



STAFF REPORT

TO: Environment & Planning Committee

FROM: Laurie Davidson – Consents Planner, Golden Bay

REFERENCE: RM050215

SUBJECT: **EATERY ON THE ROCK LTD – REPORT EP05/11/15 -** Report prepared for 25 November 2005 hearing

PROPOSAL

1. To construct and use 5 tourist accommodation units for up to 10 people that will contain ablutions, but no cooking facilities.
2. To construct a 2 bedroom managers' residence, that will become a second dwelling on a title of 1.23 hectares of Rural 1 land.
3. To construct and use a "crazy golf" course consisting of 18 holes.
4. To upgrade and use the existing workshop as an artisan's studio with retail space open to the general public.
5. To erect an on-site advertising sign that is 3m² in area, to be erected at the road boundary of the property.

On land a 29 Main Road, Takaka (State Highway 60), described as Lot 1 DP 7933 and Part Section 5 of Section 22, District of Takaka, Block X Waitapu Survey District, all land contained in Certificate of Title NL 3D/1, being land zoned Rural 1 where the area of the title is 1.23 hectares.

Consent is also sought to increase the volume of waste water discharged from 2.32 m³ to 3.5 m³ per day. That matter is the subject of a variation to the Discharge Permit that is reported separately by Ms N Lewis and attached to this report as Appendix A

LOCATION

State Highway 60, Takaka Golden Bay

ZONING

Proposed Tasman Resource Management Plan Rural 1

RESOURCE CONSENT TYPE (Land Use)

Proposed Tasman Resource Management Plan

- | | |
|---------------------------|---|
| 1. Discretionary Activity | Land Use – Visitor Accommodation |
| 2. Non Complying Activity | Land Use – Second Dwelling, Rural 1 Zone |
| 3. Discretionary Activity | Land Use – Crazy Golf Course |
| 4. Discretionary Activity | Land Use – Artisans Gallery with Retail Sales |
| 5. Discretionary Activity | Land Use - Signage |

NOTE:

Application has also been made to vary the terms of the existing Discharge Permit to increase the volume of effluent discharged to 3.5 cubic metres per day. This matter is reported separately by Ms N Lewis and attached to this report as Appendix A

SUBMISSIONS RECEIVED

RA Hitchcock
Transit New Zealand

1. INTRODUCTION

An application has been lodged by Eatery on the Rock Ltd to expand the range of activities offered on their property located on State Highway 60 near the intersection with Long Plain Road in Takaka. While the application may initially appear to be a significant expansion of the current restaurant operation that was granted consent in March 2002, the actual activities need to be analysed independently and in more detail to assess the effects of them.

The restaurant is limited to a maximum occupancy of 40 diners and the three new activities are intended to take place as day time operations and to promote the use of the restaurant. The proposed accommodation will be dependent on the restaurant for meal services and the waste water from these will be treated on site by the existing treatment system that has been designed to accommodate the increased volume. The increase in waste water produced is the subject of a variation to the discharge permit held, seeking an increase from 2.32m³ to 3.5m³ per day.

The existing carpark has been designed to accommodate the 25 parks required by the 2002 consent and appears able to accommodate the expanded operation, particularly as each of the tourist accommodation units and the managers' residence will have their own car parks. The golf area will have an additional parking area provided to cater for any additional parking required.

The application has been processed as a notified application as the applicant was not able to obtain the written approval of Transit New Zealand, who were deemed to be an affected party, pursuant to Section 94 of the Resource Management Act 1991.

2. SITE DESCRIPTION

The applicant's property is a title of 1.23 hectares in area that is located within the Rural 1 Zone near the Takaka Township. The land is of a rolling nature containing outcrops of limestone, creating a karst landscape. The land contains grassed areas but has not been used for productive rural land use for a considerable period of time.

Access to the property is gained from State Highway 60 and this has been upgraded to a "Diagram D" standard as a result of the application made in 2002 to convert the dwelling on the property into a licensed restaurant. That upgrading was endorsed by Transit New Zealand and resulted in major improvements to the State Highway at this point.

The access leads to a carpark at the rear of the applicants dwelling and this is formed to a dolomite surface that has proven satisfactory for the restaurant patrons visiting the property. There is ample parking available for the current restaurant use.

The property originally contained a dwelling, workshop and a church hall that was originally used by the Jehovah Witness group in Golden Bay. This has since been converted to a residential use and the main dwelling converted to a licensed restaurant in 2002. The workshop is intended to be upgraded and utilised as an artisans' gallery.

The land surrounding the subject site consists of two rural lifestyle properties on each side and productive rural land at the rear that is a dairy farm.

The property contains two existing advertising signs, one an unauthorised sign that is a symbol of a chef.

3. NOTIFICATION AND SUBMISSIONS

The application was notified on 5th October 2005. Submissions closed on 3rd November 2005 and two submissions were received. The adjoining neighbour (Mr RA Hitchcock) has supported the application and Transit New Zealand have lodged a submission in opposition.

3.1 RA Hitchcock

Mr Hitchcock is the neighbour on the northern side of the subject site. He has indicated he is happy with the current operation, including the arrangements made for parking and access. He supports the expanded range of activities and believes it will have a beneficial effect on employment and tourism in Golden Bay.

Comment:

Mr Hitchcock's submission is of assistance when considering the current operation and any effects it may have. His property has the greatest potential to be affected, but that does not appear to be of any concern.

3.2 Transit New Zealand

Transit New Zealand are the authority responsible for the operation of the State Highway roading network in New Zealand. They have lodged a submission in opposition to the proposal and have asked that the application be declined. The matters they raise relate to the potential effect on the State Highway. The concerns raised include the extension and intensification of the existing commercial activity on the site, businesses of this nature being located in rural zones where they are dependent on access from a Limited Access Road, the potential for such activities to have a cumulative effect for future commercial development in rural zones and that granting consent would promote "ribbon development in this area.

There appears to be some confusion regarding the question of remote signage and the letter of 26 July from Golden Bay Surveyors makes it clear the remote sign is no longer being sought. There is also some discrepancy between vehicle counts on the highway and potential traffic movements associated with the proposed activities in comparison with the applicants' evidence.

Comment:

The question of the potential effect on the roading network is an important aspect that must be given due consideration when this application is considered. A report has been requested from Council's Engineering Department to help evaluate the traffic effects and to ensure the correct information in relation to traffic movements is used. The difference between the applicants' assessment of 98 movements and Transit's figure of 143 makes a significant difference in relation to the standard of the access.

4. ASSESSMENT

The application before the Committee is comprised of five components. There is an application to erect five tourist accommodation units that will rely on the use of the restaurant for meals that becomes a Discretionary Activity under the Proposed Tasman Resource Management Plan.

The upgrading of the workshop to an artisans' gallery is a commercial activity as it will incorporate the provision for the sale of arts and crafts produced on site. The proposal does not fit the Home Occupation or Rural Selling Place definitions as the artisan is not living permanently on the site, making the proposal a Discretionary Activity.

The managers' residence becomes a second dwelling on a Rural 1 title that is less than 24 hectares in area, and becomes a Non-Complying Activity.

The on-site sign is a Restricted Discretionary Activity as it exceeds the sizes allowed for Permitted or Controlled Activities. The Council's discretion is restricted to three matters, namely the location and legibility of the sign and its effect on traffic safety, the amenity effects on the surrounding area and the need for the sign to identify the activity on the site.

The crazy golf use is ambiguous under the TRMP rules as commercial activities exclude recreational activities, making such an activity permitted. This situation is similar to the “maize’s maze” case that was argued in court and it was found if people were charged for such a recreational activity, the proposal was commercial regardless. In this case it is considered this activity is commercial and requires consent.

While the Transitional Plan is still technically an operative Plan, the Proposed Tasman Resource Management Plan has progressed through a major part of the Plan process and is effectively operational in relation to the Rural 1 Zone with only one outstanding appeals or references that affects this application. Section 19 of the Resource Management Amendment Act clarifies this point and makes the majority of the Plan effectively operative. It is therefore appropriate to now place the weighting on the Resource Management Plan when considering this application. The Transitional Plan now has no real relevance to this application.

When considering a Discretionary Activity, the Committee may grant or decline such an application, pursuant to Section 104(B) of the Resource Management Act and if consent is granted, conditions may be imposed pursuant to Section 108.

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

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

- i) The actual and potential effects on the environment of allowing the activity;
- ii) Any relevant provisions of national or regional policy statements and a plan or proposed plan.
- v) Any other matter the Committee considers relevant and reasonably necessary to determine the application.

In relation to non-complying activities, there is a further requirement to meet one of the two threshold tests as set out in Section 104(D) of the Resource Management Act.

The consent authority may not grant consent for a non-complying activity unless;

- i) The adverse effects on the environment will be minor; or
- ii) The application is for an activity that will not be contrary to the objectives and policies of the relevant plan (*in this case, the Proposed Tasman Resource Management Plan*).

5. RESOURCE MANAGEMENT ACT

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

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

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

5.1 Matters of National Importance

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

While there can be some reference to outstanding natural features in the context of the whole Takaka Valley, the general rural landscape in this area is not considered outstanding.

5.2 Other Matters

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

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

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

6. STATUTORY PLANNING DOCUMENTS

6.1 Tasman Regional Policy Statement

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

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

6.2 The Proposed Tasman Resource Management Plan

The Proposed Tasman Resource Management Plan has been prepared and has progressed to the point that it is close to being operational. There are still some outstanding matters to be resolved but generally much of the Plan is effectively operational. Accordingly, it is appropriate to place the major weighting on the Resource Management Plan

The Plan sets out a range of policies and objectives that are pertinent to sustainable development and in particular those relating to site amenity, the rural environment and land transport.

When considering this application, the decision should assess whether the land use is in accordance with relevant objectives and policies pursuant to Section 104 (1), (b) of the Act. The most relevant Plan is considered to be the Proposed Tasman Resource Management Plan and will be used in this assessment. Because this was developed to be consistent with the Regional Policy Statement, the assessment would also be considered to satisfy an assessment under the Policy Statement.

The following summarises the most relevant plan matters and provides brief assessment commentary:

Summary of Objectives and Policies – Proposed Tasman Resource Management Plan

<i>Chapter 5 – Site Amenity Effects</i>	Council must ensure that the rural character and amenity values of a site and the surrounding environment are protected, and any actual or potential effects of the proposed land use must be avoided remedied or mitigated so they are minor.
<i>Objectives 5.1 5.2 and 5.3</i> <i>Policies: 5.1.1, 5.1.2, 5.1.3, 5.1.3A, 5.1.4, 5.2.1, 5.2.4 5.2.7, 5.2.8, 5.2.9, 5.2.10, 5.3.2, 5.3.5</i>	Management of the effects of the proposed use must protect the use and enjoyment of other land in the area, including the provision for satisfactory on-site disposal of domestic wastewater and avoidance of noise and dust. There is also a focus to maintain and enhance amenity values in relation to traffic and signs, while allowing a variety of housing types.
<i>Chapter 7 – Rural Environment Effects</i>	The use of the rural environment for activities other than productive land use can occur in certain locations, but it should be undertaken in a manner that does not compromise the rural character or amenity values.

<p><i>Objectives: 7.1, 7.2 & 7.3</i></p> <p><i>Policies 7.1.2, 7.1.2A, 7.2.1, 7.2.1A, 7.2.4, 7.3.3, 7.3.4, 7.3.6 & 7.3.9</i></p>	<p>Allow for activities other than soil based activities to locate in rural areas on land that is not of high productive value. Any proposal is required to preserve the amenity and rural character values of an area including wastewater disposal and access.</p>
<p><i>Chapter 9 – Landscape Effects</i></p>	<p>The protection of landscape and natural features, particularly in rural areas and along the coast</p>
<p><i>Objectives 9.1 & 9.2</i></p> <p><i>Policies 9.1.7, 9.2.1, 9.2.3 & 9.2.5</i></p>	<p>The rural landscape in Tasman District is an important regional feature, particularly recognising the openness and rural amenity. Development should not compromise that value.</p>
<p><i>Chapter 11 – Land Transport Effects</i></p>	<p>The provision of a safe and efficient transport system is a matter that is pertinent to Golden Bay where there are significant traffic flows, particularly at holiday periods.</p>
<p><i>Objective 11.1</i></p> <p><i>Policies 11.1.1, 11.1.2, 11.1.2A, 11.1.2B, 11.1.3, 11.1.4, 11.1.7</i></p>	<p>The District's transport system should be appropriate for the use it receives to provide a safe and efficient means of accessing the various parts of the District.</p>

The policies that are considered relevant to this application are set out in Appendix D to this report. The objectives and policies that relate to site amenity, the rural environment and land transport are particularly relevant to this application.

6.3 The Transitional District Plan (Golden Bay Section)

The Transitional Plan now has little relevance to this application as the resource management based instruments have now effectively replaced this. The Plan contains policies and objectives that relate to the rural environment, efficient transport systems and the preservation of site amenity in a similar way the current resource management documents do.

The emphasis is now given to the resource management based documents and accordingly the Transitional policies and objectives have not been included.

7. ACTUAL AND POTENTIAL EFFECTS OF ALLOWING THE ACTIVITY

The application lodged by Eatery on the Rock Ltd to further develop their property on the outskirts of Takaka, raises a number of issues. If consent is granted, the proposal may result in some change to the environment in this part of Golden Bay, even though consent has already been granted to allow a licensed restaurant to operate on the site.

The application contains five elements and while some of them can be seen as adding to the cumulative effects associated with activities that are not normally found in a rural environment, others are unlikely to have any significant impact.

These matters are now discussed in more detail to assess their relevance to this application.

7.1 Permitted Baseline

As the land is zoned Rural 1, the Proposed Tasman resource Management Plan makes provision for visitor accommodation within the Home Occupation rules. These enable up to six visitors to be accommodated within a dwelling as a Permitted Activity and the traffic effects associated with such a use could be compared with the current application relating to tourist accommodation. While this application has a maximum of 10 people to be accommodated in five units, there may be many occasions when considerably less than 10 will be present. It is reasonable to suggest the permitted baseline in relation to traffic associated with the proposed tourist accommodation may be similar to that for a permitted activity in this instance.

In the case of the artisan's gallery, there also is some comparison with a home occupation incorporating a rural selling place, except in this case the artisan is not resident on the property. There are a significant number of similar galleries in Golden Bay that do not raise any concern, providing parking arrangements for visitors are satisfactory. It is difficult to assess the likely traffic movements associated with such activities as the popularity of the artisan would appear to have more bearing.

The permitted baseline becomes somewhat confused in an instance where consent has been granted for an activity that will produce effects that are greater than those from permitted activities and that situation applies in this case as the restaurant already produces traffic effects that exceed the permitted baseline. As, such the permitted baseline has limited relevance to this particular application

7.2 Access

The subject site gains access from State Highway 60 by way of a licensed crossing place that has been upgraded to comply with a "Diagram D" standard that was intended to cater for up to 100 vehicle movements per day. This has proven to be satisfactory for the operation of the licensed restaurant and the public have generally used the car park provided rather than using the sides of the State Highway. The position of the entry to the restaurant has also encouraged people to use the carpark as the closest point for parking.

In terms of the access requirements of the TRMP, the access is a complying situation and provides good visibility in both directions, with the only impediment being a reasonably large Transit sign to the north that has some effect on the longer distance visibility.

The issues associated with traffic and access are more specifically addressed in an engineering report that has been requested to accompany this report.

7.3 On Site Parking

The existing restaurant has a parking area that can comfortably accommodate the 25 parks required by consent RM 020043, which is also more than the TRMP requires for such a facility. The current proposal shows the provision of additional parking to cater for the crazy golf facility and there is ample area available for additional parking on the mown grassed areas over the busier summer months, should it be required.

The parking arrangements shown for the proposed accommodation units will also comply with TRMP requirements (one space per unit) and two spaces for the managers' residence can be easily accommodated. People visiting the artisans' facility will be able to utilise the general carpark and it is appropriate to note there is additional parking available near the workshop building with formed access.

When the overall arrangements for parking are considered, the existing and proposed activities can be seen as complying with the requirements for parking within the TRMP. It is also appropriate to note the daytime activities (artisans' studio and crazy golf) are likely to take place at a time when the restaurant trade is unlikely to be well patronised.

7.4 Tourist Accommodation

The proposal to provide five tourist accommodation units of approximately 45 m² each seeks to expand the services offered to the public and provide accommodation within walking distance to Takaka, yet in a rural setting. The site has natural topography and land form that provides privacy for each unit with access from the formed carpark to each unit.

The units will be provided with ablution facilities, but no cooking facilities. Obviously this concept seeks to increase the use of the restaurant, but people would also have the choice of dining elsewhere.

The extension of the business into tourist accommodation seems to be a logical progression and if people opt to use the restaurant for dining, the effects of the expanded operation are little more than the restaurant activity. The "overnight" effect is unlikely to change from the current situation with visitors vehicles parked beside any of the units occupied.

7.5 Manager's Residence

Council has expressed considerable concern about the use of Rural 1 land for increased residential use and in particular multiple dwellings on such land. Granting consent to such applications can often lead to an application for subdivision to provide a separate title for the second dwelling. This is the primary reason for the activity becoming a non-complying activity under the Rural 1 zone rules of the TRMP. The use of Rural 1 land for increased residential development is not supported by the TRMP.

While there is not an objection to the concept of a managers' residence for the commercial activities taking place on the property, it is considered appropriate that the dwelling is limited to that purpose.

If consent is granted to this part of the application I believe it should be subject to a covenant being placed on the title that restricts the use of the building to that of a managers' residence and if that use ceases, the building should be removed. It would be appropriate for the applicant to volunteer this condition to recognise the concerns Council has with applications for second dwellings on smaller Rural 1 titles.

7.6 Artisans' Studio

The conversion of the existing workshop into an artisans' studio is considered to be a very benign use of the building and the effects are the same as what could take place as a home occupation.

The TRMP makes provision for such studios not exceeding 75m² in rural areas as home occupations and they may incorporate a sales area as a "rural selling place", but the sales area is limited to 25m². This proposal is essentially the same as that concept, except the person operating the facility is not resident on the site.

In considering similar applications, the issues that arise, usually relate to advertising, on-site parking and access. Each of these is satisfactorily addressed in this case and the effects of using the workshop as an artisans' studio are seen as very minor.

7.7 Crazy Golf Course

The application seeks consent for the crazy golf course as a Discretionary Activity for a commercial activity in a Rural 1 Zone. The definition of commercial activity specifically excludes recreational activities from the definition and makes no distinction whether people are charged for such an activity, causing some confusion. Following the decision relating to the "maizes maze" situation, Council has resolved to clarify this part of the Plan and where there is a business component as part of a recreational activity, the activity becomes a Discretionary Activity. The TRMP will be amended by variation in the near future to confirm this.

This activity appears to have the greatest potential to add to the on and off site effects through attracting greater numbers to the facility, although that increased use is more likely to take place at a time the restaurant is at its least use. As such I believe there needs to be some constraints on the level of activity if consent is granted and this could be achieved in two ways

The size of the course will dictate the number of users at any one time, or alternatively, the number of clubs available for hire will also control the number of users. As the issue in this case is the number of people using the facility and not the effect of the actual course, the preferred option would be restricting the number of clubs available for hire.

The new park proposed for this facility will also assist parking arrangements for this activity.

7.8 Incremental Growth and Cumulative Effect

Because this particular application is requesting consent to undertake 5 new activities, each of which require resource consent with 4 being Discretionary Activities and the other non complying, the overall use of the site has to be considered. There are many instances where businesses are established and the operators are looking for ways to make the business more viable or to better utilise the facility they have. In this instance, the applicant has assembled a complete package and all aspects have been applied for in one application rather than applying in a piece meal fashion.

The notification of the application has only resulted in one submission in opposition and this is a traffic related argument. From that response it would appear the community is more relaxed about the expansion of an activity that has already been consented rather than commencing a new activity on Rural 1 land. Other applications on Rural 1 land for non rural uses have certainly attracted submissions regarding the loss of rural land.

7.9 Rural Land Use

The land affected by this application is a small title of Rural 1 land that is of a character and topography that it is difficult to call it productive rural land. It may contain soils of a reasonable quality in conjunction with the limestone outcrops on the site but its productive use is very limited. In the overall context of rural land and more specifically land in the Takaka Valley, the use of this site for activities other than productive rural land uses is seen as a sustainable use of the site and the loss of productive rural land is a more minor matter.

8. CONCLUSION

The application lodged by Eatery on the Rock Ltd seeks consent to expand the activities on the site just out of Takaka on State Highway 60. The application lodged seeks consent to establish 5 accommodation units to accommodate up to 10 guests, erect a managers residence, establish an 18 hole crazy golf course, convert the current workshop on the site to an artisans' studio and erect a new sign on the property.

Four of the activities are Discretionary Activities under the Proposed Tasman Resource Management Plan and the erection of the managers' residence becomes a non-complying activity due to the size of the allotment and because it becomes a second dwelling. The initial reaction to the application made is that the activities carried out on site would expand significantly from the current restaurant operation, but more careful analysis finds the actual effects are not that great.

The tourist accommodation is for a maximum of 10 persons and that is not a great deal more than what can be permitted as of right as a home occupation. Similarly the artisans' studio is a relatively benign activity and would be similar to the many studios located throughout Golden Bay that operate without any adverse effects. The proposed sign will replace existing signage on the property and can be seen as necessary to make the public aware of the services offered at this location.

The erection of a second dwelling for a managers' residence and the proposed crazy golf course are treated a little more cautiously for this site. It is considered appropriate to restrict the managers' residence to exactly that use and not allow it to become a reason to subdivide the property in the future for other reasons. This can be achieved through the imposition of a covenant restricting the use of the dwelling to that purpose and requiring removal of it if no longer used for that purpose. It is also appropriate to put some form of control on the number of persons using the crazy golf course at any particular time and this may be best achieved by restricting the number of clubs available for hire.

The objectives and policies from the Tasman Resource Management Plan that relate to site amenity, the use of rural land and the District's transport system have relevance to this application and should be carefully considered when assessing this application. The rural objectives and policies make provision for the use of rural land for uses other than productive land use and that issue has already been addressed when consent was granted for the restaurant to be established. The current proposals appear to take account of the amenity of this area and conditions can be included if consent is granted to preserve this. The transport objective and policies are clearly in support of a safe and efficient transport system that should not be adversely affected by activities that can affect the State Highway.

The Transitional Plan has little relevance to the application as the Resource Management Plan has now progressed to a point where much of it is effectively operational. As such, little weight should be given to the Transitional Plan when assessing this application and the Proposed Tasman Resource Management Plan is the appropriate document to use when considering the relevant objectives and policies.

The application has been processed as a notified application and attracted two submissions. Of these, the adjoining neighbour to the north supports the application and Transit New Zealand have opposed the application, considering it will have an adverse effect on the functioning of the State Highway.

The applicant has submitted a report from the traffic Design Group that concludes the proposed expanded activities are unlikely to have an adverse effect and can fall within the criteria for a "Diagram D" access for up to 100 users. Transit appears to have a different view to this and a separate engineering report has been requested to assist the Committee when considering these traffic issues. As a Planner I am not in a position to comment on the traffic and highway safety issues, other than to say the access in its current form meets the access requirements of the Proposed Tasman Resource Management Plan.

The issues relating to the increased discharge of waste water are addressed in Ms Lewis' report and the site is capable of accommodating the increased volume of wastewater after treatment by a plant that appears to have functioned satisfactorily since the restaurant commenced operation.

Overall, I consider the provision of tourist accommodation, a new advertising sign and the artisans' studio are not contrary to the objectives and policies of the Plan and the effects from them will be minor.

In relation to the non-complying activity to erect a second dwelling to be used as a managers' residence, I consider the proposal is acceptable for the use as a managers' residence, but not merely as a second dwelling. This issue can be addressed by imposing a condition requiring a covenant to be registered on the title restricting it to that use and requiring its removal if no longer used for that purpose. In that instance I believe the effects become minor and the application can be seen to pass the threshold tests required by Section 104(D) of the Resource Management Act 1991.

I consider the crazy golf course is a questionable use of this particular site, but the provision of the additional carparking and the support of the adjoining neighbour are factors that mitigate the potential effects of that use. A restriction on the scale of the activity also assists in this regard and I believe consent can be granted.

9. RECOMMENDATION

Pursuant to Section 104(B) and 104(D) of the Resource Management Act 1991, I recommend the application by Eatery on the Rock Ltd to;

1. To construct and use 5 tourist accommodation units for up to 10 people that will contain ablutions, but no cooking facilities.
2. To construct a 2 bedroom managers' residence, will become a second dwelling on a title of 1.23 hectares.
3. To construct and use a "crazy golf" course consisting of 18 holes.
4. To use the existing workshop as an artisan's studio with retail space open to the general public.
5. To erect an on-site advertising sign that is 3m² in area, to be erected at the road boundary of the property.

at State Highway 60, Takaka, on land described as Lot 1 Deposited Plan 7933 and Part 5 Section 22, District of Takaka, all land comprised in Certificate of Title NL 3D/1 being land zoned Rural 1, is granted. If consent is granted, I recommend the following conditions are included;

1. Consent is granted for five accommodation units to be erected and used, with a floor area not exceeding 46 m² for each unit, to be used solely for visitor accommodation.
2. Consent is granted to erect a two bedroom dwelling with a floor area not exceeding 100 m² to be used solely as a managers' residence in relation to on-site activities.
3. The units and managers' residence shall be sited as indicated on the site plan submitted with the application and no closer than 5 metres to the property boundary.
4. No more than ten guests shall be accommodated in the proposed units at any one time.

5. Prior to the issue of a Completion Certificate for the managers' residence, the consent holder shall have a covenant registered on the title of the property, to restrict the use of the dwelling to a managers' residence and requiring removal of the building from the property if it is no longer used for that purpose.
6. The consent holder shall submit a schedule of finishes for the proposed units and the managers' residence with the building consent application, providing details of the exterior finishes of the buildings and demonstrating that they will be recessive and blend with the natural environment.
7. On site parking shall be provided for 35 vehicles with the area formed to an all-weather metalled surface, as indicated on the site plan submitted with the application. In addition, one carpark shall be provided beside each tourist accommodation unit and two carparks for the managers' residence, all formed to the same standard.
8. The accommodation units and managers' residence shall be connected to the existing waste water treatment plant currently serving the restaurant.
9. Consent is granted to establish and operate a crazy golf course, consisting of 18 holes, to be located within the area identified on the site plan submitted with the application.
10. The use of the golf course shall be restricted to not more than 12 persons at any one time, by restricting the number of clubs available to be used to not more than 12.
11. The hours of operation for the crazy golf course and artisans' studio shall be restricted to 0900 to 1900 hours on any day.
12. Consent is granted for one on-site advertising sign shall not exceed 3 m² in area and located within the consent holders' property. The sign shall contain lettering not less than 200 mm in height that clearly contrasts with the signs' background.
13. The conditions of the land use consent may be reviewed by Council in accordance with Section 128 of the Resource Management Act 1991 within a period of one month after six months of the consent becoming operational and thereafter at intervals of twelve months, for the purpose of;
 - Dealing with any adverse effect on the environment arising from the exercise of the application;
 - Requiring the applicant to adopt the best practicable option to remove or reduce any adverse effect on the environment.

Laurie Davidson
Consents Planner (Land)
Golden Bay

Memorandum



To: Laurie Davidson
From: Natasha Lewis
Re: Request for Variation to Discharge Consent – Eatery on the Rock

PROPOSAL:

To vary conditions 3 and 4 of resource consent RM030417, which authorises the discharge of treated domestic wastewater to land on Lot 1 DP 7933. The proposal sought to increase the volume of wastewater discharged to land from 2.32 cubic metres (as currently authorised by RM030417) to 3.5 cubic metres per day and subsequently to increase the size of the disposal area from 400-700 square metres. These changes to the conditions of the existing resource consent are to accommodate projected increases in wastewater flows from the new commercial activities proposed through Land use consent application RM050215, assessed above by Laurie Davidson.

BACKGROUND:

The applicant sought and was granted consent to discharge a maximum of 2.32 cubic metres of treated domestic wastewater to land in conjunction with the application to establish a licensed restaurant in 2003. This consent was granted for a term of 15 years subject to a number of conditions including controls on the quantity and quality of the discharge and method of disposal. An aerated wastewater treatment plant was proposed, namely a Stempflow system with disposal by dripper line irrigation. Consent was granted at this time because the Council was satisfied that provided the recommended conditions of consent were complied with any adverse effects on the environment would be no more than minor. The subject property is 1.23 hectares and is located in the Rural 1 zone.

STATUTORY CONSIDERATIONS

Resource Management Act 1991

Laurie Davidson has addressed the general aspects of the Resource Management Act applicable to these applications, to avoid duplication, only the aspects of the Resource Management Act solely of relevance to the application to discharge domestic wastewater are summarised below.

The applicant has applied to change conditions of their existing resource consent RM030417 under Section 127 of the Resource Management Act 1991 (RMA). Section 127 of the RMA states that the holder of a resource consent may apply to the consent authority for the change or cancellation of any condition of that consent (except duration). Prior to the 2003 amendment of Section 127, unless the consent expressly provided for an application to vary consent conditions, the consent holder had to establish a change in circumstances before the consent authority could consider an application for variation. Now an application can be made at any time without the need to establish a change of circumstances as a threshold. It is in accordance with the changes introduced with this amendment that the applicant seeks variation of consent.

Case law has confirmed that a council is able to assess an application under Section 127 as if it were an application under Section 88, and is able to give regard to affected persons, effects on the environment and the objectives and policies of a plan or proposed plan.

Section 15 (1) (c) of the Resource Management Act 1991 (RMA) prohibits any person from discharging contaminants to land in a manner that contravenes a rule in a regional plan or proposed regional plan unless the discharge is expressly allowed by resource consent, or regulations, or allowed by Section 20A. Consent has been sought to discharge up to 3500 litres of domestic wastewater per day, this may exceed the weekly average flow restriction of the relevant permitted activity rule of 2000 litres per day.

As defined in Section 105 of the RMA, for applications to do something that would contravene Section 15 or Section 15B, the consent authority must, in addition to the matters in Section 104(1) have regard to:

- (a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- (b) the applicant's reasons for the proposed choice; and
- (c) and possible alternative methods of discharge, including discharge into any other receiving environment.

Tasman Regional Policy Statement and Proposed Tasman Resource Management Plan

Most aspects of relevance to this application from the Regional Policy Statement and proposed Tasman Resource Management Plan have been addressed in Laurie Davidson's report, so to minimise repetition only the aspects of particular relevance to the discharge application have been covered below.

The property is not located in a Special Domestic Wastewater Disposal Area so the discharge of domestic wastewater is a permitted activity provided compliance with the requirements of Rule 36.1.4 of the proposed Tasman Resource Management Plan.

Policy 33.4.2 of the proposed Tasman Resource Management Plan states that in order to avoid adverse environmental effects, including cumulative contamination effects on waterways, water-tables and estuaries from the discharge of domestic wastewater, Council has identified the need to provide reticulation in these areas and to carefully evaluate any transitional on-site systems necessary until reticulation can be provided. Policy 33.1.10 of the proposed Tasman Resource Management Plan promotes and encourages the discharge of wastes to land or constructed wetlands in preference to water because water contamination risks can be significantly less with land disposal systems and land-based systems can provide better opportunities for nutrient recycling and soil improvement. The design and operation of land application systems must be carried out in such a way that adverse effects on soils and water are avoided, remedied or mitigated. Policy 33.4.1 of the proposed Tasman Resource Management Plan aims to ensure householders are aware of the potential adverse effects that may be created from discharges from on-site wastewater systems, and methods of avoiding, remedying or mitigating them.

ASSESSMENT OF EFFECTS

The proposed change to the existing resource consent which authorised the discharge of domestic wastewater have been sought to reflect the proposed changes sought through RM050215. The applicant reported in the application that the current activities at the site are producing wastewater volumes well below the projected levels for the restaurant. Concern was raised by Council that the flow metre figures appeared very low, the applicant reported that they were consistent with the original estimates of their wastewater consultant.

Flow rates sought to be authorised were calculated from the five units, the managers' residence and the restaurant/bar patrons, no allowance was included for patrons of the "crazy golf" course or the proposed gallery and retail activity. Thus total flow estimates sought to be authorised by this variation are lower than expected, hence I have recommended that the applicant offers the inclusion of flow metering requirements to the consent to provide Council with some certainty and record of actual flow measurements. The presence of a flow metre allows wastewater volumes to be recorded and tracked, this is a useful tool for assessing compliance with the requirements of the consent but also for the consent holder to ascertain information about actual loadings on the system and what influences this may have on the performance of the system. Although not specifically prescribed by the existing consent, it would be useful if the applicant were to offer the addition of a condition requiring a flow metre to be installed and flow metre readings to be collected on a regular basis during the peak period.

Proposed loading rates and consequently the proposed increase in the disposal area are based on recommendations for Category 2 soils from the New Zealand Standard for On-site Wastewater Management ASNZS1547:2000. Condition 7 of the existing consent permits a rate not exceeding 5 millimetres per day, yet the applicant has sought to discharge at a rate of up to 5 millimetres per day. The Consent Holder could request that this condition be varied to reflect actual loading rates used on site.

The applicant has proposed compliance with relevant permitted activity criteria applicable at the site, with the exception of wastewater flows. However, proposed treatment levels exceed those required by the relevant permitted activity requirements (Rule 36.1.4) so the effect of the increase in volume is likely to be adequately compensated by the increase in treatment prior to disposal. Thus, the effects of this discharge are considered to be comparable to those authorised by permitted activity criteria which apply at the site.

The conditions of the existing consent were deemed necessary when consent was granted in 2003 to avoid, remedy or mitigate adverse effects of the discharge of contaminants to land. Provided there is compliance with all other conditions of the existing consent and the conditions associated with this variation, this change of conditions is not expected to affect the compliance of this discharge with the policies and objectives of the Tasman Regional Policy Statement and the proposed Tasman Resource Management Plan (PTRMP). The application is not considered to contravene the Resource Management Act's purpose to promote the sustainable management of natural and physical resources and are not expected to contravene the matters set out in Part II of the Act.

NOTIFICATION AND AFFECTED PERSONS

The application was publicly notified and two submissions were received, no concerns relating to the proposed variation of the existing discharge of domestic wastewater were received. In accordance with Section 127 of the Resource Management Act 1991, the writer is satisfied that the adverse effects of the discharge are likely to be no more than minor as a result of this change of conditions of consent and is not likely to adversely affect anyone. Any effects of the change of conditions are expected to be no more than minor.

CONCLUSION AND RECOMMENDATION

The degree of the adverse effects of the activity is expected to be unchanged as a result of these changes to conditions, the original treatment plant was sized to cope with this increase in wastewater flows proposed through this application and the subsequent increase in the area of land used for disposal should ensure wastewater continues to be applied to land at the same rate as was previously authorised. If for some reason unforeseen difficulties arise as a result of the changes, condition 10 of the consent enables the Council to review the consent on an annual basis.

Pursuant to Section 104(D) of the Resource Management Act 1991, I recommend that the change of conditions of resource consent RM030417 (namely conditions 3 and 4) sought by the applicant, described in this report, in relation to the property at Takaka-Nelson Main Road, described as Lot 1 DP 7933 & Pt Sec 5 of 22 Takaka Dist Blk X Waitapu SD, comprising 1.23 hectares, be **GRANTED**, subject to the conditions listed in Appendix 1.

APPENDIX 1 – AMENDED CONDITIONS RM030417

DECISION

Acting under authority delegated from the Council, the Consents Planner (Golden Bay) considered the resource consent application under the provisions of Sections 104 and 105 of the Resource Management Act 1991 and resolved that the application be granted for a period expiring on **30th June 2018**, subject to the following conditions:

1. This resource consent granted by the council is subject to its servants or agents being permitted access to the relevant parts of the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
2. An access point to allow sampling of the treated wastewater before being discharged to the disposal field must be provided.
3. The discharge shall be disposed of to an area not less than 700 m² in the location marked “disposal site” on the plan attached to this consent (Plan A) and dated 23/11/01.
4. The discharge is not more than 3.5 m³ per day.
5. All effluent shall be treated by way of a Stemplow Aerated Wastewater Treatment Plant (or equivalent) to provide effluent that meets the requirements of Rule 36.1.5 of the Tasman Resource Management Plan
5. The quality of the treated wastewater at the outflow pipes shall not exceed the following standards:
 - BOD 20 milligrams per litre
 - Total suspended solids 30 milligrams per litre
 - Faecal Coliforms 100 cfu’s per 100 mls
6. The wastewater treatment plant shall be regularly maintained to ensure it meets the prescribed output standards.
7. The treated wastewater is discharged via subsurface dripper lines at a maximum discharge application rate not exceeding 10 mm per day.
8. The discharge shall not create an offensive or objectionable odour discernible beyond the property boundary.
9. The resource consent holder shall advise Council when the activity this consent authorises commences so monitoring of conditions can be programmed.
10. Council may review conditions of this consent by serving notice of its intention to do so pursuant to Section 128 and 129 of the Resource Management Act 1991. The time of the review and service of any notice may occur at any time after the first year of exercise of this consent.

The purpose of the review is;

- To deal with any adverse effect on the environment which may arise from the exercise of this consent and which is appropriate to deal with at a later stage.
- To deal with any unforeseen effects on the environment arising from the exercise of this consent.
- To deal with any other adverse effect on the environment on which the exercise of this consent may have an influence.

NOTATION

Monitoring of the consent is required under Section 35 of the Resource Management Act 1991 and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, Council will recover this additional amount from the resource consent holder. Costs are able to be minimised by consistently complying with conditions and thereby reducing the frequency of Council visits.

Memorandum 
Environment and Planning Department

TO: L Davidson
FROM: D Ley
DATE: 14 November 2005
REFERENCE: RM050215
RE: **EATERY ON THE ROCK – STATE HIGHWAY 60, TAKAKA**

The application is to expand the present facility of a restaurant and dwelling to include an additional five tourist flats and manager's residence, an artist's gallery and workshop, and a small "crazy" golf course. The "traffic design group" adequately sets out the existing traffic environment at this location and the plans attached to that report also give an indication of the layout and visibility requirements. The Hearing Committee will, no doubt, visit the site also.

Discussions

It is understood from the previous consent RM020043, approved in March 2002, that the applicant, with the approval of Transit, constructed "tapers" and widening on both sides of SH60 and generally conforming to Diagram "D" of Transit's standards. It is also noted that no accidents have occurred at this access within the last five years as outlined in the traffic design report. The existing traffic generation has been calculated at 36 traffic movements per day and this will increase to 98 should this application be granted. An activity such as this has the potential to expand into a "craft habitat" style facility and if this is the case, may have an adverse effect on the traffic environment in the vicinity. The holding bay and chevrons at the intersection of SH60 at Long Plain road, together with traffic/destination signs on the side of the road gives enough for new visitors to Takaka to be preoccupied with. To this end, the development proposed needs to be restricted in some way and this has been mentioned in the planner's report to restaurant diner's limits of 40 persons, limits on the number of players on the "crazy golf" course and the tourist flats not being used for permanent residence. A further condition is that the property cannot be subdivided in the future under the guise of the existing residential activities and that there is no change in effects once they are erected.

Recommendation

It is the opinion of this Officer that subject to restrictions being imposed on the “growth” of the complex, then the proposal will have minor adverse effects.

Suggested conditions should the Hearing Panel decide to grant the consent:

1. Restrictions on “No subdivision” of the property at some future date.(This can only be imposed if volunteered by the applicant)
2. Limits on the numbers of players at the “crazy golf” complex.
3. Maintain maximum seating capacity of the restaurant to 40.
4. The tourist flats and manager’s residence to be used for the purposes applied for.
5. That all 46 car parks for the various activities be formed up and all common access areas and the car parks for the restaurant and “crazy golf” be sealed.
6. The signage be limited to one sign and located on the applicant’s site.
7. The sign to the North restricting sight distance to 225 metres to be relocated to meet Transit’s requirements for sight lines and distance.
8. No other access or car parking to be located on the road reserve.
9. Payment of all Development Contributions in respect of Roding.

Household Unit of Demand for:

Roding = 5 HUDS

D Ley
Development Engineering

REGIONAL POLICY STATEMENT

Policies and objectives appropriate to this application are as follows:

General Objectives

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

Land Resource Objectives

- Obj 6.3 Avoidance, remedying, or mitigation of adverse cross boundary effects of rural land uses on adjacent activities
- Pol 6.1 Council will protect the inherent productive values of land from effects of activities which threaten those values, having particular regard to ;
- i) the effects of land fragmentation on productive values; and
 - ii) the protection of land with high inherent productive value; and
 - iii) the protection of significant natural or heritage values; and
 - iv) the availability of water to support productive values.
- Pol 6.2 Council will ensure that subdivision and uses of land in the rural areas of the District avoid, remedy or mitigate adverse effects on;
- productivity and versatility of land, particularly in areas of high productive value, and
- provision of services, including roading, access, water availability waste water treatment or disposal, and
- amenity, natural and heritage values of sites, places or areas including landscape features such as karst terrain, and

accessibility of mineral resources, and

socioeconomic viability of adjacent areas

and that are not unnecessarily exposed to adverse effects from;

- a) adjacent land uses across property boundaries
- b) natural hazards

Transport

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

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

PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

Policies and objectives appropriate to this application are as follows:

Site Amenity

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

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

To protect the quality of groundwater and surface water from the adverse effects of urban development and rural activities. (*Policy 5.1.2*)

To avoid, remedy, or mitigate effects of:

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

- (h) buildings and structures;
- (i) temporary activities;

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

To avoid, remedy, or mitigate adverse effects of urban development on rural activities at the interface between urban and rural areas, (*Policy 5.1.9A*)

To provide sufficient flexibility in standards, terms and methods for rural sites to allow for the wide range of effects on amenities which are typically associated with rural activities, and which may vary considerably in the short or long term. (*Policy 5.1.12*)

Maintenance and enhancement of amenity values on-site and within communities throughout the District. (*Objective 5.2.0*)

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

To ensure adequate daylight and sunlight to residential properties, and rural dwelling sites. (*Policy 5.2.2*)

To promote opportunity for outdoor living on residential properties, including rural dwelling sites. (*Policy 5.2.3*)

To promote amenity through vegetation, landscaping, street and park furniture, and screening. (*Policy 5.2.4*)

To enable a variety of housing types in residential and rural areas. (*Policy 5.2.7*)

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

To avoid, remedy or mitigate the adverse effects of signs on amenity values (*Policy 5.2.9*)

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

Maintenance and enhancement of the special visual and aesthetic character of localities. (*Objective 5.3*)

To maintain the low density character of urban areas. (*Policy 5.3.1*)

To maintain the open space value of rural areas. (*Policy 5.3.2*)

To avoid, remedy or mitigate the adverse effects of the location, design and appearance of buildings, signs and incompatible land uses in areas of significant natural or scenic, cultural, historic or other special amenity value. (*Policy 5.3.3*)

To avoid, remedy or mitigate the adverse effects of activities on the character and sets of amenity values in specific urban locations. (*Policy 5.3.4*)

To maintain and enhance features which contribute to the identity and visual and aesthetic character of localities, including;

- a) heritage
- b) vegetation
- c) significant landmarks and views (*Policy 5.3.5*)

Rural Environment Effects

Avoid the loss of potential for all land of existing and potential productive value to meet the needs of future generations, particularly land of high productive value. (*Objective 7.1*)

To avoid, remedy or mitigate the effects of activities which reduce the area of land available for soil-based production purposes in rural areas. (*Policy 7.1.2*)

To avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource. (*Policy 7.1.2A*)

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

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

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

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

To ensure that activities which are not involved or associated with soil-based production do not locate where they may adversely affect or be adversely affected by such activities. (*Policy 7.2.4*)

Avoidance, remedying or mitigation of the adverse effects of a wide range of existing and potential future activities, including effects on rural character and amenity values. (*Objective 7.3.0*)

To provide for the maintenance and enhancement of local rural character, including such attributes as openness, greenness, productive activity, absence of signs, and separation, style and scale of structures. (*Policy 7.3.3*)

To exclude from rural areas, uses or activities (including rural residential) which would have adverse effects on rural activities, health or amenity values, where those effects cannot be avoided, remedied or mitigated. (*Policy 7.3.4*)

To ensure that adequate physical or spatial buffers or other techniques are applied when allowing new allotments or buildings primarily or exclusively for residential purposes in rural areas, so that productive land use opportunities are not compromised. (*Policy 7.3.6*)

To avoid, remedy or mitigate servicing effects of rural subdivision and development, including road access, water availability and wastewater disposal. (*Policy 7.3.9*)

Landscape

Protection of the District's outstanding landscapes and features from the adverse effects of subdivision, use or development of land and management of other land, especially in the rural area and along the coast to mitigate adverse visual effects. (*Objective 9.1*)

To manage activities which may cause adverse visual impacts in the general rural area. (*Policy 9.1.7*)

Recognition of the contribution of rural landscapes to the amenity values and environmental qualities of the District, and protection of those values. (*Objective 9.2*)

To integrate consideration of rural landscape values into any evaluation of proposals for more intensive subdivision and development than the Plan permits. (*Policy 9.2.1*)

To retain the rural characteristics of the landscape within rural areas. (*Policy 9.2.3*)

To evaluate, and to avoid, remedy or mitigate cumulative adverse effects of development on landscape values within rural areas. (*Policy 9.2.5*)

Transport

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

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

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

To ensure that land uses generating significant traffic volume:

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

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

To ensure that signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of motorists or pedestrians, (*Policy 11.1.3*)

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

To ensure that signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of motorists or pedestrians. (*Policy 11.1.7*)