

PROPOSED PLAN CHANGE NO. 57
WITHOUT LEGAL EFFECT
Brightwater Strategic Review

Notified 28 November 2015

Explanatory Statement

This document outlines proposed changes to the Tasman Resource Management Plan (TRMP) at Brightwater for the purpose of notification to landowners, adjoining property owners and the wider community. Earlier consultation on a draft plan change occurred during April/May 2015.

Brightwater with its notable heritage character is also an important employment centre in the district. It provides a pleasant living environment with several large reserves and proximity to the Wairoa and Waiti rivers for recreation. The village location on the floodplain near the confluence of the Pitfure and the Mt Heslington streams with the Waiti and Wairoa rivers requires careful management of the flood hazard risk.

The Council has recently updated its information on flood hazard risk at Brightwater through the Brightwater Wakefield Flood Modeling Study. The results of the modeling have been used to assess the suitability of some future urban locations for rezoning at Brightwater. A limited amount of flood-free land southeast of Snowdens Bush has been identified for future Residential zoning. A further area between Wanderers Avenue and Lord Rutherford Road has also been rezoned.

Some additional land for light industry that is less exposed to flood hazard risk than some of the existing industrial zones has been zoned for future light industrial use. It is located between Factory Road and River Terrace Road. It is also proposed to manage new activities including subdivision in the existing zones subject to flood hazard risk so they do not exacerbate flooding on other land nearby.

A minor alteration from commercial to residential zoning along Charlotte Lane is proposed to reflect sustainable future use. Recently Council purchased land for recreation and open space at Lord Rutherford Park and on the Starveall/Ellis Street intersection. Those areas are also rezoned.

Council adopted the 2015-2025 Long Term Plan (LTP) on 25 June 2015. Council projects for Brightwater are outlined in the Settlement Areas 2015 – 2025 document which is available on the Council website. Because water supply from the Reservoir Zone is still being resolved, future growth areas are subject to deferment.

In summary, with the rezoning proposed in this Plan Change there will be adequate flood free land to provide for approximately 244 dwellings in Brightwater over the next 20 years. To meet the projected growth demand and to address existing identified hazard risk, the following key changes to the TRMP are proposed:

- A revised Section 6.16 for Brightwater, describing issues, policies and rationale for the zoning and rule changes proposed
- New zoning and area maps 90 (showing indicative roads and walkways)
- Proposed new Residential Zones (with deferment) south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road
- Proposed new Light Industrial Zone (with deferment) between Factory Road and River Terrace Road
- Proposed Closed Zones (no further subdivision other than boundary adjustments) in parts of the Rural Industrial and Light Industrial Zones that are subject to medium to high flood hazard risk
- Reduction in maximum site coverage in the Light Industrial Zone, the Light Industrial Closed Zone and in parts of Rural Industrial Closed Zone that are subject to medium to high flood hazard risk in Brightwater
- Rationalisation of Commercial Zone in Charlotte Lane and on Ellis Street/Starveall St intersection

Schedule of Amendments

The Tasman Resource Management Plan is amended in accordance with the following schedule:

NOTE:

- *Italics* denotes TRMP text whether existing or proposed.
- Underlining denotes proposed new text inserted or text amended (unless otherwise indicated).
- ~~Strikethrough~~ denotes text deleted (unless otherwise indicated).

1. Chapter 6: Urban Environment Effects

1.1 6.16.1: Issues

1.1.1 Amend issues 6.16.1 as follows:

~~Brightwater has continued to develop quite rapidly, with the creation of many smaller residential allotments, since reticulated sewerage was provided in 1988.~~

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

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

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

6.16.1.3 Adverse amenity effects from the dispersed pattern of industrial activities in Brightwater and the need to ensure separation and management of effects.

6.16.1.4 ~~Adequate recreational open space and walkways.~~ Providing recreation and community facilities in response to demand projections, existing supply and Council's priorities across the district.

6.16.1.5 Improved connectivity between the residential area and the school.

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

1.2 6.16.3: Policies

1.2.1 Amend policies 6.16.3 as follows:

6.16.3.1 ~~To direct new residential development away from flood prone lands~~ avoid flood hazard risk when rezoning land to meet residential and business demand.

6.16.3.2 ~~To avoid, remedy or mitigate~~ manage the effects of the expansion of Brightwater on land of high productive value by providing for ~~additional rural residential land at Wakefield and elsewhere and a possible future residential area~~ future residential areas south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road and further lots on Watertank Hill.

6.16.3.3 ~~To rationalise the provision of~~ limit resubdivision and the extent of buildings on industrial land that is subject to flood hazard risk, so that the effects of industrial activities are minimised

6.16.3.4 To ensure suitable land and infrastructure is available in Brightwater for residential and business use, and active and passive recreation. ~~provide a site for future playing fields.~~

6.16.3.5 To develop access to and along the Wairoa River between the former railway reserve and Bryants Lane.

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

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

1.3 6.16.20: Methods of Implementation

1.3.1 Amend methods of implementation 6.16.20 as follows:

6.16.20.1 Regulatory

- (a) ~~Rules relating to Flood Hazard Special Area Rezoning land suitable for residential and business use following evaluation of development areas outlined in the Council's growth model.~~
- (b) Zoning Rural Residential land at Wakefield ~~and on foothills~~ rather than Brightwater.
- (c) Rules requiring setbacks and noise standards for industrial activities to manage cross-boundary effects on residential land adjoining industrial zones.
- (d) Rules relating to Closed subdivision and coverage in industrial zones that are subject to flood hazard risk.

6.16.20.2 Monitoring

- (a) Monitoring of noise and other industrial effects

6.16.20.3 Works and Services

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

1.4 6.16.30: Principal Reasons and Explanation

1.4.1 Amend Principal Reasons and Explanation 6.16.30 as follows:

~~Flooding from the Pitfure and Mt Heslington Streams and the Wairoa and Wai-iti rivers is a limiting factor which constrains future growth at Brightwater. ~~All~~ Much of the land on the north, west and east sides of Brightwater is ~~subject~~ prone to flooding. ~~In the vicinity of~~ Close to the Pitfure Stream at the north-western end of the township, ~~it is proposed that~~ the flood-prone land be retained ~~has value~~ has value for rural or recreational purposes. Walking and cycling on the Great Taste Cycle Trail are popular activities along the banks of the Wairoa River. The Brightwater Bypass provides an edge on the south side of the town. Additional land for playing fields is sought and a new site northeast of Lord Rutherford Road North will be developed, which avoids residents having to cross the Brightwater Bypass – a proposal in the previous district plan.~~

~~There is a modest increase in the amount of urban land provided at Brightwater compared with the previous Plan. There has been a rearrangement of the location of new residential land so that some is located south east of Snowdens Bush ~~northwest of the Brightwater Bypass~~ and an area is being investigated on Watertank Hill. ~~The latter site will require traffic issues, including safe access across from the Brightwater Bypass to be addressed.~~ that takes into account the results of the Council's 2013 flood hazard mapping project.~~

~~Some existing scattered industrial activities have the potential to create effects that are incompatible with residential neighbours. While existing use rights protect existing activities, it is intended to ~~change the emphasis to activities more compatible with residential uses~~ consolidate industrial activities south of State Highway 6 on an area of land adjoining River Terrace Road that has been identified as flood free. Flood hazard risk in the existing industrial zones is recognised by closing subdivision in parts of the zones most at risk.~~

~~Some business zoned land in Charlotte Lane that has been developed for housing has been rezoned to~~ recognise that.

~~There has been little demand for resource processing zone adjoining River Terrace Road so some of this land is proposed for light industry. Compatibility with the adjoining dairy factory will be an important factor and all new activities will be discretionary to take this into account.~~

~~New playing fields ~~are required~~ have been developed at Lord Rutherford Park to accommodate the needs of organised sport in Brightwater and the adjoining rural area. The relatively young population of Brightwater contrasts with some of the other townships of the district. Access to and alongside the nearby Wai-iti and~~

Wairoa rivers provides for active and passive recreation. Several indicative walkways and a reserve extension will integrate new residential developments with the existing residential area, the school, Snowdens Bush and the Lord Rutherford Memorial Reserve.

2. Chapter 16: General Rules

2.1 Section 16.3.4: Business and Industrial Zones

2.1.1 **Add** a new condition (aa) to rule **16.3.4.1** Controlled Subdivision:

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:

Location

(aa) The subject land is not in the Light Industrial Closed Zone or Rural Industrial Closed Zone at Brightwater.

2.1.2 **Add** a new discretionary activity rule in Section **16.3.4**:

16.3.4.4A Discretionary Subdivision (Light Industrial Closed Zone, and Rural Industrial Closed Zone – Brightwater)

Subdivision by means of the relocation or adjustment of an allotment boundary in the Light Industrial Closed Zone or Rural Industrial Closed Zone 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.

2.1.3 **Add** a new prohibited activity rule in Section **16.3.4**:

16.3.4.7 Prohibited Subdivision (Light Industrial Closed Zone and Rural Industrial Closed Zone – Brightwater)

Except as provided for in rule 16.3.4.4A, subdivision in the Light Industrial Closed Zone or the Rural Industrial Closed Zone at Brightwater is a prohibited activity for which no resource consent will be granted.

2.2 Schedule 16.13B: Protected Trees

Amend Schedule 16.13B for Waimea Moutere Ward item to read:

T534	B	Cedrus deodara <u>(6)</u>	31 Factory Road Brightwater	1939029400	90
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3. Chapter 17: Zone Rules

3.1 Section 17.4: Industrial Zone Rules

17.4.1: Scope of Section

3.1.1 **Amend** Scope of Section **17.4.1**:

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

17.4.3.1: Permitted Activities (Building Construction or Alteration)

3.1.2 Amend condition (a) of Permitted Activity rule 17.4.3.1 as follows:

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:

(a) *The building is not in the Light Industrial Closed Zone at Brightwater. ~~on Part Section 2 of Waimea South District contained in CT 65/68 (Nelson Registry) or on those parts of Lots 4 and 5, DP18856 Waimea South District (see rule 17.3.3.2).~~*

3.1.3 Amend Building Coverage condition (c) of rule 17.4.3.1 as follows:

(c) *Maximum building coverage is 90 percent, except:*
(i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua where the maximum building coverage is 75 percent;
(ii) ~~maximum building coverage~~ in the Heavy Industrial Zone at Motueka West where the maximum building coverage is 75 percent;
(iii) in the Light Industrial Zone at Brightwater where the maximum building coverage is 60 percent and the building is not located in a floodway.

17.4.3.2: Controlled Activities (Building Construction or Alteration – Site Specific)

3.1.4 Amend rule 17.4.3.2 as follows:

17.4.3.2 Controlled Activities (Building Construction or Alteration - Site Specific Light Industrial Closed Zone)

Any construction or alteration of a building in the Light Industrial Closed Zone at Brightwater ~~on Part Section 2, Waimea South District, being the land contained in Certificate of Title 65/68 or on those parts of Lots 4 and 5 DP 18856, Waimea South District~~ is a controlled activity, if it complies with the following conditions:

(a) *The maximum height of ~~the~~ a building on Part Section 2, Waimea South District, being the land contained in Certificate of Title 65/68 or on those parts of Lots 4 and 5 DP 18856, Waimea South District is 8 metres.*

(b) *The maximum building coverage on each site is 15 percent (Light Industrial Closed Zone) and the building is not located in a floodway.*

3.1.5 Amend matter (2) of rule 17.4.3.2 as follows:

(1) *The location and size of building.*
(2) *The location of mounding, ~~and~~ landscaping, ponding areas and flood flow paths.*

17.4.3.3: Restricted Discretionary Activities (Building Construction or Alteration)

3.1.6 Amend matter (3) of 17.4.3.3 as follows:

(3) *The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard risk will be a consideration at Brightwater.*

17.4.20: Principal Reasons for Rules

3.1.7 Amend the second paragraph of the 'Building Coverage' section in Principal Reasons for Rules 17.4.20 as follows:

Coverage has been limited on ~~a sites at the northern end of Spencer Place Brightwater because it that have either low-to-medium or medium-to-high flood hazard risk and are~~ is located in on the floodplain of the Wairoa River at Brightwater and have been subject to periodic flooding. This A site at the northern end of Spencer Place, Brightwater, is also bisected by the main trunk wastewater line.

3.2 Section 17.12: Rural Industrial Zone Rules

3.2.1 Amend Scope of Section 17.12.1:

This section deals with land uses in the Rural Industrial and the Rural Industrial Closed Zones. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

3.2.2 Amend permitted activities condition 17.12.2.1(f) 'Stockpiles, Lighting, Cladding':

(f) The best practical option must be applied at all times to manage open areas of land and stockpiles in a way that avoids or minimises the creation of dust and other airborne contaminants and that does not increase flood hazard risks.

3.2.3 Amend permitted activities condition 17.12.2.1(n) 'Buildings':

(n) The maximum building coverage is 75 percent, except that in the Rural Industrial Closed Zone it is 15 percent and the building is not located in a floodway.

3.2.4 Amend Principal Reasons for Rules 17.12.20 by adding after the final paragraph:

Stockpiles of loose material and extensive building construction have the potential to exacerbate flooding in areas of flood risk such as in parts of Brightwater.

3.3 Schedule 17.14A: Deferred Zone Locations

3.3.1 Add to Schedule 17.14A as follows:

<i>Location of area</i>	<i>Effective Zone until removal of deferral</i>	<i>Reason for deferral</i>	<i>Date of resolution for removal of deferral</i>	<i>Where services proposed by developer legal description of part removed</i>	<i>Effective zone after removal of deferral</i>
<i><u>Brightwater (South east of Snowdens Bush)</u></i>	<i><u>Rural 1</u></i>	<i><u>Reticulated water supply, stormwater, wastewater and transport (Ellis St intersection)</u></i>			<i><u>Residential</u></i>
<i><u>Brightwater (between Wanderers Avenue & Lord Rutherford Road)</u></i>	<i><u>Rural 1</u></i>	<i><u>Reticulated water supply and stormwater</u></i>			<i><u>Residential</u></i>
<i><u>Brightwater (East of River Terrace Road)</u></i>	<i><u>Rural 1</u></i>	<i><u>Reticulated water supply</u></i>			<i><u>Light Industrial</u></i>

4. Planning Maps

4.1.1 Amend Zone Maps 90 (Brightwater), 22 and 56 to show:

- Extension of Recreation Zone on Lord Rutherford Park
- Extension of Lord Rutherford Memorial Open Space Zone
- Open Space Zone on Village Green, Ellis St
- Residential Zone on 5-9 Charlotte Lane
- Rural 1 Deferred Residential Zone on land south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road
- Rural 1 Deferred Light Industrial Zone on 49, 55 River Terrace Road; 61 Factory Road
- Light Industrial Closed Zone on rear of Brightwater Engineering site and removal of notations
- Light Industrial Closed Zone between north side of Factory Road and SH6 (5, 11 and 13 Factory Road)
- Light Industrial Closed Zone on 16 River Terrace Road; 128 Ellis Street

- Rural 1 Zone at southern end of Rural Industrial Zone
- Rural Industrial Closed Zone on 57 River Terrace Road; 20 Factory Road

4.1.2 **Amend** Area Maps 90 (Brightwater), 22 and 56 to show:

- New indicative walkways
- New indicative roads