



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Paul Gibson, Consent Planner

REFERENCES: RM060737 (Subdivision), RM060738 (Land Use), RM060739 (Land Use)

SUBJECT: **TASMAN LIMITED - REPORT EP07/04/04** - Report prepared for 23 and 24 April 2007 hearing

1. INTRODUCTION

1.1 Purpose of this Report

Tasman Limited has lodged nine resource consent applications relating to a residential development and subdivision in the Rural 3 zone.

The following report is my assessment of applications **RM060737, RM060738, and RM060739** relating to the subdivision and land use aspects of the development. The remainder of the consents sought are assessed in complementary reports authored by Dr Rob Lieffering, Council's Coordinator – Resource Consents, and Mr Jeremy Butler, Council's Senior Planner – Natural Resources. This report should be read in conjunction with the aforementioned staff reports.

1.2 Subdivision Proposal (Application RM070737)

To subdivide five certificates of title (CTs 81148, 174441, 174442, NL11B/790, and 81147) into the following:

- 80 larger residential allotments ranging between 2,030 and 9,140 square metres in area (Lots 1-79); and
- 41 semi-intensive residential allotments ranging between 400 and 1,130 square metres in area (Lots 80-120);
- One allotment of 0.82 hectares for commercial and community activities and a manager's dwelling (Lot 121);
- One allotment of 1710 square metres for future activities (Lot 122);
- Three allotments ranging between 820 and 1,600 square metres in area for tourist accommodation (Lots 123-125). These three allotments would be made up of 15 unit titles.
- 12 allotments for open space (Lots 200 – 211).

The subdivision is proposed to be developed in six main stages with each stage comprising between two and five substages. The following table sets out the proposed allotments, area, use and substage.

STAGE 1			
Lot	Area	Use	Sub-stage
121	8200	Café & Residential - Villa	A
91	550	Residential - Villa	A
92	560	Residential - Villa	A
93	430	Residential - Villa	A
94	400	Residential - Villa	A
123 (7 unit titles)	1600	Tourist Accommodation	A
124 (4 unit titles)	820	Tourist Accommodation	A
125 (4 unit titles)	1500	Tourist Accommodation	A
Pt 202	32000	Common	A
Pt 200	4100	Common	A
85	860	Residential - Villa	B
86	790	Residential - Villa	B
87	1030	Residential - Villa	B
88	980	Residential - Villa	B
89	950	Residential - Villa	B
90	850	Residential - Villa	B
Pt 200	4100	Common	B
80	700	Residential - Villa	C
81	720	Residential - Villa	C
82	730	Residential - Villa	C
83	780	Residential - Villa	C
84	900	Residential - Villa	C
Pt 200	4100	Common	C
Pt 201	8800	Common	C
95	470	Residential - Villa	D
96	470	Residential - Villa	D
97	500	Residential - Villa	D
98	470	Residential - Villa	D
99	540	Residential - Villa	D
100	470	Residential - Villa	D
101	500	Residential - Villa	D
Pt 202	32000	Common	D
102	490	Residential - Villa	E
103	490	Residential - Villa	E
104	500	Residential - Villa	E
105	520	Residential - Villa	E

STAGE 2			
Lot	Area	Use	Sub-stage
24	2090	Residential	A
25	2730	Residential	A
26	2980	Residential	A
27	2915	Residential	A
203	4520	Common	A
1	2300	Residential	B
7	3240	Residential	B
8	4190	Residential	B
9	4760	Residential	B
10	3800	Residential	B
Pt 204	66,000	Common	B
2	3180	Residential	C
3	3130	Residential	C
4	2030	Residential	C
5	3220	Residential	C
6	2670	Residential	C
11	4065	Residential	D
12	3965	Residential	D
13	4270	Residential	D
14	3600	Residential	D
15	4090	Residential	D
16	4030	Residential	D
Pt 204	66,000	Common	D
17	4940	Residential	E
18	6060	Residential	E
19	3730	Residential	E
20	4150	Residential	E
21	4880	Residential	E
22	5545	Residential	E
23	4600	Residential	E
106	6000	Residential	E
126	2200	Reserve to Vest	E
212	15,000	Common	E
111	540	Residential - Villa	E
112	550	Residential - Villa	E
113	570	Residential - Villa	E

STAGE 3			
Lot	Area	Use	Sub-stage
28	4680	Residential	A
29	4810	Residential	A
30	4080	Residential	A
31	3530	Residential	A
32	2200	Residential	A
122	1710	Future Development	A
Pt 205	68000	Common	A
36	4080	Residential	B

37	5345	Residential	B
38	6870	Residential	B
39	5445	Residential	B
40	4210	Residential	B
41	3260	Residential	B
42	5180	Residential	B
43	3240	Residential	B
44	5290	Residential	B
Pt 205	68000	Common	B
33	2540	Residential	C
34	2200	Residential	C
35	4465	Residential	C
118	1040	Residential - Villa	C
119	920	Residential - Villa	C
120	1130	Residential - Villa	C
Pt 205	68000	Common	C
114	870	Residential - Villa	D
115	700	Residential - Villa	D
116	950	Residential - Villa	D
117	890	Residential - Villa	D
Pt 205	68000	Common	D

STAGE 4			
Lot	Area	Use	Sub-stage
45	4210	Residential	A
46	5910	Residential	A
51	4270	Residential	A
52	5740	Residential	A
53	3670	Residential	A
Pt 206	16000	Common	A
Pt 207	20000	Common	A
47	5930	Residential	B
48	8180	Residential	B
49	4890	Residential	B
50	8010	Residential	B
Pt 206	16000	Common	B
Pt 207	20000	Common	B

STAGE 5			
Lot	Area	Use	Sub-stage
106	690	Residential - Villa	A
107	510	Residential - Villa	A
108	580	Residential - Villa	A
109	560	Residential - Villa	A
110	540	Residential - Villa	A
208	40000	Common	A
Pt 209	82000	Common	A
54	6230	Residential	B
55	7170	Residential	B
56	6880	Residential	B

57	4450	Residential	B
58	5690	Residential	B
59	5240	Residential	B
60	3370	Residential	B
Pt 209	82000	Common	B
61	6830	Residential	C
62	2710	Residential	C
63	4760	Residential	C
64	6870	Residential	C
69	3270	Residential	C
70	2790	Residential	C
Pt 209	82000	Common	C
65	5540	Residential	D
66	7050	Residential	D
67	9140	Residential	D
68	3165	Residential	D
Pt 209	82000	Common	D

STAGE 6			
Lot	Area	Use	Sub-stage
71	4950	Residential	A
77	4645	Residential	A
78	1.0ha	Residential	A
79	6860	Residential	A
Pt 210	15000	Common	A
Pt 211	70000	Common	A
72	5705	Residential	B
73	7025	Residential	B
74	6740	Residential	B
75	3115	Residential	B
76	3550	Residential	B
Pt 210	15000	Common	B
Pt 211	70000	Common	B

A land use consent is also sought to construct and vest roads and construct right-of-ways and vehicle accesses that do not meet the permitted activity criteria.

1.3 Land Use Consent (Application RM060738)

Land Use consent to:

- construct 81 dwellings (one on each of the larger residential allotments - Lots 1 – 79, and a manager's residence on Lot 121),
- construct 41 dwellings (one on each of the semi-intensive residential allotments – Lots 80 - 120),
- construct 1 commercial/community building (on Lot 121)
- construct 15 tourist accommodation units (on Lots 123 – 125)

All associated with the subdivision and development outlined above (Application RM060737).

1.4 Land Use Consent (Application RM060739)

To undertake the following activities associated with the subdivision outlined above (Application RM060737):

- Establish and operate commercial activities (café, bar, shop, and administration office) on Lot 121;
- Undertake the sale of liquor from a bar and shop on Lot 121;
- Establish and operate a community activity, being a community centre/meeting room on Lot 121; and
- To establish and operate tourist accommodation units on Lots 123-125.

1.5 Location

The subject site is located on the southern side of the Stringer Valley. This valley is located between Bronte Road West, Old Coach Road, the Moutere Highway and the Coastal Highway (SH60).

The site has relatively few adjoining landowners as a consequence of the large scale rural activities (forestry / grazing) that exist within the wider area. The closest dwelling is owned and occupied by Mr and Mrs Stringer, immediately to the east of the development.

Nearby landowners include:

- The King family owns pastoral land on the northern side of Stringer Road
- The plantation forestry to the west of the site is owned by Weyerhaeuser NZ Ltd,
- Carter Holt Harvey Ltd own the forestry to the south of CT 174442.

The farm-forestry activities undertaken previously by the Stringer family remain clearly evident with plantations across the site. Approximately 60% of the property has been planted in pinus radiata, much of it according to 'farm forestry' principles with wider spacing than conventional forest planting.

The topography of the site is described as low rolling hill country with a maximum elevation 131m above mean sea level (amsl). The northern side of the valley is flanked by a steep face topped by Bronte Road. Branching off the valley are three other large valley catchments that run in a south-west/north-east direction. They contain steeper south-east facing slopes and more gentle north-western faces.

Two of the three main sub-valley floors contain wetlands. One of these is protected by a QEII land covenant.

The intersection of Stringer Road and State Highway 6 (the Coastal Highway) is located 11 kilometres west of Richmond and 5 kilometres southeast of Mapua. The Stringer Road intersection with State Highway 60 is located on the west of the valley floor. Stringer Road is formed (unsealed) for the first 580m from its intersection with the Coastal Highway. Beyond that, the legal road is gated and only maintained to a standard suitable for farming activities. Boundary Road is an unformed legal road that links the unformed Stringer Road with the Moutere Highway. A farm access track has been formed within this corridor.

An 11kv electricity line bisects the lower end of the Stringer Valley but does not cross the subject property.

1.6 Legal Description and Background

This proposal involves land in five certificates of title. The main development is proposed for CT 81148, CT 174441, and CT 174442 comprising approximately 107 hectares. CT11B/790, owned by the Kings, and CT 81147 owned by the Stringers, are also involved in this development, only to the extent of the proposed realignment of Stringer Road. The Location Plan attached as **Attachment 1** of this report identifies the subject site.

The legal descriptions of the land involved with this application are set out in the following table.

Legal Descriptions			
Title	Legal Description	Area (hectares)	Features
81148	Lot 2 DP 320445	39.7550	The main wetland is protected by an Open Space Covenant, under S22 of the Queen Elizabeth The Second National Trust Act 1977. This CT has a 257m frontage to the unformed Stringer Road.
174441	Lot 1 DP 432449 and Pt Lot 2 DP 767	64.2288	A 11.6 ha block (Part of Pt Lot 2 DP 767) is located between Stringer Road and Bronte Road West.
174442	Lot 2 Deposited Plan 342449	67.1218	Only 2.842ha of CT 174442 is involved in this resource consent application.

1.7 Zoning

Proposed Tasman Resource Management Plan and Variation 32

The application site is zoned as Rural 3 under the Proposed Tasman Resource Management Plan (PTRMP/Proposed Plan).

Attachment 2 of this report shows the zoning pattern for the site and surrounding land.

1.8 Special Overlay Areas

The application site is within the following special areas:

- Land Disturbance Area 1
- Wastewater Management Area
- Roading Hierarchy – Arterial: The Coastal Highway
- Roading Hierarchy – Access Place: Stringer Road

Attachment 3 of this report shows the Proposed Plan areas for the site and surrounding land.

2. NOTIFICATION AND SUBMISSIONS

2.1 Notification

The applications were received by the Council on 6 September 2006. Subsequently further information was requested and provided by the applicant. The applications were publicly notified on 16 December 2006 and submissions closed on 7 February 2007.

2.2 Submissions

A total of 19 submissions were received.

- One submission has since been withdrawn
- One submission does not specify whether the application is supported or opposed
- One submission is in support
- Two submissions are in conditional support of the application, subject to conditions being placed on the consent
- One submission supports specified parts of the application and opposes part of the applications

- One submission is neutral overall, while supporting some aspects of the proposal
- One submission is neutral
- Ten submissions oppose the application

No.	Submitter	Support/ Oppose	Wish to be heard
1.	Department of Conservation	Neutral overall, supports some aspects	No
2.	Ian Stringer	Support	Yes
3.	Bruce Jermyn and Judi Deck	Oppose	Yes
4.	R Deck	Oppose	Yes
5.	Trustees King Family Trust	Oppose	Yes
6.	David Mitchell	Oppose	Unspecified
7.	Bruce Moseley	Oppose	Yes
8.	Mapua Districts Cycle & Walkways Group	Unspecified	Unspecified
9.	The Nelson/Tasman Branch of Forest & Bird Society	Neutral	Yes
10.	Mapua & Districts Business Association	Unspecified	May wish to be heard
11.	New Zealand Fire Service Commission	Withdrawn submission	Withdrawn
12.	Jonty Barraud	Oppose	Unspecified
13.	Robin and Gillian Collier	Oppose	Unspecified
14.	Guye Henterson	Oppose	Yes
15.	Elsbeth Collier and Others	Oppose	Unspecified
16.	Nelson Marlborough District Health Board	Support in part, oppose in part	Yes
17.	Christine Boswick	Oppose	Unspecified
18.	Trustees King Family Trust (subsequent to their original submission (No. 5))	Conditional support	Yes
19.	Transit New Zealand	Seeks a condition of consent, if approved	Yes

The matters raised in these submissions that relate to the subdivision and land use application components of this proposal are presented below.

Matters
Traffic
Road stopping
Water
Right of ways
Commercial activity
Land Productivity
Ecological benefits
Ecological effects - Cats and dogs
Reserves & Walkways
Statutory considerations
Land values
Amenity values
Landscape values

Attachment 4 of this report shows the location of these submitters in relation to the subject site.

2.3 Consultation

The applicant has advised that consultation has occurred with various parties early in the planning process. Parties consulted have included:

- Ian and Rachel Stringer
- Kevin and Beth King
- Judy Deck
- Carter Holt Harvey
- Weyerhauser
- Transit New Zealand
- Tangata Whenua
- NZ Archaeological Authority

3. STATUTORY CONSIDERATIONS

In accordance with Section 104 of the Resource Management Act, when considering an application the Council must have regard to:

- the actual and potential effects on the environment of allowing the activity (Section 104 (1)(a));
- relevant objectives and policies in the Tasman Regional Policy Statement, and the Proposed Tasman Resource Management Plan (Section 104 (1) (b));
- any other matter the Council considers relevant and reasonably necessary to determine the application (Section 104 (1)(c)).

3.1 Proposed Tasman Resource Management Plan Activity Status

In terms of the Proposed Plan, the activities have the following status:

3.1.1 Subdivision consent and Land Use Consent (Access) RM060737

PTRMP subdivision criteria not met by the proposal:

- Controlled criteria 16.3.9C(b) minimum Lot size 50 ha
- Controlled criteria 16.3.9C(e) minimum frontage for front lots of 100m
- Controlled criteria 16.3.9C(i) compliance with Schedule 16.3B, transport

The allotment sizes and frontages do not meet the controlled activity criteria. Neither is all transport criteria met. Consequently the subdivision is a **restricted discretionary activity** under Rule 16.3.9D.

As a result of the relevant provisions of the Transitional District Plan, this subdivision is classified as a **non-complying activity**.

PTRMP roading and access criteria not met by the proposal:

- Permitted criteria 16.2.2(f) compliance with Figure 16.2A – maximum of six users on a Rural 3 zone right-of-way.
- Permitted criteria 18.10.3(b) All roads constructed and vested in Council in accordance with Figure 18.10A and 18.10AA.

Some of the rights-of-way are proposed to serve more than six users (allotments) and the proposed seal width of the upgraded Stringer Road will not meet the minimum seal width (Collector roads are proposed at 6.0 m seal width (permitted criteria is 7.2 m minimum seal width). As these permitted criteria will not be met the construction of roads and accesses is a **restricted discretionary activity**.

3.1.2 Land Use Consent RM060738 for building construction

PTRMP Criteria not met by the proposal:

- Permitted criteria 17.5A.4(b) any building constructed is not a dwelling
- Permitted criteria 17.5A.4(d) maximum building height of 7.5m
- Permitted criteria 17.5A.4(f)(i) buildings are setback 5m from internal boundaries
- Controlled criteria 17.5A.5(g) the buildings comply with 17.5A.4(f) setbacks

As dwellings are proposed to be constructed, the commercial/community building on proposed Lot 121 is to be 8.0m in height, and the tourist accommodation units are not proposed to meet the 5.0m internal boundary setback, the construction of buildings component of this development constitutes a **restricted discretionary activity** under Rule 17.5A.6.

3.1.3 Land Use Consent RM060739 commercial and community activities

PTRMP Criteria not met by the proposal:

- Permitted criteria 17.5A.2(b)(iv) to undertake the sale of liquor
- Permitted criteria 17.5A.2(b)(vi) to establish and operate commercial and community activities
- Permitted criteria 17.5A.2(b)(vii) to undertake tourist accommodation

The café, bar, shop, office, community centre/meeting room on proposed Lot 121 and the tourist accommodation units on proposed Lots 123-125 are classed as **discretionary activities** under Rule 17.5A.3.

3.1.4 Waimea District Planning Scheme 4

As the land is zoned Rural C within this Transitional District Plan (*County of Waimea District Planning Scheme 4*), and does not meet Ordinance 501, the subdivision and activities proposed constitute a **non-complying activity** under the Waimea Scheme.

3.2 Weighting

Whilst the Rural 3 provisions of the Proposed Tasman Resource Management Plan have advanced through the hearing and decision processes, Section 19 of the Act directs that the Transitional District Plan cannot however be set aside entirely. As the subdivision constitutes a **non-complying activity** under this Transitional District Plan (*County of Waimea District Planning Scheme 4*), overall the development must be assessed as a **non-complying activity**.

However, due to the advanced stage of the Proposed TRMP through the statutory process, I recommend that little weight should be given to the Waimea District Planning Scheme in the assessment of this proposal.

3.3 Resource Management Act Purpose and Principles

In considering an application for a discretionary/non-complying resource consent, Council must ensure that if granted, the proposal is consistent with the purpose and principles set out in Part II of the Act (RMA 1991).

Section 5 sets out the purpose of the Act which 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 -

- *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- *avoiding, remedying, or mitigating any adverse effects of activities on the environment*

Sections 6, 7 and 8 set out the principles of the Act:

Section 6 of the Act refers to matters of national importance that the Council shall recognise and provide for in achieving the purpose of the Act. The matters relevant to this application are:

- The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna
- The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers

Section 7 of the Act identifies other matters that the Council shall have particular regard to in achieving the purpose of the Act. Relevant matters to this application are:

- 7(b) the efficient use and development of natural and physical resources
- 7(c) the maintenance and enhancement of amenity values
- 7(d) intrinsic values of ecosystems
- 7(f) maintenance and enhancement of the quality of the environment, and
- 7(g) any finite characteristics of natural and physical resources

Section 8 of the Act shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). I understand that the applicant has consulted with iwi. I do not anticipate that there are any relevant issues for this application in respect of Section 8.

These matters are addressed in my section 104 assessment later in this report.

3.4 Assessment of Environmental Effects

The Permitted Baseline

When forming an opinion for the purpose of Section 104 (1)(a) above, the Council may disregard an adverse effect of the activity on the environment if the Plan permits an activity with that effect. This is discussed later in section 4.11 of this report entitled "The Permitted Baseline".

Written Approvals and assessment of effects

When considering an application the Council must not have regard to any effect on a person who has given written approval to the application unless before the date of the hearing, that person gives notice in writing that the approval is withdrawn. No written approvals have been provided as part of these applications.

3.5 Tasman Regional Policy Statement

The Tasman Regional Policy Statement became operative on 1 July 2001 and specifies the overriding policies of the Tasman District Council when preparing other resource management plans. This statement must be taken into account when considering any application for any resource consent.

The Regional Policy Statement seeks to achieve the sustainable management of land and other resources. Objectives and policies of the Policy Statement clearly articulate the importance of protecting land resources including coastal land, from inappropriate, subdivision use and development as part of a group of provisions relating to land fragmentation, and the rural coastal environment from sporadic or sprawling subdivision and development.

Because the Proposed Tasman Resource Management Plan was developed to be consistent with the Regional Policy Statement, it is considered that an assessment under the Proposed Plan will satisfy an assessment against the Regional Policy Statement.

3.6 Tasman Resource Management Plan Provisions

The Plan that is most relevant in the assessment of this application is the Proposed Tasman Resource Management Plan.

The most relevant Objectives and Policies to this application are contained in:

- Chapter 5 "Site Amenity Effects";
- Chapter 7 "Rural Environment Effects";
- Chapter 8 "Margins of Rivers, Lakes, Wetlands and the Coast";
- Chapter 10 "Significant Natural Values and Cultural Heritage";
- Chapter 11 "Land Transport Effects";

The most relevant Rules which follow from these imperatives are contained in:

- Chapter 16.3 'Subdivision',
- Chapter 17.5A 'Rural 3 Zone',
- Chapter 16.2 'Transport',
- Chapter 16.4 'Esplanade Reserves, Strips and Access Strips' and
- Chapter 18.10 'Road Area',
- Chapter 18.1.11 Significant Natural Area

The subdivision proposal is a restricted discretionary activity under the PTRMP which means that the Council in assessing and evaluating the proposal may only consider the 14 matters listed in Chapter 16.3.9D of the TRMP, quoted below:

"Consent may be refused or granted with conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) *The extent to which the proposed subdivision retains and protects land with actual and potential productive values;*

(2) *The relationship between the subdivision proposed and the subsequent development, including effects of location and scale of buildings and other structures;*

(3) *Effects on rural landscape, on amenity values and on coastal character and values;*

(4) *Consistency with the Design Guide of Subdivision and Development in the Coastal Tasman Area, Tasman District;*

(4A) *The interim provision of water supply for the land to be subdivided pending the availability of Council-provided reticulated services.*

(4B) *The provision for suitable onsite wastewater treatment and disposal services for dwellings likely to be constructed as a result of the subdivision, taking in to account the provisions of rules 36.1.13A and 36.1.14A.*

5) *Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites;*

(6) *Management of natural hazards within and beyond the boundaries of the area;*

(7) *The ability of the wider landscape to absorb the extent of development proposed without significant loss of rural character;*

(8) *Effects of likely land contamination, such as by pesticide residues, on future activities of land;*

(9) *Actual and potential cumulative adverse effects;*

(9A) *The degree of compliance with Chapter 16.2 Transport Rules, Chapter 18.10 Road Area Rules, and any current Tasman District Council Engineering Standards;*

(9B) *The relationship of new road with existing roads, adjoining land and any future roading requirements;*

(10) *Bonds, covenants and financial contributions in addition to those specified in standards and all matters referred to in Section 220 of the Act;*

(11) *Any other criterion in Schedule 16.3A relevant to the circumstances of the proposed subdivision.*

(12) *Actual and potential cross boundary effects, including reverse sensitivity of existing rural land use activities.*

(13) *Noise exposure to the road network."*

4. EVALUATION UNDER SECTION 104 - Assessment of Environmental Effects and assessment against the Plan

This section includes comments on the main matters for assessment of restricted discretionary subdivision and the construction of dwellings and undertaking of land

use activities in the Rural 3 zone (in Rules 16.3.9D and 17.5A.5 of the Proposed Plan, and the assessment of the environmental effects of the proposal.

Other associated consent applications

As noted in section 1.1 of this report, the regional/natural resource consents sought as part of the suite of applications (e.g. wastewater and stormwater discharge consents and land disturbance consents) for this proposal are assessed in the associated staff reports by Dr Rob Lieferring and Mr Jeremy Butler, and for clarity the issues are not duplicated in this report.

I have identified the following environmental effects in terms of Section 104(1)(a) of the Resource Management Act as relevant to this application. These relate to the relevant matters over which the Council has restricted its discretion in the PTRMP. This includes:

- Schedule 16.3A Assessment Criteria for Subdivision;
- Schedule 16.3B Transport Standards;
- Matters of discretion 17.5A.6;
- the Coastal Tasman Design Guide.

4.1 Rural Land Productivity

4.1.1 Objectives and Policies relating to Rural Land Productivity

Objective 7.1.0 *"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".*

"High Productive Value" is defined in Chapter 2 of the PTRMP as:

"in relation to land, means land which has the following features:

- (a) flat to gently rolling topography;*
- (b) free-draining, moderately deep to deep soils;*
- (c) moderate to good inherent soil fertility and structure;*
- (d) a climate with sufficient ground temperate, sunshine, available moisture, and calmness to make the land favourable for producing a wide range of types of plants."*

Policy 7.1.2 seeks 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 7.1.2A seeks to *"avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource"*

Policy 7.1.3 *"requires land parcels upon subdivision to be of a size and shape that retains the land's productive potential, having regard to the actual and potential productive values, the versatility of the land, ecosystem values, the management of cross-boundary effects, access, and the availability of servicing.*

Objective 7.2.0 *"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.”

Policy 7.2.1 “to enable activities which are not dependent on soil productivity to be located on land which is not of high productive value”

Policy 7.2.1A “to enable sites in specific locations to be used primarily for ...rural residential purposes with any farming or other rural activity being ancillary, having regard to (a) to (k)”.

Policy 7.2.4 “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”

Coastal Tasman Area Policy 7.2A.1 “to identify an area (Rural 3 zone) within the Coastal Tasman Area within which rural residential and residential development is enabled while avoiding, remedying or mitigating adverse effects on the environment.”

Coastal Tasman Area Policy 7.2A.2 “to identify areas (Rural 1 locations) within the Coastal Tasman Area where the potential adverse effects of further subdivision and development for residential or rural residential purposes are of such significance that further subdivision is discouraged.”

Coastal Tasman Area Policy 7.2A.5 “To protect land of higher productive values within the Coastal Tasman Area.”

4.1.2 Matters of Discretion relating to Rural Land Productivity

Rural 3 Subdivision Matter of discretion 16.3.9D(1)

The extent to which the proposed subdivision retains and protects land with actual and potential productive values.”

Rural 3 Subdivision Matter of discretion 16.3.9D(4)

“Consistency with the Design Guide for the Subdivision and Development in the Coastal Tasman Area, Tasman District; - Productive Land Objective Section 14:

- i) To identify and ensure the retention and protection of land with higher productive and/or versatile values through the subdivision and development process.*

Subdivision Schedule matter 16.3A

- (1) The productive value of the land inRural 3 zones and the extent to which the proposed subdivision will adversely affect it and its potential availability.*

4.1.3 Rural Land productivity and versatility Assessment

In the main the opportunities identified in the objectives are to be provided within a zone framework set out in the Plan as a way of managing effects of specific types of activities or building development in the rural area. The Coastal Tasman Area, including the Rural 3 Zone, has been identified as an area where rural residential and residential development opportunities within the rural environment could be enabled,

subject to protecting the productive values of the rural land resource, coastal and rural character, and amenity values, and avoiding, remedying and mitigating adverse effects on the environment, and encouraging low impact subdivision and development. To assist in this assessment a Design Guide covering the matters identified above and others has been developed; and a matter of discretion is the level of consistency with this Design Guide.

Where those living opportunities can be achieved without compromising productive values, natural character, rural character and amenity values, other significant values and avoid, remedy, or mitigate adverse effects on the environment it may be appropriate to grant consent.

The site's productive land values have been assessed by Mr John Bealing of AgFirst (included in the application) and Council's Resource Scientist (Land), Mr Andrew Burton (attached as **Attachment 5** of this report)

Classification System

The "Agriculture New Zealand Classification System for Productive Land in the Tasman District" is used to determine productivity potential of the land. The classification system ranges from "A" to "H", with "A" being land with the highest versatility being described as very flexible and "H" being land with the lowest versatility being described as inflexible for primary production activities.

Both Mr Bealing and Mr Burton have utilised this classification system and have identified the land as mostly Class E land with some Class B and class H land.

Class B Land Definition

Class B land, given the descriptor cited in the Classification system they could reasonably be described as flexible. Mr Burton identifies them as the second most versatile land group in the district, in the 8 class ranking system. This land can be used for a range of crop production.

Land Class Assessments

Mr Bealing's report estimates that up to 14.5 hectares of class B land exists in the application area. Mr Burton's assessment of the land class is shown on Map 1 in **Attachment 5** of this report. This varies from the map supplied in the Agfirst Consultants report both in amount and position of the class B land but generally the same pattern emerges. The key differences are that the narrow valley areas have been excluded from the class B area. The two valleys that are dominated by wetlands are classed as H (non productive – Recreation, Conservation). The third has been incorporated into the E classification of the adjacent hill country. Mr Burton considers that its size and shape, isolation and the presence of a stream limit its versatility.

The main areas of class B land exist at the northern end of the application area on gently sloping land that borders the main Stringer Valley. The dominant slope ranges from 5 to 7 degrees with some slopes up to 10 degrees on the western most area.

The class E land, which is the majority of the application area, is predominantly "rolling" hill country, (10 to 15 degrees), with some small areas of steeper slopes up to 20 degrees.

Assessment of Soils

Mr Burton states that Mapua sandy loams cover the class B area. On the class E area a mix of Mapua sandy loams and Mapua Hill soils exist. The difference between these two soils is based on soil depth and slope. The Mapua hill soils are found on the steeper slopes and are shallower than the Mapua sandy loam. Both these soils are naturally low in fertility. The topsoil is underlain by a clay based subsoil which has a very good water holding capacity, a feature that is a definite advantage for fruit trees and other deep rooting crops. Drainage can be a characteristic problem on these soils. Springs or seeps can exist in both gully bottoms and also on the side of hills. There were indications on some of the areas of Mapua sandy loam that some minor drainage problems exist in the application area.

Land Productivity and Versatility

Class B land (covering approximately 14.5 or 16 ha of the site)

Mr Burton goes on to explain that this area, as described above, occurs at the northern end of the application area adjacent to the main Stringer Valley. The aspect is favourably north to north west for much of this area. Mr Burton does not consider that the climate is not considered a limitation to production although Mr Stringer, in his submission suggests that climate is a factor on this site. Mr Burton advises that any drainage and fertility limitations that exist could be minimized by standard management practises. Soil erosion is known to be an issue on these soils under continuous cultivation regimes hence management practises to minimize this would have to be implemented if land use was to include cultivation. Taking into consideration all these aspects the class B land Mr Burton considers the site should be able to support the crop range suggested in the classification document, namely nursery, floriculture, orchards, market garden, cropping, pastoral and production forestry Land uses that require cultivation as an integral activity, for example market gardening, would have to ensure that management practises were implemented to minimize the erosion potential.

Council records show that much of this class B land has been used for orcharding in the early 1900's. This does highlight the potential of the land for intensive use. Mr Burton states that much of the pipfruit industry in the general coastal Moutere area is or was situated on this soil type. Increasingly, boutique vineyards and olive groves are being established on small pockets on the Mapua soils.

The class B land in the application area is fragmented with there being four distinct areas. The largest of these areas is 6 hectares in size and the smallest being 2.2 hectares. Mr Burton considers that although this fragmentation will not affect what could be grown successfully it will make the management of this area far more challenging than if it was in one unit.

Class E land (covering approximately 88 ha of the site)

The class E land, which comprises of the majority of the application area, is rolling hill country. Due to predominantly slope and contour limitations its potential crop range is generally limited to pastoral and production forestry. Both of these uses exist at present.

Class H land (covering approximately 4.5 ha of the site)

The wetland areas found within the application areas have been classified as class H. This is mainly non-productive.

The class B land within the application area is rated as the land with the highest productive value in the Rural 3 Zone. The subdivision layout in this application does cover some of the class B land. This is shown on the map overlaying the development area with the land class as defined by Mr Burton, attached to this report as **Attachment 6**.

This Map shows that the proposed area of the commercial area, tourist accommodation and dwellings within Stage 1 are to be situated on class B land. A significant portion of the other class B land along with some adjacent class E land on the site is to be retained as open space and held in common ownership by the Residents Association.

4.1.4 Loss of Land to Productive Use

R3 Zone

In a zone context, Mr Burton has identified that in the Rural 3 zone, there is no A class land. Class B land, the most versatile in the zone covers 1612 hectares, (44% of the zone). The next single largest is the E class land, comprising 2036 hectares (56% of the zone). The remainder of the land is predominantly Class D and H land.

Section 1.2 of the Design Guide identifies the Coastal Tasman Area as having the potential to accommodate more residential development than at present, while still retaining its particular rural character and landscape values, and with minimal loss of the productive and versatile qualities of the land resource.

The Coastal Tasman Area Policy 7.2A.1 relating to productive values enables rural residential and residential development which mitigates effects within the Rural 3 portion of land (in which this site is located) within the Coastal Tasman Area. This is in contrast to the following policy which discourages further subdivision and development in the Rural 1 zoned land in the Coastal Tasman Area.

The applicant volunteers a condition that no dwellings shall be constructed on the allotments held together in common ownership (Lots 200 – 212 inclusive). This is considered appropriate to be included as a consent notice on Lots 200 to 212 should consent be granted. It will ensure that the 44 hectares of common land in the development is not developed for residential/rural residential purposes and will remain potentially available for land based production in the future.

In my opinion the extent of the loss of the productive and versatile qualities of the land on the subject site will be minimal due to the reasons discussed.

4.2 Rural Character, Landscape, Rural Character and Amenity Values

4.2.1 Objectives and Policies - Landscape, Rural Character and Amenity Values

(The underlined terms are defined below).

Objective 5.3.2 *“Maintenance and enhancement of the special visual and aesthetic character of localities.”*

Policy 5.3.2 *“To maintain the open space value of rural areas”*

Objective 7.30 *“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.”*

Policy 7.3.1 *“To ensure that there is sufficient flexibility for a wide range of productive rural activities to take place, while avoiding, remedying or mitigating adverse effects”*

Policy 7.3.3 *“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”*

Objective 9.2.0 *“Retention of the contribution rural landscapes make to the amenity values and the environmental qualities of the District, and the protection of those values from inappropriate subdivision and development.”*

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

Policy 9.2.3 *“To retain the rural characteristics of the landscape within rural areas.”*

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

Coastal Tasman Area Policy 7.2A.3 *“To ensure that the valued qualities of the Coastal Tasman Area, in particular rural and coastal character, rural and coastal landscape, productive land values, and the coastal edge and margins of rivers, streams, and wetlands are identified and protected from inappropriate subdivision and development.”*

Coastal Tasman Area Policy 7.2A.7 *“To protect rural and coastal character, including landscape and natural character, and productive land and amenity values from development pressures in parts of the Coastal Tasman Area outside the areas where development is specifically provided for, including Kina Peninsula and the land to the west of the Moutere Inlet.”*

4.2.2 Matters of Discretion relating to Character and Amenity Values

Rural 3 Subdivision Matter of Discretion 16.3.9D(2)

The relationship between the subdivision proposed and the subsequent development, including effects of location and scale of buildings and other structures.

*Rural 3 Subdivision Matter of discretion 16.3.9D(3)
Effects on the rural landscape, on amenity values and on coastal character and values.*

*Rural 3 Subdivision Matter of discretion 16.3.9D(4)
Consistency with the Design Guide for the area.*

*Rural 3 Subdivision Matter of discretion 16.3.9D (5)
Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites.*

*Rural 3 Subdivision Matter of discretion 16.3.9D (7)
The ability of the wider landscape to absorb the extent of development proposed without significant loss of rural character.”*

4.2.3 Rural Character and Landscape Character Assessment

Many of the objectives and policies above specifically mention rural areas. “Rural areas” are defined in Chapter 2 of the PTRMP and include land in the rural zones of the Proposed Plan, such as the Rural 3 zone where this site is located.

“*Rural character*” is defined in the PTRMP (Chapter 2) as:

“the character of the land as shown by the predominance of rural productive activities and includes:

- (a) a high ratio of open space to built features;*
- (b) large areas of pasture, crops, forestry, and land used for productive end;*
- (c) built features associated with productive rural land uses;*
- (d) low population density;*
- (e) predominant form of residential activity directly associated with a productive land use;*
- (f) social and economic activity associated with productive land use;*
- (g) cultural values associated with farming and living on the land.”*

4.2.4 Landscape and Rural Character Assessment

Existing Character

The current landscape of the site comprises all the above aspects of “rural character”, with a lot of open space, some farming and forestry activities present, low population density, and an open landscape.

Assessment of the proposed character

A number of submissions note concerns about the proposed change in landscape:

- The loss of open land

- The effect on the rural Moutere landscape of conversion of an area of attractive farmland to rural-residential housing. In particular, concern about the rapid urbanism of the main travel and tourist corridor along State Highway 60.
- This subdivision with its small lot sizes will destroy the rural landscape. There will be a complete loss of rural character and open space. The area could no longer be considered "rural" but residential, and thus not comply with one of the major requirements of Zone 3.
- We realise that the developers have taken care in the design of the project, and that they are using sustainable design principles, but you have to look at the proposal not as an isolated project, but as part of the larger Rural 3 area. The rural character of the landscape could not possibly be retained if all these developments go ahead.
- In isolation this development looks an attractive proposition: yet checking against the topographical map of the area it appears that from the end of Appleby Straight through to the Moutere a cluster of developments in progress form a shaded area that shapes itself into a ribbon of growth capable of increasing and growing like a cancer to satisfy the Real Estate appetite.

The Department of Conservation support the landscape controls and enhancement planting as described in the application and the preparation (and subsequent implementation) of a detailed landscape planting plan.

There is no doubt that the landscape will change to a degree as a result of a development such as this. Council needs to determine whether the changes proposed are consistent with the Proposed Plan, and the Coastal Tasman Design Guide.

The objectives and policies relating to landscape and rural character are general in nature and for the Rural 3 zone they are further developed in the intent and provisions of the Coastal Tasman Design Guide. The application included a detailed landscape assessment prepared by Peter Rough Landscape Architects Limited assessing the design against these provisions. This proposal is considered to be generally consistent with the Design Guide.

Under the Tasman District Coast Landscape Character Assessment, (2005, Boffa Miskall Ltd), the subject site falls within Landscape Unit Three, Sub Unit Three A. Sub unit 3 A is 720 hectares in size. This document does not form part of the Design Guide but is considered to be a useful landscape assessment of the area as it was a key document informing the development of the Rural 3 zone.

The Boffa Miskell report identified the key landscape characteristics of the Unit Three area in relation to the location of the application site as:

- The overall pattern is rural.
- "Subunits A, B, and C have considerable potential for cluster like development particularly if it is carried out on an individual catchment or subunit basis. Subunit A and to a lesser extent subunit B also have potential for the

development of rural village concepts either as stand alone developments or integrated with cluster or similar development concepts. “

- “The outlooks and aspect from and within each sub unit is attractive and in most instances the effects of development, as envisioned under the draft Rural 3 zone, can be accommodated and generally contained within each sub unit.”

In order to facilitate the maintenance of the landscape qualities and characteristics of the area the Boffa Miskell report identified a number of matters as important to Unit 3 and Sub Unit Three A within which the application site lies. In the following table, the application is assessed against these important matters.

The Boffa Miskell report states that “Maintaining the landscape qualities within <u>Landscape Unit 3</u> will involve:”	What is proposed by this development.
“Comprehensively planned proposals as a means of optimising development opportunities.”	This development has been comprehensively planned by following the intent and principles contained in the Design Guide.
“Maintaining a single and central access to the Coastal Highway from each subunit.”	Stringer Road is to be utilised for access onto the Coastal Highway.
“Utilising the existing stream and wetland areas as landscape features.”	The existing stream and wetlands will be protected and enhanced.
“Ensuring that a substantial backdrop of trees are retained and/or replanted in order to provide a distinctive landscape setting for development.”	The proposed Landscape Planting Plan includes substantial screening and planting which will result in a mosaic effect which will create a suitable backdrop for development.
“Maintaining an extensive background of trees, particularly on the main defining ridges and steeper hill country, in order to achieve a strong visual backdrop to the coastal environment when viewed from the Coastal Highway, the Waimea Inlet, Mapua, Rabbit Island, and more distant locations.”	The Farm Park concept will result in a large number of trees being retained and others planted to screen and complement the development.
“Utilising the varied landforms for development particularly those on the north facing slopes.”	The main development areas are located on north facing slopes.
“Minimising development on the south facing sub unit faces.”	See previous point.
“Keeping all development off significant landforms and ridges that are characteristic and/or define the landscape sub units.”	Ridges and wetlands are free of development sites.
“Avoiding development that is visually prominent on internal ridges and landforms.”	See previous point.

“Avoiding development on steep slopes where extensive earthworks are required.”	This matter is addressed in the associated Land Disturbance application assessment by Mr Jeremy Butler.
“Ensuring distant views from the Mapua/Rabbit Island area are not compromised by development, particularly with regard to the landscape setting and treed backdrop the higher slopes of the area provide.”	The view shed analysis in the application undertaken by Peter Rough Landscape Architects Ltd show that views from these areas will not be compromised due to the location of building platforms, screen planting proposed, the low profile of the majority of buildings proposed (one building at 8.0 m max. height, the majority of buildings at 6.5m max. height, and some buildings at 4.5m max. height (where 7.5m is the permitted height criteria in the PTRMP).
“Setting development back several hundred metres from the Coastal Highway.”	The most easterly dwellings are several hundred metres from the Coastal Highway.
“Consideration of farm park concepts as an alternative to cluster developments.”	This proposal can best be described as a “Farm Park”. It contains the elements of a farm park development.
“Consideration of rural village concepts as a feature and focus for an integrated development scenario.”	The presence of a central commercial and community centre, the common recreation and open space areas proposed, the proposed Residents’ Association to manage the communal aspects of the development, and the community living philosophy sought by the applicant demonstrate rural village concepts.
The Boffa Miskell report states that “Maintaining the landscape qualities within Landscape Unit 3 Subunit 3A (i.e. Stringer Valley) will involve:”	What is proposed by this development (located within Subunit 3A).
“Focusing development on the north facing slopes south of Stringer Creek.”	The proposal contains the majority of development on the north facing slopes.
“Utilising Stringer Creek as a major open space feature.”	Stringer Creek runs predominantly on the opposite side of Stringer Road to this development. However this development utilises much of the Stringer Valley floor within its boundary as open space conservation and recreation areas.
“Generally confining building development to areas below the 100 m contour.”	This has been achieved. The approximate maximum heights above mean sea level at the highest allotment within each stage is: <ul style="list-style-type: none"> • Stage 1 Lot 10 80m

	<ul style="list-style-type: none"> • Stage 2 Lot 23 90 m • Stage 3 Lot 37 90 m • Stage 4 Lot 48 90 m • Stage 5 Lot 54 75 m • Stage 6 Lot 79 65 m
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As shown within the table, this development is consistent with the outcomes envisioned for this landscape unit and subunit of the Rural 3 zone within the Boffa Miskell report.

A number of conditions relating to landscape and rural character were volunteered by the applicant and are recommended to be imposed on any consent granted:

- Provision of a detailed landscape planting plan
- Preparation of a management plan shall be prepared for the areas of wetland
- Each residential lot shall be serviced with underground power and telephone connections to the boundary of the lots.
- Earthworks shall be kept to a minimum to ensure the least disturbance to the existing landform.
- The maximum height of villas, dwellings and the café shall be limited
- The exterior of all buildings shall be finished in colours that are recessive and which blend in with the immediate environment.

4.2.5 Amenity Values Assessment

Amenity values, as defined in Section 2 of the Resource Management Act 1991, is set out below:

"Amenity values" means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

Amenity values arise from a number of qualities or elements that people value and are based on the natural and physical qualities and characteristics of an area. In relation to the rural locality they are most likely to include qualities such as:

- a sense of spaciousness (wide open spaces)
- expansive views of natural features such as hills, water, plains
- pleasant environment
- the presence of significant areas such as natural habitats.
- an environment with rural productive activities such as farming, orcharding
- privacy, peace and quietness, and absence of traffic and bustle
- an environment relatively uncluttered by structures and artificial features
- the absence of urban features such as lighting, kerb and channel
- elements such as planting, topography, land use activities, waterways,
- presence of significant areas such as natural habitats.

Most of the matters above have been addressed under the topics in this section (e.g. rural character, landscape character, natural character,) which also form a significant part of the collective amenity values of the area. Other amenity values can be more specific to individual perception or concerns.

Amenity values comprise not only tangible attributes, such as noise, density of development, odour but also perceptions and expectations of people about those rural amenity attributes. It is often these that give rise to the issues within the rural environment.

A local submitter is concerned about the inclusion of commercial activities in a rural/residential zone without zoning rules for those activities. It should be noted that commercial activities are classed as discretionary activities within the Rural 3 zone, and may be approved or declined depending on the outcome of their section 104 RMA assessment. As they are open discretionary activities there are no specific matters of discretion listed in the Proposed Plan, all relevant resource co-management matters may be taken into account in the assessment.

The Mapua and Districts Business Association made a submission expressing concern about the scale of the development and the provision of commercial activities. The Association raises a number of questions, some of which fall within the scope of this resource management assessment:

“What does the future development plans and/or vision for future stages include, with regard to commercial development?”

In terms of what the applicant is applying for, if consent is granted commercial activities would be limited to Lot 121. Lot 122 is earmarked for “future development” but as the applicant has not revealed a proposed activity on this site any future land use there will either need to comply as a permitted activity in the Rural 3 zone or a separate resource consent will need to be sought.

“Once Tasman Ltd has developed the Forest Park community and left, who becomes responsible for future maintenance and development?”

A Residents’ Association is proposed to be established and if consent is approved a condition is recommended requiring all landowners to be members and to comply with the Management Plan administered by the Residents’ Association.

One submission notes general amenity matters as a concern. Mitigation measures relating to hours of operation for the commercial and community activities on Lot 121 and hours for earthworks are proposed as a part of this application to prevent or reduce the actual or potential noise effects from the operation of the bar/café and construction of the subdivision.

4.3 Cross Boundary and Reverse Sensitivity Effects

4.3.1 Matters of Discretion relating to Cross Boundary and reverse sensitivity

*Rural 3 Subdivision Matter of discretion 16.3.9D (12)
Actual and potential cross-boundary effects, including reverse sensitivity of existing rural land use activities.*

4.3.2 Assessment of Cross boundary and reverse sensitivity effects

Chapter 7 of the TRMP (introduction) identifies that the occurrence of residential activities in rural locations may create pressure to limit effects of rural activities.

R Deck, the landowner adjoining the site to the east is concerned that the proposed Building Location Area on Lot 67 is too close to their boundary. The controlled activity criteria for the construction of a dwelling in the Rural 3 zone allows a dwelling to be 5.0 metres from an internal boundary. There may be some scope for the applicant and submitter to agree on a larger setback for Lot 67 from their common boundary.

Other adjoining landowners, Mr and Mrs B Deck and the King Family Trust also oppose the development due to reverse sensitivity concerns. A rural emanations easement is recommended to address this matter.

A condition of consent requiring that no building shall be located within 30m of plantation forestry will set an appropriate buffer to avoid reverse sensitivity effects with forestry.

4.4 Transport Effects

4.4.1 Objectives and Policies relating to transport

Objective 11.1.0 *“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.”*

4.4.2 Matters of Discretion relating to transport

*Rural 3 Subdivision Matter of discretion 16.3.9D (9A)
The degree of compliance with Chapter 16.2 Transport rules, Chapter 18.10 Road Area rules, and any current Tasman District Council Engineering Standards.*

*Rural 3 Subdivision Matter of discretion 16.3.9D (9B)
The relationship of any new road with existing roads, adjoining land, and any future roading requirements.”*

4.4.3 Road and Right-Of-Way Formation Standards and Lighting

There are a number of new public roads to be constructed to service this subdivision. In the subdivision recommendation of this report (section 5.1) conditions of consent are suggested regarding new roads and right of ways.

The Council's Development Engineer, Mr Dugald Ley, has provided a report on traffic, roading, and access matters relating to the application site (included as **Attachment 7**).

Access to the proposed Forest Park is to be via Stringer Road. The application seeks to realign a more practical route for the upgraded Stringer Road and identified the required road to be closed and road to vest on the subdivision application plans.

The *Road Classification Table* in the application sets out the two standards of roads and three standards of right of ways proposed. The extent to which the each of the proposed roading and right of way standards vary from the PTRMP permitted activity criteria is shown in the tables below.

Road Name	Properties with direct access	Class of Road	Permitted Road Reserve width (m)	Road Reserve width (m) proposed	Permitted Footpath (m)	Footpath (m) proposed
Stringer Road (East)	0	Collector	20	20	1 x 1.4	1 x 1.4
Stringer Road (West)	Commercial	Access Road	20	20	1 x 1.4	1 x 1.4
Road 1 (up to intersection with Road 2)	Commercial	Collector	20	20	1 x 1.4	1 x 1.4
Road 1 (beyond intersection with Road 2)	-	Access Road	20	20	1 x 1.4	1 x 1.4
Road 2	5	Access Road	20	20	1 x 1.4	1 x 1.4
Road 3	9	Access Road	20	20	1 x 1.4	1 x 1.4
Road 4	1	Access Road	20	20	1 x 1.4	1 x 1.4
Road 5	0	Access Road	20	20	1 x 1.4	1 x 1.4
ROW Type 1	1	Right of Way	6.5 where max. 6 users	18	N/A	N/A
ROW Type 2	N/A	Right of way	6.5 where max. 6 users	10	N/A	N/A
ROW Type 3	N/A	Right of way	6.5 where max. 6 users	10	N/A	N/A

Road Name	Class of Road	Permitted Seal width (m)	Seal Width proposed (m)	Permitted Shoulder width (m)	Proposed Shoulder width (m)	Permitted Maximum Gradient	Maximum Gradient Proposed
Stringer Road (East)	Collector	7.2	6.0	2 x 0.6	2 x 0.6	1 in 8	1 in 10
Stringer Road (West)	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
Road 1 (up to intersection with Road 2)	Collector	7.2	6.0	2 x 0.6	2 x 0.6	1 in 8	1 in 10
Road 1 (beyond intersection with Road 2)	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
Road 2	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
Road 3	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
Road 4	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
Road 5	Access Road	6.0	6.0	2 x 0.6	2 x 0.6	1 in 7	1 in 10
ROW Type 1	Right of Way	5.5 if max. 6 users	5.0	2 x 0.5	2 x 0.5	1 in 5 (sealed)	1 in 10
ROW Type 2	Right of way	5.5 if max. 6 users	4.5	2 x 0.5	2 x 0.5	1 in 5 (sealed)	1 in 10
ROW Type 3	Right of way	5.5 if max. 6 users	3.0	2 x 0.5	2 x 0.5	1 in 5 (sealed)	1 in 10

Road Name	Properties with direct access	Class of	Street lights required as permitted activity	Street lights proposed
Stringer Road	Commercial	Access Road	Intersection flag light	Intersection flag light
Road 1 (up to intersection with Road 2)	Commercial	Collector	PTRMP does not specify	Intersection flag light
Road 1 (beyond intersection with Road 2)	-	Access Road	Intersection flag light	Intersection flag light
Road 2	5	Access Road	Intersection flag light	Intersection flag light
Road 3	9	Access Road	Intersection flag light	Intersection flag light
Road 4	1	Access Road	Intersection flag light	Intersection flag light
Road 5	0	Access Road	Intersection flag light	Intersection flag light

ROW Type 1	1	Right of Way	none	none
ROW Type 2	N/A	Right of way	none	none
ROW Type 3	N/A	Right of way	none	none

The proposal displays consistency with the majority of permitted activity criteria. It does not meet:

- Permitted criteria 16.2.2(f) compliance with Figure 16.2A – maximum of six users on a Rural 3 zone right-of-way.
- Permitted criteria 18.10.3(b) All roads constructed and vested in Council in accordance with Figure 18.10A and 18.10AA. Collector roads are proposed at 6.0 m seal width (permitted criteria is 7.2 m minimum seal width)

Stringer Road Upgrade

Stringer Road will need to be upgraded to meet the traffic generation from the development. LTCCP Development Contribution funds to upgrade Stringer Road will not become available until 2012 - 2015 as part of the Development Contributions Policy of the LTCCP. That LTCCP DC Policy requires a payment of \$6888 per lot as a roading contribution to projects around the region. The Stringer Road upgrade is one of those projects.

Council officers have no mandate to accept an agreement with the applicant regarding payment and timing of the required roading works for Council. I understand that a report will be tabled to the full Council on 3 May 2007 by Council's Financial Accountant, Mr Murray Staite. Consequently a condition is recommended that Stringer Road be formed up to Council's roading design standards and the intersection be constructed to the requirements of Transit New Zealand, being the State Highway controlling authority with the decision of who shall actually fund and construct the works to be decided by the full Council. Regardless of how the upgrade is funded, section 224(c) certificates will not be able to be issued until the required works are completed.

Roads and Right-Of-ways

The development proposes to utilise rights-of-way rather than roads for some accesses servicing more than six dwellings. The PTRMP anticipates public roads (access roads) are used in these instances.

Council's Development Engineer advises that once the numbers of users exceed 6 on a right of way, the future maintenance of the access when deterioration of the surface or potholes appear can be an issue. It is therefore recommended that Type 1 right-of-ways proposed right-of-ways O, N, and AD should become legal roads to vest with Council and therefore meet the Access Place standard as above and a dispensation be granted to allow up to 10 users on the Type 2 and 3 right-of-way, subject to the sealed lane width being at least 4.5m. A condition to this effect is included in the recommendation section of this report.

4.4.4 Assessment of Vehicle Access Crossings and On-Site Access

The level of information provided in the application relating to on site accesses and individual vehicle crossings indicate that all relevant PTRMP permitted activity criteria can be complied with. If the proposal is approved and vehicle crossings are sought that do not meet the specified widths, design, or in locations that do not meet the permitted criteria, a separate resource consent would be required.

The applicant volunteers that where a site has a frontage to both an access road and a right-of-way (that it has access rights to), the vehicle crossing shall be located on to the right-of-way, ensuring that the crossing is in a safe position. This would be an appropriate condition of consent to control the location of crossings.

4.4.5 Assessment of State Highway Intersection Design

Two submissions from nearby landowners cite concerns over the increase in the volume of traffic on SH60 being unsustainable and leading to unacceptable congestion on the Coastal Highway.

If the proposal is granted an upgraded intersection between Stringer Road and State Highway 60 will be required to cater for the increased traffic. The applicant has begun consultation with Transit New Zealand and has developed a plan provided within Annexure 9 of the resource consent application.

Transit NZ has made a submission and due to the large scale of the development considers, if the development is to proceed, that the intersection of Stringer Road with State Highway 60 will need to be upgraded to a standard approved by Transit New Zealand, with the costs thereof attributable to the development being met by the applicant.

Transit New Zealand asks that if approval is given, the decision takes into account that their approval as the state highway controlling authority will be necessary to the upgrade of the intersection of Stringer Road with State Highway 60 in order to avoid, remedy or mitigate adverse effects associated with the development. Also that if Transit approval is forthcoming the costs of the upgrade, attributable to the development, will need to be met by the consent holder. If the development proceeds a condition of this nature is considered to be necessary and is included in the recommendation contained in section 5.1 of this report.

4.4.6 Future Access to adjoining sites

As a part of Stage 4 of this subdivision, Stringer Road is proposed to be formed far enough to provide access to proposed Lots 48 and 49. Given the legal road available beyond this point, the road may be extended in future to service the adjoining Rural 3 property. Legal linkages are also maintained to the adjoining land to the south via proposed Roads 1 and 2.

4.4.7 Assessment of Parking and Loading

The parking proposed by this development is assessed against the parking rule in the PTRMP as follows:

Parking required on Lot 121:

Activity	Area (m ²) and Carparks
Café / Restaurant + Café/Restaurant Kitchen @ one space per 30m ² GFA (restaurant/café rate)	68.5 + 40.7 = 109.2 = four parks
Outdoor decking and paving @ one space per four persons' design capacity for outdoor eating areas (restaurant/café rate)	177.0 = nine parks
Shop and other space @ one space per 35m ² GFA (retail rate)	12.6 + 50.4 = 63.0 = two parks
Meeting Room and Atrium @ one space per four persons design capacity (place of assembly rate)	22.3 + 54.1 = 76.4 = nine parks
Mail area and Forest Park Administration and Reception @ one space per 35m ² GFA (office rate)	3.4 + 14.3 = 17.7 = one park
Bar @ one space per three persons design capacity (tavern rate)	14.3 = three parks
Total commercial/community activity car parks required on Lot 121	28 parking spaces

Parking required for the manager's dwelling on Lot 121: 2 spaces.

A total of 30 parking spaces are proposed adjacent to the main entrance of the commercial building on Lot 121. Assuming 2 spaces could be for the use of the manager's dwelling on this allotment, 28 spaces is the total number required to meet the PTRMP permitted activity parking quantum for the commercial and community activities.

One loading space on Lot 121 is required for the commercial and community activities. Although no loading space is delineated on the application plans, there is sufficient space to cater for this requirement.

The PTRMP specifies that tourist accommodation units require one space per unit. The proposal is in compliance with this, showing 15 spaces, one for each of the tourist units.

If consent is granted, each dwelling will require a minimum of two parking spaces. This would be addressed at building consent stage for respective dwellings.

As the proposal demonstrates compliance with parking it is considered that the traffic demand will be adequately catered for. Conditions of consent are recommended specifying the above parking provision if consent is granted.

4.5 Public Access and Links

4.5.1 Objectives and Policies relating to public access and links

Chapter 14 outlines Councils objectives and policies for the provision of reserves and open spaces.

Objective 14.1.0 aims to ensure that there is an adequate area and distribution of a wide range of reserves and open spaces to maintain and enhance recreation, conservation, access and amenity values.

Policy 14.1.1 aims to provide at least four hectares of Council land per 1,000 residents for recreation and amenity space which is in addition to Crown and private land.

Policy 14.1.4 aims to provide for new open space areas that are convenient and accessible for users, including the provision of walking and cycling linkages in and around townships, between townships and between reserves.

Coastal Tasman Area Policy 7.2A.14 "To progressively develop a network of interconnected pedestrian, cycle, and equestrian routes, and reserves within the Coastal Tasman Area, including to and along the coast."

4.5.2 Matters of Discretion relating to public access and links

*Rural 3 Subdivision Matter of discretion 16.3.9D Matter of discretion 16.3.9D (4)
Consistency with the Design Guide for the area.*

*Rural 3 Subdivision Matter of discretion 16.3.9D Matter of discretion 16.3.9D (5)
Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites.*

*Subdivision Schedule matter 16.3A(5)
Adequacy of provision for public open space, esplanade reserves and esplanade strips*

4.5.3 Public open space Assessment

Positive aspects of the proposal relating to public open space:

- Provision of a formal recreation reserve to vest in Council (proposed Lot 126). This reserve area will be 2200m² in area and serve as an area for visitors to enjoy the panoramic views of the area.
- Strong linkages have been intentionally provided to the Village Centre, but also between the different residential clusters to encourage interaction.
- Public walkway easements will be formed over key linkages
- Strategic linkages will also be formed to and between the various conservation areas.

- The provision of many different recreational amenities including small-scale golf holes, tennis court, swimming pool / barbeque facility, and a vast area of open space with formed walkway / cycleways.
- In total, approximately 44ha of land is proposed to be held in common ownership.

The Department of Conservation supports the provision of a recreation reserve and public walkways as described in the application. A local submitter is concerned about the lack of clarity in the proposal about public access to proposed walkways and cycleways in the development. The Mapua & Districts Cycle and Walkways Group also lodged a submission seeking clarification on a number of matters relating to the linkages, public access, and location of proposed walkway/cycleways in the development. They wish to work towards achieving public access to a district wide network of walkways/cycleways. The Cycle and Walkways Group say they are encouraged to see that in this proposal, walkways have been considered and specifically included in subdivision development plans. It is considered that the Walkways/Cycleways Plan now proposed by the applicant and included as **Plan I RM060737** at the end of section 5.1 of this report clarifies the location and linkages proposed.

Rosalind Squire, Council's Reserves Planner has assessed the application in regards to public open space and links and concludes that it is consistent with Council's objectives and policies for reserves and open spaces. Her report is attached as **Attachment 8** to this report. She recommends a number of conditions relating to the provision of walkway/cycleways and the vesting of a local purpose reserve. Should consent be granted these conditions are considered appropriate. They will ensure that the walkways enhance public access within an area that does not have an established public walkway system and will provide future links with adjoining properties as they are developed. The proposed local purpose reserve will be located adjoining one of the principle linking roads and will provide extensive rural views across the Stringer Valley and out over the Waimea Estuary. The walkways/cycleways and reserve will be accessible to both residents living in close proximity to the site and those in the wider community who can park here and cycle or walk in or through the area.

4.6 Ecological Values and Archaeological Sites

4.6.1 Objectives and Policies on ecological values and archaeological sites

Objective 8.2.0

"Maintenance and enhancement of the natural character of the margins of lakes, rivers, wetland and the coast, and the protection of that character from adverse effects of subdivision and development or maintenance of land or other resources, including effects on landform, vegetation, habitats, ecosystems and natural processes."

The relevant policies 8.2.3, 8.2.4 and 8.2.5 aim to avoid, remedy or mitigate adverse effects of building or land disturbance on the natural character, landscape character and amenity values of the coast, to obtain esplanade reserves, and to adopt a cautious approach when there is uncertainty about likely effects of an activity.

Policy 8.2.7 seeks to preserve natural character by avoiding sprawling or sporadic subdivision, use and development.

Chapter 10 Significant Natural values and Cultural Heritage

Chapter 10 is relevant as the Council has to:

“have regard to the intrinsic value of ecosystems, the recognition and protection of heritage values of sites, buildings, places or areas, and the maintenance and enhancement of amenity values. There is a duty to provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna and outstanding natural features.”

Issue (d) indicates that significant natural areas can be adversely affected by activities on adjoining areas.

Objective 10.1A.2 requires safe-guarding significant natural areas from the adverse effects of subdivision, use and development of land.

4.6.2 Matters of Discretion on ecological values and archaeological sites

Rural 3 Subdivision Matter of discretion 16.3.9D (5)

Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites.

4.6.3 Ecological Values Assessment

The objectives and policies relating to ecological value and indigenous vegetation stress the importance of protecting and where possible enhancing significant natural areas. Tasman Ltd has engaged Michael North and Tom Kroos to assess the ecological values on the site and provide recommendations.

The applicant explains that these two Ecological Reports provided within Annexure 4 of the application have guided the design of the proposed subdivision and development and inputted into the stormwater management proposal.

The development site contains some significant natural features (wetlands) that the applicant proposes to be protected within the subdivision design. The Remnant Wetland (swamp forest) and the flax wetland located in the upper part of Stringer Creek are identified as being significant.

Tom Kroos and Michael North include in their reports both “*key issues*” recommendations such as removal of old man’s beard, and also ‘*possible*’ longer term enhancement and management.

The applicant proposes that the existing wetland areas shown on the Landscape Delivery Plan (Sheet 6b, Annexure 5 of the application) be protected and managed in accordance with the “*key issues*” recommendations of the Ecological Reports prepared by Tom Kroos and Michael North contained within Annexure 4 of the application.

It is recommended that a Wetland Management Plan be required to be submitted by the consent holder to be required at the time of s224 for Stage 1 of the subdivision as a condition of consent if the development is allowed to proceed. The Wetland Management Plan should detail how and when all the “key issues” recommendations in the Kroos and North reports will be completed. The Wetland Management Plan should also detail the “future possibilities” long term wetland enhancement works identified by Michael North. These “future possibilities” works could then be implemented by the Residents Association at their discretion and timing.

Mr Trevor James, Council’s Resource Scientist, Environmental Quality, has reviewed the Ecological Reports provided by the applicant and concurs with the recommendations provided by the Ecological Reports (Mr James report is contained within **Attachment 9** of this report.

The application volunteers that cats and dogs will be banned from the development. Mr James supports this stance. He considers that this is one of the most effective ways to protect wildlife, particularly in the high value wetland areas. This is recommended as a condition of consent if granted.

The submissions from the Department of Conservation and the Forest and Bird Association, while neutral overall, support the ecological enhancement proposed in the applications.

Overall, this proposal will have significant positive ecological effects for the wetland areas predominantly through the removal of pest and weeds, grazing up to the wetland ceasing, and enhancement of these areas with plantings, and provision for fish passage.

4.6.4 Cultural Heritage Assessment

The application states that during the early planning phase of this project contact was made with the New Zealand Archaeological Association file keeper in Nelson (Mr Bagley, Department of Conservation) for the purpose of considering the potential risks of this proposal on recorded archaeological sites.

The feedback received was that there are no recorded sites within close proximity to the subject land. Notwithstanding this, the Applicant has accepted that earthworks have the potential to uncover unrecorded sites.

The applicant has volunteered a condition of consent in respect of accidental discovery. I have included this as a recommended advice note because this is subject to other Legislation; the Historic Places Act, which the applicant is bound by in the event of accidental discovery.

4.7 Servicing Effects

4.7.1 Objectives and Policies relating to servicing

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

Coastal Tasman Area Policy 7.2A.11 "To ensure that adverse effects arising from servicing of subdivision and residential development are avoided, whether by way of on-site management or by off-site reticulation."

4.7.2 Matters of Discretion relating to servicing

Rural 3 Subdivision Matter of discretion 16.3.9D (4A)

The interim provision of water supply and wastewater services for the land to be subdivided pending the availability of Council-provided reticulated services."

(Note that Council has determined not to supply sewer reticulation to this area.)

Subdivision Schedule matter 16.3A(8A)

For water supply, the extent of compliance with the "Drinking Water Standards for New Zealand 1995" or any subsequent replacement of this standard.

Subdivision Schedule matter 16.3A (10)

The adequate provision of potable water and water for fire fighting.

Design Guide for Coastal Tasman Area (10.13)

All power, telecommunication and other reticulated services be underground.

4.7.3 Assessment of Water Supply

In May 2005 the applicant lodged applications RM050356 and RM050357 to construct nine bores on the subject site and for a water permit to take 350m² of water from the Moutere Gravels Aquifer (Moutere Eastern Groundwater Zone) for irrigation. As the Council is not at present allocating any water from this Aquifer these applications were placed on hold and are currently on the relevant waiting list.

The applicant intends that water would be taken from this Aquifer and reticulated as a part of a private water supply scheme for the development. Water would be pumped from the bore(s) to a treatment plant. The treated water would then be stored in a large tank to balance the water demand over the day. A decision on the method of treatment will be defined during the detailed design. The private water supply would then be pumped through a reticulated system, supplying 1m³ per day to each dwelling. Fire fighting tanks of 45m³ capacity would also be provided.

The applicant is aware that the proposed water take for irrigation would need to be changed to become an application to take water for domestic and commercial purposes. As it currently stands, until such time as a water permit is able to be granted for a groundwater take or until a Council-provided scheme becomes available, a temporary rainwater supply is proposed.

Groundwater Supply

Three submissions state concerns regarding the effect on groundwater if a groundwater take permit is granted:

- "Should a water permit be granted it will result in a heavy demand on an already stretched resource."

- *“The aquifers of the Moutere Hills are an already stretched resource.”*
- *“Two hundred homes with spa pools, dishwashers, washing machines and gardens that need water in our drought oriented summers will not be able to satisfy this demand on rain water alone, and should the proposed bores (down to the wonderful virgin waters from the ice age) be driven through or geology I wonder if we have the right to this rape of resources in order to supply a standard of living we already know is not sustainable?”*

These matters will be carefully addressed as part of the water permit assessment if the applicant changes their groundwater take applications to domestic supply. It this stage the subdivision application before us is for rainwater supply.

Reliability of rainwater supply

Two local submitters suggest that the rainwater scheme would be threatened during long periods of drought, and have concerns about the long-term viability of such a supply. Permitted activity criteria 17.5A.5(b) requires that all dwellings have a water supply that is reliable. The applicant considers that rainwater supply in this area is sufficiently reliable to meet the needs of domestic supply. A condition of consent is recommended that prior to section 224(c) of each stage of the subdivision, the consent holder provides a Water Supply Producer Statement from a Chartered Professional Engineer identifying the location of the reticulated network and certifying the reliability and potability of the supply.

Quality of rainwater supply

A local submitter is concerned with the proposed reliance on roof rainwater for the dwellings. They consider there are health issues for families using roof water. The Nelson Marlborough District Health Board has also lodged a submission. They support groundwater supply, and oppose the individual use of rainwater tanks as a temporary water supply. The Public Health Board opposes the individual use of rainwater for this subdivision and believes that the developer should provide a potable reticulated water supply. This could be achieved by individually collecting rainwater but centrally treating and distributing it. This would put in place the distribution network for the water supply which can be used if the groundwater use proposal goes ahead or a council operated water supply becomes available to this location.

The reason that the Public Health Service opposes the individual use of rainwater is that they consider that it cannot be guaranteed to be safe unless it is adequately treated. The Health Board supports the proposal to create a community water supply from groundwater. They state that this supply should be registered in the Registry of Community Water Supplies in New Zealand and also should comply with the Drinking Water Standards for New Zealand 2005.

Permitted activity criteria 17.5A.5(b) requires that all dwellings have a water supply that is potable as well as reliable. The Health Board recommends the provision of groundwater supply rather than rainwater supply to achieve this standard. However the Proposed Plan does allow for a number of domestic supply options including rainwater, surface water, and groundwater providing potability is achieved (rule 17.5A.5(b)(ii)). It is important that the development does provide potable water. The

recommended condition of the land consent that the prior to the issue of a building consent for any dwelling, the consent holder provides a Water Supply Producer Statement from a Chartered Professional Engineer identifying the location of the water supply and certifying the reliability and potability of the supply will ensure that the method of supply is potable.

Provision for Fire Fighting

A minimum of 23,000 litre capacity storage tank is to be provided at each dwelling, with a connection suitable for fire fighting purposes. This satisfies the Proposed Plan permitted activity criteria for the volume of water stored on the site. Larger 45,000 litre tanks specifically for firefighting are also proposed in strategic locations.

The Fire Service requested in its submission that the applicant achieve compliance with the NZ Fire Service Code of Practice. Subsequently Tasman Ltd has confirmed that they will comply with the Code of Practice and volunteer this as a condition if consent is granted. In response to this, the Fire Service withdrew their submission on the basis that the following condition is imposed if consent is granted:

“That the water supply system complies with SNZ PAS 4509:2003 - The NZFS Fire Fighting Water Supplies Code of Practice.”

If the Committee decides to approve the applications I would recommend that this condition be imposed.

4.7.4 Wastewater

This matter is assessed in regional resource consent application and is not duplicated here.

4.7.5 Stormwater

This matter is assessed in regional resource consent application and is not duplicated here.

4.7.6 Power and Telephone

Electricity and telephone is proposed to be fully reticulated underground within the development.

Provided there are adequate legal instruments, such as Easements, which are recommended as conditions of consent if granted, the adverse effects of water supply and power and telephone servicing are considered to be minor.

4.8 Site Contamination

4.8.1 Matters of Discretion relating to site contamination

Coastal Tasman Area Policy 7.2A.19 “To avoid potential effects of past land contamination on future residential and rural residential activities.”

4.8.2 Matters of Discretion relating to site contamination

Rural 3 Subdivision Matter of discretion 16.3.9D(8)

Effects of likely land contamination by pesticide residues on future activities on the land.”

4.8.3 Assessment of potential for site contamination

The sites are not identified as being in the Council's mapped area of pre 1970's orchard, and therefore not assessed as at risk from historic pesticide residue. The subject site is also not listed on the Contaminated Sites Register. Jenny Easton, the Council's Resource Scientist (Hazards), has confirmed this. Her comments are attached as **Attachment 10** of this report.

4.9 Natural Hazards

4.9.1 Matters of Discretion relating to natural hazards

Rural 3 Subdivision Matter of discretion 16.3.9D(6)

Management of natural hazards within and beyond the boundaries of the area.

4.9.2 Assessment of potential for natural hazards

The building sites are not proposed in low lying areas. The Council's Resource Scientist (Rivers and Coast), Eric Verstappen has considered the development in terms of natural hazards. Mr Verstappen advises that *“Council has no records of the above identified properties being subject to flooding, land contamination, land instability or specific earthquake hazards. However, several of these titles have watercourses traversing them and land adjacent to these watercourses, and in particular, low lying land adjacent to Stringer Creek, may be subject to flooding during periods of intense or prolonged rainfall. Potential flooding hazard on these titles is unlikely to affect any building sites, as I understand these sites are not proposed to be located in low lying areas or on land immediately adjacent to watercourses.”*

Mr Verstappen's comments are attached as **Attachment 11** of this report.

If the subdivision is granted I recommend that a condition is imposed that prior to section 224 approval for each allotment Council will require evidence from an appropriately qualified and experienced engineer that the proposed building sites are not at risk from natural hazards. If the engineer identifies any need for special design (especially foundation design) then that shall be recorded on the relevant title by way of consent notice.

Stability matters relating to the earthworks proposed for roading are addressed in the associated land disturbance staff report authored by Mr Jeremy Butler.

4.10 Consistency with the Design Guide

4.10.1 Plan provisions relating to the Design Guide

Rural 3 Subdivision Matter of discretion 16.3.9D (4)
Consistency with the Design Guide for the area.

The Design Guide covers a range of matters already traversed within the Section 104 assessment. Bringing together all of these matters the following section provides a brief overview against the process

4.10.2 Assessment of the Design Process

The application has been prepared with use of the Design Guide. It is clear from studying the application that this has formed an integral part of the assessment and design for the site. Section 4.0 of the Assessment of Effects in the application comments on the relevant provisions of the Design Guide.

In respect of the process the Design Guide specifies, the application has demonstrated general consistency with the process and has assessed the productive values, rural character, landscape and amenity values, natural character, and ecological values of the site and surrounds and methodically worked through the various objectives and associated guidelines.

4.10.3 Design Strengths

Key matters (but not limited to these) that I have identified from my 104 assessment in favour of the proposal are:

- the residential sites and dwellings are set back from the plantation forestry
- the design avoids ridgeline and skyline development
- conditions have been volunteered to be included as conditions of consent to mitigate adverse effects
- enhancement of fauna and flora values are proposed
- services are to be provided with minimal impact on the environment, cabling is to be undergrounded.

4.11 The Permitted Baseline Test

Under Section 104 (2) of the Resource Management Act the Council may use the "permitted baseline" test to assess the proposal. Under this principle the proposal is compared with what could be done as permitted activity under the relevant Plan.

Building Construction Permitted Baseline

In the Rural 3 zone some buildings could potentially be constructed as permitted activities provided they meet the suite of permitted activity criteria relating to building construction including a maximum height of 7.5 metres, setbacks of 10 metres from roads, 5 metres from internal boundaries, 30 metres from plantation forestry, and other setbacks, and building coverage provisions.

In comparison with what buildings could be constructed as of right, this proposal meets the majority of building construction permitted standards with the exception of the height of the commercial building on Lot 121, and the internal setback of some dwellings proposed to be less than 5.0 metres which are restricted discretionary activities. The construction of dwellings would constitute controlled activities if the aforementioned criteria were met.

Land Use Activity Permitted Baseline

Only a narrow range of land use activities are permitted within the Rural 3 zone, subject to compliance with other applicable permitted activity criteria. Permitted activities include rural activities and accessory buildings. The proposed sale of liquor, commercial activities (shop, bar, administration offices), community activity (meeting room), and tourist accommodation are all classed as discretionary activities in the Rural 3 zone.

Subdivision Permitted Baseline

In terms of the subdivision there is no permitted activity rule in the Rural 3 zone so the permitted baseline test is not considered relevant for subdivision.

4.12 Summary of Section 104(1)(a) Assessment of Effects and Section 104(b) assessment against the Proposed Plan

Objectives and Policies Conclusion

Chapter 7 sets out the overarching framework for rural zoned land within the district.

The appropriateness of residential development within the Rural 3 zone is to be considered within the context of the three inter-related objectives (and associated policies) within Chapter 7 of the TRMP, which are required to be considered together. In short these are; avoiding the loss of productive opportunity, managing effects of activities on rural character and amenity values, and providing opportunity for rural residential development.

The Rural 3 zone also lies within the Coastal Tasman Area (which extends north from the northern edge of the Waimea Plains to the Moutere River, including Kina Peninsula and the land inland to the upper boundary of the coastal catchments draining to the sea). The TRMP's reference to the Coastal Tasman area is a subset of the second of the three major objectives that apply to the Rural 3 zone; Objective 7.2.0, which can be described as *'providing opportunity for rural residential development'*.

Chapter 7 Rural Zone

The objectives and policies in Chapter 7 address the management of the rural land resource. These cover three main areas which need to be considered together in the context of the Rural Zone:

- Managing the effects of land fragmentation on the productive values of land (Objective 7.1 and Policies)
- Providing opportunities for a wide range of activities in the rural areas (Objective 7.2 and Policies)
- Managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects on rural character and amenity values (Objective 7.3 and policies)

The matters contained in the relevant objectives and policies are also the relevant environmental effects of this development.

The summary of effects is as follows:

Summary of Effects	
Effects Assessed	Adverse Effects
Rural Land Productivity and Versatility	Minor
Rural Character, Landscape Character, and Amenity Values	Minor
Cross Boundary and Reverse Sensitivity Effects	Minor
Transport Effects	Minor
Public Access and Links	Minor
Ecological Values and Archeological Sites	Minor
Servicing Effects	Minor
Site Contamination	Nil
Natural hazards	Minor

Overall my assessment is that the actual adverse effects on the environment are minor and the proposal is generally consistent with the objectives and policies, and matters of discretion in the Tasman Resource Management Plan.

4.14 Other Matters (Section 104(c))

Precedent

Case law has established that the granting of consent for one application may well have an influence on how another application should be dealt with. The extent of influence will depend upon the extent of similarities.

The current applications have arisen due to the combination of distinct features of the site and the purposes of the applicant, Tasman Limited. The site features include the location in the Rural 3 zone, the setting within the greater district, the property's orientation and topography, the mix of land productivity classes, the presence of wetlands and natural areas, and current land use bend of plantation forestry and pasture. The applicant has incorporated these site factors with their development aspirations in the hope of realising a "Forest Park" Rural 3 development incorporating a range of allotment sizes, common areas, and commercial/community components. This combination of many site related and development related factors are unlikely to be duplicated elsewhere in the district.

The applications for land use construction of buildings are restricted discretionary activities under the Proposed Plan, the land sue activities constitute discretionary activities, while the subdivision is a discretionary activity in the Rural 3 Zone, and in my assessment the relevant objectives and policies and matters of discretion of the Plan are not compromised.

For those reasons I consider that the proposed land use activity and subdivision can be approved on their merits, and there is consequently no issue of precedent arising from the grant of consents.

4.15 RMA Part II Matters

My overall assessment in terms of Part II of the Act is set out below.

Section 6 Assessment

In terms of Section 6 the matters of national importance related to this application are:

- *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*

Protection of the wetlands will be improved as a result of the recommended conditions of consent.

- *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.*

The creation of a local purpose reserve and walkway/cycleways will provide public access to and within the site, and contribute to a linked walkway network.

Section 7 Assessment

The matters in section 7 RMA (other matters) that I have identified as being relevant to the application are set out below.

Section 7(b) *the efficient use and development of natural and physical resources*

As discussed in Section 4.1 of this report the proposal is considered to be an efficient use of the land given its level of productive potential.

Section 7(c) *the maintenance and enhancement of amenity values*

As discussed in Section 4.2 of this report the development will maintain and in some cases enhance amenity values.

Section 7(f) *maintenance and enhancement of the quality of the environment,*

The changes proposed as a result of this development are considered to be consistent with the intent of the Rural 3 zone and recognised by the Proposed Plan.

As such the proposed subdivision and associated land use activities are considered to meet the purpose and principles contained in Part II of the Resource Management Act.

5. RECOMMENDATIONS

I recommend that the subdivision and land use consents (RM060737, RM060738, and RM060739) are granted as the proposal is consistent with the purpose and principles of the RMA 1991 and the applicable provisions of the Proposed Plan, and the environmental effects are no more than minor with several positive aspects included in the proposal.

5.1 Subdivision Consent and Land Use Consent RM060737

To Subdivide And To Construct Vehicle Crossings, Accesses, Roads, And Rights-of-Way

Pursuant to Section 104d of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activities authorised by this consent:

To subdivide five certificates of title (CTs 81148, 174441, 174442, NL11B/790, and 81147) into the following:

- 80 larger residential allotments ranging between 2,030 and 9,140 square metres in area (Lots 1-79); and
- 41 semi-intensive residential allotments ranging between 400 and 1,130 square metres in area (Lots 80-120);
- 1 allotment of 0.82 hectares for commercial and community activities and a manager's dwelling (Lot 121);
- 1 allotment for future activities (Lot 122);
- 3 allotments ranging between 820 and 1,600 square metres in area for tourist accommodation (Lots 123-125). These three allotments shall be made up of 15 unit titles.
- 12 allotments for open space (Lots 200 – 211).

To construct roads, right of ways, accesses, and vehicle crossings.

Location details:

Address of property: Stringer Road, Bronte
Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445
Certificates of title: 81148, 174441, 174442, 11B/790, and 81147
Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. Subdivision Plan

- a) The subdivision and development shall be carried out generally in accordance with the application plans RM060737 prepared by Aubrey Survey and Land Consultancy Ltd - Job No. R759 Sheets 1 to 7, and attached to this consent as **Plans A – G RM060737** dated 4 April 2007, **Plan H RM060737** dated July 2006, and **Plan I RM060737** dated 4 April 2007.

Staging

- b) The subdivision shall be completed in the stages and sub-stages as proposed within the application as follows:

STAGE 1			
Lot	Area	Use	Sub-stage
121	8200	Café & Residential - Villa	A
91	550	Residential - Villa	A
92	560	Residential - Villa	A
93	430	Residential - Villa	A
94	400	Residential - Villa	A
123 (7 unit titles)	1600	Tourist Accommodation	A
124 (4 unit titles)	820	Tourist Accommodation	A
125 (4 unit titles)	1500	Tourist Accommodation	A
Pt 202	32000	Common	A
Pt 200	4100	Common	A
85	860	Residential - Villa	B
86	790	Residential - Villa	B
87	1030	Residential - Villa	B
88	980	Residential - Villa	B
89	950	Residential - Villa	B
90	850	Residential - Villa	B
Pt 200	4100	Common	B
80	700	Residential - Villa	C
81	720	Residential - Villa	C
82	730	Residential - Villa	C
83	780	Residential - Villa	C
84	900	Residential - Villa	C
Pt 200	4100	Common	C
Pt 201	8800	Common	C
95	470	Residential - Villa	D
96	470	Residential - Villa	D
97	500	Residential - Villa	D
98	470	Residential - Villa	D
99	540	Residential - Villa	D
100	470	Residential - Villa	D
101	500	Residential - Villa	D
Pt 202	32000	Common	D
102	490	Residential - Villa	E
103	490	Residential - Villa	E
104	500	Residential - Villa	E
105	520	Residential - Villa	E

STAGE 2			
Lot	Area	Use	Sub-stage
24	2090	Residential	A
25	2730	Residential	A
26	2980	Residential	A
27	2915	Residential	A
203	4520	Common	A
1	2300	Residential	B
7	3240	Residential	B
8	4190	Residential	B
9	4760	Residential	B
10	3800	Residential	B
Pt 204	66,000	Common	B
2	3180	Residential	C
3	3130	Residential	C
4	2030	Residential	C
5	3220	Residential	C
6	2670	Residential	C
11	4065	Residential	D
12	3965	Residential	D
13	4270	Residential	D
14	3600	Residential	D
15	4090	Residential	D
16	4030	Residential	D
Pt 204	66,000	Common	D
17	4940	Residential	E
18	6060	Residential	E

19	3730	Residential	E
20	4150	Residential	E
21	4880	Residential	E
22	5545	Residential	E
23	4600	Residential	E
106	6000	Residential	E
126	2200	Reserve to Vest	E
212	15,000	Common	E
111	540	Residential - Villa	E
112	550	Residential - Villa	E
113	570	Residential - Villa	E

STAGE 3			
Lot	Area	Use	Sub-stage
28	4680	Residential	A
29	4810	Residential	A
30	4080	Residential	A
31	3530	Residential	A
32	2200	Residential	A
122	1710	Future Development	A
Pt 205	68000	Common	A
36	4080	Residential	B
37	5345	Residential	B
38	6870	Residential	B
39	5445	Residential	B
40	4210	Residential	B
41	3260	Residential	B
42	5180	Residential	B
43	3240	Residential	B
44	5290	Residential	B
Pt 205	68000	Common	B
33	2540	Residential	C
34	2200	Residential	C
35	4465	Residential	C
118	1040	Residential - Villa	C
119	920	Residential - Villa	C
120	1130	Residential - Villa	C
Pt 205	68000	Common	C
114	870	Residential - Villa	D
115	700	Residential - Villa	D
116	950	Residential - Villa	D
117	890	Residential - Villa	D
Pt 205	68000	Common	D

STAGE 4			
Lot	Area	Use	Sub-stage
45	4210	Residential	A
46	5910	Residential	A
51	4270	Residential	A
52	5740	Residential	A
53	3670	Residential	A
Pt 206	16000	Common	A
Pt 207	20000	Common	A
47	5930	Residential	B
48	8180	Residential	B
49	4890	Residential	B
50	8010	Residential	B
Pt 206	16000	Common	B
Pt 207	20000	Common	B

STAGE 5			
Lot	Area	Use	Sub-stage
106	690	Residential - Villa	A
107	510	Residential - Villa	A
108	580	Residential - Villa	A
109	560	Residential - Villa	A
110	540	Residential - Villa	A
208	40000	Common	A
Pt 209	82000	Common	A
54	6230	Residential	B
55	7170	Residential	B
56	6880	Residential	B
57	4450	Residential	B
58	5690	Residential	B

59	5240	Residential	B
60	3370	Residential	B
Pt 209	82000	Common	B
61	6830	Residential	C
62	2710	Residential	C
63	4760	Residential	C
64	6870	Residential	C
69	3270	Residential	C
70	2790	Residential	C
Pt 209	82000	Common	C
65	5540	Residential	D
66	7050	Residential	D
67	9140	Residential	D
68	3165	Residential	D
Pt 209	82000	Common	D

STAGE 6			
Lot	Area	Use	Sub-stage
71	4950	Residential	A
77	4645	Residential	A
78	1.0ha	Residential	A
79	6860	Residential	A
Pt 210	15000	Common	A
Pt 211	70000	Common	A
72	5705	Residential	B
73	7025	Residential	B
74	6740	Residential	B
75	3115	Residential	B
76	3550	Residential	B
Pt 210	15000	Common	B
Pt 211	70000	Common	B

The proposed stages are identified on the application plans RM060737 prepared by Aubrey Survey and Land Consultancy Ltd - Job No. R759 Sheets 1 to 7 dated 4 April 2007, and attached to this consent as **Plans A – G RM060737**.

2. Building Location Plan

- a) A Building Location Plan for each of the 121 residential allotments, 15 tourist accommodation allotments, and commercial activities within Lots 121 and 122 inclusive, shall be prepared by a registered professional surveyor and shall be submitted to the Environment and Planning Manager for approval as part of the section 223 title plan for each stage of the subdivision.
- b) The Building Location Area's (BLA) shall be in the location shown on the application plans RM060737 prepared by Aubrey Survey and Land Consultancy Ltd - Job No. R759 Sheets 1 to 7 dated 4 April 2007, and attached to this consent as **Plans A – G RM060737**.

3. Amalgamation Conditions

- a) Amalgamation shall be undertaken at each stage of the subdivision, as shown on the application plans RM060737 prepared by Aubrey Survey and Land Consultancy Ltd - Job No. R759 Sheets 1 to 7 dated 4 April 2007, and attached to this consent as **Plans A – G RM060737**. The outcome shall be that at the completion of all stages of the subdivision that all the open space allotments (Lots 200 – 212 inclusive) shall be held together in one certificate of title.

LINZ consultation and reference is to be confirmed.

- b) The amalgamation conditions shall be shown on the survey plan prior to section 223 approvals.

Advice Note:

A number of requirements apply to the issuing of amalgamated titles. These include requirements that the land is in the same ownership and that any existing joint family settlements are cancelled or extended to include all the land being amalgamated.

4. Landscape Planting Plan

- a) A Landscape Planting Plan shall be prepared by a qualified Landscape Architect at the cost of the consent holder for the approval of the Council's Environment and Planning Manager and shall be submitted at the same time as engineering approval is sought. This Landscape Planting Plan shall be prepared only for those areas within Stage 1 and 2 of the subdivision, identified on **Plan A RM060737** dated 4 April 2007 and attached to this consent. The Landscape Planting Plan shall detail the following information:
- i) Planting plan specifying the type, number, and size of the plants.
 - ii) Establishment works required to implement the Planting plan.
 - iii) Staging of planting in accordance with the subdivision staging (Stage 1 and 2).
 - iv) The plantings shall be in accordance with the Landscape Report dated July 2006 and the species listed in that report.
 - v) Pest plant and animal controls and ongoing maintenance schedules.
 - vi) Replacement planting
 - vii) Ongoing maintenance of planted areas (developer and future owners)
 - viii) Landscaping areas to be subject to land covenants to ensure their ongoing existence.
- b) The planting required by the Landscape Planting Plan shall be completed for stages 1 and 2 prior to the approval of the Section 224(c) certificate. A written statement shall be provided from a suitably qualified landscaping professional that the plantings have been fully completed in accordance with the above Landscape Planting Plan.
- c) A Wetland Management Plan shall be prepared and submitted to Council's Environment and Planning Manager prior to section 224 approval for stage 1, for the areas shown as "*wetland management*" identified on Sheet 6b entitled *The Forest Park – Landscape Delivery Plan* prepared by Peter Rough Landscape Architects Ltd, dated July 2006, and attached to this consent as **Plan H RM070737**. The Wetland Management Plan shall:
- (i) detail how and when all the "key issues" recommendations in the Ecological Reports prepared by Tom Kroos and Michael North will be completed.
 - (ii) detail the long term wetland enhancement works identified as "future possibilities" in the Ecological Report by Michael North. These "future possibilities" works shall be implemented by the Residents

Association at their discretion and timing.

- d) The consent holder shall be responsible for maintenance, pest control, replacement and management of the planting required by the Landscape Planting Plan within the development for a minimum of three (3) years following the completion of this planting. The responsibilities thereafter shall devolve to the Residents Association, or in the case of Lot 121, the owner of this allotment.

5. Residents Association (Management Company) and Management Plan

- a) The consent holder shall form a Residents Association to which the transferee or its successors shall be members. The purpose of the Residents Association is to:
- manage and maintain communal assets and utilities (wastewater reticulation including any reserve disposal area, water supply, treatment and reticulation, and stormwater detention areas including dams),
 - manage plant and animal pests on land under the control of the Residents Association,
 - manage and maintain all plantings shown on the Landscape Planting Plan,
 - prohibit the keeping of domestic cats and dogs on any of the residential or commercial allotments (Lots 1 – 125 inclusive),
 - ensure all the relevant consent conditions and the Management Plan are complied with,
 - ensure a copy of the Management Plan is provided with every sale and purchase agreement for each of the allotments.
- b) Prior to the issue of the Section 223 certificate, a Management Plan setting out the purpose, responsibilities, accountabilities and procedural policies of the Residents Association shall be submitted for the approval of the Environment and Planning Manager.
- c) The Management Plan shall also make provision for the Consent Authority to require work to be undertaken by or on behalf of the Resident's Association in the event that the Management Company/Residents Association fails to meet its obligations to the standards identified as appropriate for such purposes, such that a breach of the conditions has occurred or seems likely to occur, and should the work not be undertaken the Consent Authority has the power to undertake the work itself and recover the full cost of the work from the Resident's Association and its members.

6. Consent Notices

The following consent notices shall be registered on the certificate of title for the relevant allotments pursuant to Section 221 of the Resource Management Act.

The consent notices shall be prepared by the applicant's solicitor and submitted to Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the consent holder.

Consent notices in accordance with conditions of this consent shall be placed on the allotments as they are created, not on balance areas yet to be developed.

A. Building Location Restrictions

That the construction of buildings on Lots 1 - 125 inclusive shall be restricted to the Building Location Area shown on the Building Location Plan and all buildings shall be fully contained within each Building Location Area, except that this condition does not apply to any buildings solely associated with utilities and recreational activities within the subdivision which will need to meet the relevant zone building setbacks or be authorised by separate resource consent.

B. No dwellings on certain Lots

No dwellings shall be constructed on or relocated to Lots 200 – 212 inclusive.

This is to ensure that these allotments remain used for the purpose intended, that of open space and recreation.

C. Maximum building heights overriding the permitted activity criteria of the Proposed Tasman Resource Management Plan.

Buildings shall not exceed the following building height above natural ground level:

- Dwellings on larger lots – 6.5m maximum height (on Lots 1 – 79)
- Semi Intensive dwellings – 6.5m maximum height (on Lots 80 - 120)
- Manager's Dwelling - 6.5m maximum height (on Lot 121)
- Commercial/Community Complex (Café/Restaurant/Bar/Shop/Meeting Room) – 8.0m maximum height (Lot 121)
- Future Development – 7.5m maximum height (on Lot 122)
- Tourist Accommodation – 4.5m maximum height (on Lots 123 - 125)

Advice Note:

All buildings on all other allotments need to comply with the 7.5 metre maximum permitted height in the PTRMP, or a separate resource consent will need to be obtained.

This is to alert potential purchasers to the building heights authorised by the resource consents for this development.

D. Building Site Stability

Recording the soil condition and foundation recommendations on the certificates of title.

E. Future Subdivision

No further subdivision of any of the allotments in the subdivision will be allowed, except that this consent notice does not apply to subdivision constituting a boundary adjustment where it does not result in the creation of additional Certificates of Title or is for the provision of a utility site. Boundary adjustments and new allotments for utilities will be assessed under the provisions of the applicable Resource Management Plan.

F. Residents Association (Management Company) and Management Plan

All owners of Lots 1 to Lot 125 inclusive shall be members of the Residents Association and shall comply with the Management Plan on an on-going basis.

This is to ensure that all landowners are responsible for complying with the provisions of the Management Plan.

G. Building Colour

The exterior of all buildings (including water tanks) in this development shall be finished in colours that are recessive and which blend in with the immediate environment. The consent holder shall submit to the Council for approval, prior to applying for building consent for a building, the following details of the colours proposed to be used on the walls and roof of the building:

- a) the material to be used (e.g. paint, colour steel);
- b) the name and manufacturer of the product or paint;
- c) the reflectance value of the colour;
- d) the proposed finish (e.g. matt, low-gloss, gloss); and
- e) Either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been approved by the Council.

Advice Note:

As a guide, the Council will generally approve colours that meet the following criteria:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value $\leq 50\%$	That the roof colour is complementary with the rest of the building/s and is no greater a percentage than 15 per cent reflectance value.
Group B	B19 to B29 and reflectance value $\leq 50\%$	
Group C	C35 to C40, reflectance value $\leq 50\%$, and hue range 06-16	
Group D	D43 to D45, reflectance value $\leq 50\%$, and hue range 06-12.	
Group E	Excluded	
Finish	Matt or Low-gloss	Matt or Low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes). Where a BS5252 descriptor code is not available, the Council will compare the sample colour chip provided with known BS5252 colours to assess appropriateness.

The consent holder should engage the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

- a) Exterior surfaces of all buildings shall be non-reflective.
- b) Water tanks are to be incorporated into the structure of the buildings or partially buried and/or screened sufficiently within each lot so as not to be visible from beyond the site.

H. Wastewater

Each residential and commercial allotment in this subdivision shall be provided with wastewater treatment and disposal in accordance with the associated wastewater consent RM060742 prior to section 224 approval.

I. Stormwater

The management of stormwater shall be carried out in accordance with the associated stormwater consent RM060741.

J. Building Height

Buildings shall not exceed the following building height above natural ground level:

- Dwellings on larger lots – 6.5m maximum height (on Lots 1 – 79)
- Semi Intensive dwellings – 6.5m maximum height (on Lots 80 - 120)

- Manager's Dwelling - 6.5m maximum height (on Lot 121)
- Commercial/Community Complex (Café/Restaurant/Bar/Shop/Meeting Room) – 8.0m maximum height (Lot 121)
- Future Development – 7.5m maximum height (on Lot 122)
- Tourist Accommodation – 4.5m maximum height (on Lots 123 - 125)

Advice Note:

All buildings on all other allotments need to comply with the 7.5 metre maximum permitted height in the PTRMP, or a separate resource consent will need to be obtained.

K. Compliance with the Landscape Planting Plan

All allotments in stages 1 and 2 of the subdivision shall comply on an ongoing basis with the approved Landscape Planting Plan.

7. Easements if required by Council

- a) Easements are to be created over any services located outside the boundaries of the lots that they serve as easements-in-gross to the Tasman District Council for Council reticulated services or appurtenant to the appropriate allotment.
- b) Any private services within road reserve shall be covered by Councils standard licence to occupy agreement and an application shall be made to the Council's Engineering Department for such a licence prior to the issue of a 223 certificate.
- c) Easements are required over any right-of-way, public and communal services (including the water reticulation network, the wastewater reticulation network, collection, treatment and disposal systems and all associated devices such as pump stations, electricity and power cables and substations) where these pass through the lots in the subdivision, as shown on the Schedule of Proposed easements on **Plans A – G** dated 4 April 2007, and attached to this consent. Easements shall be shown on the Land Transfer title plan and any documents shall be prepared by a Solicitor at the consent holder's expense.
- d) Reference to easements is to be included in the Council resolution on the title plan at the section 223 stage.

Advice Note:

It is most likely that a separate agreement will also be required from Transit New Zealand for services within Transit New Zealand managed road reserve.

e) Rights-of-Way Easement

A memorandum of easements showing the right of ways in Table 1 and the servient and dominant tenements shall be provided on the title plan at the section 223 stage.

Note: The accesses shown on Plan A RM060737 as right-of-way "AD", right-of-way "O", and right-of-way "N" are not approved as rights-of-way and shall be formed as Road to Vest.

8. Services

8.1 Power and Telephone

- a) Full servicing for live power and telephone cables shall be provided underground to the boundary of Lots 1 - 125 inclusive. The consent holder shall provide written confirmation from the relevant utility provider(s) to the Tasman District Council Engineering Manager that live power and telephone connections have been made to the boundaries of the abovementioned allotments.
- b) Confirmation that these requirements have been met shall be provided in a written statement from the supply authority. A copy of the supplier's certificate of compliance shall be provided to the Tasman District Council Engineering Manager prior to a completion certificate being issued pursuant to Section 224(c) of the Resource Management Act 1991.
- c) All servicing shall be accordance with Tasman District Engineering Standards and Policies 2004.
- d) Electricity sub-stations, where required, shall be shown as road to vest on the land transfer survey plan if they are located adjacent to a road or road to vest. These shall be shown on the survey plan prior to section 223 approval.

8.2 Fire fighting Water Supply

- a) Lots 1 – 125 inclusive shall be provided with a water supply for fire fighting purposes, to comply with SNZ PAS 4509:2003 – NZFS Fire Fighting Water Supplies Code of Practice.
- b) As Built Plans and a Water Supply Producer Statement from a Chartered Professional Engineer confirming that the allotments in each stage/sub stage comply with SNZ PAS 4509:2003 – NZFS Fire Fighting Water Supplies Code of Practice shall be provided to the Council's Environment and Planning Manager prior to section 224 approval for each stage/sub stage.

Advice Note:

This condition was requested by the NZ Fire Service and volunteered by the applicant.

8.3 Wastewater

- a) Each residential and commercial allotment in this subdivision shall be provided with wastewater treatment and disposal in accordance with the associated wastewater consent RM060742 prior to section 224 approval.

8.4 Stormwater

- a) The management of stormwater shall be carried out in accordance with the associated stormwater consent RM060741.

9. Stringer Road/State Highway 60 Intersection Formation and Upgrade

- a) The consent holder shall arrange for the Stringer Road/State Highway 60 intersection to be upgraded to a standard agreed between Transit New Zealand and the Tasman District Council Engineering Manager. The above mentioned upgrade shall be completed prior to a section 224 approval being issued for the 21st allotment being created by the consent holder.
- b) Engineering Plans shall be provided to the Council's Engineering Manager, once approved and signed by Transit New Zealand.

Advice Note:

Council's Development Engineer advises that the present intersection has the capacity for a further 20 allotments plus existing use before any upgrades are required.

Advice Note:

The intersection of Stringer Road with State Highway 60 upgrade cannot proceed until Transit New Zealand have given their approval and agreement has been reached with Tasman District Council.

Advice Note:

Intersection street lighting is likely to be a requirement in accordance with Transit New Zealand Standards.

10. Stringer Road Upgrade

- a) The consent holder shall arrange for Stringer Road to be upgraded from the State Highway Intersection to where stage 4 "new road to vest" deviates off the existing legal rd to a standard agreed by the Tasman District Council Engineering Manager. The abovementioned upgrade shall be completed prior to section 224 approval for stage 1.
- b) Engineering Plans shall be provided to the Council's Engineering Manager for approval.

11. Walkway/Cycleways

- a) Public dual walkway/cycleway linkages in the locations shown on the Walkway Plan prepared by Peter Rough Landscape Architects Ltd, dated April 2007 and attached to this consent as **Plan I RM060737** shall be provided and maintained for a period of time approved by Council's Reserves Manager, linking the site to Bronte Road via Pt Lot 2 DP 767 and also providing for a linkage to the south via proposed Lot 211.
- b) The abovementioned walkway/cycleways shall include:
 - i) A walkway/cycleway adjoining the north eastern boundary of proposed Lot 75 to provide a walkway link from the adjoining property owned by CHH (and ultimately the Galeo subdivision to the south east) to ROW AC;
 - ii) A walkway/cycleway off ROW L through the subdivision to ROAD 3;

Advice Note:

This will provide an off road option for cyclists and walkers through the subdivision.

- iii) A walkway/cycleway from ROAD 3 to Bronte Road West.

Advice Note:

This will provide a walkway off ROAD 3, across the valley floor at the toe of the spur up through the gully along its western flank linking to Bronte Road West. The issue of the protection of the regenerating native vegetation in the gully was raised and it is noted that the application states that the site will be protected and ultimately returned to a mature native forest.

- c) All walkway/cycleways shall have formation widths of 1.5 metres within 5 metre wide public access easements. The formation of the walkway/cycleways shall be undertaken in accordance with the TDC Engineering Standards and the walkway standard SNZ HB 8630:2004 as part of the development works.

Advice Note:

The costs of formation may be credited against the reserve fund contributions (subject to a quote acceptable to Council).

- d) Right of way AB and AC shall provide for public access in addition to rights of way for road users;
- e) Roads 1, 2, 3, 4 and 5 shall contain walkway/cycleways within the road reserve adjoining the road with a formation width of 1.5 metres.
- f) All Walkways shall have a legal easement width of 5-metres (except where the walkway is part of road reserve) and shall be formed with a gravel surface to a minimum of 1.5 metres wide prior to the application for the Section 224(c) certificate for each stage/sub stage.

- g) The gradient of each walkway shall not exceed 1 in 5.5 unless approved by Council's Community Services Manager.

Advice Note:

The costs of formation will be credited against the reserve fund contributions (subject to a quote acceptable to Council).

12. Roads and Rights-of-Way

- a) Roads 1 to 5 inclusive and Rights-of-Way A to A-D inclusive shall be formed to at least the specifications below. Rights of way AD, N, O (proposed as right-of-way 1's in the application) shall be shown on the 223 plan as Access Roads to vest and designed in accordance with the "access road" standards in the tables below.

Road Name	Class of Road	Min. Reserve (m)	Road width	Min. Footpath (m)
Stringer Road	Access Road	20		1 x 1.4
Road 1 (up to intersection with Road 2)	Collector	20		1 x 1.4
Road 1 (beyond intersection with Road 2)	Access Road	20		1 x 1.4
Road 2	Access Road	20		1 x 1.4
Road 3	Access Road	20		1 x 1.4
Road 4	Access Road	20		1 x 1.4
Road 5	Access Road	20		1 x 1.4
ROW Type 1	Right of Way	18		N/A
ROW Type 2	Right of way	10		N/A
ROW Type 3	Right of way	10		N/A

Road Name	Min. Seal Width (m)	Min. Shoulder width (m)	Maximum Gradient
Stringer Road	6.0	2 x 0.6	1 in 7
Road 1 (up to intersection with Road 2)	6.0	2 x 0.6	1 in 7
Road 1 (beyond intersection with Road 2)	6.0	2 x 0.6	1 in 10
Road 2	6.0	2 x 0.6	1 in 7
Road 3	6.0	2 x 0.6	1 in 7
Road 4	6.0	2 x 0.6	1 in 7
Road 5	6.0	2 x 0.6	1 in 7
ROW Type 1	5.0	2 x 0.6	1 in 7
ROW Type 2	4.5	2 x 0.5	1 in 6
ROW Type 3	4.5	2 x 0.5	1 in 6

Road Name	Class of Road	Min. Street lights required
Stringer Road (West)	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
Road 1 (up to intersection with Road 2)	Collector	Intersection Flag lights plus P3 type lighting as per NZS1158
Road 1 (beyond intersection with Road 2)	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
Road 2	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
Road 3	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
Road 4	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
Road 5	Access Road	Intersection flag light plus P3 type lighting as per NZS1158
ROW Type 1	Right of Way	none
ROW Type 2	Right of way	none
ROW Type 3	Right of way	none

- b) Roads 1 to 5 inclusive and Rights-of-Way A to A-D inclusive shall be permanently surfaced with a minimum requirement of a Grade 4 chip first coat, followed by a Grade 6 void fill second coat.
- c) The right-of-way seal formation on all rights-of-way shall extend to the back of the edge of the road seal.

13. Vehicle Crossings and On- Site Access

- a) Where a site has frontage to both an access road and an access place (as defined in the Proposed Tasman Resource Management Plan roading hierarchy), the vehicle crossing shall be located on the access place, ensuring that the crossing is located as far from the intersection as possible.

14. Street Numbers

- a) Where street numbers are allocated, they shall be shown on the Engineering Plans.

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Advice Note:

The street numbers allocated are based on the rural numbering system and are yet to be allocated to this area.

15. Street Names

- a) Street names for all roads and right-of-ways shall be submitted to Council and approved prior to the approval of the Section 223 certificate for each stage.
- b) The cost of name plates shall be met by the consent holder.

16. Engineering Plans

- a) Engineering Plans detailing the Roads and Rights-of-Way design and formation, the footpath design and formation, the vehicle access crossing designs, stormwater attenuation and treatment system, and all public services shall be submitted to the Tasman District Council Engineering Manager and approved prior to the commencement of any works at each stage of the subdivision. All engineering details are to be in accordance with the Tasman District Council Engineering Standards and Policies 2004. All necessary fees for engineering plan approval shall be payable.
- b) As-built plans detailing Roads, Rights-of-Way, and vehicle crossing accesses out to the existing road carriageway, and public services, power and telephone, shall be provided to the Tasman District Council Engineering Manager.
- c) The Section 223 title plan shall not be submitted until the engineering plans have been approved by the Tasman District Council Engineering Manager, so that easement areas can be accurately determined.

17. Commencement of Works and Inspection

- a) The Tasman District Council Engineering Department shall be contacted as per the Engineering standards prior to the commencement of any engineering works. In addition, five working days' notice shall be given to the Engineering Department Inspectors when soil density testing, pressure testing, beam testing or any other major testing is undertaken.
- b) No works shall commence on-site until the Engineering Plans have been approved by the Tasman District Council Engineering Manager.

18. Engineering Works

- a) All public works and Rights of Way shall be constructed in strict accordance with the Tasman District Council Engineering Standards and Policies 2004 or to the Tasman District Council Engineering Manager's satisfaction.

Advice Note:

Works within the Council's road reserve associated with the extension and upgrade of Stringer Road will require a Road Opening Permit and Traffic Management Plan approval from the Council's Engineering Department.

- b) All private services within the road reserve will require a Licence to Occupy from the Council's Engineering Manager.

19. Engineering Certification

- a) At the completion of works, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Tasman District Council Engineering Manager with written certification that the works have been constructed in accordance with the approved engineering plans, drawings and specifications and any Council approved amendments.
- b) Certification that the nominated building site on Lots 1 - 125 inclusive are suitable for the construction of a residential building shall be submitted from a chartered professional engineer or geotechnical engineer experienced in the field of soils engineering (and more particularly land slope and foundation stability). The certificate shall define on Lots 1 - 125 within the building location area, the area suitable for the erection of residential buildings and shall be in accordance with Appendix B Section 11 of the Tasman District Engineering Standards and Policies 2004.
- c) Where fill material has been placed on any part of Lots 1 - 125, a suitably experienced chartered professional engineer shall provide Certification that the filling has been placed and compacted in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. The Certification statement of suitability of earth fill for residential development shall be made in accordance with Appendix A Section 11 of the Tasman District Engineering Standards and Policies 2004 and shall be provided to the Tasman District Council Engineering Manager.
- d) The Engineering Report shall also cover stormwater run-off from each building site, with any recommended conditions to ensure that the run-off does not adversely affect stability or cause adverse effects off-site. Council will issue a **consent notice** pursuant to section 221 of the Resource Management Act 1991 recording the soil condition and foundation recommendations on the certificates of title for Lots 1 – 125 inclusive.

20. Reserve to Vest in Tasman District Council

- a) That Lot 126 vest in the Tasman District Council as Local Purpose Reserve.
- b) The consent holder shall provide and form 4 parking spaces a within the road reserve adjoining this reserve with formation costs being credited against reserve fund contributions (subject to a quote acceptable to Council).
- c) The survey plan submitted under Section 223 shall show the area of reserve land to be set aside.

Advice Note:

This proposed reserve will adjoin a principle cycle/walkway route through the site and is located in an attractive elevated situation.

21. Maintenance Performance Bond

- a) The consent holder shall provide Council with a Bond to cover maintenance of any roads or services that will vest in Council. The amount of the Bond shall be \$1,000 per residential allotment at each stage, to a maximum of \$30,000 for the total development, or a lesser figure agreed by the Engineering Manager and shall run for a period of two years from the date of issue of the section 224(c) certificate of each stage.
- b) The Bond shall cover maintenance attributable to defects and the remedy of defects arising from defective workmanship or materials.

22. Financial Contributions

Payment of financial contributions assessed as follows:

Reserves and Community Services

5.5% of the assessed market value of the area of each allotment or a notional 2,500 square metre building site, whichever is the lesser within Lots 1 – 125 (the commercial, tourist accommodation, and residential allotments).

If payment is not made within two years of the granting of this resource consent, a revised valuation must be provided and the contribution recalculated. The cost of any valuation shall be paid by the consent holder.

Advice Note – Development Contributions

Council will not issue the Section 224(c) certificate in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements which are the amount to be paid and will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.

This consent will attract a development contribution on allotments in respect of **roading and water**.

23. Hours of Earthworks

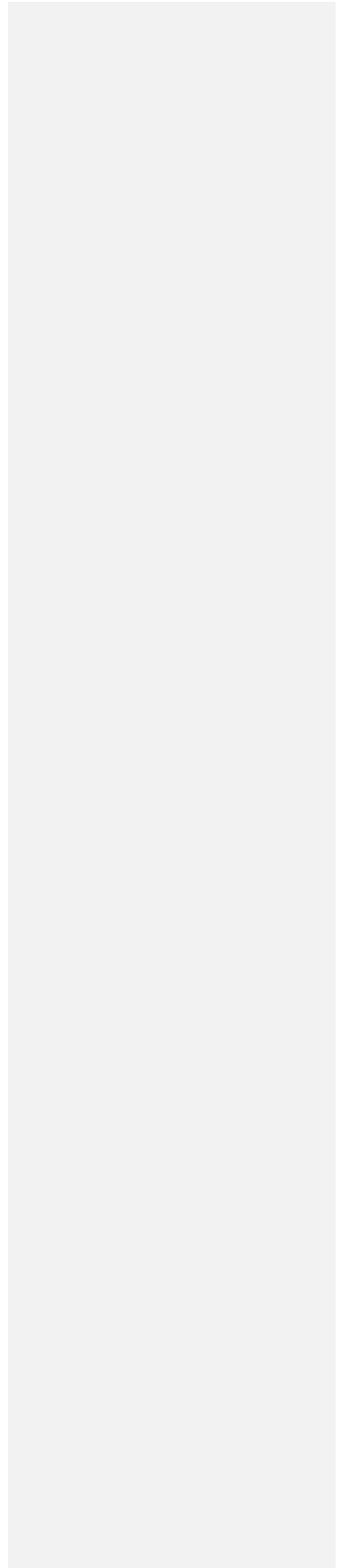
- a) Earthworks shall only be undertaken between 7.00 am and 6.00 pm Monday to Saturday.

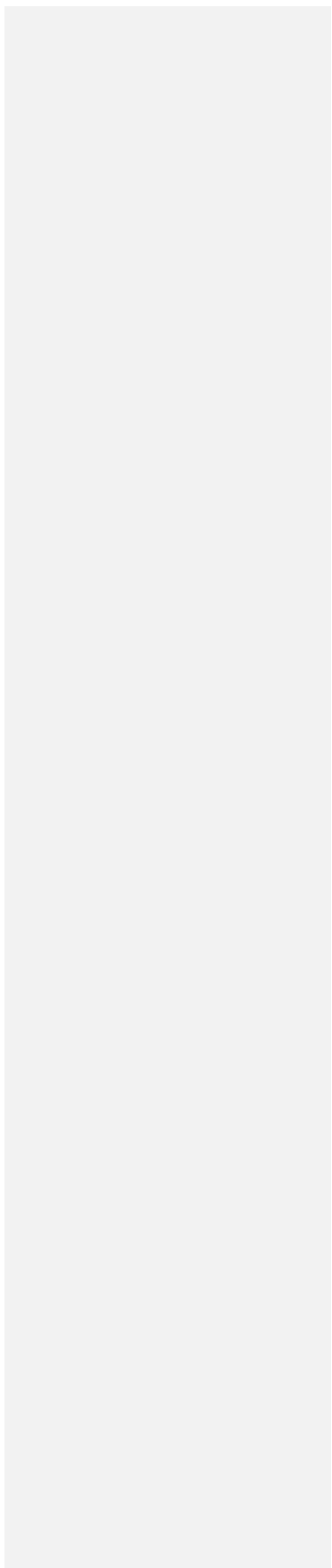
24. Duration of Subdivision Consent

- a) a five year extension is given to stages 1-6 of the consent, meaning that the Section 223 certificate for each of these stages will need to be submitted for approval within 10 years of the issue of subdivision consent.

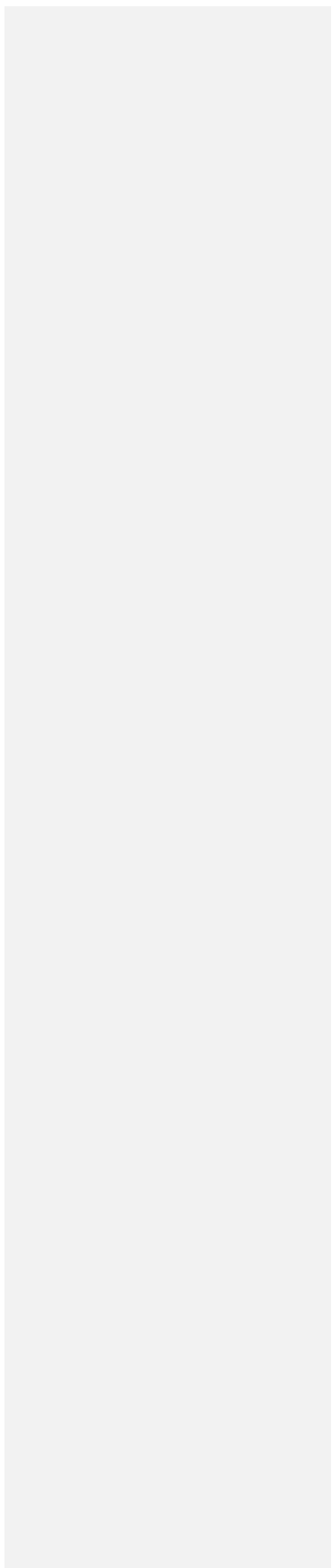
Plan A RM060737

Plan B RM060737

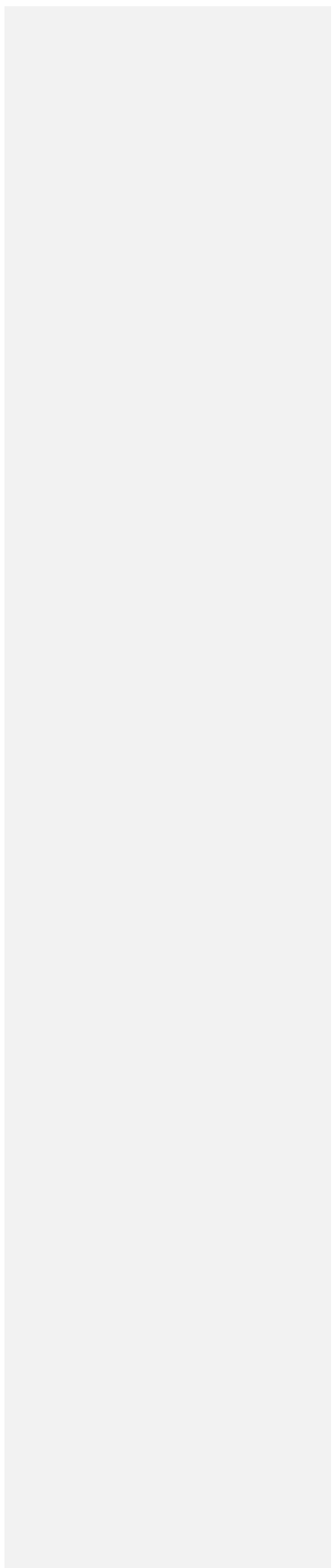




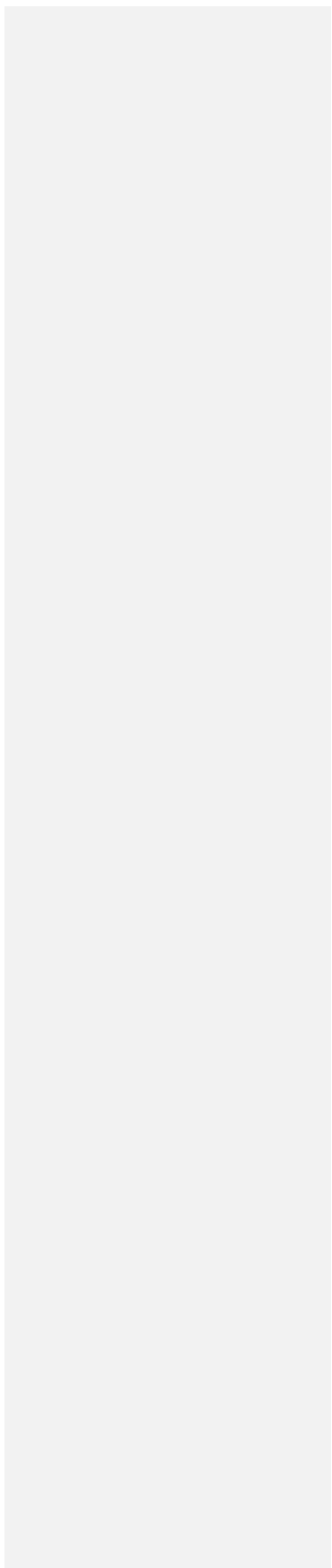
Plan C RM060737



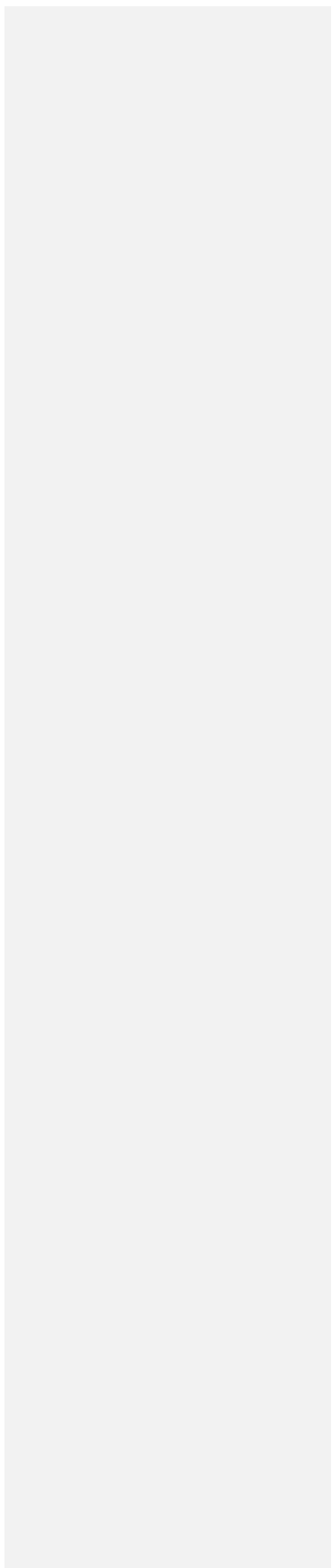
Plan D RM060737



Plan E RM060737



Plan F RM060737



Plan G RM060737

Plan H RM060737

Plan I RM060737

5.2 Recommendation For Land Use Consent RM060738

To Construct Dwellings, Tourist Accommodation Units, And a Commercial/Community Building

Pursuant to Section 104C of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activities authorised by this consent:

- To construct 81 dwellings (one on each of the larger residential allotments and a manager's residence on Lot 121),
- To construct 41 dwellings (one on each of the semi-intensive residential allotments),
- To construct 15 tourist accommodation units (7 accommodation units on Lot 123, 4 accommodation units on Lot 124, and 4 accommodation units on Lot 125), and
- To construct 1 commercial/community building (on Lot 121).

All in association with the subdivision and development in Application RM060737.

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. Development

All buildings shall be constructed in general accordance with the documentation submitted with the application and with **Plans A – O RM060738** dated 26 July 2006 attached to this consent. Notwithstanding the above, if there is any apparent conflict between the information submitted with the application and any conditions of this consent, the conditions shall prevail.

2. Commencement Date and Lapsing of Consent

- a) The commencement date for the land use consent shall be the issue date of the certificate of title for the respective allotments.
- b) This consent will lapse five years after the issue of the certificate of title for the respective allotments unless given effect to.

3. Building Location Restrictions

That the construction of buildings on Lots 1 - 125 inclusive shall be restricted to the Building Location Area shown on **Plan A RM060738** attached to this consent, and all buildings shall be fully contained within each Building Location Area, except that this condition does not apply to any buildings solely associated with utilities and recreational facilities within the subdivision.

4. Building Height

Buildings shall not exceed the following building height above natural ground level:

- Dwellings on larger lots – 6.5m maximum height (on Lots 1 – 79)
- Semi Intensive dwellings – 6.5m maximum height (on Lots 80 - 120)
- Manager's Dwelling - 6.5m maximum height (on Lot 121)
- Commercial/Community Complex (Café/Restaurant/Bar/Shop/Meeting Room) – 8.0m maximum height (Lot 121)
- Future Development – 7.5m maximum height (on Lot 122)
- Tourist Accommodation – 4.5m maximum height (on Lots 123 - 125)

Advice Note:

All buildings on all other allotments need to comply with the 7.5 metre maximum permitted height in the PTRMP, or a separate resource consent will need to be obtained.

5. Building Setbacks

All buildings shall be setback in compliance with the permitted activity criteria for the Rural 3 zone or otherwise authorised by separate resource consent, with the exception of the tourist accommodation units on Lots 123 – 125 include which may be constructed up to the internal (side and rear) boundaries.

Advice Note:

Buildings are also subject to the provisions of the Building Act 2004, including fire rating requirements.

6. Building Colour

The exterior of all buildings in this development shall be finished in colours that are recessive and which blend in with the immediate environment. The consent holder shall submit to the Council for approval, prior to applying for building consent for a building, the following details of the colours proposed to be used on the walls and roof of the building:

- a) the material to be used (e.g. paint, colour steel);
- b) the name and manufacturer of the product or paint;
- c) the reflectance value of the colour;
- d) the proposed finish (e.g. matt, low-gloss, gloss); and
- e) Either the BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes) descriptor code, or if this is not available, a sample colour chip.

The building shall be finished in colours that have been approved by the Council.

Advice Note:

As a guide, the Council will generally approve colours that meet the following criteria:

Colour Group*	Walls	Roofs
Group A	A05 to A14 and reflectance value $\leq 50\%$	That the roof colour is complementary with the rest of the building/s and is no greater a percentage than 15 per cent reflectance value.
Group B	B19 to B29 and reflectance value $\leq 50\%$	
Group C	C35 to C40, reflectance value $\leq 50\%$, and hue range 06-16	
Group D	D43 to D45, reflectance value $\leq 50\%$, and hue range 06-12.	
Group E	Excluded	
Finish	Matt or Low-gloss	Matt or Low-gloss

* Based on BS5252:1976 (British Standard Framework for Colour Co-ordination for Building Purposes). Where a BS5252 descriptor code is not available, the Council will compare the sample colour chip provided with known BS5252 colours to assess appropriateness.

The consent holder should engage the services of a professional to ensure the exterior cladding and colour selection are compatible with the long term durability of the building material in the subject environment and in accordance with the requirements under the Building Act 2004.

- a) Exterior surfaces of all buildings shall be non-reflective.
- b) Water tanks are to be incorporated into the structure of the buildings or partially buried and/or screened sufficiently within each lot so as not to be visible from beyond the site.

7. Water Storage for Domestic use and Fire Fighting

- a) Each dwelling shall be provided with an on-site water storage tank(s) that has a capacity of not less than 23,000 litres and that is fitted with a 50mm diameter Camlock coupling to enable connection with fire fighting equipment.
- b) Each dwelling shall comply with SNZ PAS 4509:2003 – NZFS Fire Fighting Water Supplies Code of Practice.
- c) That the prior to the issue of a building consent for any dwelling, the consent holder provides a Water Supply Producer Statement from a Chartered Professional Engineer identifying the location of the water supply and certifying the reliability and potability of the supply.

8. Domestic Wastewater

Each dwelling shall be connected a wastewater treatment and disposal system in accordance with Wastewater consent RM060742.

ADVICE NOTES

Council Regulations

- 1. The applicant shall meet the requirements of Council with respect to all Building Bylaws, Regulations and Acts.

Other Proposed Tasman Resource Management Plan Provisions

- 2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.

Consent Holder

- 3. This consent is granted to the abovementioned consent holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "consent holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent as there may be conditions which are required to be complied with on an ongoing basis.

Development Contributions

4. The Consent Holder is liable to pay a development contribution in accordance with the Development Contributions Policy found in the Long Term Council Community Plan (LTCCP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid.

Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

Cultural heritage

5. Council draws your attention to the provisions of the Historic Places Act 1993. In the event of discovering an archaeological find during the earthworks (e.g. shell, midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga, etc) you are required under the Historic Places Act, 1993 to cease the works immediately until, or unless, authority is obtained from the New Zealand Historic Places Trust under Section 14 of the Historic Places Act 1993.

Plan A RM060738

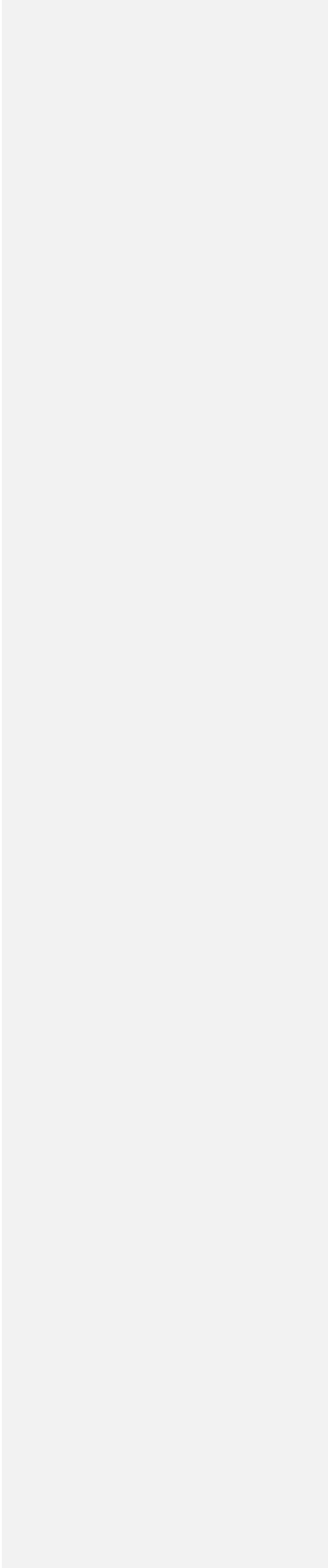
Plan B RM070737

Plan C RM070737

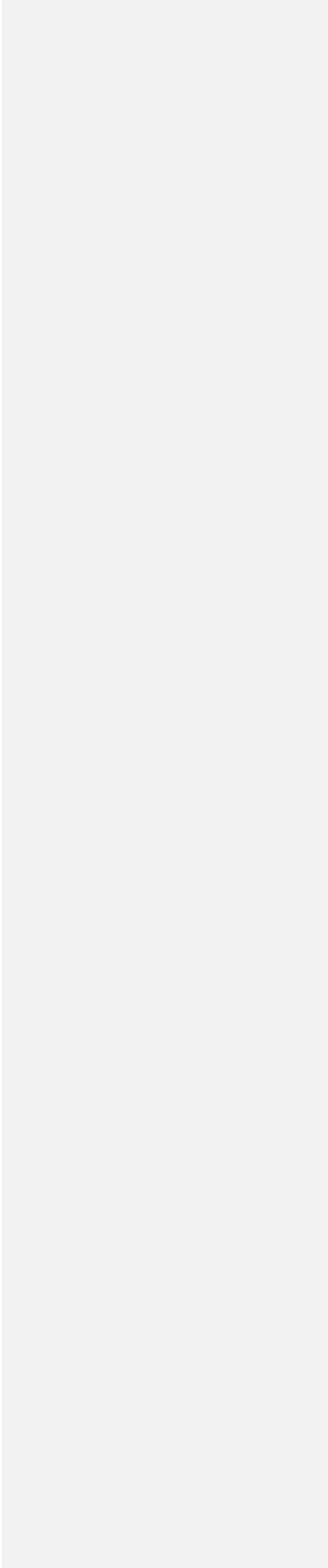
Plan D RM070737

Plan E RM070737

Plan F RM070737



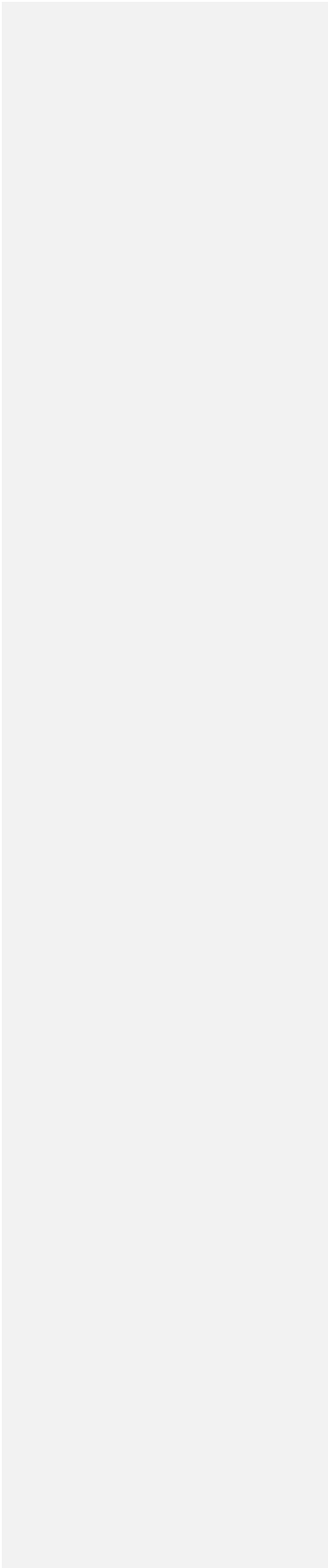
Plan G RM070737



Plan H RM070737

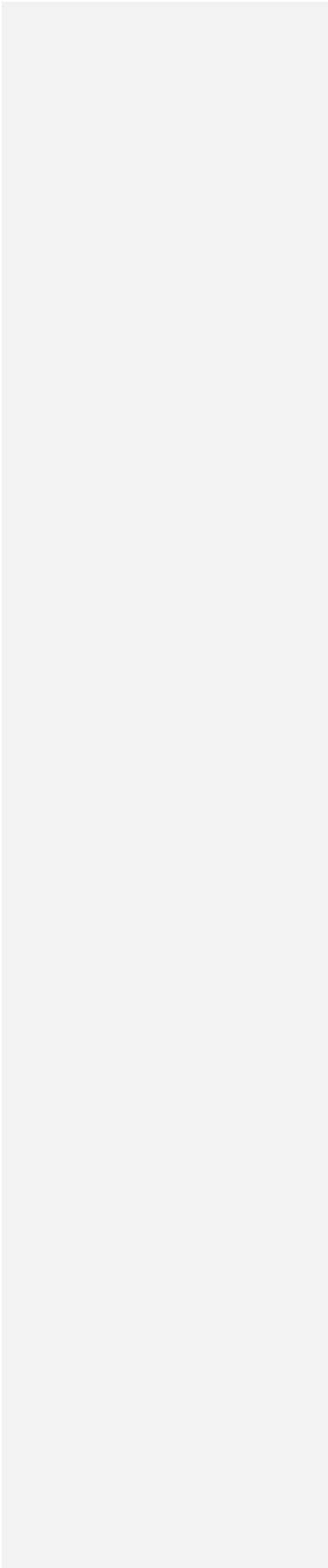
Plan I RM070737

Plan J RM070737



Plan K RM070737

Plan L RM070737



Plan M RM070737

Plan N RM070737

Plan O RM070737

5.3 Recommendation For Land Use Consent RM060739

To Establish and Operate Commercial Activities, The Sale Of Liquor, Community Activities, and Tourist Accommodation Units

Pursuant to Section 104B of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Tasman Limited

(hereinafter referred to as "the Consent Holder")

Activity authorised by this consent:

- To establish and operate commercial activities (café, bar, shop, and office) on Lot 121;
- To undertake the sale of liquor from a bar and a shop on Lot 121;
- To establish and operate a community activity, being a community centre/meeting room on Lot 121; and
- To establish and operate tourist accommodation units on Lots 123-125.

All in association with the subdivision and development in Application RM060737.

Location details:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

CONDITIONS

1. Development

All land use activities shall be undertaken in general accordance with the documentation submitted with the application. Notwithstanding the above, if there is any apparent conflict between the information submitted with the application and any conditions of this consent, the conditions shall prevail.

2. Commencement Date and Lapsing of Consent

- a) The commencement date for this land use consent shall be the issue date of the certificate of title for the respective allotments.
- b) This consent will lapse five years after the issue of the certificate of title for the respective allotments unless given effect to.

3. Floor Area of the Commercial/Community Activity Building

The total gross floor area of the commercial and community activity complex on Lot 121 shall not exceed:

Activity	Area (m ²)
Café / Restaurant	68.5
Kitchen	40.7
Shop	12.6
Meeting Room	22.3
Mail	3.4
Forest Park Administration and Reception	14.3
Atrium	54.1
Bar	14.3
Other space (Toilets, Circulation, Store)	50.4
SUB TOTAL	280.6
Outdoor Decking and Paving	177
TOTAL	457.6

4. Hours of Operation

The café/restaurant/bar/shop/administration office/meeting room shall operate within the hours of 7:00am to 11:00pm Monday to Sunday inclusive.

5. Parking and Loading

- a) A minimum number of on-site parking spaces on proposed Lot 121 shall be provided as follows:

Activity	Area (m ²) and Carparks
Café / Restaurant + Café/Restaurant Kitchen @ one space per 30m ² GFA (restaurant/café rate) Outdoor decking and paving @ one space per four persons' design capacity for outdoor eating areas (restaurant/café rate)	68.5 + 40.7 = 109.2 = four parks 177.0 = nine parks
Shop and other space @ one space per 35m ² GFA (retail rate)	12.6 + 50.4 = 63.0 = two parks
Meeting Room and Atrium @ one space per four persons design capacity (place of assembly rate)	22.3 + 54.1 = 76.4 = nine parks

Mail area and Forest Park Administration and Reception @ one space per 35m ² GFA (office rate)	3.4 + 14.3 = 17.7 = one park
Bar @ one space per three persons design capacity (tavern rate)	14.3 = three parks
Total commercial/community activity car parks required on Lot 121	28 parking spaces

- b) In addition to the 28 parking spaces for the commercial/community activities on Lot 121, the manager's dwelling shall have a minimum of 2 parking spaces on Lot 121.
- c) One loading space on Lot 121 shall be provided.
- d) All car parking spaces (with the exception of spaces for residential dwellings), all loading areas, and associated access and manoeuvring areas, shall be formed to an all-weather standard.

6. Sale of Liquor

- a) The sale of liquor for consumption on the premises (on-licence) shall only take place in the Bar on Lot 121.
- b) The sale of liquor under an off-licence shall only take place from the Shop on Lot 121.

7. Noise

Noise generated by any activity, when measured at or within the notional boundary of any dwelling in a Rural Zone (other than any dwelling on the site from which the noise is being generated), does not exceed:

	Day	Night
L ₁₀	55 dBA	40 dBA
L _{max}		70 dBA

Except that this condition does not apply to all noise from any intermittent or temporary rural activity, including noise from:

- (i) mobile horticultural and agricultural equipment;
- (ii) forest and tree harvesting activities;
- (iii) animals, except when associated with intensive livestock farming and animal boarding activities;
- (iv) bird scarers and hail cannons.

Note:

Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturday (but excluding public holidays).

Night = all other times plus public holidays.

The measurement and assessment of noise at the notional boundary of a dwelling applies whether the measurement location is within Tasman District or in an adjacent district.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:1991, 'Measurement of Sound' and NZS 6802:1991, 'Assessment of Environmental Sound'.

ADVICE NOTES

Council Regulations

1. The applicant shall meet the requirements of Council with respect to all Building Bylaws, Regulations and Acts.

Other Proposed Tasman Resource Management Plan Provisions

2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Proposed Tasman Resource Management Plan (PTRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.

Consent Holder

3. This consent is granted to the abovementioned consent holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "consent holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent as there may be conditions which are required to be complied with on an ongoing basis.

Development Contributions

4. The Consent Holder is liable to pay a development contribution in accordance with the Development Contributions Policy found in the Long Term Council Community Plan (LTCCP). The amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid.

Council will not issue a Code Compliance Certificate until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

Liquor Licences

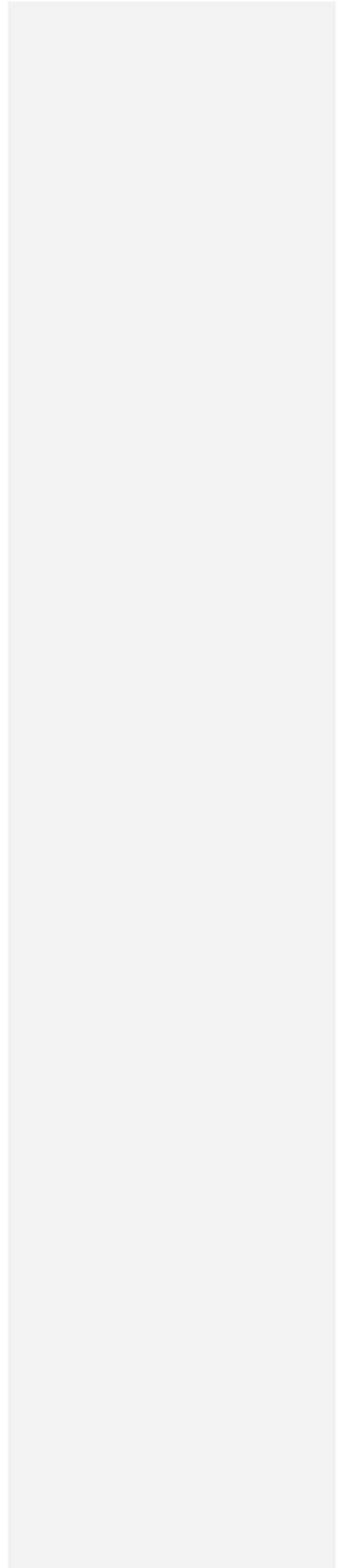
5. No liquor sales shall take place until an Off-Licence for the shop liquor sales, and an On-Licence for the bar liquor sales is issued under the Sale of Liquor Act 1989.

Paul Gibson
Consent Planner

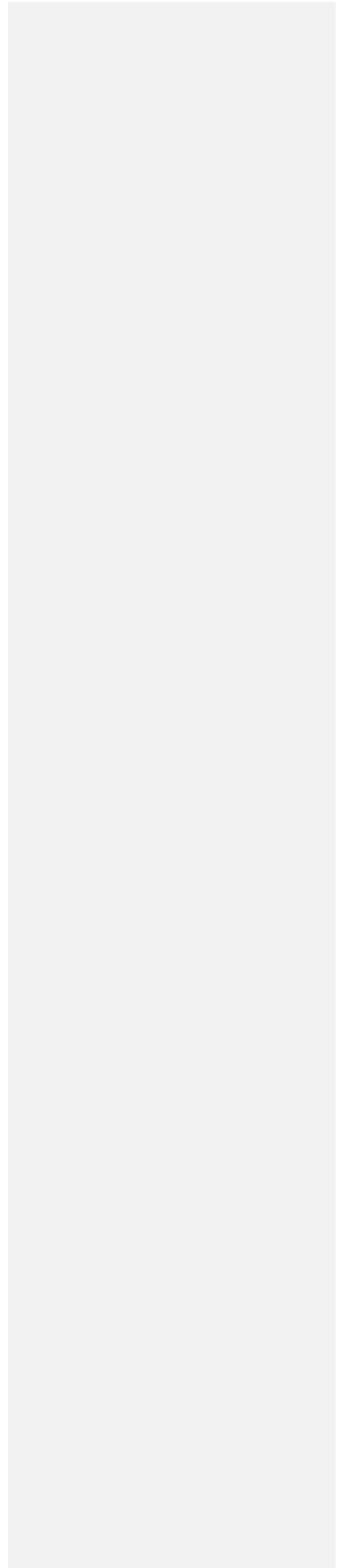
**ATTACHMENTS TO THE STAFF REPORT
FOR APPLICATIONS RM060737, RM060738, AND RM060739**

REPORT ATTACHMENT 1
Subject Site

REPORT ATTACHMENT 2
Zoning Map



REPORT ATTACHMENT 3
Area Map



REPORT ATTACHMENT 4
Location of Submitters

Andrew Burton
Resource Scientist (Land)

Soils and Land Productivity Report

**Tasman Limited, Forest Park Subdivision
Stringer Valley Road**

28.1.07

The application area, comprising of 107 hectares is situated in Stringer Valley, a small catchment at the coastal end of the Moutere Formation. The applicant has provided a report produced by Agfirst Consultants on the productive value of the land. That report describes factors that influence the potential productivity or versatility of the land. Those factors in particular include climate, topography and soils. The applicants Agfirst report uses the "Classification System for the Productive Land in the Tasman District" for its assessment of productivity and assesses that land within the application area is predominantly class E with some class B land existing in the northern areas on and adjacent to the main Stringer Valley and in two small valleys in the east of the application area. The report estimates that up to 14.5 hectares of class B land exists in the application area.

An onsite assessment of the land productivity based on the "Classification System for the Productive Land in the Tasman District" was carried out by the writer. Map1 indicates the classification of land in the application area. This varies from the map supplied in the Agfirst Consultants report both in amount and position of the class B land but generally the same pattern emerges. The narrow valley areas have been excluded from the class B area, the two that are dominated by wetlands are classed as H (non productive – Recreation, Conservation). The third has been incorporated into the E classification of the adjacent hill country. Its size and shape, isolation and the presence of a stream limit its versatility.

The main areas of class B land exist at the northern end of the application area on gently sloping land that borders the main Stringer Valley. The dominant slope ranges from 5 to 7 degrees with some slopes up to 10 degrees on the western most area.

The class E land, which is the majority of the application area, is predominantly "rolling" hill country, (10 to 15 degrees), with some small areas of steeper slopes up to 20 degrees.

Soils

Mapua sandy loams cover the class B area. On the class E area a mix of Mapua sandy loams and Mapua Hill soils exist. The difference between these two soils is based on soil depth and slope. The Mapua hill soils are found on the steeper slopes and are shallower than the Mapua sandy loam. Both these soils are naturally low in fertility. The topsoil is underlain by a clay based subsoil which has a very good water holding capacity, a feature that is a definite advantage for fruit trees and other deep rooting crops. Drainage can be a characteristic problem on these soils. Springs or seeps can exist in both gully bottoms and also on the side of hills. There were indications on some of the areas of Mapua sandy loam that some minor drainage problems exist in the application area.

Land Productivity and Versatility

Class B land.

This area, as described above, occurs at the northern end of the application area adjacent to the main Stringer Valley. The aspect is favourably north to north west for much of this area. Climate is not considered a limitation to production. Any drainage and fertility limitations that exist could be minimized by standard management practises. Soil erosion is known to be an issue on these soils under continuous cultivation regimes hence management practises to minimize this would have to be implemented if land use was to include cultivation. Taking into consideration all these aspect the class B land in the application area should be able to support the crop range suggested in the classification document, namely nursery, floriculture, orchards, market garden, cropping, pastoral and production forestry. Although this is a similar crop range to class A land, the difference between the two classes will be found in the versatility within each land use type. For example although orcharding can be carried out successfully on both class A and B land, a wide range of orchard crop could be grown on class A where only a limited range could be grown in class B areas due to greater soil, slope or climate limitations. Also as described earlier, landuses that require cultivation as an integral activity, for example market gardening, would have to ensure that management practises were implemented to minimize the erosion potential.

Within the application area much of this class B land has been used for orcharding in the early 1900's. This does highlight the potential of the land for intensive use. Also much of the pipfruit industry in the general coastal Moutere area is or was situated on this soil type. Increasingly, boutique vineyards and olive groves are being established on small pockets on the Mapua soils.

The class B land covers 16 hectares of the application area. It is fragmented with there being four distinct areas. The largest of these areas is 6 hectares in size and the smallest being 2.2 hectares. Although this fragmentation will not affect what could be grown successfully it will make the management of this area far more challenging than if it was in one unit.

Class E land.

The class E land, which comprises of the majority of the application area is rolling hill country. Due to predominantly slope and contour limitations its potential crop range is basically pastoral and production forestry. Both of these uses exist at present.

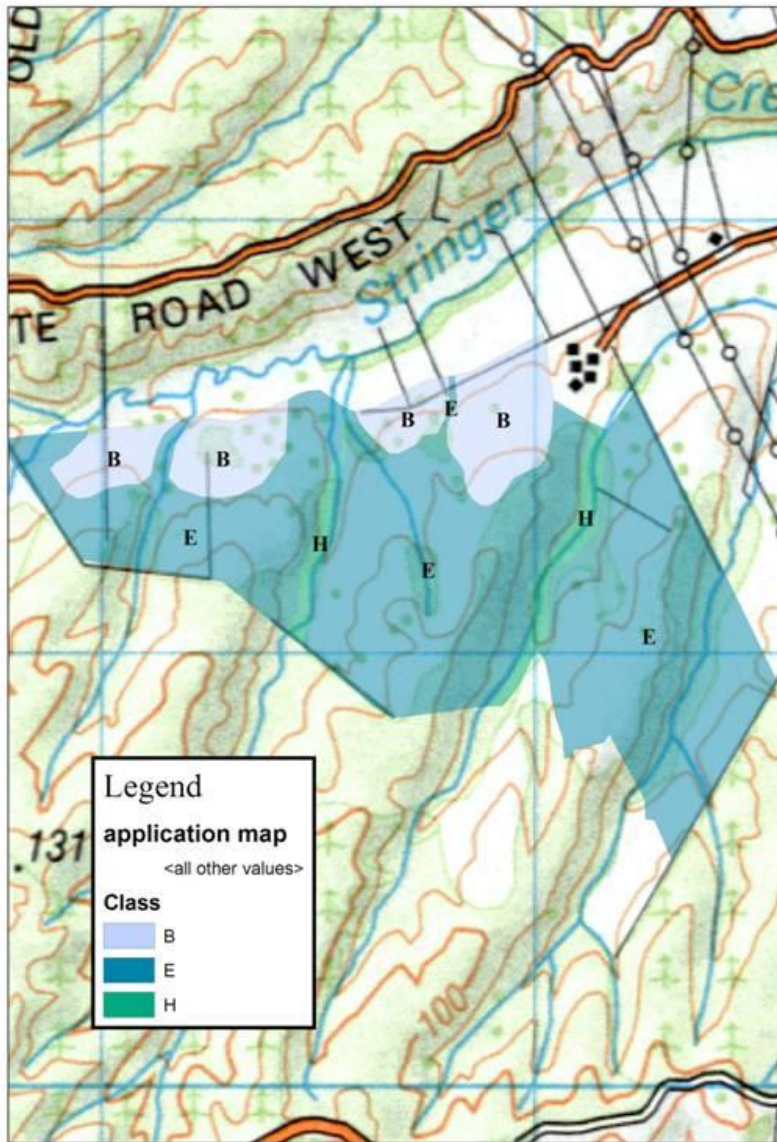
Class H land.

The wetland areas found within the application areas have been classified as class H. This is mainly non-productive. It covers approximately 4.5 hectares.

General Comments.

In the Rural 3 Zone, there are no class A land. Class B is the most versatile land present and covers 1600ha or 44% of the Rural 3 zone area. The rest of the zone 3 area is predominantly class E. The productivity difference between these two types of land is very significant.

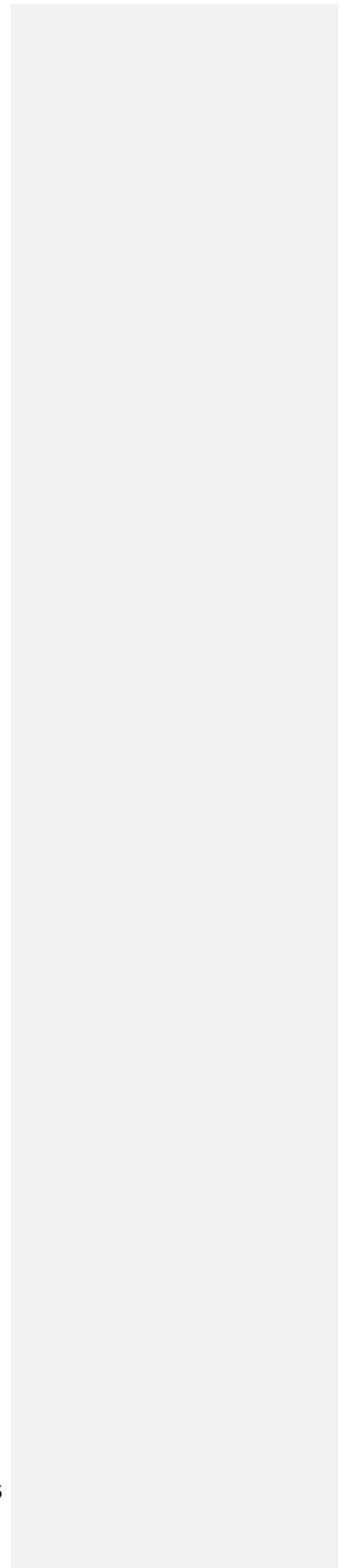
The class B land within the application area is rated as the land with the highest productive value in the Rural 3 Zone. The zone's guidelines require the retention of productive land and where subdivision development is to occur that its design and layout **avoids** existing and potentially productive land. Apart from the wetland areas all the land in the application area is productive. The class E land is the least versatile and the class B land the most. The subdivision layout in this application does cover some of the class B land.



Map 1: Productive Land Classification for Tasman Ltd, Stringer Road Application.

Andrew Burton
Resource Scientist (Land)

REPORT ATTACHMENT 6
Land Class and Development Area Map



ATTACHMENT 7

Engineering Department

TO: The Chairman and Councillors' Hearings Committee
FROM: Dugald Ley – Development Engineer
DATE: 10 April 2007
FILE NO: RM060737
RE: **121 LOT SUBDIVISION - STRINGER VALLEY – COMPREHENSIVE DEVELOPMENTS**

INTRODUCTION

The above application is to create the following in the existing Stringer catchment valley (west of SH60) of 450 hectares. This will develop approximately 25% of this catchment.

Activity	Allotments	Potential Traffic (per day)
Intensive residential clusters	41 (650m ² lots)	328
Café/Bar/Accommodation/ Managers' Residence	1 (large building over 460m ² with 30 carparks provided)	10
Conventional residential lots	80 (2030-9140m ² lots)	640
Tourist Accommodation	15 (individual units of 90m ²)	90
Golf Course/Swimming Pool etc	1	20

Potential traffic movements for this 1080 vpd development (TDC assessment)

Note, the applicant has assessed the traffic movements per day at the following:

- 136 lots at 8 movements per day = 1088
- 240 movements per day for staff and visitors (other activities) = 240

Total = 1328 vpd from total development

BACKGROUND

This development will be developed off Stringer Road West, which is located 11km from Richmond on SH60. State Highway 60 in this location carries approximately 8000 vehicles per day. A stipulation of the Rural 3 Design Guide was that access to these catchments

would be from SH60 and an appropriate intersection would be required to achieve these links.

The applicant has presented a plan for this intersection upgrade as shown in Appendix 9, Sheet SK01. The plan shows a typical deceleration/acceleration lane, a right turn holding lane and widening tapers. It is the opinion of this officer that the layout constructed by the applicant will mitigate the adverse effects of the increased traffic generated by this application. I am aware that Transit NZ wish to be heard for their submission and will confirm their acceptance or otherwise of the intersection improvements as suggested by the applicant. (The intersection will need agreement from both Transit and Tasman District Council as it is shown as a project in the LTCCP in years 2012-2015).

Stringer Road West

This road off the SH60 serves a number of properties (most likely 3 existing residential dwellings) with existing traffic movements associated with this and farming activities being approximately 10 to 20 per day. This first section of road, approximately 15m legal width and some 600m long, is formed to an approximately 3.5-4.0m width and is of a gravel surface. This physical formation deviates off the legal road reserve midway of this length, however Council has maintained this 600m length for a number of years.

The remaining parts of Stringer Road West are partially formed within the road reserve as four wheel drive only and when this road is some 1800m on from the SH60 it is impassable however, this paper road then carries on to connect to Old Coach Road near the Moutere Highway.

With this catchment fully developed, and considering the location and the traffic movements, the potential traffic from the SH60/Stringer Road intersection could amount to over 4000 vehicles per day.

Table 18.10A of the TRMP stipulates the design criteria for rural roads up to 1500 vpd and this sets out a carriageway incorporating:

- 2 x 3.25 sealed lanes
- 2 x 1.0 metal/gravel shoulders
- 2 x side drains
- Maximum grade of 1 in 8

Rural 3 has its own specified standards as per Table 18.10AA.

These standards do not specify maximum traffic movements but it is this officer's opinion that the road designs were attributable to roads serving "cluster" developments.

Footnote 4 of Table 18.10AA specifies:

"when vehicles per day exceed 500 the standards for collector roads in Table 18.10 A apply".

These are:

- 2 x 3.0m lanes
- 2 x 0.6m metal/gravel shoulders

- 2 x side drains
- Maximum grade of 1 in 8

I do not believe it was Council's intention that the road be limited to a collector road status as this catchment reflects the potential for traffic to be generated that places the roading hierarchy clearly into a distributor road (750-1500 vpd).

In reality the difference between the applicant's request of 6.0m seal width as opposed to a 6.5m seal width is of small value and the timeframes from the undeveloped catchment at present to the fully developed catchment is say 30 years. This does not warrant the extra width required however the full road reserve width of 20m should be taken at this time ie the applicant has suggested 15.09m in places.

The development has been split into 6 stages with various roads denoted on plan/drawing 8992-55A dated July 2006.

In essence the main backbone road "3" will follow the paper road up Stringer Valley with slight alterations (road closures/road to vest) to give a best physical fit to the topography. This is accepted by Engineering subject to any new road being linked back onto the paper road between stages.

Roads 1, 2, 3 and 5 all show as being open ended allowing future extensions to these. A later plan sheet 1 of 7 v2 dated 23 November 2006 shows Road 3 as a ROW AD and with a future extension shown. Engineering would not accept this as it limits and restricts development to the adjoining block of land. If left in its present form the ROW AD would revert back to an isolation strip and it would not be in the best interests of Council to allow this situation to develop.

Road 2 will link up with a paper road to the south which eventually links to the Moutere Highway in the Redwoods Valley area catchment. This link is solely for walking/biking links and it is not envisaged to allow traffic movements from this area onto the Moutere Highway.

Roads 1 and 5 will allow clusters of residential properties to be developed into their respective sub-catchments.

The suggested road designs subject to the details above as outlined in Appendix A, Table 1 of the application are accepted by Engineering.

Road Construction Sequencing

The applicant wishes to gain consent as soon as possible with Stage 1 being the café/bar/managers' residence, tourist accommodation and intensive development (some). This area to be developed is some 800m from SH60 at the end of Stringer Road. As previously mentioned, 600m of this road is approximately 1 lane of gravel with an existing road reserve of approx 15.0m in parts and 200m of 4 wheel drive track.

In the normal course of events, the applicant would be required to form both areas of road up to the required standards as part of the application. Note, for the health and safety of the travelling public/new residents it is deemed that the existing substandard road could not be left as it is, due to the substandard width and accident potential.

An Environment court Case, Coleman vs Tasman District Council AP224/97, is relevant to this case. In that case, subdivision was refused up a valley due to the substandard nature of the road leading to that subdivision development. The Court upheld Council's decision in that there were no funds from Council to upgrade the road and there were safety concerns for future residents.

The conundrum with this application is that there are funds to upgrade this road or parts of it but these funds will not become available until 2012 - 2015 as part of the Development Contributions policy of the LTCCP.

That LTCCP DC policy requires a payment of \$6888 per lot as a roading contribution to projects around the region. Stringer Road is one of those projects.

The options for the applicant are that:

- 1) The subdivision application be withdrawn until the work is completed by Council.
- 2) The subdivision application be withdrawn and the applicant make a submission to the LTCCP to bring the work forward on the programme and, if successful, re-submit the application when the roading works have been completed.
- 3) The applicant enter into a side agreement with Council for the developer to fund the interest charges to bring the potential loan monies forward to have the works carried out earlier.
- 4) The subdivision application as presented is refused due to the inadequacy of Stringer Road in its present state.
- 5) The developer completes the works on Stringer Road all at their cost and the Development Contribution of \$6888 per lot be amended accordingly due to the project being removed from the programme.
- 6) The developer brings the first 600m of Stringer Road up to a "safe" standard (ie correct width but remaining unsealed, as per a letter dated 4 April 2006). The developer completes the remaining portion of unformed Stringer Road at their cost and as assessment undertaken for a recalculation in the Development Contribution of \$6888 when the work is completed.

Note

It is understood that the applicant is wishing to enter into a "side" agreement with Council for bringing forward the Stringer Road upgrade to Year 08/09 for the following works and this agreement may be tabled at the hearing:

- Stringer Road/SH60 intersection upgrade
- Stringer Road existing 600m length of 3.5m wide gravel road.
- Stringer Road unformed section, length approximately 400m

However Council officers have no mandate to accept a side agreement for Council. A report will be tabled to the full Council on 3 May 2007 by Council's financial accountant, Mr M Staite. Focusing on this application hearing (due to be heard on 23 and 24 April ie before 3 May) will leave officers to form a condition (if the Committee were of a mind to

grant consent) that Stringer Road be formed up to Council's roading design standards and the intersection be constructed to the requirements of Transit New Zealand, being the State Highway controlling authority.

Therefore the decision of who shall actually fund and construct the works will be left to a later date with the proviso that a 224(c) certificate could not be issued until all physical works on a road reserve and state highway have been completed.

Intersection Design – SH6 and Stringer Road

Discussions have been undertaken between the applicant and Transit NZ directly and later with the application, Opus and Council. Transit's letter to the applicant of 15 March has suggested a larger upgraded intersection as previously envisaged by the applicant and as that shown on Plan Number SK01, dated July 2006, the fundamentals being:

1. Increased sight distance
2. Flush median
3. Central acceleration lane
4. Widened SH6 carriageway

Ultimately this intersection will be upgraded by Council as part of its LTCCP programme either in 2012 or brought forward as suggested by this application.

Two issues are relevant at this stage:

- a) Agreement on the design by TDC and Transit
- b) Staging requirements for construction

Matthew Taylor of "Opus" (Transit's representative) has advised that the present intersection has capacity for approximately 100 vehicles per day (ie 10-13 household lots) before any upgrade is required. Council officers and the applicant have investigated this claim and are of a view that the intersection in its present state could handle up to 10-25 household lots before any upgrades are contemplated. It is therefore concluded that, with that threshold and the 3 existing users at present, a condition could be imposed that when 20 additional lots are granted a 224 certificate, then works at the intersection have to be implemented. After this a programmed upgrade can be planned with further stages envisaged. It is the view of the applicant that it could take 5 years from the date of consent (if granted) for 50 lots to be created and longer again for each to have a dwelling erected and occupied.

The proposed conditions of consent reflect the above but are subject to agreement being needed on the intersection design parameters.

Right-of-Way

A number of right-of-ways (29) or common driveways are proposed for this development with various numbers of users. Right-of-Way O & N for example have 24 users.

Council standards for right-of-ways in rural 3 zoning allow a maximum of six users with a right-of-way design of:

Lane	Shoulder	Side Drains	Grade
4.5m	2 x 0.5m	2	1 in 6 unsealed Steeper than 1 in 6 sealed

The applicant has offered, via the application, to form 3 styles of ROW:

Type	Lots Served	Lane Width	Shoulders	Sealed/Unsealed
Type 1	10-29	5.0	2 x 0.5	Sealed
Type 2	3-10	4.5	2 x 0.5	Sealed
Type 3	3-11 (intensive clusters)	3.0	2 x 0.5	Sealed

In comparison with council roading standards for the equivalent numbers of users the following table is shown:

Type	Lots Served	Lane Width	Shoulders	Sealed/Unsealed	Footpaths
Access place	7-19	5.0	2 x 0.6 plus edge restraints	Sealed	1 x 1.4

It is the view of this officer that once the numbers of users exceed 6 on a right of way, the problem will eventuate as to the future maintenance of the access when deterioration of the surface or potholes etc appear. It is my opinion therefore that Type 1 ROW's should become legal roads to vest with Council and therefore meet the Access Place standard as above and a dispensation be granted to allow up to 10 users on the Type 2 & 3 ROW, subject to the sealed lane width being no less than 4.5m.

Submissions relating to engineering roading matters

Transit NZ	Concern over intersection design and traffic movements. Reply – Intersection to be to be designed requires Transit NZ's approval.
King Family Trust	Reforming/closing parts of Stringer Road adjacent to their property. Reply – Applicant will require their consent to close the road otherwise roads will need to be formed up within existing road reserve widths.

- C Boswijk Concern of adverse effects of traffic and contaminants entering waterways.
- Reply – Rural 3 has envisaged this type of development in regard to traffic numbers and monitoring will be required on contaminants. Roading issues will be met by appropriately designed roads and intersections.
- E Collier, T & P Ewill Increased traffic and no public transport.
- Reply – Roads designed for the increase traffic flows. Public transport could be an option for the future.
- G Henderson Right of ways not up to TDC standards and widening of Stringer Road.
- Reply – Recommendation for compliance with TDC standard in part and agreements for Stringer Road upgrade.

Water Reticulation

As with other Rural 3 subdivisions and as per the LTCCP, this area will ultimately be served by a restricted rural water supply which will provide some 1.0 - 1.5m³ per day to each lot.

The supply (coastal pipeline) is presently being applied for from a Motueka aquifer and the LTCCP sets the likely time frames for that supply which incorporates a series of pumping stations, pipelines and reservoirs. The present programme will have a pipeline in the vicinity of Stringer Road by 2014.

If this application is approved, therefore, the developer will be required to provide an interim supply for each lot and appropriate measures to comply with fire-fighting requirements.

The applicant via this application will be pursuing rainwater collection and application for a ground water permit.

Development Contributions

As per the LTCCP and Local Government Act 2001, the land in this locality (Rural 3) is liable to pay for infrastructure to serve the area. In this instance, 2 contributions are attributable being: roading contribution and water contribution.

Should the Hearings Committee, after hearing all the evidence, be of a mind to grant consent then the conditions as recommended in the planners report should form part of the consent approval.

Dugald Ley
Development Engineer

Environment and Planning Department

To: Paul Gibson
From: Ros Squire – Planner, Community Services
Date: 8 April 2007
Subject: **RM060737 – Tasman Limited**

The following recommendations are made without prejudice, subject to Council granting consent to the application.

Proposed Reserves and Walkways

Staff from the Community Department visited the application site at pre application and post notification stage. The provision of reserves and walkways has been discussed with the Mapua District Cycle and Walkways Group and the applicant.

The Community Services Department would like to make the following recommendations with respect to this application:

- (i) The small local purpose reserve shown as proposed lot 126 on the plan shall be vested in Tasman District Council as Local Purpose Reserve. The applicant shall provide and form 4 parking spaces a within the road reserve adjoining this reserve with formation costs being credited against reserve fund contributions (subject to a quote acceptable to Council).

This proposed reserve will adjoin what we anticipate will be one of the principle cycle/walkway routes through the site and is located in an attractive elevated situation.

- (ii) The following dual walkway/cycleways shall be formed and maintained for an agreed period (refer attached plans A and B for reference):

- A walkway/cycleway adjoining the north eastern boundary of proposed lot 75 to provide a walkway link from the adjoining property owned by CHH (and ultimately the Galeo subdivision to the south east) to ROW AC;
- A walkway/cycleway off ROW L through the subdivision to ROAD 3;

This will provide an off road option for cyclists and walkers through the subdivision

- A walkway/cycleway from ROAD 3 to Bronte Road West.

This will provide a walkway off ROAD 3, across the valley floor at the toe of the spur up through the gully along its western flank linking to Bronte Road West. The issue of the protection of the regenerating native vegetation in the gully was raised and it is noted that the application states that the site will be protected and ultimately returned to a mature native forest.

- (iii) The walkway/cycleways shall have formation widths of 1.5 metres within 5 metre wide public access easements. The formation of the walkway/ cycleways shall be undertaken in accordance with the TDC Engineering Standards and the walkway standard SNZ HB 8630:2004 as part of the development works. The costs of formation may be credited against the reserve fund contributions (subject to a quote acceptable to Council).
- (iv) Right of way AB and AC shall provide for public access in addition to rights of way for road users;
- (v) Roads 1, 2, 3, 4 and 5 shall contain walkway/cycleways within the road reserve adjoining the road with a formation width of 1.5 metres.

Resource Management Act 1991

The purpose of the Resource Management Act 1991 is to manage 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 wellbeing and for their health and safety. This purpose is reflected in the objectives and policies in the Proposed Tasman Resource Management Plan.

Proposed Tasman Resource Management Plan

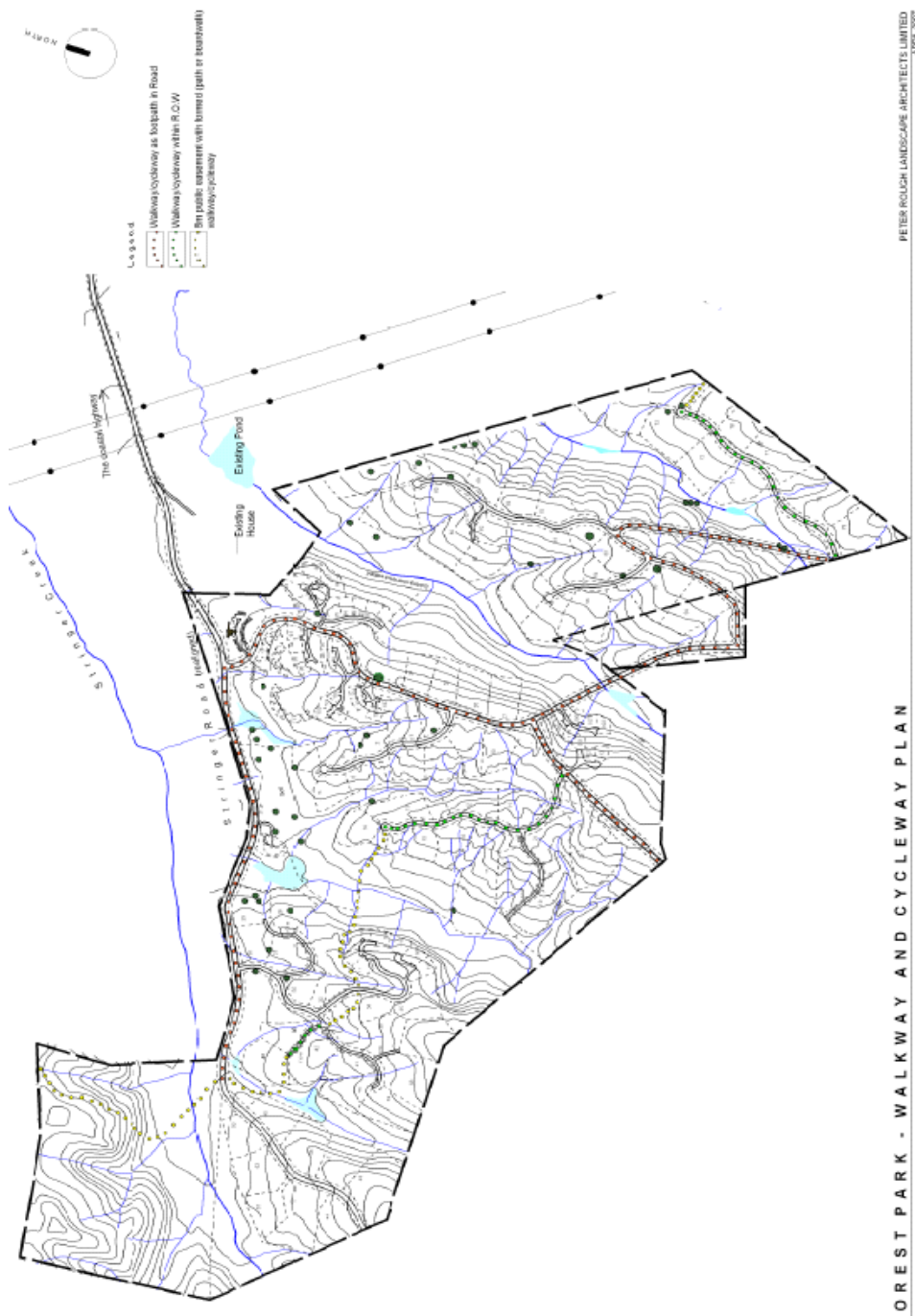
Chapter 14 outlines Councils objectives and policies for the provision of reserves and open spaces.

Objective 14.1.0 aims to ensure that there is an adequate area and distribution of a wide range of reserves and open spaces to maintain and enhance recreation, conservation, access and amenity values.

Policy 14.1.1 aims to provide at least four hectares of Council land per 1,000 residents for recreation and amenity space which is in addition to Crown and private land.

Policy 14.1.4 aims to provide for new open space areas that are convenient and accessible for users, including the provision of walking and cycling linkages in and around townships, between townships and between reserves

The acquisition of the proposed walkways and reserve is considered to be consistent with Councils objectives and policies for reserves and open spaces. The walkways will enhance public access within an area that does not have an established public walkway system and will provide future links with adjoining properties as they are developed. The proposed local purpose reserve will be located adjoining one of the principle linking roads and will provide extensive rural views across the Stringer Valley and out over the Waimea Estuary. The walkways/cycleways and reserve will be accessible to both residents living in close proximity to the site and those in the wider community who can park here and cycle or walk in or through the area.

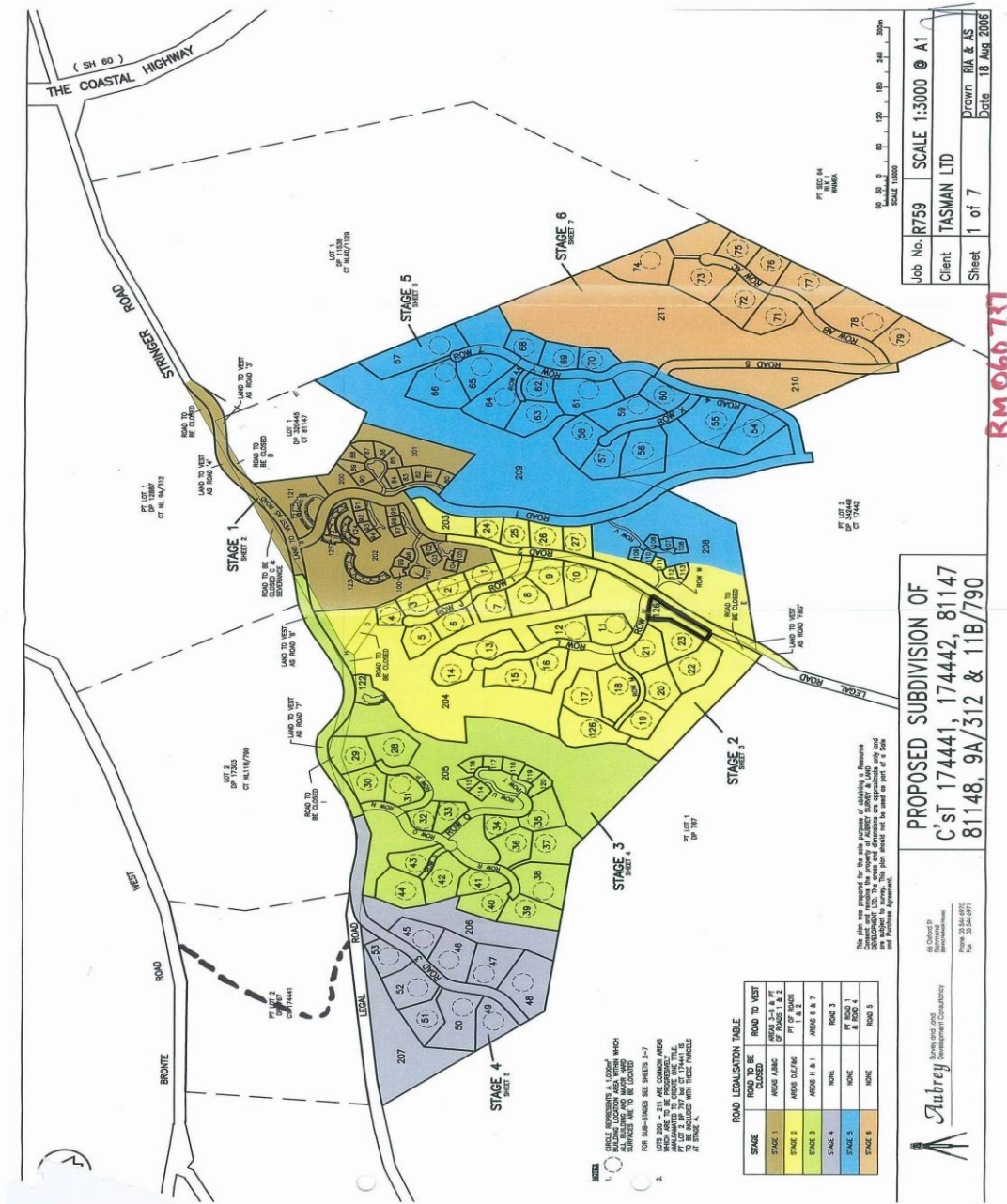


PETER ROUGH LANDSCAPE ARCHITECTS LIMITED
 APRIL 2007
 1:500 @ A3

FOREST PARK - WALKWAY AND CYCLEWAY PLAN



Plan A – Proposed walkway links through Tasman Limited subdivision



Plan B – Roads and rights of way through Tasman Limited subdivision

Rosalind Squire
Planner, Community Services

EP07/04/04: Tasman Ltd
Report dated 11 April 2007

ATTACHMENT 9

REPORT ON ECOLOGICAL VALUES
Advice on Stringer Road Subdivision Proposal
Trevor James
 21 December, 2006

Points to consider with this subdivision:

RECOMMENDATION	REASON
The waterway crossing on Road 1 upstream of the covenanted wetland should be carefully designed. Several smaller culverts rather than one or two larger ones for wetland integrity but if the passage of birds such as Pukekos will be endangered by the road then a larger culvert with the invert set slightly higher than the other culverts should be provided.	This will ensure that wetland habitat and hydrological functioning is preserved and does not create a scour channel.
<p>Sewage treatment</p> <ul style="list-style-type: none"> - A collection chamber or sump should be provided downstream of major land disposal sites - Monitoring should occur after residential and tourist dwellings in stage one and two are more than 75% complete and every three years thereafter - An Operation and Maintenance Plan of the sewage treatment plant shall be provided - <i>There shall be no discharges to the surface from the land disposal area.</i> 	<p>Sampling quality of runoff caused by land treatment necessary to ensure the effective functioning of the treatment system</p> <p>The efficacy of the treatment system so often depends on proper operation and maintenance</p> <p>Protection of public health</p>
<p>New pond installations</p> <ul style="list-style-type: none"> - Ensure that effective shading occurs 	To ensure that temperatures of the discharge from the ponds does not cause temperature increases in waterways by more than 3 degrees celcius.
<p>Revegetation and Landscape Plan</p> <ul style="list-style-type: none"> - Include information on what to plant where, when and how. - Pest Plant control plans - Applicant should supply a bond to be used if revegetation plans fall significantly behind schedule. - Successional planting plans - Wildlife corridors should be provided over ridgetops and ensuring valleys connect (ie no-build zones) 	<p>Successful revegetation relies on careful planning. Planting of high-value climax forest, particularly swamp forest species should be considered in valley floors and foot of slopes.</p> <p>Without wildlife corridors the ecological connectivity with surrounding valleys will be compromised. This is a well-known requirement for maintenance of significant natural areas.</p> <p>Restoration of the area currently under</p>

	Cypress may need special consideration given the effect of Cypress species on soil quality.
Wetland Management Plan I agree with all other recommendations by Michael North.	Pest plants such as Crack Willow need to be removed to ensure that ecosystem degradation does not occur. Pine trees also need to be removed.
Pest management Plan Ban cats and dogs	This is one of the best ways to protect wildlife (particularly that in the high value wetland areas).
Water Supply - On-site rainwater collection from roofs should be made permanent (currently only a temporary measure) with at least 30,000 l capacity for a typical 3-4 bedroom home in the higher density area and double that for the low density residential zone.	This area is the most water-short area in Tasman and water supplies from groundwater and the Waimea are not likely to be sustainable. Rainwater collection will mitigate scour to waterways from increased peak flows due to larger amounts of impervious surface.
Sediment runoff control plan Detail fine sediment mitigation devices such as retention dams, use of flocculant, maintenance of grass sward buffers in riparian strips (wider on steeper slopes, silt fences. Avoid heavy rainfall periods such as spring. Stage works (e.g. don't have large sections of catchment exposed to erosion at one time and leave the bottom half of the slope until vegetation has been established), ensure final land surface is partially compacted and texture is parallel to the contour to reduce run-off rates, and number, design and location of sediment control devices and maintenance of these.	Fine sediment has significant adverse effects on waterways.

Trevor James
Resource Scientist

ATTACHMENT 10

Site Contamination Comments for RM060737, RM060738, and RM060739)

The following properties were checked:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

The sites are not identified on the Council's hazards database as pre 1970's orchard, and therefore not assessed as at risk from potential chemical contamination. Neither is the subject site listed as a registered site on the contaminated sites register.

Jenny Easton
Resource Scientist

ATTACHMENT 11

Comments regarding natural hazards for Comments for RM060737, RM060738, and RM060739.

The following properties were checked in Council;s database:

Address of property: Stringer Road, Bronte

Legal description: Lot 2 DP 320445; Lot 1 DP 342449; Pt Lot 2 DP 767; Lot 2 DP 342449; Lot 2 DP 17303; Lot 1 DP 320445

Certificates of title: 81148, 174441, 174442, 11B/790, and 81147

Valuation numbers: 1938072100; 1938072105; 1938072107; 1938072108; 1938072109

Council has no records of the above identified properties being subject to flooding, land contamination, land instability or specific earthquake hazards. However, several of these titles have watercourses traversing them and land adjacent to these watercourses, and in particular, low lying land adjacent to Stringer Creek, may be subject to flooding during periods of intense or prolonged rainfall. Potential flooding hazard on these titles is unlikely to affect any building sites, as I understand these sites are not proposed to be located in low lying areas or on land immediately adjacent to watercourses

Eric Verstappen
Resource Scientist