



STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Laurie Davidson – Consents Planner, Golden Bay

REFERENCE: RM051063

SUBJECT: **R J DAVIES AND P FINLAYSON – REPORT EP08/06/01** – Report prepared for 16 June 2008 Hearing

PROPOSAL

To establish and operate a camping ground (trading as Autumn Farm) which will cater for up to 15 people at any one time and to hold five organised events between December and February (inclusive) that will cater for up to 50 people. The application is for a retrospective consent as the camping ground has been operating for the past 12 years on an informal basis.

An application (RM080155) is also made for a Discharge Permit to discharge treated wastewater to land and while this is reported separately, it is being heard concurrently with the land use application.

LOCATION

37 Central Takaka Road, Golden Bay.

LAND DESCRIPTION

Part Section 29, District of Takaka, all land contained in Certificate of Title NL 66/33

ZONING

Proposed Tasman Resource Management Plan (PTRMP) Rural 1

RESOURCE CONSENT STATUS

The land use component to establish and operate a camping ground at 37 Central Takaka Road is a Discretionary Activity under the Proposed Tasman Resource Management Plan.

NOTIFICATION

Council processed this application under the provisions of the Resource Management Act 1991 as a notified application, as there was a neighbour that had been identified as “an affected party” who chose not to provide written approval and Council considered the proposal had some potential to create effects that may have been more than minor.

Written approvals pursuant to Section 94 of the Act have been provided by;

R J Davies
C Couper, Central Takaka School
Windle Bros Ltd
J E Baigent
J T and S H Davies
R J Thomas

1. INTRODUCTION

The application by RJ Davies and P Finlayson to establish and operate a camping ground at Central Takaka requires land use consent for a commercial activity and tourist accommodation in a Rural 1 Zone. The facility is known locally and nationally as Autumn Farm and has operated as a limited scale camping ground for a number of years.

The application to formalise the use of the property to enable it to be used as a limited scale camping ground was first lodged with Council in 2005, but has remained “on hold” until late last year as there was inadequate information to enable the consent to be processed. The application has since been revised and an additional application made to enable waste water issues to be addressed, allowing the application to proceed.

2. SITE DESCRIPTION

The applicants’ property is a title of 4.2492 hectares that is zoned Rural 1 and located on the southern side of Takaka, approximately 2.4 kilometres from the township. The land is generally flat and is bisected by the Rameka Creek, a stream that has regular but varying flows, depending on rainfall. The land on the southern side of the Rameka Creek contains the dwelling and other outbuildings, including a “bathhouse” which is an ablution block, containing two showers, two hand basins and a composting toilet. A service area beside this provides limited kitchen and laundry facilities. This building is purposely designed to cater for visitors to the site. The areas proposed to be used for camping sites are generally on the southern side of Rameka Creek with one site near the concrete ford to the north of the creek. Land in this area will also be utilised for wastewater disposal for the system designed by Richard Walker.

The land on the northern side of Rameka Creek is more open with a number of grassed areas that are bordered by a range of vegetation, providing a degree of screening from adjoining properties. This land is more than 75 metres from the ablutions and will not meet the legislative requirements for a camping ground in relation to ablutions.

The site is accessed from the Central Takaka Road which is a sealed two-lane road that varies in width, but generally between 6 and 7 metres. The road carries moderate numbers of vehicle movements and serves the Central Takaka School and the Golden Bay Hospital. Typical numbers of vehicle movements are described in the Actual and Potential Effects section of this report. It provides a link with the eastern part of Golden Bay that skirts Takaka and is described as a “Collector” road

under the PTRMP. The Central Takaka School car park is located directly opposite the subject site and there is a footpath leading to the Golden Bay Community Hospital, on the southern side of the road.

The property has two accesses from the road, but the primary access is located on the western side and leads to a metalled parking area. Both accesses are formed to a gravel surface and some upgrading of these would be required to meet current access standards.

It should be noted that granting this resource application does not override the legislative requirements to obtain other approvals in relation to operating a camping ground or the use of fireworks on the site.

3. NOTIFICATION AND SUBMISSIONS

The application was notified on 15 March 2008, with submissions closing on 15 April 2008. Eight submissions were received, with six in support, (one of which asked for conditions), one in opposition and one was neutral. Three of the submitters have indicated they wish to be heard and the other submitters are all in support of the application.

3.1 Submissions in Support of the Application

D and J Richards, J Trevino, F Muter, S Hoogerwerf, J and S Davies, Nelson Marlborough Health Service (with conditions)

The submissions in support have a common theme of supporting the operation of the campground at Autumn Farm and consider it provides a facility for the Golden Bay community. The only submitter in support of the application who wishes to be heard is the Nelson Marlborough Health Service. That submission raises three matters of concern relating to the operation of composting toilets, the capacity of the waste water system and the potability of the water supply.

Comment: The support shown is from a range of people who are familiar with the Autumn Farm operation and they consider the campground is a worthwhile asset for the local community. Their comments are self explanatory and do not require any additional comment.

The submission from the Nelson Marlborough Health Service raises matters that can have a potential adverse effect, but can also be addressed through the imposition of appropriate conditions. The waste water system is reported separately as part of the discharge permit application and clearly this system needs to be adequate to cater for the peak loading that is likely to occur over the January/February period. The composting toilet operation is an operational matter that requires management to ensure it operates efficiently. The use of this is likely to be markedly reduced over the winter period when temperatures are low and is matter of monitoring the facility over that time. This issue is discussed further under the actual and potential effects section of this report. The provision of a potable water supply is a requirement of the Camping Ground Regulations and this can be achieved by appropriate treatment of the water if required.

3.2 Submissions in Opposition

J and T Coleman

Mr and Mrs Coleman are residents of the property immediately to the west of the subject site. They have lodged a submission in opposition to the application and have asked that the application is declined. They have asked to be heard in support of their submission and have sought legal assistance in that regard.

The matters they have raised relate to the effects of the operation of the camping ground and the activities that take place on the property. These include the use of the composting toilet and disposal of waste material, shading from trees and obstruction of views, noise levels from activities and the operation of the camping ground, the use of fireworks, the use of Rameka Creek as a swimming pool, the definition of boundaries and access to the property.

Comment: The matters raised by the Coleman's cover a range of matters, some of which can be considered actual and potential effects but there are others that relate to matters that are not resource management issues. While there is legislation that covers nudity and shading caused by vegetation on the Autumn Farm property, they are not matters that can be effectively addressed when considering this application. The other matters they raise are addressed in the actual and potential effects section of this report and through the imposition of appropriate conditions if consent is to be granted.

3.3 Neutral Submissions

New Zealand Fire Service Commission

A submission on behalf of the New Zealand Fire Service Commission has been submitted by Becca Carter Hollings and Ferner Ltd. The Commission's concern is that there is adequate provision of water for fire fighting purposes in a location such as this. The submission appears to be generic in respect of resource consent applications and the decision sought by the Commission asks for a storage of 45000 litres of water for fire fighting purposes. The Commission wish to reserve the right to be heard in respect of their submission.

Comment: Fire safety is an issue that the PTRMP has considered and it is appropriate to impose conditions in this area if consent is considered for the proposal. In this case there is a reasonable size pool in the Rameka creek which may be available for fire fighting, to supplement the existing water storage tank on the property. Together, those sources may be able to satisfy the requirements of the NZFS Code of Practice and also be supplemented by appropriate fire fighting equipment on the property.

4. ASSESSMENT

The application before the Committee is both a commercial activity and a tourist accommodation activity in a Rural 1 Zone (Refer Rule 17.4.2(b)(vii) & (viii) and is a Discretionary Activity under Rule 17.4.3 of the Proposed Tasman Resource Management Plan (PTRMP). Since the determination by the Environment Court of the last outstanding appeals against the Rural 1 Zone, in terms of the provisions of

Section 19 of the Resource Management Act 1991, the Transitional District Plan (Golden Bay Section) has virtually no relevance to the application. It is therefore appropriate to now only consider the application under the PTRMP and the provisions of Part II of the Resource Management Act 1991.

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

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

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

- The actual and potential effects on the environment of allowing the activity;
- Any relevant provisions of national or regional policy statements;
- Relevant objectives, policies, rules or other provisions of a plan or proposed plan; and
- Any other matters the Committee considers relevant and reasonably necessary to determine the application.

5. RESOURCE MANAGEMENT ACT

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

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

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

5.1 Matters of National Importance – Section 6 of RMA

The matters of National Importance are set out in Section 6 of the Resource Management Act. In this case there are no identified matters that appear to be relevant to this particular application.

5.2 Other Matters – Section 7 of RMA

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

- b) the efficient use and development of natural and physical resources;
- c) the maintenance and enhancement of amenity values;
- f) maintenance and enhancement of the quality of the environment;

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

6. STATUTORY PLANNING DOCUMENTS

6.1 Tasman Regional Policy Statement

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

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

6.2 The Proposed Tasman Resource Management Plan

The Proposed Tasman Resource Management Plan has been prepared and has progressed to the point that it is now effectively operational as all appeals in relation to the Rural 1 Zone have now been settled.

The Plan sets out a range of policies and objectives that are pertinent to sustainable development and in particular those that relate to site amenity.

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

The following table summarises the most relevant plan matters and provides brief assessment commentary. The objectives and policies that are particularly relevant to this application relate to the use of the rural environment and site amenity.

Summary of Objectives and Policies – Proposed Tasman Resource Management Plan

<i>Chapter 5 – Site Amenity Effects</i>	Council must ensure that the rural character and amenity values of a site and the surrounding environment are protected, and any actual or potential effects of the proposed land use must be avoided remedied or mitigated so they are minor.
<i>Objectives 5.1, 5.2, 5.3 and 5.4</i> <i>Policies: 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.7, 5.2.1, 5.2.2, 5.2.4, 5.2.8, 5.2.13, 5.3.3, 5.4.1 and 5.4.2</i>	Management of the effects of the proposed use must protect the use and enjoyment of other land in the area, including the provision for satisfactory on-site disposal of wastewater and avoidance of noise and dust. There is also a focus to maintain and enhance amenity values in relation to traffic and access to properties
<i>Chapter 7 – Rural Environment Effects</i>	The use of the rural environment for activities other than productive land use can occur in certain locations, but it should be undertaken in a manner that does not compromise the rural character or amenity values.
<i>Objectives: 7.1, 7.2 and 7.3</i> <i>Policies 7.1.2, 7.1.2A, 7.2.1, 7.2.1A, 7.2.4, 7.3.3, 7.3.4, and 7.3.9</i>	Allow for activities other than soil based activities to locate in rural areas on land that is not of high productive value. Any proposal is required to preserve the amenity and rural character values of an area including wastewater disposal and access.
<i>Chapter 9 – Landscape Effects</i>	The protection of landscape and natural features, particularly in rural areas and along the coast
<i>Objectives 9.1 and 9.2</i> <i>Policies 9.1.6, 9.1.7, 9.2.1, 9.2.3, 9.2.4 and 9.2.5</i>	The rural landscape in Tasman District is an important regional feature, particularly recognising the openness and rural amenity. Development should not compromise that value.
<i>Chapter 11 – Land Transport Effects</i>	The provision of a safe and efficient transport system is a matter that is pertinent to Golden Bay where there are significant traffic flows, particularly at holiday periods.
<i>Objective 11.1</i> <i>Policies 11.1.2, 11.1.2B, 11.1.3 and 11.1.4</i>	The District's transport system should be appropriate for the use it receives and to provide a safe and efficient means of accessing the various parts of the District.

The policies that are considered relevant to this application are summarised above and set out fully in Appendix B to this report. The objectives and policies that relate to site amenity and the rural environment are particularly relevant to this application.

In particular Objective 5.1, supported by Policy 5.1.1 seeks to protect the amenity of the area and to control built development.

By contrast, Objective 7.2 supported by Policies 7.2.1 and 7.2.1A makes provision for activities other than soil based production and in particular tourist services on rural land.

7. ACTUAL AND POTENTIAL EFFECTS OF ALLOWING THE ACTIVITY

The application lodged by P Finlayson and R Davies to establish and operate a camping ground at 37 Central Takaka Road, raises a number of issues. If consent is granted, the proposal has some potential to change the rural environment in this part of Golden Bay. In considering that potential change, any identified adverse effects of the proposed development need to be able to be avoided, mitigated, or remedied to the extent they become minor, if consent is to be granted.

The proposal is typical of the tourist type of activities in Golden Bay where there is a significant level of activity for a relatively short summer period and much less activity for the rest of the year. The effects of this type of business can be quite variable and there are potential adverse effects that need to be mitigated for the activity to be a sustainable one. Mitigation measures can include the imposition of conditions and the requirement to have a management plan to control the day to day operation.

The matters that are considered actual and potential effects of allowing the activity are now discussed in more detail to assess their relevance to this application.

7.1 Permitted Baseline

The land is zoned Rural 1 under the Proposed Tasman Resource Management Plan (PTRMP) and the relevance of the permitted baseline concept under the RMA has to be assessed in relation to the proposed commercial activity/tourist activity.

The Rural 1 Zone Rules allow buildings, excluding dwellings and greenhouses up to 2000 square metres to be erected as a Permitted Activity. In this case the buildings already exist and there is no application for consent to erect additional buildings.

The home occupation rules in a Rural 1 area allow visitor accommodation for up to 6 people as a permitted activity within a dwelling. In my opinion the proposed commercial activity/tourist accommodation is quite different in both nature and scale to the home occupation level of tourist accommodation that is permitted in this zone.

In this situation it is not appropriate in this case to rely on the Permitted baseline to draw any comparison with the application that has been lodged.

7.2 Use of Rural Land and Effects on Productivity

The proposal to establish and operate a camp ground on land zoned Rural 1 is not normally a use associated with Rural 1 land in terms of productive land use. The title in this case is 4.294 hectares and the area to be used for the camping ground, including landscaping, is approximately 1.2 hectares, leaving the balance of the area to be available for permitted rural land uses. The rear portion of the property is used

for raising stock on a small scale with attractive areas of landscaping around the perimeter of the property.

The majority of the property is surrounded by productive rural land and it is unlikely the camp ground would have any adverse effect on the adjoining permitted rural uses. There is extensive landscaping that provides a buffer between the uses.

It is accepted the proposed camp ground use adds to the cumulative use of Rural 1 land that is not related to soil based production, but it does not set a precedent for other rural land to be used in a similar fashion. If the camping ground were to be discontinued in the future, the land could easily be converted back to a permitted Rural 1 Zone activity.

Chapter 7 of the TRMP makes provision within the policies and objectives to use rural land in specific locations for uses other than soil based production. It also makes it very clear the primary aim of the management of productive rural land is to retain it for future generations. Both of these concepts need to be carefully weighed in considering the use of this site for the proposed camp ground.

It is unlikely the use of approximately 1.2 hectares of the property for a camping ground activity of limited scale will have any adverse effect on adjoining productive rural land at Central Takaka. A large part of the applicants land is also used as a small scale productive farm and that is expected to continue and as noted above, should the camping activity be discontinued in the future, then the land could easily be used for productive rural purposes. Reverse sensitivity effects for the productive use of adjoining properties are mitigated by existing established vegetated buffers.

7.3 Amenity of the Central Takaka Area

The Central Takaka area is a relatively small rural community that contains a number of properties that are generally used for rural residential use. The properties can vary in area from 0.65 hectares to over 70 hectares that are used for residential and rural uses. The area also contains the Central Takaka School and the Golden Bay Community Hospital. The Takaka Recreation Reserve is located nearby, providing a range of community facilities.

The area has a relaxed rural feeling and the close proximity of the Takaka Township and its associated services make it an attractive location to live. The nearest comparable facility to the proposed camp ground is the Hangdog Campground at Paynes Ford that provides a camping facility that is aimed specifically at people with an interest in rock climbing and outdoor recreation. That facility has operated since 1999, providing accommodation for 30 people, including a bunkhouse for 12 people. This is a facility that has some similarity with the current proposal and helps cater for the range of visitors to Golden Bay.

It is accepted to establishment of a camp ground for up to 50 people can have the potential to change the amenity of an area and it is important any potential effects that can change the amenity of an area are addressed to ensure they are avoided, mitigated or remedied to the point they become minor.

Residents in the local Central Takaka area have provided their written approval or submission in support of the proposed facility, with the exception of the Coleman's who live immediately to the west of the property.

Some of the issues raised by the Coleman's are matters that can be addressed in resource management terms, but others are matters that would need to be pursued through other legislation or procedures. Those matters can have some effect on the amenity of the Coleman's property, in addition to those that are more specifically related to the camping ground activity that is proposed.

7.4 Duration of Effects

The Resource Management Act defines "effect" as: *Any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration, or frequency of the effect, and also includes:- Any potential effect of high probability; and Any potential effect of low probability which has a high potential impact.* That situation is particularly relevant to this particular application as the events where there can be up to 50 people are limited to three months of the year and for the balance of the year the number of guests is limited to 15 people.

The potential for "effects" is increased during the summer period when there are specific events planned for people staying on the property. From discussion with the applicant, these events do result in an increase in the on-site activities and those effects may be detectable beyond the boundaries of the site. It is appropriate in a case such as this to require a consent holder to have a operational management plan for the facility that can be used to control or limit the types and location of activities taking place on the site and this can be altered or changed with the consent of the consent holder and Council, to avoid, mitigate or remedy any potential adverse effects.

It would be a reasonable summation to say the operation of the facility would be generally of a nature that for nine months of the year, effects are likely to be quite minor, but for two to three months activities will need to be controlled by way of an operational management plan.

7.5 Scale of the Activity

The provision of a camp ground catering for up to 15 people as a year round activity and 50 people for five planned events during the December – March period would be regarded as facility of that is of a relatively small scale in Golden Bay.

The applicant has indicated this application is a retrospective application and the summer camp activities have taken place for a number of years as a semi-commercial activity. Council does not appear to have any record of complaints about the operation of the facility and the support of some of the local community has indicated the effects of the activities at Autumn Farm have not raised any concern, apart from the immediate neighbour.

It is appropriate in this case to impose conditions that limit the scale of activities of the camping ground, if consent is to be considered for the application.

7.6 The Use of Composting Toilets

The existing bath house on the property contains the facilities for the camp ground and these include a composting toilet, two showers, two hand basins, a urinal, a bath, and basic kitchen and laundry facilities. An outdoor bath heated by an open fire is also provided nearby.

The composting toilet is designed with an insulated composting chamber and the applicant advises the unit functions effectively for the current operation. Material from the toilet is generally removed once a year and this is re-composted beside the area where normal organic composting is undertaken. The site inspection indicated the material from the last two years was still stored in this location and it is used with discretion as a fertiliser in limited locations on the site.

The submission from the Nelson Marlborough Health Board raises some concerns about the operation of the unit, including the effects of low temperatures affecting the composting action. The unit is insulated to retain residual temperature and appears to operate effectively.

The Coleman's submission raised an objection to material being deposited near their property and that it had created offensive conditions in the past. The applicant refutes that submission and says only leaf mould has been used as a fertiliser near that boundary, but there was some odour from that material when it was used.

If consent is to be granted for this application, it is appropriate to include a condition that prevents such material being deposited anywhere near the Coleman's property to ensure that situation does not arise.

The use of the property for up to 50 campers will require an additional toilet to be provided and in this case it may be appropriate to limit that to a conventional flush toilet that can be connected to a properly designed waste water system. This approach will reduce the need to dispose of toilet waste and the potential adverse effects that could arise from it.

7.7 Definition of Boundaries

The submission lodged by the Coleman's raises some issues that relate to the definition of boundaries between the two properties and suggests the boundary should be fenced to provide a physical barrier between the two properties. The provision of fencing between properties is a matter that is covered by the Fencing Act and if that matter is to be pursued, there is provision under that legislation for a boundary fence to be established. The main area where there is some effect from the camp ground is the section immediately adjoining the Coleman's house that adjoins the access and parking area on the subject site.

The applicants have some resistance on the provision of a physical fence in this location and would prefer an enhancement of landscaping to create a vegetated barrier along the western boundary of the site. This would assist in providing more privacy for the Coleman's and it is also an area that is not used extensively, being the initial parking and "check in" area for guests. The recreational area behind the dwelling is screened by an on-site fence and once guests have arrived, the eastern access is more usually used. The provision of additional landscaping and screening

can be required by imposing an appropriate condition and while it may take some time to become fully established, can achieve the same result as a fence.

7.8 Traffic Effects and Parking

Autumn Farm is accessed from Central Takaka Road, a Collector Road under the PTRMP hierarchy. The road receives a moderate amount of in local terms and has a typical daily usage of around 800 vehicle movements. The records show an increasing trend from 1995 when the ADT was around 470 and the Central Takaka School and the Golden Bay Hospital add to that usage. Central Takaka Road also forms part of an alternative route to Pohara, rather than travelling through Takaka.

There are two current accesses to the property, with the western access providing the main entrance to the parking area and the dwelling. The eastern access is used by visitors once they have checked in and provides access to the camping area and the area that is farmed on the northern side of Rameka Creek, via a concrete splash.

At the current time the accesses are formed to a metalled surface and there is some evidence of gravel migration on to the carriageway of the Central Takaka Road. This can become a traffic hazard, particularly with the Central Takaka School directly opposite the property.

While the on-site access is quite acceptable to a metalled surface, the accesses to the property should be sealed in accordance with the requirements of the PTRMP to meet current access requirements and prevent the migration of gravel on to the road.

7.9 Noise Effects

The presence of 50 campers on the property has the potential to raise the local noise climate, even with the location of a primary school directly opposite the property. While there are general noise controls for the Rural 1 Zone in the PTRMP, there needs to be some responsibility by management to control unnecessary noise. The use of loudspeakers, dinner bells and outdoor entertainment can be controlled by requiring the camping ground to have a management plan controlling the general operation of the facility. Such a plan can be useful for controlling other matters that are not directly resource management issues.

7.10 Use of Fireworks and Open Fires

The use of fireworks has been raised by the Coleman's in their submission as a matter of concern about potential fire risk. It is accepted fireworks and open fires can create a potential fire risk, particularly during the drier summer months. This risk can be markedly reduced through having a specific and appropriate place for them to be used. The "amphitheatre" located near the bathhouse is a mown grassed area with a gravel base would appear to be a logical area to be used for this. In a similar manner, open fires can be limited to approved fire places.

7.11 Water Supply / Fire Fighting

Autumn Farm is currently provided with a bore and a storage tank of around 23000 litres to provide a supply for the dwelling, bathhouse and the general property. This supply appears to be adequate for the camping ground and while there is no evidence provided in the application about the potability of the water, there are effective treatment options available should that be required. Because the camping ground becomes a commercial operation, there is a responsibility to provide safe potable water.

The submission from the New Zealand Fire Service raises the issue of fire risk and refers to a fire in a barn that has occurred on the property. This required the use of water from the Central Takaka School pool to extinguish the blaze. The PTRMP requires a minimum of 23000 litres of stored water for rural properties for fire fighting purposes and in this case there are an increased number of people during the drier summer months.

The New Zealand Fire Service have requested a minimum of 45000 litres to meet the requirements of the New Zealand Code of Practice for Fire Fighting Water Supply (SNZ PAS 4501:2003), although this can be provided from alternative sources. In this case the Rameka Creek could assist, providing there is satisfactory access to a suitable pool, such as the one on the Western boundary of the site.

8. OTHER MATTERS

8.1 Camp Management Plan

There are a number of matters that are not particularly well addressed under the provisions of the Resource Management Act that can still have some effects when the property is used as a camping ground. Such a plan is able to address operational issues and mitigate potential adverse effects created on the site. If consent is granted to this application, it is considered a Management Plan is appropriate and this should be produced and approved prior to the 2008 / 2009 camping period.

8.2 Camping Ground Regulations

While the standards prescribed in the Camping Ground Regulations 1985 and annual registration by Council is not a resource Management issue, the applicants should be aware there are standards to be met and a registration process completed, before the property is used as a camping ground. Any requirements to meet this legislation will be in addition to those conditions imposed for resource management reasons.

9. CONCLUSION

The application lodged by P Finlayson and R Davies to establish and operate a camping ground at 37 Central Takaka Road is a retrospective application to formalise an activity that has taken place on the property for a number of years.

Council has processed this application as a notified application under the provisions of the Resource Management Act as there was a neighbour who declined to provide written approval and it was considered there was potential for the operation to create effects that may be more than minor.

The land use application is supported by an application for a Discharge Permit to dispose treated waste water and this is reported separately by Dr M Durand.

The notification of the application resulted in eight submissions, six in support (one of which was conditional), one in opposition and one that was neutral with conditions. The application in opposition raised a number of matters, including the use of the composting toilet, noise, fire hazards, access and the amenity of the area. These matters can be addressed in Resource Management terms, but there are also other matters that are covered by other legislation and through the principles of "good neighbours".

The camping ground has operated on the site for a number of years and I am not aware of any complaints Council may have received about its operation. The facility is focussed primarily on the summer period between December and February, when there are five organised events planned that will cater for up to 50 people. For the balance of the year consent is sought to accommodate up to 15 campers.

A number of actual and potential effects have been identified in relation to the proposed use, some of which require mitigating or remedial works to ensure they are reduced to the point they become minor. Those matters have been addressed through a number of proposed conditions that should be included if consent is to be granted.

The assessment of the actual and potential effects looks at a range of issues that are considered relevant to this particular application and the most relevant are the matters that can affect the amenity of the local area. Other matters relate to the use of rural land for uses other than rural productivity, traffic generation, access and parking, the scale of the operation and landscaping of the site.

The policies and objectives of the Proposed Tasman Resource Management Plan provide a framework to assess the application. As such it is important to weigh the issues appropriately to determine how the proposal fits with the Plan. The policies and objectives that relate to amenity are particularly relevant to this application and there are also some traffic policies that should be considered, given the location of the Central Takaka School.

Overall, the Autumn Farm Camping Ground is a small scale facility that caters for a sector of the community and for much of the year will have a very limited use. Providing there is an effective operational plan in place for the facility, I can support the proposal but consider a number of conditions are required to ensure effects are properly managed.

10. RECOMMENDATION – LAND USE

Pursuant to Section 104(B) of the Resource Management Act 1991, the application by P Finlayson and R Davies to establish and operate a camping ground at 37 Central Takaka Road, Golden Bay, on land described as Part Section 29, District of Takaka, comprised in Certificate of Title NL 66/33, being land zoned Rural 1 where the area of the title is 4.2492 hectares, be approved. If consent is granted, I recommend the following conditions are included;

1. The establishment of the proposed camping ground 37 Central Takaka Road shall be generally in accordance with the application submitted and shown on the attached plan marked RM051063 dated (*date to be inserted*). Where there is any apparent conflict between the information provided with the application and any condition of consent, the conditions shall apply.
2. The maximum number of campers shall be limited to 15 people at any one time, apart from five specific occasions between the period 1 December and 28 February when the number may be increased to 50 people. Written advice of the proposed summer programme shall be sent to Council's Coordinator, Compliance before 1 December each year.

Note:

For the purposes of this condition an occasion shall be a period not exceeding five days at any one time.

3. The two existing accesses to the property shall be upgraded to a two-coat chip seal and formed to meet Diagram 1 of Schedule 16.2C of the PTRMP before 1 December 2008.
4. The areas used for camping shall be limited to the 14 sites identified in the application, as shown on attached sheet RM051063 dated (*date to be inserted*).
5. The disposal of waste material from the composting toilet shall be limited to areas no closer than 20 metres to the property boundary.
6. The consent holder shall submit a landscape plan to enhance the area of vegetation adjoining the western boundary to a depth of not less than 3 metres. The plan shall extend from a point 5 metres from the road boundary for a distance of 45 metres and shall have the purpose of providing a visual screen for the neighbours to the west of the site when viewed from that property. The plan shall be submitted for approval of the Manager, Environment and Planning by 1 August 2008 and incorporate the species to be planted, height at maturity and the on-going maintenance programme. All planting shall be implemented by 1 September 2008.
7. The consent holder shall prepare a management plan for the operation of the camping ground to be approved by the Manager, Environment and Planning before 1 November 2008. The plan shall cover all operational functions of the camp and control all activities that can have the potential to produce adverse effects beyond the boundaries of the site. The plan shall include but not be limited to; the types of outdoor activities held, the use of fireworks, noise,

outdoor fires, parking, waste and rubbish disposal, hours of operation, duration of events and use of equipment on the site.

- 8 No open fires are permitted within the areas to be used for camping, other than those in approved fire places.
- 9 Fireworks shall be restricted to the area identified as the “amphitheatre” and be limited to one event in a year.
- 10 The consent holder shall provide a minimum of 45000 litres of stored water by 1 December 2008 that can be readily available for fire fighting purposes in accordance with SNZ PAS 4501:2003. In the event the consent holder relies on the use of Rameka Creek to satisfy fire fighting requirements in association with the existing storage tank, confirmation shall be provided by the New Zealand Fire Service that appropriate access is provided to the creek water.
11. The conditions of the land use consent may be reviewed by Council in accordance with Section 128 of the Resource Management Act 1991 within a period of one month after six months of the consent becoming operational and thereafter at intervals of twelve months, for the purpose of;
 - Dealing with any adverse effect on the environment arising from the exercise of the application;
 - Requiring the applicant to adopt the best practicable option to remove or reduce any adverse effect on the environment.

ADVICE NOTES

1. This consent is issued pursuant to the Resource Management Act 1991 and the Proposed Tasman Resource Management Plan. It does not constitute consent under any other legislation and the consent holder has the duty to comply with any other requirements that may apply under any building, health or fire safety legislation. The applicant’s attention is drawn to the provisions of the Camping Ground Regulations 1985 and the requirement to have the camping ground registered before it is used for any paying guests.
2. Any matters that are not referred to in this application for resource consent or are covered by specific consent conditions, must comply with the relevant provisions of the Proposed Tasman Resource Management Plan and the Resource Management Act (as amended).

Note:

Attention is drawn to the noise levels that are controlled for Rural 1 Zones by rules 17.4.2(d) and 16.1.5 of the PTRMP.

3. The Consent Holder is liable to pay a development contribution for the activity subject to this resource consent 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.

An invoice for the Development Contributions will be included upon the issue of this resource consent. The activity will not be deemed legally established until all development contributions have been paid in accordance with the Council's Development Contributions Policy under the Local Government Act 2002.



Laurie Davidson
Consents Planner (Land)
Golden Bay

REGIONAL POLICY STATEMENT

Policies and objectives appropriate to this application are as follows:

General Objectives

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

Land Resource Objectives

Obj 6.3 Avoidance, remedying, or mitigation of adverse cross boundary effects of rural land uses on adjacent activities

Pol 6.1 Council will protect the inherent productive values of land from effects of activities which threaten those values, having particular regard to ;

- i) the effects of land fragmentation on productive values; and
- ii) the protection of land with high inherent productive value; and
- iii) the protection of significant natural or heritage values; and
- iv) the availability of water to support productive values.

Pol 6.2 Council will ensure that subdivision and uses of land in the rural areas of the District avoid, remedy or mitigate adverse effects on:

productivity and versatility of land, particularly in areas of high productive value, and

provision of services, including roading, access, water availability waste water treatment or disposal, and

amenity, natural and heritage values of sites, places or areas including landscape features such as karst terrain, and

accessibility of mineral resources, and

socioeconomic viability of adjacent areas

and that are not unnecessarily exposed to adverse effects from;

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

Transport

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

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

PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

Policies and objectives appropriate to this application are as follows:

Site Amenity

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

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

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

To limit the intensity of development where wastewater reticulation and treatment are not available *(Policy 5.1.3)*

To avoid, remedy, or mitigate effects of:

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

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

To avoid, remedy or mitigate the likelihood and adverse effects of the discharge of any contaminant beyond the property on which it is generated, stored or used. *(Policy 5.1.7)*

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

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

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

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

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

To limit lighting of rural and residential subdivisions and development, including rural signs, to that which is necessary for safety and security, including public safety and security. (Policy 5.2.13)

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

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

Reduction of risks to public health and safety, property and the environment, arising from fire and hazardous substances. (Objective 5.4.0)

To avoid remedy or mitigate the likely effects on land uses from fire, arising from the location of buildings or flammable vegetation. (Policy 5.4.1)

Avoid, remedy or mitigate the likely adverse effects of facilities for the manufacture, storage, use or disposal of hazardous substances, on human health, other land use activities or the environment, including effects arising from the location, design, construction or management of such facilities. (Policy 5.4.2)

Rural Environment Effects

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

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

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

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

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

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

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

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

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

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

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

Landscape

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

To promote awareness and protection of landscape (including seascape) values. (*Policy 9.1.6*)

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

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

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

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

To encourage landscape enhancement and mitigation of changes through landscape analysis, subdivision design, planting proposals, careful siting of structures and other methods, throughout rural areas. (*Policy 9.2.4*)

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

Transport

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

To ensure that land uses generating significant traffic volume:

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

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

To control the design, number, location and use of vehicle accesses to roads; including their proximity to intersections and any need for reversing to or from roads; so that the safety and efficiency of the road network is not adversely affected. (*Policy 11.1.3*)

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