



## STAFF REPORT

**TO:** Environment & Planning Subcommittee  
Commissioner Hearing

**FROM:** Jane Harley, Consent Planner – Land Use

**REFERENCE:** RM080157

**SUBJECT:** **RICHMOND BAPTIST CHURCH – REPORT EP08/09/03** - Report prepared for hearing of 15 September

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### 1. APPLICATION BRIEF

#### 1.1 Proposal

The application is for land use consent to erect buildings, and undertake the following activities:

- a) To extend the existing main building on site to provide for:
  - additional administration space
  - meeting rooms
  - community centre for meetings and teaching classes
  - counselling services
  - youth and recreational facilities
  - associated kitchen, ablution and storage facilities;
- b) To erect three new buildings adjoining the southern boundary to provide and operate an additional pre school, before and after school care, holiday programmes and life skills programmes. One of these buildings is to have a manager/staff accommodation unit within it;
- c) To erect a new building to provide for:
  - a worship centre with seating for 800 people, to accommodate church services, presentations, functions and performances.
  - café
  - library
  - ancillary kitchen, ablution, storage facilities;

The Worship Centre building will have a portion of the building up to maximum height of 12.8 metres.

- d) To erect a campanile structure, with a height of up to 12 metres, a footprint of up to 0.5 m<sup>2</sup>, and illuminated.

Consent is sought to create legal access:

- either by right-of-way or license to occupy through the adjoining Aquatic Centre to enable the creation of a one way traffic system entering from Salisbury Road and exiting through the Aquatic Centre.

The re-development and expansion of facilities will result in the total provision of 200 on site car parks.

Consent is sought to develop the extensions to buildings, and erection of new buildings as well as the establishment of varying associated activities over a 15 year period.

A discharge consent is also sought (RM080594) for the discharge of stormwater from buildings and other hard surfaces after treatment to land and to unnamed tributaries of the Waimea Inlet (including a watercourse locally known as Reservoir Creek) A lapse period of 15 years is sought for this Consent, and a term of 20 years. Refer to separate report prepared by Leif Pigott accompanying this report.

## **1.2 Location and Legal Description**

The property is 3.245 hectares in area and located at 123 Salisbury Road, Richmond (see Aerial image in Appendix 1 attached). The property has legal frontage to, and extends from Salisbury Road through to the Richmond Deviation.

The legal description of the land is Lot 2 DP 18824, Certificate of Title 12C/192.

## **1.3 Zoning and Consent Requirements**

The land is zoned Tourist Services Zone and Open Space Zone under the Proposed Tasman Resource Management Plan. (See attached zone map Appendix 2)

The planning maps label the subject title as being subject to specific provisions in Rule 16.2.2(da) and Rule 16.2.2(ss).

The site is predominately within the Tourist Services Zone with an approximate 16 metre strip of land at the northern end of the site being zoned open space zone under the Proposed Tasman Resource Management Plan. The northern portion of the site also falls partially within the Coastal Environment Area.

The application is considered to be a discretionary Activity under the relevant rules of the Proposed Tasman Resource Management Plan in that the proposal involves the Land Use activities that are not listed as being permitted under Rule 17.2.4 and buildings that do not meet the permitted activity standards (height and wall length of the worship centre for the zone under Rule 17.2.6 Building, Construction and Alteration.

## **2. INTRODUCTION**

### **2.1 The Setting**

The subject property comprises an area of 3.245 hectares. The property has frontage to, and extends from Salisbury Road through to the Richmond Deviation.

The property sits between the ASB Aquatic Centre site to the north east and the residential neighbourhoods to the south east adjoining the south western boundary of the site and across Salisbury Road.

Access to the site is from Salisbury Road. The existing site access provides access to the church site and facilities, as well as access to the Aquatic Centre staff car park. NB: This access is owned by the Applicant.

The subject property contains the existing manse, the existing pre school and the main building which houses the worship centre, administrative and community functions. The main building comprises a 1078 m<sup>2</sup> footprint.

### **2.2 Background**

In 1997 the Applicants lodged a Resource Application with the Council to establish the current buildings onsite. Consent was sought to develop the main complex to contain the sports hall and worship centre in two stages. The first stage was to establish the administrative facilities and what was to be the eventual sports hall, but in the interim was to be utilised as the worship centre. The second stage of the proposal was to erect the worship centre at the eastern end of the building, freeing up the sports hall for its design purpose. That Application also included a request to erect and operate a pre school.

Council granted Consent to this Application in April 1998. (A copy of this Consent is attached in Appendix 3). The Consent allowed a four year term to establish the range of buildings and activities. However the Applicants have, in respect of the existing Resource Consent, only completed stage one of the development consented to under RM970413.

The Applicants have reviewed their development plans on the site and reviewed the level and range of services they offer to the community from the site. This review has led to the conclusion that the original concept design, in particular stage two of RM970413 will not adequately meet the Applicants anticipated needs, and further there are a range of additional and expanded services and facilities that the church wishes to provide to meet the needs of the community.

## **3. NOTIFICATION AND SUBMISSIONS**

**3.1** The application was publicly notified on 5 July 2008. Submissions closed on 1 August 2008. There were 79 submissions received 75 in support and four in opposition. The submissions in opposition have been summarised below:

### 3.2 Submissions in opposition are as follows:

Submitter	Reasons	Decision
Monica Arik	<p>Concerned about the three buildings (E,F and G) proposed along the boundary adjoining her property.</p> <p>Object to the proximity, height and proposed use. The timeframe for use is too open. Wonders who will police the hours and activity conducted within the complex. Considers the timeframe and flexibility being applied for is not realistic for neighbours certainty.</p> <p>Request the three buildings be set back 30 metres from the boundary.</p>	<p>Decline</p> <p><b>Monica wishes to be heard at the hearing. Arik to be heard at the hearing.</b></p>
Janice Hewetson	<p>As a neighbour will be directly affected by any building undertaken by the Richmond Baptist Church.</p> <p>Would be happier if the classrooms were at 90 degrees with the boundary and further away to minimise loss of view, noise pollution and general disturbance.</p> <p>The car parks that are to the north of the class room should be put behind the class rooms to increase the distance from the buildings to the south boundary.</p>	<p>Decline</p> <p><b>Janice Hewetson wishes to be heard at the hearing, but is currently in bad health and unable to sit in a hearing</b></p>
Shane Miles	<p>Opposes the erection of three new buildings adjoining the southern boundary to provide and operate an additional preschool, before and after school care, holiday programmes and life skills programmes.</p> <p>Wishes for the application to be heard by an independent body as the council is itself a neighbour to the site and there have been land swaps and relationship of cooperation in the past.</p> <p>Believes the activities proposed in the buildings are commercial and aimed at raising capital for the church with little prevention of other activities not stated in the application being undertaken from these buildings. The views from neighbouring sites are currently unobstructed.</p> <p>Consent period sought is excessively long, and while the church requires flexibility to meet changing needs it gives neighbours no certainty to the future use of the buildings. The neighbours will be subject to noise pollution, mess and dust from building sites during the construction phase and noise pollution from the childcare centre once complete. The buildings should be built on the north side of the church property.</p> <p>If approved he requested the following covenant:</p> <ul style="list-style-type: none"> <li>i) no building along the southern boundary is to be built within 5 metres of the boundary without the consent of the adjoining owner/owners;</li> <li>ii) buildings adjoining the southern boundary are not to be higher than 5 metres;</li> <li>iii) development of the three buildings along southern boundary must be complete within 3 years.</li> </ul>	<p>Decline</p> <p><b>Does not wish to be heard at the hearing.</b></p>

<p>Transit New Zealand (now known as New Zealand Transport Authority – NZTA)</p>	<p>NZTA submitted on two concerns with the application.</p> <p>1) Proposal to alter the access arrangements to a one way system with entry from Salisbury Road and exit onto Champion Road. This will give church traffic priority over traffic exiting SH6 from the north and create general traffic disruption and childcare and after school programme traffic may coincide with pm peak traffic. <b><i>(this part of the submission was withdrawn on 28 August 2008 which is attached as Appendix 4)</i></b></p> <p>2) Reverse sensitivity issues with proposed activities (in particular childcare activities) being adversely affected by noise, vibration and other effects arising from the proximity to SH 6. Recommends a buffer zone for the portion of land adjoining the highway.</p> <p><b><i>(this part of the submission was not officially withdrawn but may be further discussed in the hearing as a matter able to be dealt with outside of this resource consent process)</i></b></p>	<p>Approve with following conditions:</p> <p>c) An 18 metre wide strip of land along the legal road boundary is vest in the Tasman District Council as landscape reserve in order to provide a buffer between the state highway and adjoining property and allow the creation and maintenance of a noise bund</p> <p><b>Transit New Zealand wishes to be heard at the hearing.</b></p>
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The four opposing submissions raised various issues of concern which are all commented on and assessed through the assessment of affects made later in this report.

#### 4.2.2 Submissions in support:

The Council received 75 submissions in support of the application received, the main issues raised by these submission have been summarised in the table below. Those parties who wish to be heard in support of their submission have also been identified along with the issues they raised in the table below:

Submitters	Reasons	Decision / Wish to be heard
<p>Those parties who support but do not wish to be heard</p>	<ul style="list-style-type: none"> <li>• Church provides necessary services for the community and positive support for people, especially youth and young families;</li> <li>• The church needs to grow as it can not cater for the wide range of services and activities now offered;</li> <li>• The proposal gives certainty to the church and the community and reduces future hassles by giving peace of mind – it is better than a piecemeal approach;</li> <li>• Will enable the church to be more effective in meeting the needs of the community;</li> <li>• Convenient, central Richmond venue for all sorts of functions which provides a valuable asset for Richmond.</li> </ul>	<p>Approve</p>

<b>Stephen Sutton</b>	The consent represents an efficient and sustainable use of the land of Richmond Baptist Church and accords with the purposes and principles of the Resource Management Act 1991.	Approve  <b>Mr Sutton wishes to be heard at the hearing</b>
<b>Kiem Chung Thia</b>	Space is an ever present struggle for the church and there is an urgency to expand to be able to cater for all the church activities;  The future development plan intends to give the congregation and wider community certainty of how the land will be used and developed;  The design and use of building on the site has been to ensure minimum impact on surrounding residential areas.	Approve  <b>Mr Thia does wish to be heard at the hearing</b>
<b>Shelley Hawke</b>	The region is growing and there is a need to address the increased need for services such as childcare, counselling, recreational needs;  The proposal allows all to see where the church is heading;  The proposal does not have a significant impact on the neighbourhood.	Approve  <b>Mrs Hawke does wish to be heard at the hearing</b>

The supporting submissions largely provide reasons and evidence why the development of the church is essential to those who attend and benefit from the services offered by the church.

#### **4. STATUTORY CONSIDERATIONS**

##### **4.1 Resource Management Act**

###### **Part II Matters**

In considering an application for 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.

If consent is granted, the proposed activity must be deemed to represent the sustainable use and development of a physical resource and any adverse effects of the activity on the environment are avoided, remedied or mitigated.

*The critical issue of this consent is whether the proposal represents sustainable use of the Baptist Church Site on a Tourist Services zoned land resource, and particularly whether amenity and land transport adverse effects can be suitably mitigated or determined to be no more than minor.*

As a discretionary Activity Consent can be refused or conditions imposed under section 108 of the Resource Management Act 1991.

## **Section 104**

Subject to Part II matters, Council is required to have regard to those matters set out in Section 104. Of relevance to the assessment of this application, Council must have regard to:

- Any actual and potential effects of allowing the activity to go ahead (Section 104 (1)(a));
- Any relevant objectives and policies in the Tasman Regional Policy Statement and the Proposed Tasman Resource Management Plan (Section 104(1)(b));
- Any other relevant and reasonably necessary matter(s) to determine the consent (Section (1)(c)).

In respect of Section 104(1)(b), the Proposed Tasman Resource Management Plan is now considered to be the dominant planning document, given its progress through the public submission and decision-making process.

Section 104B sets out the framework for granting or refusing the application as a discretionary activity.

## **4.2 Tasman Regional Policy Statement**

The Regional Policy Statement seeks to achieve the sustainable management of land and coastal environment resources. Objectives and policies of the Policy Statement clearly articulate the importance of protecting land resources from inappropriate land use 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 Policy Statement principles.

## **4.3 Tasman Resource Management Plan**

### **4.3.1 Policies and Objectives**

The most relevant Objectives and Policies are contained in: Chapter 5 "Site Amenity Effects" and Chapter 6 "Urban Environment Effects" and Chapter 11 "Land Transport Effects". These chapters articulate Council's key objectives: To ensure land uses do not significantly adversely affect local character and to provide opportunities for a range of activities in urban areas that promote a more liveable and sustainable environment for the community.

The most relevant Rules which follow from these imperatives are contained in Chapter 17.2 Tourist Zone Rules and Chapter 16.2 Transport Rules.

Details of the assessment of the proposed activity in terms of these matters are set out in the chapters following.

## **5. ASSESSMENT**

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

### **5.1 Matters of Discretion and Control in the Plan**

The Activity has discretionary status and is therefore not restricted to matters of control; while the council is not limited to the following matters they are considered those most relevant to the proposed activities and buildings:

#### **Setback from a Residential Zone**

1. The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment, taking into account its design and appearance, bulk and length of walls;
2. The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling;
3. The potential for the development to affect the privacy of the residents;
4. The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.
5. The potential for the development to affect the amenity of the adjoining residential environment in terms of effects such as noise, glare, dust, smell and vibration.

#### **Height**

6. The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.
7. The degree to which the increased height will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked, which is out of character with the local environment.
8. The degree to which the increased building height will result in decreased opportunities for views from other sites or from roads.
9. The potential for any adverse effects created through increased height to be mitigated through site layout, separation distances or the provision of landscaping.



10. The extent to which the increased building height will adversely affect the natural character of the coastal environment.

### **Building Design and Appearance**

11. The degree to which the proposed development will impact on the amenity and character of the area having regard to the scale, bulk and setback of buildings and, in particular, the extent to which the development can be viewed from adjoining sites and public places.
12. The extent to which any adverse visual effect can be mitigated by altering the layout of buildings, storage areas, car parking and landscaped areas.
13. The extent and quality of amenity planting.
14. The degree to which the architectural style, materials and colours of the building are compatible with adjoining buildings and the surrounding environment.
15. The extent to which building design and appearance will adversely affect the natural character of the coast.

### **Services**

16. Provision for the collection and disposal of stormwater and sewage.

### **Stormwater**

17. The extent to which the stormwater run-off generated by additional development has been managed.
18. The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.

### **Miscellaneous**

19. The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
20. Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

## **5.2 Assessment of Environmental Effects**

Pursuant to Section 104(1)(a) of the Resource Management Act, the following effects assessment has been set out:

### **5.2.1 Permitted Baseline**

Section 104(2) gives a consent authority the ability to disregard adverse effects on the environment of activities that the Plan permits, if it so wishes. This is the “permitted baseline” and can provide a yardstick for the effects that otherwise might arise.

The Plan permits a wide range of tourist related activities within this zone (as listed below):

- (i) tourist accommodation, including those licensed to sell liquor, and associated office, service, tourist and recreation promotion and sales activities;
- (ii) hire and servicing of sport and recreational equipment;
- (iii) tutoring and training in outdoor recreational pursuits and life skills;
- (iv) sale of souvenirs, and arts and crafts;
- (v) recreational activities and recreational tour bases;
- (vi) open space areas, walkways and children's play areas;
- (vii) visitor car and bus parking areas;
- (viii) restaurants, including those licensed to sell liquor;
- (ix) one caretaker's or manager's dwelling per site;
- (xi) conference and function facilities;
- (xii) cultural centre.

This list of permitted activities in the zone has the potential to generate amenity, transport and servicing effects that are similar to or greater than the church proposal. As identified in the beginning of this report the church proposal included activities that are covered by this permitted activity list and some those that are not specifically covered are considered to be discretionary activities.

In respect of the permitted land use activities under Rule 17.2.4 this will provide for tutoring and training in recreational pursuits and life skills that forms part of the application. Recreational activities are a permitted activity in the zone and this would cover the youth centre activities which seek to provide for a recreational and leisure activities for youth. The proposed open space and children's play areas and carpark areas will be provided for as permitted activities. The café facility within the Worship Centre is also provided for as a permitted activity.

The activities not provided for as permitted activities and would therefore become discretionary activities are the new Worship Centre, the expansion of the administrative facilities and aspects of the community centre and support facilities. These activities are deemed community activities and are exempt from permitted standards in Rule 17.2.4 and many of these will be covered under the heading of training and life skills as permitted activities.

Provision for staff accommodation/managers unit is not a permitted activity on this Salisbury Road site, nor are preschool and various before and after school and holiday programmes a permitted activity, although there are aspects of those activities such as tutoring and training in recreational pursuits and life skills that would cover part of the programmes that would be offered. Similarly in relation to a unit of accommodation for staff, this would have impacts that are little different to, and likely to be less than, tourist accommodation. There is no limit on the numbers of tourists that can be accommodated on site, only limits on building sizes.

In assessing those aspects of the activities that are not permitted, the effects of those activities would not be greater in terms of noise and traffic movements and levels of activity, than tourist accommodation onsite up to a coverage of 60% of the site, and supporting administrative services for tourist and recreation facilities. The level of impact in terms of noise, hours of operation, traffic and car parking impacts, visual and landscape impacts would not be greater from the proposed range of activities compared to the range of permitted activities.

Buildings to be constructed along the residential zone boundary in accordance with the relevant zone rules require a minimum setback requirement of 5 metres. The buildings will meet the permitted activity standards along this boundary. The activities undertaken from these buildings will operate between 7.00 am and 11.00 pm (as required by the permitted activity standard of the plan for buildings within 30 metres of the residential Zone boundary.) These buildings are also required to fit within the residential zone daylight admission lines which may restrict the height to 7.5 metres to enable it to fit within admission lines, otherwise a permitted height of 8.5 metres is allowed when the daylight admission lines can be met.

The proposal is for three additional buildings along the southern boundary that will be no higher than 5 metres and no closer than 5 metres along this boundary.

Following a site visit, reviewing the application and further information received and consideration of the matters raised by submitters; the adverse effects, both actual and potential can be summarised into the following groups:

1. Permitted Baseline (as discussed above)
2. Cross Boundary Effects on Residential Character and Amenity Values (*including noise effects*);
3. Transport Effects (*including reverse sensitivity effects on adjoining State Highway 6*);
4. Servicing Effects.

Pursuant to Section 104(1)(a) of the Resource Management Act, the following effects assessment has been set out:

### **5.2.2 Cross Boundary Effects on Residential Character and Amenity Values**

Amenity values, as defined in Section 2 of the Resource Management Act 1991, mean:

*“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.”*

Churches and religion are an important part of New Zealand's culture. Traditionally churches have been located where they are easily accessible for local congregations. Many churches have been scattered throughout residential and rural areas while larger churches have been sited in commercial areas and in more recent years very

large churches have even been located in Industrial zones. This church development is within the Tourist Services zone which adjoins the residential zone on one side and across Salisbury Road.

The Richmond Baptist Church has been operating from its current location at 123 Salisbury Road for the past 10 Years. The activity began under Rural 1 zoning which has since been changed to Tourist Services under Variation 30 in 1999. The church was not included as a permitted activity in the new zoning although it was identified as an existing activity under variation 30.

The proposed development plan for the overall site is in keeping with this historical use; however the most prominent issue raised by submitters relates to the proximity and nature of the activities and buildings proposed along the residential boundary. These submissions highlight potential effects on residential character and amenity values.

123 Salisbury Road already contains a level of development that clearly identifies the site as a community church with associated facilities and parking.

### **Worship Centre and Campanile**

The largest, most prominent feature proposed is the 1440 square metre Worship Centre, which has been designed to be a visible, iconic centre piece of the whole development on this site. The worship centre is distanced from the residentially zoned boundary by some 60 metres and although it exceeds the height standards at the northern point due to the tiered auditorium, it complies with the height requirements on the portion facing the Residential Zone. Approximately 29% of the building footprint is over-height. The Worship Centre will also have an over length wall by approx 2 metres. This wall does not face toward the residential zone or toward other buildings so will not generate effect beyond the subject site. (*Matters 6-10 identified in Section 5.1*)

The campanile Structure is located at the start of the pedestrian walk way that runs through the site linking the major buildings. It is a landscape element symbolising entry to a centre of worship. It is approximately 0.5m<sup>2</sup> in area and will extend to a height of 12 metres. The applicants propose that it will be illuminated at night, which at 12 metres in height has the potential to generate cross boundary effects with the adjacent residential zone across Salisbury Road. The application did not contain sufficient detail on the type of illumination proposed to determine whether there would be an impact on the residential zone across Salisbury Road. The applicant has since confirmed that their intention is to illuminate the structure by back lighting or up lighting (letter received 1 September 2008 attached as Appendix 7).

The outdoor signs and advertising rules in 16.1.3 for the Tourist Services Zone stipulate a maximum height of 5 metres and that during hours of darkness, signs on site adjoining a residential zone signs are illuminated only if the premises or service is open for business. The Proposed Tasman Resource Management Plan definition of sign includes *'device erected or displayed for the purpose of attracting the attention of passers-by and includes the frame, support structure and anchorage.'* The proposed Campanile meets this definition. If this structure was illuminated using back lighting or up lighting by spotlights or floodlights fixed and directed solely at the sign (away from the residential zone) the potential adverse effects from the structure

would be minimised during hours of darkness. This could be imposed as a condition of consent.

This structure will be of similar height to the highest point of the Worship Centre and would it will not be out of character with the overall development of the site. It will assist in identification of the site from Salisbury Road. (*Matter 11 identified in Section 5.1*)

The 3.245 hectare site is considered large enough to cope with the worship building in its proposed location without compromising the amenity values of the nearby residential area. Opposing Submitters did not raise specific concerns relating to the Worship Centre.

### **Proposed building E, F and G along the Residential Zone boundary**

The neighbouring sites have benefited from the open space outlook to the north over the undeveloped portion of the church's land for the past 10 years, but this outlook is not guaranteed or protected by the plan.

The site could be developed in a number of ways under the current zoning and while this current proposal does introduce three new buildings along the residential boundary (identified as buildings E, F and G), the domestically scaled buildings have been designed sympathetically to the neighbouring residential zone (*Matters 11 and 14 identified in Section 5.1*). The applicants propose minimum heights less than the permitted activity standards and in accordance with the remainder of the bulk and location requirements of both the Residential Zone and Tourist Services Zone. This consistency with permitted activity standards ensures the structures will not generate adverse effects that are more than minor.

The Applicants consultation with adjoining land owners has resulted in recently amended plans for buildings F and G in terms of the length of wall without 'step ins', which will open up view shafts and the extent of expanse of wall. (*Matter 1 identified in Section 5.1*)

A Landscape plan has been developed for the overall site; it includes extensive landscape planting between buildings E, F and G of species with a maturity height no great than 1.8 metres (same as the proposed fence). This will enable effective screening along this boundary without adverse effects in term of shading, leaf drop or dominance from trees. (*Matter 13 identified in Section 5.1*)

### **Noise from proposed activities**

The activities undertaken in the subject buildings along the boundary are not all permitted in nature and they therefore have more likelihood of generating adverse effects on the neighbouring properties than the buildings themselves. (*Matter 5 identified in Section 5.1*)

The site already contains a preschool facility onsite; this redevelopment will introduce a second facility along the residential zone boundary. Childcare facilities do have the potential to generate noise and compromise adjoining residential amenity, which is a matter raised by the adjoining land owners in their submissions. The plan anticipates that childcare facilities (which are defined as community activities in the Proposed

Tasman Resource Management Plan) will be located within the residential zones to make them accessible for the community they serve provided the adverse effects from the location are no more than minor or can be successfully remedied or mitigated. This proposal has residential land use on one side but benefits from the more open nature to the north, which will minimise the dispersal of potential adverse effects within the residential zone. (*Matter 5 identified in Section 5.1*)

The applicants have incorporated several mitigating factors to help reduce potential adverse effects on the adjoining residential zone from the activities proposed in these three buildings. These include:

- Building orientated away from the neighbouring residential properties (north facing);
- Landscaping along the shared boundary to provide a visual and acoustic buffer; (*Matter 3 identified in Section 5.1*)
- Restricted hours of operation between 7am and 11pm as required by the plan for buildings within 30 metres of the residential zone boundary; (*Matter 5 identified in Section 5.1*)
- Siting the car park away from the shared boundary to reduce adverse effects from car noise, emissions and glare from lights at night; (*Matter 4 identified in Section 5.1*)

Council's Regulatory Services Co-ordinator has provided the following comments in relation to the childcare facility and its proximity to residential activities: (See full memo attached as Appendix 5).

*The implication of the duties to avoid unreasonable noise already appears to have been considered by the applicant in relation to a number of issues. However additional consideration may need to be given to the matter of noise transmission from the proposed ECEC, and in particular the following may need to be addressed to fulfil the obligations to avoid unreasonable noise:*

- *Carefully controlling or structuring any musical activities or similarly noisy activities undertaken within the ECEC;*
- *Close supervision of outdoor activities which may otherwise generate noise that are undertaken by the ECEC e.g. outdoor play;*
- *Provision of fencing that will provide an effective noise barrier between the ECEC and adjacent residential properties.*

As has been done with other approved childcare facilities, it is proposed that any consent approval for the activity would impose a condition requiring The Consent Holder to adopt the best practicable option approach to mitigate the effects of noise from the activity as well as submitting a Management Plan for certification by Councils Regulatory Co-ordinator prior to commencement of the additional early childhood centre activity.

The applicants have stated that they will comply with the permitted activity noise standards for within the zone and within the neighbouring residential zone, which ensures that the effects from noise generated by activities in buildings E, F and G will be no more than minor.

The building with the greatest potential for noise is clearly the large worship centre, which has been positioned more than 60 metres from Residential Zone boundary and designed with noise attenuation methods to enable activities within the building to meet the permitted activity standards for noise in both the Tourist Services Zone and neighbouring Residential Zone.

### **Consent Duration**

The 15 year staged development proposed by the church has raised some concerns by the submitters as to the level of disruption and certainty they can expect along the common boundary. The childcare centre has been flagged as one of the more urgent services required so it is likely that the construction of the childcare building (building E) will be one of the first to be established. A submitter has suggested a three year time frame for the three buildings to be constructed; however this is less than the five year timeframe allowed through the Resource Management Act 1991 so if a timeframe was deemed necessary for the construction of buildings E, F and G a five year minimum would apply. This limitation is not favoured by the Church as the timeframe for each stage of development is strongly governed by economic limitations within the Church within the overall 15 year period. (*Matter 19 identified in Section 5.1*)

The advantage of a short term time frame for the three buildings would allow the adjoining land owners greater certainty in relation to disruption they can expect along this common boundary, but would also need to be realistic for the church to avoid the need for changes to consent conditions or extensions of time.

A restrictive covenant for buildings E, F and G has also been suggested by submitters and again this is not favoured by the Church. Any resource consent approval would be subject to restrictive conditions as to the height and setbacks of these buildings which could not be altered without subsequent resource consent application / variation process incorporating an assessment by the Council if written approvals are required. Conditions of consent are able to be enforced and monitored without the need for a covenant. (*Matter 20 identified in Section 5.1*)

Section 128 of The Resource Management Act 1991 allows Review of consent conditions. This is considered appropriate for this proposal, which would allow Council to deal with any adverse effects on the environment that arise from the exercise of this consent and are more than minor. (*Matter 19 identified in Section 5.1*)

Overall, churches are part of the traditional amenity of residential areas and while they can generate adverse effects these can be mitigated by sensitive design, fencing, landscaping and limitations on the numbers of people attending the church and its operating hours. With appropriate mitigation and responsible management the Richmond Baptist Proposal should not detract from the amenities of the nearby residential neighbourhood.

### **5.2.3 Traffic Effects**

Traffic effects were originally identified by Transit New Zealand (now known as New Zealand Transport Authority – NZTA) as an area of concern relating specifically to the creation of a one-way traffic system with entry from Salisbury Road and exiting through the Champion Road roundabout. This design was submitted by the applicant after pre-application discussion with Council Engineering and Property Management/Community Services staff that identified this option as the preferred one from a Council perspective. Since the application was lodged and submissions received, NZTA and Council's Development Engineer Dugald Ley have met with the applicant and further discussed the issues with the access to and from the site. As a result of this meeting and further consultation NZTA have now withdrawn this part of their submission.

The specific traffic effects relating to this proposal have been assessed and dealt with directly by Council's Development Engineer, Mr Ley, who has compiled the attached report (see Appendix 6). His report has determined that consent to the proposal will not adversely affect the safe and efficient operation of Salisbury Road, as long as upon completion of the Worship Centre the exiting traffic uses a one-way system through the ASB Aquatic Centre land onto Champion Road.

The roundabout is itemised for upgrading within five years time. The upgrade will involve creation of a left turn solely for traffic turning into Champion Road and the Champion Road east side is to be converted to a two lane entry. The conclusion of the Development Engineer is that the traffic generation from the application is considered to be no more than minor. The access for exiting traffic (once the Worship Centre is constructed) via Champion Road east leg is sensible and appropriate to allow traffic to enter onto an arterial road in a safe manner.

#### **Reverse Sensitivity**

Transit New Zealand also raised the issue of reverse sensitivity between the proposed extension of activities within the Richmond Baptist Church site and the existing state highway network abutting the site to the north. Childcare facilities have been identified as being sensitive to noise, vibration and emissions arising from State Highway 6. A mitigating measure suggested by Transit New Zealand is to create a raised bund at the northern end of the land (within the open space zone) and vesting strip of land in the Tasman District Council for the purposes of reserve/walkway and cycleway.

The applicants have responded to this with a letter dated 1 September 2008 (see attached Appendix 7) which outlines the applicants position in relation to the reverse sensitivity issue and the walk/way cycle way issue. The applicant has stated that the physical separation from the proposed building and the double glazed features of the buildings will ensure that reverse sensitivity issues with the state highway are no more than minor. Council is in agreement with this. Continuation of the bund using soil from the onsite works would assist in softening the effects from the state highway across the subject site, however this would need to be undertaken in such a way so as not to jeopardise the future plans for the cycle/walkway link by way of mutual agreement rather than a condition of consent that may frustrate the progress of the current cycle/walk way project.



The extension to the existing walk and cycle way (referred to as shared use path that currently stops at the ASB Aquatic centre where it merges back onto state highway has already been identified in the Regional cycling and walking strategy (see attached Map appendix 8). Because this proposal does not directly relate to the land zoned open space directly adjacent to State Highway, or threaten to jeopardise any future proposals for cycle and walkway links the matter of future use and agreements relating to this land can be dealt with outside of this resource consent process. The arrangements with the bund extension should also be dealt with outside this consent and not be imposed as conditions of consent.

### **Access off Salisbury Road and Car parking**

The car parking layout has been designed to meet the design capacity requirement of 16.2D (place of assembly). The site currently provides 126 car parks and the full 200 car parks will not be required until the worship centre is completed. The location of car park has been selected to reduce the likelihood of noise, light and car emission issues with nearby residences and to fit with the existing configuration land use on site.

The planning maps label the subject title as being subject to specific provisions in Rule 16.2.2(da) and Rule 16.2.2(ss). These provisions deal with shared access arrangements onto Salisbury Road and limiting access from the subject site via Arbor Lea Avenue. The proposal will not change access in relation to these standards. The access arrangements in relation to Salisbury Road, which is currently utilised by Church visitors and ASB Aquatic staff remains unchanged until the Worship Centre is constructed, then it will only experience entering traffic and no exiting traffic. This access arrangement will meet the requirement of 16.2.2(ss)/16.2.2(u) once the shared access off Salisbury Road is formalised by a formal instrument on titles of Lot 2 and 3 DP 18824.

### **5.2.4 Servicing Effects**

The proposed development of the site will add additional loading to reticulated wastewater services and storm water will be dealt with by way of a low impact storm water design, diverting and discharging the collected storm water from buildings, roads and other hardstand areas to land and surface water-bodies. Stormwater has been dealt with specifically by associate Discharge Consent RM080594.

### **Water**

Water can be supplied via the existing 150 mm water main located along Salisbury Road, and extends into the Church property via a 100 mm water connection. This pipe will be assessed for capacity and condition during the development to ensure the supply is maintained for potable, non-potable and fire fighting purposes. Councils Development Engineer has confirmed that there is adequate capacity in the system for the proposed development in relation to water.

### **Waste water**

An existing 150 mm sewer main passes through the property along the south western boundary. The upstream catchments for the sewer line has been checked and flows calculated by the applicant who determine there remains significant capacity

available to take increased sewer flows from the site. The pipe will be assessed for capacity and condition during the development to ensure the pipe maintains the capacity to convey the increased sewer flows from the site to the exiting 400 mm trunk main located nearby in the properties to the south west. Council's Development Engineer has confirmed that the development can be catered for under the current reticulated waste water scheme. Tasman District Council have a renewals scheme to address any capacity issues that may arise.

Overall the site and development proposed can be adequately serviced in terms of water, wastewater and storm water to ensure the servicing effects are no more than minor.

### **5.2.5 Summary of Effects**

The potential adverse effects from the existing community activity and further development proposed by the Richmond Baptist Church on a 3.245 hectare Tourist Services zoned property have been discussed and mitigating measures assessed. Overall the activity will create a change in amenity, noise and traffic from that currently generated by the church, however it is considered that the building design, site layout and landscaping, and the restricted numbers and times when the activities are to occur will mitigate the adverse effects so that they are no more than minor.

## **5.3 Relevant Plans and Policy Statements.**

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

The most relevant Objectives and Policies are contained in:

1. Chapter 5 "Site Amenity Effects"
2. Chapter 6 "Urban Environment Effects" and
3. Chapter 11 "Transport Effects".

### **5.3.1 Chapter 5: Site Amenity Effects**

Relevant Issues:

- a) Provision for appropriate protection, use and development of the District's resources so that activities at one site do not adversely affect the use and enjoyment of another site, or resource;
- b) Residential and community facilities and services which enable people to provide for their social, economic and cultural well-being and for their health and safety;
- c) Amenity can be compromised in site development and site use;
- d) Safety of people, property, and resources.

Objectives	Policies
5.1.0 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.	5.1.1 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.
	5.1.4 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.
5.2.0 Maintenance and enhancement of amenity values on-site and within communities, throughout the District	5.2.1 To maintain privacy in residential properties 5.2.8 To avoid, remedy or mitigate the adverse effects of traffic on the amenity of residential, commercial and rural areas. 5.2.10 To allow signs in residential, rural residential, recreation and rural areas that are necessary for information, direction or safety.
5.3.0 Maintenance and enhancement of the special visual and aesthetic character of localities	5.3.3 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.

## Comment

The above objectives and policies selected by the writer confirm the need to protect amenity values and whilst Chapter 5 policies and objectives cover all zones, it is clear that residential amenity values have to be safeguarded from adverse environmental effects.

The adjoining residents seek protection of their amenity values; they seek use of the site that does not adversely affect the use and enjoyment of adjoining and nearby sites and the overall safety of the community.

The submissions received in opposition to the proposal indicates that neighbouring property owners who are within a residential zone feel their amenity will be compromised by the three buildings and associated activity along the shared boundary. The character will be unchanged by the proposal and the scale of the development is considered compatible with the existing environment and adjoining residential land use.

The writer's opinion is a community activity such as this is anticipated and catered for in within and in close proximity to the residential zone. In this case the activity has already been functioning successfully within the Tourist Services Zone until now and can continue to develop within the site, generating less adverse effects than current permitted activity standards. The residential amenity has been further safeguarded by specific setback rules and restrictions on activities in relation to residential zone boundaries.

The proposal is able to uphold these safeguard measures of the Proposed Tasman Resource Management Plan as well as introducing further methods, such as building orientation, design and landscaping.

The policies that seek to avoid, remedy or mitigate the effects of noise and vibration are backed up by permitted activity noise levels for each zone. There is no question that a community activity involving large numbers of people and children will generate noise, it is whether this noise is considered excessive or unreasonable or can be adequately mitigated to produce an acceptable outcome.

Should this consent be granted the consent holder is under an obligation to comply with the permitted activity noise standards for both the Tourist Services Zone and Residential Zone. In relation to the childcare facilities, it is Council's practise to require management plans be submitted to the Co-ordinator of Regulatory Services for certification prior to these facilities commencing to ensure all practical measures are in place.

### 5.3.2 Chapter 6: Urban Environment Effects

Relevant Issues:

To ensure that growth and development of towns and urban areas have socially and economically liveable and environmentally sustainable design features. It is important to sustainably manage these centres as physical resources that are convenient, attractive and safe.

Objectives	Policies
6.1A.0 Urban buildings, places, spaces and networks that together, by design sustain towns as successful places to live, work and play.	6.1A.1 To encourage development to incorporate sustain urban design principles by: (b) working with the natural characteristics of sites; (d) providing a high level of connectivity within road networks; (e) provide for safe walking and cycling designing development to address cross-boundary effects between land uses.

### Comment

Steady regional growth and demand for services offered by the Baptist Church Richmond have been a driving force behind the subject application.

The successful design and establishment of urban areas relies on the proposed location and management of facilities such as these. Establishing community resources in an urban environment must be done in such a manner so as to provide and maintain high standards of amenity and safety. This has already proven to be the case by the church in this current location. The large site is considered to be able cope with the additional built environment and traffic and noise generated by the proposal. The proposal makes efficient use of a unique land resource and exiting built resource with in the site.

### 5.3.3 Chapter 11: Land Transport Effects

Relevant Issues:

The adverse effects on the safe and efficient provision and operation of the land transport system, from the location and form of development and carrying out of land use activities.

Increases in traffic volumes from adjacent land use activities that generate vehicle trips may put pressure on particular routes. Urban subdivision and development as well as rural development may increase the demand for upgrading routes, including attention to travel time and hazardous roading situations.

Policies in this section are not only about providing a safe driving environment, but also about ensuring safety for people in the environment through which vehicles are driven. Amenity in that environment is also a relevant issue.

Objectives	Policies
<p>11.2.0 The avoidance, remedying, or mitigation of adverse effects on the environment from the location, construction, and operation of the land transport system, including effects on:</p> <ul style="list-style-type: none"> <li>(aa) the health and safety of people and communities; in particular, cyclists and pedestrians;</li> <li>(a) the amenity of residential areas, workplaces and recreational</li> </ul>	<p>11.2.2 To regulate the effects of traffic generation and traffic speed on the safety and amenity of places of significant pedestrian activity.</p> <p>11.2.3 To promote transport routes, and approaches and methods of design, construction, and operation which avoid, remedy, or mitigate adverse effects on:</p> <ul style="list-style-type: none"> <li>(aa) the health and safety of people and communities; in particular, cyclists and pedestrians;</li> <li>(a) the amenity of residential areas, workplaces and recreational opportunities;</li> </ul>

### Comment

The application site comes off Salisbury Road, which is a main Council Roding link into Richmond's Town Centre. Council is satisfied that the road is able to cope with the traffic from the existing facilities and proposed developments until the Worship Centre facility is constructed. Upon construction of the Worship Centre the traffic is then required to exit the site via a one-way roading system over the ASB Aquatic Land onto Champion Road and convert the Salisbury Road access to a two land "Entry Only".

The above objectives and policies identify the need to avoid conflicts by having particular regard to issues of traffic safety and efficiency, including the effects on existing roading, provision of adequate parking and amenity values.

The site is able to provide large numbers of onsite car parks and effectively manage traffic entry and exit with the one-way system. Council Engineers have concluded that the road network and in particular the Champion Road round about is able cope with the additional movements.

In conclusion, it is considered that the proposed Richmond Baptist Church development is not contrary to the Site Amenity, Urban Environment or Transport policies and objectives of the Proposed Tasman Resource Management Plan. It is consistent with the overall thrust and integrity of The Proposed Tasman Resource Management Plan.

## 5.4 Part II Matters

The proposed activity is considered to be consistent with the purpose and principles contained in Part II of the Resource Management Act.

Part II of the Act is concerned about:

- sustaining physical resources to meet the needs of future generations (Section 5(a));
- avoiding, remedying or mitigating any adverse effects of activities on the environment (Section 5(c));
- the efficient use and development of physical resources (Section 7(b));
- maintaining and enhancing amenity values (Section 7(c));
- maintaining and enhancing the quality of the environment (Section 7(f)); and
- recognising any finite characteristics of natural resources (Section 7(g)).

It is considered that the proposed development and associated activities are consistent with the Act's purpose of maintaining or enhancing the amenity values and quality of the environment currently enjoyed by existing residential properties. It is considered that the development will not dominant the landscape or create an unreasonable level of development for this location and zone, thereby achieving the sustainable management of natural and physical resources.

## 6. CONCLUSIONS

- 6.1 The proposal is a Discretionary Activity under the Proposed Tasman Resource Management Plan.
- 6.2 The proposal meets permitted building setbacks and height requirements in relation to the buildings along the residential zone boundary can maintain the appropriate residential amenity values of surrounding properties.
- 6.3 The proposed development involves 50% less building coverage than permitted by the Proposed Tasman Resource Management Plan. Onsite development will not dominant the landscape or adversely effect the existing character of the area.
- 6.4 Conditions of consent can ensure adverse effects of this proposal are similar in nature and scale to permitted activities and are of less visual significance than permitted activity buildings along the residential zone boundary.
- 6.5 It is considered that this proposal, on this particular site, subject to recommended conditions of consent, is consistent with the policies and objectives of the Proposed Plan and with the Act's purpose of achieving the sustainable management of natural and physical resources.

## 7. RECOMMENDATION

That pursuant to Section 104B of the Resource Management Act, I recommend the application to redevelop and expand the Richmond Baptist Church facilities at 123 Salisbury Road, be **GRANTED**.

## **8. CONDITIONS**

Should the Commissioner Grant consent I recommend the following conditions be imposed:

### **CONDITONS:**

#### **Land Use Activity**

1. The Baptist Church activity shall be carried out in general accordance with the application and plans labelled RM080157 Plan A, B, C, D, E, F, G and H attached to this consent. Where a condition of consent is contrary to the application, the condition shall prevail.

#### **Lapse of Consent**

2. This land use consent shall lapse 15 years from the date of issue.

#### **Completion of work associated with Buildings E, F and G**

3. The construction works associated with Buildings E, F and G shall be completed within 5 years from the date of issue.

#### **Community Centre**

4. The Community Centre Building shall:
  - a) not exceed a height of 8 metres as shown on the elevation plans attached as Plan B.
  - b) not exceed a building footprint of 470 square metres.
  - c) be limited to undertaking activities between the hours of: 8.00 am to 10.30 pm seven days a week.

#### **Youth Centre**

5. The Youth Centre Building shall:
  - a) not exceed a height of 6 metres as shown on the elevation plans attached as Plan C.
  - b) not exceed a building footprint of 200 square metres.
  - c) be limited to undertaking activities between the hours of: 8.00 am to 10.30 pm seven days a week.

#### **Worship Centre (including permitted café facility)**

6. The Worship Centre building shall:

- a) not exceed the height of 12.8 metres as shown on the elevation plans attached as Plan D.
- b) not exceed a building footprint of 1500 square metres in area.
- c) be limited to undertaking activities between the hours of:  
8.00 am to 10.30 pm Monday to Thursday,  
7.00 am to Midnight Friday and Saturday  
7.00 am to 10.30 pm Sunday.
- d) be limited to a maximum of 800 people within the centre at any one time.

### **Preschool (Building E)**

7. The Pre School Building shall:

- a) not exceed a height of 5 metres as shown on the elevation plans attached as Plan E.
- b) not exceed a building footprint of 500 square metres.
- c) be limited to Pre-School operating hours between 7.00 am to 6.00 pm Monday to Friday.
- d) be limited to use by Sunday School Classes only on Saturdays and Sundays.
- e) cater for a maximum of 45 children at any one time.
- f) be limited to high level windows along the back wall of the building adjoining the residential zone.
- g) be landscaped in accordance with Plan F attached labelled RM080157. Planting shall be implemented prior to the commencement of the Pre School activity and shall be maintained to a maximum height of 1.8 metres along the southern boundary.

### **Before and After School Care/ Life Skills Training/ Staff Accommodation Building F**

8. Building F shall:

- a) not exceed a height of 5 metres.
- b) not exceed a building footprint of 280 square metres.
- c) cater for a maximum of 80 children at any one time as a Before and After School Facility.
- d) be limited to the hours of 7.00 am to 6.00 pm Monday to Friday as a Before and After School Facility.
- e) be limited to the hours of 7.00 am to 10.30 pm Monday to Friday as a Life Skill Training Facility.



- f) be landscaped in accordance with Plan G attached labelled RM080157. Planting shall be implemented prior to the commencement of the activities within Building F and shall be maintained to a maximum height of 1.8 metres along the southern boundary.

### **Before and After School Care/ Life Skills Training/ Staff Accommodation Building G**

9. Building G shall:

- a) not exceed a height of 5 metres.
- b) not exceed a building footprint of 400 square metres.
- c) cater for a maximum of 80 children at any one time as a Before and After School Facility.
- d) be limited to the hours of 7.00 am to 6.00 pm Monday to Friday as a Before and After School Facility.
- e) be limited to the hours of 7.00 am to 10.30 pm Monday to Friday as a Life Skill Training Facility.
- f) be landscaped in accordance with Plan G attached labelled RM080157. Planting shall be implemented prior to the commencement of the activities within Building G and shall be maintained to a maximum height of 1.8 metres along the southern boundary.

### **Minimum Floor Levels**

10. Minimum floor levels for all new buildings shall be at least 200mm higher than the centreline level of the Richmond Deviation (SH6) to the north of the site.

### **Campanile Structure**

11. The campanile Structure shall:

- a) not exceed a height of 12 metres.
- b) be illuminated by back lighting or up lighting by spot lights or flood lights that shall be fixed and directed solely at the structure during hours of darkness.

No light shall spill onto any residential property.

### **Noise**

12. Noise generated by the activities within the site, measured:

- i) at or within the boundary of any site within the zone, other than the site from which the noise is generated, does not exceed:

	<b>Day</b>	<b>Night</b>
L <sub>10</sub>	55 dBA	55 dBA
L <sub>max</sub>		70 dBA

Noise generated by the activity, measured:

- i) at or within the boundary of a site within a Residential Zone; or  
ii) at or within the notional boundary of any dwelling in a Residential Zone does not exceed:

	<b>Day</b>	<b>Night</b>
L <sub>10</sub>	55 dBA	40 dBA
L <sub>max</sub>		70 dBA

**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.

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*.

13. Notwithstanding condition 12 above, the Consent Holder shall adopt the best practicable option approach to mitigate the effects of noise from all the activities undertaken on the site. The Consent Holder shall submit a Noise Management Plan for certification by Councils Regulatory Co-ordinator prior to commencement of the early childhood centre activity.

## **Glare**

14. All exterior lighting shall be directed away from adjoining residential areas and public places and roading networks.
15. All exterior building surfaces and fencing shall be finished in a non-reflective surface.

## **Landscaping**

16. Onsite landscaping, other than that addressed through conditions 7(g),8(f) and 9(f) shall be undertaken in general accordance with the application. The consent holder shall submit a detailed landscape plan through the Building Consent Process for each major stage of the development for certification from The Council's Resource Consents Manager.
17. The consent holder shall retain and maintain no less than 10 metres of landscaping along the Salisbury Road frontage.

## Parking

18. At the completion of construction of the Worship Centre as shown on Plan A and D attached to this consent, a total of 200 parking spaces shall be formed, sealed with a minimum of two coat chip seal, and clearly marked out on the ground with paint. These spaces shall be maintained on an ongoing basis.

### **Advice Note:**

This condition shall ensure that there is sufficient parking provided on site while the complex is being developed and once it is fully completed

## Access

19. The consent holder shall construct the one-way exit road link across Lot 3 DP18824 (ASB Aquatic Centre Site) in accordance with Plan H attached. The access link shall have a formation width (sealed carriageway) of 3.5 metres and shall be completed prior to the Worship Centre activity commencing.
20. The consent holder shall enter into a Licence to Occupy Agreement with the Tasman District Council prior to the commencement of works above.
21. Both lanes of the Salisbury Road entrance shall be used for ingress traffic only in accordance with Plan H attached and shall be clearly indicated on the ground prior to the Worship Centre activity commencing.

### **Advice Note:**

It should be noted that the shared access off Salisbury Road currently used by the staff of the Aquatic Centre over the Baptist Church land is required to be formalised through a legal easement. This easement will also need to include continuation of an easement over the land between the current staff car parking on Lot 3 DP 18824 and the entry to the proposed one-way access link once the Salisbury Road entrance becomes a two lane entry only point.

22. All kerb, channels and sumps shall be installed in accordance with Tasman District Council's Engineering Standards 2008 and constructed on the southern side of the access link, together with kerb cut-outs and adjacent grassed swale as shown on Plan H attached.

### **Advice Notes:**

- a) The existing stormwater wetland adjacent to the proposed access is not to be compromised and runoff is to be restricted (using low-impact stormwater design) to the developed flows that exist at the time of RM080594 is issued.
- b) The applicant is responsible for the access leg as constructed above until such time as it is taken over or legally maintained by Tasman District Council.

## Access Signage

23. "One Way Only" signage shall be erected at both ends of the access link across Lot 3 DP 18824 (ASB Aquatic Centre) to clearly indicate that traffic shall flow in a one-way direction from west to east only.

24. A “No Entry” sign shall be erected at the eastern end of the one way access link where it meets the existing access to Aquatic Centre car park.
25. A two lane “Entry Only” sign shall be erected at the Salisbury Road entrance once the access link over Lot 3 DP 18824 for egress has been completed.

### **Waste Water**

26. The consent holder shall connect to Council’s reticulated waste water system using the existing lateral connections already in use.

### **Engineering Plans**

27. All engineering works as outlined above shall be shown on engineering plans in accordance with the requirements as set out in the Tasman District Council Engineering Standards 2008. These plans shall be submitted with application for building consent.

#### **Advice Note:**

“As built” plans of services and new road links will be required at the completion of the works and supplied to Council prior to the issue of a compliance certificate.

### **Review**

28. That pursuant to Section 128(1)(a) and 128(1)(c) of the Resource Management Act 1991, the Consent Authority may review any conditions of the consent within twelve months from the date of issue and annually thereafter for any of the following purposes:
  - a) to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - b) to deal with inaccuracies contained in the consent application that materially influenced the decision made on the application and are such that it is necessary to apply more appropriate conditions; or
  - c) to assess the appropriateness of imposed compliance standards, monitoring regimes and monitoring frequencies and to alter these accordingly;
  - d) to review the noise limits specified in Conditions 12 and Management plan specified in Condition 13 of this consent should these be deemed to be inappropriate.
  - e) to review the appropriateness of the access and parking requirements specified in Conditions 19-25 inclusive of this consent

### **Financial Contributions**

29. The Consent Holder shall, no later than the time of uplifting the Building Consent for the building work, pay a financial contribution to the Council. The amount of the

financial contribution shall be assessed as a percentage of the value of the Building Consent component in accordance with the following table:

<b>Financial Contribution – Building</b>	
<b>Component</b>	<b>Contribution</b>
Building Consent (\$0 to \$50,000 value)	0%
Building Consent (\$50,001 to \$200,000 value)	0.5%
Building Consent (above \$200,001 value)	0.25%
<b>Notes:</b>	
<ol style="list-style-type: none"> <li>1. The financial contribution is GST inclusive.</li> <li>2. The building consent value is GST exclusive.</li> <li>3. The contribution due on a building should be identified separately from other contributions set for any resource consent for an activity that includes buildings.</li> <li>4. The financial contribution shall be determined by taking the total estimated value of the work required for a building consent and applying each component identified in the table to that value and the contribution is the sum of the components.</li> </ol>	

Note that if the building work is done in stages this requirement to pay a financial contribution shall apply at each stage.

## **ADVICE NOTES**

### **Council Regulations**

1. This is not a building consent and the consent holder shall meet the requirements of Council with regard to all Building and Health 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, associated Discharge Permit RM080594 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 that 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 or certificate of acceptance until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

## **Monitoring**

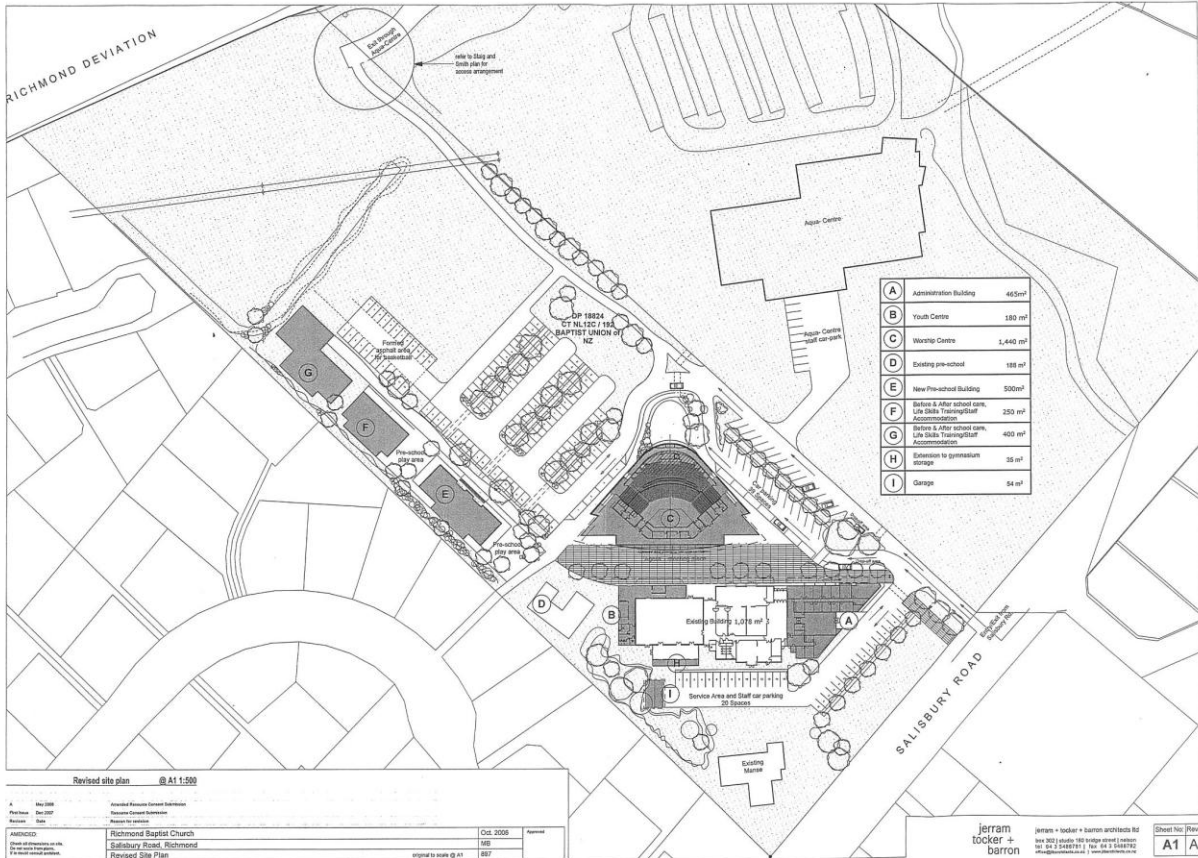
5. Monitoring of the consent is required under Section 35 of the Resource Management Act 1991 and a deposit fee is payable at this time. Should monitoring costs exceed this initial fee, Council will recover this additional amount from the Consent Holder. Costs are able to be minimised by consistently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

## **Interests registered on Property Title**

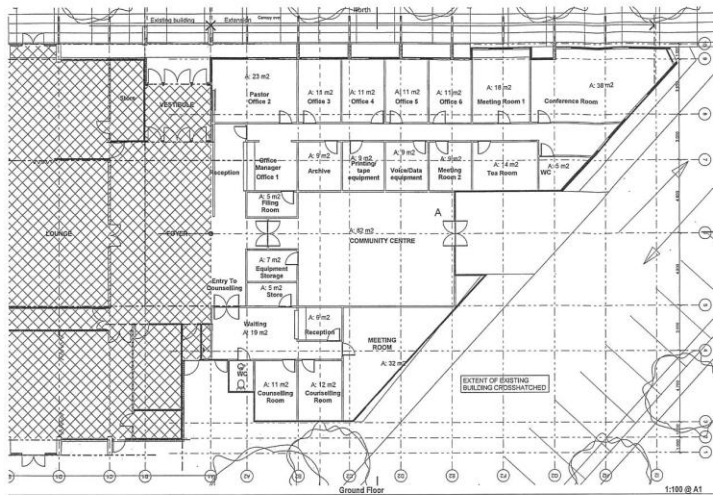
6. The Consent Holder should note that this resource consent does not override any registered interest on the property title.

Jane Harley  
**Consent Planner, Land Use**

Plan A Site Concept Plan



# Plan B Community Centre Concept Plan



Project: St. John's	Revision: Revised	Date: 01/01/2008	Author: MB
Client: Richmond Baptist Church	Project: Community Centre	Date: 01/01/2008	Author: MB
Site: Salisbury Road, Richmond	Project: Community Centre	Date: 01/01/2008	Author: MB
Project: Community Centre	Project: Community Centre	Date: 01/01/2008	Author: MB

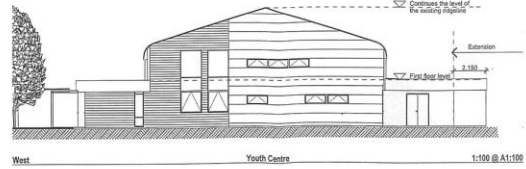
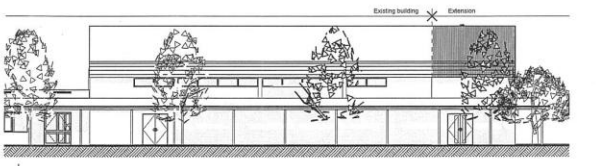
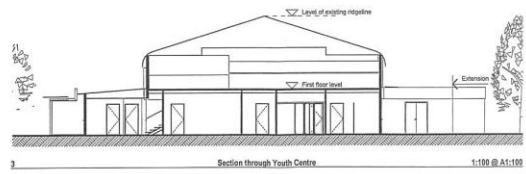
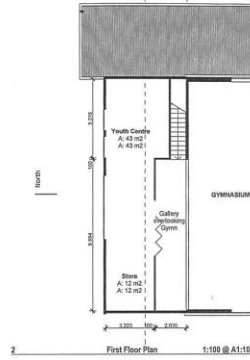
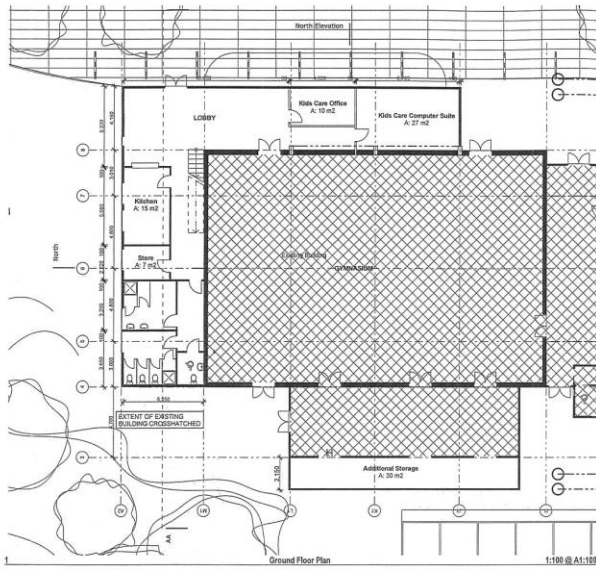
jerram  
tucker  
barron

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100 100 100 bridge street colton  
tel: 04 2 5487211 fax: 04 2 5487212  
info@jerramtuckerbarron.co.nz

Sheet No:	Rev:
A2	



# Plan C Youth Centre Concept Plan

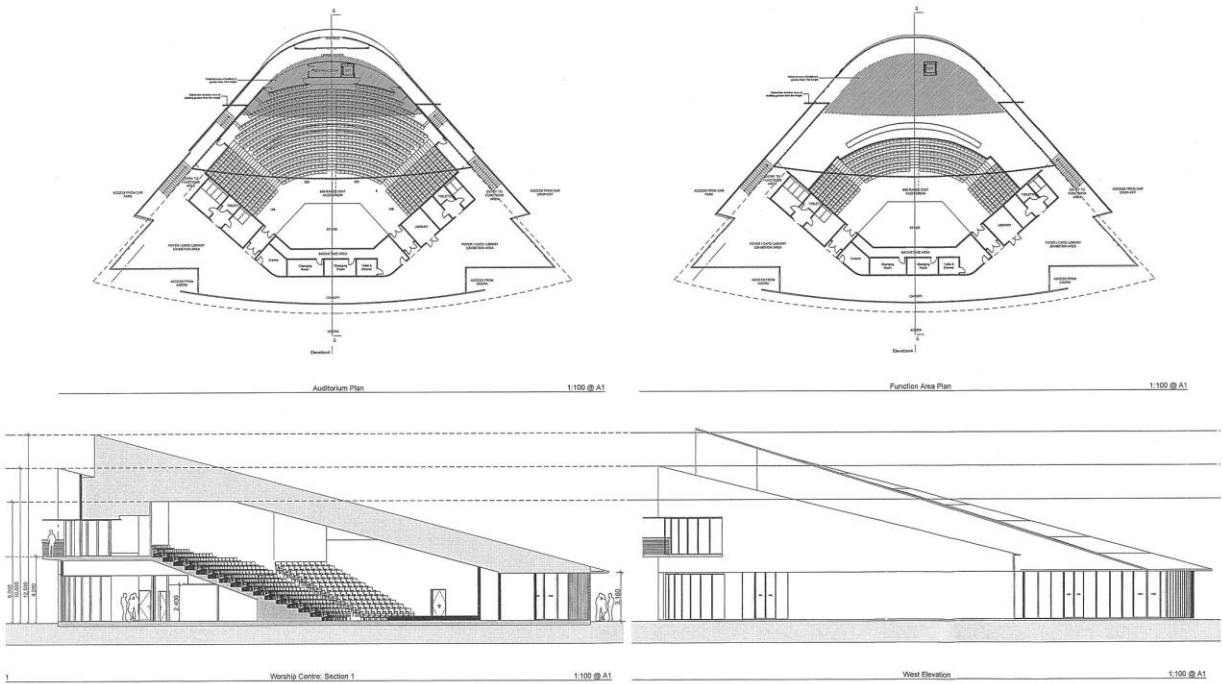


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Project No.	081 007	Revision	01	01/08/08
Client	Richmond Baptist Church	Author	MS	
Address	Salisbury Road, Richmond	Date	01/08/08	01/08/08
Project Name	Youth Centre Conceptual Plans and Elevations	Scale	1:100	

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 tocker +  
 barron  
 jerram + tocker + barron architects ltd  
 100 100 (suite 100) orange street, victoria  
 tel: 04 2445211 fax: 04 2445212  
 www.jerramtocker.co.nz

Sheet No. Rev  
 A3

Plan D Worship Centre Concept Plan



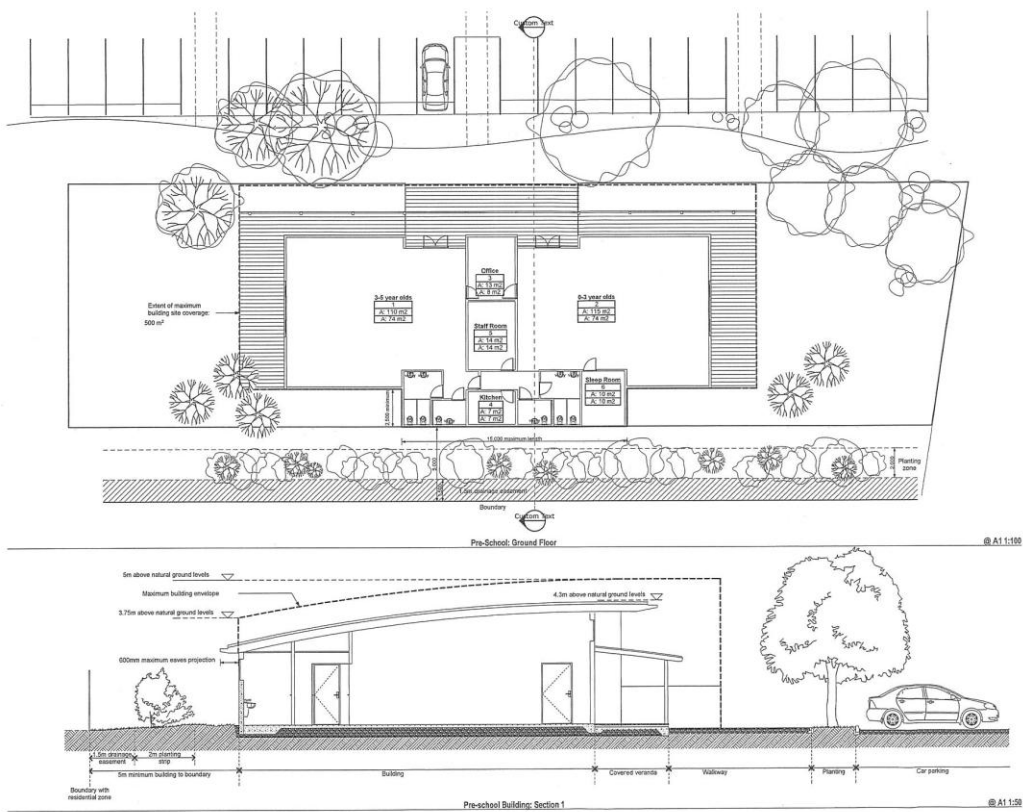
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Project: Richmond Baptist Church Location: Salisbury Road, Richmond Description: Worship Centre, Conceptual plans, Section & Elevation			

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 barron

jerram + tocker + barron architects ltd  
 (inc 512) studio 105 bridge street | london  
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Sheet Title: Plan  
 A4

# Plan E Preschool Concept Plan



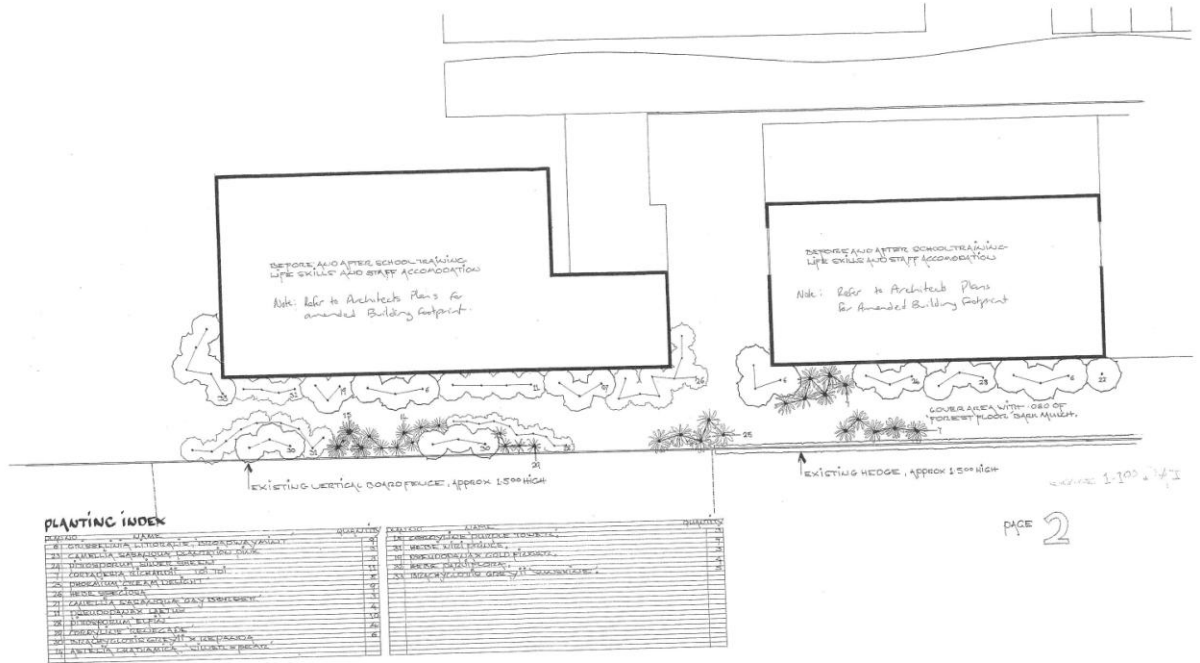
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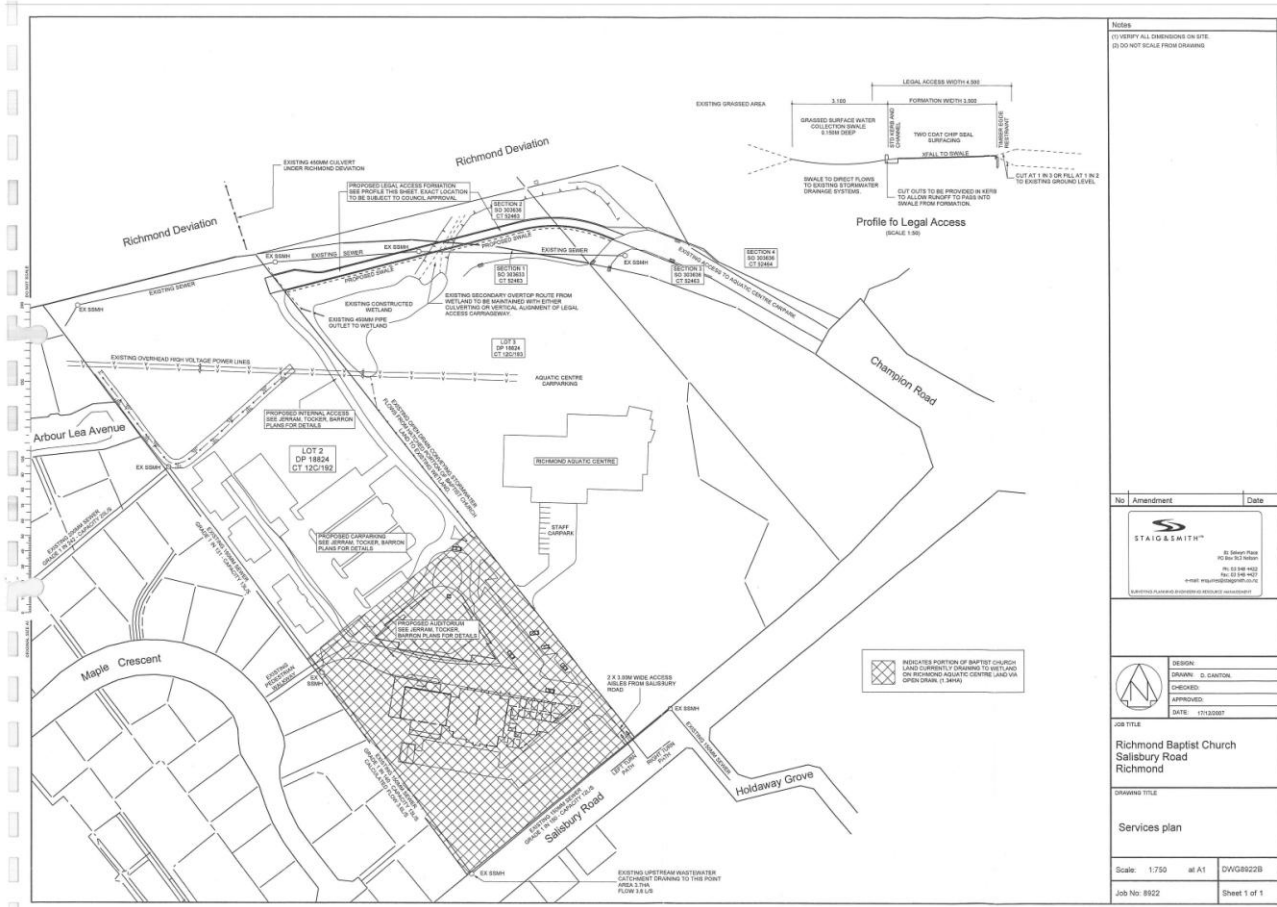
Resource Consent

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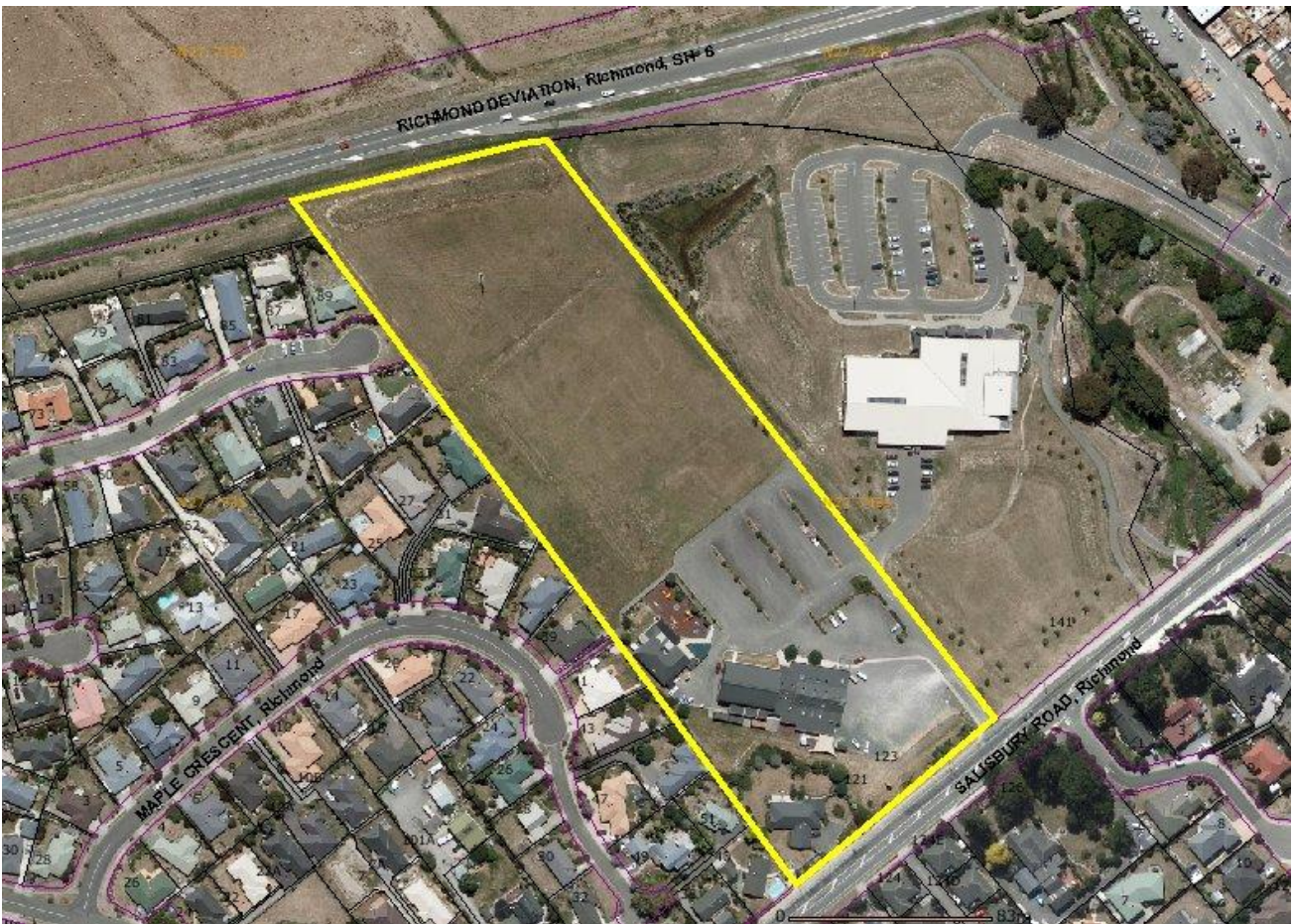


## **List of Appendices**

<b>Appendix 1</b>	<b>Aerial Map of Application Site</b>
<b>Appendix 2</b>	<b>Zone Map of Application Site</b>
<b>Appendix 3</b>	<b>Copy of RM090413</b>
<b>Appendix 4</b>	<b>New Zealand Transport Authority (NZTA) partial withdrawal of Submission</b>
<b>Appendix 5</b>	<b>Memo from Graham Caradus, Regulatory Services Co-ordinator</b>
<b>Appendix 6</b>	<b>Report from Dugald Ley, Development Engineer</b>
<b>Appendix 7</b>	<b>Letter from Applicant dated 1 September 2008</b>
<b>Appendix 8</b>	<b>Richmond Cyclist and Pedestrian Network Map</b>

**Appendix 1**

Aerial view of 123 Salisbury Road, Richmond





**Appendix 2**  
Zoning Map of 123 Salisbury Road, Richmond



RM970413  
30 April 1998

Writer's Direct Dial No. (03) 544-3423

Richmond Baptist Church  
P O Box 3242  
**RICHMOND**

Dear Sir/Madam

**RESOURCE CONSENT APPLICATION NO. RM970413**

In accordance with Section 114 of the Resource Management Act 1991, I enclose a copy of the Council's decision made under delegated authority on the above application.

The applicant or any person who has made a submission has the right of review to the Council against the decision as provided for in Section 357 of the Resource Management Act 1991.

Any such appeal must be made to the Council within fifteen working days from the date of receipt of this notice.

In terms of Section 125 of the Resource Management Act 1991, this consent shall expire two years after the date of consent (by this Council or, if relevant, the Environment Court) unless:

- (a) The person to whom it was granted has within that period given effect to the consent; or
- (b) The Council has, on an application made within three months after the expiry of that period, satisfied itself that the circumstances in Section 125(b) apply.

Yours faithfully  
K M Marjoribanks  
**Resource Planner**  
Enc

In the matter of the Resource Management Act 1991

and

In the matter of the application lodged by Richmond Baptist Church

for a Resource Consent for a NON-COMPLYING ACTIVITY under the provisions of Sections 104 and 105 of the aforesaid Act

**PROPOSAL:**

To develop a worship centre, including a church and associated offices/meeting rooms, a hall, a minister's dwelling, a pre-school and associated car parking and signs. The development to be undertaken in two stages over four years. Stage 1 being the development of the pre-school, dwelling and worship centre and car parking to be completed within two years of the grant of consent, and Stage 2 being the sports hall to be completed within four years of the grant of consent. The development is being undertaken at a site on Salisbury Road, Richmond, being proposed Lot 2 of a subdivision of Lot 1 DP 14338 and part Lot 2 DP 10599.

**DECISION:**

Acting under authority delegated from the Council, Planning Commissioner Cr Ogilvie considered the resource consent application under the provisions of Sections 104 and 105 of the Resource Management Act 1991 and resolved that the application be consented to, subject to the following conditions.

**CONDITIONS:**

**General**

1. The development be undertaken generally in accordance with the attached development plan (Appendix A).

**Duration of Consent**

2. The development be staged over up to four years with Stage 1, the development of the dwelling, pre-school, meeting rooms, sports hall and car parking, being completed within two years of the date of grant of consent and Stage 2, the church, being completed within four years of the date of grant of consent.

**Landscaping**

3. A detailed landscaping plan (including planting programme and planting maintenance schedule) shall be submitted to the District Planner for approval before the release of any building permits (with the exception of the dwelling). The purpose of the landscape plan is to help screen the development when viewed from adjacent residences and to add to the visual attractiveness of the area as viewed from adjacent roads and proposed recreation complex.
4. All planting be restricted to no more than 1 metre in height within the triangular area located on the intersection of the access road with Salisbury Road. The dimensions of the intersection triangular area being 10 metres along Salisbury Road frontage and 5 metres along the new access road (as delineated on Appendix A).

5. Landscaping shall be established during the 1998-1999 planting season and shall be thereafter maintained in accordance with the landscape plan.

### **Services**

6. The development is to be fully serviced with underground power, water, sewer and stormwater in accordance with the Tasman District Council Engineering Standards 1996. Water meter(s) to be provided and installed.
7. Any services located outside the boundaries of the subject land to be protected by an appropriate easement to be registered on the relevant Certificates of Title.
8. The proposed dwelling and associated impermeable areas may temporarily discharge stormwater to soakpits if required and adequate soakage is available. This is a temporary system, and stormwater disposal for the dwelling and impermeable areas to the proposed reticulation system for the entire site will be required when this system is operational. Soakpits are required to comply with Tasman District Council standards and soakage testing to the N Z Building Code, Document E1 Clause 3.6.2 is required.

9. Engineering Plans

Engineering plans complete with calculations for pavement design, and stormwater and sanitary sewage flows including plans of proposed earthworks are required to be submitted for approval prior to the commencement of any works. All engineering details are to be in accordance with the Council's Engineering Standards 1996. All necessary fees for plan approval shall be payable.

Engineering plans for the proposed dwelling may be submitted prior to the plans for the entire site. These plans must show proposed connections to existing services, which may include temporary soakpits for stormwater disposal. Soakage test results to be submitted to Council for approval.

As-built plans detailing roading, sewage and stormwater including exact location of pipes, laterals, connections etc, complete with depths of sewer and stormwater connections shall be provided. Water meter recordings to be provided.

10. Engineering Supervision

All works shall be constructed in strict accordance with the Tasman District Council Engineering Standards 1996 and to the satisfaction of the Engineering Manager. The Tasman District Council Engineering Department shall be contacted forty-eight hours prior to the commencement of the works. The applicant shall engage a suitably qualified consultant (registered surveyor/engineer) for advice and to supervise/test the construction of the work.

### **Outside Lighting**

11. All security and other lighting to be positioned and directed so that there is no spill of light onto adjoining residences. In addition, any on-site lighting that impacts on Salisbury Road shall be in accordance with roading standards set out in NZS 6701.

### **Car Parking**

12. A total of 125 car parks shall be provided generally as shown in Appendix A. Car parks are to comply with the parking size and manoeuvring areas required in the Proposed Tasman Resource Management Plan. Car parking to be sealed with a two coat bitumen chip seal. Drainage for car parking areas to comply with the Tasman District Council Engineering Standards 1996.

## Access

13. The access to the site and on site roadway from Salisbury Road to the exit point of the car park is to be 7.5 metres seal width, with a 1.4 metre footpath, and kerb and channel on the church side. Street lighting, to comply with the Tasman District Council Engineering Standards 1996, is to be provided. Street and intersection marking and stop sign to be provided at the intersection of the access road and Salisbury Road.

Any access to the site or on site roadway constructed outside the boundaries of the subject land to be the subject of a right-of-way application to Council (Section 348 Local Government Act 1974).

## Signs

14. A total of three (3) signs shall be permitted. Signs shall be located as shown on Appendix A and will be the designs/dimensions in Appendix B.

## Noise

15. Noise levels for any use on site shall be as follows:

Noise generated by the activity, measured at the boundary of any site within the zone, does not exceed:

	<b>Day</b>	<b>Night</b>
L10	50 dBA	40 dBA
Lmax	70 dBA	60 dBA

A correction factor of -5 dBA applies for impulse or tonal noise.

**N.B.** Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 12.00 noon Saturday (but excluding public holidays). Night = all other times plus public holidays.

## Maximum Number of People On Site

16. The maximum number of people on site at any time shall be 500 persons.

## Pastor's Dwelling

17. That there be one dwelling on site.
18. That the dwelling meets the bulk and location requirements of the Proposed Tasman Resource Management Plan Residential Zone as if the site and adjoining sites were zoned residential and the property was between 400-700 m<sup>2</sup>.

## Pre-school

19. That the pre-school building meets the bulk and location requirements of the Proposed Tasman Resource Management Plan Residential Zone as if the site and adjoining site were zoned residential and the property was between 400 and 700 m<sup>2</sup>.
20. That the school building and grounds be registered prior to occupation by the Ministry of Education.
21. That a maximum of 45 enrolled students be catered for at any one session.
22. A maximum of five staff shall be employed for any one session.

23. Hours of operation shall be 8.30 am to 4.00 pm Monday to Friday, with the exception of Board of Trustee meetings, which may be conducted up to three times a month outside the above times.
24. That the outside activity area be fenced before the pre-school operation commences.

### **Worship Centre**

25. Maximum hours of operation shall be 8.00 am to 10.30 pm Monday to Friday, 7.00 am to 12.00 midnight Saturday and 7.00 am to 10.30 pm Sunday.
26. The maximum height of the Church shall be 8.5 metres.

### **Sports Hall**

27. Hours of operation shall be 8.00 am to 10.30 pm Monday to Sunday.

### **Review Clause**

28. Council reserves the right under Section 128 of the Resource Management Act 1991 to review the consent or consent conditions to deal with any adverse effect that may arise.

### **NOTATION:**

1. The applicant shall meet the requirements of all relevant Building and Health Regulations, Bylaws and Acts.
2. A Development Impact Levy shall apply to the Building Consent. Such a levy is required to offset impacts on Council services such as roading, sewerage, stormwater, etc.

### **REASONS:**

1. The church has submitted a comprehensive development plan for the site which has taken into account the requirements of both the Transitional District Plan and the Proposed Tasman Resource Management Plan and the amenity of the area.
2. The church had consulted with its neighbours and the application being publicly notified received no submissions.
3. Properly controlled by conditions any environmental effect shall be minor.

Dated at Richmond this 30th day of April 1998

D J Ogilvie  
**Planning Commissioner**

Date

**Appendix 4**  
**Letter of partial withdrawal from NZTA**

28/08/2008

Hi Jane

In view of information provided by Tasman District Council in its role as road controlling authority concerning its proposals for access to the expanded facility for the Richmond Baptist Church, NZTA will no longer be pursuing its request that access be confined to Salisbury Road.

Accordingly that part of the NZTA submission of 21 August 2008 pertaining to this matter is withdrawn.

This leaves the issue of reverse sensitivity (item 4(c) of the submission) as being the sole matter of concern to us.

I understand that Jackie McNae will put to us a proposal that might meet our concerns regarding the reverse sensitivity issue which may allow the full NZTA submission to be withdrawn. I will advise you further on this aspect when I have heard from Jackie.

Regards

Mike Weir  
Principal Planner

**MEMORANDUM**

**TDC** *Tasman*  
**District Council**  
 Environment and Planning Department

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**TO:** Jane Harley

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**FROM:** Graham Caradus

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**DATE:** 17 March 2008

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**FILE NO:** File No. RM 080157

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**RE:** **Resource Consent Application: Richmond Baptist Church 123 Salisbury Road**

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I have scanned this application and consider the only potential public health issue is the possibility of noise generated at the proposed Early Childhood Education Centre (ECEC) or worship centre creating nuisance conditions in the adjacent residential zone.

The applicant in 4.9, 5.17 and 6.3 of the application acknowledges the existence of the controls imposed by the TRMP in relation to noise. The same sections make comment about the siting of activities such as car parking and the worship centre, and the relationship with the residential boundary.

The applicant needs to be aware of the implications of s16 of the RMA which states:

**16. Duty to avoid unreasonable noise—**

- (1) *Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or . . . the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.*

The implication of these duties already appears to have been considered by the applicant in relation to a number of issues. However additional consideration may need to be given to the matter of noise transmission from the proposed ECEC, and in particular the following may need to be addressed to fulfil those obligations:

- Carefully controlling or structuring any musical activities or similarly noisy activities undertaken within the ECEC;
- Close supervision of outdoor activities which may otherwise generate noise that are undertaken by the ECEC e.g. outdoor play;
- Provision of fencing that will provide an effective noise barrier between the ECEC and adjacent residential properties.



Similar obligations obviously exist in relation to the worship centre, and the degree of sound proofing provided will determine the conduct that will be required when any noise is generated within the building.

Graham Caradus  
Environmental Health Officer

**TO:** Hearings Commissioner  
**FROM:** Dugald Ley, Development Engineer  
**DATE:** 27 August 2008  
**REFERENCE:** RM080157  
**SUBJECT:** **RICHMOND BAPTIST CHURCH DEVELOPMENT  
PRE-SCHOOL, WORSHIP CENTRE, BUILDING EXTENSION  
121-123 SALISBURY ROAD**

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## **1. INTRODUCTION**

The above property in Salisbury Road covers some 3.24 hectares of land approximately 200 metres south-west of the Champion Road/Salisbury Road roundabout.

The property has frontage to both Arbor Lea Avenue and Salisbury Road with the existing practical formed access being off the latter. The property presently has a Manse (separate access to Salisbury Road) and main hall, pre-school and administration offices. This application is to enlarge those existing uses.

## **2. BACKGROUND**

I understand that the existing facility has a consent (RM970413) which was approved in April 1998 and requires the construction of 125 car parks to service the on-site uses. The application will increase this to 200 car parks. The application seeks to double the size of the pre-school building (ie, additional 45 children) for youth activities and the construction of a worship centre to cater for up to 800 people.

The land plus that of the adjacent ASB Aquatic Centre and beside the Champion Road/Salisbury Road roundabout is zoned tourist services and it would be envisaged that in time this area will be extensively developed in compliance with that zoning.

At an early stage the applicant and Council officers met to discuss the application and in regard to Engineering, the application meets with our approval.

Salisbury Road is classed as an arterial road in the high 14,000 vehicles per day range. (This is the highest level of road on Council's roading hierarchy and the same as the adjacent state highway maintained by the New Zealand Transport Agency (NZTA) – formerly Transit).

The existing entrance to the main church activities is an approximately 6.0 metre two-way entrance (exit/entry) with an informal use being available by ASB Aquatic Centre staff and maintenance contractors. On the opposite side of Salisbury Road is Holdaway Grove (legal street) and this is located some 25 metres to the north.

On receiving the application Officer's immediate concern was the additional number of vehicles that would be generated on to Salisbury Road at the existing entrance location.

Following discussion with the applicant it was agreed that once the Worship Hall was constructed then traffic should be directed to the more robust roundabout intersection of Salisbury and Champion Roads (via traversing land owned by Council, ie ASB Aquatic Centre and then to Champion Road West). Note via TRMP rule 16.2.2 (da) no access is permitted out via Arbor-Lea Ave

It is common practice in high volume roads to encourage traffic direction to main intersections therefore avoiding further traffic conflicts. The Salisbury/Champion Road roundabout intersection was designed and constructed under the authority of Transit NZ and would have been designed to cope for future traffic considering the zonings at that time.

It is also my view that in time Arbor Lea Avenue will eventually connect to Champion Road West as part of Council's strategy for the movement of traffic, cyclists is to have links and alternative routes to enhance communities and facilitate connectivity. Presently Arbor Lea Avenue only has one entry/exit on to Salisbury Road and Council has advised that because of the Salisbury Road traffic numbers with schools and pedestrian crossings nearby, traffic delays do occur. Hence Council's encouragement for the applicant to facilitate the partial link to Champion Road for a potential connection between the two roads. Note it is likely that this may be a "one way" (Arbor Lea to Champion Road direction) only, but that design process is yet to be undertaken.

**Note** the aspects of the Arbor Lea Avenue and Champion Road link have not been fully discussed with the applicant and are not part of this application and will also be part of an LTCCP public consultation assessment.

However, with mutual agreement from the applicant via their plan, viz Staig & Smith DWG8922A, sheet 1 they are to form half a future road (ie 3.5 metres wide) from their north-east boundary through the ASB Aquatic Centre site (has Council approval) and then to the access leading to Champion Road West.

As mentioned previously, Holdaway Grove (opposite the site) is some 25 metres to the north of the existing entrance. Should an activity such as an 800-seat worship centre go ahead, then concerns would be raised regarding traffic conflicts in this area. Note Council's Engineering Standards advise that the distance between two offset roads should be at least 40 metres (allows for right turning holding bays, see aerial plan). Clearly this would not be met if the church entrance with its similar traffic movements to a road were permitted.

As mentioned above the roundabout at Champion Road/Salisbury Road was constructed a number of years ago as part of the relocation of the state highway to its present Richmond deviation location. That roundabout in this locality was one of three. I attach an aerial photo which shows that all three are owned by different entities, ie TDC, NCC and NZTA. The red lines show where authority ceases/starts.

These three roundabouts have remained unaltered for a few years and recently (in the last 1-2 years) NZTA have two-laned each of the legs that link from their roundabout to the NCC roundabout. This could be seen as compounding a congestion problem on to the next roundabout and subsequently on to the third TDC roundabout. It is acknowledged that traffic volumes have increased over recent years and delays are being encountered at both the NCC and TDC roundabout during peak times (7.45am to 8.45am and 4.30pm to 5.30pm).

Note the reason roundabouts are constructed is that each leg entering the intersection has an equal chance to move through the intersection, ie traffic flow is balanced on each leg. An alternative intersection design where there is unbalanced flow, ie more traffic from one leg, is to design the intersection with traffic lights. Light phasing will then allow all traffic a chance to get through the intersection.

It has been noted that Nelson City Council (via Commissioners) has allowed three major subdivisions to occur along Champion Road. These applications amount to some 275 new lots and subsequent 2750 vehicles per day (275 x 10) entering on to Champion Road - the majority of which will use the three roundabouts.

I am aware that NZTA did not present a submission to the latest 82-lot subdivision on the corner of Hill Street and Champion Road. However, as part of that application Tasman District Council did make a submission and subsequently the applicant entered into a "side" agreement with Council that they pay a sum of \$50,000 towards the upgrade of the Champion Road/Salisbury Road roundabout. The concept design for the upgrade is attached. This shows the leg from the Nelson side being converted to two-lanes with the left turn solely for traffic turning into Champion Road. Also the Champion Road east side is to be converted to a two-lane entry. I understand the commissioner is aware of this outcome.

This Council through the LTCCP public consultation process will itemise the roundabout upgrade for construction within five years. This public consultation process will commence at the end of 2008.

Following meetings with the applicant and NZTA, Council is aware of concerns that traffic from the Nelson city roundabout will have to "wait" for traffic from the Champion Road west leg. Council's view is that this is how roundabout's are supposed to work and when the legs are equal in traffic numbers then each will get their respective turn to enter the intersection.

As mentioned peak traffic is between 7.45am and 8.45am and 4.30pm to 5.30pm and should the discharge of traffic from the 800-seat worship centre (we are advised it will be built in 10 years and use will mostly be on Sundays and evenings) then that traffic would also have to compete with north bound traffic entering the roundabout from Salisbury Road.

As outlined above, it is my belief that traffic generated from this application is considered to be no more than minor. The access for exiting traffic (once the 800-seat worship hall is constructed) via the Champion Road east leg is sensible and appropriate to allow traffic to enter on to an arterial road in a safe manner.

Note – until the worship centre is constructed access to and from Salisbury Road can remain subject to the conditions set out below.

Should the commissioner be of a view that effects on traffic at the intersection of Salisbury Road and Champion Road are more than minor then it is my opinion that a review clause, pursuant to section 128 of the Resource Management Act, be imposed. This would require a traffic assessment to be undertaken one year after the completion and subsequent use of the 800-seat worship centre and recommendations from that report made a condition of consent.

### 3. OTHER SERVICES

- **Water**

The property is presently supplied from Council's reticulated supply via a meter. The applicant is to apply for an upgraded connection should they require more than the 15mm diameter supply that they presently have. I believe a Council water line on the applicant's property also serves and feeds into the ASB Aquatic Centre and this line is required to be protected via an easement-in-gross.

- **Wastewater**

Public wastewater pipes traverse the site in a number of locations and the present facility is connected to the line at the south-west boundary. The new buildings can discharge to Council's reticulated system via the existing connection points and these shall be shown on the subsequent building consent application plans.

Easements will be required over the public sewer and any new building located outside these easements.

It is noted that surplus fill shall not be located over existing sewer lines or water mains.

- **Stormwater**

As part of the discharge consent it is envisaged that low-impact stormwater designs will be used to mitigate adverse contaminants entering the waterway. Stormwater flows shall be maintained to the pre-developed discharge flows (prior to this application).

### 4. CONDITIONS

Should the commissioner be of a view to grant consent, it is suggested that the following form the basis of Engineering consent conditions:

#### 4.1 Roading

- a) The road link to the ASB Aquatic Centre access leg shall have a sealed carriageway of 3.5 metres.
- b) A kerb, channels and sump shall be installed in accordance with Tasman District Council's Engineering Standards and amendments and constructed on the southern side of the access link together with kerb cut-outs and adjacent grassed swale generally as shown in the applicant's plan drawing 8922B, sheet 1. Appropriate signage at each end shall advise that it is a "one-way" flow, ie west to east and no entry signs also erected.

The above access link is not required to be constructed until the 800-seat worship centre is completed and before it is to be used. The existing stormwater wetland is not to be compromised and runoff shall be restricted (using low-impact stormwater design) to the developed flows as they exist at the time of the issue of their consent.

At the same time as the above access, construction of the Salisbury Road entrance shall be converted to a two-lane entry only and appropriate signs erected to enforce the above.

#### **4.2 Water Supply**

The existing water supply is adequate to serve the development. However the applicant may apply for an upgraded supply subject to paying the appropriate fee.

#### **4.3 Sewer**

Full sewer reticulation discharging to Council's reticulation system using the existing lateral connections already in use, ie no increase in lateral connections.

#### **4.4 Stormwater**

Stormwater discharge will be via low-impact stormwater designs as per Council's stormwater discharge consent.

Minimum building floor levels shall be at least 200mm higher than the centreline level of the Richmond Deviation (SH6) to the north of the site.

#### **4.5 Cabling**

- a) Live telephone and electric power connections shall be provided to each lot and all wiring shall be underground to the standard required by the supply authority.

#### **4.6 Easements**

Easements/easements in gross shall be shown on a survey plan if required by Council. Note water and sewer lines traverse the site.

#### **4.7 Sewer Contribution – DC**

#### **4.8 Stormwater Contribution – DC**

#### **4.9 Roading Contribution – DC**

#### **4.10 Water Contribution – DC**

#### **4.11 Maintenance of Access out to Champion Road**

The applicant is responsible for the access let as constructed above until it is taken over or legally maintained by Tasman District Council at some future date.

#### **4.12 Engineering Plans**

All engineering works as outlined above shall be shown on engineering plans and to be supplied with the building consent plans and to the requirements as set out in the Tasman District Council engineering standards and amendments.

“As built” plans of services and new road links will be required at the completion of the works and supplied to Council prior to the issue of a compliance certificate.

Dugald Ley  
**Development Engineer**

**Appendix 7**  
**Letter from Staig and Smith addressing reverse sensitivity issues dated**  
**1 September 2008**

Ref: 8922

13 October 2010

Tasman District Council  
Private Bag 4  
RICHMOND 7020

Attention: Jane Harley  
Email: [jane.harley@tdc.govt.nz](mailto:jane.harley@tdc.govt.nz)

NZTA  
Attention: Mike Weir  
[Michael.Weir@nzta.govt.nz](mailto:Michael.Weir@nzta.govt.nz)

For Info:

NZTA  
Attention: Selwyn Blackmore  
[Selwyn.Blackmore@nzta.govt.nz](mailto:Selwyn.Blackmore@nzta.govt.nz)

Opus International Consultants  
Attention: Matt Lord  
[matt.lord@opus.co.nz](mailto:matt.lord@opus.co.nz)

Dear Jane and Mike

**RE: RM 080157, RM 080594 – RICHMOND BAPTIST CHURCH**

Further to discussions with you Jane over some outstanding queries you had on particular issues to do with the details of the Application, and further to the withdrawal by NZTA of part of their submission pertaining to access issues, I write to update you on my Client's position.

NZTA has indicated in their email of 28<sup>th</sup> of August that they are prepared to consider their position on the reverse sensitivity issue, and the potential withdrawal of that matter noted as Item 4 (c) of their submission, depending on the Applicant's proposed response to the reverse sensitivity issue.

The issue of concern regarding noise from the Highway, and the subject site activities was discussed in general at the meeting of NZTA representatives (from OPUS), TDC's Engineer and our Clients on the 15<sup>th</sup> of August. It was made clear at the meeting that the



Applicants would not be agreeing to vest an 18m strip of land adjacent to the Highway to the Council for a landscape reserve as part of this Application. The Applicants saw no need to vest a reserve because there was no need for such a reserve to be created by the Applicants activities covered by the Resource Consent Application. The Applicant is aware, and as a separate and independent matter, has had correspondence from OPUS relating to the interest of NZTA and TDC creating a cycleway/walkway adjacent to the Highway and some broad proposals were incorporated into a letter received on the 21<sup>st</sup> of August by a range of potentially affected properties. The Applicants are of the view that any issue, in terms of potential land being required for that purpose of the walkway/cycleway should continue to be dealt with in the process that OPUS is consulting on currently. It is not a matter where the need for this cycleway/walkway is caused by the current Resource Consent Application. The Baptist Church will be participating in that consultation process, and are happy to work with the agencies on that matter as a separate and independent matter.

On the issue of reverse sensitivity the Applicant's view is that the significant separation between the proposed buildings and the Highway is itself a mitigation measure. The range of activities to be provided for in the various new buildings, are in general, activities already operated onsite without any adverse impact, in terms of reverse sensitivity from the noise from the Highway. However the Applicants intend that the new buildings, will be purpose designed and built to take into account noise mitigation, more from the perspective of ensuring that the noise arising from church activities, does not adversely affect their neighbours, rather than the reverse sensitivity issue of the Highway. Nevertheless, the consideration of the Applicant to their noise impacts, through the use of double glazing in the new buildings on the southern boundary, and the Worship Centre will be a 'double skin' building, will have the effect of also addressing the perceived reverse sensitivity issue raised by NZTA. The Applicants would not oppose such a Condition of mitigation being included in any Resource Consent issued, as that is the Architect's intention as part of the design.

Through the staging of development excess spoil material will be generated onsite, and this material over time can be used for formalising the 'bund' that exists adjoining the State Highway currently this will provide for further mitigation of Highway noise. It needs to be noted though that the majority of this excess spoil onsite will not be generated until the Worship Centre itself is being constructed, because it is at this time that the new carpark will be required as the Worship Centre will be built over a significant portion of the existing carpark.

Given that as a separate project NZTA is considering in conjunction with the TDC the walkway/cycleway, and this in itself will involve consideration of bund issues, it may not be appropriate to include any Conditions in this Consent over that matter, because clearly there is considerable discussion and consultation with a range of parties as to the appropriate location of the cycleway/walkway, and the appropriate design of any 'bund' extensions. The Church has indicated they are happy to be involved with the consultation process surrounding that project. Further, if the timing of that project, works in with the timing of generation of excess spoil material onsite, then that spoil would be available for that project, if this is of assistance to the parties. To place a specific Condition in this Consent may pre determine, or frustrate the aspirations of a wide range of parties that will have input into the consultation process as to the exact location of the walkway/cycleway, in relation to any existing bund or extended bund.

The design measures being adopted, together with the considerable setback of the proposed buildings address the concerns of NZTA on the reverse sensitivity issue.

A further issue you raised with the writer Jane regarded the Camponile structure and the request in the Resource Application, that this structure can be illuminated. This structure is to be erected facing towards Salisbury Road. Jane, you had a potential concern that, depending on the nature of illumination this could create adverse impacts, in terms of light spill for residential properties on the opposite side of Salisbury Road. I have discussed this issue with the Church, and they confirm that when we sought Consent to illuminate, we simply meant to 'back light' or 'up light' a symbolic structure, such as a cross, in much the same way as the current cross on the Baptist Church building is 'up lit'.

I hope the above confirms the Applicant's position on the issues raised. I would appreciate it Mike if you could confirm, based on the above what NZTA's position is in relation to the reverse sensitivity issues. Jane if there are any other aspects that you require clarification on, in respect of your Report then please do not hesitate to contact the writer.

Yours faithfully  
**STAIG & SMITH LTD**

Jackie McNae  
**Resource Management Consultant**

Email: [jackie@staigsmith.co.nz](mailto:jackie@staigsmith.co.nz)

Direct Dial (03) 545 6881

8922242(08)TDC&NZTA.doc

**Richmond Cyclist and Pedestrian Network**

