

**565 Change 22: Urban Zones Policies and Rules****■ DECISIONS AND REASONS****Final Decision 565.1**

<b>C22.2874.5</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<b>C22.2874.13</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<b>C22.3151.6</b>	<b>BibbySmith, Fiona and Family</b>	<b>Allow</b>
<b>C22.3702.6</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.30	
<b>C22.3702.12</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.36	
<b>C22.3718.6</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.90	
<b>C22.3718.17</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.101	

**Plan Amendments***Plan Topic 6.15.3.17*

Amend Policy 6.15.3.17 by adding "Te Mamaku Drive" in brackets after the words "Ruby Bay Bypass".

*Plan Topic 16.3.3.3*

No Plan amendments to rule 16.3.3.1(rr).

**Reasons**

1. The alternative name that is being added for the Ruby Bay Bypass is already used on the Bypass route.
2. The gateway planting rule for Mapua Drive is retained to improve the amenity of the entrance to Mapua.

**Final Decision 565.2**

<b>C22.1445.12</b>	<b>Director-General of Conservation</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.16	
<b>C22.2870.5</b>	<b>Gilkison, Bruce J</b>	<b>Allow</b>
<i>Allow</i>	FC22.3721.10	
<b>C22.2874.12</b>	<b>Mitchell, David &amp; Judy</b>	<b>Allow</b>
<b>C22.3672.1</b>	<b>Mapua Community Assn/Waimea Estuary Sub-Committee</b>	<b>Allow</b>
<b>C22.3684.3</b>	<b>Tiakina te Taiao Ltd</b>	<b>Allow</b>
<b>C22.3702.11</b>	<b>Friends of Mapua Wetland Inc.</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.35	
<b>C22.3718.16</b>	<b>Mapua and District Cycle-Walkways Group</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.100	

**Plan Amendments***Plan Topic 6.15.3.14*

No Plan amendments to policy 6.15.3.14.

**Reasons**

Policy 6.15.3.14 (on enduring public space) is well supported by submissions. One amendment sought by submitter C22.3672.1 is already addressed in policy 6.15.3.9. Further reasons for the buffer will be added to explanation 6.15.30.

**Final Decision 565.3**

<b>C22.1445.8</b>	<b>Director-General of Conservation</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.12	
<b>C22.3684.1</b>	<b>Tiakina te Taiao Ltd</b>	<b>Allow</b>

**Plan Amendments***Plan Topic 6.15.3.9*

Retain Waimea estuary buffer policy 6.15.3.9.

*Plan Topic 6.15.30*

Add to explanation 6.15.30 at the end of second to last paragraph:

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"Buffers of varying widths are required on the estuary edge to allow for future restoration planting and sea level rise, to minimise bird disturbance and sedimentation in the estuary and its shellfish beds."

**Reasons**

1. The submitters generally support the policy.
2. More explanation has been added to clarify the reason for the policy.

**Final Decision 565.4**

<b>C22.911.3</b>	<b>Freilich, D &amp; A</b>		<b>Allow</b>
<i>Allow</i>	FC22.3243.1	FC22.3731.1	
<b>C22.3285.1</b>	<b>Heatherbell, Diana</b>		<b>Allow</b>
<b>C22.3686.1</b>	<b>Anderson, David</b>		<b>Allow</b>
<b>C22.3687.1</b>	<b>Andrews, Don &amp; Valerie</b>		<b>Allow</b>
<b>C22.3696.1</b>	<b>Brown, Penny</b>		<b>Allow</b>
<b>C22.3696.2</b>	<b>Brown, Penny</b>		<b>Allow In Part</b>
<b>C22.3697.1</b>	<b>Cassin, Fred</b>		<b>Allow</b>
<b>C22.3705.1</b>	<b>Heath, Ron &amp; Gooding, Aileen</b>		<b>Allow</b>
<b>C22.3709.1</b>	<b>Jansen-Hendriks-Benge, Eric</b>		<b>Allow</b>
<b>C22.3711.1</b>	<b>Jemmett, Tony &amp; Gill</b>		<b>Allow</b>
<b>C22.3737.1</b>	<b>Toru Street Residents Group</b>		<b>Disallow</b>
<b>C22.3737.2</b>	<b>Toru Street Residents Group</b>		<b>Disallow</b>

**Plan Amendments**

*Plan Topic ZM 87*

1. Delete Commercial Zone from 7, 7A and 8 Toru Street.
2. Delete Commercial Zone on Seaton Valley Road site.
3. No Plan amendments to the Residential Zone rules in respect to commercial activities.

**Reasons**

1. The extension of the Commercial Zone at Toru Street is unlikely to become available for some considerable time given the residential buildings already on site. The changes in retail trends means this land would not be required for many years, if at all. Additional land has been zoned Commercial on Aranui Road.
2. The small node for commercial activity is not retained on the northern side of Seaton Valley Road as this locality is expected to be serviced from Mapua.
3. There are no amendments to the provisions for commercial activities in the Residential Zone as the requested action to make commercial activities a non-complying activity goes beyond the scope of the Plan change. It would have to be part of a separate Plan change.
4. Notification of planning applications in the Residential Zone is also a separate matter that is outside the scope of this Plan change.

**Final Decision 565.5**

<b>C22.342.7</b>	<b>Adventurer Leisure Properties Ltd</b>		<b>Allow In Part</b>
<b>C22.342.8</b>	<b>Adventurer Leisure Properties Ltd</b>		<b>Disallow</b>
<b>C22.342.18</b>	<b>Adventurer Leisure Properties Ltd</b>		<b>Disallow</b>
<b>C22.342.19</b>	<b>Adventurer Leisure Properties Ltd</b>		<b>Disallow</b>

**Plan Amendments**

*Plan Topic 17.2.4.1*

Alter maximum coverage in Tourist Services Zone, Mapua rule 17.2.4.1(b)(iii) to 33 percent.

*Plan Topic 17.2.20*

No Plan amendments to 17.2.20.

*Plan Topic ZM 87*

No Plan amendments to Mapua Development Area.

**Reasons**

**565 Change 22: Urban Zones Policies and Rules****DECISIONS AND REASONS****Reasons**

1. The reduction in maximum coverage in the Mapua Tourist Services Zone provides a more realistic figure that acknowledges the coastal hazard risks of coastal erosion and inundation that affect this dynamic sandspit site.
2. Allowing high coverage would reduce opportunities to relocate buildings in the future. Relocation could become necessary as sea level rises in the future. NZ Coastal Policy Statement 2010 supports a precautionary approach in areas of coastal hazard.
3. The explanation for the reduced maximum coverage in the Mapua Tourist Services Zone should be retained.
4. The general principles of sound urban design embodied in the Urban Design Guide are relevant to the Mapua Leisure Park.

**Final Decision 565.6**

<b>C22.849.1</b>	<b>NZ Historic Places Trust</b>	<b>Allow</b>
<b>C22.849.3</b>	<b>NZ Historic Places Trust</b>	<b>Allow</b>
<b>C22.849.4</b>	<b>NZ Historic Places Trust</b>	<b>Allow</b>
<b>C22.3684.2</b>	<b>Tiakina te Taiao Ltd</b>	<b>Allow</b>
<b>C22.3721.4</b>	<b>Nelson Cycle Trail Trust</b>	<b>Allow</b>
<i>Allow</i>	FC22.3151.114	

**Plan Amendments***Plan Topic 6.15.1.2*

No Plan amendments to issue 6.15.1.2.

*Plan Topic 6.15.3.4*

Amend Policy 6.15.3.4 by inserting "and along" before the last two words: "the foreshore".

*Plan Topic 6.15.20.1*

Amend 6.15.20.1(f) by adding "if required" before the words "Council consent" and "see rule 16.13.6.1" after the words.

**Reasons**

1. Submitters 849 and 3684 support the issue statement that the extent of urban development will be managed to retain the unique character of the Mapua area, including the protection of many archaeological sites and wahi tapu.
2. The words added to 6.15.20.1(f) clarify that Council consent is not always required.
3. In the vicinity of the Mapua wharf it is intended to enhance access both to and along the foreshore at the Mapua waterfront park site.

**Final Decision 565.7**

<b>C22.849.6</b>	<b>NZ Historic Places Trust</b>	<b>Disallow</b>
<b>C22.849.7</b>	<b>NZ Historic Places Trust</b>	<b>Disallow</b>
<b>C22.2799.2</b>	<b>Tasman District Council</b>	<b>Allow In Part</b>
<b>C22.2799.3</b>	<b>Tasman District Council</b>	<b>Allow In Part</b>
<b>C22.2799.4</b>	<b>Tasman District Council</b>	<b>Disallow</b>

**Plan Amendments***Plan Topic Sch. 16.13A*

Remove the ex Wells apple shed from Schedule 16.13A.

**Other Action**

To canvass the community for more suitably historic sheds related to the apple industry for possible inclusion in Schedule 16.13A.

**Reasons**

1. The shed does not have sufficient merit as an historic building to be included in Schedule 16.13A.
2. The owner can continue to restore the shed and retain any heritage values regardless of whether it is listed as a heritage building or not.
3. The Council would need to engage in further consultation with owners and lessees to add any other buildings to Schedule 16.13A.
4. The Council should investigate other locations for the indicative road.

**Final Decision 565.8**

<b>C22.3720.3</b>	<b>Mt Hope Holdings Ltd</b>	<b>Disallow</b>
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<b>C22.3720.3</b>	<b>Mt Hope Holdings Ltd</b>	<b>Disallow</b>
<b>C22.3721.2</b>	<b>Nelson Cycle Trail Trust</b>	<b>Disallow</b>
<i>Disallow</i>	FC22.3151.112	

**Plan Amendments**

*Plan Topic 6.1.3.1*

No Plan amendments to policy 6.1.3.1(j).

*Plan Topic 16.3*

No Plan amendments.

**Reasons**

1. The intention of the policy is that compact density and comprehensive residential developments are within walking distance of town centres and urban facilities.
2. The aim of the policy is to ensure that higher density residential developments are not located on the periphery of the urban area.
3. The Urban Design Guide is relevant to the future urban development of submitter 3720's land at Mapua and is not unduly prescriptive so referencing between Mapua Development Area and the Urban Design Guide is retained.
4. The Guide contains a number of sound urban design principles that generally support the policy framework that has been introduced for Mapua.

**Final Decision 565.9**

<b>C22.3695.1</b>	<b>Brown, Jim &amp; Panes, Julie</b>	<b>Disallow</b>
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**Plan Amendments**

*Plan Topic 16.3.4.1*

No Plan amendments to rule 16.3.4.1(p).

**Reasons**

1. The landscape planting is required at the top of the bank rather than in part of the stream bed where it might impede flood flows.
2. The Council would like the plantings that have been undertaken on the submitters' property to be retained as a basis for screening the eventual industrial activities from the Seaton Valley Stream Reserve.

**Final Decision 565.10**

<b>C22.3000.1</b>	<b>Beere, Helen J A</b>	<b>Allow</b>
<b>C22.3000.2</b>	<b>Beere, Helen J A</b>	<b>Allow</b>
<b>C22.3000.3</b>	<b>Beere, Helen J A</b>	<b>Allow</b>
<b>C22.3000.4</b>	<b>Beere, Helen J A</b>	<b>Allow</b>

**Plan Amendments**

*Plan Topic 6.15.3.13*

No Plan amendments.

*Plan Topic 6.15.20.1*

Add new item (g):

"(g) Rules allowing smaller residential lots in the Mapua Special Development Area."

**Reasons**

1. Policy 6.15.3.13 on enabling a range of housing types would be enhanced by adding to the method statement 6.15.20.1 that a subzone for compact density housing has been added at Mapua.
2. The Council has endeavoured to avoid a proliferation of lifestyle blocks on productive land by zoning land for these separate needs.
3. It has also endeavoured to provide land so that urban areas can expand in a sustainable manner when services can be provided and where hazards can be avoided or adequately mitigated.

**Final Decision 565.11**

<b>C22.3688.1</b>	<b>Aranui Syndicate</b>	<b>Allow</b>
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**Plan Amendments**

*Plan Topic 17.4.4*

**565 Change 22: Urban Zones Policies and Rules****DECISIONS AND REASONS**

Add new section:

"17.14.7 Mapua Special Development Area

(a) The rules in the Residential Zone applicable in the Mapua Special Development Area on 29 Aranui Road, Lot 59, DP 17242 are deferred until adequate reticulated water, stormwater and wastewater are provided by the Council or to the satisfaction of the Council.

(b) In the interim, the effective zoning of the land shown as deferred will be Residential Zone.

(c) The removal of the deferred status will be completed by a resolution of the Council, followed by advice to landowners once services have been provided."

*Plan Topic ZM 87*

Include the Aranui Syndicate property in the Mapua Special Development Area as Residential Zone.

**Reasons**

1. The land is contiguous with the Mapua Special Development Area and has no additional adverse effects with neighbouring land.
2. Opportunity exists for a joint development.

**Final Decision 565.12****C22.3034.26****Gallagher, Devin & Charmaine****Disallow***Allow*

FC22.3151.64

**Plan Amendments***Plan Topic 17.1.3.1*

No Plan amendments to height limit in 17.1.3.1(q)(i).

**Reasons**

1. The Mapua Special Development Area is located in Tahī Street opposite the proposed waterfront park. The maximum height limit of 6.5 metres is the same as applies at Kaiteriteri and Torrent Bay and an additional height limit is not required.
2. The 6.5 metres limit will allow for two-storey development on this key site in the coastal environment area.

**Final Decision 565.13****C22.3684.5****Tiakina te Taiao Ltd****Allow****Plan Amendments***Plan Topic 6.15.20.3*

No Plan amendments to 6.15.20.3(e).

**Reasons**

1. There is already a site management plan for the ex landfill site on the western side of the former Fruitgrowers Chemical Company site.
2. The site management plan provides a procedure for managing activities that may disturb the site.

**Final Decision 565.14****C22.3193.1****van Laanen, Henry & Anneke****Disallow****Plan Amendments***Plan Topic ZM 87*

No Plan amendments to zoning of Van Laanen property, 31 Korepo Road.

**Reasons**

1. Advice from Engineering staff is that services do not have the capacity to support additional subdivision on the submitter's property.
2. The wastewater line is fully committed and would need to be upgraded.
3. A study of the effects of increased stormwater runoff on downstream properties, some of which are in the Coastal Risk Area, has not been undertaken.

**Final Decision 565.15****C22.3691.1****Ball, Derek & Gaylyn****Disallow**

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C22.3691.2 Ball, Derek &amp; Gaylyn Disallow

C22.3691.3 Ball, Derek &amp; Gaylyn Disallow

**Plan Amendments***Plan Topic 16.3.8*

No Plan amendments to minimum lot size in the Korepo Road Rural Residential Deferred Zone extension.

*Plan Topic 17.8.3*

No Plan amendments to 17.8.3(f).

*Plan Topic ZM 87*

No Plan amendments.

**Reasons**

1. It is part of the Council strategy to encourage future development at Mapua and Ruby Bay to be on the hills rather than on the flat where the land is low-lying.
2. It is preferable to provide additional rural residential development adjoining an existing zone rather than elsewhere.
3. The zoning is deferred until services are available so the zoning will not take effect until services such as water supply have been improved.
4. There is no justification for a different lot size in the Korepo Road Rural Residential Deferred Zone extension.
5. The Council has identified some ridgelines, rather than individual high points where height should be limited at Ruby Bay.

**Final Decision 565.16**

C22.3701.2 Drewery, Graeme Disallow

**Plan Amendments***Plan Topic 16.3.8*

No Plan amendments to reduce the minimum lot size of the Mapua Rural Residential Zone.

**Reasons**

1. The Mapua Rural Residential Zone is located on the poorly drained Moutere clay soils which are unsuited to on-site wastewater disposal on smaller Rural Residential sites.
2. The Mapua Rural Residential Zone is quite extensive and the effects of allowing a much smaller lot size would require greater consideration of the environmental effects on the wider Mapua area.

**Final Decision 565.17**

C22.911.1 Freilich, D &amp; A Disallow

C22.911.2 Freilich, D &amp; A Allow

C22.3720.1 Mt Hope Holdings Ltd Disallow

**Plan Amendments***Plan Topic ZM 87*

1. No Plan amendments to rezone Lot 2 DP 8474 to Residential.
2. No Plan amendments to rezone Freilich property on Mapua Drive to Residential.
3. Rezone Lot 1 DP 17670 from Deferred Residential 2031 to Rural Residential Deferred Residential.

**Reasons**

1. Service upgrading is progressing but is not yet completed at Mapua.
2. Uplifting of the deferral on the Residential zoning is premature.
3. It is preferable to have a consistent approach to uplifting deferrals across the urban zones of the district.
4. It is preferable that submitter 911's land is not split between two types of deferred zoning.
5. Water and other services are required to be provided either by Council or by the landowner, to Council's satisfaction, before the deferral can be uplifted on Submitter 911's and Submitter 3720's land.

**Final Decision 565.18**

C22.2874.15 Mitchell, David &amp; Judy Disallow

C22.3702.13 Friends of Mapua Wetland Inc. Disallow

Disallow FC22.3151.37

**565 Change 22: Urban Zones Policies and Rules****■ DECISIONS AND REASONS****Plan Amendments***Plan Topic ZM 87*

No Plan amendments on low-lying land south of Mapua wetland to retain Rural 1 Zone.

**Reasons**

1. While the submitters have noted that the land south of the Mapua wetland is low-lying, retaining this small area of land as Rural 1 is impractical.
2. A new rule to control filling of the subject land is provided in Decision 568.5.

**Final Decision 565.19****C22.911.4****Freilich, D & A****Allow****Plan Amendments***Plan Topic 17.1.3.1*

Add to 17.1.3.1(v) an exception to the 25m setback from rural zone boundary as follows:  
 "and except that on NL 13C/756 or its successor titles at lower Seaton Valley, the setback is at least 5 metres from the Rural 1 Deferred Residential 2031 Zone boundary."

**Reasons**

1. The wide setback in rule 17.1.3.1(v) is an inefficient use of land where the adjoining land is proposed as a future development area.
2. The adjoining land to the submitters' property is not in horticultural use.

**Final Decision 565.20****C22.3034.21****Gallagher, Devin & Charmaine****Disallow***Allow*

FC22.3151.59

**C22.3034.22****Gallagher, Devin & Charmaine****Disallow***Allow*

FC22.3151.60

**Plan Amendments***Plan Topic 16.3.3.3*

No Plan amendments to discretionary subdivision rule 16.3.3.3(c).

*Plan Topic 16.3.3.5*

No Plan amendments to non-complying subdivision rule 16.3.3.5.

**Reasons**

1. Plan Change 22 has not altered the subdivision rules for the existing residential zone in Mapua.
2. The rules for the "new" Residential Zone in the deferred areas of zoning are slightly different in that they are linked to the Urban Design Guide.