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Change 66: RIDA Development and Plan Rules**Decisions and Reasons****Final Decision 623.1**

C66.1503.1	National Council of Women of NZ (Inc.)	Allow
C66.1823.1	Nelson Marlborough District Health Board	Allow
C66.1823.4	Nelson Marlborough District Health Board	Allow
C66.2799.1	Tasman District Council staff	Allow
C66.2799.2	Tasman District Council staff	Allow
C66.2799.3	Tasman District Council staff	Allow
C66.2799.4	Tasman District Council staff	Allow
C66.2799.5	Tasman District Council staff	Allow
C66.2799.6	Tasman District Council staff	Allow
C66.2864.1	Horticulture New Zealand	Allow
C66.4139.1	Borcovsky, Paul & Nita	Allow
C66.4140.1	Burt, David	Allow
C66.4140.2	Burt, David	Allow
C66.4142.1	Castle, Bridget	Allow In Part
C66.4142.2	Castle, Bridget	Disallow
C66.4142.4	Castle, Bridget	Disallow
C66.4142.5	Castle, Bridget	Allow
C66.4143.1	Gimelfarb, Lev	Allow In Part
C66.4144.1	Jones, Sarah	Allow
C66.4146.1	Nelson Tasman Housing Trust	Allow
C66.4146.3	Nelson Tasman Housing Trust	Disallow
C66.4146.4	Nelson Tasman Housing Trust	Disallow
C66.4147.1	Palmer, John	Allow
C66.4147.2	Palmer, John	Allow
C66.4148.1	Michael Reid Ltd	Disallow
C66.4149.1	Williams, Ben	Disallow
C66.4150.1	Butler, Lynnette	Allow
C66.4151.1	McNicoll, Karen	Allow
C66.4152.1	Butler, Edward	Disallow

Plan Amendments**Topic : 2.2**

- Amend the proposed definition of 'standard density development' from:
 "Standard density development - means residential development with a dwelling density between 10 - 20 dwellings per hectare on sites averaging between 0 – 1000 square metres in extent" to:
 "Standard density development - means residential development that is not compact density development, comprehensive residential development or intensive development."

Topic : 16.3.3.1A

- Add the words "and without public notification" to the end of proposed notification note at the end of rule 16.3.3.1A so that it reads:
 "Non-Notification
 Applications for resource consent that comply with the conditions of this rule (16.3.3.1A) will be decided without limited notification and without public notification."

Topic : 16.3.3.2

- Amend first paragraph of operative 16.3.3.2 by replacing the reference to (y) with (ma) so it reads:
 "Subdivision in the Residential Zone that does not comply with controlled condition (ma) of rule 16.3.3.1 is a restricted discretionary activity."

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Change 66: RIDA Development and Plan Rules**Decisions and Reasons****Topic : 16.3.3.2B**

1. Add the following non-notification note to the end of proposed rule 16.3.3.2B:
"Non-Notification
Applications for resource consent that comply with the conditions of this rule (16.3.3.2B) will be decided without public notification."

Topic : 16.3.3.4

1. Further amend operative condition (a) by replacing the word "and" with the word "or" so that it reads:
"(a) Except as provided for in conditions (c), (d) and (e) of this rule, subdivision in the Residential Zone that does not comply with the restricted discretionary conditions of 16.3.3.2A for standard density development or the restricted discretionary conditions of rule 16.3.3.2 is a discretionary activity."

Topic : 17.1.3.4CC

1. Amend condition 17.1.3.4CC(f) by deleting the words "Building Envelope and External Boundaries" in its heading and deleting the reference to conditions (f) and (g) so that it reads:
"Outdoor Living Space and Fences
(f) Conditions (ga) - (l) of rule 17.1.3.3 apply."
2. Amend condition 17.1.3.4CC(fa) that relates to internal boundaries to add at the beginning, "Except as provided for in 17.1.3.4CC(fc)," so that it reads:
"(fa) Except as provided for in 17.1.3.4CC(fc), all buildings are set back at least 2 metres from the front boundary, and no more than 5 metres, except that:
(i) all garages and carports are set back at least 5.5 metres from road front boundaries if the vehicle entrance of the garage or carport faces the road;
(ii) there is at least a 4-metre setback from one side or rear boundary;
(iii) where there is no vehicular access to the rear of the site from a legal road or approved access, in addition to condition 17.1.3.4CC(fa)(ii), 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."
3. Repeating condition (f) of 17.1.3.3 that relates to building envelopes, amending it as a new condition 17.1.3.4CC(fb) by adding an exception at the beginning, replacing requirement (ii) and expanding on requirement (iii) so that it reads:
"(fb) Except as provided for in 17.1.3.4CC(fc), all buildings comply with the following requirements:
(i) There is no front boundary envelope requirement.
(ii) For the most southern orientated side or rear boundary, the envelope is taken from a point 3 metres vertical above the boundary and then at an angle 45 degrees inwards from that point along the entire boundary.
(iii) For the remaining side and rear boundaries, 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. 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."

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4. Repeating condition (g) of 17.1.3.3 that relates to external boundaries, amending it as a new condition 17.1.3.4CC(fc) where appropriate, replacing references to compact density development or subdivision with intensive development or subdivision and inserting a new sub condition (iii), so it reads:
 "(fc) All buildings at the boundary of every allotment comply with the building envelope and setback rules of permitted activity conditions 17.1.3.1(m) – (o) and 17.1.3.1(r) – (v), under the following conditions:
 (i) where the land adjoining the boundary is not part of an intensive development subdivision; or
 (ii) where the land adjoining the boundary is not or is not being developed as an intensive development; or
 (iii) where the boundary is a front boundary, all buildings are set back at least 2 metres from the front boundary, and no more than 5 metres, except that all garages and carports are set back at least 5.5 metres from road front boundaries if the vehicle entrance of the garage or carport faces the road."
 For the avoidance of doubt, this means that, except for a front boundary or a boundary to a road, every side or rear boundary of the intensive development complies with permitted activity conditions for standard density development relating to the building envelope and building setbacks from boundaries where it adjoins land that is:
 (i) not part of an intensive development subdivision or an intensive development; or
 (ii) is being developed to a standard density within the same development proposal; or
 (iii) is a standard density development.
 Note: The separation between developments of different densities may be achieved by using roads or reserves. This creates a clear delineation without losing amenity values or the inefficient use of land resources."
5. At the end of 17.1.3.4CC add the words "and without public notification" to the end of proposed non-notification note so it reads:
 "Applications for resource consent that comply with the conditions of this rule (17.1.3.4CC) will be decided without limited notification and without public notification."

Topic : 17.1.3.4BB

1. Amend introductory paragraph of proposed rule 17.1.3.4BB by:
 (a) changing the rule references from "7" to "17".
 (b) including the words "for standard density development" after the reference for 17.1.3.2 and adding the words "for compact density development" after the reference for 17.1.3.3 so it reads:
 "Construction or alteration of a building in the Richmond South, Richmond West, Motueka West, Richmond Intensive, Mapua and Mapua Special development areas and the Motueka West Compact Density Residential Area that does not comply with the conditions of rules 17.1.3.1 and 17.1.3.2 for standard density development or rule 17.1.3.3 for compact density development, is a restricted discretionary activity, if it complies with the following conditions:"
2. Amend the heading "Compact Density Development - Multiple Consents" in proposed rule 17.1.3.4BB to add: "- Richmond South, Richmond West, Mapua Special Development Areas and the Motueka West Compact Density Residential Area".
3. Add to the end of matter (7) the words "and the safe functioning of the road" so it reads:
 "Whether an increase in the height of the building in relation to the boundary will adversely affect access of sunlight and daylight to adjoining sites and the safe functioning of the road."

Topic : 17.1.20

1. Add the following sentence to Principal Reasons for Rules 17.1.20:
 "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."

Other Action

N/A

Reasons

1. General Requests that PC66 be Retained or Deleted

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PC66 is retained because of the widely accepted demand for a planning framework that enables medium density development close to the town centre.

2. Definitions and Types of Housing

2.1 The definitions of "intensive development", "compact density development" or "comprehensive residential development" are retained because the definitions describe the types of medium-density housing that are provided for in the TRMP.

2.2 The proposed definition of "standard density development" is amended because it does not clearly guide a person building, for example, one standard dwelling on a section, to the relevant rule set which, in effect, is the rule set that applies to all residential development that is not "intensive development", "compact density development" or "comprehensive residential development".

2.3 The proposed changes to the operative Policy chapter 6 as notified are supported without further amendment as the current operative methods for policy implementation do not provide a policy framework for minimum house sizes.

2.4 The existing consent activity status for Comprehensive residential development is retained because the scope of PC66 did not include changing the operative activity status of this form of medium density development which currently applies in the Residential zone throughout the District, unless specifically excluded.

3. Single or Two-Storey Housing and Shading

3.1 Retain the PC66 rule that provides for two-storey buildings at Restricted Discretionary consent level as:

(i) the new opportunity for intensive development does not alter the opportunity for two-storey housing significantly beyond the opportunity that currently exists in the TRMP and the increased level of opportunity for two-storey development is part of a package of provisions that is designed to mitigate effects;

(ii) the north, to northwest facing slope in the Cautley Street area, particularly near Waverley Street, will also assist to retain amenity, sunlight, daylight and views in that location.

3.2 The HIRB rule applicable in the circumstance where there is an intensive housing development on an adjacent property, is restricted on the most southerly orientated side or rear boundary to further reduce any minor adverse effects on shading in winter and more broadly, on the amenity of adjacent sites, particularly as intensification of the area proceeds.

4. Amendments that Correct Minor Errors, Improve Meaning and Consistency

4.1 The TRMP is improved by amendments that correct errors, clarify meaning and increase consistency.

Final Decision 623.2

C66.3461.1	Thomas, Graham	Disallow
C66.3461.2	Thomas, Graham	Disallow
C66.4147.5	Palmer, John	Allow

Plan Amendments

Topic : C66 GEN

1. No Plan amendments.

Other Action

1. Special Character Area or Zone with the Richmond Intensive Residential Area:

The request for a special character area or zone in Dorset/Cambridge/Oxford Streets could be considered:

- (a) by the Richmond Town Centre Plan Change when work recommences, or
(b) in the TRMP Part 2 Review as part of a review of the planning framework for the District's town centres.

2. Inclusion of the Properties at 43-57 (A and B) Croucher Street within RIDA:

The inclusion of the properties at 43-57(A and B) Croucher Street within the boundary of the RIDA is reviewed after completion and monitoring of the effects of the engineering works designed to improve the stormwater system under the Richmond Deviation.

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Reasons

1. Special Character Area or Zone in Dorset/Cambridge/Oxford Streets

1.1 The section 32 assessment work and report for PC66 did not address the issue of a special character area or zone in Dorset/Cambridge/Oxford Streets. PC66 assessment work focused on assessing the suitability of the central Richmond area for medium density development in terms of a number of relevant criteria referred to in the section 32 report.

1.2 Council has not undertaken the necessary assessment work to support such changes and affected landowners and the broader community have not had the opportunity to be consulted on the issue.

2. Exclusion of the Cautley Street Character Area from RIDA and PC66

2.1 The Cautley Street character area is assessed as suitable for medium density development.

2.2 The increase in risk of reduced amenity for existing single storey dwellings and for the neighbourhood from the envisaged medium density development is assessed as low.

3. Inclusion of the Properties at 43-57 (A and B) Croucher Street within the RIDA

The properties at 43-57 (A and B) Croucher Street are located within Croucher Street 2B character area which is assessed as having limited suitability for medium density development due to existing flood risk in this area at this time. The flood risk is due to the combined effects of: (i) extreme rainfall events; (ii) the location of specified flood flow paths running through the area; (iii) limited discharge capacity underneath the SH6 Deviation; (iv) seawater infiltration into the stormwater system further limiting discharge capacity at high tide. This combination of factors leads to increased flood risk of properties immediately to the north of 43 – 57 Croucher Street.