



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Andrew Tester (MWH Consultant Planner)

REFERENCE: RM040996 – Land use - building

SUBJECT: **B W FARLEY and P H RUTHERFORD – REPORT EP05/12/03 –**
Report prepared for 16 December 2005 hearing

1. INTRODUCTION

1.1 Outline of Proposal

The applicants are seeking land use consent to construct a second dwelling on a Rural 2 zoned property in Upper Moutere. The second dwelling at the Buddhist Meditation Centre is to be used as a retreat for visiting teachers and spiritual practitioners. A maximum of three people will be accommodated in the dwelling at any one time (teacher, translator and attendant), and the dwelling will not be for general or commercial use.

The dwelling is set back from Sunrise Valley Road, close to the eastern boundary of the property, with no standard vehicle access. Access to the dwelling will be via a track of suitable quality for a four wheeled farm vehicle.

The dwelling will have macrocarpa weatherboard cladding and coloursteel roofing.

1.2 Location and Legal Description

The property is legally described as DP 421, comprised in Certificate of Title NL 9C/341. It is located along at 289 Sunrise Valley Road, Upper Moutere, with an area of 2.1321 hectares.

The site is located on the eastern side of Sunrise Valley Road. The site is steep and is covered with a variety of vegetation. Existing on the property are the first dwelling (older timber farm house) and associated buildings, a meditation hall, stupa and tipi.

The surrounding valley area is largely in pasture, with some trees and farm buildings. The nearest dwelling in view of the subject site is several kilometres away across the valley. Directly opposite the subject site (across Sunrise Valley Road) there are some farm buildings and stock pens.

2. STATUS UNDER TRANSITIONAL AND PROPOSED PLANS

The property is located in the Rural 2 Zone, with an area of 2.1321 hectares.

Affected party approval was not able to be obtained. The application was hence limited notified to one party.

2.1 Transitional Tasman District Plan

Given the Proposed Tasman Resource Management Plan is more or less operative, the majority of weighting will be applied to this Plan, as opposed to the Transitional Tasman District Plan.

2.2 Proposed Tasman Resource Management Plan

Under the Proposed Tasman Resource Management Plan (PTRMP) the property is zoned Rural 2. The proposed building breaches the building construction and alteration rules for the Rural 2 Zone in the following respects:

(a) Rule 17.5.4(b) and 17.5.5(a)

Only one dwelling per site is allowed as a permitted or controlled activity.

(b) Rule 17.5.6(a)

A second dwelling on a site is classed as a discretionary activity provided the site is greater than 50 hectares in area (Rule 17.5.6(b)). Thus, this application fails to meet discretionary activity criteria.

However, there are no non-complying activities in this zone. As the proposal is not classified as controlled, restricted discretionary, discretionary or non-complying, pursuant to Section 77C(1)(b) of the Resource Management Act 1991 this activity shall be treated as a **discretionary activity (building construction or alteration)** (Pursuant to Section 104C of the Resource Management Act 1991).

Related Rural 3 Zone assessment criteria is used to frame this assessment

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

- (1) The location of the building on the site and the effects of the building on the potential availability of productive land, including any effects relating to the extent of the building and capitalisation of the site.
- (2) Location and effects of servicing, including wastewater disposal, water supply, access and traffic safety.
- (3) Effects on the amenities and the rural character of the area.
- (4) Effects of any proposed outdoor storage of goods, machinery or produce.
- (5) The adverse environmental effects of a higher building, including visibility on a ridgeline.
- (6) The circumstances leading to, or need for, an increase in height.
- (7) The potential for shading across property boundaries, including onto roads, from the building or any associated planting or screening structure.
- (8) The potential for landscaping, existing planting or topography to mitigate the effect of an increase in height or extent of buildings.
- (9) The adverse environmental effects of a building with reduced setbacks.

- (9A) The potential for cross-boundary conflicts arising from drift of pesticides across the boundary.
- (10) The influence of topography on shading.
- (11) The effects of natural hazards.
- (12) The nature of adjoining uses, buildings and structures, and any adverse effects of closer development on these.
- (13) The extent to which the proposed building would detract from the openness and rural character of the locality.
- (14) The extent to which the building would be compatible with existing development in the vicinity.
- (15) The potential for landscaping to maintain privacy for neighbours.
- (17) The visual impact and appropriateness of colour and materials for buildings and structures.
- (18) The degree to which views are obscured.
- (18A) Any effects on natural character or water bodies and the coast.
- (18B) Any effects on indigenous vegetation and habitats of indigenous fauna.
- (18C) Any effects on areas of predominantly natural rural landscape.
- (18D) Any effects on ridgelines and hilltops.
- (18E) For buildings and structures in or near to rivers and lakes, effects on the natural functioning of the water body, including habitat values and natural hazards.
- (18F) For a dwelling within 500 metres of the quarry, the ability to address cross-boundary effects and reverse sensitivity, including covenants and other arrangements
- (21) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (22) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

3. STATUTORY CONSIDERATIONS

The operative plan is the Transitional District Plan. However, the Proposed Tasman Resource Management Plan was publicly notified on 25 May 1996, and as noted earlier is considered to be the dominant document under which to assess applications for resource consent.

Under Section 104 (1) of the Resource Management Act 1991 when considering an application for resource consent and any submissions received, the consent authority must, subject to Part II of the Act, have regard to:

- a) any actual and potential effects on the environment of allowing the activity; and
- b) any relevant provisions of –
 - iii) a regional policy statement or proposed regional policy statement
 - iv) a plan or proposed plan; and
- c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Under Section 104B – Determination of applications for discretionary or non-complying activities, after considering an application for a resource consent for a discretionary activity, a consent authority:

- a) may grant or refuse the application; and

b) if it grants the application, may impose conditions under Section 108.

4. SUBMISSIONS

The application was notified (limited notification to one affected party) on Tuesday, 4 October 2005, with submissions closing on Friday, 4 November 2005. Received was one submission in opposition. A summary of the submission follows:

Submitter	Oppose/ Support	Summary of Submission
Hyatt and Sons Limited	Oppose	Oppose the application to build a second dwelling on the property, citing: <ul style="list-style-type: none">• Issues over legal versus occupation boundaries between their property and the applicants' property;• Reverse sensitivity issues: the proposed residence will overlook the submitter's shed and yard complex where machinery will be operating. Noise will be created that may be heard from the proposed dwelling's site;• The proposed dwelling is located close to the boundary with the submitter's property, which is used as a commercial stock enterprise with spraying, weed control and a range of general stock work being carried out.

NB: The issue of building encroachments onto the neighbouring property is not related to what is being applied for in this consent, and cannot be considered under the Resource Management Act 1991 or the Proposed Tasman Resource Management Plan.

5. ASSESSMENT

In accordance with Section 104 of the Resource Management Act 1991, Council must consider the actual and potential effects on the environment of allowing the activity, have regard for any objectives, policies, and rules, and consider any other matters relevant and reasonably necessary to determine the application.

5.1 Assessment of Environmental Effects

Pursuant to Section 104(1)(a) of the Resource Management Act 1991, the following assessment of environmental effects has been set out. The assessment has been based on relevant criteria in the Proposed Tasman Resource Management Plan (listed in section 2.2 of this report), and the following key environmental effects in relation to this proposal:

5.1.1 Productive Values

(1) The location of the building on the site and the effects of the building on the potential availability of productive land, including any effects relating to the extent of the building and capitalisation of the site.

The subject site is 2.1321 hectares in area, substantially below the controlled activity area for subdivision in the Rural 2 Zone of 50 hectares. The site is also steep,

nestled against the hillside to the east of Sunrise Valley Road, with trees and bush scattered throughout the site. These two factors combine to create a situation where the productive values of the site can be perceived as lower than other Rural 2 Zone properties in the area. As such, in terms of productive values the effects of constructing a second dwelling on the site are no more than minor.

5.1.2 Servicing

(2) Location and effects of servicing, including wastewater disposal, water supply, access and traffic safety.

Wastewater Disposal

An onsite wastewater disposal system has been designed for the proposed teacher's dwelling, along with an additional system designed for a composting toilet for the existing meditation centre. The onsite effluent disposal system has been designed by Richard Walker, Consulting Professional Engineer (report dated 29 May 2004). Further information was provided by Richard Walker, dated 12 November 2004.

The design is to a high quality secondary treatment standard, and has provision for an extended effluent soakage trench if the original design requires further consideration. For the dwelling, a multi-chamber septic tank with a minimum capacity of 4000 litres is required, with a Zabel Filter at its outlet. An Everglas soakage trench, 27 metres in length and 0.8 metres wide will be required. It is estimated that approximately 520 litres of wastewater/greywater will be created per day.

Tasman District Council Consent Planner (wastewater) has reviewed the onsite wastewater treatment design, and has confirmed that it should meet permitted activity criteria. An advice note has been included with the conditions to ensure that if any changes are made to the wastewater design resulting in permitted activity criteria being unable to be met, that a discharge permit will need to be applied for.

Water

The application notes that water will be collected from the roof of the proposed dwelling and stored in a plastic tank for use in the dwelling.

Access/Vehicle Safety

Resource consent number RM010365 established the land use activity for a meditation centre to be operated from the site. As a component of this consent, parking for 10 vehicles was provided for along the frontage with Sunrise Valley Road. Currently a length of approximately 50 metres bordering Sunrise Valley Road is metalled (with provision for stormwater) for car parking. This is in general accordance with RM010365.

Figure 16.2D of the General Rules of the TRMP require two car parks per dwelling. Thus two additional car parks are required. An assessment of traffic access, safety and car parking carried out by MWH Traffic Consultant is appended (See Appendix A). This assessment states that the current car parking location is unsafe, given vehicles are required to manoeuvre across Sunrise Valley Road to enter and exit the car parks.

However, as these car parks have been allowed through RM010365, and as the subject of this is a second dwelling (and is distinct from the land use activity of the meditation centre – i.e. this resource consent application is not applying for an alteration to operation of the meditation centre), the location and safety of the existing car parks cannot be considered.

The Traffic Assessment notes that it would be conflict with other road users if provision for more car parks along the frontage with Sunrise Valley Road was made. The applicant has indicated however, that there is space for the 2 additional required car parks up the driveway to the existing dwelling. Thus adequate, and safe, car parking can be provided on the site. As a condition of consent, upgrading of the accessway to provide better site distances to the South down Sunrise Valley Road, has been required.

Provided car parking for the second dwelling is provided up an improved accessway, the effects of the additional vehicle movements/parked vehicles can be considered no more than minor.

5.1.3 Rural Amenity

(3) Effects on the amenities and the rural character of the area.

(13) The extent to which the proposed building would detract from the openness and rural character of the locality.

(18A) Any effects on natural character or water bodies and the coast.

The surrounding areas (around the subject site) are largely in pasture, with trees and farm buildings dispersed across the valley. The subject site differs in that it is substantially covered in shrubs and trees. Although the coverage is not dense, it does create an overall impression of a vegetated site, differing from the surrounding farmland.

The proposed second dwelling will be clad in cedar weatherboard, with a corrugated iron roofing. The cedar weatherboard will have a natural, recessive finish, while the corrugated iron will be dark green in colour in keeping with the surrounding natural environment. The original application stated a reddish roof colour would be utilised, however, the applicant has offered that a dark green roof is also possible to mitigate the visual impacts of the dwelling.

As noted in the following paragraphs, the applicants have planted trees down hill of the proposed dwelling site. These will grow to varying heights and assist in mitigating visual impacts of an additional dwelling on rural amenity.

Overall, the construction of an additional dwelling on this site will result in a higher density of dwellings than intended by the TRMP, and than is exhibited in the surrounding area. However, given the substantially vegetated nature of the site, and its location on a hillside, with the existing buildings nestled into the hill and bush, the effects of an additional dwelling on rural amenity (visually) will be no more than minor.

The applicants contend that vehicle movements to the site along Sunrise Valley Road will not increase as a result of this application for a second dwelling. They state that the dwelling will be used to house one teacher/spiritual practitioner who will be teaching at the Meditation Centre and their associated translator and attendant, and as a general rule they will not have their own transport to and from the site.

5.1.4 Landscaping

(7) The potential for shading across property boundaries, including onto roads, from the building or any associated planting or screening structure.

(8) The potential for landscaping, existing planting or topography to mitigate the effect of an increase in height or extent of buildings.

(10) The influence of topography on shading.

(15) The potential for landscaping to maintain privacy for neighbours.

The subject site is substantially covered in shrubs and trees. During a site visit carried out on 6 September 2005 the applicant showed a number of plantings of shrubs and trees that had been carried out below the site of the proposed dwelling. These shrubs and trees will grow and will help to mitigate visual impacts on the environment and neighbouring properties.

Given the location of the proposed dwelling on a sloping section, there will be no impacts on neighbouring properties.

5.1.5 Cross Boundary Conflict

(9A) The potential for cross-boundary conflicts arising from drift of pesticides across the boundary

The submitter Hyatt & Sons Ltd raised concerns about cross-boundary conflicts (i.e. various farming and agricultural operations, generating noise, drift of weed-killers etc). The proposed dwelling is located in proximity to the eastern boundary with the Hyatt & Sons property. This portion of Hyatt & Sons' property appears to be in grazing. The proposed dwelling, and its outdoor living areas face away from the adjacent property boundary. It can be considered that the effects arising from drift of pesticides or any other farming related practices occurring on the property to the east will be no more than minor.

The applicants have not indicated that they have concerns with rural activity taking place on submitter's property, and any associated noise or drift of chemicals. The meditation hall has been operating on the property for several years, and no complaints have been received by Council.

As such, the effects of cross-boundary conflict/reverse sensitivity can be considered no more than minor.

5.1.6 Natural Hazards

(11) The effects of natural hazards

An geotechnical engineering report for the site of the proposed dwelling has been prepared by Geo-Logic Limited (dated 26 July 2004). The report concludes that the house site is situated on a strong ridge, and exhibits a high degree of stability. The applicants have also made improvements to the cut located adjacent to the dwelling to the east, to negate any problems associated with this.

5.1.7 Visual Amenity

(12) The nature of adjoining uses, buildings and structures, and any adverse effects of closer development on these.

(14) The extent to which the building would be compatible with existing development in the vicinity.

(17) The visual impact and appropriateness of colour and materials for buildings and structures.

(18) The degree to which views are obscured.

(18B) Any effects on indigenous vegetation and habitats of indigenous fauna.

(18C) Any effects on areas of predominantly natural rural landscape.

(18D) Any effects on ridgelines and hilltops.

Rural amenity and landscaping have been discussed in previous paragraphs. Trees and shrubs have been planted to mitigate visual impacts of the proposed dwelling, and the site itself is located, and covered with trees in a manner that the dwelling will not impact rural amenity.

As noted natural cedar weatherboard cladding will be used for the dwelling, along with dark green corrugated iron roofing. The cladding will be recessive in nature and blend into the surrounding environment.

5.1.8 Miscellaneous

(21) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(22) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

A number of contributions have been requested in relation to the construction of the second dwelling. These are in accordance with the Proposed Tasman Resource Management Plan and the Tasman District's Long Term Council Community Plan, and are further explained in the recommended conditions and advice notices.

5.2 Relevant Policy Statement and Plans

The units must be deemed to be consistent with relevant objectives and policies pursuant to Section 104(1)(c) and (d) of the Act. As discussed earlier, 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 satisfy assessment under the Policy Statement.

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

<p><i>Chapter 5 - Site Amenity Effects</i></p>	<p>Council must ensure that the character and amenity values of the site and surrounding environment are protected, and any actual or potential effects of the proposed subdivision must be avoided remedied or mitigated, including cross boundary effects.</p>
<p><i>Objectives: 5.1.0</i></p> <p><i>Policies 5.1.1, 5.1.3, 5.1.4</i></p>	<p>Objective 5.1.0 is to avoid, remedy or mitigate adverse effects resulting from the use of land.</p> <p>Policy 5.1.1 is to ensure the effects of development on site amenity can be avoided, remedied or mitigated. 5.1.3 is to limit the intensity of development where wastewater reticulation is not available. 5.1.4 is to avoid, remedy or mitigate a variety of effects, such as noise and vibration, buildings and structures.</p> <p>The applicant has exhibited that wastewater can be adequately treated onsite to permitted activity standards of the TRMP. Through landscaping, and the general shrub and tree covered nature of the site, visual effects of the building can be adequately mitigated. Parking can be adequately provided on site, provided the existing access way is upgraded to cater for better sight distances.</p>
<p><i>Objective 5.2.0</i></p> <p><i>Policy 5.2.1, 5.2.4, 5.2.7, 5.2.8</i></p> <p><i>Policy 5.3.2</i></p>	<p>Objective 5.2.0 is to maintain and enhance onsite amenity values and amenities values of the district.</p> <p>Policy 5.2.1 is to main privacy for rural dwelling sites. Policy 5.2.4 is to promote amenity through landscaping and vegetation.</p> <p>The proposed dwelling will be located in a manner that neighbouring properties will not be affected by the proposal. The nearest existing dwelling on a neighbouring property in view of the proposed dwelling is several kilometres across the valley. The vegetated nature of the site ensures that the visual impacts of an additional dwelling will not compromise amenity values of the district. The potential increase in vehicle movements as a result of this second dwelling will be minimal given the intended use of the dwelling.</p> <p>Policy 5.2.7 is to enable a variety of housing types in residential and rural areas. This proposed dwelling will provide long term accommodation for teachers on site.</p> <p>Policy 5.2.8 is to avoid, remedy, or mitigate the adverse effects of traffic on the amenity of rural areas. Given adequate parking can be provided on site, and that the additional vehicle movements associated with the second dwelling will not be substantial, the proposal can be considered not contrary to these objectives and policies.</p>

<i>Chapter 7 – Rural Environment Effects</i>	Council must ensure the ongoing viability of productive land, avoiding issues associated with land fragmentation, while still providing for a range of activities on rural land, and protecting rural character and amenity.
<i>Objectives: 7.1.0, 7.2.0</i> <i>Policy 7.2.1,</i>	<p>Objective 7.1.0 is to avoid the loss of potential productive value of land, particularly land of high productive value.</p> <p>Objective 7.2.0 is to provide for uses other than soil-based production on rural land. Associated Policy 7.2.1 is to enable activities which are not dependent on soil productivity to occur on sites not of high productive value.</p> <p>The site is located on Rural 2 zoned land, which is typically zoned for sites that are not of high productive value. The site is comparatively small for the Sunrise Valley Road area, at just over 2 hectares, and being steep and covered in vegetation, the addition of a second dwelling will not compromise the productive values of the site.</p>
<i>Objective 7.3.0</i> <i>Policies 7.3.4, 7.3.6</i>	<p>Objective 7.3.0 is to avoid, remedy or mitigate the adverse effects of a wide range of existing and potential future activities, including effects on rural character and amenity values.</p> <p>Policy 7.3.4 is to exclude from rural areas, uses or activities which would have adverse effects on rural activities or amenity values where those effects cannot be avoided, remedied or mitigated. Policy 7.3.6 is to ensure adequate spatial buffers when allowing new buildings to ensure that productive land use opportunities are not compromised.</p> <p>The outdoor areas of the dwelling face away from the adjacent grassed farmland, avoiding conflict with any spray drift from pesticides or chemicals. The location of the proposed dwelling meets setback requirements of the TRMP.</p>

Overall, the proposal can be considered not contrary to the relevant objectives and policies of the Proposed Tasman Resource Management Plan for the reasons outlined in the table above.

6. CONCLUSION

This application is to construct a second dwelling on DP 421 (held in Certificate of Title NL 9C/341), which is located at 289 Sunrise Valley Road, Upper Moutere and has an area of 2.1321 hectares. The second dwelling is to be used as a retreat to house visiting teachers and spiritual practitioners. A maximum of three people will be accommodated in the dwelling at any one time (teacher, translator and attendant), and the dwelling will not be for general or commercial use.

This land use consent application was assessed as a Discretionary Activity under the Proposed Tasman Resource Management Plan. It has been processed on a limited notification basis (one party notified) and attracted one submission in opposition.

The site is zoned Rural 2. A resource consent has been required as a second dwelling is only allowed as a discretionary activity for sites greater than 50 hectares in area. As the site is only 2.1321 hectares in area, the application fails to comply with this rule, however as no non-complying activity are outlined for this zone, the activity is classed as discretionary pursuant to Section 77C(1)(b) of the Resource Management Act 1991.

The dwelling meets building setback and height requirements, and site coverage will not be exceeded. Sufficient onsite carparking can be provided.

The opposing submitter has indicated concerns with reverse sensitivity issues and boundary position issues. The boundary position issues cannot be considered under the Resource Management Act 1991, and cannot be considered in this application. Given the location of the dwelling, and the lack of problems the existing meditation centre has had with neighbouring farming operations, the reverse sensitivity issues described by the submitter can be adequately avoided, remedied or mitigated.

Provided a condition is put in place to ensure that the onsite access is upgraded to provide sight distances to the south along Sunrise Valley Road in keeping with the rules of the TRMP, the proposal will not be contrary to the objectives and policies of the Plan. By providing for an additional dwelling on a property located on a steeper, smaller, vegetated site, there will be no effects on rural productive values.

A number of assessment criteria are outlined in the Rural 2 zone chapter of the Proposed Tasman Resource Management Plan. These criteria relate to maintaining both rural and visual amenity, avoiding the loss of productive land, ensuring any site or activity can be appropriately serviced. The application is not contrary to these assessment criteria given the location of the proposed dwelling and the characteristics of the site (substantially covered with trees and shrubs, located on sloping hillside). Provided car parking required for the second dwelling provided on site (as opposed to along the frontage with Sunrise Valley Road), and the vehicle access onto the site is improved to allow for greater sight distances to the south down Sunrise Valley Road, this proposal will not be contrary to assessment criteria relating to traffic access and safety. Visual impacts of the dwelling will be mitigated through trees and shrubs already planted, and the choices of cladding (natural cedar weatherboard) and roofing (dark green in colour, recessive in nature to blend in with surrounding landscape).

Overall, the effects of this proposal will be no more than minor, provided conditions relating to improving access are imposed, and the application is carried out as submitted.

7. RECOMMENDATION

It is recommended that pursuant to Section 104B of the Resource Management Act 1991, that B W Farley and P H Rutherford's land use consent RM040996 be GRANTED.

8. REASONS

- a) The site is substantially covered in trees and shrubs, and additional areas have been planted that will assist in minimising the visual impacts of the proposed dwelling.
- b) The site is located on sloping ground on the sides of the valley, and is comparatively small (at 2.1321 hectares).
- c) The site is not used for productive farming practices, and has resource consent to operate a Buddhist Meditation Centre from the site. Thus constructing a second dwelling for a to live on site is appropriate.
- d) The proposed dwelling can be adequately serviced on site for water, wastewater and stormwater.
- e) The materials, colour and style of the proposed dwelling are recessive in nature and natural in appearance, minimising effects on visual amenity.
- f) The main outdoor living areas of the dwelling face away from adjacent farmland, mitigating any potential problems associated with pesticide spray or other farm related chemical drift.
- g) The proposed units do not encroach upon setbacks and daylight admission angles.
- h) Adequate car parking can be provided on site.
- i) Visibility from the existing driveway access is not sufficient, hence the need to upgrade the accessway to meet sight distance requirements.
- j) This report has not recommended allowing the required additional car parks to be placed along the frontage with Sunrise Valley Road, given the potential parking manoeuvre conflicts with other users of the road.
- k) The proposed units are not contrary to the objectives and policies of the Proposed Tasman Resource Management Plan, provided adequate landscaping of the site is carried out. The proposal is consistent with Policy 5.3A.1 to provide for a variety of residential activities to take into account the characteristics of the local population.

9. CONDITIONS

If Council is satisfied that the application meets the requirements of the Resource Management Act 1991, the following consent conditions may be appropriate:

1. That the building shall be constructed in general accordance with the attached site plan and elevations, dated June 2004, by Keith Rowan Building Design.

2. That the consent holder shall, no later than the time of uplifting the building consent for the works, pay a financial contribution for reserves and community services. The amount of the financial contribution shall be based on the value of the building consent component in accordance with the following table (from Figure 16.5B of the Proposed Tasman Resource Management Plan):

FINANCIAL CONTRIBUTION – BUILDING	
Component	
Building Consent (\$0 to \$50,000 value)	0%
Building Consent (\$50,001 to \$200,000 value)	0.5%
Building Consent (above \$200,001 value)	0.25%
Notes:	
(1) The financial contribution is GST inclusive.	
(2) The building consent value is GST exclusive.	
(3) The financial contribution is for reserves and community services where a development contribution has been required for infrastructure services under Council's Development Contributions Policy in its Long Term Council Community Plan prepared under the Local Government Act. Where this has not been required, the financial contribution is double the percentage contribution shown in the figure and is divided evenly between infrastructure services and reserves and community services.	
(4) The contribution due on a building should be identified separately from other contributions set for any resource consent for an activity that includes buildings.	

3. The existing driveway onto the site shall be upgraded to meet requirements of the Proposed Tasman Resource Management Plan. This shall require realigning the access to it meets the road at 90 degrees, sealing the realigned access for the first 10 metres onto the property, and ensuring the access can provide for 140 metres of sight distance in each direction. (Note: some cutting of the bank may be required to achieve this).

ADVICE NOTES:

1. The applicant shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.
2. Any matters not referred to in this application for resource consent or are otherwise covered in the consent conditions must comply with the Proposed Tasman Resource Management Plan (PTRMP) or the Resource Management Act 1991.
3. That the discharge or domestic wastewater (including liquid associated with any composting toilet) shall comply with permitted activity Rule 36.1.4 of the Proposed Tasman Resource Management Plan unless otherwise authorised by resource consent.
4. The consent holder is advised that the Council will require the payment of a development contribution in accordance with the Council's Development Contributions Policy under the local Government Act 2002 for the development which is the subject of this resource consent.

The Development Contributions Policy is presented in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements which are current at the time the relevant development contribution is paid in full. A 5% discount is available if the payment is made prior to the uplifting of the building consent. An indicative development contribution is presented below and is based on the current LTCCP, however it should be noted that the contribution may be subject to change.

At the applicant's property the water, wastewater, roading and stormwater contributions are payable (figures outlined below, are combined for both dwellings).

<i>BUILDING DEVELOPMENT CONTRIBUTION</i>				
<i>1st Dwelling (Y)</i>	<i>DC</i>	<i>Full Amount</i>	<i>DIL Received</i>	<i>Total</i>
Y	Water	N/A		0
Y	Wastewater	N/A		0
Y	Roading	\$2,540		\$2,540.00
Y	Stormwater	N/A		0
			<i>DC Payable</i>	\$2,540.00
			<i>Discount of 5%</i>	\$127.00
			<i>Discounted Total</i>	\$2,413.00

Andrew Tester

Consultant Planner (Graduate Planner, MWH NZ Ltd)

MEMORANDUM



To: Andrew Tester **Date:** 13 September 2005
Copy to: **Reference:**
From: Jamie McPherson MWH New Zealand Ltd
Subject: RM040996 Chandrakirti Buddhist Meditation Centre – Traffic Assessment

Andrew

Following our site visit on 6 September 2005, I have the following traffic advice regarding the proposed dwelling and the impacts on the transportation network:

Existing Situation
Carriageway

Sunrise Valley Rd at this location has a sealed carriageway with an approximate width of 5.4m. A 2001 traffic count gave a traffic volume of 60 vehicles per day on Sunset Valley Road in the vicinity of the site. This may have increased since 2001 as a result of the development to date of the Buddhist Meditation Centre but this has not been formally assessed. The posted speed limit is 100km/h, and the speed environment in the vicinity of the site is considered to be approximately 80-100km/h. The seal ends approximately 200m south of the existing access.

Carparking

The existing carparking arrangement provides for roadside parking adjacent to Sunrise Valley Road. There is no restriction on access or direction of parking; during the site visit it was evident that vehicles generally park at 90 degrees to the road, and use the carriageway area for manoeuvring. The carparking area is currently unsealed, with a total width of 8m from the existing edge of seal on Sunrise Valley Rd to the kerb face, and approximate length of 50m. Aerial photographs suggest a significant portion of the carparking area may be on road reserve.

Access

There is an existing unsealed access to an existing dwelling on the property, at the southern end of the parking area. This access meets Sunrise Valley Rd at an acute angle of approximately 20 degrees, with very restricted visibility to the south along Sunrise Valley Rd for vehicles exiting this access. I have measured sight distance from a point 3.5m back from the edge of seal as 70m to the south and >250m to the north.

Proposal

The applicant wishes to construct a second dwelling on the property, to house visiting teachers at the meditation centre on the property. The applicant in their letter dated 22 August 2005 states that "With the construction of the teacher's house we hope to...increase the number of classes we run". Clearly this will involve an increase of traffic to the site, or at least a modification to the existing traffic use.

The applicant has not explicitly quantified the expected increase in parking demand at the existing carpark, however they hope to increase attendance from 10-15 to 20 people per class as a result of housing teachers on-site long-term. The Tasman Resource Management Plan (TRMP) Figure 16.2D requires 2 on-site parking spaces to be provided for the dwelling.

Discussion with the applicant indicated their intention is for all traffic generated as a result of this development to use the roadside carparking, and not the existing access to the existing dwelling.

Discussion

I consider the existing access and carparking situation to be undesirable for the following reasons:

- TRMP Figure 16.2A allows a maximum access crossing width of 9.0m in Rural 2 areas. Currently the crossing width is the full length of the carparking area, approximately 50m. Clause 16.2.2(l) also states that crossings shall be either not more than 25m apart or not less than 200m apart.
- Austroads (1988) recommends minimising the area of conflict to improve safety at intersections. In this case, the interface between the carparking area and the carriageway is acting as a type of intersection. Currently, there is no restriction on access to the carparking area, increasing the potential area of conflict between through and parking/manoeuvring vehicles.
- The width of the carparking area is insufficient to allow 90 degree parking without vehicles using the carriageway to manoeuvre. Austroads (1988) Figure 7.3 states the minimum total width required including parking and manoeuvring space is 10.6m, allowing for no encroachment onto the carriageway. While some encroachment may be acceptable on lower speed roads, Austroads suggests reducing this where traffic speeds are >60km/h. While traffic volumes are relatively low on this section of road the speed environment is high, and there is always the potential that traffic volumes will increase in the future.
- The carparking area is unsealed, resulting in migration of loose metal onto the adjacent sealed carriageway, which is both a safety and maintenance issue.
- The existing house access is unsafe, due to the acute angle at which it meets the road and the limited sight distance to the south along Sunrise Valley Rd. The TRMP, Figure 16.2C requires minimum sight distance of 140m for an operating speed of 90km/h. I believe it is very likely that use of this access will increase as a result of construction of an extra dwelling on the property, if not immediately then certainly in the future.

Recommendation

For the reasons outlined above, I consider the following measures are appropriate to minimise the impact of the proposed development on safety of road users, and should be undertaken by the applicant in association with other works under the Resource Consent (if granted):

- Upgrade the existing access to meet the requirements of the TRMP, including:
 - Realigning the access so it meets the road at 90 degrees;
 - Sealing the realigned access for the first 10m onto the property;
 - Access has a more or less level area for 6m back from where it meets the road.
 - Ensuring the access meets TRMP sight distance requirements of 140m in each direction. Some cutting of the bank may be required to achieve this;
- Show the provision of two on-site (off-street) carparking spaces on the property to meet the requirements of Figure 16.2D of the TRMP;
- Quantify the expected increase in parking demand as a result of the development;
- Restrict access to the existing carparking area to a single in/out access (or possibly separate, one-way, in and out accesses), by providing some form of physical barrier between the carriageway and carpark. This will require the layout of the carparking area to be carefully designed (for example, two rows of parallel parking), to ensure the number of spaces meets the quantified demand.;
- Chip sealing of the carpark.

References

- Phillipa Rutherford, Letter to Tasman District Council dated 22 August 2005
 - Tasman Resource Management Plan (2005), Tasman District Council, Richmond
 - Austroads (1988), *Guide to Traffic Engineering Practice Part 5: Intersections at Grade*, Austroads, Sydney
 - Austroads (1988), *Guide to Traffic Engineering Practice Part 11: Parking*, Austroads, Sydney
 - Tasman District Council, RAMM Database, accessed 12 September 2005
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