning Maps
- Appendix 2 Panel Recommendations on Submissions Contents

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Abbreviations:

The following abbreviations and acronyms are used in this report.

Abbreviation	Full name or title
AMP	Activity Management Plans
The Council	Tasman District Council
DoC	Department of Conservation
IMP	Iwi management plan
JWS	Joint witness statement
LTP	Long-Term Plan
NPS-HPL	National Policy Statement on Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
NZCPS	New Zealand Coastal Policy Statement 2010
PC79 or the Plan Change	Proposed Plan Change 79 – Deferred Zoning
RMA or the Act	Resource Management Act 1991
S32 Report	A report prepared under section 32 of the RMA
S42A Report	Report produced by Council under section 42A of the RMA
RPS	Operative Tasman Regional Policy Statement
TRMP	Operative Tasman Resource Management Plan

Summary of Recommendations:

1 Tasman District Council (the Council) appointed Gina Sweetman (Chair), Kit Maling and Christeen Mackenzie1 (the Panel) to act under delegated authority pursuant to sections 34 & 34A of the Resource Management Act 1991 (RMA) to hear and make recommendations on submissions on proposed Plan Change 79 – Deferred Zoning (PC79) to the Operative Tasman Resource Management Plan (TRMP).

2 The Panel recommends that:

1. Pursuant to section 32(2)(a) of the RMA, Council adopts the evaluation of Plan Change 79 including the conclusion that Plan Change 79 is the most appropriate means of achieving the objectives of the TRMP, and in doing so, achieving the overall purpose of the RMA.
2. Council accepts PC79 with modifications, as set out in Appendix 1.
3. Council accepts, accepts in part, rejects or rejects in part the submissions to PC79 for the reasons set out in this report and as set out in Appendix 2.
4. Council accepts, accepts in part, rejects or rejects in part the further submissions to PC79 in accordance with the recommendations on primary submissions set out in Appendix 2.

[1] Commissioner Sweetman is an experienced independent commissioner and accredited Chair. She practices as a commissioner and planner and is a Fellow of the New Zealand Planning Institute. She is also a Government-appointed Development Contributions Commissioner.
Commissioner Maling is a qualified Hearings Commission since January 2011 and has held a Chairs endorsement for the last five years. He has appeared as a hearings Commissioner both for Resource Consents and Plan changes. He has served five Terms as a Tasman District Council Councillor and was the Chair of the Strategy and Policy Committee for six years and is currently the Chair of Policy, Finance and Performance Committee.
Commissioner Mackenzie is a qualified hearing commissioner since 2020. She has sat on a number of plan change hearings for the Tasman District Council. Christeen was an elected representative on the Tasman District Council representing the Moutere-Waimea Ward for 6 years and prior to that was a senior public servant and Chartered Accountant.

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Summary of Proposed Plan Change 79 – Deferred Zoning (PC79):

3 Section 1.4.1 of the section 42A RMA report (s42A report) prepared by the Council Officers sets out the overall purpose of PC79, which is two-fold:

1) To amend the TRMP to introduce a new method that provides for a legally robust deferred zone framework; and
2) To release existing deferred land (land previously rezoned to a deferred zone through a Schedule 1 plan change) for development, provided the services are available and the zoning remains appropriate.

4 To achieve these dual purposes, PC79:

1) Proposes modifications to the deferred zone framework so that:
   a. It operates in tandem with two other relevant zone chapters and a trigger rule which is linked to clearly defined infrastructure requirements. In effect, the existing zone continues to apply, until the clearly defined infrastructure requirements are met – the "trigger" - and then the relevant urban zone provisions will apply – the "zone or plan flip[2]"
   b. For existing deferred land to remain deferred and any new land to be identified as deferred in the future, funding for the trigger infrastructure is to be included in the Long-Term Plan (LTP) within the next 10 years and the infrastructure works are to be identified in the TRMP and the LTP Activity Management Plans (AMPs)
2) Rezones land that is subject to a deferred zoning where the trigger infrastructure works have been provided and the rezoning is appropriate. In one instance, in respect to Lower Queen Street, this also involves the addition of new planning provisions for land subject to natural hazard and climate change risk.
3) Rezones land from an existing deferred zone and down-zones it, where either the land cannot be adequately serviced, it is no longer considered that an urban zone is appropriate, and a different "existing" zone is more appropriate.

5 The s42A report states that the scope of PC79 includes all deferred zone locations in the Tasman district except for those in or adjacent to Māpua and Motueka and that other current planning processes are occurring in these towns that will address the issue of zoning. We return to this matter in our report, as the actual impact of what was proposed through PC79 on the deferred zone areas in Māpua and Motueka was a matter of contention at the hearing.

6 The Council is a unitary authority, with functions under both s30 and s31 of the RMA relating to regional councils and territorial authorities respectively. The TRMP is a unitary plan and incorporates regional and district plan objectives, policies and rules. PC79 is focused on the Council's s31 RMA functions.

Section 42A and Section 32 Reports:

7 The s42A report was jointly prepared by Ms Mary Honey, senior policy planner, and Mr Jeremy Butler, team leader – urban and rural policy, both employed by the Council. It was informed by the technical advice by a number of Council staff, including Alastair Clement: Team Leader – Natural Hazards and Geomorphology; Diana Worthy: Team Leader – Natural Resources; Dwayne Fletcher: Strategic Policy Manager; Michael Goldingham: Team Leader - Infrastructure Planning; Bill Rice: Senior Infrastructure Planning Advisor - Transportation; Kim Arnold: Senior Infrastructure Planning Advisor – Water & Wastewater; Pauline Webby: Planning Advisor - Water & Wastewater; Richard Hilton: Team Leader Reserves Operations; Rosalind Squire:

[2] This was a lexicon that developed through the hearing, which we use in this report for simplicity.

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Contract Reserves Planner; Annie Reed: Team Leader – Subdivision Consents; Jenna Wolter – Senior Consents Planner – Subdivisions. Chris Milne: Team Leader – Development Engineering.

8 A section 32 evaluation report (s32 report) was notified alongside PC79. That report also contains background context to PC79, as well as:

1) Relevant information sources, key resource management issues, and the statutory and policy context relevant to PC79
2) An options assessment for a new deferred zone framework
3) An options assessment for the proposed zoning of existing deferred zone locations.

9 We have reviewed both reports as part of our consideration of submissions and further submissions on PC79.

Consultation and Process:

10 The s42A report sets out the consultation undertaken by the Council and the notification and submission process in sections 1.4.2 and 1.5. We have reviewed this information and address it where relevant.

Statutory Provisions:

11 Part 2 of the RMA, the purpose and principles, is the overarching part of the RMA. Any decision on a plan, or a plan change, is subject to Part 2. Of particular relevance to PC79 are:

1) Section 6(h) – the management of the significant risks from natural hazards
2) Section 7(i) – the effects of climate change

12 PC79 proposes to amend those parts of the TRMP that relate to the Council's territorial authority functions under s31 of the RMA. Section 31 functions relevant to PC79 are:

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district;

(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:

(b) the control of any actual or potential effects of the use, development, or protection of land,…

13 Section 74 of the RMA sets out the matters to be considered by a territorial authority in preparing or changing its district plan. These matters include doing so in accordance with its functions under section 31, the provisions of Part 2, and its duty under section 32. Further, consideration is also required of other documents, including operative and proposed regional planning documents, management plans and strategies prepared under other Acts and iwi planning documents, which we address further below.

14 Section 75 of the RMA requires that a district plan must give effect to any national policy statement, any New Zealand Coastal Policy Statement, any national planning standard, any regional policy statement and must not be inconsistent with a regional plan.

15 The s32 report identifies the following national policy statements as being relevant to PC79:

1) The National Policy Statement on Urban Development 2020 (NPS-UD)
2) The National Policy Statement on Highly Productive Land 2020 (NPS-HPL)
3) The New Zealand Coastal Policy Statement 2010 (NZCPS)

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16 We agree that these are relevant, and we address them through our report.

17 Following the close of the hearing and prior to this report being recommended to the Council, the National Policy Statement for Natural Hazards 2025 (NPS-NH) was gazetted on 18 December 2025 and commenced on 15 January 2026. This NPS requires councils and decision makers to assess and manage natural hazard risks in a consistent, risk-based and proportionate manner. It emphasises avoiding very high risk, using best available information and also considered long-term natural hazard risk and requires mitigation to be considered. While it provides a national baseline, it also allows more conservative provisions in RMA plans[3]. Part 4, Timing, of the NPS states that "local authorities are not requires to initiate changes to regional policy statements, regional plans or district plans within a specific timeframe for the sole purpose of giving effect to this National Policy Statement". Given the timing of this NPS, following the close of the hearing, and that it will be an active consideration in any resource consent decision-making alongside PC79, we have not traversed this NPS in our recommendations to the Council. We heard during the hearing that the Council proposes a separate natural hazards plan change, which we consider is the most appropriate means to give effect to the NPS-NH.

18 The NPS-HPL and the NZCPS were also amended following the close of the hearing, both amendments being gazetted on 18 December 2025 and commencing on 15 January 2026. We reviewed both amended documents. We are satisfied that the amendments to the NZCPS are of no consequence to PC79. We also consider that the amendments to the NPS-HPL are not of relevance to our recommendations on PC79 and are rather a matter for the Council to consider in giving effect to the NPS-HPL.

19 The Operative Tasman Regional Policy Statement 2001 (TRPS) is relevant to PC79. We note that the TRPS predates the national policy statements listed above and has yet to be amended to give effect to them. Accordingly, our consideration of the TRPS and the weight we give to it is tempered by its age, in accordance with the rulings of the Supreme Court in the King Salmon case[4]. We address this through our report.

20 The s32 report identifies the following iwi management plans (IMPs) as being relevant to PC79:

1) Ngāti Koata No Rangitoto ki te Tonga Trust Iwi Management Plan 2002
2) Ngāti Tama ki Te Tauihu Environmental Management Plan 2018
3) Ngāti Rārua Environmental Strategy 2021
4) Te Ātiawa o Te Waka-A-Māui Iwi Environmental Management Plan
5) Pakohe Management Plan 2015 – Ngāti Kuia

21 The s32 report sets out why these IMPs have been identified as being relevant and how they have been considered through the development of PC79. We have reviewed and considered this information in our evaluation of submissions on PC79.

22 Section 32 of the RMA provides for the consideration of alternatives, benefits, and costs and requires that an evaluation must be carried out and that the evaluation must:

(a) examine the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and

(b) examine whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives by –

(i) identifying other reasonably practicable options for achieving the objectives; and

[3] Updating National Direction New National Policy Statement for Natural Hazards. Ministry for the Environment 18 December 2025
[4] Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited [2014] NZSC 38 [17 April 2014]

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(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

23 An assessment under s32(1)(b)(ii) must:

(a) Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –

(i) Economic growth that are anticipated to be provided or reduced; and

(ii) Employment that are anticipated to be provided or reduced; and

(b) If practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matters of the provisions.

24 If the proposal will amend an existing plan provision, including zoning, the examination under s32(1)(b) must relate to –

(a) The provisions and objectives of the amending proposal; and

(b) The objectives of the existing proposal to the extent that those objectives –

(i) Are relevant to the objectives of the amending proposal; and

(ii) Would remain if the amending proposal were to take effect.

25 Section 32AA of the RMA requires councils to undertake further evaluations of proposed plan changes for any changes proposed since the s32 report was completed, to ensure the decision-making process remains transparent and the implications of any changes are well understood.

26 Specifically, s32AA(1) states:

(1) A further evaluation required under this Act -

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

27 Section 32AA(2) clarifies that:

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

28 Clause 10 of Schedule 1 of the RMA states a local authority must give a decision on the provisions and matters raised in the submissions and must include the reasons for accepting or rejecting any submissions. In doing so a local authority may address the submissions by

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grouping them according to the provisions of the plan change to which they relate or the matters to which they relate and, may include matters relating to any consequential alterations necessary to the plan change arising from the submissions. A local authority is not required to give a decision that addresses each submission individually.

Appearances at the Hearing:

29 The hearing was held on Monday 23 June 2025 at the Council Chambers.

30 Submitters who attended the hearing are listed in order of the timetable as follows:

Submitter	Submission Number
AB and SL Family Trust Represented by Katherine Forward, Duncan Cotterill and Hayden Taylor, Planscapes	4222
Stuart Flowerday, Flowerlands (Ltd) Represented by Katherine Forward, Duncan Cotterill and Hayden Taylor, Planscapes	4228
James Patterson, Wai-West Horticulture Represented by Katherine Forward, Duncan Cotterill and Hayden Taylor, Planscapes	1651
Coral and Tracy Yelverton Represented by Katherine Forward, Duncan Cotterill and Hayden Taylor, Planscapes	4230
Christian Le Gros and Graeme Dick, Appleby 88 Ltd Represented by Sally Gepp	4227
Graeme Dick, Mt Hope Holdings Ltd Represented by Sally Gepp	3720
Andrew and Susan Talley Represented by Pherne Tancock, Harbour Chambers, and Philip Percy, Kahū Environmental	2915
Garrick Batten	336

31 The following Council officers were in attendance:

Name	Role
Jeremy Butler	Team Leader Urban and Rural Policy
Mary Honey	Senior Policy Planner
Anna McKenzie	Principal planner, Urban Policy
Barry Johnson	Environmental Policy Manager
Alastair Clement	Team Leader – Natural Hazards and Geomorphology
Michael Goldingham	Team Leader – Infrastructure Planning
Bill Rice	Senior Infrastructure Planning Advisor
Paula Hammond (online)	Policy planner, Natural Resources

Procedural Matters:

32 The Panel issued Minute 1 dated 17 March 2025 introducing the Panel and providing details of the hearing, the pre-provision of council and submitter evidence, the process and presentations, site visits and communication. An updated version of the Minute was circulated on 31 March 2025 to correct one of the dates for pre-provision.

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33 We issued Minute 2 on 31 March 2025, to advise of a change in the composition of the Panel.

34 The Council's s42A report was circulated to all parties to the hearing on 21 May 2025. The s42A report was structured largely on the key topics that arose in the submissions and further submissions, and grouped those submissions together into the following sections:

1) Māpua and Motueka
2) Deferred Zone Framework
3) Lower Queen Street, RW1 and RW2 and Sea Level Rise
4) Richmond West 3 (RW3)
5) Richmond West 5 (RW5)
6) Richmond East 11 (RE11)
7) Richmond South (RS14, RS15, RS15A-C)
8) Brightwater (BW16)
9) General

35 The s42A report contains a summary and analysis of and recommendations on the submission points. It is unnecessary to repeat the analysis and recommendations, but the Panel found it useful in considering the issues raised in submissions and in making our recommendations.

36 We received the following submitter evidence and legal submissions in advance of the hearing:

Submitter	Evidence and submissions
AB and SL Family Trust Wai West Horticulture Ltd Coral and Tracy Yelverton Flowerlands Ltd	Planning evidence of Hayden Taylor of Planscapes
A and S Talley	Planning evidence of Philip Percy of Kahū Environmental Legal submissions of Pherne Tancock and D Ballinger
Mt Hope Holdings Ltd and Appleby 88 Ltd	Legal submissions of Sally Gepp

37 We received tabled statements and evidence from the following submitters:

Name	Submission Number
K Hanna and 187 Hanna Trustee Ltd Email from Jackie McNae of Staig & Smith	4226
Transpower Letter From Rebecca Eng	174
Stephen Field and Abbie Field Planning evidence of Jane Bayley of Staig & Smith and subsequent email	4225
A & S Talley P Percy – Speaking Notes	2915
G Batten G Batten Speaking Notes.	4215
AB and SL Family Trust Wai West Horticulture Ltd Coral and Tracy Yelverton Flowerlands Ltd Legal Submission by Duncan Cotterill (K Forward & D Mclachlan)– H Taylor: Summary of Planning Evidence B Mclean- Statement, J Patterson - Statement and Talking Points	4222 4228 1651 4230

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38 On 19 June 2025, we received the Council Reply to Submitter Statements and Evidence. This was limited to submitter material that had been provided in advance of that date.

39 The Panel read all Council and submitter evidence and legal submissions provided in advance of the hearing, before the hearing commenced.

40 The Panel first heard an overview statement from Ms Honey and Mr Butler[5] who also answered some initial questions from the Panel.

41 We then heard from AB and SL Family Trust, Wai West Horticulture Ltd, Coral and Tracy Yelverton, Flowerlands Ltd. We received tabled legal submissions from Katherine Forward and statements from James Patterson and Stuart Flowerday. Following, we heard from Sally Gepp for Mt Hope Holdings Ltd and Appleby 88 Ltd.

42 The Panel then adjourned the hearing and conducted site visits to particular areas of interest relevant to matters that were remaining in contention. The locations visited were:

1) Lower Queen Street
2) Brightwater
3) Richmond West
4) Richmond South

43 On reconvening the hearing, we heard from A and S Talley and Mr. Garrick Batten. We then provided Ms. Honey and Mr. Butler an opportunity to provide a verbal reply to the matters raised by the submitters through the course of the hearing.

44 During the course of the hearing, we indicated that we would be directing expert conferencing between the planners. Ms. Gepp advised that Mr. Taylor would be made available on behalf of her clients and offered the provision of a will-say statement to inform conferencing.

45 We adjourned the hearing on the same day at the end of the Officers' verbal reply, to enable the Panel to consider what questions to pose for expert conferencing, which we invited input from the parties on. We issued Minute 3 on 27 June 2025, which set out directions for expert planning conferencing including questions, sought information on a specific matter relating to NZTA and Richmond West, and advised of our likely intention to seek independent legal advice. In our Minute 4 of 3 July 2025, we answered questions of clarification from the Council officers. On 11 July 2025, we received an email from Mr. Johnson, advising that the Council would be happy to provide the Panel with the services of Council's legal counsel. In Minute 5 of 21 July 2025, we agreed to an extension of one week for the provision of joint witness statements (JWS) from the expert planning conferencing, to 1 August 2025.

46 We received three JWSs on 4 August 2025, under the following topics:

1) Lower Queen Street natural hazard provisions
2) Plan Change 79 – deferred zone provisions
3) NZTA access specific to RW5

47 We address the substance of the JWSs later in this report.

48 We then released Minute 6 on 18 August 2025, directing the Council officers to provide their final reply report and any recommended amendments to the PC79 provisions and updated submission recommendation tables. We also directed that this was to be accompanied by legal

[5] This is available on the Council website as "Planning Officers Overview for Hearing"

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advice from Council's legal advisors, addressing a series of questions we put to them. On 27 August 2025, we received an email from the Council officers requesting a two-week extension to the provision of the Reply Report to 26 September 2025, which we agreed to and recorded through Minute 7.

49 We received the Reply Report on Friday 26 September 2025. The Reply encompassed the final reply, an updated schedule of amendments to the TRMP, planning map amendments, an updated table of staff recommendations on submissions, legal advice from Council's Counsel and a memorandum from Barker and Associates. The topics covered in the Reply were:

1) The Deferred Zone Framework
2) Māpua and Motueka deferred zone locations not included in the scope of PC79, but affected by PC79
3) Chapter 6.3 – Urban Infrastructure Services – Objectives and Policies
4) Subdivision Rule 16.3.2.5 – Subdivision in any Zone Subject to Deferred Zone Rules or Where Deferred Zoning has been Removed
5) Chapter 17.14 – deferred zone rules excluding Schedule 17.14A
6) Chapter 17.14 - deferred zone rules – Schedule 17.14A
7) Richmond West - RW5
8) Richmond South - RS14
9) Brightwater - BW16
10) Lower Queen Street - Richmond West – RW1

50 We found the Council Officers' Reply to be thorough and useful in narrowing outstanding matters. We also thank the Council for providing us with the use of their Counsel, and we found Counsel's advice helpful. We have relied on the Council Officers' Reply as being their most up-to-date position in respect to outstanding matters in contention.

51 After reviewing the Reply Report and discussing the evidence before us, we issued Minute 8 on Monday 13 October 2025, closing the hearing.

Approach to our Recommendation Report:

52 The Council Officers' s42A Report provides a comprehensive summary of submissions made on PC79 and the issues they raised in respect of the proposed new and amended provisions to the TRMP and the recommended rezonings. The s42A Report summarises the submission points and assesses them under a series of Topics that (following some introductory comments and background material) correspond to the key issues raised in submissions associated with PC79. To assist readers, we have generally structured this recommendation report using that same format.

53 To avoid unnecessary repetition or duplication, we have adopted the approach of focusing our written analysis on those aspects of the s42A Report where:

1) we disagreed with the reasoning and/or recommendations in the s42A Report.
2) material provided to us by submitters, either in the form of evidence or submissions, called into question the reasoning/recommendations in the s42A Report and/or
3) the Council Officers, having considered the evidence or representations of submitters, having participated in any expert conferencing and production of JWSs, and following questioning from the Panel, altered their initial recommendations to us, as set out in their Reply Report.

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54 If we do not refer to an individual submission or group of submissions on a particular matter addressed during the hearing, or discuss the reasons for our recommendations in relation to it, that is because, having reviewed the submissions alongside the written and oral evidence and representations from submitters, the JWSs produced through expert conferencing and the commentary, recommendations and reasoning in the s42A Report, Council Reply to Evidence and the final Reply Report, we have accepted (and accordingly adopted) the Council Officers' final recommendations to us. This means that our recommendation reports must be read in conjunction with the s42A Report, Council Reply to Evidence and final Reply Report. The s42A Report, Council Reply to Evidence and Reply Report are part of the public record and are available on the Council website. We acknowledge the information provided in the submissions which was considered in the Council Officers' advice to us in their s42A Report, Council Reply to Evidence and Reply Reports.

55 We also note that the Council officers recommended a number of consequential amendments in response to submissions. If we do not refer to these recommended amendments, it is because we agree with them, for the reasons set out in the relevant documentation. We have also identified in our review of the Council Officers' recommendations on submissions in Appendix 2 of their s42A report did not include all submissions made on PC79; however, we are satisfied that the matters traversed in those submissions have been addressed through the documentation before us. We have sought to update Appendix 2 to acknowledge all these submissions.

56 Our recommendation report, accordingly, take the form of an 'exceptions' report.

57 It follows also that where we accept the recommendation in a s42A Report, Council Reply to Evidence or Reply Report that provisions in PC79 should be amended, we accept and adopt the evaluation contained in the s42A Report, Council Reply to Evidence or Reply Report for the purposes of s32AA of the RMA, unless otherwise stated. If we have not addressed particular aspects of PC79 in this report, it is because we agree with the Council Officers' final recommendations.

58 Where we do not accept the recommendations of the s42A Report, Council Reply to Evidence or Reply Report and consider that a provision in PC79 should be changed, our recommendations have been specifically considered in terms of the obligation arising under s32AA of the RMA to undertake a further evaluation of the amended provision. Our evaluation for this purpose is not contained in a separate evaluation document or tabulated evaluation within our report. Rather the evaluation required by s32AA is contained within the discussion and reasoning leading to our conclusions and recommendations.

Evaluation of Submissions on the Remaining Matters in Contention:

59 In undertaking our evaluation of the matters in contention, the Panel considered the submissions, the s42A report, the s32 report, evidence, statements and legal submissions presented at the hearing by the Council and submitters, the three JWSs produced by the expert planners at conferencing, the relevant planning documents, and the statutory framework of the RMA.

60 We have generally followed the order of issues as set out in the s42A and Reply Reports.

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61 To ensure clarity, we record that we agree with the Council Officers' s42A report recommendation in respect of RW3 and recommend that Kāinga Ora's submission[6] be rejected. We note that we did not receive any evidence from Kāinga Ora after the release of the s42A report and they did not attend the hearing. We concur with the Council that the Council had undertaken a robust assessment of why the Mixed-Use Zoning was appropriate.

The Deferred Zone Framework:

Introduction

62 As we have set out earlier, the primary purpose of PC79 is to amend the TRMP to amend existing and introduce new provisions that would provide for a legally robust framework to released "deferred" land for development when particular infrastructure has been provided. For land to be and remain deferred, it is proposed that funding for the infrastructure should be included in the LTP within the next ten-year period, and the necessary infrastructure upgrades included in the TRMP and the LTP AMPs.

63 As with the s42A and Reply Reports, we have separated the Deferred Zone Framework out into different components.

64 Before we do so, however, we think it relevant to set out what was generally agreed by the planners in the JWS for Topic 2 in respect to the roles that the deferred zone provisions perform in the TRMP. We set this out below.

1) To provide a pathway within the Plan that allows for development on deferred zoned land to be managed as if the land were zoned as its 'destination zone', but without the need to undertake a Schedule 1 plan change, provided the necessary infrastructure to support urban growth is available. ("deferred zone flip")
2) Provide a consenting pathway for deferred zoned land that hasn't flipped to be developed for urban use in appropriate circumstances ("consenting pathway").
3) Inform private plan change applications for changing the plan in relation to deferred zoned land ("PPCR pathway").
4) Allow rural land in areas earmarked for future urban growth to continue to be used for rural activities while avoiding subdivision and development that might compromise future urban development ("future urban protection").

65 The JWS goes on to say that 1) above is intended to just apply to sites listed in Schedule 17.14A, and 2), 3) and 4) would apply to all deferred zone sites. The JWS then sets out a table identifying how the above play out in the PC79 and TRMP provisions. We note Mr. Percy's disclaimer that he was not in a position to confirm whether all provisions perform their respective roles.

66 We record here that, for the reasons given by the Council Officers, we agree with the Councils Officers' final recommendations in their Reply Report in respect to:

1) Subdivision Rule 16.3.2.5
2) Schedule 17.14A columns, with the exception of the recommended change from Group Manager to Chief Executive Officer which we address later in this report.

[6] 4215.1 and 4215.2

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Māpua and Motueka Deferred Zone Locations not Included in Plan Change 79 Scope but Affected by Plan Change 79:

Introduction

67 The intent of PC79 was that it excluded deferred zone locations within or adjacent to Māpua and Motueka. We were advised that the Council is currently developing a master plan for Māpua, with a subsequent consequential plan change process, which would address the rezoning of deferred zone locations. In respect of Motueka, we were informed that the deferred zone land was excluded from PC79 as servicing is not available nor programmed to be available within the next 10 years. The Council has also initiated an integrated strategic planning process that takes into account new natural hazard information. The PC79 amendments delete the existing Schedule 17.14A which includes Māpua and Motueka deferred zone sites and does not include Māpua and Motueka deferred zone sites in the new proposed Schedule 17.14A.

68 We note here that we agree overall with the Council Officers' final recommendations in their Reply Report, however, this matter was of particular concern in respect of PC79, so we have spent more time in its consideration.

Submission Points

69 The submissions we focus on here which remained of contention through the hearing process are those of Mt Hope Holdings Ltd[7], M Toll[8] and A & S Talley[9].

70 Mt Hope Holdings Ltd and M Toll oppose the exclusion of Māpua deferred locations from PC79 and request their land be upzoned to the end use zones because services are available. Further, Mt Hope Holdings Ltd seek that their property is included within Schedule 17.14A if it remains deferred.

71 A & S Talley support the exclusion of the deferred zoned in Māpua and Motueka, and further sought that the TRMP planning maps be amended to replace the deferred zone with the original zone. They were concerned about the unintended consequences of encouraging development of deferred zone locations in Māpua and Motueka through resource consent applications, when that was not the intention of PC79.

72 We have not addressed the other submissions, as we agree with and adopt the Council Officers' s42A recommendations.

Evidence

73 Whether and the extent to which PC79 impacted on deferred zone locations with Māpua and Motueka was a topic of some discussion during the hearing. The s42A report had recommended that the deferred zone policies apply to all deferred sites, with the new policy 6.3.3.4D only applying to Schedule 17.14A listed sites. At the commencement of the hearing, Council Officers were clear that PC79 was not intended to extinguish all RMA or TRMP development pathways for deferred zone locations in Māpua and Motueka, and that the resource consent and private plan changes pathways were to remain available. They confirmed that the zone or rule "flip" is intended to apply only to deferred zone land listed in new Schedule 17.14A.

74 However, after evidence from Mr. Percy and legal submissions on behalf of A & S Talley, and listening to responses to our own questions, we remained unclear about whether Māpua and Motueka would be unaffected by the PC79 provisions and what the impact of PC79 on those

[7] 3720.1
[8] 4219.1
[9] 2915.3 and 2915.22

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sites would be. In particular, we were mindful of Counsel for Mt Hope Holdings submissions that PC79 does affect Māpua and Motueka deferred zone sites by deleting them from Schedule 17.14A and/or they are zoned deferred and affected by changes to the planning framework. Through legal submissions, Counsel for Mt Hope Holdings sought alternatively that if the site is not reinstated, that a consenting pathway is retained. In terms of their client's site at 166 Māpua Drive, they noted that the necessary infrastructure set out in Schedule 17.14A has now been satisfied and the deferral could be uplifted. However, the deletion of Schedule 17.14A and not including their site in the new Schedule 17.14A means that the deferred zoning cannot be uplifted.

75 Accordingly, we included questions in Topic 2 for planner expert conferencing.

76 The JWS agreed that the Māpua and Motueka locations were affected by PC79, which they set out in substance in their response to our question 5a). To address this, the JWS recommended broadening policies 6.3.3.4A and 6.3.4.4D to apply to all deferred sites and that subdivision rule 16.3.25 apply to all deferred sites. Mr. Percy noted that the framework proposed in the JWS was dependent on whether there was scope to amend provisions for non-scheduled sites and noted that some of the recommended changes would influence consent decision-making for non-scheduled sites. It was also agreed that there was no scope in PC79 to make amendments so that Māpua and Motueka would be subject to Rule 17.14.2.2(b), which is specific to Schedule 17.14A, because PC79 does not propose any change to their zoning. The planners all agree that PC79 does not remove the deferred zoning from the operative zone maps. They also agreed that making Māpua and Motueka subject to the rule flip would be out of scope of PC79.

77 In 5(b) of the JWS, and subsequently in 2.1.1 of the Reply Report, we were advised that there were two potential approaches to addressing submitters' concerns:

1) Make the changes recommended in the JWS to improve the policy direction for resource consents for non-scheduled sites, but not provide any form of rule flip mechanism; or
2) Preserve the operative TRMP status quo for Māpua and Motueka by either reinstating operative Schedule 17.14A and retaining the new Schedule with a new number or adding them to proposed Schedule 17.14A and differentiating them and reinstating all operative TRMP wording applying to Māpua and Motueka and amending the proposed provisions so that they only apply to Schedule 17.14A sites.

78 Council Officers did not support the second approach due to the legal uncertainty about the operative deferred zone provisions and that no submitter sought reinstatement of operative Schedule 17.14A; rather they sought retention and strengthening of that part of the framework that supports a resource consent development framework. In their Reply, they also said a further reason for not including Māpua and Motueka in Schedule 17.14A is that the infrastructure required for urban development was not assessed through PC79 and the infrastructure requirements are uncertain.

79 We sought legal advice on the matters traversed in the JWS to be provided alongside the Council's Reply Report, and for that advice to inform that Reply Report. Council's Counsel provided a useful summary of the issue for us in response to our Question C. Counsel confirmed that there was scope to make the changes proposed by the planners at (4) and 5(b) of their JWS. Counsel consider that the amendments proposed make it clear that:

1. The rule flip would only apply to deferred zones within PC79 and not Māpua and Motueka

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2. The amendments proposed are reasonably foreseeable because they are required to recognise that Māpua and Motueka are treated differently.

Evaluation

80 We firstly record that we accept the Council's final recommendation as set out in the Reply Report, generally for the reasons given. However, there are areas that we disagree with the Council or have additional reasons for our recommendation.

81 We do not agree with the statement from the Council that no submitter sought reinstatement of Schedule 17.14A, as Mt Hope Holdings did clearly seek that its land be reinstated into Schedule 17.14A; or if that is not accepted, that the consenting pathway is retained. Mt Hope Holdings submission and legal submission are clear on this. We do note however Mr Hayden Taylor's participation in the planner expert conferencing and his agreement to the amendments to PC79 contained in the JWS which would clarify the resource consent pathway policy direction.

82 Simply, we consider that the Council was inelegant in its section 32 report as to the scope of PC79. It states:

> *The plan change includes all the deferred zone locations in the Tasman District except for those in or adjacent to Māpua and Motueka. Currently other planning processes are occurring in these towns that will address the issue of zoning. Section 2.4 of the report provides further detail about the exclusions.*

83 From reviewing the evidence before us, it is clear that PC79 did apply to Māpua and Motueka as it removed the ability of Māpua and Motueka to "flip" from the underlying zoning to the deferred zoning when relevant infrastructure services had been provided and the process set out in 17.14.2 followed. It removed all the Māpua and Motueka sites from Schedule 17.14A and left them with two routes for urban development; through a resource consent or a plan change. The existing provisions in 17.14.2 to remove deferred zonings and enable the new urban zone to apply was deleted and the new "rule flip" mechanism was introduced, which would only apply to Schedule 17.14A locations.

84 We do, however, agree that PC79 did not change the deferred zone status of the Māpua and Motueka locations, and that status remains. Going back to the wording from the s32 report and our description of it being inelegant, we construe the "issue of zoning" referred to the deletion of the removal of deferral procedure from the TRMP and the introduction of new "rule flip" provisions that would only apply to deferred zone locations outside of Māpua and Motueka.

85 We sympathise with the situation PC79 will put the owner of 166 Māpua Road in, where the required services have been provided but PC79 deletes the "rule flip" mechanism. However, we accept the Council's position that PC79 does not include any rezoning of Māpua and Motueka and that any rezoning matters will be addressed in a future planning process. To that end, we agree with the Council Officers' position that removing the deferred zoning from the Māpua and Motueka locations, sought by A&S Talley, is out of scope and that part of their submission should be rejected.

86 Therefore, we generally accept and agree with the Council Officers' recommendation in respect to the Mt Hope Holdings submission; however, we have changed this to a reject in part and accept in part, as we recommend that the Council Officers' recommended amendments to the PC79 framework so that there is a clear consenting pathway are accepted.

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Recommendations

87 The Panel recommends that the Council:

1. Accepts in Part the submissions Mt Hope Holdings Ltd [3720.1] and S Orrah [4220.1]
2. Rejects the submission of M. Toll [4219.1], A & S Talley [2915.3,2915.22] and D.Huelsmeyer [4229.1]

Chapter 6.3 Urban Infrastructure Services – Objectives and Policies:

Recording of agreement to Council Officers' final recommendations

88 We record here that we have reviewed all the relevant evidence and information before us, and with the exception of some minor amendments to drafting, we accept and agree with the Council Officers' final recommendations as set out in the Reply Report, for the reasons given, to:

1. Amend Policy 6.3.3.4
2. Introduce new policy 6.3.3.4AA
3. Make consequential amendments to Policy 6.3.3.4A
4. Make consequential amendments to Regulatory Method 6.3.20.1(aa)
5. Make consequential amendments to Principal Reasons 6.3.30 paras 6 and 7

89 We recommend that the drafting of Policy 6.3.3.4AA is amended as follows:

> For sites listed in Schedule 17.14A, to enable the release of deferred zone land ~~through a rule that enables~~ and development under the relevant urban provisions when the infrastructure or servicing listed in the Schedule is delivered. ~~This method and rule does not apply to sites that are not identified in the Schedule.~~

90 We have recommended these amendments, as a rule is a method rather than the action to be taken (enabling), and it is clear from the start of the policy that it only applies to sites in Schedule 17.14A. We consider these amendments make the policy more clear and certain.

91 We have recommended reframing Policy 6.3.3.4D as follows, to provide clarity to how it is applied to non-scheduled and scheduled deferred zone sites, and that clauses (a) to (c) as drafted also apply to Schedule 17.14A sites. We also recommend amending the clause in respect to Schedule 17.14A sites to that the references to "strategic servicing outcomes" are replaced with "infrastructure or servicing identified as being required to be delivered in Column D of the schedule" to provide clarity and consistent terminology between the policy and the Schedule.

> When making decisions on resource consent applications, ~~t~~he urban development anticipated by a deferred zoning that is referred to in 17.4.2 is avoided unless:
>
> (a) the necessary infrastructure has been provided to service it, including, where relevant:
>
> (i) any intersections, connections and upgrades of roads to an appropriate standard; and
>
> (ii) servicing infrastructure (including wastewater, water supply and stormwater) to an appropriate standard; and
>
> (iii) where relevant, development is sequenced with Council strategic planning, infrastructure provision and land release programmes as shown in the relevant long-term plan.; and
>
> (b) for sites that are identified in Schedule 17.14A, the ~~strategic servicing outcomes~~ infrastructure or servicing identified ~~in that schedule~~ as being required to be

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delivered in Column D of the schedule is ~~are~~ not undermined by alternative servicing/infrastructure proposals.

For the purposes of this policy "appropriate standard" refers to, but is not limited to, the Nelson Tasman Land Development Manual.

92 We record our appreciation for the time spent by all the expert planners in preparing the JWS for Topic 2, as we found this very useful and it is clear that this also assisted the Council Officers in producing their final reply recommendations.

Recommendations

93 The Panel recommends that the Council:

1. Accepts the submissions of A & S Talley [2915.9, 2915.11, 2915.12, 2915.15]
2. Accepts in Part the submissions of A & S Talley [2915.2, 2915.14] and Appleby 88 Ltd [4227.4, 4227.5]
3. Rejects the submissions of A & S Talleys [2915.4, 2915.8, 2915.10]

Chapter 17.14 – Deferred Zone Rules Excluding Schedule 17.14A:

Introduction and recording of agreement to Council Officers' final recommendations

94 PC79 ultimately was promulgated due to concerns raised with the Council on how the Deferred Zone Rules were interpreted and implemented. In particular, there was concern raised that the operative District Plan rules were unclear, uncertain and subjective.

95 The A&S Talley submission, legal submissions and evidence presented by Mr. Percy also expressed concern about the notified PC79 and whether these were clear, certain and enforceable. We received considerable evidence and information, including the planners' JWS and advice from Council's legal Counsel. We particularly record our appreciation for the time and effort spent by all four planners in the expert conferencing

96 Having reviewed all the material before us, we accept and adopt the Council Officers' final recommendations as set out in their Reply Report, for the reasons given. With the exception of minor amendments to clause (b) of Rule 17.14.2.2, we find that the rule is clear and certain for the purposes of interpretation and implementation. We also agree with the Council Officers' that there are appropriate "back stop" measures in place to ensure that development does not proceed before the required infrastructure is constructed.

97 The minor amendments we recommend to clause (b) is that (iii) is inserted before "Council's Group Manager…" and that "Group Manager" is replaced with "Chief Executive Officer". We have recommended the change in role title as the role of Group Manager – Community Infrastructure may well change or not exist in the future; however, it is very unlikely that the Council would ever not have a Chief Executive Officer.

Recommendations

98 The Panel recommends that the Council:

1. Accepts the submissions of A & S Talley [2915.21, 2915.25, 2915.28, 2915.29]
2. Accepts in Part the submissions of A & S Talley [2915.23, 2915.24, 2915.26]
3. Rejects the submissions of A & S Talleys [2915.20, 2915.27, 2915.30]

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Richmond West 5 (RW5):

Introduction

99 PC79 proposes to retain the current zoning of this land as Rural 1 deferred Mixed Business, with changes relating to indicative roading, indicative roading, walkways and reserves.

Submission Points

100 There were three submitters on RW5. We do not address the submissions from Richmond West Development Company Ltd (RWDC)[10] and BAG Development Company[11], as we agree with the Council Officers' s42A report recommendations on these.

101 Appleby 88 made a number of submission points on PC79. The ones we address here are those specific to RW5, the other ones being addressed under other topics. In particular, Appleby 88 sought that the chapter 17.14 provisions 17.14.1 – Scope and Rule 17.4.2.2 that refer to infrastructure requirements being "clearly defined and planned to be delivered within 10 years" be amended to allow 15 years in respect of transportation requirements for RW5[12]. A & S Talley opposed this, on the basis that if longer-term infrastructure is required, then the zoning should be updated if appropriate, when infrastructure is certain or in place, and that broader spatial planning documents are more appropriate for signalling longer term growth.

Recording of agreement to Council Officers' final recommendations

102 This submission was the subject to expert conferencing resulting in the Topic 3 JWS. We have reviewed that JWS and note the planners' agreement that the most appropriate way to address the submitter's requested relief is through an amendment to Column D of Schedule 17.14A in respect to RW-5 McShane Road.

103 We record here that we have reviewed all the relevant evidence and information before us, and with the exception of two minor amendments to drafting, we accept and agree with the Council Officers' final recommendations as set out in the Reply Report, for the reasons given, to amend Column D of Schedule 17.14A in respect to RW-5 McShane Road.

104 The minor amendments to drafting we recommend is the replacement of "that meets NZTA standards" to "that complies with NZTA standards", and "subject to meeting the required standards" to "subject to complying with the required standards". These minor amendments are to provide greater clarity and certainty in implementation.

Recommendations

105 The Panel recommends that the Council rejects the submissions of Appleby 88 Ltd. [4227.8, 4227.9]

Richmond South:

Recording of agreement to Council Officers' final recommendations

106 We record our agreement to the Council Officers' final recommendations as set out in their Reply Report in Section 8, for the reasons given. We also record that we visited this area on our site visit, including the indicative road connecting with Hill Street, and its proximity to the Hill Street / Hart Road intersection. We agree that inclusion of the indicative road is not appropriate due to the traffic safety concerns. We also note that the removal of the indicative road does not preclude consideration of additional new roads as part of a future subdivision application.

[10] 4200.1 – 4200.12
[11] 4217.1
[12] 4277.8 and 4227.9

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Recommendation

107 The Panel recommends that

1. Accepts the submissions of Oregon Land Ltd[4221.1], K Hanna and 187 Hanna Trustee Ltd. [4226.1] and S and A Field. [4225.1,4225.2]
2. Accepts in Part the submissions of S and A Field. [4225.3] and K Hanna and 187 Hanna Trustee Ltd. [4226.2]
3. Rejects the submissions of Oregon Land Ltd. [4221.2]

Brightwater 16 (BW16):

Introduction

108 PC79 proposes the rezoning of BW16 from Rural 1 Deferred Residential to Conservation Zone, and as a consequence to amend the relevant discharge map to delete the Deferred Fire Sensitive Area. This rezoning follows the gazetting of the site as a scenic reserve in 2022 and its vesting in the Department of Conservation (DoC) to form part of the existing Snowdens Bush Scenic Reserve.

Submission points

109 There were two relevant submission points. DoC[13] supported the rezoning. Mr. G Batten[14] requested that the rezoning be conditional upon DoC establishing an acceptable direct access from Waimea West Road to Snowdons Bush Scenic Reserve, so that the public use of the existing right of way that currently provide access to the Reserve is reduced. He observes in his submission that the Council also has several opportunities under the Local Government Act to accept and act on the request.

110 While we recommend that the Council Officers' recommendations as set out in their final Reply Report are accepted, we considered it would be useful for Mr. Batten to understand our reasoning.

Evidence

111 In their s42A, the Council Officers recommended that Mr. Batten's submission be disallowed, on the basis that the site fronts directly onto Waimea West Road and the landowner has the opportunity to create direct access. Their position is that the submitter's request is not a zoning issue, and it is out of scope.

112 Mr. Batten attended the hearing and spoke to his three-page statement. He was concerned that the Council officers had not considered all his submission points and had chosen not to advise us of them. Mr. Batten's statement traversed why there was a need for direct access to the Reserve, the history of the current access, the purchase of the land from the Church and its donation to DoC and the safety and adequacy of the current access. His requested relief stayed the same as in his submission. He states that if this is not a zoning matter, it can be concurrently implemented by the Council's operational departments, rather than directly through the TRMP.

113 The Council did not address this in their overview to the hearing. We requested them to specifically address it in their Reply Report. They confirmed their s42A recommendation and set out their position that they consider the addition of BW16 to the existing Conservation Zoning is likely to make little difference to the current situation.

[13] 1445
[14] 336

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Evaluation

114 We visited the site on the day of the hearing and went down the right-of-way referred to by Mr. Batten.

115 Having reviewed the evidence before us and considered the purpose of PC79, we accept the Council Officers' position that the addition of BW16 to the Conservation Zone will make little, or no, difference to the current situation. We find that the matters raised by Mr. Batten are an operational and property-related issue that falls outside the scope of PC79. However, we appreciate Mr. Batten's concerns about the use of the right-of-way, and we encourage the Council to consider anyway it can assist resolve this.

Recommendations

116 The Panel recommends that the Council:

1. Accepts the submission of the Department of Conservation [1445.1]
2. Rejects the submission of Mr. Batten [336.1]

117 We also recommend that the Council considers measures that would assist to ameliorate the issues Mr. Batten is experiencing with use of the right-of-way.

Lower Queen Street:

Introduction

118 PC79 proposes to rezone RW1 and RW2 from Rural 1 deferred Light Industrial Zone to Light Industrial Zone at Lower Queen Street (LQS) and to place additional restrictions on the use of land within part of that area that is going to be subject to long-term sea-level rise (SLR) and inundation. There were three elements of the rezoning and proposed new provisions that were in contention through the hearing:

1) The extent of the scheduled area and coastal hazard risk
2) Whether the Council Officers had scope to recommend the new prohibited activity subdivision rule contained in their s42A report
3) Land use rules and an exceptions pathway

119 Element 1 was a matter addressed in the Topic 1 JWS. We note the planners' agreement to a revised boundary to where Schedule 17.14A applies and the amended Update Zone Map 76-12 (Erratum version) which shows the revised boundary. We adopt and accept the Council Officers' recommendations and reasons in respect to the revised boundary, as set out in their final Reply Report.

120 In respect to Element 2, the recommended prohibited activity subdivision rule, we have noted the Council Officers' discussion in section 6.1.2 of their Reply Report. After considering the legal advice from Council's Counsel, which confirms that there is no legal scope within either PC79 or submissions to introduce new or more restrictive subdivision provisions, and giving this matter further consideration, the Officers no longer recommend a prohibited activity rule for subdivision. With no scope within PC79 or submissions seeking this, we give it no further consideration.

121 We therefore focus on Element 3 -land use rules and an exceptions pathway.

122 Paragraph 135 of the Council Officers' Reply Report sets out the intent of the land use framework for the Schedule 17.4A area. This is to enable short- and medium-term use of the land and avoid long-term occupation of and investment in permanent structures. A controlled activity rule allows for temporary, relocatable or removable buildings, with conditions and time-

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limited consent durations, linked to a sea level rise trigger. There is an exception pathway provided for through a discretionary activity rule, where site-specific assessment demonstrates risk can be appropriately managed.

Submission Points

123 There were several submissions relating to LQS. Those that remained in contention through the hearing were those from the four main landowners, being the AB and SL Family Trust[15], Flowerlands Ltd[16], Wai-West Horticulture Ltd[17,] and Coral and Tracy Yelverton[18.] Through their submissions, they sought the introduction of a new policy and consequential amendments to the proposed policies and rules that would provide for an exemption pathway to enable permanent industrial buildings in location that may be deemed appropriate through site-by-site assessment. Particular elements proposed were a new policy that would provide for development to occur when an expert assessment deems the risk of inundation, coastal hazards and sea level rise to be appropriate, and consideration be given to significant adverse effects from those hazards.

Evidence

124 In their s42A report, the Council Officers recommended that the submissions be rejected, with the exception of minor amendments to proposed Rules 17.4A.1.2 and 17.4A.2.4. The Council Officers' position was that the policy settings for the framework are grounded in the higher order planning documents, which require councils to avoid increasing risk in hazard-prone areas and to plan proactively for climate adaptation.

125 We heard from each submitter, along with their Counsel and expert planner. They maintained their position that an exceptions pathway was appropriate and that the higher-level planning documents did not necessitate the approach taken in the Council's proposed provisions. Mr. Taylor's evidence included additional justification for the amendments sought through the submissions.

126 It was apparent that there was a difference in opinion between the Council and submitter's planners as to the application of the higher-level planning documents. This difference in opinion became the subject to the Topic 1 JWS. From our review of the JWS, this difference in opinion continued. While both planners agreed that the higher order documents target the avoidance of increased risk, Mr. Butler considered that there are directives that require the avoidance of certain activities in areas prone to coastal hazards. Mr. Taylor was of the view was this does not require avoidance of subdivision, use and development in areas prone to coastal hazards.

127 Through the course of the hearing, we asked if similar approaches had occurred elsewhere within the District. We were advised that they had. Our own review of the policies in Chapter 13 shows the existence of other "avoid" or "limit" policies responding to natural hazard risks. Accordingly, the Council's approach is not novel. We were also advised that the Council is proposing to undertake a district-wide review of its natural hazard provisions.

Evaluation

128 We found the Council Officers' Reply Report helpful in articulating the planners' different opinions. The Council Officers maintained their position that the proposed provisions were the most appropriate, using the precautionary approach required by higher order planning

[15] 4222
[16] 4228
[17] 1651
[18] 4230

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documents. Mr. Taylor for the submitters continued to recommend a new policy construct which allow for a case-by-case assessment to determine if the risks are appropriate.

129 We note that we generally preferred the Council Officers' reasons for the proposed provisions and their approach. We agree that the higher order planning documents require a precautionary approach, avoiding increased risk, and careful consideration of managed retreat and the use of relocatable buildings in areas of risk.

130 We carefully considered the PC79 provisions as recommended in the Reply Report. Our reading of the proposed provisions is that the proposed framework does provide an avenue for a case-by-case assessment and the ability for an applicant to apply for and the Council to consider applications for land uses and buildings that do not meet the controlled activity criteria. We note that the proposed rules where compliance is not achieved with the controlled activity rules default to discretionary activities. We concur that the policy direction is strong; however, it does support a precautionary approach and requires careful consideration to be given to the risk from the hazards. There remains the ability for an applicant to demonstrate how any risk can be appropriately managed through a consent process.

131 In particular, proposed Policy 6.5.3.10B includes "to assess proposed activities on a case-by-case basis" through a discretionary activity resource consent. We do recommend however that this policy be amended to introduce "and sites" so that it reads:

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

132 We consider this amended wording better reflects the amendment made to Schedule 17.4A and recognises that not all the sites within the Schedule 17.4A have the same level of vulnerability, and that this is best assessed on a case-by-case basis.

Recommendation

133 The Panel recommends that

1. Accepts the submissions of Nelson Tasman Climate Forum [4224-3-4], AB and SL Family Trust [4222-1,14,16-17,20], Flowerlands Ltd [4228-1, 14, 16-17,20] ,Wai-West Horticulture Ltd [1651-1, 14, 16-17,20], Coral and Tracy Yelverton [4230-1, 14, 16-17, 20], Jenny Easton [4216-1], Appleby 88 Ltd. [4227.7]
2. Accepts in Part the submissions of AB and SL Family Trust [4222-2,8,12-13,21], Flowerlands Ltd [4228-2,8,12-13, 21], Wai-West Horticulture Ltd [1651-2,8,12-13,21], Coral and Tracy Yelverton [4230-2,8,12-13,21].
3. Rejects the submissions of Nelson Tasman Climate Forum [4224-2,5,7], AB and SL Family Trust [4222-3-13, 15, 18-19, 22-24, 28], Flowerlands Ltd [4228-3-13,15, 18-19, 22-24], Wai-West Horticulture Ltd [1651-3-13,15, 18-19, 22-24,], Coral and Tracy Yelverton [4230-3-13, 14.1,15, 18-19, 22-24,], Jeff and Katrina Thompset [4223-1], Jenny Easton [4216-2], A & S Talley [2915-6, 19]
4. Rejects in part the submission of Nelson Tasman Climate Forum [4224-1,6]

Statutory Considerations:

134 The Panel has carefully considered the relevant statutory tests that apply to planning documents under the RMA and the evidence in front of us. We are satisfied that with the

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recommended amendments as contained in the Council Officers' Final Reply Report and as contained in this report, that PC79 meets the relevant statutory tests under the RMA.

Section 32 Evaluation of Alternatives and 32AA Further Evaluation

135 Section 32 requires an evaluation of the extent to which the objectives are the most appropriate way to achieve the purpose of the Act, and whether the policies and rules are the most appropriate for achieving those objectives. As outlined earlier, if a proposal will amend an existing plan provision, the examination under s32(1)(b) must relate to –

(a) The provisions and objectives of the amending proposal; and

(b) The objectives of the existing proposal to the extent that those objectives –

(i) Are relevant to the objectives of the amending proposal; and

(ii) Would remain if the amending proposal were to take effect.

136 Section 32AA requires a further evaluation of any changes that have been made to, or are proposed for, the proposal since the evaluation required for the proposal was completed.

137 Having reviewed the original s32 evaluation and the submissions and evidence before us, and the Council Officers' Final Reply Report, the Panel is satisfied that PC79 as recommended to be amended as set out in Appendix 2, the objectives of PC79 are the most appropriate way of achieving the purpose of the Act, and the amendments to existing and proposed new policies, rules and methods, are the most appropriate way of achieving those objectives.

Consistency with Part 2 of the RMA

138 Under s74(1) of the RMA, any changes to a District Plan must be in accordance with, inter alia, the purpose and principles of the RMA, under Part 2 of the RMA. The purpose of the RMA is set out in section 5, as follows:

> *"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 wellbeing 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; and*
>
> *(b) safeguarding the life supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) avoiding, remedying or mitigating any adverse effects of activities on the environment".*

139 The Panel is satisfied that PC79 as recommended in Appendix 2 of this report is consistent with the purpose and principles of Part 2 of the RMA.

Parties' Assistance to Us:

140 We wish to acknowledge the efforts of all parties in assisting us in our role and the constructive approach taken by all parties through the hearing process. Plan change processes are demanding for all parties involved and we are grateful for the professionalism, patience and helpfulness we have received through the process. Our recommendations to the Council ultimately considered all submissions made on PC79, irrespective of whether the submitter attended the hearing or not.

Recommended Decision on Plan Change 79:

141 The Panel recommend, pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991, that:

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1. Proposed Plan Change 79 to the Tasman Resource Management Plan be **approved with modifications**, as set out in Appendix 1.
2. The submissions to Proposed Plan Change 79 be accordingly **accepted, accepted in part, rejected in part or rejected**, as set out in Appendix 2**.**
3. The further submissions to Proposed Plan Change 79 be accepted, accepted in part, rejected in part or rejected, in accordance with our recommendations on submissions.

142 All for the reasons set out above in this recommendation report.

Ms Gina Sweetman
Chair and Commissioner, Independent Hearings Panel

Cr Kit Maling
Commissioner, Independent Hearings Panel

Christeen MacKenzie
Commissioner, Independent Hearings Panel

Date:
09/02/2026

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APPENDIX 1 Recommended amendments to PC79

Refer to the Schedule of Amendments Document:
Plan Change No. 79 Without Legal Effect, Deferred Zoning, Schedule of Amendments, Hearing Panel Recommendation Version. Decision Version Date: 09/02/2026

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Tasman Resource Management Plan

Plan Change 79 - Deferred Zoning

Appendix 2

Panel Recommendations on Submissions

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted.

Appendix 2: Panel Recommendations on Submissions

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- 3.2.3 Plan Topic: 16.3.2.5 - Subdivision in any Zone Subject to Deferred Zone Rules
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10 General

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Appendix 2: Panel Recommendations on Submissions

1.0 Purpose and Structure of this Document

The following submission recommendation tables follow the order of the Council's s42A Report.

Section 2: Māpua and Motueka Requests

Section 3: Deferred Zone Framework

Section 4: Lower Queen Street (LQS), RW1&2 and Seal Level Rise (SLR)

Section 5: Richmond West 3 (RW3)

Section 6: Richmond West 5 (RW5)

Section 7: Richmond East 11 (RE11)

Section 8: Richmond South RS 14, 15. 15A-C (RS14, RS15. RS15A-C)

Section 9: Brightwater (BW16)

Section 10: General

For ease of reference, Table 1 list the PC79 submitters

Table 1: Submitters

Submitter Name	Submitter Number
J Easton	4216
Transpower New Zealand Limited	174
BAG Development Company Limited	4217
B & C Johnson	4218
Richmond West Development Company Limited	4200
Director-General of Conservation	1445
M Toll	4219
S Orrah	4220
Oregon Land Limited	4221
Ministry of Education Te Tāhuhu o Te Mātauranga	1063
Mt Hope Holdings Limited	3720
AB & SL Family Trust	4222
J & K Thompsett	4223
Nelson Tasman Climate Forum	4224
S & A Field	4225
K Hanna and 187 Hanna Trustee Ltd	4226
Appleby 88 Limited	4227
Flowerlands Limited	4228
A & S Talley	2915

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Appendix 2: Panel Recommendations on Submissions

Submitter Name	Submitter Number
Wai West Horticulture Limited	1651
C & T Yelverton	4230
D Huelsmeyer	4229
Kāinga Ora – Homes and Communities	4215
Garrick Batten	336

Where a submission has a * next to it, this indicates that it was not included in the Council Officers' s42A report Appendix.

2.0 Māpua and Motueka Requests

2.2.1 Plan Topic: Rezoning - amendments to operative planning maps and proposed Schedule 17.14A (for Māpua and Motueka)

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Rezoning and amendments to the planning maps (Operative Planning Maps for Māpua and Motueka) and Schedule 17.14A		
S Orrah. **4220.1**	Allow in part	Accept in Part
M. Toll **4219.1**	Disallow	Reject
Mt. Hope Holdings Ltd. **3720.1**	Disallow	Accept in Part
D. Huelsmeyer. **4229.1**	Disallow	Reject
A&S Talley. **2915.3**	Disallow	Reject
A&S Talley. **2915.22**	Disallow	Reject

2.2.2 Plan Topic: (Policy) Provisions relating to the development of deferred land - 6.3 Urban Infrastructure Services

Plan Amendments

6.3 - Urban Infrastructure Services:

Policies 6.3.3.4 – 6.3.3.4D; Regulatory Method 6.3.20.1(aa); 6.3.30 Principal Reasons and Explanation

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
6.3 Urban Infrastructure Services – Policies and Provisions relating to the development of deferred land		
A&S Talley. **2915.2**	Allow in part	Accept in Part
A&S Talley. **2915.4**	Disallow	Reject
A&S Talley. **2915.8**	Disallow	Reject
A&S Talley. **2915.9**	Allow	Accept
A&S Talley. **2915.10**	Disallow	Reject
A&S Talley. **2915.11**	Allow	Accept
A&S Talley. **2915.12**	Allow	Accept
A&S Talley. **2915.14**	Allow in part	Accept in Part

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Appendix 2: Panel Recommendations on Submissions

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
6.3 Urban Infrastructure Services – Policies and Provisions relating to the development of deferred land		
Appleby 88 Ltd. **4227.3***	-	Reject
Appleby 88 Ltd. **4227.4**	Allow in part	Accept in Part
A&S Talley. **2915.15**	Allow	Accept
Appleby 88 Ltd. **4227.5**	Allow in part	Accept in Part
Staff - Consequential	Amend 6.3.30 Principal Reasons and Explanation to clarify that paragraph 6 applies to all deferred land, not just deferred land listed in Schedule 17.14A	Accept

3.0 Deferred Zone Framework

4) Submitter Name, Number and Point	5) Staff Final Recommendation	6) Panel Recommendation
7) General	8)	9)
10) A&S Talley. **2915.1**	11) Allow alternative in part	12) Accept in Part

3.2.2 Plan Topic: 6.3 – Urban Infrastructure Services

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
6.3 - Urban Infrastructure Services: (Objectives)		
Ministry of Education Te Tāhuhu o Te Mātauranga. **1063.1**	Allow in part	Accept in Part
A&S Talley. **2915.7**	Allow	Accept
A&S Talley. **2915.13**	Disallow	Reject

3.2.3 Plan Topic: 16.3.2.5 - Subdivision in any Zone Subject to Deferred Zone Rules

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
16.3.2.5 - Subdivision in any Zone Subject to Deferred Zone Rules or Where Deferred Zoning has been Removed		
Appleby 88 Ltd. **4227.6**	Allow in Part	Accept in Part
A&S Talley. **2915.16**	Allow in part	Accept in Part
A&S Talley. **2915.17**	Allow in part	Accept in Part
A&S Talley. **2915.18**	Allow in part	Accept in Part

3.2.4 Plan Topic: Chapter 17.14 - Deferred Zone Rules - 15 years for transportation requirements for RW5

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Chapter 17.14 – Deferred Zone Rules –15 years for Transportation Requirements for RW5		
Appleby 88 Ltd. **4227.8**	Disallow	Reject
Appleby 88 Ltd. **4227.9**	Disallow	Reject

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Appendix 2: Panel Recommendations on Submissions

3.2.5 Plan Topic: Chapter 17.14 - Deferred Zone Rules - except for Schedule 17.14A

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Chapter 17.14 provisions (excluding Schedule 17.14A)		
A&S Talley. **2915.20**	Disallow	Reject
A&S Talley. **2915.21**	Allow	Accept
A&S Talley. **2915.23**	Allow in part Allow requests (i) (ii) and (iii) Disallow request (iv)	Accept in Part
A&S Talley. **2915.24**	Allow (primary request)	Accept in Part
A&S Talley. **2915.25**	Allow	Accept
A&S Talley. **2915.26**	Allow in part	Accept in Part
A&S Talley. **2915.27**	Disallow	Reject
A&S Talley. **2915.28**	Allow	Accept
A&S Talley. **2915.29**	Allow	Accept
A&S Talley. **2915.30**	Disallow	Reject

3.2.6 Plan Topic: Chapter 17.14 - Schedule 17.14A

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Chapter 17.14 - Schedule 17.14A		
A&S Talley. **2915.31**	Allow in part	Accept in Part
A&S Talley. **2915.32**	Allow	Accept
A&S Talley. **2915.33**	Allow	Accept
A&S Talley. **2915.34**	Allow	Accept
A&S Talley. **2915.35**	Allow in part	Accept in Part
A&S Talley. **2915.36**	Allow in part	Accept in Part
A&S Talley. **2915.37**	Allow	Accept

4.0 Lower Queen Street (LQS), RW1&2 and Sea Level Rise (SLR)

4.2 Affected Plan Provisions

4.2.1 Plan Topic Number: General

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
General		
Nelson Tasman Climate Forum **4224.7**	Disallow	Reject
AB and SL Family **Trust 4222.28**	Disallow	Reject

4.2.2 Plan Topic Number: Policy 6.5.3.10

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Policy 6.5.3.10		
Nelson Tasman Climate Forum **4224.2**	Disallow	Reject

4.2.3 Plan Topic Number: Chapters 6 and 13:

Policy 6.5.3.10A
Policy 6.5.3.10AA
Policy 6.5.3.10B

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Appendix 2: Panel Recommendations on Submissions

Policy 6.5.3.10C
Method of Implementation 6.5.20.1(e)
Reasons and Explanation 6.5.30
Policy 6.8.3.11
Policy 6.8.3.23A
Reasons and Explanation 6.8.30
Policy 13.1.3.7A
Reasons and Explanation 13.1.30

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Policy 6.5.3.10A		
AB and SL Family Trust **4222.3** Flowerlands Ltd **4228.3** Wai-West Horticulture Ltd **1651.3** Coral and Tracy Yelverton **4230.3**	Disallow	Reject
AB and SL Family Trust **4222.4** Flowerlands Ltd **4228.4** Wai-West Horticulture Ltd **1651.4** Coral and Tracy Yelverton **4230.4**	Disallow	Reject
Policy 6.5.3.10B		
AB and SL Family Trust **4222.5** Flowerlands Ltd **4228.5** Wai-West Horticulture Ltd **1651.5** Coral and Tracy Yelverton **4230.5**	Disallow ~~Reason: Purpose of this policy is to recognize the different vulnerabilities of land uses and that case-by-case assessment is appropriate.~~ ~~The proposed amendment confuses the purpose of the policy~~.	Reject
Policy 6.5.3.10C		
AB and SL Family Trust **4222.6** Flowerlands Ltd **4228.6** Wai-West Horticulture Ltd **1651.6** Coral and Tracy Yelverton **4230.6**	Disallow	Reject
Jeff and Katrina Thompset **4223.1**	Disallow	Reject
Method 6.5.20.1(e)		
AB and SL Family Trust **4222.7** Flowerlands Ltd **4228.7** Wai-West Horticulture Ltd **1651.7** Coral and Tracy Yelverton **4230.7**	Disallow	Reject
Reasons and Explanation 6.5.30		
AB and SL Family Trust **4222.8**	Disallow	Accept in Part

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Appendix 2: Panel Recommendations on Submissions

Flowerlands Ltd **4228.8** Wai-West Horticulture Ltd **1651.8** Coral and Tracy Yelverton **4230.8**		
Policy 6.8.3.11		
Nelson Tasman Climate Forum **4224.3**	Noted	-
AB and SL Family Trust **4222.10** Flowerlands Ltd **4228.10** Wai-West Horticulture Ltd **1651.10** Coral and Tracy Yelverton **4230.10**	Disallow	Reject
Policy 6.8.3.23A		
AB and SL Family Trust **4222.9** Flowerlands Ltd **4228.9** Wai-West Horticulture Ltd **1651.9** Coral and Tracy Yelverton **4230.9**	Disallow	Reject
Reasons and Explanation 6.8.30		
AB and SL Family Trust **4222.12** Flowerlands Ltd **4228.12** Wai-West Horticulture Ltd **1651.12** Coral and Tracy Yelverton **4230.12**	Disallow	Accept in Part
Policy 13.1.3.7A		
Nelson Tasman Climate Forum **4224.4**	Noted	Accept
AB and SL Family Trust **4222.11** Flowerlands Ltd **4228.11** Wai-West Horticulture Ltd **1651.11** Coral and Tracy Yelverton **4230.11**	Disallow	Reject
Reasons and Explanation 13.1.30		
AB and SL Family Trust **4222.13** Flowerlands Ltd **4228.13** Wai-West Horticulture Ltd **1651.13** Coral and Tracy Yelverton **4230.13**	Disallow	Accept in part

4.2.4 Plan Topic Number: Section 16.3 (Subdivision)

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Section 16.3		
Jenny Easton **4216-2**	Disallow	Reject
Nelson Tasman Climate Forum **4224.5**	Disallow	Reject
AB and SL Family Trust **4222.14** Flowerlands Ltd **4228.14** Wai-West Horticulture Ltd **1651.14** Coral and Tracy Yelverton **4230.14**	Allow	Accept
Coral and Tracy Yelverton **4230.14.1**	Disallow	Reject

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Appendix 2: Panel Recommendations on Submissions

4.2.5 Plan Topic Number: Section 17.4

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Section 17.4		
A & S Talley **2915.19**	Disallow	Reject

4.2.6 Plan Topic Number: Schedule 17.4A Section 2.2 (Meaning of Words)

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Section 17.4A		
Jenny Easton **4216.1**	Noted / Allow	Accept
Nelson Tasman Climate Forum **4224.1, 4224.6**	Noted / Allow	Reject in Part
Section 2.2 (Meaning of Words)		
AB and SL Family Trust **4222.20** Flowerlands Ltd **4228.20** Wai-West Horticulture Ltd **1651.20** Coral and Tracy Yelverton **4230.20**	Allow	Accept
Section 17.4A		
AB and SL Family Trust **4222.23** Flowerlands Ltd **4228.23** Wai-West Horticulture Ltd **1651.23** Coral and Tracy Yelverton **4230.23**	Disallow	Reject
A & S Talley **2915.6**	Disallow	Reject

4.2.7 Plan Topic Number: Chapters 17.4 and 19

Section 17.4A (Scheduled area)
Section 17.4.2 (Land Use rules)
Section 17.4.3 (Building Construction or Alteration rules)
Section 19.2.1 (Information requirements)

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Rule 17.4A.1.2		
AB and SL Family Trust **4222.21** Flowerlands Ltd **4228.21** Wai-West Horticulture Ltd **1651.21** Coral and Tracy Yelverton **4230.21**	Allow amendments to Condition (c)	Accept in Part
Rule 17.4A.1.4		
AB and SL Family Trust **4222.22** Flowerlands Ltd **4228.22** Wai-West Horticulture Ltd **1651.22** Coral and Tracy Yelverton **4230.22**	Disallow	Reject
Rule 17.4.2.1A		
Appleby 88 Ltd. 4227.7*	-	Accept

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Appendix 2: Panel Recommendations on Submissions

AB and SL Family Trust **4222.17** Flowerlands Ltd **4228.17** Wai-West Horticulture Ltd **1651.17** Coral and Tracy Yelverton **4230.17**	Noted	Accept
Rule 17.4.2.1		
AB and SL Family Trust **4222.16** Flowerlands Ltd **4228.16** Wai-West Horticulture Ltd **1651.16** Coral and Tracy Yelverton **4230.16**	Allow	Accept
AB and SL Family Trust **4222.15** Flowerlands Ltd **4228.15** Wai-West Horticulture Ltd **1651.15** Coral and Tracy Yelverton **4230.15**	Disallow	Reject
Rule 17.4.2.3		
AB and SL Family Trust **4222.18** Flowerlands Ltd **4228.18** Wai-West Horticulture Ltd **1651.18** Coral and Tracy Yelverton **4230.18**	Disallow	Reject
Rule 17.4.3.3		
AB and SL Family Trust **4222.19** Flowerlands Ltd **4228.19** Wai-West Horticulture Ltd **1651.19** Coral and Tracy Yelverton **4230.19**	Disallow	Reject
Information Requirement 19.2.1.18A		
AB and SL Family Trust **4222.24** Flowerlands Ltd **4228-.24** Wai-West Horticulture Ltd **1651.24** Coral and Tracy Yelverton **4230.24**	Disallow	Reject

4.2.8 Plan Topic Number: Update Zone Map 76-12

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Update Zone Map 76-12		
AB and SL Family Trust **4222.1** Flowerlands Ltd **4228.1** Wai-West Horticulture Ltd **1651.1** Coral and Tracy Yelverton **4230.1**	Noted	-
AB and SL Family Trust **4222.2** Flowerlands Ltd **4228.2** Wai-West Horticulture Ltd **1651.2** Coral and Tracy Yelverton **4230.2**	Allow in part	Accept in Part

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Appendix 2: Panel Recommendations on Submissions

5.0 Richmond West 3 (RW3)

5.2 Affected Plan Provisions

5.2.1 Plan Topic Number: Update Zone Map 76-12

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Kāinga Ora Homes and Communities **4215.1**	Disallow	Reject
Kāinga Ora Homes and Communities **4215.2**	Disallow	Reject

6.0 Richmond West 5 (RW5)

6.2 Affected Plan Provisions:

6.2.1 Plan Topic Number: Update Area Map 76-03

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Update Area Map 76-03		
Richmond West Development Company Ltd. **4200.1**	Allow	Accept
Richmond West Development Company Ltd. **4200.2**	Allow in part	Accept in Part
BAG Development Company Ltd, **4217.1**	Disallow	Reject
Residential Zone Subdivision - 16.3.3		
Richmond West Development Company Ltd. **4200.3**	Allow	Accept
Richmond West Development Company Ltd. **4200.4**	Allow	Accept
Richmond West Development Company Ltd. **4200.5**	Allow in part	Accept in Part
Richmond West Development Company Ltd. **4200.6**	Allow in part	Accept in Part
Richmond West Development Company Ltd. **4200.7**	Allow	Accept
Richmond West Development Company Ltd. **4200.8**	Allow	Accept
Mixed Business Zone Subdivision - 16.3.4		
Consequential amendments	Notified new Rule is no longer required as 7m wide Indicative Reserve containing an active transport corridor is located within the Residential zone.	Accept
	Notified amendment to Rule is no longer required as 7m wide Indicative Reserve containing an active transport corridor is	Accept

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Appendix 2: Panel Recommendations on Submissions

	located within the Residential zone.	
Subdivision - 16.3		
Richmond West Development Company Ltd. **4200.9**	Allow	Accept
Richmond West Development Company Ltd. **4200.10**	Allow in part	Accept in Part
Richmond West Development Company Ltd. **4200.11**	Allow in part	Accept in Part
Richmond West Development Company Ltd. **4200.12**	Allow in part	Accept in Part

6.2.2 Plan Topic Number: Rezone Record of Title 856882 from Rural deferred Mixed Business to Mixed Business

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Operative Zone Map		
Appleby 88 Ltd. **4227.1**	Disallow	Reject
Richmond West Development Company Ltd. **4200.1**	Allow	Accept
Schedule 17.14A		
Appleby 88 Ltd. **4227.2**	Disallow	Reject
Appleby 88 Ltd. **4227.10**	Allow	Accept

7.0 Richmond East 11 (RE11)

7.2 Affected Plan Provisions

7.2.1 Plan Topic Number: General

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Transpower, NZ Ltd. **174.1**	Allow	Accept
Transpower, NZ Ltd. **174.2**	Allow	Accept
Transpower, NZ Ltd. **174.3**	Allow	Accept
Transpower, NZ Ltd. **174.3.1**	Allow	Accept
Transpower, NZ Ltd. **174.4**	Allow	Accept
Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Transpower, NZ Ltd. **174.4.1**	Allow	Accept
Transpower, NZ Ltd. **174.4.2**	Allow	Accept
Transpower, NZ Ltd. **174.5**	Allow	Accept
Transpower, NZ Ltd. **174.5.1**	Allow	Accept
Transpower, NZ Ltd. **174.6**	Disallow	Reject

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Appendix 2: Panel Recommendations on Submissions

8.0 Richmond South 14, 15, 15A-C, (RS14, RS15, RS15A-C)

8.2 Affected Plan Provisions

8.2.1 Plan Topic Number: Update Zone Map 76-10

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Update Zone Map 76-10		
Oregon Land Ltd **4221.1**	Allow	Accept
K Hanna and 187 Hanna Trustee Ltd. **4226.1**	Allow	Accept
S and A Field. **4225.1**	Allow	Accept
S and A Field. **4225.2**	Allow	Accept

Update Zone Map 76-10 - Final Reply version

8.2.2 Plan Topic Number: Update Area Map 76-02

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Update Area Map 76-02		
Oregon Land Ltd. **4221.2**	Disallow	Reject
S and A Field. **4225.3**	Allow in part	Accept in Part
K Hanna and 187 Hanna Trustee Ltd**4226.2**	Allow in part	Accept in Part

9.0 Brightwater 16 (BW16)

9.2 Affected Plan Provisions

9.2.1 Plan Topic Number: Update Zone Map 76-04

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
Director-General of Conservation.**1445.1**	Allow	Accept
G Batten. **336.1**	Disallow	Reject

10 General

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
B and C Johnson. **4218.1**	Allow in part	Accept in Part
Andrew and Susan Talley. 2915.5*	-	Accept
AB and SL Family Trust **4222.25*** Flowerlands Ltd **4228.25** Wai-West Horticulture Ltd **1651.25** Coral and Tracy Yelverton **4230.25**	-	Reject
Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
AB and SL Family Trust **4222.26*** Flowerlands Ltd **4228.26** Wai-West Horticulture Ltd **1651.26** Coral and Tracy Yelverton **4230.26**	-	Reject

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Appendix 2: Panel Recommendations on Submissions

Submitter Name, Number and Point	Staff Final Recommendation	Panel Recommendation
AB and SL Family Trust **4222.27*** Flowerlands Ltd **4228.27** Wai-West Horticulture Ltd **1651.27** Coral and Tracy Yelverton **4230.27**	-	Reject

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Attachment Three: List of names and addresses of people to be served

Name of submitter	Address (if given)	Email address
Jenny Easton	29 View Mount, Stoke	Jennym.easton@gmail.com
Transpower New Zealand Ltd	PO Box 17215, Greenlane, Auckland	Environment.Policy@transpower.co.nz
BAG Development Company Ltd	195 Queen Street, Richmond	Graham_vercoe@outlook.co.nz
Brian & Carol Johnson	66 Hart Road, Richmond	Johnsbe62@gmail.com
Richmond West Development Company Ltd	PO Box 3083, Richmond	jo@themeadows.nz
Director-General of Conservation		jgooding@doc.govt.nz RMA@doc.govt.nz
Michael Toll	119 Aranui Road, Mapua	Micktoll49@gmail.com Hayden@planscapes.co.nz
Stephen Orrah	59 Seaton Valley Road, Upper Moutere	Stephen.orrah@gmail.com Hayden@planscapes.co.nz
Oregon Land Ltd	203 Queen Street, Richmond	Gordon.webb@summit.co.nz Hayden@planscapes.co.nz
Ministry of Education	Beca Ltd, PO Box 13960, Christchurch	daly.williams@beca.com
Mt Hope Holdings Ltd	PO Box 716, Nelson	projectsandventures@graemedick.co.nz Hayden@planscapes.co.nz
AB & SL Family Trust	PO Box 3314, Richmond	graham@trm.net.nz
Jeff & Katrina Thompsett	17 Swamp Road, Appleby, Richmond	thompsett@xtra.co.nz
Submissions Group of Nelson Tasman Climate Forum	58C Mytton Heights, RD1, Motueka	coordinator@ntcf.nz
Stephen Field and Abbie Field	PO Box 913, Nelson	jane@staigsmith.co.nz
Kathryn June Hanna, 187 Hanna Trustee Ltd	PO Box 913, Nelson	jane@staigsmith.co.nz
Appleby 88 Ltd	185 Bridge Street, Nelson	Johanna.king@tp.co.nz christian@legros.co.nz
Flowerlands Ltd	255 Nayland Road, Stoke, Nelson	trubet@ts.co.nz
Wai-West Horticulture Ltd	7 Bridge Street, Nelson	katherine.forward@duncancotteril.com
Coral and Tracy Yelverton	197 Bridge Street, Nelson	katherine.forward@duncancotteril.com
Daniel Huelsmeyer	370 Kaiteriteri Sandy Bay Road, Kaiteriteri	daniel@huelsmeyer.co.nz
Kāinga Ora Homes and Communities	PO Box 74598, Greenlane, Auckland	developmentplanning@kaingaora.govt.nz
Garrick Batten	64A Waimea West Road, Brightwater	caprinex@xtra.co.nz

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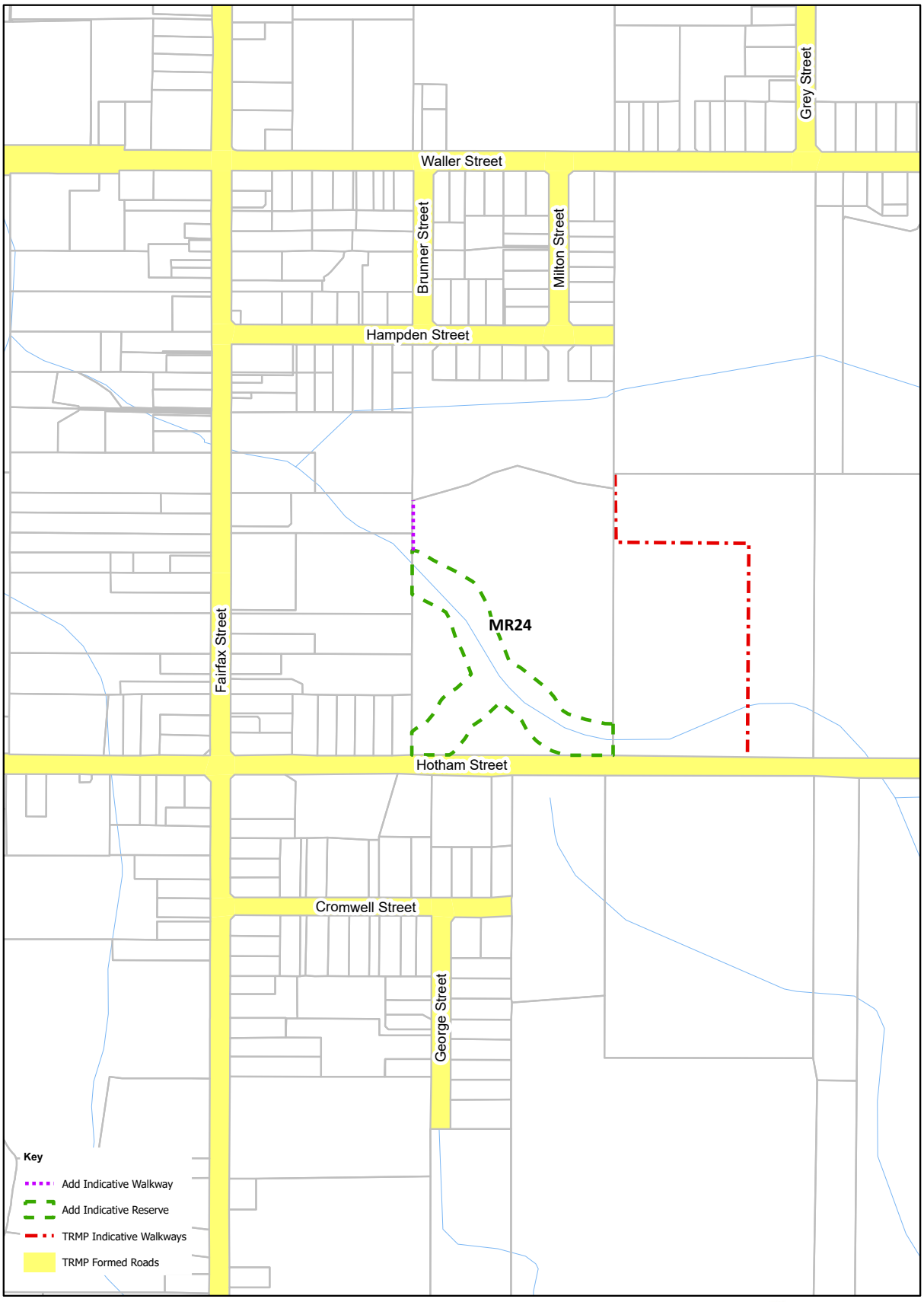

AREAS
Update Map 79-01
13 March 2026
Maps affected: 33, **92**

N
1:5,000

TASMAN RESOURCE MANAGEMENT PLAN
Plan Change 79 - Deferred Zoning - Decision
No legal effect

tasman district council
Te Kaunihera o te tai o Aorere

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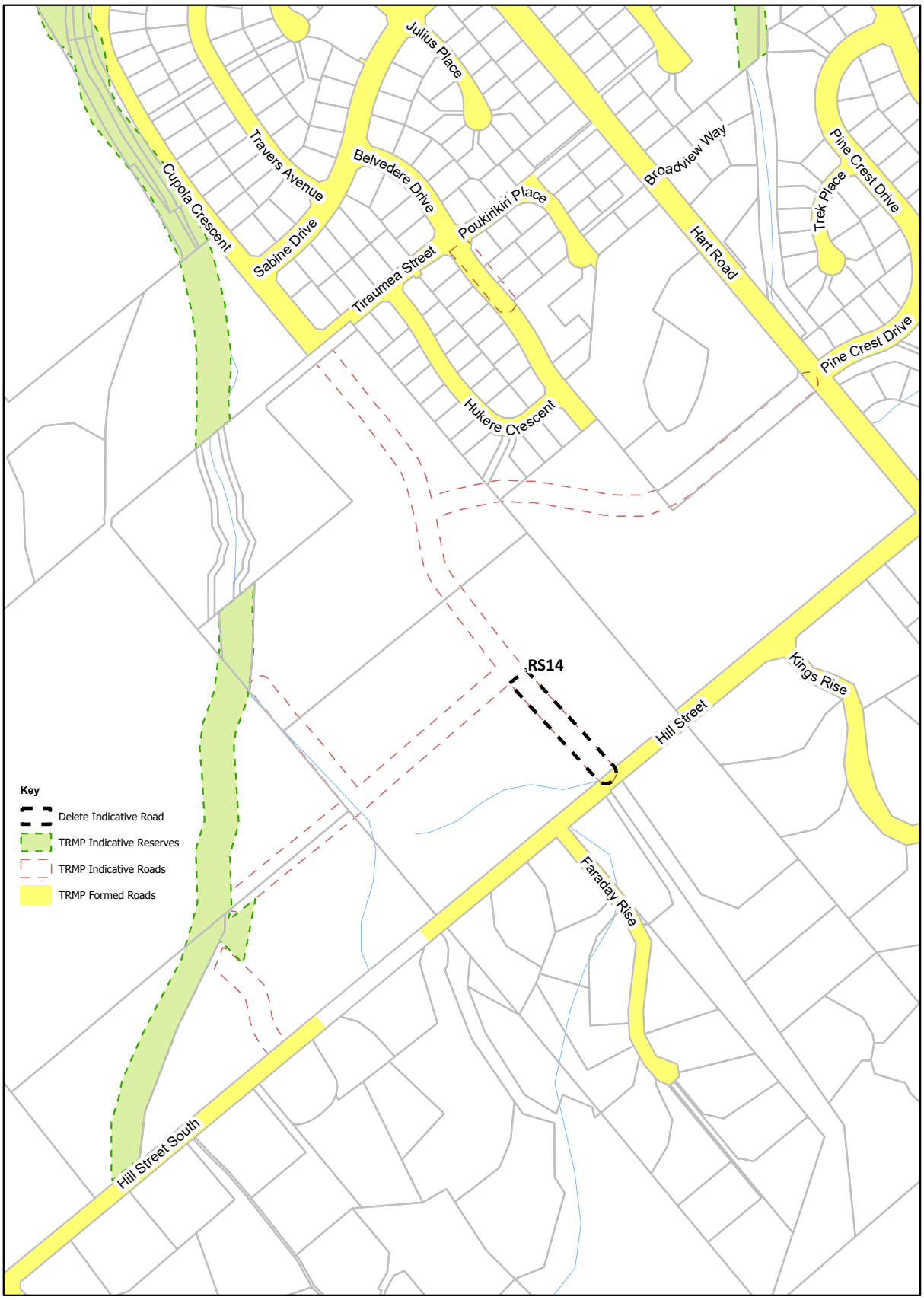

AREAS
Update Map 79-02
13 March 2026
Maps affected: 23, 57, **133**

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TASMAN RESOURCE MANAGEMENT PLAN
Plan Change 79 - Deferred Zoning - Decision
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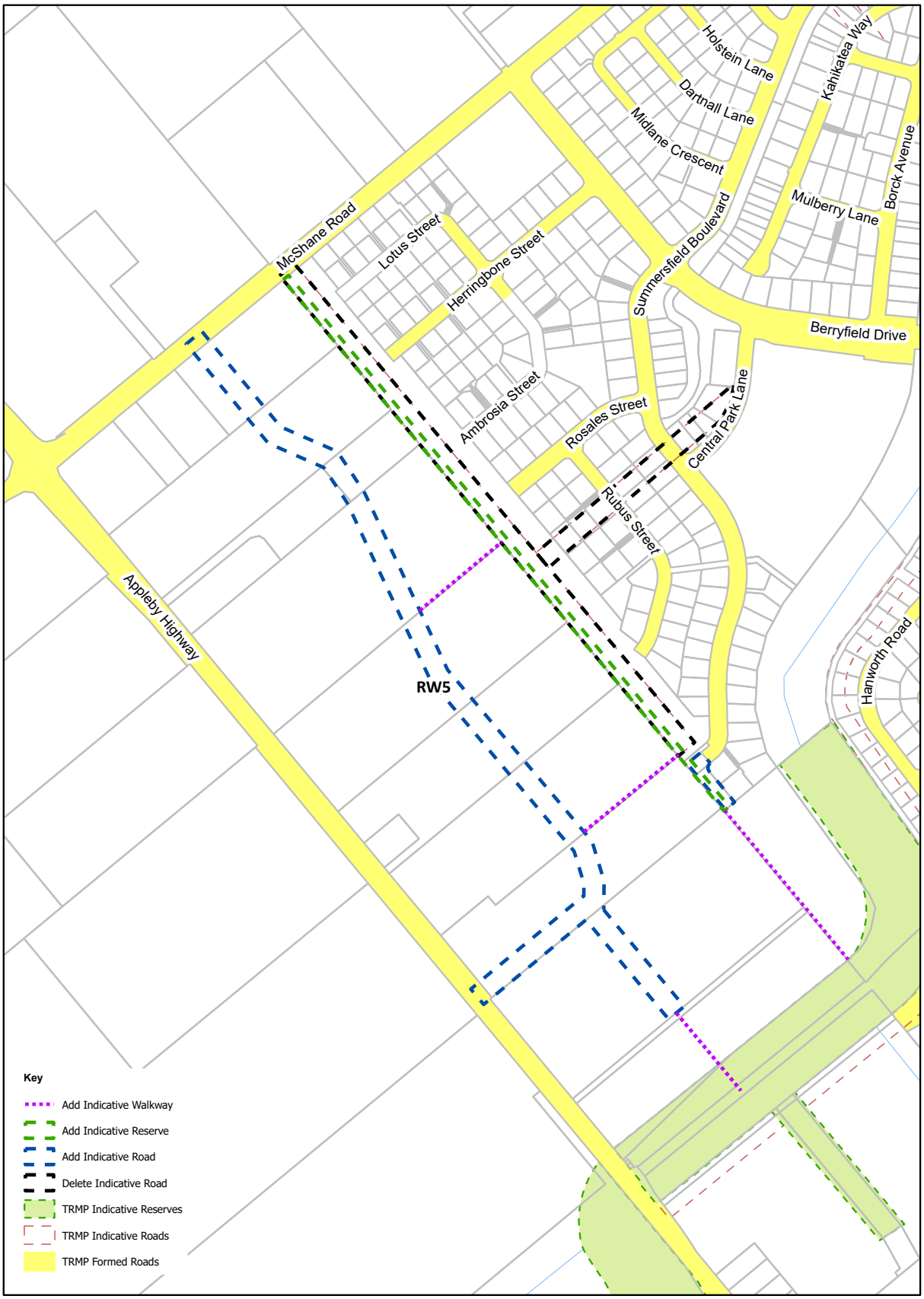

AREAS
Update Map 79-03
13 March 2026
Maps affected: **57**

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Plan Change 79 - Deferred Zoning - Decision
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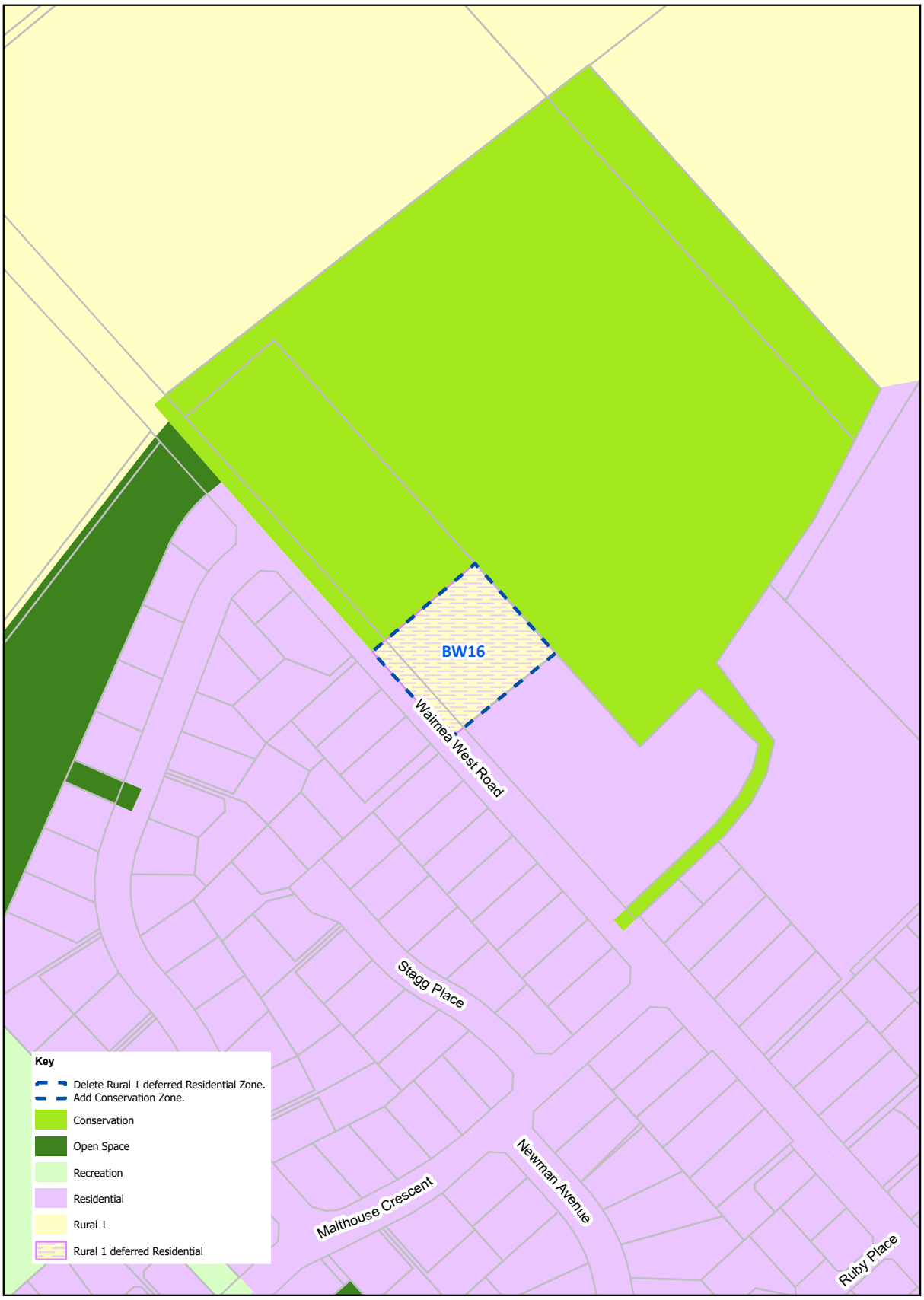

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Plan Change 79 – Deferred Zoning – Decision

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ZONES
Update Map 79-04
13 March 2026
Maps affected: 22, **90**

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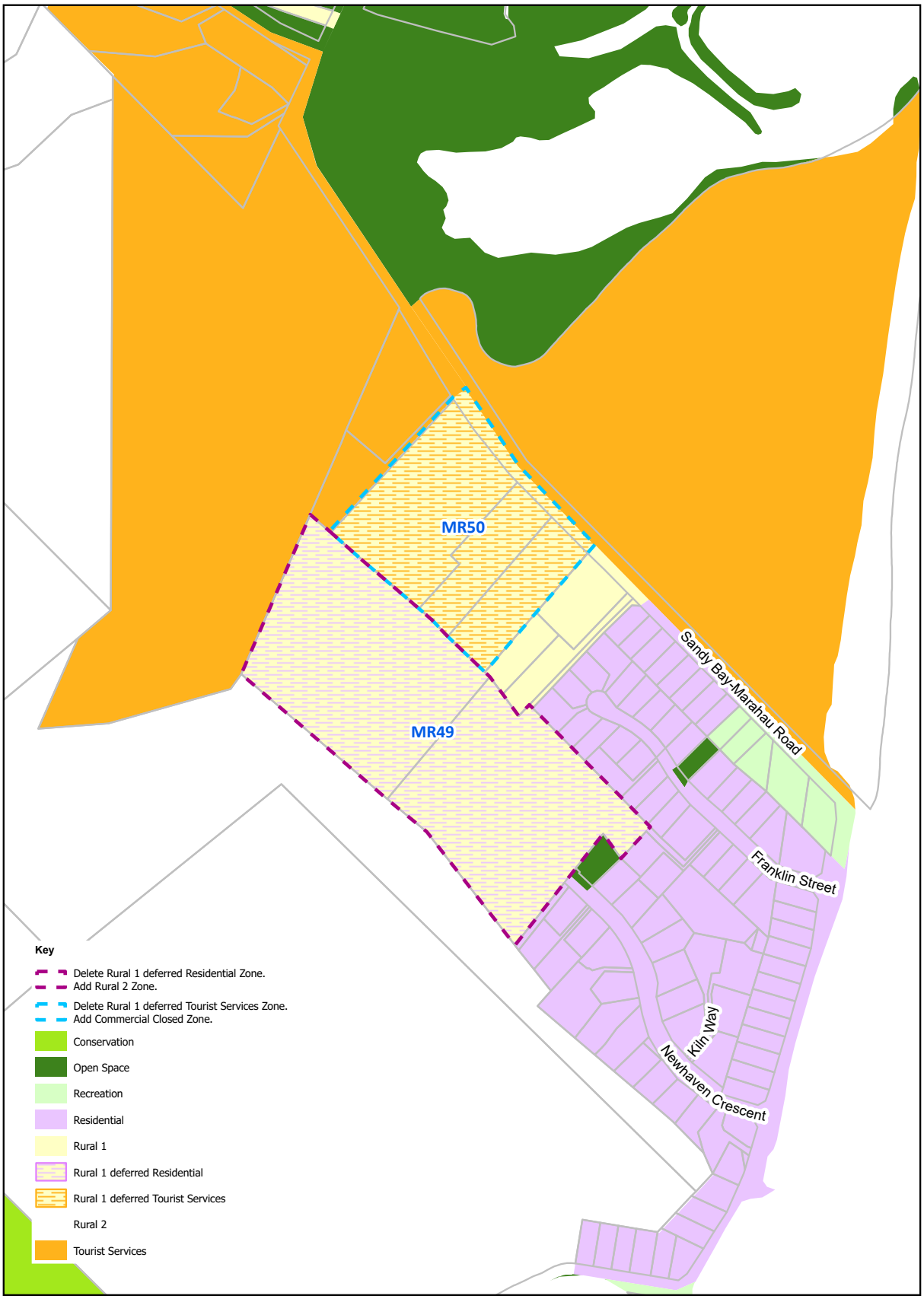

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TASMAN RESOURCE MANAGEMENT PLAN
Plan Change 79 – Deferred Zoning – Decision

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ZONES
Update Map 79-05
13 March 2026
Maps affected: 15, **82**

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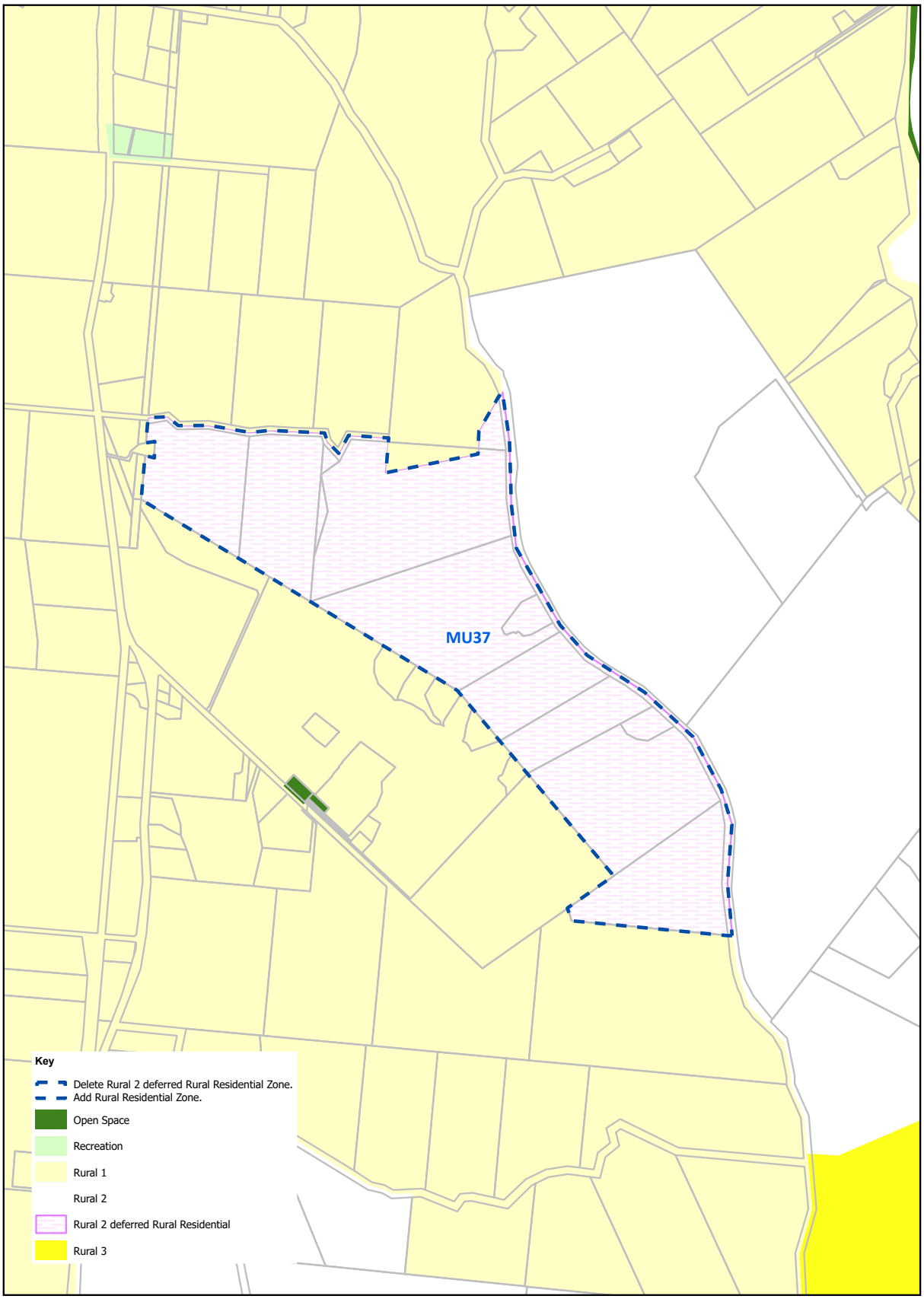

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ZONES
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13 March 2026
Maps affected: **19**

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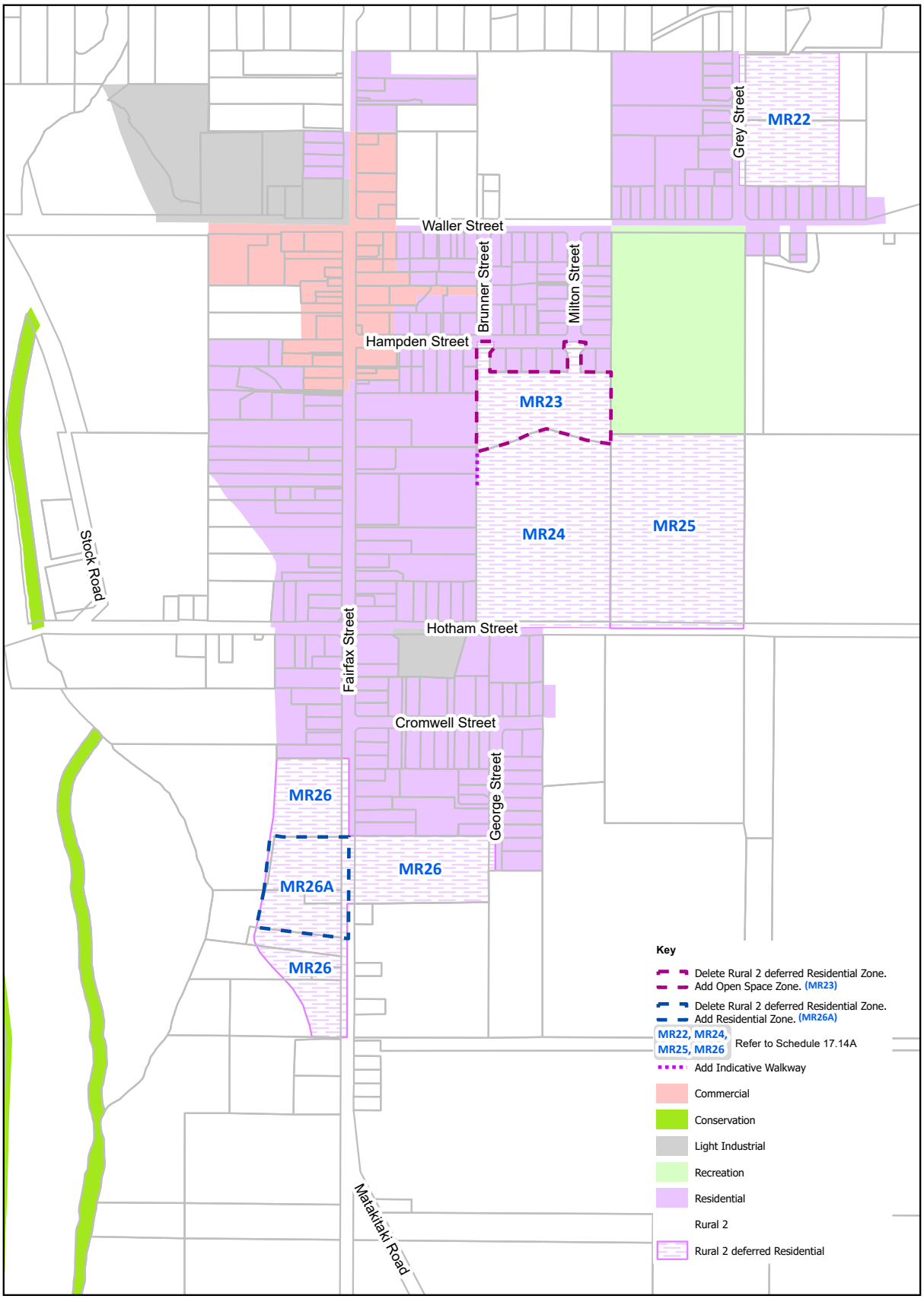

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ZONES
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13 March 2026
Maps affected: 33, 34, **92**

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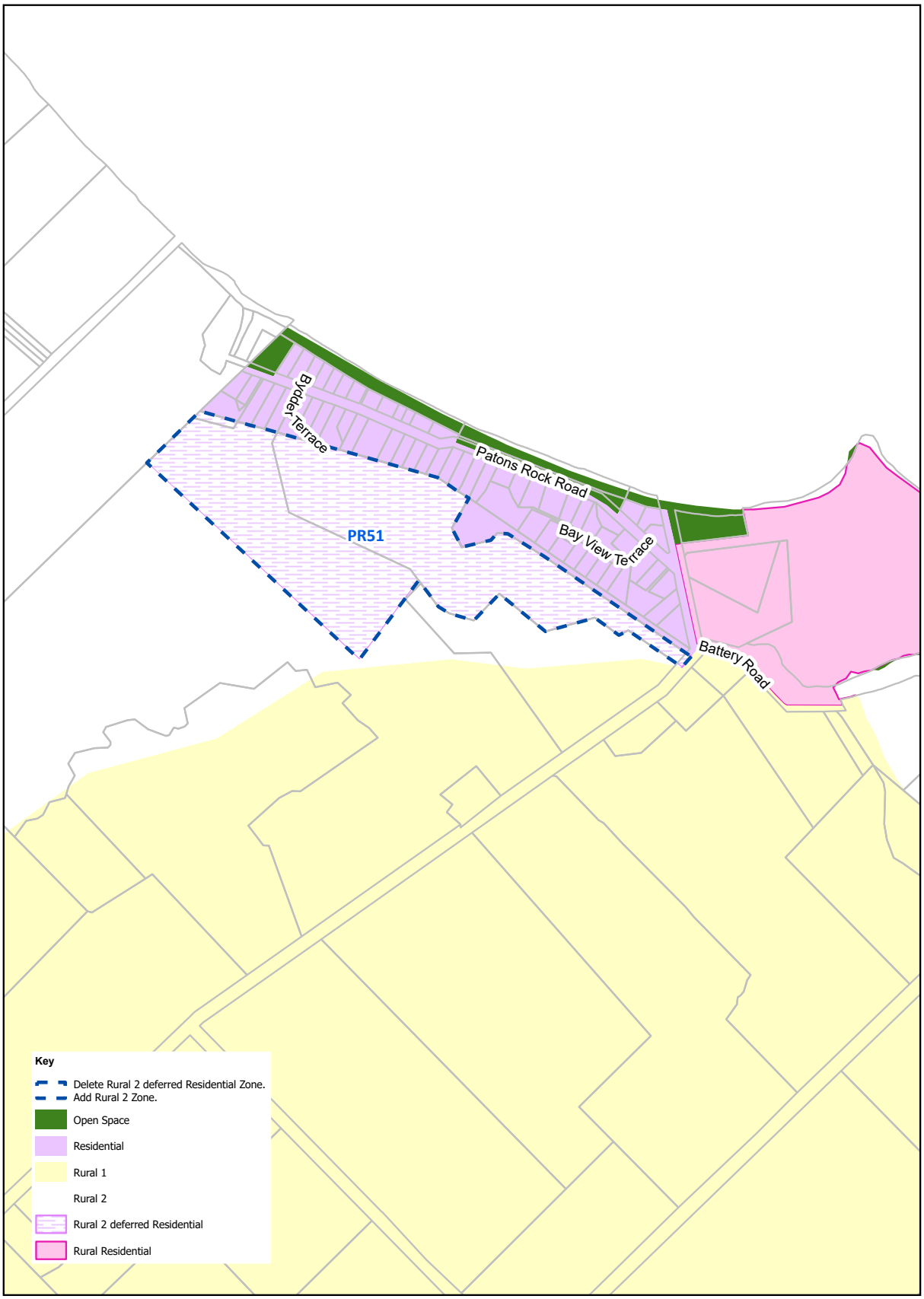

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ZONES
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13 March 2026
Maps affected: 9, **74**

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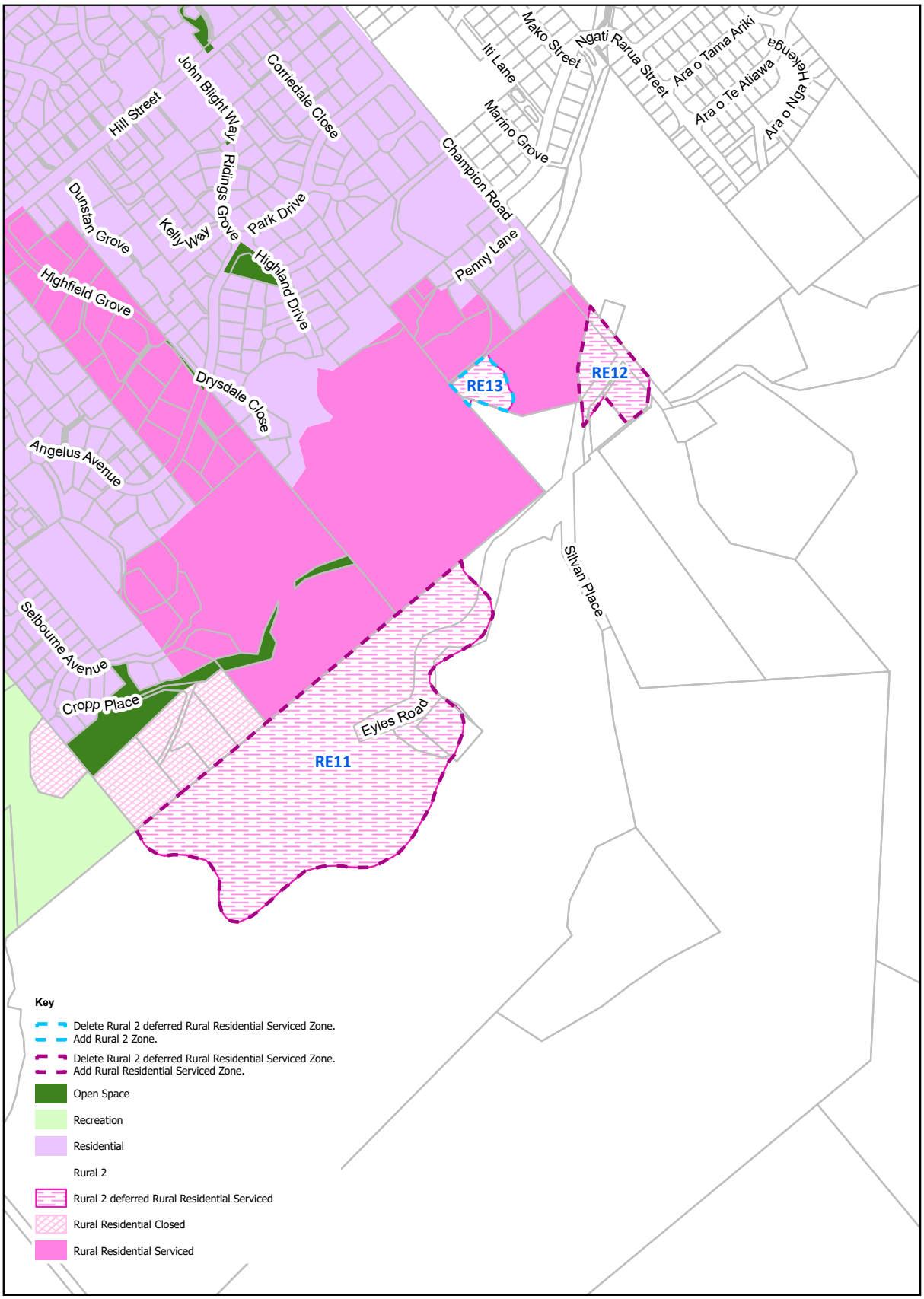

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ZONES
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13 March 2026
Maps affected: 23, 57, 130, **135**

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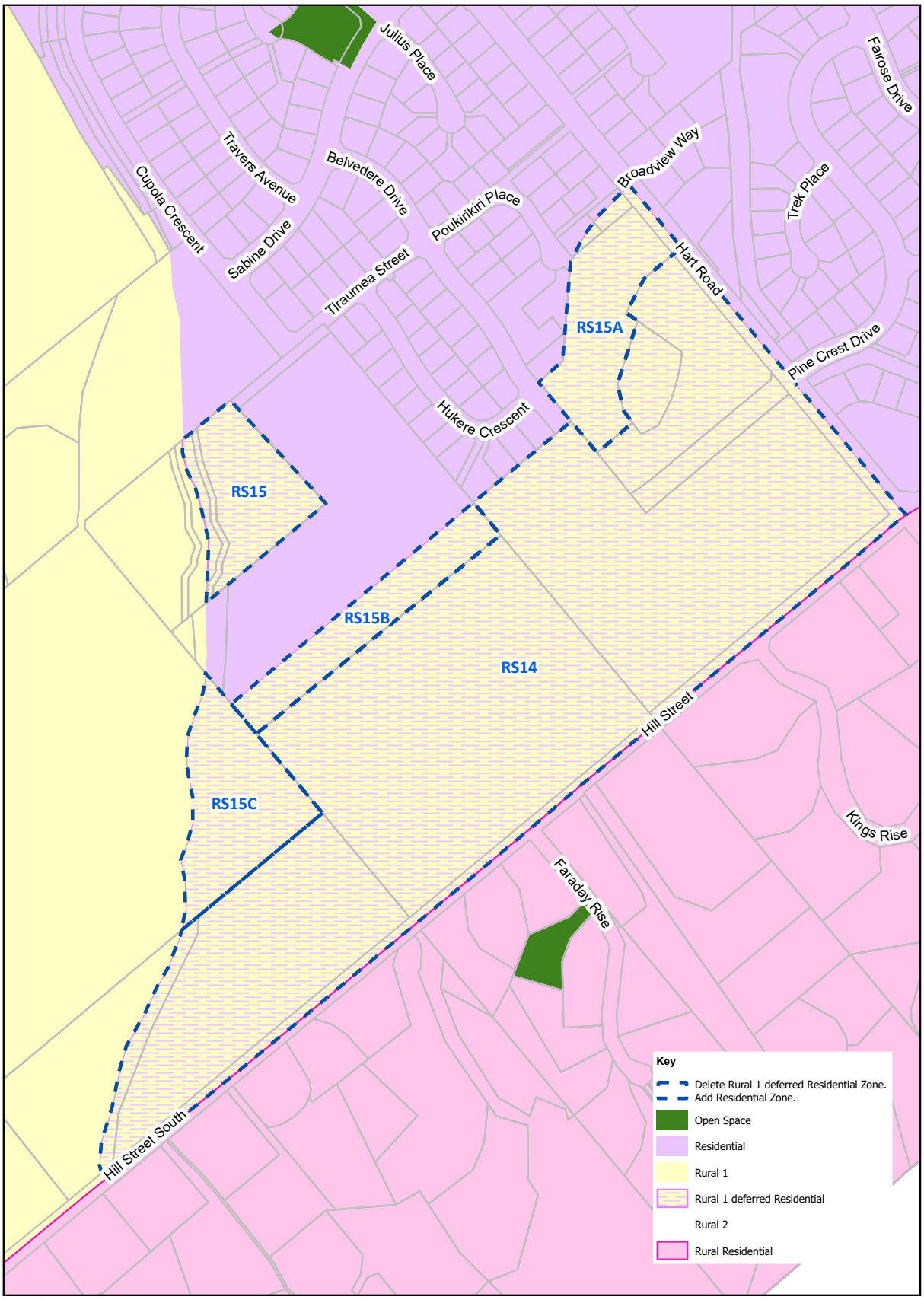

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ZONES
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13 March 2026
Maps affected: **57**

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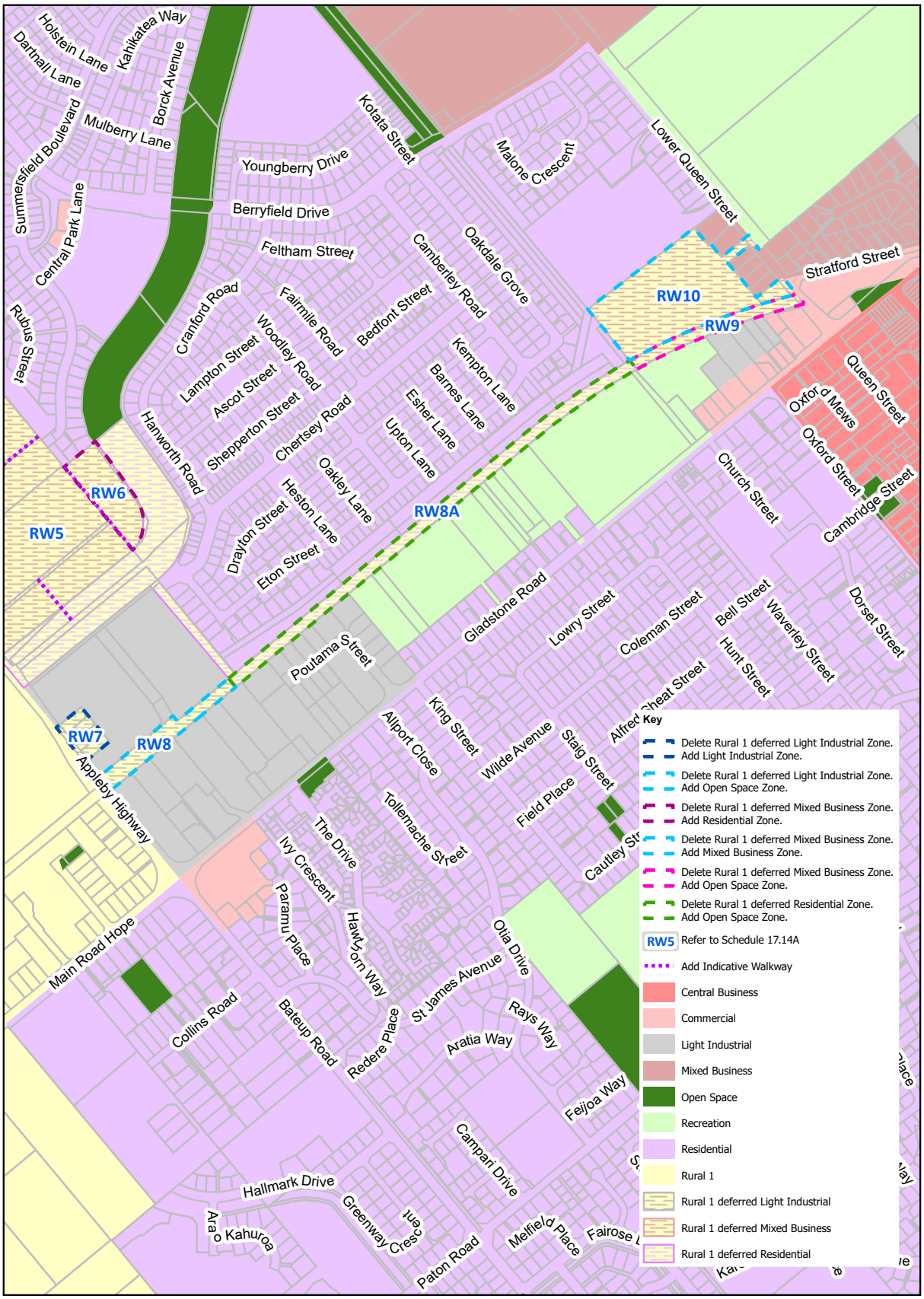

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ZONES
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13 March 2026
Maps affected: 23, **57**, 123, 127

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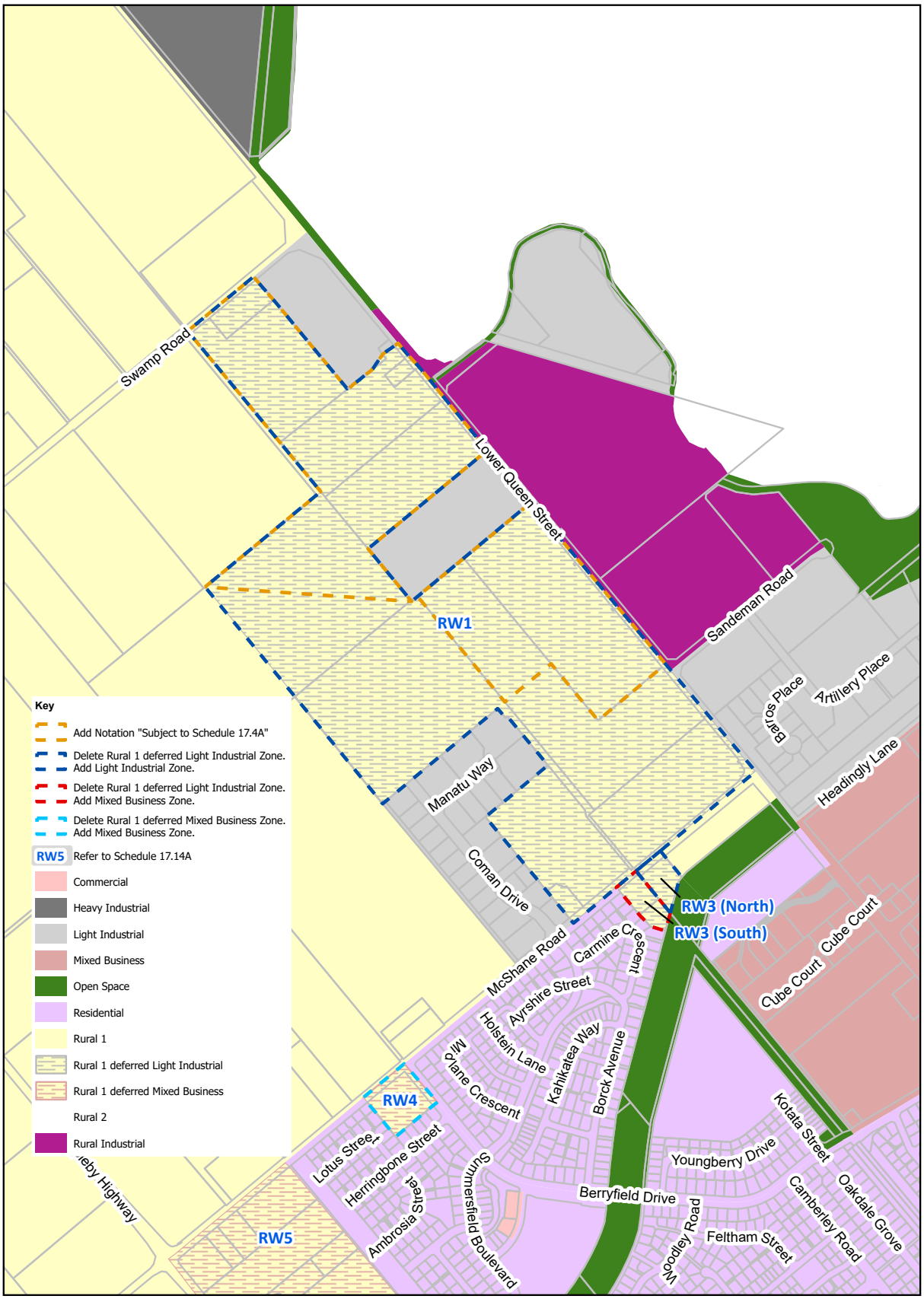

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ZONES
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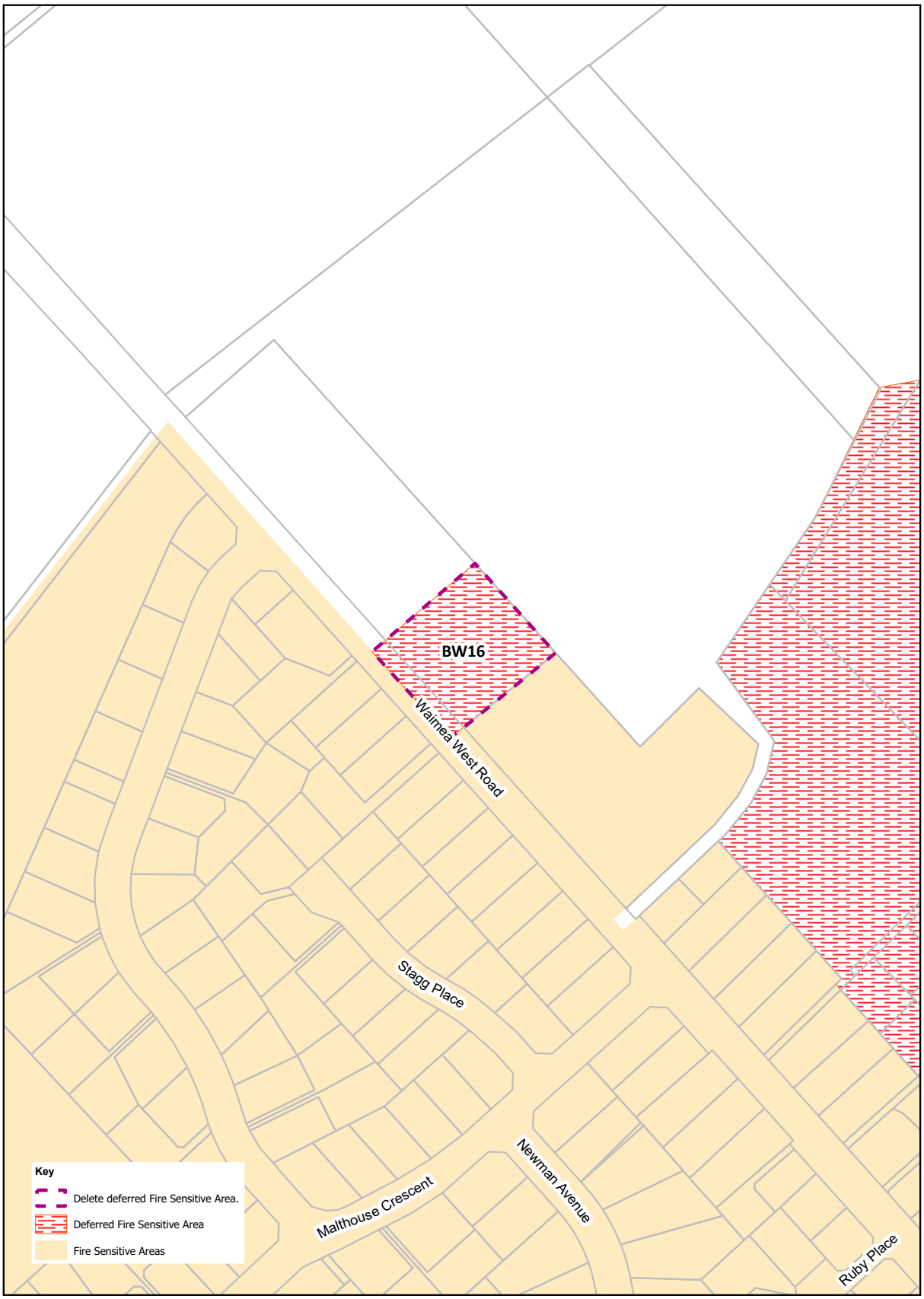

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DISCHARGES
Update Map 79-13
13 March 2026
Maps affected: **272**

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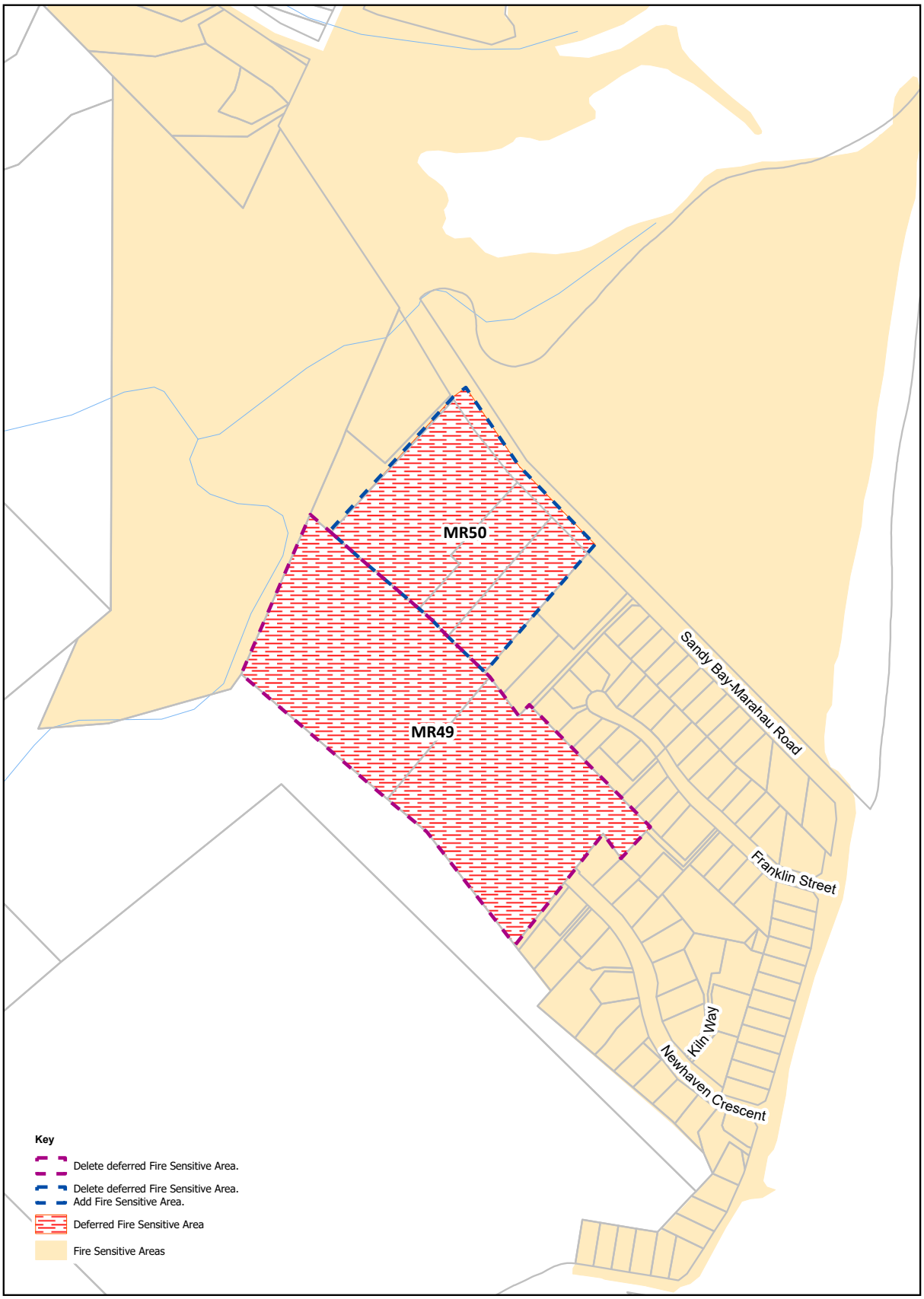

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DISCHARGES
Update Map 79-14
13 March 2026
Maps affected: **262**

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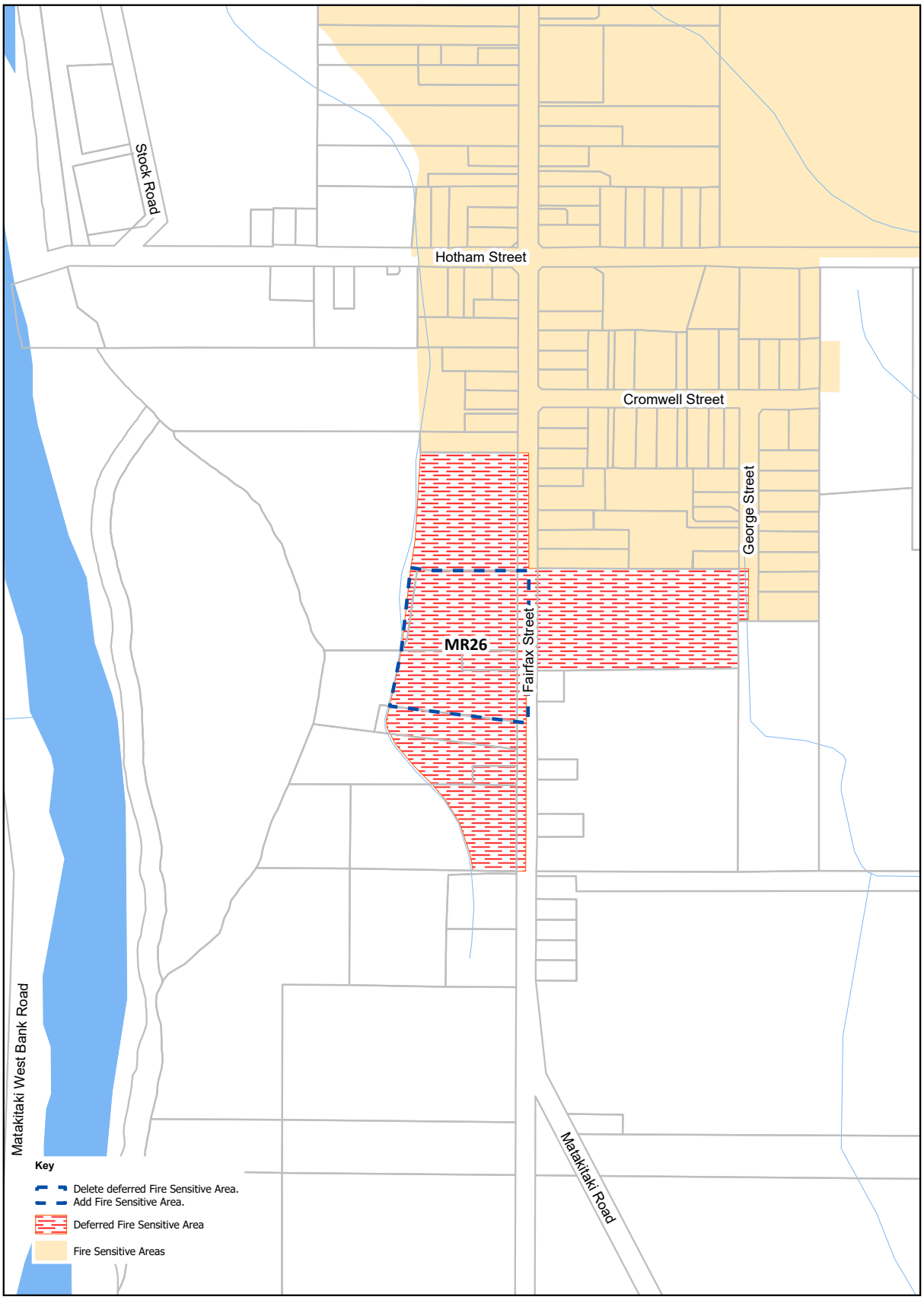

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DISCHARGES
Update Map 79-15
13 March 2026
Maps affected: **276**

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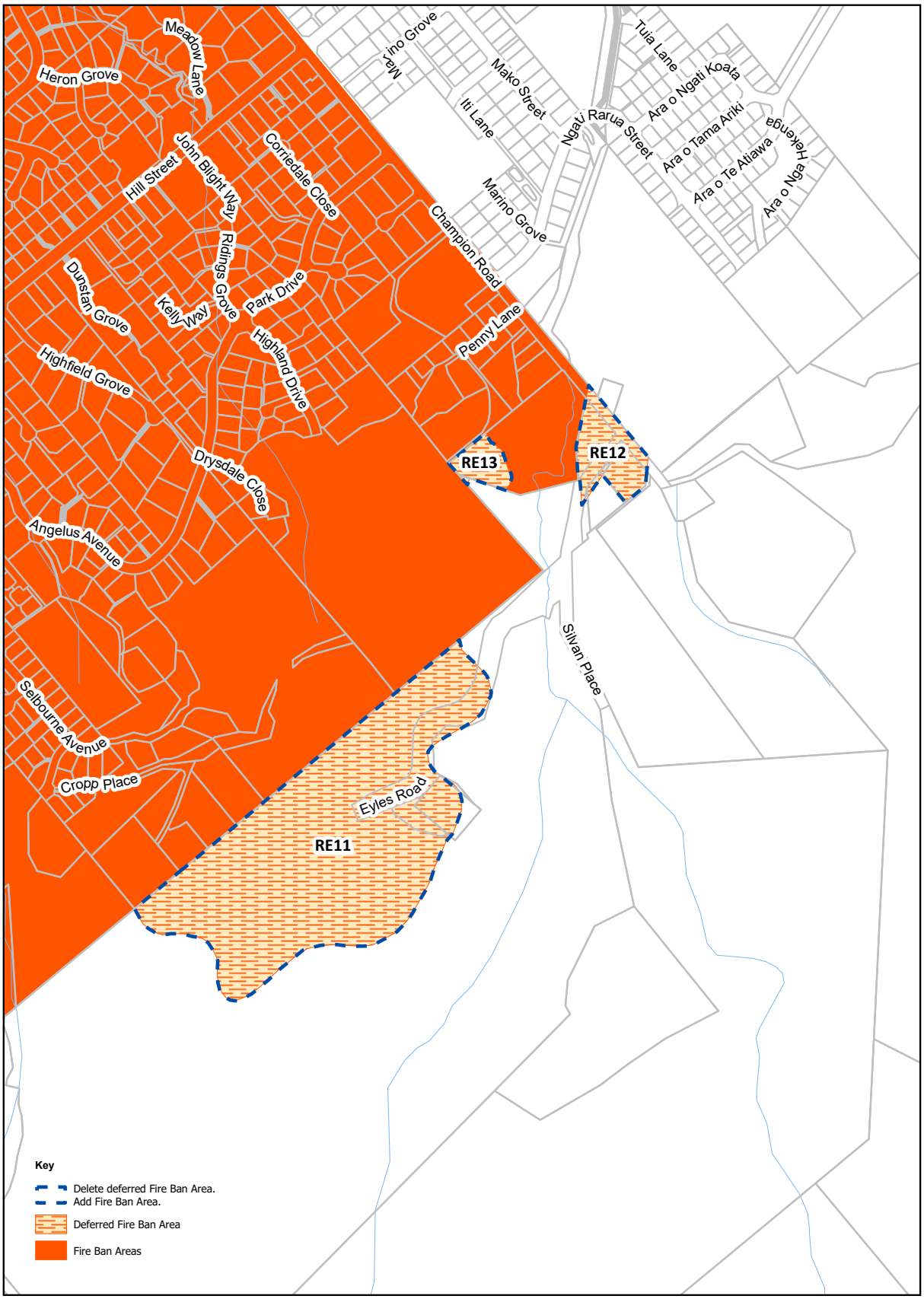

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DISCHARGES
Update Map 79-16
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Maps affected: **270**

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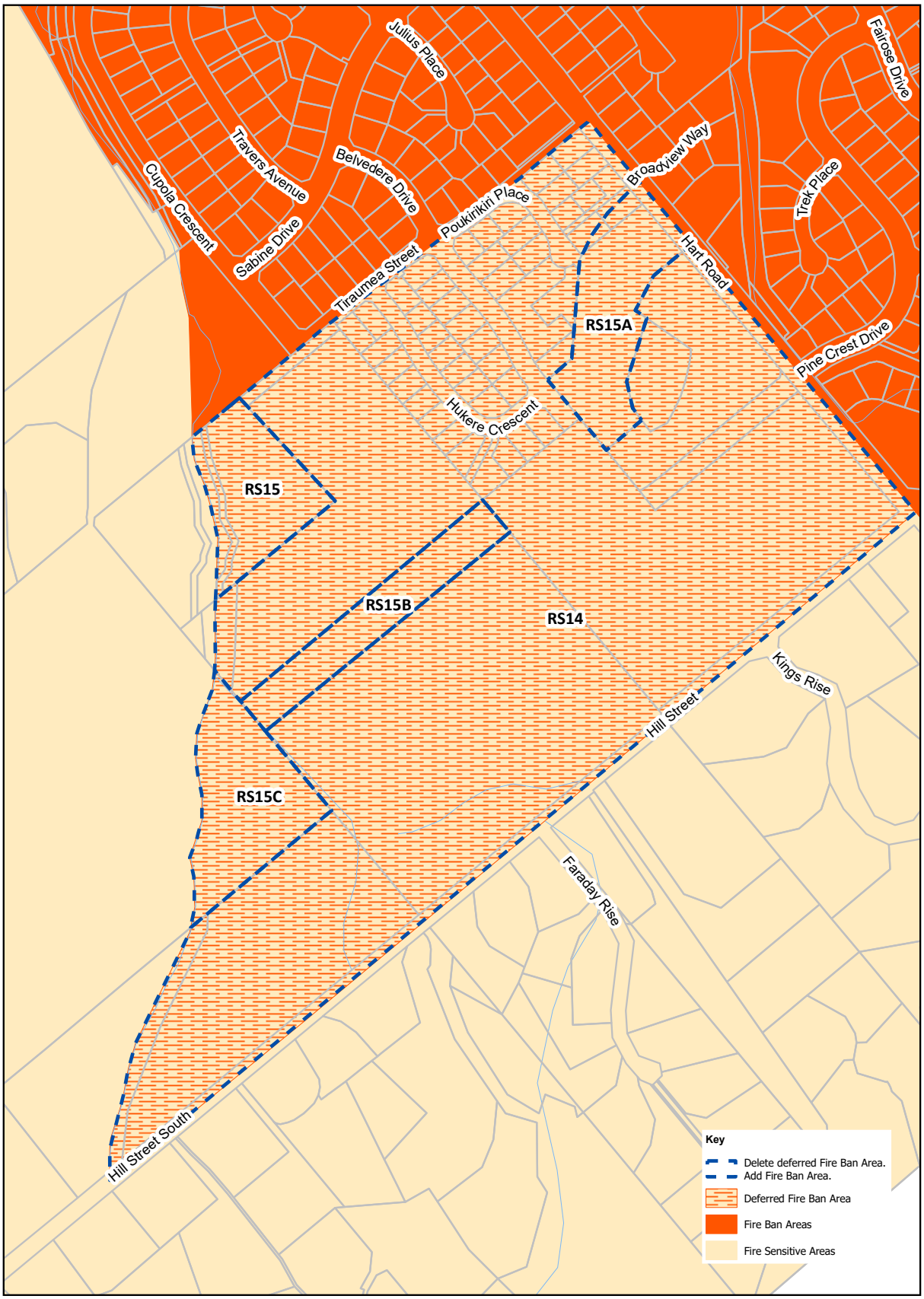

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Update Map 79-17
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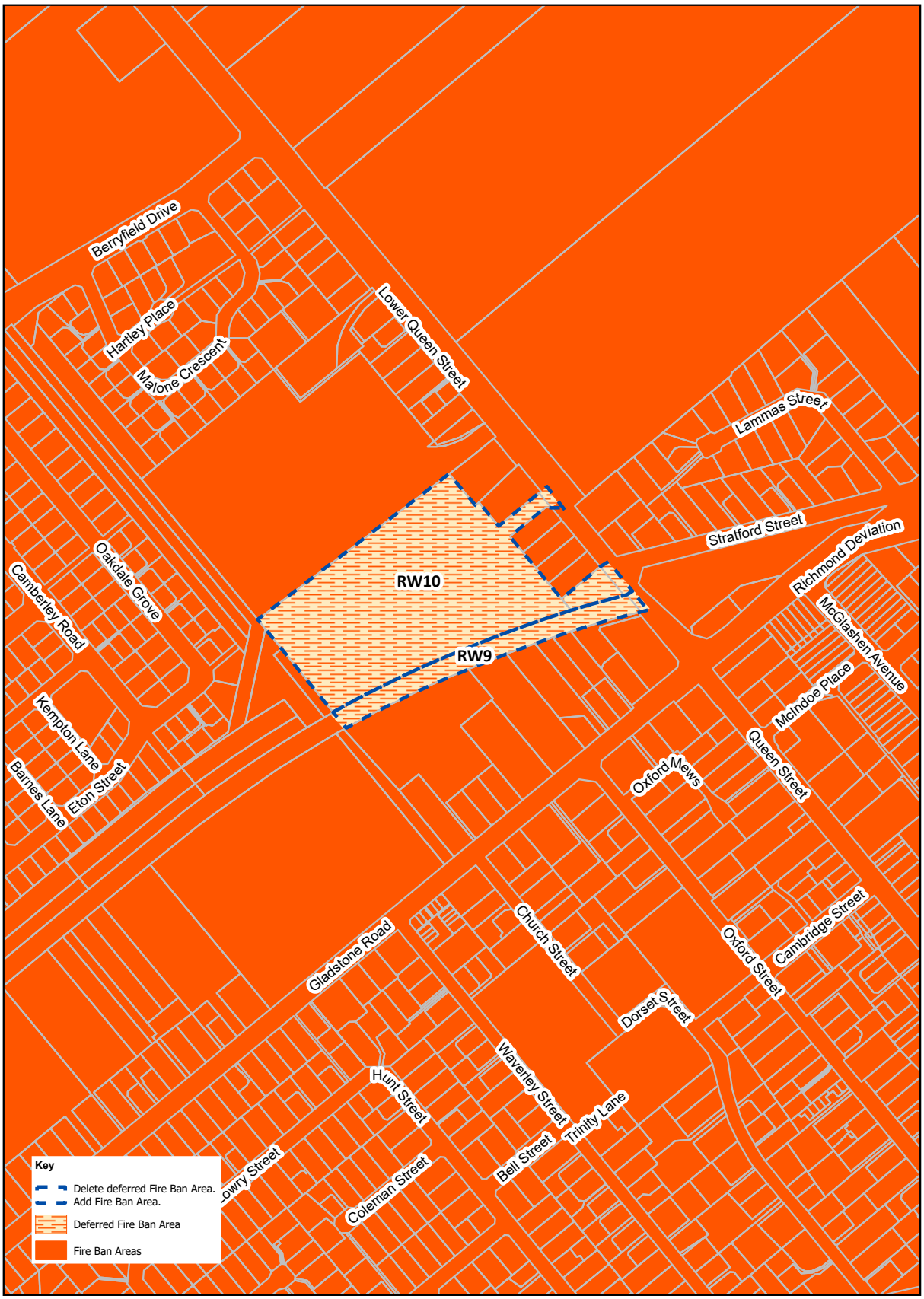

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DISCHARGES

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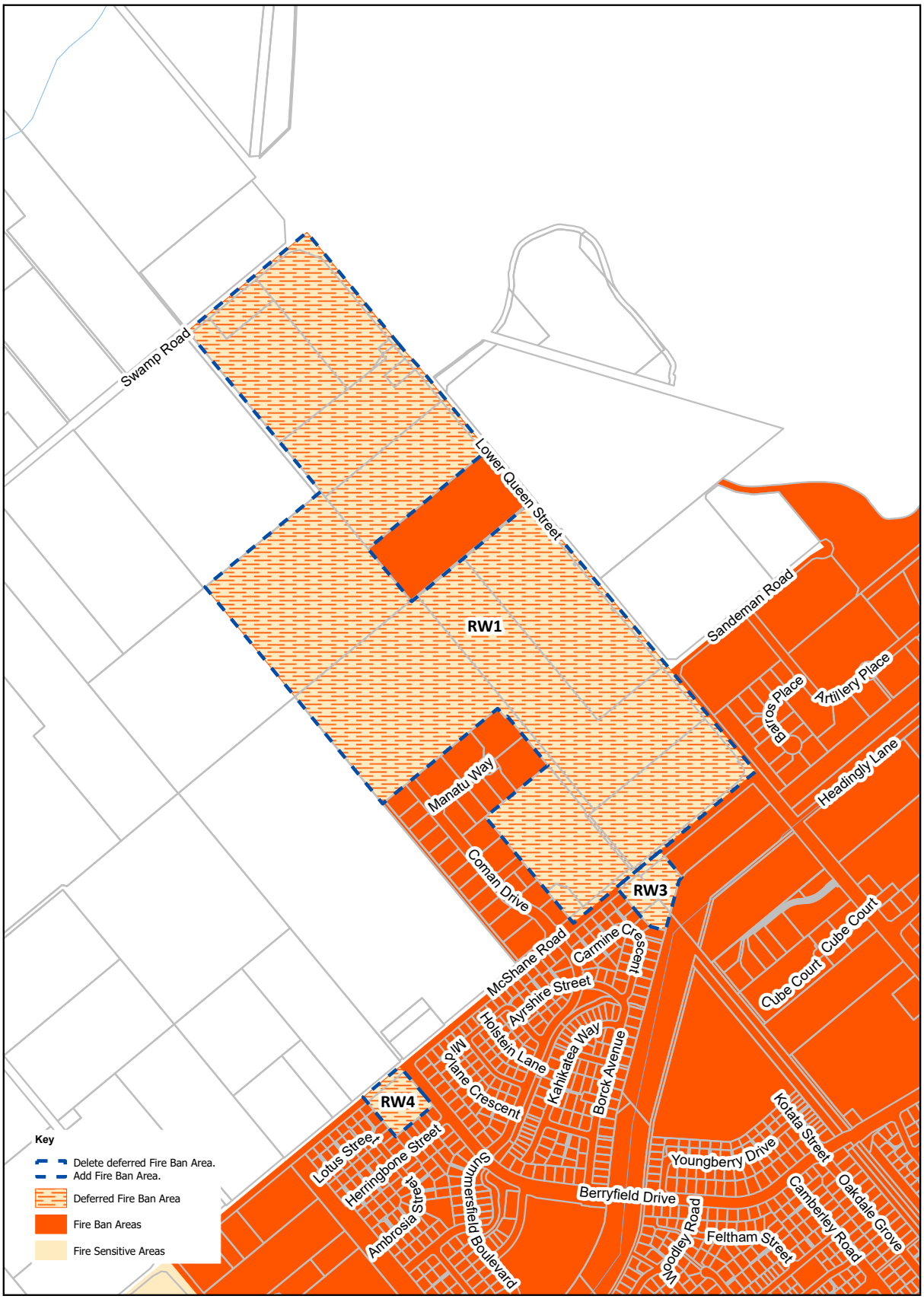

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DISCHARGES
Update Map 79-19
13 March 2026
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7.2 ANNUAL PLAN 2026/2027 AND SCHEDULE OF FEES AND CHARGES - DELIBERATIONS REPORT

Decision Required

Report To:	Tasman District Council
Meeting Date:	28 May 2026
Report Author:	Amy Smith, Community Policy Advisor; Emily Garland, Graduate Community Policy Advisor; Dwayne Fletcher, Strategic Planning & Enterprise Manager; Matthew McGlinchey, Financial Strategy & Planning Manager; Alan Bywater, Team Leader - Community Policy
Report Authorisers:	Dwayne Fletcher, Strategic Planning & Enterprise Manager; Leonie Rae, Chief Executive Officer
Report Number:	RCN26-05-14

1. Purpose of the Report / Te Take mō te Pūrongo

1.1 The purpose of this report is to:

1.1.1 Provide a summary of submissions received on the Annual Plan 2026/2027 and Schedule of Fees and Charges 2026/2027;

1.1.2 Provide the Mayor and Councilors with an opportunity to discuss and obtain advice from staff on matters raised in the submissions; and

1.1.3 Make decisions on matters to be included in the Annual Plan 226/2027.

2. Summary / Te Tuhinga Whakarāpoto

2.1 At its meeting on 19 March 2026 the Council made a series of decisions on changes from the Long-Term Plan 2024-2034 (LTP) for 2026/2027.

2.2 The net outcome of these changes was a rates revenue increase of 9.9% (excluding growth) for 2026/2027, and net debt is project to be $320m. This was an increase compared to the 5.2% (excluding growth) planned for Year 3 of the LTP. As a result, the Council agreed to consult on the Annual Plan 2026/2027 and Schedule of Fees and Charges 2026/2027.

2.3 At its meeting on 2 April, the Council adopted a consultation document and supporting material and a public consultation period was open from 2 April until 3 May 2026. The Submissions Hearing meeting was held on 14 May and 44 submitters were heard.

2.4 There were 367 submissions received over the consultation period, including 46 from groups and organisations. Staff have prepared an overview of the submissions (**Attachment 1**) and all submissions can be accessed and viewed here: TDC Submissions.

2.5 Two other matters have arisen over the last few weeks that staff wish to address in the final Annual Plan:

2.5.1 Estimated operating fuel price impact of $1.8m for 2026/2027 (1.48% additional rates) and a capital impact of roading resealing of $1.05m ($105k loan servicing, or 0.09% additional rates).

2.5.2 A review of the deliverability of the capital programme for 2025/2026 and the proposed capital programme 2026/2027, which has resulted in proposed budget reductions with reduction in rates of 0.14% and a reduction in net debt of $1.7m.

2.6 In the 7 May Council report, the following financial pressures in 2025/2026 were raised:

2.6.1 Three Waters maintenance overspend of $1.85m.

2.6.2 Oil price impact of $328k (a decrease from the previously advised $500k).

2.7 Staff believe these costs can be absorbed within the current financial year without impacting the 2026/2027 Annual Plan. This is due to careful management of costs in some areas to provide temporary relief and additional revenue from gravel extraction and water consumption.

2.8 Staff advise amending the proposed fee structure for property files, as a result of feedback received in submissions. The dog control fees are to be adopted at this meeting as proposed, to enable the statutory notification requirements to be met. The remainder of the schedule of fees and charges will be presented for adoption at the 25 June 2026 Council meeting.

2.9 Overall the impacts of the above listed items is a rates increase for the 2026/2027 of 11.3% (excluding growth), which is an increase of 1.4% on what we consulted on. Debt would be $650k, less than the $320m, consulted on.

2.10 To reduce the impact of this increase on the community at a difficult time, staff have investigated the feasibility of increasing forest harvesting in the short term. We believe we can generate an additional $1.0m (net) for the 2026/2027 year, although advice from PF Olsen will not be finalised when this report is circulated. This will result in a rates revenue increase of 10.5% instead of 11.3% (excluding growth). Note that any lift in revenue for 2026/2027 is only temporary and not sustainable into the future – it will reduce forestry income in future years.

2.11 Elected members may want to consider this option as it increases the proportion of operating expenditure funded from operating revenue, which supports the Council's objective of improving financial sustainability over time.

2.12 If the Council wants to retain the 9.9% (excluding growth) rates revenue increase it consulted on, it could increase debt funding of operational costs for 2026/2027 by $750k. This would smooth the impact of the oil price shock on the community, assuming it is temporary in nature. This is relativity straightforward but will shift us further from financial sustainability and may put more pressure on the rates increase required for following financial years, especially 2027/2028.

2.13 Staff have not included service reviews as an option to reduce costs. The organisation operates lean for the services it offers, three such reviews have occurred in recent years and another is currently progressing within the LTP, organisation resources are strained, and there is insufficient time or resources to complete this process and undertake any necessary consultation in time to finalise the Annual Plan 2026/2027 in approximately four weeks time.

3. Recommendation/s / Ngā Tūtohunga

That the Tasman District Council

1. receives the Annual Plan 2026/2027 and Schedule of Fees and Charges - Deliberations Report RCN26-05-14; and

Changes and financial impacts

2. approves the revised capital programme for 2026/2027 in Attachment 1 to the agenda report, noting the projects that have been delayed and likely consequences of these changes; and

3. notes that fuel cost increases are estimated to increase operating costs for core services by $1.8m across Council and by $1.05m in the capital transportation activity in 2026/2027, and that this has been included in revised budgets; and

4. notes that staff expect increased maintenance costs in Three Waters activities and contract fuel costs in 2025/2026 will be largely offset by additional revenue or savings within the same activities and have no material bearing on the starting position for the 2026/2027 year; and

Key proposals in the Annual Plan

5. approves the introduction of a recovery rate for five years to repay the costs of the 2025 weather events only, charged as a uniform fixed amount per rating unit in the Annual Plan 2026/2027; and

6. requests staff to amend the Revenue and Financing Policy and Funding Impact Statement to be consistent with resolution 5. (a recovery rate for five years) for adoption at the 25 June 2026 Council meeting; and

7. agrees to the following next steps for the three community facilities projects:

7.1 pause and defer the Tapawera Community Hub project to the next Long Term Plan; and

7.2 continue the Waimea South facilities projects (Wakefield Community Hub and Brightwater facilities), as planned; and

7.3 continue the Motueka Pool project as planned, progressing through the design stage; and

8. agrees to slow funded depreciation for roading assets as proposed in the consultation document, with a target of 21% to be reached by the end of 2026/2027; and

9. agrees to retain most fees and charges as proposed and make the following changes to the fee structure for property files:

9.4 reducing the proposed fee for individual property owners from $30 to $25 per property file; and

9.5 retaining the proposed 'pay as you go' charge of $60 per property file; and

9.6 introducing a flat rate of $40 per property file for bulk users, rather than the proposed $3,000 fee for 60 files (equivalent to $50 per file); and

10. adopts the Dog Control fees set out in Attachment 3 to the agenda report, to allow for public notification in the month before the fees take effect, in accordance with the Dog Control Act 1996; and

Response to submissions

11. notes in-principle support from the Motueka Community Board to allocate funding from its 2025/2026 Special Projects Fund to the Motueka Heritage Wharf Restoration Project, and this will be considered by the Board at its 16 June 2026 meeting; and

12. notes staff advice at paragraph 0 of this report in response to requests from the Motueka Community Board in its submission; and

13. requests staff further develop funding options for the Eighty Eight Valley Water Scheme based on percentages of the urban metered charge, for further consideration in the Long Term Plan 2027-2037; and

14. notes that a comprehensive rating review for rivers has been initiated; and

15. declines the request to start maintaining the section of Tasman View Road from the junction with Harley Ridge to "the Lookout"; and

16. notes that budget provision for stormwater improvements on Welsh Place, Richmond has been included in the Annual Plan budget; and

17. notes that project scoping for work on the Riuwaka River stopbanks has been initiated and staff are working directly with affected landowners; and

Finalising the Annual Plan

18. notes that the net impact of cost increases of $1.7m to the Annual Plan results in a total rate revenue increase of 11.3% (excluding growth) and end of year net debt of $319.4m for 2026/2027; and

19. agrees that a $1.0m increase in net forestry income is used to reduce the rates revenue requirement for 2026/2027 to 10.5%, noting this lift is not sustainable and will reduce future forestry income; and

20. agrees the remaining impacts of cost increases to the Annual Plan 2026/2027 will be funded via rates, resulting in a 10.5% rates revenue increase;

OR

agrees that the remaining impacts of cost increases to the Annual Plan 2026/2027 will be funded via debts resulting in a rates revenue increase of 9.9%; and

21. notes that the Annual Plan 2026/2027 will be presented for adoption at the Tasman District Council meeting on 25 June 2026.

4. Background / Horopaki

4.1 Since the adoption of the LTP 2024-2034 and the Annual Plan 2025/2026, there have been a range of factors that have increased the Council's expected costs for 2026/2027. The primary drivers of these increased costs are:

4.1.1 The impacts of the June/July 2025 weather events;

4.1.2 New costs resulting from water supply and resource management regulation from central government;

4.1.3 Higher than anticipated interest rates, loan repayment and depreciation funding (as a result of increased asset valuations);

4.1.4 Higher than anticipated operating costs for the Regional Sewerage Business Unit, resulting from Council's increased use (capacity) of the network to support growth;

4.1.5 Higher than anticipated reactive maintenance costs in Three Waters, Transportation and Reserves and Facilities activities; and

4.1.6 Increased Waimea Community Dam costs re settlement $3.8m.

4.2 In addition, expenditure forecasts for the 2025/2026 year indicated that the Council will have a larger net operating deficit than planned (i.e. more unfavourable) because of the impact of the weather event (net impact $14.6m). This affects the financial starting position for the 2026/2027 Annual Plan year.

4.3 We are unable to maintain our current Levels of Service within the planned (LTP) rates increase or indicative rates increase identified in the last Annual Plan process. A forecast rates rise of 11.2% (excluding growth) for the Annual Plan 2026/2027 was identified in November 2025.

4.4 To try and limit the impact of the increasing costs on rate increases for 2026/2027 the Council has:

4.4.1 Sold approximately $0.35m of unencumbered ETS credits to reduce the rates requirement for 2026/2027 by -0.3%.

4.4.2 Proposed reducing planned increases in funding depreciation from operating revenues (i.e.'cash funding' depreciation) for roading by 3%, from 24% to 21%, by the end of 2026/202, against our target of 49% by 2030, reducing the rates requirement for 2026/2027 by -0.5% or approximately $650,000.

4.4.3 Proposed a new 2025 Weather Event Recovery Rate to fund the recovery costs (debt) of $14.6m resulting from the 2025 weather events ($2.8m in 2026/2027 rating year).

4.4.4 Proposed pausing and deferring the Tapawera Community Hub project to the next LTP process.

4.4.5 Proposed increasing most fees and charges by 7.0%.

4.4.6 Adjusted operational and capital budgets.

4.5 At its meeting on 19 March 2026, the Council made a series of decisions on changes from the LTP 2024-2034 for inclusion in the Annual Plan for consultation.

4.6 At its meeting on 2 April 2026, the Council adopted a consultation document and supporting material, including the draft Schedule of Fees and Charges 2026/2027, for a public consultation period that ran from 2 April to 3 May 2026.

5. Analysis and Advice / Tātaritanga me ngā tohutohu

5.1 This section:

5.1.1 covers a range of cost impacts that have been identified since consultation began;

5.1.2 summarises the feedback received during consultation;

5.1.3 presents submitter requests, staff advice and recommendations; and

5.1.4 discusses the net impact of these changes to the Annual Plan and sets out the options available to the Council, with recommendations.

Changes and impacts identified since consultation

5.2 A number of changes are proposed by staff that have financial implications and are discussed below. The changes have resulted as further information has come to light since the draft Annual Plan was approved for consultation.

Current year operational position

5.3 Several cost escalations are hitting the current financial year, but staff forecast these will largely offset by additional revenue from gravel extraction and water consumption or reductions elsewhere due to careful management of costs to provide temporary relief, largely within the same activities. Overall, these are not forecast to materially affect the starting position of the 2026/2027 financial year compared to the forecast used to underpin the Annual Plan 2026/2027 position to date.

5.4 Cost increases include additional maintenance costs in Three Waters and additional fuel costs across the board. Areas where there will be savings against budget for the current 2025/2026 financial year include (but is not limited to);

5.4.1 Gravel Income $300k more than planned

5.4.2 Targeted volumetric water: $650k higher than planned (noted earlier)

5.4.3 Operational NRSBU costs: $515k lower than planned

5.4.4 Net interest costs: $250k lower than planned

These savings are indicative.

There is a risk that the forecast savings do not eventuate. If this is the case the deficit position will need to be recovered in the first year of the LTP. An activity report on the final year-end closed account positions will be presented to the Strategic, Finance and Performance Committee when it meets on 17th September. The required transfers of balances will be submitted for approval at that meeting.

Impact of the fuel crisis

5.5 In a report to the Council on 7 May 2026 (refer to RCN26-05-10), the potential cost of the fuel crisis was noted across the Council. These figures have been reviewed and the impacts for 2026/2027 updated in the table below:

Fuel Crisis Impact	2026/2027 $000's
Operating	
Reserves and Facilities	78
Rivers and Natural Hazards	600
Three Waters	162
Transport	266
Waste Management	700
Total Operating	**1,806**
Capital	
Transport	1,050
Total Capital	**1,050**

The figures in the table are still indicative only; the reality may be better or worse and how this plays out is extremely difficult to predict.

Changes to the 2026/2027 capital programme

5.6 Changes to the proposed capital programme are shown in **Attachment 1** and result in a net reduction of approximately $650k for 2026/2027. These changes have resulted from:

5.6.1 Updated delivery forecasting: Ongoing reforecasting of both the current year and Annual Plan year programmes indicates that a number of projects will not be completed this year and have been deferred into 2026/2027. This reduces costs in 2025/2026 but impacts the Annual Plan capital programme. The most significant movements are:

5.6.1.1 River stopbank refurbishment $3.2m (deferral of current year budget).

5.6.1.2 Tākaka wastewater treatment plant compliance $1.57m (deferral of current year budget).

5.6.1.3 Redwood Valley water supply compliance upgrades $2m (deferral of current year budget and budget forward from 2027/2028).

5.6.1.4 Wai-iti Dam augmentation pipeline $2.6m (deferral of current year budget and increase to enable land purchase to complete the project).

There are a range of smaller adjustments reflecting improved cost and timing information.

5.6.2 Three Waters phasing and programme refinement: Initial detailed phasing work in Three Waters has been applied to the Annual Plan, reducing the Three Waters capital programme from $49.0m to $42.6m. Further reductions have been identified in residential green space (-$148k) and tranche 3 of the river stopbank refurbishment (-$513k).

5.6.3 Asset renewals brought forward: Condition assessments previously identified elevator component replacements for the Council main building and Richmond Library were not needed in 2026/2027. Recent failures and the increased risk of

further outages mean these renewals are now required earlier and have been added to the Annual Plan capital programme ($260k).

5.6.4 The overall capital programme was $98.0m and reduced by $10.2m once the capital lag was applied. The final capital budget for 2026/2027 is $87.8m.

Further savings to offset cost increases

5.7 Staff have not included service reviews as an option to reduce costs because:

5.7.1 There is not sufficient time before 1 July 2026 Annual Plan to undertake a review and further consultation on any meaningful changes.

5.7.2 The Council runs lean and has also been through three service and budget reviews in recent years. The Council has very limited capacity to respond to further shocks and has exhausted our ability to absorb any increases in operational costs for 2026/2027 without major changes to the business.

5.7.3 The LTP 2027/2037 process is underway, involves consideration by the Council of potential long-term changes, and is already straining organisational capability.

5.8 Options for funding the overall increases in costs and the impact of any submissions are discussed later in this report.

Consultation summary

5.9 Public consultation on the Annual Plan 2026/2027, including the draft Schedule of Fees and Charges, commenced on 2 April 2026 and closed 3 May 2027. The Submissions Hearing meeting was held on 14 May and 44 submitters were heard.

5.10 We received 367 submissions over the consultation period including from 46 groups and organisations. We received online submissions via the Shape Tasman engagement page, paper submission forms, email submissions and written submissions.

5.11 We have prepared an overview of the submissions (**Attachment 2**). All submissions can be viewed here: TDC Submissions.

5.12 Community views were also sought through two quick polls on progressing or the community facilities projects and on the proposed recovery rate. These were promoted via social media channels and Antenno. We received 3,478 votes from 2,856 contributors.

5.13 The submission feedback regarding the proposals in the consultation document has been summarised below.

2025 Weather Events Rating

5.14 The consultation document presented four options for establishing a new rate to fund the $14.6m recovery costs of the 2025 weather events:

5.14.1 Option 1: A targeted district-wide recovery rate for five years to repay the costs of the 2025 weather events only, charged as a uniform amount of $125. This was presented as the Council's preferred option

5.14.2 Option 2: A targeted district-wide recovery rate for five years to repay the costs of the 2025 weather events only, charged based on capital value.

5.14.3 Option 3: A targeted district-wide recovery and resilience rate, charged as a uniform amount, to repay the initial weather event costs and then continue as an ongoing fund for future natural hazard events.

5.14.4 Option 4: A targeted district-wide recovery and resilience rate, charged based on capital value, to repay the initial weather event costs and then continue as an ongoing fund for future natural hazard events.

5.15 Council received 184 submissions on the proposed 2025 weather events recovery rate, with submitters selecting an option as follows:

5.15.1 Option 1: 78 submissions (42%)

5.15.2 Option 2: 26 submissions (14%)

5.15.3 Option 3: 35 submissions (19%)

5.15.4 Option 4: 24 submissions (13%)

5.15.5 NA or none of the options: 21 (11%)

5.16 The quick poll on the recovery rate options received 346 votes from 309 contributors as follows:

5.16.1 Option 1: 124 votes (36%)

5.16.2 Option 2: 83 votes (24%)

5.16.3 Option 3: 73 votes (21%)

5.16.4 Option 4: 66 votes (19%)

5.17 The main themes across all submissions on the proposed recovery rate were:

5.17.1 Fairness and simplicity

5.17.2 Ability to pay and equity

5.17.3 Risk attribution and responsibility

5.17.4 Trust in council governance and financial management

5.17.5 Time-limited recovery versus ongoing resilience planning

5.18 Submitters who preferred Options 1 and 3 generally supported equal treatment of ratepayers. They considered that the benefits of disaster recovery are shared across the district. Some also supported a time-limited rate rather than an ongoing charge.

5.19 Several submitters who preferred Options 1 and 3 said capital value is not a good measure of a person's ability to pay. In contrast, submitters who preferred Options 2 and 4 considered that owners of higher-value properties are generally better able to contribute more.

5.20 Some submitters who preferred Option 2 felt that people not directly affected should not be required to help fund the recovery. They also considered that those living in higher-risk areas should meet more of the cost.

5.21 Several submitters who preferred Options 3 and 4 said similar events are likely to happen again and that an ongoing fund is needed to improve future preparedness and response.

5.22 Some submitters across all options raised concerns about Council's financial management and whether money collected for recovery and resilience would be used only for those purposes. Others said the recovery costs should instead be met through Council savings, insurance, or central government support.

5.23 A small number of submitters suggested hybrid and other rating options, including:

5.23.1 District-wide and targeted components; or

5.23.2 Capital value and uniform rate components; or

5.23.3 Capital value with a cap.

5.24 Submitter 35441 suggested that the establishment of a dedicated extreme weather response fund as a joint Council and charitable trust. A few submitters also raised concerns about the process used to develop and consult on the recovery rate.

5.25 The main arguments raised by submitters reflect the matters already considered by Council during workshops and meetings when the consultation options and preferred option were developed. These issues have already been weighed up by elected members as part of the decision-making process.

5.26 The question of whether ratepayers in higher risk areas of the District should bear all or a higher proportion of the costs for funding was discussed during Annual Plan workshops. However, the idea of hybrid rates was not discussed. At the 19 March 2026 meeting the Council made decisions about its proposals in the Annual Plan. These included proposing a targeted district-wide recovery rate for five years to repay the costs of the 2025 weather events only, charged as a uniform amount. The report stated three other options that would be included in the consultation document. None of these was a hybrid option.

5.27 If the Council was to introduce rating to fund the 2025 weather event which departs from the four options consulted on at this stage in the process, it would open itself up to significant risk of legal challenge. If the Council wants to introduce a hybrid rating model, it will need to re-consult with the community on this new option.

5.28 Based on the number of submitters supporting each option, the feedback received and its consistency with the Council's Financial Strategy, staff advise proceeding with Option 1: A targeted district-wide recovery rate for five years to repay the costs of the 2025 weather events only, charged as a uniform amount of $125.

5.29 The Council should also critically evaluate the concerns raised about the process used to introduce this rate and use that to help improve future rating processes.

Operating budget movements

5.30 The consultation document invited feedback on the proposed operating budget movements and 74 submitters responded to this question. These views were overwhelmingly unsupportive or critical of the proposals. Dominant concerns include the affordability of rates increases, a perceived lack of cost control, rising debt and long-term financial sustainability.

5.31 A small number of submitters accept the increases as necessary, but question specific areas and delivery efficiency.

5.32 At least 17 submissions were explicitly form-based and a further 11 submissions showing strong evidence of coordinated or near identical content. These submissions raised criticism of the consultation process, claims of misleading financial information and views around fiscal discipline, debt reduction, and staff and consultant cost scrutiny.

Community facilities projects

5.33 The consultation document invited feedback on progressing or pausing the three community facilities projects. 288 submitters responded to this question and the quick polls received 3,132 votes.

5.34 There is strong overall support for progressing community facilities, driven primarily by high levels of support within the directly affected communities that viewed these facilities as essential infrastructure, not “nice to haves”.

5.35 70 submitters explicitly did not support council investment in community facilities projects at this time, or actively seek to pause, defer, or cancel them. This feedback focused on cost-of-living pressures and rates affordability, high and growing Council debt, ongoing operational costs and “non-essential” spending, and was often framed at a district-wide level.

Tapawera Community Hub

5.36 48 submitters provide feedback on the Tapawera Community Hub project. The quick poll received 630 votes from 523 contributors. 22% (140 votes) supported contributing with the Tapawera Hub and 78% (490 votes) wanted to pause this project.

5.37 There is strong support to progress the project and that the hub will be well utilised. Pausing the project is viewed by supporters as risking loss of external funding, continued exposure to safety and resilience risks and rural inequity.

5.38 Opposition is limited and focussed on project readiness, consultation quality, and community division. Some submitters argue that existing facilities could instead be refurbished instead.

5.39 The submissions received and views of the submitters that spoke at the hearing meeting reflect mixed views regarding progressing or pausing the Tapawera Community Hub project. The feedback indicates the importance of ensuring that any future investment is well aligned with the needs, priorities, and capacity of the local community.

5.40 We will continue to work alongside the Tapawera community to explore how best to support their ambitions for a Community Hub, recognising the need to balance service provision with affordability and local expectations. Staff advise pausing the Tapawera Community Hub project and deferring it to LTP 2027-2037 discussions, as proposed.

Waimea South Facilities

5.41 43 submitters provided feedback on the Waimea South facilities projects. The quick poll results are as follows:

5.41.1 Wakefield Hub: 953 votes from 714 contributors. 53% (509 votes) supported continuing with the Wakefield Hub and 47% (477 voters) wanted to pause this project.

5.41.2 Brightwater facilities upgrade: 559 votes from 475 contributors. 27% (151 votes) supported continuing with the Brightwater facilities upgrade and 73% (408 votes) wanted to pause this project.

5.42 There is strong local support to progress these projects and submitters noted that pausing now would impose higher future costs, undermine community effort, and damage trust.

5.43 Submitters opposing or wanting this project paused expressed affordability and debt concerns, and preferred refurbishment of existing facilities. Submitter 35579 has concerns about the site location for the Wakefield Hub including parking, SH6 access and flood risk.

5.44 The submissions emphasize the importance of the Waimea South facilities projects for supporting community wellbeing, strengthening local connections and providing fit-for-purposes spaces for community activities. The concerns raised by some submitters regarding costs and alternative options are also acknowledged. Staff advise continuing with the Waimea South facilities projects, as proposed.

Motueka Pool

5.45 116 submitters provided feedback on the Motueka Pool project and the quick poll received 990 votes from 835 contributors. 58% (574 votes) supported continuing with the Motueka Pool and 42% (416 votes) wanted to pause this project.

5.46 There is extensive support for progressing the Motueka Pool; it is viewed as long overdue and essential for health, wellbeing and safety. Equity of access was frequently raised and submitters noted pausing the project would exacerbate inequity and undermine public trust and community donations. Submissions from five iwi (35452, 35455, 35549, 35553 and 35598) expressed strong support for progressing the Motueka Pool project.

5.47 Limited opposition to this project is largely general rather than Motueka-specific, citing reasons like affordability concerns, and competing priorities. The Motueka Youth Council (35355) does not see the need, citing natural water options and Richmond access.

5.48 It is evident in the submissions received and the views shared by submitters who spoke at the hearing meeting that the Motueka Pool project is of long-standing and considered to be essential local infrastructure that will provide health, safety and social benefits to all of the local community. The Council discussed this project at a confidential workshop on 27 May 2026. Staff advise continuing the Motueka Pool project through the design phase, as proposed.

Changes to the capital programme

5.49 The consultation document invited feedback on the proposed changes to the capital programme. 91 submitters responded to this question, 21 of whom provided no comments.

5.50 There is limited support for the capital programme as a whole, but conditional support for selected high-value or urgent projects especially in essential infrastructure or specific community facilities. The main sentiment is that the capital programme is too expansive for current economic conditions, lacks clear prioritisation and inadequately demonstrates affordability, necessity, and deliverability. Many submitters are asking Council to slow down, narrow focus, improve transparency and better justify trade-offs.

5.51 Changes to the proposed capital programme 2026/2027 are discussed in paragraph 0 and shown in **Attachment 1**.

Slowing planned funding of depreciation for roading assets

5.52 The consultation document invited feedback on the proposed slowing of planned funding of depreciation for roading assets. 91 submitters responded to this question, 22 of whom provided no comments. There was broad consensus that roading is a core council function, but disagreement on whether slowing depreciation is an acceptable mechanism for managing current fiscal pressure.

5.53 Supportive submitters emphasised short-term financial relief, economic context and/or the view that depreciation is largely an accounting construct that can be adjusted without impacting service delivery. Submitters opposing or arguing against deferred funding of depreciation stressed intergenerational equity and viewed it as short-term budget optics that undermines asset integrity, increases debt, and unfairly shifts costs to future ratepayers by “kicking the can down the road”.

5.54 The Council began a programme to fully fund depreciation in July 2015. The original goal in the LTP 2015-2025 was to achieve this by June 2025. Subsequent LTPs and Annual Plans have extended the timeframe, and full funding of depreciation is now planned for June 2030.

Extending the timeframe reduces rates in the short term but increases the Council's debt. The Department of Internal Affairs does not require councils to fully fund depreciation by a specific date; Audit New Zealand is satisfied as long as the Council continues to make progress.

5.55 By June 2028, all activities except Roading will have depreciation fully funded. Recent high inflation has significantly increased asset valuations and therefore depreciation costs, which has contributed to pushing out the target date. By pushing out the target date it has meant the Council can reduce the annual increase in rates.

5.56 The decision to aim for full funding by June 2030 was confirmed in the 2024–2034 LTP to help keep rates at manageable levels. The Council considers this approach a prudent balance between rates affordability and long term financial sustainability.

5.57 Feedback from submitters, both supportive and opposed, has been noted and will inform deliberations for the LTP 2027–2037.

Changes to the Council's fees and charges

5.58 The consultation document invited feedback on the proposed changes to Council's fees and charges for 2026/2027. 115 submitters responded to this question, 17 of whom said 'no'.

5.59 Seven submitters support the proposed increases to fees and charges. Opposition to the proposed increases is widespread and strongly expressed, especially where increases exceed inflation. There is qualified support for user-pays, but only where the costs are transparent and charges are clearly justified and cost reflective. Submitter 35473 advocates further increasing cost recovery levels (~10%).

5.60 Trust and transparency are key issues and many submitters are not convinced fees reflect real costs or do not have confidence in the fee-setting process. Contentious issues included the level of increases, charges for accessing Council-held information particularly property files, and perceived Council inefficiencies driving costs. Suggested alternatives included tiered pricing systems, hourly or proportional charging and flexible bulk pricing.

5.61 Twelve submitters provided feedback on the proposed changes to how property file fees are charged. Submissions were received from both individual property owners and bulk users. Property owners opposed the introduction of a $30 fee to access their property files, stating that this information has already been paid for through rates and they should not be charged for access to their own information. Bulk users opposed the proposed $3,000 fee for access to 60 files. They considered the 60-file threshold to be arbitrary and the increase too large for real estate companies, and suggested a more gradual increase. They also requested tiered pricing by volume access for bulk users, and investment in digital access to property files.

5.62 Staff have considered the feedback and provide the following changes to the proposed fee structure for property files for the Council's consideration:

5.62.1 charging individual property owners $25 per property file, noting that preparing a file typically requires 30–60 minutes of staff time and that this approach helps reduce the burden on rates by supporting a user-pays model.

5.62.2 retaining the proposed 'pay as you go' charge of $60 per file.

5.62.3 In response to feedback on bulk user charges, staff do not recommend proceeding with the proposed $3,000 fee for 60 files (equivalent to $50 per file). Instead, staff recommend a flat rate of $40 per file for bulk users. This would

ensure all bulk users are charged a consistent discounted rate, addressing inequities in the current annual fee of $2,750 for unlimited access to files, where some users effectively pay around $40 per file while others pay as little as $4 per file due to higher volumes.

5.63 One submitter commented on the proposed increase to the bulk water take fee, requesting a lower rate for bulk potable delivery operators compared to other commercial users, as they supply water to rural homes. They also compared the charge to those set by regional councils. The Council seeks to balance cost recovery, fairness between users, and minimising impacts on the wider ratepayer base. Bulk water charges reflect the infrastructure costs required to deliver the service and are consistent with a user-pays approach, regardless of user type. Staff advise retaining the proposed bulk water take charge.

5.64 Four submitters commented on the Project Information Memorandum (PIM) fee increase. Views were mixed, with two supporting a user-pays approach and no rates subsidy, and two opposing the size of the increase. Submitters that opposed suggested differential fees for project sizes or amount of staff time needed. The increase in PIM fee this year is a step towards user pays and has been calculated on the average time spent. PIMs for consent-exempt small dwellings may require more assessment, but there is currently insufficient data to support differential fees. A single standard fee provides transparency and simplicity during the implementation of the new regulatory setting. Staff advise retaining the proposed PIM fees.

5.65 Seven submissions raised concerns about dog fees including cost, how the three categories are set, and the level of fees for working dogs, with some suggesting a cap of five dogs. Dog registration fees were not proposed to change. The three categories are based on property size to reflect that dogs on larger properties generally require fewer council resources. The ‘working dog’ fee is set at 55% of the ‘category 1’ fee, which staff consider reflects the level of control work required. A cap of five working dogs was considered; however, any reduction in fees would need to be offset by increasing charges for other dog owners to maintain overall cost recovery.

5.66 Staff advise retaining the proposed fees for Animal Control. The Dog Control Act 1996 (s.37[6]) requires that the Council publicly notify the Dog Control fees fixed for the registration year, in a newspaper circulating in the District, at least once during the month preceding the start of every registration year. In addition, pound fees are required to be adopted at least 14 days before the resolution comes into effect and be publicly notified in a newspaper circulating in the District.

5.67 To enable us to meet these notification requirements, this report includes a resolution to adopt the Dog Control fees set out in **Attachment 3** at this meeting. The remainder of the schedule of fees and charges will be presented for adoption at the 25 June 2026 Council meeting.

Other matters raised in submissions

5.68 Affordability was a dominant concern, particularly for households already experiencing cost pressures (food, fuel, insurance, housing) and with limited capacity to absorb further increases in rates or fees. Staff acknowledge these concerns and that efforts address the Council’s financial and economic challenges are occurring in the same context of financial pressure being experienced by the community. In developing the proposed Annual Plan, the Council sought to balance affordability with the need to maintain current services levels and business operations.

5.69 Some submitters expressed concern about the level of detail provided in the consultation document and supporting material, noting the information was unclear, potentially misleading, or lacked visibility of underlying cost drivers. The feedback received is acknowledged and staff consider the information provided was appropriate for an Annual Plan consultation (as opposed to more detailed information for a LTP consultation); there is an inherent challenge in balancing sufficient detail with accessible information that supports public engagement.

Requests received from submitters

The Motueka Heritage Wharf

5.70 The Heritage Wharf Restoration Group (35396) is seeking funding of $60,000 to assist with the re-construction of the Motueka Heritage Wharf, which is a significant Council historical structure.

5.71 The Council was updated on the Group's proposal and presented with its business case for the restoration work and associated funding request at the Environment, Regulatory and Operations Committee meeting on 12 May. The project and funding options were discussed but no decision was made and the matter is to be covered at this meeting.

5.72 At its meeting on 19 May, the Motueka Community Board also discussed the project and indicated in-principle support to allocate funding from its 2025/2026 Special Projects Fund. Staff will present a report at the next Board meeting on 16 June.

5.73 Staff advise that Motueka Reserve Facilities Contributions are already allocated to other projects, including the Motueka Pool. Council may wish to allocate capital budget to this request but, given the indicative funding support from the Motueka Community Board, this is not recommended by staff as funding is not currently included in the Annual Plan budgets.

Motueka Community Board

5.74 The Motueka Community Board (35426) makes a range of requests to the Council, listed below along with staff advice:

5.74.1 Motueka Beautification and Public Spaces: Request that the Motueka High Street upgrade identified in the LTP 2021-2031 be reinstated in future planning, particularly following the removal of several Golden Elm trees.

5.74.2 This would be a matter for Council. At present, there has been no indication from the Mayor and Councillors to include a project of this nature in the next LTP, and it would likely be challenging to accommodate given current financial constraints.

5.74.3 Road safety review: Requests that a safety review be undertaken for the intersection of King Edward Street, College Street, and Queen Victoria Street.

5.74.4 Staff will revisit this intersection, noting that a range of measures have previously been implemented to improve signage and visibility. More substantive safety improvements would likely require a full upgrade, such as a roundabout, and this is estimated to cost up to $1m and require land purchase. At this stage, it is unclear whether there is capacity within the LTP and Council's financial constraints to accommodate a project of this scale

5.74.5 Coastal Protection Investigation: Requests that Council investigate the coastal rock wall protection along the Motueka ward foreshore.

5.74.6 The Council's Coastal Assets activity does not have records of significant coastal rock protection infrastructure along the Motueka ward foreshore, other than the wall at Marahau. Existing coastal rock protection features will need to be identified and investigated on a case-by-case basis to determine history, ownership, and maintenance responsibility. Staff note there is informal fill/erosion protection along the coastline, including in some road reserve. These will continue to be monitored to ensure that the road and cycle trail network are not adversely affected by coastal erosion.

5.74.7 Motueka Library Big Meeting Room: Mitigate the challenges of the library meeting room with IT issues and lack of sound. Investigate set up of microphones and adequate speaker system.

5.74.8 Staff agree with the Board's concerns and will investigate the matters raised.

5.74.9 Motueka Historical Wharf Restoration: The Motueka Community Board requests that Tasman District Council endorse the Motueka Historical Wharf Restoration in principle. The Board acknowledge current funding constraints may limit direct support.

5.74.10 Stormwater: Prioritise improvements to stormwater resilience, including consideration of a modern automated gate at Thorp Drain similar to Woodlands Drain. Target known problem areas such as Woodlands Avenue, and review drainage limitations from Wratt Street through to Monahan Street, including additional soak pits where appropriate.

5.74.11 Staff advise that replacement of the Thorp Drain tide gate is under consideration, alongside related work Woodlands Drain tide gate near the Recreation Centre. Minor improvements for Woodlands Avenue are being priced, however capacity in this area is very limited due to low ground levels. In addition, high groundwater levels mean soakage solutions may not be effective for the design storm events.

5.74.12 Motueka i-SITE: Support the continued operation of the Motueka i-SITE as a key asset for the district's growing visitor economy. Request that Council maintain its annual contribution to preserve current service levels, staffing, and opening hours.

5.74.13 Staff advise that the annual contribution to the i-SITE has been allocated in the Annual Plan budget.

5.74.14 Wallace Street: Advocate for pedestrianisation of Wallace Street, from the High Street end to the Decks Reserve car park entrance, creating a plaza-style public space similar to Sundial Square in Richmond and upper Trafalgar Street in Nelson.

5.74.15 Staff consider that this proposal would best be contemplated as part of a town centre upgrade project, as requested above by the Board.

5.74.16 Rivers: Review flood protection measures for the Little Sydney stream including Factory Road, Swamp Road and Umukuri Road catchment extending from Brooklyn, also the Dehra Doon catchment and the Riuwaka River to better protect residents and productive land.

5.74.17 There is currently no flood protection level of service for the Little Sydney stream and associated drains around the Factory Road, Swamp Road, and Umukuri Road areas, other than the benefit received from the Lower Motueka and Riuwaka

stopbank systems. However, a scheme-plan for this area has been prepared in the past (1972) and it is the intention of staff to revisit this plan and develop improvement options for this area.

5.74.18 Otuwhero and Marahau Rivers Catchments: There is no River Management Plan for the Marahau/Otuwhero catchments, which needs to be addressed. Coastal, inlet and land use (forestry) issues for the area similarly.

5.74.19 Council does not provide any river management level of service to the Otuwhero and Marahau Rivers; there is no River X or River Y rating area at these locations and Council provides no active river management service in unmanaged/River Z areas. However, staff have initiated a comprehensive review of the current river rating system, which will include an assessment of existing unrated areas like Otuwhero and Marahau, to see if the current system is fit for purpose and to provide greater clarity around river management levels of service. Our Catchments and Land Use team can work with landowners in these catchments to improve river and land management over time.

5.74.20 Memorial Park Reserve Management Plan: Request that this Reserve Management Plan be reviewed in the coming 2026-2027 year. The previous review for Memorial Park occurred in 1997 and is a high priority. The Motueka Ward Reserves Plan was reviewed in 2019 but the Memorial Park Reserve was not included.

5.74.21 Staff advise that the review of the Memorial Park Management Plan is scheduled to begin in 2027/2028, with no capacity to bring this work forward into the already committed 2026/2027 work programme.

5.75 Submitter 35571 provides a wide range of recommended actions for the Council to consider for 2026/2027, including requests marked as priority by the submitter. These matters are covered in the Motueka Community Board requests above.

Eighty Eight Valley Water Scheme

5.76 The Eighty Eight Valley Rural Water Supply Committee (35505) suggests a tiered rating system for users of this scheme, when the scheme joins the urban water club. This would be a departure from the rating for similar urban extensions. The submission argues that:

5.76.1 Rural users of the scheme have additional infrastructure costs not provided by the Council (e.g. tanks and pipework).

5.76.2 Existing users have sought to retain the rural stockwater scheme rather than become part of the urban reticulation but the Council has made other decisions.

5.76.3 Holders of larger numbers of units are required to use highly treated potable water for their stockwater and other non-potable rural needs.

5.76.4 Holders of larger numbers of units will likely relinquish some of their units because of cost increases.

5.76.5 Users have already paid for the existing reticulation (some through helping to install the scheme, unpaid in 1981) and installed internal reticulation on their farms and properties which require upgrades if their source of water is changed

5.77 During the 2027/2028 year the Eighty Eight Valley water scheme will be split into two parts:

5.77.1 Lower part – north of Totara View water tanks will effectively become an urban extension receiving treated water from the Wakefield urban supply.

5.77.2 Upper part – Parkes Stream to Totara View will effectively become stock water with staff investigating different models for its ongoing operation.

5.78 Staff consider that many of the arguments being advanced are valid and are concerned that applying the full urban extension charges will result in some (more) users leaving the scheme and the number of units others use being reduced. This in turn will increase the costs to those in the water club.

5.79 Staff support in general terms adopting a rating schedule based on percentages of the urban metered charge for the Eighty Eight Valley Scheme and seek an indication today from elected members about developing this further for consideration in the LTP 2027-2037.

5.80 The submission also raised potential resilience issues for the scheme and staff will investigate options to improve resilience of the supply from the existing Eighty Eight Valley intake, as part of the rationalisation of the Brightwater, Wakefield and Eighty Eight Vally schemes

5.81 Submitter 35468 opposes proposed changes to the 88 Valley Rural Water Supply Scheme, arguing they will significantly increase costs for users who only need untreated stock water and undermine the scheme's original purpose. The submitter notes existing dissatisfaction with chlorination and price increases, and raises concern that proposed bulk charges could make some higher-allocation farms uneconomic if required to take fully treated water. They also suggest that the changes could reduce property values and requests that affected users be given the free option to leave the scheme or reduce allocation, along with Council subsidisation for any required on-farm infrastructure changes to separate stock and domestic supplies. The submitter further seeks longer-term planning, including consideration of ageing infrastructure and potential rezoning toward rural residential if potable supply reduces the viability of grazing, with early landowner involvement in planning.

5.82 Staff acknowledge concerns about potential cost increases for users, particularly those reliant on stock water, and note the issues raised regarding subsidies and equity. However, the scheme operates as a closed account, with all costs borne by its users. Accordingly, any changes required to meet current and future regulatory requirements, including drinking water standards, must be funded through the scheme.

5.83 The proposal to incorporate part of the scheme into the urban supply network is intended to spread costs across a wider user base. This is expected to improve resilience and support compliance, while reducing the extent of costs that would otherwise fall solely on existing scheme users. Staff also acknowledge the importance of long-term planning for the scheme, including asset condition and potential land use change. These matters will continue to be considered through ongoing planning processes

Other requests

5.84 Federated Farmers – Golden Bay and Nelson (35597) requests that the Council reviews the river management and river rating system to develop a more simple, transparent and effective system to fund and carry out crucial river work for the benefit of the whole community. Staff advise they are initiating a comprehensive rating review for rivers. Any changes would be informed by consultation with the community and likely implemented in phases over several years

5.85 Submitter 35340 requests that the Council maintains part of Tasman View Road and notes that residents have agreed to fund 50% of the cost of bringing this section of the road up to an acceptable standard.

5.86 The Council's Policy for requests to maintain unmaintained roads states that maintenance will not be undertaken unless sufficient funding is available. It also provides that landowners may be required to meet upgrade costs where Council has not approved funding. Staff advise there is no available maintenance funding to support this request and no funding has been approved for an upgrade.

5.87 In addition to the upfront upgrade costs, this proposal would require increased current and future budgets to cover ongoing maintenance costs. While the individual cost increase may be relatively small, there is a risk that it could set a precedent. Staff advise there are approximately 15 similar requests covering around 34km of road), which could require around $100,000 per annum in additional maintenance funding. There may also be further latent demand if such requests are supported. Staff recommend declining the request to maintain part of Tasman View Road.

5.88 Submitter 35398 request that the Council proceeds with the stormwater improvements on Welsh Place, Richmond. Their home has been flooded twice due to insufficient stormwater drainage in the area and are concerned that it will happen again when there is significant rain. Staff advise that the design and consent for this work are complete and prices are currently being sought. Budget provision has been included in the Annual Plan and, subject to approval, the work is expected to be completed by the end of 2026.

5.89 Submitter 35558 requests that a flood bank is constructed upstream from SH60 Bridge on the north side of the Riuwaka River to contain the tributary and connect with the lower end of the existing flood bank. Residential properties and others in this area are sustaining serious damage almost annually and horticulture land is being restricted in use.

5.90 There is an existing flood bank on the north side of the Riuwaka River upstream of SH60, but it is in poor condition with deficiencies that need to be addressed. Staff are working directly with the submitter and other affected landowners on this matter. The short-term repairs will be undertaken within existing river maintenance budgets. Scoping for a more comprehensive refurbishment or upgrade of the Riuwaka stopbanks has commenced, with the aim of having a "shovel-ready" project for future government funding opportunities. No capital funding is proposed for this work in the Annual Plan 2026/2027, however it is expected to be considered as part of the LTP 2027-2037.

5.91 Staff advice regarding requests made by the Marahau Sandy Bay Residents Association (35591) and the Split Apple Rock Owners Association (35586) in their submissions will be tabled for this meeting.

6. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea

6.1 The net outcome of the fuel costs increases, capital programme changes, and recommended changes in response to submissions on the draft Annual Plan 2026/2027 is a revised rates revenue increase (excluding growth) of 11.3% and net debt of $319.4m.

6.2 If the Council wants to retain the rates revenue increase it consulted on of 9.9% (excluding growth), its options are to plan additional forestry revenue of circa $1.0m, or debt fund more of our operational cost for 2026/2027. Both are relativity straightforward but will push us

further from being financially sustainable and put more pressure on the rates increase required for following financial year (2027/2028).

6.3 Increasing net proceeds from forestry by $1.0m in 2026/2027 appears feasible although advice from PF Olsen will not be finalised when this report is circulated. Staff will update Council at the meeting. Note that any lift in revenue for 2026/2027 is only temporary and not sustainable into the future – it will reduce forestry income in future years.

6.4 This would leave a rates revenue increase of 10.5% (excluding growth). Staff recommend Council strike rates at this level to ensure we move closer to financial sustainability.

6.5 Alternatively, the Council could elect to further loan fund operations to keep the rates revenue increase at 9.9%.

6.6 Using additional forestry revenue or debt funding options to lower rates are relativity straightforward but will push us further from being financially sustainable and put more pressure on the rates increase required for later financial years, especially 2027/2028.

6.7 The table below summarises the impacts:

Summary of Changes	Capital $000's	Rates $000's	Rates %	Net Debt $m
As per CD			**9.90%**	**320,000**
Capital Fuel Impact	1,050	104	0.09%	1,050
Capital Programme	-1,700	-170	-0.14%	-1,700
Operating Fuel Impact		1,806	1.48%	0
Total Increases	**-650**	**1,740**	**1.42%**	**-650**
Sub Total	**-650**	**1,740**	**11.32%**	**319,350**
Offset				
Forestry	0	-1,000	-0.82%	0
Total Decreases	**0**	**-1,000**	**-0.82%**	**0**
As per proposed Draft Annual Plan			**10.51%**	**319,350**

7. Options / Kōwhiringa

7.1 The main options available to the Council are outlined in the following table:

Option		Advantage	Disadvantage
1	Accept all the recommended changes and increase forestry revenue and rates in 2026/2027 to help meet some of the additional fuel costs.	Retains the Council's service levels. Reflects the cost to maintain current business operations. Enables the Annual Plan process to progress and strike rates by 1 July 2026. Responds to some requests for funding in submissions and other changes since the consultation was adopted. Maintains trajectory toward financial sustainability.	Results in a 10.5% rates revenue increase (excluding growth), a relatively high increase for our community to bear and higher than we consulted on.
2	Accept all the recommended changes and increase forestry revenue and debt in 2026/2027 to meet additional fuel costs.	Retains the Council's service levels. Reflects the cost to maintain current business operations. Enables the Annual Plan process to progress and strike rates by 1 July 2026. Responds to some requests for funding in submissions and other changes since the consultation was adopted. More affordable in short term to the community.	Results in a 9.9% rates revenue increase (excluding growth), a relatively high increase for our community to bear. Council will increase borrowing to meet the cost of current business operations, pushing the organisational further away from financial sustainability in the short term.

Option		Advantage	Disadvantage
3.	Accept some or none of the recommended changes.	Depends on changes rejected – could increase or decrease rates and net debt.	Depends on the changes rejected. May compromise Annual Plan timeline, risking striking the rates by 1 July 2026. This would have a very significant impact on the Council's Finances for 2026/2027 as our system would require expensive and difficult changes to enable retrospective application of rates increases. This process would likely impact the Council's reputation.

7.2 Option 1 is recommended. Note that there is not sufficient time before 1 July 2026 to undertake further consultation on any new proposals or on proposals that significantly and/or materially differ from the proposals that the Council has consulted on.

8. Legal / Ngā ture

Requirements for the Annual Plan

8.1 Under section 95 of the Local Government Act 2002 ('the LGA') the Council must prepare an Annual Plan for each financial year and consult in a way that meets the requirements of section 82 before adopting the Annual Plan.

8.2 The general presumption is that the Council will consult on its Annual Plan. This requirement does not apply if the Annual Plan does not include significant or material differences from the content of the LTP for the year in question.

8.3 At its meeting on 2 April 2026 the Council concluded that the changes it proposed in its Annual Plan 2026/2027 were material and that consultation should be carried out under section 82 of the Local Government Act 2002.

8.4 Section 82(1) contains several principles for consultation that the Council is required to meet summarised below:

8.4.1 Interested or affected persons should be provided with reasonable access to relevant information in a form that is appropriate for their preferences.

8.4.2 Interested or affected persons should be encouraged to present their views.

8.4.3 Interested or affected persons should be given clear information about the purpose of the consultation and scope of decisions.

8.4.4 Persons invited or encouraged to present their views should be given a reasonable opportunity to do so in a manner and format that meets their preferences and needs

8.4.5 The views presented should be received by the Council with an open mind and should be given due consideration.

8.4.6 Persons who present views should be given access to a description of relevant decisions and explanatory material relating to the decisions

8.5 Section 82(3) provides discretion to the Council about how it observes these principles.

8.6 Section 97 of the LGA identifies specific decisions that can only be taken if provided for in an LTP, meaning that in this case an LTP amendment would have to be made. Decisions that alter significantly the intended level of service provision for any significant activity undertaken by the Council can only be made through an LTP.

8.7 In this case, several of the proposed changes will have an impact on services but don't affect levels of service that are formally stated in the LTP 2024-2034. At least some of these will be in significant activities but staff do not consider them to be significant changes and therefore do not trigger the need to amend the LTP.

Effect of not adopting an annual plan

8.8 To operate lawfully beyond 30 June 2026, the Council must adopt an annual plan. While year three of the Council's LTP provides some mandate for the work and projects anticipated in year three to be completed, there will be no rates revenue to fund the activity.

8.9 The late adoption, after 30 June 2026, is a statutory breach. If the if the delay impacts the rate setting and assessment process, and particularly if it led to cashflow impacts, this would be of concern to the Auditor General and the Minster of Local Government.

8.10 Part 10 of the LGA sets out the powers of the Minister of Local Government to intervene in the affairs of local authorities in certain circumstances.

8.11 An ongoing failure to adopt the annual plan in the circumstances would undoubtedly constitute a "problem" for the purposes of section 256 of the LGA which could trigger Ministerial intervention.

8.12 Intervention would likely initially take the form of a request for information/explanation (section 257). If the failure continued, this could escalate into more intrusive interventions such as the appointment of a Crown review team (section 258) or Crown manager (section 258D).

8.13 There would also be serious reputational damage to the Council.

Requirements for setting a new rate

8.14 The Council has the authority to set a new targeted rate under the Local Government (Rating) Act 2002. Rates set by Council must relate to a financial year and be in accordance with the relevant provisions of the local authority's long-term plan and funding impact statement for that financial year.

8.15 The proposed 2025 Weather Events Recovery Rate is not currently enabled by the existing Revenue and Financing Policy; the policy must be amended in accordance with section 102 of the Local Government Act 2002 and consulted on in accordance with section 82.

8.16 Section 102(4)(a) requires consultation before adopting or amending a Revenue & Financing Policy

8.17 Section 102(4)(b) allows a council to amend its Revenue & Financing Policy at any time, provided it consults in accordance with section 82 of the LGA before adopting the amendment

8.18 When deciding to introduce a new rate and amend the Revenue & Financing Policy, Council must comply with section 101(3) of the LGA.

8.19 Section 101 (3) (a) of the Local Government Act 2002 requires the Council to consider:

8.19.1 the community outcomes to which the activity primarily contributes; and

8.19.2 the distribution of benefits between the community as a whole, any identifiable part of the community, and individuals; and

8.19.3 the period in or over which those benefits are expected to occur; and

8.19.4 the extent to which the actions or inaction of particular individuals or a group contribute to the need to undertake the activity; and

8.19.5 the costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities; and

8.20 Followed by Section 101(3)(b):

8.20.1 the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental, and cultural well-being of the community.

8.21 An assessment of the options for the 2025 weather events rate including a consideration of these legal requirements was attached to report RCN26-03-14 at the Council meeting on 19 March 2026.

Effect of not setting the rates

8.22 As noted above, the Council cannot set rates without the annual plan being adopted.

8.23 Section 95(5)(a) of the Local Government Act 2002 provides that the purpose of an annual plan is to contain the proposed annual budget and funding impact statement (FIS) for the relevant financial year.

8.24 Section 23 of the Local Government (Rating) Act 2002 provides that rates must be set for each year in accordance with the relevant provisions of a council's long-term plan and FIS for that financial year (which is the annual plan FIS for the purposes of the 2026/2027 year).

8.25 This means that rates cannot be set for any financial year until the annual plan is adopted.

8.26 There is a mechanism in section 50 of the Local Government (Rating) Act 2002 for an interim one-off rate invoice calculated at up to 25% of the previous year’s rates. Staff advice is that this is complicated and very rarely used. The current financial system would make this option expensive to do and manage the ongoing consequences,

8.27 As noted above, failure to strike the rate would be a concern to the Auditor-General and Minister.

Requirements for fees and charges

8.28 The Council can set charges and fees:

8.28.1 under section 12 of the LGA, which is a global empowering provision that enables the Council to make decisions and undertake acts and activities in pursuit of its functions;

8.28.2 under section 150 of the LGA for certain functions provided for in bylaws or in enactments that do not already explicitly provide for fees to be charged;

8.28.3 and under other government legislation, for example, the Resource Management Act 1991 and the Building Act 2004.

8.29 The Council is required to consult on most fees in a manner that meets the general requirements of section 82 of the LGA, which grants the Council flexibility in choosing the most effective way to engage with the community. However, the Council must consult on some charges using the Special Consultative Procedure (SCP) as set out in section 83 of the LGA. This includes Resource Consent fees (section 36(3) of the RMA 1991).

9. Iwi Engagement / Whakawhitiwhiti ā-Hapori Māori

9.1 Iwi were notified of the consultation on the Annual Plan and changes to the Schedule of Fees and Charges via email from the Council's Kaihautū and offered the opportunity to provide feedback.

9.2 Submissions were received from five iwi – Te Rūnanga o Ngāti Kuia Trust (35452), Ngāti Apa ki te Rā Tō (35455), Te Rūnanga o Ngāti Rārua (35549), Te Rūnanga o Toa Rangatira (35553), Te Ātiawa o Te Waka-a-Māui (35598) – and strongly support progressing the Motueka Pool project.

9.3 Whakarewa - Ngāti Rārua Ātiawa Iwi Trust (35612) submit that whenua Māori be explicitly considered, rather than implicitly absorbed, as Tasman responds to increasing financial and climate pressures. The Trust support pausing the Tapawera Community Hub, Wakefield Hub and the Brightwater facilities, but recommend the Council continue with the Motueka Pool project.

10. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui

10.1 At the Council meeting on 2 April 2026 (refer to RCN26-04-11), the Council determined that the decisions to be made in the Annual Plan, including the change to the rates revenue increase, were significant. In addition, the changes collectively were considered material. As a result, public consultation has been carried out with the submissions period between 2 April and 3 May 2026 to meet the requirements under the Local Government Act 2002.

10.2 At the same Council meeting, the Council determined that the changes to the Schedule of Fees and Charges had a low/medium level of significance to most members of the public, while some charges may have a high level of significance to others, for example, those residents on fixed incomes and who use services that the Council charges for. The Council decided to carry out a special consultative procedure on the draft schedule of fees and charges.

10.3 Managers across the organisation were encouraged to communicate any of the changes in their area of activity included in the Annual Plan consultation document with parties affected or interested.

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	High	There are multiple changes proposed in the Annual Plan relating to different topics; it is likely that one or more of them will be of higher public interest to a reasonable proportion of the community, particularly the proposed 2025 Weather Event Recovery Rate. The rates revenue increase level is also likely to be of high public interest, particularly those receiving Three Waters services.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Medium	There are multiple changes in the Annual Plan that could have a range of wellbeing impacts; in general the scale of the changes are not considered likely to have high impact on wellbeing.
3.	Is there a significant impact arising from duration of the effects from the decision?	Medium	For most of the changes proposed in the Annual Plan the Council could choose to reverse them at any point. There are a minority of changes that once implemented, reversing them would be very difficult e.g. a one-off increase in forestry income. The proposed 2025 Weather Event Recovery Rate is a five year commitment.
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Low	A number of the proposed changes impact strategic assets, but there is no proposal to change the control or ownership of these assets.
5.	Does the decision create a substantial change in the level of service provided by Council?	Low	The changes have minor or negligible impacts on current levels of service.
6.	Does the proposal, activity or decision substantially affect debt, rates or	High	The changes are intended to reduce the rates revenue

	Issue	Level of Significance	Explanation of Assessment
	Council finances in any one year or more of the LTP?		requirement by several percent for the 2026/2027 year.
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	This decision does not have any impact on a CCO or CCTO.
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	No	This decision does not involve a private sector partnership or contract.
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	This decision does not involve the Council exiting from or entering into a group of activities.
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater or particular consideration of current legislation relating to water supply, wastewater and stormwater infrastructure and services?	No	This decision does not require consideration of the obligations of Te Mana O Te Wai (TMOTW).

11. Communication / Whakawhitiwhiti Kōrero

11.1 The Annual Plan consultation was publicised in Newsline, newspaper advertising, Shape Tasman and through social media.

11.2 The Council's decisions on the Annual Plan 2026/2027 will be communicated through the media, Newsline, Shape Tasman and through social media.

11.3 Once the Annual Plan has been adopted, staff will write to the submitters to inform them of the decision made.

12. Risks / Ngā Tūraru

12.1 As noted in the 2 April 2026 report to adopt the Annual Plan consultation document, carrying out a 35-day consultation period and providing for submitters to be heard at the submissions hearing meeting helps moderate the legal risk that the Council's decisions on the Annual Plan will be challenged through a judicial review.

12.2 There remains potential reputational risk if the Council decides to pause the Tapawera Community Hub project and defer it to LTP discussions. The two options considered by the Council – to either continue the project as planned, or to pause and defer the project – were presented in the Annual Plan consultation document, enabling people to share their views for elected members to consider and deliberate at this meeting.

13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi

13.1 The overall impact on climate resilience and adaptation of the decisions regarding proposed budgets for 2026/2027 will be minimal.

14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru

14.1 The Council is attempting to deliver on its vision Thriving and Resilient Tasman and the strategic priorities in the LTP 2024-2034, whilst avoiding the cost of rates being unaffordable.

14.2 The Council has considered some changes to help reduce the burden on ratepayers. Some of these are not proposed for inclusion in the Annual Plan because of the perceived substantial impact they will have on this vision and strategic priorities.

14.3 The introduction of a rate to fund the costs of the 2025 weather events is consistent with the Council's current Financial Strategy and approach to unplanned events. Setting a new targeted rate requires an amendment to the Council's Revenue and Financing Policy and Financial Impact Statement.

15. Conclusion / Kupu Whakatepe

15.1 The Council has had to confront considerable cost increases in the development of the Annual Plan 2026/2027. A range of changes and initiatives have been identified to provide some savings, but these have not been enough to offset the cost increases. As a result, the rates revenue requirement and debt for 2026/2027 is higher than planned in the LTP.

15.2 To keep the Annual Plan process progressing in time to strike rates by 30 June 2026, Council adopted an Annual Plan consultation document and carried out consultation between 2 April and 3 May 2026. 367 submissions were received and X submitters heard at the Submissions Hearing meeting on 14 May 2026.

15.3 This report enables the Council to consider those submissions and seeks decisions on what to include in its Annual Plan 2026/2027.

16. Next Steps and Timeline / Ngā Mahi Whai Ake

16.1 The final Annual Plan 2026/2027 is to be adopted on 25 June 2026.

17. Attachments / Tuhinga tāpiri

1.	Annual Plan 2026/2027 Capital Programme	380
2.	Overview of submissions from the Annual Plan 2026/2027 consultation	389
3.	Dog Control Fees 2026/2027	399

Tasman District Council - Capital Programme - Annual Plan 2026/2027

Light green indicates budget decreases
Light purple indicates budget increases

Activity Area/Project name	Project descriptions	Draft Annual Plan 2026/2027	Final AP 2026/2027
Environmental Management		**$709,806**	**$709,806**
Environmental Science			
Technical Equipment	Flood monitoring and network communication technology upgrades for resilience	$23,091	$23,091
New/upgrade monitoring site structures	Maintenance/upgrade of flood monitoring site structures and base communication	$5,248	$5,248
Software & Modelling	Flood forecasting models for flood warning and flood inundation models for flood hazard mapping	$31,488	$31,488
Technical equipment	Drone replacement and estuarine dynamics model	$43,243	$43,243
Software & Modelling	Flood Mitigation modelling for Motueka, model visualisation software (WaterRide), and drone imagery processing hardware	$111,351	$111,351
Technical Equipment	Replacement/upgrade of non-site-specific technical equipment for flow, water quality, survey, and other environmental data collection	$68,224	$68,224
Technical Equipment	Site-specific monitoring equipment: Moutere, Tākaka, Aorere, Waimea, Buller, Motueka	$68,224	$68,224
Upgrade & maintenance of monitoring sites & equipment	Cellular communication network upgrades, flow site upgrades, and rainfall site upgrades to ensure network resilience and trend analysis	$145,946	$145,946
New monitoring site structures & equipment	New flow, groundwater, weather, lake & river water quality monitoring sites and access agreements	$58,378	$58,378
Software & Modelling	Lab sample management system, environmental website, environmental data management software, and telemetry software	$131,199	$131,199
Computer Hardware	Computer Hardware for Environmental Data Management Systems	$15,744	$15,744
Compliance			
Compl Mntg - Equipment	Renewal of compliance management equipment	$7,669	$7,669
Public Health & Safety		**$932,004**	**$932,004**
Regulatory Services			
Reg-Animal Cntrl - Cap -Equipmnt	Animal control equipment	$20,992	$20,992
Harbourmaster			
Harbourmaster - Equipment	Renewal and upgrdaes of equipment and plant	$37,838	$37,838
Harbourmaster Vessel	Purchase and maintenance of Harbour Masters vessels and vehicles	$839,675	$839,675
Harbourmaster Building	Building renewals and upgardes	$28,634	$28,634
Harbourmaster District Wide Sign Renewals	Harbour/channel marker and signage renewals	$4,865	$4,865
Transportation		**$15,994,413**	**$15,580,257**
Carpark Resurfacing	Resurfacing of off street car parking facilities	$232,411	$232,411
Footpath Rehabilitation	District wide footpath renewal	$232,416	$232,416
Carpark Lighting Renewal	Reactive renewal and car park lighting	$9,363	$9,363

Street Furniture Renewals	Reactive renewal of street furniture	$15,237	$15,237
Borck Creek Cycle Trail Bridge	New crossing for widened Borck Creek on Tasman's Great Taste Trail	$378,604	$10,270
Richmond Cycle Lanes	Creation of cycle lanes on key routes throughout Richmond	$21,189	$21,189
Seaton Valley Road Improvements	Planning and investigation of improvements required on Seaton Valley Rd due to growth	$0	$102,700
New Residential Greenways	Create new slow speed residential areas in townships	$248,522	$100,000
Wai-iti Domain to Hoult Road Great Taste Trail	Construction of Great Taste Cycle Trail between Wai-iti Domain and Hoult Road	$461,079	$461,079
Wai-iti River cycle bridge	New bridge for realignment of the Great Taste Trail	$192,968	$192,968
District Land Purchase-Land under Roads	District wide land purchase to cover Notice of Requirements	$102,700	$102,700
Rural Development Road Improvements	Improvements to rural roads to cater for rural residential growth	$52,480	$52,480
Unsealed Road Metalling	Routine metalling of unsealed roads to mitigate gravel loss	$1,568,929	$1,568,929
Structures Component Replacements	Bridge component replacements	$192,820	$192,820
Sealed Road Resurfacing	Resurfacing of sealed roads	$6,248,423	$6,248,423
Drainage Renewals	Renewal of drainage assets including culverts, kerb and channel, surface water channels and sumps	$2,261,092	$2,261,092
Pavement Rehabilitation	Pavement rehabilitation of sealed roads that meet NZTA funding criteria	$1,257,389	$1,257,389
Public Transport Infrastructure	Construct and purchase new infrastructure to facilitate public transport services	$16,422	$16,422
Cycle Path Resurfacing	Resurfacing of subsidised cycleways	$44,216	$44,216
TSR - Streetlight Renewals/Upgrades	Streetlight Renewals & Upgrades	$237,838	$237,838
Traffic Services Renewals	Renewal of road signs and traffic lights	$590,432	$590,432
Roadside Hazard Mitigation	Removal of trees and other obstructions close to the carriageway to reduce risk to drivers involved in loss of control crashes in high-speed areas	$23,838	$23,838
Reactive Safety Improvements	Address emerging road safety issues	$104,992	$104,992
Speed Management Plan Implementation	Installation of speed signs and traffic calming	$264,865	$264,865
Bus stop infrastructure improvements	Bus stop infrastructure improvements	$15,892	$15,892
Bus on-board services	Digital tracking of eBus services	$5,297	$5,297
Motueka West Bank culvert	Upgrade culvert to improve resilience	$200,000	$200,000
Aniseed Valley drainage	Upgrade Drainage to improve resilience	$100,000	$100,000
Beach Road retaining wall	Upgrade retaining wall to improve resilience	$100,000	$100,000
Easton Loop culvert	Upgrade culvert to improve resilience	$65,000	$65,000
Paton Rd retaining	Upgrade retaining structure to improve resilience	$300,000	$300,000
Factory Rd retaining	Upgrade retaining structure to improve resilience	$200,000	$200,000
Hill Street / Queen Street intersection	Safety improvements of the intersection	$250,000	$250,000

Water Supply		**$29,216,568**	**$28,167,191**
Richmond South Reservoir	Development of concrete reservoir tanks to provide storage for Richmond West & South area	$51,350	$51,350
Richmond WTP - Capacity Upgrade	Increase capacity of current WTP including new plant pipe work, pressure cylinder & controls	$118,919	$118,919

Richmond Reticulation - Gladstone Rd Upgrade	New water main from Queen Street to Three Brothers Corner Roundabout	$3,614,916	$2,206,700
Backflow Prevention Programme	Installation of backflow preventions at key sites	$77,025	$77,025
Richmond Pipe Renewal	Planned renewal of pipes in six Richmond central streets	$424,865	$424,865
Occupational Health & Safety	Initiatives to improve health and safety (anchor points, railings and chlorine storage)	$94,463	$94,463
88 Valley Reticulation Upgrades	Upgrade Treeton Pump Station, new main from Treeton to Totara, extra storage capacity	$1,565,497	$2,410,000
88 Valley Flowmeters, Hydrants, Pumps, VSD & Valves Renewals	Renewal of Flowmeters, Hydrants, Pumps, VSD & Valves in 88 Valley Scheme	$14,054	$14,054
Dovedale Reticulation Renewal Programme	Renewal of reticulation within the Dovedale scheme	$108,108	$108,108
Dovedale Telemetry Upgrade	SCADA/telemetry software upgrades at various sites in Dovedale	$27,027	$27,027
Dovedale Retic - Flowmeters, Hydrants, Pumps, VSD & Valves	Renewal of meters, hydrants, pumps, VSD and valves within the Dovedale scheme	$54,054	$54,054
Dovedale - New public water supply source	Dovedale - New source & raw water line from Motueka River Valley	$3,313,333	$2,065,000
Redwood Valley WTP & PS - Treatment Upgrades	Replace all old components at the site and building to meet DWSNZ	$4,938,218	$6,900,000
Redwood Reticulation Renewal Programme	Renewal of reticulation within the Redwoods scheme	$57,297	$57,297
Redwood Telemetry Renewal	Renewal of telemetry within the Redwoods scheme	$29,189	$29,189
Redwood Retic - Flowmeters, Hydrants, Pumps & Valves	Renewal of meters, hydrants, pumps, VSD and valves within the Redwoods scheme	$32,432	$32,432
Wai-iti Dam Water Augmentation Pipeline	New intake gallery and gravity main to supplement supply capacity	$1,305,496	$2,600,000
Tapawera WTP Upgrades	Includes two new bores and treatment building, filtration, UV & electrical upgrades	$2,692,537	$2,564,299
Urban Water Club Scheme Monitoring Equipment	Routine replacement of monitoring equipment	$22,703	$22,703
Urban Water Club Reticulation - Valve Renewal	Renewal of valves within the Urban Water Club schemes	$198,919	$198,919
Urban Water Club Reticulation - Hydrant Renewal	Renewal of hydrants within Urban Water Club schemes	$54,054	$54,054
Urban Water Club Reticulation - Water Meter Renewal	Renewal of water meters within the Urban Water Club schemes	$1,081,082	$138,645
Urban Water Club Reticulation - Pump & VSD Renewals	Renewal of pumps and VSDs (Variable speed drives) within Urban Water Club schemes	$81,081	$81,081
Kaiteriteri Reticulation - Reservoir Improvements	Existing reservoir roof and liners maintenance upgrades	$216,216	$140,000
Waimea Water Strategy - P1272	New and upgraded infrastructure including source, treatment and reticulation to assist in meeting compliance and improve the level of service and growth capacity for Wakefield and Brightwater	$3,389,100	$2,200,000
Waimea Water Strategy - P1495 Brightwater & Wakefield Water Reticulation	New and upgraded infrastructure including source, treatment and reticulation to assist in meeting compliance and improve the level of service and growth capacity for Wakefield and Brightwater	$2,063,895	$0
Water Pump Station - Bird Road WS Pump Station	New and upgraded infrastructure including source, treatment and reticulation to assist in meeting compliance and improve the level of service and growth capacity for Wakefield and Brightwater		$676,538
Water Pressure Main - Edward St to Katania Heights	New and upgraded infrastructure including source, treatment and reticulation to assist in meeting compliance and improve the level of service and growth capacity for Wakefield and Brightwater		$183,610
Collingwood - WTP - install filtration & pH adjustment	Collingwood - WTP - install filtration & pH adjustment	$207,286	$0
Kaiteriteri - WTP - contact tank, WTP - filtration, flush to waste	Kaiteriteri - WTP - contact tank, WTP - filtration, flush to waste	$191,297	$0
Māpua Reticulation Upgrades	Māpua Reticulation Upgrades to service growth	$102,700	$0
Korepo Road Renewal	Reticulation Upgrades to service growth	$486,487	$402,573
Richmond Reticulation Upgrades	Richmond Reticulation Upgrades to service growth	$513,500	$513,500

Brightwater Reticulation Upgrades	Brightwater Reticulation upgrades	$162,162	$162,162
Māpua Wharf Booster Pump Station	Māpua Wharf booster pump station upgrades	$81,081	$0
Māpua Ruby Bay Treatment Plant	Māpua Ruby Bay Treatment Plant Pump Upgrades	$146,833	$0
Urban Water Club Reticulation - Renewal	Planned renewal of reticulation within the Urban Water Club schemes	$964,865	$1,100,000
Urban Water Club Reticulation - Renewal	Reactive renewal of reticulation within the Urban Water Club schemes	$170,270	$100,000
Electronic Water Metering	To upgrade water meters to allow for electrionic meter reading	$0	$900,000
Motueka Retic - Flowmeters, Hydrants, Pumps, VSD & Valves	Renewal of flowmeters, hydrants, VSDs (Variable speed drives), & valves in the Motueka Scheme	$21,622	$21,622
Growth Allowance	Planning and investigation to the requirements of growth	$0	$35,000
Teapot Valley water main renewal	Replacement of a old water pipe - Better Off Funding	$0	$150,000
Motueka - Parker St Reservoir	To assist in meeting compliance and to improve resilience	$542,633	$1,252,000

Wastewater		**$7,131,048**	**$7,305,863**
Safety Improvements	Initiatives to implement health and safety improvements	$69,189	$69,189
Renewals at Pump Stations & WWTPs	Renewals of all mechanical and electrical assets: pumps, valves, wet well and valve chamber pipework, odour mitigation, flow meters, electrical, telemetry and backflow	$912,433	$912,433
Growth Allowance	Allowance for the addition of smart technology to low-pressure pump systems	$34,595	$34,595
Renewal and Upgrade of the Motueka WWTP	Pre-planning for the replacement of the WWTP	$369,363	$250,000
Renewal and Upgrade of the Motueka WWTP	Secure designations, and possible land purchase for the replacement of the existing WWTP	$1,081,082	$20,540
New Telemetry	Conversion of the last remaining sites from analogue to digital	$59,519	$59,519
District-wide Reticulation Renewals	Renewal of reticulation - various locations	$154,050	$154,050
WWTP Pond Sludge Removal	Removal of sludge from wastewater ponds for reuse or disposal	$1,003,076	$1,003,076
Motueka WWTP - replacement membrane	Periodic replacement of the Motueka WWTP membranes	$1,049,594	$1,049,594
District-wide manhole lid replacements	Renewal of damaged manhole lids	$21,727	$21,727
District-wide carbon filters	Install carbon filters at key locations to address odour issues	$54,159	$54,159
District-wide sludge reuse or disposal	Reuse sludge on-site where testing meets acceptable conditions, disposal to landfill if sludge cannot be reused as soil conditioner	$616,200	$616,200
Richmond South Connection to WW Trunkmain	Install pipe to cater for existing under capacity and growth	$14,892	$14,892
Waimea Strategy - Wastewater upgrades	Upgrades and renewals to cater for growth and improve resilience (Pt B)	$456,038	$0
Waimea Strategy - Wastewater upgrades	Bird Road WW PS	$0	$556,656
New Mapua gravity reticulation	Māpua reticulation upgrades to service development	$108,108	$108,108
District-Wide Reactive Reticulation Renewals	Various locations for renewal	$270,270	$270,270
Richmond Intensification	Investigate increase in capacity of reticulation	$256,750	$330,000
Takaka WW Treatement Plant Compliance	Improvements to ensure the Takaka WWTP remains compliant	$0	$1,570,047
Install Network Flow Meters and Sensors	Installation of flow meters at older pump stations, this data helps assess network upgrade and renewal needs	$108,108	$108,108
District Wide WWTP Nutrient Removal	Nutrient Removal of WWTP discharges	$389,195	$0

Richmond South - reticulation in Bateup and Whites Road Area	Reticulation for areas identified for growth	$25,675	$25,675
Richmond West - reticulation to service commercial/industrial	Upgrade of pressure pipe reticulation	$77,025	$77,025

Stormwater		**$8,820,420**	**$7,161,932**
Alexandra Hospital (Richmond) Stormwater	To construct an overland flow channel to improve resilience to flooding	$308,100	$308,100
Bateup Drain Upgrade	Upgrade to Bateup Drain to support development of zoned areas	$2,994,207	$2,778,571
Stormwater Quality Improvements	Implementation of measures to improve the quality of stormwater discharge at strategic locations	$81,081	$81,081
Richmond Stormwater Land Purchase	Land purchase to enable construction of new stormwater assets	$2,567,500	$2,567,500
Minor Stormwater Improvements	District-wide minor stormwater improvements for isolated level of service improvements	$135,135	$135,135
Lower Queen Street Bridge Capacity Upgrade	Increasing the span of the existing bridge over Borck Creek to match the new width of the creek bed	$1,449,353	$520,000
Borck Creek SH60 Bridge Capacity upgrade	The existing culvert needs to be replaced with a bridge spanning the increased width of Borck Creek	$25,675	$25,675
Reed/Andrews Drain: SH6 Culvert and Network Tasman drain upgrade	Upgrade the Reed/Andrews drain and replace the existing culvert under SH6 with a bridge to match the increased flow capacity of the drain	$25,675	$25,675
Borck Creek Widening - Headingly Lane to Estuary	Upgrade the capacity of Borck Creek between Lower Queen Street and the estuary	$667,550	$154,050
Richmond Sth SW Pukerua Subdivision	Council funding toward new drain construction and associated bridge	$60,154	$60,154
Richmond South Stormwater Channel Programme	Programme Management Support - to support growth development area	$110,595	$110,595
Richmond Intensification Stormwater Capacity Upgrades (FDS T	Investigation to the upgrading local pipes to allow infill housing growth	$215,670	$215,670
Stormwater - Flood Resilience	Upgrades and renewals of strategic assets to improve resilience	$179,725	$179,725

Waste Management & Minimisation		**$2,797,790**	**$2,133,784**
Waste minimisation infrastructure	Capital investment for waste minimisation - could include organic or dry waste facilities from Y3	$1,130,948	$1,002,573
Expand existing MRF building	Extend the existing building, replace the dry store, build a new office facility to better sort and store fibre, and accommodate a new contract	$1,274,817	$0
RRC bin renewals	RRC bin renewals	$51,351	$51,351
RRC Building Renewals	To upgrade building to make them fit for purpose	$0	$739,186
RRC safety improvements capital	Site safety minor improvements	$36,180	$36,180
RRC environmental controls	Improvements to reduce discharges or contain materials	$33,926	$33,926
RRC pavement upgrades	RRC pavement upgrades	$108,108	$108,108
RRC minor improvements	RRC minor improvements	$26,756	$26,756
Closed landfill improvements	Provide erosion protection to closed landfills	$135,704	$135,704

Flood Protection and River Control Systems, Coastal Assets		**$13,356,572**	**$16,080,284**
River Flapgates Asset Renewal	Renewal of pipe flap gate assets located along river stopbanks or in coastal areas	$21,622	$21,622

River X and Y Rock Work	Supply and installation of rock protection work for bank stabilisation in River X and River Y rating areas; managed through River Maintenance Contract	$640,541	$640,541
June July 2025 recovery - Rock repair and rebuild	Reinstate flood protection	$4,800,000	$4,800,000
Class X Capital Works	Capital upgrades and repairs on Council-owned stopbanks	$218,919	$218,919
Motueka Stopbanks Refurbishment - Stage 2	Motueka Stopbank Refurbishment Stage 2 project, with co-funding provided from MBIE/Kanoa under the Regional Infrastructure Fund	$3,516,140	$5,911,675
Peach Island Stopbanks Refurbishment - Stage 2	Peach Island Stopbank Refurbishment Stage 2 project, with co-funding provided from MBIE/Kanoa under the Regional Infrastructure Fund	$0	$841,677
Flood Mitigation Works Motueka	Tranche 2 60% Government-funded placeholder	$3,645,850	$3,645,850
Flood Mitigation Works Motueka	Tranche 3 60% Government-funded placeholder	$513,500	$0
Coastal Assets			
Motueka heritage wharf restoration	Assist in restoration of the heritage wharf	$0	$25,000

Community Development		**$17,521,601**	**$16,075,684**
Community Facilities			
Motueka Community Pool	Development of Motueka Community Pool	$5,757,619	$3,281,265
Saxton Field - New Play Space	Planned new play space on Saxton Field	$260,862	$442,637
Saxton Field - New Play Space	Planned new play space on Saxton Field - RFC-funded portion	$902,637	$924,300
Waimea South Facility	Community facility in Wakefield	$3,594,500	$3,967,815
Waimea South Facility	Community facilities in Brightwater	$1,232,400	$1,899,950
Aquatic Centre - Plant	Ongoing plant upgrade	$154,050	$154,050
Aquatic Centre - Cap - Building	Ongoing building upgrade	$102,700	$102,700
Motueka Rec Centre - Bldg Cap	Building upgrades	$154,050	$154,050
Community Housing			
Tākaka Cottages - Furn & Fittings	Furniture and fittings upgrade between tenancies	$5,248	$5,248
Murchison Flats - Cap - Bldgs	Upgrade between tenancies	$16,216	$16,216
Housing - Hollis Hill (Brightwater) - C	Upgrade between tenancies	$27,027	$27,027
Cap Pearless (Wakefield) Furn & Fttgs	Furniture and fittings upgrade between tenancies	$23,784	$23,784
Vosper Street Flats (Motueka) - Cap - Furn/Fttgs	Furniture and fittings upgrade between tenancies	$3,784	$3,784
Mears-Haven (Motueka) Cap - Furn/Fttgs	Furniture and fittings upgrade between tenancies	$21,622	$21,622
Mears-Haven (Motueka) Cap - Buildings	Upgrade between tenancies	$10,811	$10,811
Aotea Flats (Richmond) Cap -Furn/Fittings	Furniture and fittings upgrade between tenancies	$29,760	$29,760
Parks & Reserves			
Rural Rec & Esp Res Capital	Ongoing development of esplanade reserves	$12,782	$12,782
Cemeteries Capital	New burial and Ash beams	$154,050	$154,050
Capital - Public Conveniences	Renewal of public toilets	$102,700	$102,700

Playground - Miscellaneous	Development of new reserves	$172,973	$172,973
Playground - Renewals	Development of new reserves	$27,027	$27,027
Playground - Capital	General Renewals	$27,028	$27,028
Carparks/Accessways Reseals	Resurfacing of existing carparks and accessways	$102,700	$102,700
Sportsgrounds - Capital	Development of sportgrounds	$10,270	$10,270
Reserve Financial Contributions			
Land - Reserves - Golden Bay	Purchase of new reserves	$155,676	$155,676
Walkways/Esplanades - Golden Bay	Ongoing development of esplanade reserves	$27,638	$27,638
Community Projects - Golden Bay		$51,350	$51,350
Cemeteries - Golden Bay	New burial and ash beams	$102,700	$102,700
Coastcare - Golden Bay	Coastal restoration	$23,808	$23,808
Land Purchases Moutere/Waimea	Purchase of new reserves	$154,050	$154,050
Cemeteries - Waimea/Moutere	New burial and ash beams	$48,946	$48,946
Waimea - Walkways Capital	New walkway development	$23,808	$23,808
Coastcare - Waimea/Moutere	Coastal restoration, including Moturoa	$38,796	$11,904
Facilty upgrade contribution - Moutere Hills Centre	Extension of the Moutere Hills Centre	$205,400	$205,400
Playground General - Waimea/Moutere	New playground equipment	$264,558	$178,558
Picnic Area/Gardens General - Waimea/Moutere	Development of reserves	$23,808	$23,808
Toilets General - Waimea/Moutere	Renewals of public toilets	$23,808	$23,808
Moturoa Rabbit Isl Pou-whenua & signage	New Pou-whenua & signage	$25,675	$25,675
Walkways General - Motueka	Renewal of walkways	$17,856	$17,856
Cemeteries - Motueka	New burial and ash beams	$14,285	$14,285
Coastcare - Motueka	Coastal restoration	$17,856	$17,856
Sportsfields General - Motueka	Sportsfield and hard surfaces renewals	$178,558	$178,558
Motueka Community Board Projects - Fund by Special Projects	Projects approved by the Motueka Community Board	$12,782	$12,782
Playgrounds General - Motueka	New playground equipment	$164,320	$164,320
Walkways General - Richmond	Development of walkways in new reserves, Paton, Richmond West	$424,189	$167,439
Kingsland Forest development	Ongoing planting & development of Kingsland Reserve	$451,892	$612,803
Cemeteries - Richmond	New burial and ash beams	$41,080	$41,080
Richmond - Washbourn Gardens	New paths & irrigation at Washbourn Gardens	$29,760	$29,760
Playgrounds General - Richmond	New playground equipment	$178,558	$178,558
Picnic Area/Gardens General - Richmond	Development of reserves	$35,711	$35,711
Paton Road Development	Development of Paton Road Reserve	$730,197	$524,797
Waimea River Park	Continuing development of habitat, walkways, and furniture	$4,371	$4,371

Sportsgrounds general	Sportsfields upgrades and renewals	$109,924	$109,924
Hill St to Haycock Rd Pathway		$0	$200,265
Special Purpose Committees			
Hall - Capital - Furniture and Fittings	Renewals at 20 community halls via annual request from Committee	$12,782	$12,782
Hal - Plant & Equipment	Renewals at 20 community halls via annual request from Committee	$5,405	$5,405
Hall - Capital - Buildings	Renewals at 20 community halls via annual request from Committee	$590,525	$590,525
Museums			
Museums Capital	Improvements to the Golden Bay Museum	$51,350	$51,350
Libraries			
Furniture and Fittings	Replacement of furniture and fittings	$15,744	$15,744
Adult Collections	Library books	$243,506	$243,506
Children's Collections	Library books	$80,819	$80,819
AV Collections	DVDs, Talking books	$33,514	$33,514

Council Enterprises		**$2,231,133**	**$2,629,394**
Aerodromes			
Motueka Aerodrome Capital Expenditure	Provision to allow for the reseal of the main runway and other capital renewals	$300,964	$300,964
Motueka Aerodrome Reseal	Reseal at the Motueka Aerodrome	$0	$398,261
Motueka Hangar development	Motueka hangar development	$256,750	$256,750
Tākaka sealed runway reseal	Extension of the sealed portion of the crosswind runway	$3,156	$3,156
Camping Grounds			
Campgrnds - Riverside - Upgrade	Annual capital renewal programme	$129,730	$129,730
Campgrnds - Fearons Bush - Cap Works	Cabin renewal	$124,324	$124,324
Pōhara Cap works roading	Renewal of internal roading at Pōhara Campground	$108,108	$108,108
Pōhara Holiday camp	Pōhara Holiday camp ablution and kitchen upgrade	$64,865	$64,865
Collingwood Coastal Erosion repairs	Coastal rock wall replenishment	$27,027	$27,027
Collingwood Camp Cap works	Cabin renewal and site works	$313,514	$313,514
Commercial Property			
Māpua Wharf Precinct - Capital works	Annual capital renewal programme	$308,100	$308,100
Port Motueka Fund - Reinvestment and Equity	Compliant facilities for boat maintenance activities to improve environmental protection	$108,108	$108,108
Commercial property - Port Motueka boat washdown facility	Commercial property - Port Motueka boat washdown facility	$324,325	$324,325
Ports			
Tarakohe Cap Entrance Traffic	Road safety at the entrance	$162,162	$162,162

Support Services		**$855,465**	**$1,105,465**

EV Charge points	Expansion of EV charging capacity to meet fleet demands	$97,297	$97,297
Fleet optimisation	Modernisation and electrification of the vehicle fleet	$184,980	$184,980
Main Office - Building	Main Office minor capital and Lift component replacements	$24,998	$184,998
Richmond Library - Building	Roof improvements and cladding replacement. Lift component replacements	$11,904	$101,904
Tākaka Library - Building	Building resilience work	$11,904	$11,904
Computers - Cap - Hardware	General computer hardware and software renewals	$451,000	$451,000
Environmental - Capital - Furniture & Fittings	Replacement of furniture and fittings	$2,099	$2,099
Asset Mngmt - Vehicle Purchase	Vehicle purchase renewals	$40,473	$40,473
Regulatory Services Capital Plant	Renewal of regulatory management equipment	$30,810	$30,810

Joint Ventures		**$9,675,563**	**$9,675,563**
NTRLBU - Renewals	Renewals of key infrastructure	$5,571,563	$5,571,563
NRSBU Controlled Activity - LoS	Maintaining and improving LoS	$2,608,000	$2,608,000
NRSBU Controlled Activity - Renewals	Renewals of key infrastructure	$1,496,000	$1,496,000

Overview of submissions for the Annual Plan 2026/2027 consultation

Public consultation on the Annual Plan 2026/2027, including the draft Schedule of Fees and Charges, commenced on 2 April 2026 and closed 3 May 2027. We received 367 submissions over the consultation period online via the Shape Tasman engagement page, paper submission forms, emails and written submissions. All submissions can be viewed here: TDC Submissions

The community was invited to provide feedback on their preferred option for the 2025 Weather Events Recovery Rate and on any of the proposed budget movements outlined in the consultation document. A brief description of what it is and the associated budget increase or decrease was provided.

Submissions were received from six iwi or iwi groups: Te Rūnanga o Ngāti Kuia Trust, Ngāti Apa ki te Rā Tō, Te Rūnanga o Ngāti Rārua, Te Rūnanga o Toa Rangatira, Te Ātiawa o Te Waka-a-Māui and Whakarewa - Ngāti Rārua Ātiawa Iwi Trust.

46 groups and organisations submitted:

- Golden Bay Community Board, Motueka Community Board and Motueka Youth Council.
- Tapawera & Districts Community Council, Tapawera Connect, Tapawera Civil Defence Group, and Tapawera Campground.
- Waimea South Community Facility Charitable Trust, Wakefield Community Council. Wanderers Community Sports Club, Wakefield Country Players, Able TAS Kids Committee, Quinneys Bush and Horrell Farms.
- Motueka Aquatic Centre Committee, Motueka Swimming Club, Motueka Special Olympics
- Motueka High School, Ngātimoti School, Greenwood Kindergarten and Wakefield Village Kindergarten.
- Change Real Estate, YouRealty, Bayleys Nelson Tasman, Tall Poppy Real Estate and K Real Estate, Alpine Buildings and Hays Plumbing Services Ltd.
- Nelson Tasman Climate Forum, Tasman Community Group, and Keep Motueka Beautiful (for the Motueka Heritage Wharf Restoration Group).
- 88 Valley Rural Water Supply Committee, and Hardyards Water Delivery Services.
- Split Apple Rock Owners Association and Marahau Sandy Bay Residents Association Inc.
- Neighbourhood Support Top of the South, Federated Farmers (Golden Bay and Nelson), Forest & Bird, and Alcohol Healthwatch.
- Sport Tasman, Motueka Lions Club, PF Olsen Ltd, Blue Sky Beekeeping Ltd, Pic's Peanut Butter World and State Cinema Motueka.

The remaining submissions were from individuals, although approximately 28 submissions appear to be form-based or group submissions (i.e. with near identical content).

Feedback on progressing the community facilities projects and on the proposed recovery rate was also sought through two quick polls promoted on social media and the Antenno App. We received 3478 votes from 2856 contributors, and the results are presented under the relevant topics below.

Submissions regarding the proposed 2025 Weather Events Recovery Rate

The community was asked to select their preferred option for a new 2025 Weather Event Recovery Rate from the four shortlisted options:

- Option 1: Targeted District-wide Recovery Rate for five years to repay the costs of the 2025 weather events only, charged at a uniform amount ($125) This was presented as the Council's preferred option.
- Option 2: Targeted District-wide Recovery Rate for five years to repay the costs of the 2025 weather events only, charged by capital value
- Option 3: Targeted District-wide Recovery and Emergency Event Financial Resilience Rate – ongoing to repay the costs of the weather events initially and then be used to build a fund to respond to future natural hazard events charged at a uniform amount
- Option 4: Targeted District-wide Recovery and Emergency Event Financial Resilience Rate – ongoing to repay the costs of the weather events initially and then be used to build a fund to respond to future natural hazard events charged by capital value

184 submitters selected an option, as follows:

- Option 1: 78 submissions (42%)
- Option 2: 26 submissions (14%)
- Option 3: 35 submissions (19%)
- Option 4: 24 submissions (13%)
- NA or none of the options: 21 (11%)

Key themes across all the options include:

- Fairness and simplicity: an emphasis on the equal treatment of ratepayers and the idea that disaster recovery benefits are shared district-wide.
- Ability to pay and equity: Concerns raised about fairness and affordability for fixed incomes and lower-value property owners.
- Risk attribution and responsibility: Views that those located in, or choosing, higher-risk areas should bear a greater share of costs, and objection to district-wide charging where impacts were perceived as geographically limited.
- Trust in council governance and financial management: Concerns about whether Council has managed finances effectively and calls for transparency and better explanation of costs.
- Time-limited recovery versus ongoing resilience planning: one off costs or future preparedness.

A number of submitters do not support any additional charge on ratepayers and reasons include:

- The Council should absorb or reprioritise costs, not pass them on (35306)
- District-wide charging is unfair, especially for unaffected or low-risk households (35520,

- The need for a recovery rate reflects failures in planning, budgeting, or risk management (35531, 35495, 35401)
- Future policy should focus on risk-based charging (35326, 354520), or better upfront resilience planning (35305), rather than reactive levies.

Feedback on the proposed recovery rate was also sought through a quick poll. 346 votes were received from 309 contributors as follows:

- Option 1: 124 votes (36%)
- Option 2: 83 votes (24%)
- Option 3: 73 votes (21%)
- Option 4: 66 votes (19%)

Feedback on Option 1

Among submitters who selected Option 1 there was general acceptance that it was the "fairest" available option and simple (35332, 35231, 35387, 35344), rather than strong enthusiasm. Some described it as the "least worst" option (35308, 35300), not an ideal solution.

A significant portion of responses include critical commentary on overall affordability (35245), Council financial management, and long-term approach to climate-related costs (35281, 35503, 35466), even when supporting Option 1. Alternative funding sources were suggested, including internal savings (35356), insurance or central government (35567, 35576) or a visitor/tourist contribution (35381).

Feedback on Option 2

Among submitters who selected Option 2 there was moderate but principled support, generally on fairness and equity grounds, especially protecting lower-income households and recognising differing ability to pay (35256, 35303, 35258, 35571, 35509).

Some submitters still express reservations about any additional rate (35267) or oppose the overall cost and district-wide funding approaches (35475, 35261, 35348). Submitter suggestion include capping contributions (35348) and ongoing or forward-looking funding (35484, 35507).

Feedback on Option 3

There is moderate but conceptually strong support for this option, driven primarily by future-focused thinking (resilience and preparedness) rather than immediate affordability. Some submitters see this option as more strategic and realistic given increasing climate risks (35340, 35490). However, support is often conditional, with raised concerns about affordability (35318, 35382) and fund management, including that the fund to be capped, reviewed, and ring-fenced (35249, 35273, 35529, 35273).

Feedback on Option 4

There was moderate but well-reasoned support for Option 4, because it aligns with climate reality and future risk, and it is seen as more equitable than uniform charging. Some submitters see Option 4 as the most balanced model, combining fairness (ability to pay or equitable 35355, 35369, 35258) with long-term resilience planning (35250, 35369, 35408).

However, support for this option was often conditional and design-dependent and suggestions for refinement include hybrids (35321) expectations for caps or limits (325359, 35359), fairness safeguards (e.g. rebates 35250) and transparency and governance (35579, 35502).

Submissions regarding proposed operating budget movements

The community was invited to provide feedback on the proposed operating budget movements and 74 submitters responded to this question. These views were overwhelmingly unsupportive or critical of the proposals. Dominant concerns include the affordability of rates increases (35245, 35284, 35300), a perceived lack of cost control (35601, 35261, 35265), rising debt and long-term financial sustainability (35356, 35567, 35501).

A small number of submitters accept the increases as necessary (35491, 35578), but question specific areas (e.g. maintenance increases, 35348) and delivery efficiency (35342).

At least 17 submissions were explicitly form-based (e.g. 35424, 35431, 35541) and a further 11 submissions showing strong evidence of coordinated or near identical content (e.g. 35429, 35568, 35583). These submissions raised criticism of the consultation process, claims of misleading financial information and reinforcing consistent messaging around fiscal discipline, debt reduction, and staff and consultant cost scrutiny.

Submissions regarding the community facilities projects

The consultation document invited feedback on progressing or pausing the three community facilities projects. 288 submitters responded to this question and the quick polls received 3,132 votes.

There is strong overall support for progressing community facilities, driven primarily by high levels of support within the directly affected communities that viewed these facilities as essential infrastructure, not “nice to haves. Submitters closest to the facilities overwhelmingly support progression; submitters considering district-wide affordability tend to support pausing.

Sport Tasman (35530) support the progressing the Waimea South facilities and the Motueka Pool and acknowledge the proposal to pause the Tapawera Hub project, advocating for the required level of community led insights to be captured as a priority so the community’s needs can be understood and met. Sport Tasman also advocate for the development of a Spaces and Places strategy driven by insights and for physical activity investment be treated as essential rather than optional.

70 submitters explicitly did not support council investment in community facilities projects at this time, or actively seek to pause, defer, or cancel them. Opposition to the community facilities projects focused on cost of living pressures and rates affordability, high and growing Council debt, ongoing operational costs and “non-essential” spending, often from submitters framing the issue at a district-wide level.

Feedback on the Tapawera Hub

48 submitters provide feedback on the Tapawera Community Hub project. The quick poll received 630 votes from 523 contributors. 22% (140 votes) supported contributing with the Tapawera Hub and 78% (490 votes) wanted to pause this project.

There is strong support to progress the project and that the hub will be well utilised (35264, 35408). Pausing the project is viewed by supporters as risking loss of external funding (35247, 35264, 35315),

continued exposure to safety and resilience risks (35487, 35264, 35295) and further entrenchment of rural inequity (35267, 35278, 35372). Submitter 35408 acknowledges pressures and community confusion, but stresses the need remains and seeks clarity that pausing would not mean abandonment.

Opposition is limited and focussed on project readiness and consultation quality (35330, 35377), and community division (35522), rather than denial of need. Some submitters argue that existing facilities could be refurbished instead (35357, 35475).

Feedback on the Waimea South Community Facilities

43 submitters provided feedback on the Waimea South facilities. The quick poll results are as follows:

- Wakefield Hub: 953 votes from 714 contributors. 53% (509 votes) supported continuing with the Wakefield Hub and 47% (477 voters) wanted to pause this project.
- Brightwater facilities upgrade: 559 votes from 475 contributors. 27% (151 votes) supported continuing with the Brightwater facilities upgrade and 73% (408 votes) wanted to pause this project.

There is strong local support to progress these projects and submitters noted that pausing now would impose higher future costs (35290, 35328, 35369), undermine community effort (35224, 35227, 35314), and damage trust (35290, 35516, 35369). Submitter 35482 supports the Brightwater facility upgrades but raised concerns about duplication particularly a potential gym with existing facilities.

Submitters opposing or wanting this project paused expressed affordability and debt concerns (35300, 35460), rather than denial of local need, and preferred refurbishment of existing facilities (35339, 35580). Submitter 35579 raised concerns about site location for the Wakefield Community Hub including parking, SH6 access and flood risk.

Feedback on the Motueka Pool

116 submitters provided feedback on the Motueka Pool project and the quick poll received 990 votes from 835 contributors. 58% (574 votes) supported continuing with the Motueka Pool and 42% (416 votes) wanted to pause this project.

There is extensive support for progressing the Motueka Pool; it is viewed as long overdue (35281, 35318, 35322, 35350), essential for health, wellbeing and safety (35275, 35361, 35428, 35451) and that "now is the cheapest it will ever be" (35342, 35425, 35492). Equity of access was frequently raised (35323, 35380, 35275, 35494, 35532) and submitters noted that pausing the project would exacerbate inequity and undermine public trust and donations (35405, 35485, 35410, 35554).

Submissions from five iwi (35452, 35455, 35549, 35553 and 35598) expressed strong support for progressing the Motueka Pool project.

Limited opposition to this project is largely general rather than Motueka-specific, citing reasons like affordability concerns (35508, 35248, 35514), and competing priorities (35248, 35381). The Motueka Youth Council (35355) does not see the need, citing natural water options and Richmond access.

Submissions regarding the capital programme

The community was asked to provide feedback on the proposed changes to the capital programme. 91 submitters responded to this question, 21 of whom responded 'no' or had no comments.

There is limited support for the capital programme as a whole, but conditional support for selected high-value or urgent projects especially in essential infrastructure (35598, 35273) or specific community facilities (35370, 35463, 35476). The main sentiment is that the capital programme is too expansive for current economic conditions (35231, 35325, 35508), lacks clear prioritisation (35473), and inadequately demonstrates affordability, necessity, and deliverability (35368, 35502). Many submitters are not rejecting capital investment outright, but are asking Council to slow down, narrow focus, improve transparency and better justify trade-offs (35316, 35528).

Many submitters provide view on specific project types:

- Community facilities: Supporters argued that community facilities are essential for wellbeing, safety, or equity, and are not discretionary (35370, 35463, 35476, 35235). Other submitters viewed these are "nice-to-haves" that should be delayed (35249, 35231, 35507, 35512, 35529)
- Three Waters: Submitters generally accept water infrastructure as essential (35251, 35398, 35368, 35381), but there are concerns about cost, sequencing, transparency and fairness (35231, 35400, 35496, 35468).
- Rivers and flood protection: there is support for flood protection spending (35571, 35398) but some dissatisfaction with how rivers are managed, not whether investment occurs (35502, 35579, 35251).
- Transport and roading: this is supported as a core activity (35273, 35393), but there was scrutiny of projects viewed as non-essential especially those framed as amenity rather than function (35474, 35257).
- Growth-enabling infrastructure and development support: Capital projects framed as enabling growth were among the least supported, particularly where housing demand has softened. Arguments include that growth infrastructure should be funded by developers, deferred until economic conditions stabilise or avoided where growth assumptions are uncertain (35326, 35527, 35531, 35601).

Submissions regarding funded depreciation for roading assets

The community was asked to provide feedback on the proposed slowing of planned funding of depreciation for roading assets. 91 submitters responded to this question, 22 of whom responded 'no' or had no comments. There was broad consensus that roading is a core council function, but disagreement on whether slowing depreciation is an acceptable mechanism for managing current fiscal pressure

Supportive submitters emphasised short-term financial relief (35491, 35300), economic context (35231) and/or the view that depreciation is largely an accounting construct that can be adjusted without impacting service delivery (35495, 35589).

Submitters opposing or arguing against deferred funding of depreciation stressed intergenerational equity (353473, 35528, 35560) and viewed it as short-term budget optics that undermines asset

integrity (35511), increases debt (35318), and unfairly shifts costs to future ratepayers by "kicking the can down the road" (35382, 35601).

Submissions regarding Council's fees and charges

The community was asked to provide feedback on the proposed changes to Council's fees and charges. 115 submitters responded to this question, 17 of whom said 'no'.

Seven submitters support the proposed increases to fees and charges (e.g. 35295, 35340, 356462). Opposition to the proposed increases is widespread and strongly expressed, especially where increases exceed inflation (35308, 35325, 35576). There is qualified support for user-pays, but only where the costs are transparent (35528, 35354)), and charges are clearly justified and cost reflective (35529). Submitter 35473 advocates further increasing cost recovery levels (~10%).

Trust and transparency are key issues, and many submitters are not convinced fees reflect real costs or do not have confidence in the fee-setting process (35567, 35589, 35601). The most contentious issues are the level of increases (35231, 35265, 35319), charges for accessing Council-held information particularly property files (35389, 35401, 35576), and perceived Council inefficiencies driving costs (35337, 35356). Some submitters suggested alternatives such as tiered pricing systems (35385, 35529), hourly or proportional charging (35359) and flexible bulk pricing (35390).

Requests from submitters:

The Heritage Wharf Restoration Group (35396) is seeking funding of $60,000 to assist with the re-construction of the Motueka Heritage Wharf, which is a Council Asset.

Submitter 35340 requests that the Council maintains the section of Tasman View Road from the junction of Harley Ridge to "the Lookout" and notes that residents have agreed to fund 50% of the cost of bringing this section of the road up to an acceptable standard.

Submitter 35398 request that the Council proceeds with the stormwater improvements on Welsh Place, Richmond. Their home has been flooded twice due to insufficient stormwater drainage in the area and are concerned that it will happen again when there is significant rain.

Submitter 35558 requests that a flood bank is constructed upstream from SH60 Bridge on the north side of the Riuwaka River to contain the tributary and connect with the lower end of the existing flood bank. Residential properties and others in this area are sustaining serious damage almost annually and horticulture land is being restricted in use.

Submitter 35571 provides recommended actions for the Council to consider for 2026/2027 on a wide range of activities, services, maintenance items and capital projects in the Motueka ward. Requests marked as priority by the submitter include review of the Memorial Park Reserve Management Plan, replacement of the Thorp Drain tidal flap gate with an electronic gate, refurbishment of the Motueka coastal and foreshore protection wall, a refuge crossing in Thorp Street, resetting of the financing of district footpaths, salt marsh restoration of the Moutere Inlet margin and raising the protection of the Riuwaka River minor stopbank.

The Motueka Community Board (35426) makes a range of requests in its submission, including:

- The Motueka High Street upgrade identified in the LTP 2021-2031 be reinstated in future planning, particularly following the removal of several Golden Elm trees.

- A safety review be undertaken for the intersection of King Edward Street, College Street, and Queen Victoria Street.
- Investigation by the Council of the coastal rock wall protection along the Motueka ward foreshore**.**
- Mitigating the challenges of the Motueka library meeting room with IT issues and lack of sound. Investigate set up of microphones and adequate speaker system.
- Council endorsement of the Motueka Historical Wharf Restoration in principle. The Board acknowledge that current funding constraints may limit direct support.
- Prioritisation of stormwater resilience improvements, including consideration of a modern automated gate at Thorp Drain similar to Woodlands Drain. Target known problem areas such as Woodlands Avenue, and review drainage limitations from Wratt Street through to Monahan Street, including additional soak pits where appropriate.
- The annual contribution to the Motueka i-SITE by Council is maintained to preserve current service levels, staffing, and opening hours. The Board support the continued operation of the Motueka i-SITE as a key asset for the district's growing visitor economy
- Advocating for increased community education on sustainable recycling practices and waste minimisation.
- Advocating for pedestrianisation of Wallace Street, from the High Street end to the Decks Reserve car park entrance, creating a plaza-style public space similar to Sundial Square in Richmond and upper Trafalgar Street in Nelson.
- A review of flood protection measures for the Little Sydney stream including Factory Road, Swamp Road and Umukuri Road catchment extending from Brooklyn, also the Dehra Doon catchment and the Riuwaka River to better protect residents and productive land.
- Addressing the lack of River Management Plan for the Marahau/Otuwhero catchments and of coastal, inlet and land use (forestry) issues for the area.
- The Memorial Park Reserve Management Plan be reviewed in the coming 2026-2027 year. The previous review for Memorial Park occurred in 1997 and is a high priority. The Motueka Ward Reserves Plan was reviewed in 2019 but the Memorial Park Reserve was not included.

Federated Farmers – Golden Bay and Nelson (35597) requests that the Council strives to keep increases in fees and charges within the rate of inflation and that the fee for working dogs should be half that for a Category 2 dog and the total fee capped at 5 dogs. Federated Farmers raises concerns about affordability, rates equity, and transparency for rural ratepayers. Improvements are sought to river management and rating systems and that continued priority be given to rural roading and infrastructure recovery. Federated Farmers outline proposal for local government reform to improve efficiency, scale and resilience.

The 88 Valley Rural Water Supply Committee propose a tiered charging system for users supplied through restrictors when the Scheme is joined to the urban water club, and suggest measures to improve the future resilience of the scheme. Submitter 35468 also proposes changes to the 88 Valley Rural Water Supply Scheme and asks that affected users be given the free option to leave the scheme

or reduce allocation and that the Council subsidise any on-farm infrastructure changes needed to separate stock and domestic supplies.

The Marahau Sandy Bay Residents Association (35591) support the Annual Plan 2026/2027 and asks the Council to prioritise a number of local infrastructure, safety, and environmental resilience issues. The requests include:

- Regular maintenance of the Otuwhero carpark, foreshore revetment, and footpath to ensure safety, accessibility (including for pushchairs), and protection from increasingly severe weather.
- Protection of Marahau's dark sky by fitting adjustable lighting to all streetlights in Newhaven Crescent.
- A review of the priority of a pedestrian walkway on the Marahau River Bridge, once current district-wide storm damage remediation is complete, due to ongoing safety concerns.
- A review of the regulatory regime and oversight of forestry practices to improve long-term climate resilience, public safety, and environmental outcomes. The Association seeks stronger Council leadership on catchment restoration, mitigation, and land management in the Otuwhero, Marahau, and Kaiteriteri catchments, particularly in relation to commercial forestry on Separation Point Granite soils.

The Split Apple Rock Owners Association (35586) set out the issues and recommendations that the the Split Apple Rock (Tokongawa) community seeks the Council to review and include in the Annual Plan and Budget for 2026/27. These matters reflect the community's priorities and concerns, and the Association believes their incorporation will contribute to the wellbeing and sustainability of our area. The requests are:

- Support for the Marahau Sandy Bay Residents Association's submission point regarding the restoration, mitigation, and land management in the Otuwhero, Marahau, and Kaiteriteri catchments (see 35591).
- A comprehensive review and regular, ongoing maintenance of local drains and culverts, especially where road drainage directs water onto private property.
- Installing a visitor counter (pedestrian or vehicle) at Split Apple Rock to collect accurate data, ideally operating in summer 2026/2027 to inform future management and infrastructure that addresses visitor parking congestion.

Other matters raised in submissions

Affordability was a dominant issue. Submitters repeatedly stress that households are already struggling with rising costs (food, fuel, insurance, housing) and cannot absorb further rates increases (35306, 35363, 35334).

Some submitters were unsatisfied with the level of detail provided in the consultation document and supporting material (353959, 35231), considered the information provided was misleading or unclear (35429, 35552) and that there was limited visibility of underlying cost drivers.

Whakarewa - Ngāti Rārua Ātiawa Iwi Trust (35612) ask that whenua Māori be explicitly considered, rather than implicitly absorbed, as Tasman responds to increasing financial and climate pressures. The Trust support pausing the Tapawera Community Hub, Wakefield Hub and the Brightwater facilities, but recommend the Council continue with the Motueka Pool project.

Forest and Bird (35251) advocate that environmental protection and restoration must not be treated as a discretionary expense. The Council is urged to adopt a nature-based solutions approach to riverbank rebuilds and flood protection upgrades. Forest and Bird strongly oppose the deprioritisation of water supply and wastewater projects, which increases the risks of failures, leaks and overflows into sensitive receiving environments impacting public health and indigenous biodiversity. Forest and Bird advocate for maintaining funding and support for environmental partner organisations, particularly the Kotahitanga mō te Taiao Alliance (KMTT) and the Te Tauihu Environment Trust (TET).

The Nelson Tasman Climate Forum (35481) focussed on climate resilience, emissions reduction and equitable adaptation. The Forums' recommendations to Council include a hybrid approach to charging the 2025 weather event recovery rate, establishing an ongoing emergency event financial resilience fund, and alternative revenue mechanisms including an airport passenger climate levy.

AI Disclaimer: Microsoft CoPilot was used to help summarise and theme the submissions.

Animal Control Fees	Charges from 1 July 2026 incl. GST
Dog Control Fees	
Registration Fees *Fees and charges as per S37 Dog Control Act 1996 (DCA)*	
Category 1 Dog (All properties <1Ha)	$90.00
Category 2 Dog (All properties ≥ 1Ha)	$70.00
Working Dog *Those kept solely or principally for the purposes of herding or driving stock*	$50.00
Disability Assist Dogs	No charge
Search and Rescue Dogs	No charge
Late payment fee – if registration paid after 1 August	Additional 50%
Dangerous dogs *Fees and charges as per S32(1)(e) DCA* Fees are 150% higher than the applicable fee that would apply if the dog was not classified as a dangerous dog.	
Impounding Fees *Fees and charges as per S68 DCA*	
1st impounding	$85.00
2nd impounding	$117.00
3rd impounding	$176.00
Sustenance	$23.00
Drop Off or Pick Up Fee (where dogs are not impounded)	$57.00
Fee for the euthanizing of impounded dogs	Actual Cost
Micro-chipping *Fees and charges as per S69A DCA*	
Micro-chipping impounded dogs if required	$35.00
Fees and charges as per S12 LGA	
Micro-chipping on request (when available)	$20.00
Micro-chipping first registered dogs under 6 months	No charge
Fees and charges as per Dog Control Bylaw 2024 s22.3	
Kennel Licence; Initial Application (plus any additional costs associated with staff time, hearings and inspections)	$235.00
Fees and charges as per S37 DCA	
Replacement registration tag or disk	$5.00