

STAFF REPORT

TO: Environment & Planning Subcommittee

FROM: Laurie Davidson – Consents Planner, Golden Bay

REFERENCE: RM070605

SUBJECT: **SUSTAINABLE VENTURES LIMITED – REPORT EP09/07/04 -**
Report prepared for the hearing of 1 to 3 July 2009

LOCATION

1060 Collingwood Puponga Road, Pakawau, Golden Bay.

LAND DESCRIPTION

Part Section 11 Square 15, all land contained in Certificate of Title NL 96/197 (Limited to Parcels)

ZONING

Tasman Resource Management Plan (TRMP) Residential;
Coastal Environment Area;
Special Domestic Wastewater Disposal Area.

BACKGROUND TO CURRENT APPLICATION

An application to redevelop the Pakawau Camping Ground was prepared by Staig and Smith Ltd and Lodged with Council in June 2007. This application sought consent for a comprehensive redevelopment of the Pakawau Camping Ground that involved applications for land use, subdivision, earthworks, discharge of waste water, a coastal permit and a water permit. The land use component of that application included the following aspects:

- Construction of 48 residential units to be used for short term and permanent accommodation;
- A resort complex that contained a licensed café, conference and community meeting facilities, a gymnasium and sauna/spa facilities;
- A new retail shop with takeaway facilities, including a managers flat;
- Retention of existing petrol pumps;

- Laundry facilities;
- The use of the resort complex and cafe for conferences, seminars, meetings, weddings and other celebrations;
- Hiring recreational and leisure equipment;
- The provision of covered and uncovered carparking to serve both the residential development and the proposed resort.

The application was publicly notified in August 2007 and attracted 197 submissions when the submission period closed in September. At that stage, the applicant asked the consent be placed on hold to enable the submissions to be considered and the proposal was re-evaluated. This resulted in a revised application being submitted to Council. The amended application down scaled the proposal to provide for:

- The withdrawal of the resort complex from the application;
- A reduction in the number of the residential units to 30 and change in the configuration;
- Retention of the existing shop, petrol pumps and managers flat and the sale of takeaway food, on a separate title to the residential units;
- Laundry facilities to serve the residential units when rented for visitor accommodation, within existing buildings associated with the shop;
- Hiring non-motorised recreational and leisure equipment and the construction of buildings to store such equipment;
- Provision of covered and uncovered carparks and lock up storage to service the residential units;
- An increase in the time period to give effect to the consent from 5 to 10 years to allow the project to proceed as a staged development;
- The creation of an esplanade reserve along the coast in front of the two titles to be created.

The revised application also altered the applications for subdivision and discharge of waste water and a pro-forma consent to discharge stormwater was included.

Council decided the revised application should be circulated to the submitters to the original application to enable them to consider their original submission and they were allowed to “comment” on the revised proposal should they consider that was appropriate. Council received comments from 39 submitters after they had been provided with the amended application.

Following receipt of the comments made, Council set the application down for a hearing, to be heard by a Commissioner and two Councillors and this is to commence 1 July 2009 in Takaka.

It is important that the hearings panel are clear that the initial application has been amended and somewhat downscaled from the original application that was lodged, but there is still some information within the original application that is relevant to the revised proposal. Among the parts that are still particularly relevant are the sections relating to the Coastal Hazard and Archaeological assessments.

RESOURCE CONSENT STATUS

The land use component relating to the development of 30 residential units on this site described above becomes a non-complying activity under the rules of the TRMP as they do not meet the standards for a comprehensive development in a Residential Zone. Without the development of 30 residential units on this site, other land use components of the application would have been a Restricted Discretionary Activity, but because the non-complying status has been triggered for the residential units, the other land use components become non-complying under the Resource Management Act.

NOTIFICATION

Council processed this application under the provisions of the Resource Management Act 1991 as a notified application, as it was considered the proposal had the potential to affect a wider section of the community for a variety of reasons. Council also considered the proposal had some potential to create effects that may have been more than minor.

1. INTRODUCTION

The application by Sustainable Ventures Ltd to redevelop the Pakawau Camping Ground at 1060 Collingwood Puhanga Road requires land use consent for a variety of reasons, but the prime objective is to provide up to 30 residential units that can be used as both short term and long term accommodation. This redevelopment of the site is proposed to take place over a period of up to 10 years as a staged development. The subdivision part of the application includes a proposal to create a unit title for each apartment and to create a title that will accommodate the existing shop, petrol pumps, managers flat and an existing cottage that is currently let for tourist accommodation. As part of the subdivision application, an esplanade reserve will be created and there is some rock protection on this frontage that will need some upgrading to preserve the land in the coastal margin that will become esplanade reserve.

The resource consent applications accompanying the land use application are required to address the works required on site and to cover the need to provide a water supply and the discharge of treated waste water and stormwater on site.

The proposal is a significant change to the current use of the land that currently is a camping ground and the higher density accommodation proposed is a change from the current pattern of residential development at Pakawau. The Pakawau settlement is generally lower density residential use that has been established over a period of time.

2. SITE DESCRIPTION

The applicants' property is currently a title of 1.6617 hectares that is zoned Residential and located on the western side of Golden Bay in the Pakawau settlement. The property has been used as a camping ground for many years and has been a popular destination for holiday makers during the summer months. The Pakawau area is typical of some of the earlier development in Golden Bay and the sections in these areas are of generous proportions by today's standards creating quite low density residential development that is used for a mixture of permanent and holiday accommodation.

The site currently contains approximately 60 camp sites with a centrally located ablution block and there are nine basic cabins that are spread throughout the camp that also provide accommodation. The camp store provides a service to campers and the local community and the petrol pumps are the only source of fuel on the western side of Collingwood. The camp has an on-site well that provides up to 20m³ of water per day water and a wastewater system that relies on on-site disposal on land that is typically a coastal sand dune.

The campground is located on the coastal margin at Pakawau and has riparian rights. The frontage has eroded to some extent over a period of time and some rock protection has been installed to help protect further erosion.

The road frontage has a shelter belt of macrocarpa and pine, interspersed with some taupata that primarily provides a wind break, but also provides a visual barrier when viewed from the Collingwood Puponga Road. Other plantings within the camp itself also help break the westerly wind that can be quite strong during the equinoctial period of the year.

The shop is rather dominant in its roadside location as it is a two-storey building painted a reasonably bright blue. It is provided with a sealed car parking area that has two fuel pumps located near the shop.

The camp is typical of the "Kiwi beachside camp" in New Zealand and as these facilities are under increasing pressure of redevelopment due to their location and associated monetary value. The remaining camping grounds in New Zealand have a somewhat iconic status. The redevelopment of the Pakawau Camp is not unexpected given its location within Golden Bay and a current Government Valuation of \$2,000,000.

3. NOTIFICATION AND SUBMISSIONS

The application was notified on 11 August 2008, with submissions closing on 7 September 2008. One hundred and ninety seven submissions were received, with sixteen in support, one hundred and seventy one in opposition and eight were neutral. For the purposes of commenting on the submissions received, the submissions are grouped into those supporting the application, those opposed and those that are regarded as neutral.

The matters raised are summarised to some extent as it is impractical to deal with each and every submission individually. The issues raised by submitters have some common threads, but it is clear there has been a significant community response to the application.

The amended application was circulated to submitters for comment, and while many may have a common theme, it shows there are wide and diverse views on this type of development in Golden Bay. In cases such as this application, there are strong community views and it is important to consider the issues or matters that are raised very carefully and weigh them accordingly. Both the Tasman Resource Management Plan and the Resource Management Act provide the structural and legal framework to consider submissions made to an application and the appropriate weight to give to the matters that are raised is a matter the Committee will need to address.

For the purposes of this report, the submission are summarised into three groups, those supporting the application, those in opposition and those that are deemed to be neutral. These are as follows:

3.1 Submissions in Support of the Application

Submitter and Submission number	address	Further comments provided on revised proposal	Wish to be heard	Decision requested
N R Lines 199	1653, Collingwood Puponga Rd, Pakawau		No	Approve
W D Hoy 186	114 Milton St, Nelson		No	Approve
B Knoef 129	1405, Pakawau- Puponga Rd, Pakawau		No	Approve
Ngang 120	46 Rototai Rd Takaka		No	Approve
D L Rhodes 112	Main Rd Pakawau		Yes	Approve
J B & J MacHardy 111	Moirlea, Pakawau 1091		Yes	Approve
R Cox 40	34 Battery Rd, Patons Rock		Yes	Approve
L Jones 37	104 Freeman Access Rd Collingwood		Did not indicate if wants to be heard at hearing	Approve
W Manson 20	Hinterland, Onekaka		No	Approve
A & J Kelsall 13	393 Bush Rd Pakawau		Yes	Approve
H Hill 9	Collingwood-Puponga Rd		Yes	Approve

Submitter and Submission number	address	Further comments provided on revised proposal	Wish to be heard	Decision requested
L & L Campbell 8	9 Bush Rd Pakawau		Yes	Approve
E Campbell-Heath 7	Main Rd, Pakawau		Yes	Approve
J Loy 6	Bush Rd Pakawau		Yes	Approve
L & M Jarrett 4	1178 Main Rd, Pakawau		No	Approve
D Campbell 2	112 Tangmere Rd Takaka		Yes	Approve

These are the submissions to the original proposal as notified and it is still appropriate that these are set out for the Hearing Committee as they demonstrate the response from the public to the original proposal. The table also indicates any of the original submitters that have made comment to the revised proposal that is now the application to be considered.

The submissions in support relate to a range of matters but those that these submitters consider particularly relevant to this application include:

- the support of tourism in Golden Bay and in particular, tourism in the western part of Golden Bay;
- the opportunity for additional employment in Golden Bay;
- the identification of the need for additional tourist accommodation in Golden Bay and an identified market for the proposed units;
- replacement of a non-viable camping ground and use of the area to its optimum potential;
- the provision of sustainable tourism in Golden Bay.

Comment: Of the submitters supporting the proposal, 9 have indicated they wish to be heard. The supporters clearly see the proposal as a facility that will be complimentary to tourism in Golden Bay and the replacement of a camping ground that was established many years ago is a predictable change given the current value of the land and the returns that can be gained from such an asset. The opportunity for additional employment in Golden Bay is always welcome and in this case that benefit can be seen through the actual construction of the units and some on-going employment for local people to service and maintain the units once constructed. It is appropriate to note that only one submission in support was received following circulation of the revised proposal and it is that revised proposal that the Committee has to consider.

3.2 Submissions in Opposition

Submitter and Submission Number	Address	Further Comments Provided on Revised Proposal	Wish to be heard	Decision Requested
G Wells 198	Box 30, Collingwood	Yes	No	Decline
V Stocker 197	9A Factory Road, Takaka		No	Decline
P M Angus 196	Collingwood		Yes	Decline
A Stocker & M Carston 195	C/- 9A Factory Road Takaka		No	Decline
R Stocker and P Garrett 193	Puramahoi, RD 2 Takaka		Did not indicate.	Decline
J Hampson 192	52 Tukuru Rd, RD 2 Takaka		No	Decline
M Langlely 191	Lookout Rd Parapara		No	Decline
R and S Price 190	36 Nyhane Dr Ligar Bay Takaka		Did not indicate	Decline
C J Ledger 189	Gibbs Road, Collingwood		Did not indicate	Decline
K Brosnan 188	No address given		No	Decline
Ann Sheridan for Manawhenua Ki Mohua Trust 187	Golden Bay	Yes	Yes	Decline
K Gilkison 185	11A Champion Tce Nelson		No	Decline
G Glover 184	411 Hill St Richmond	Yes	Yes	Decline
S T Dixon 183	Washbourne Rd, Onekaka, RD2 Takaka		No	Decline
J Harris 182	Washbourne Rd, Onekaka, RD2 Takaka		No	Decline
A Yuill 181	Paynes Ford Takaka		Yes	Decline
G & J Allen 179 & 180	441 East Takaka Rd RD 1 Takaka	Yes	No	Decline
C J & G Turley 178	7 Bydder Tce Patons Rock		Yes	Decline

	RD 2 Takaka			
M J Baker 177	Onekaka RD2 Takaka		No	Decline
S Macready 176	Packard Rd Moptupipi Takaka	Yes	No	Decline
T Osborne 175	35 Ironworks Rd RD2 Takaka		Yes	Decline
P A & B R Gardener 174 & 173	1140 Collingwood Puponga Rd Pakawau		No	Decline
N Mary Hunter & K H Hunter 172 & 171	1134 Collingwood, Puponga Rd, Pakawau		No	Decline
S Closs 170	Te Hapu Collingwood		Did not indicate	Decline
J K and E L Lolani 169 & 168	41 Tukurua Beach Rd RD2 Takaka	Yes	No	Decline
G & B Hampson 167 & 166	52 Tukurua Rd RD2 Takaka	Yes	Yes	Decline
L M and T Polglase 165 & 164	PO Box 80 Takaka		No	Decline
E & A Clingan 163 & 162	48 Beach RD Parapara RD Takaka		No	Decline
M Stormant 161	80B Commercial St Takaka		No	Decline
F M Knight 160	188 Commercial St Takaka		Did not indicate	Decline
Pde Jager 159	Long Plain Rd Kotinga		No	Decline
N K Finlayson 158	Long Plain Rd Kotinga		No	Decline
S Wick 157	69 Rototai Rd Takaka		No	Decline
S Hornibrooke 156	92 McCallum Rd Takaka		No	Decline
J Morris 155	Tukurua Camp Rd Rd	Yes	Yes	Decline
A M & A J Pearson 154 & 153	Rangihaeata		No	Decline
P R Winspear 152	Tukurua Rd		Yes	Decline
V I Brownlie 151	1108 Abel Tasman Drive Ligar Bay		No	Decline
R A Palmer 150	Tukurua rd RD 2 Takaka		Yes	Decline
C & R Harvey- Smith 149	59 Selwyn St Pohara Takaka		Did not indicate	Decline
E B Douglas 147	Soggy-Bottom, Puponga Rd,		No	Decline

	Pakawau Collingwood			
D Potter 146	Pakawau RD 1 Collingwood		No	Decline
M Weideman-Corby & P A Corby 145 & 144	1156 Puponga Rd Pakawau		No	Decline
G Selder 143	8 Nelson St Milnthorpe		No	Decline
W Brabant 142	8 Nelson St Milnthorpe		No	Decline
J& V Davis 141 & 140	PO Box 92 Takaka		No	Decline
F M Wilson 139	Collingwood Puponga Rd, Pakawau	Yes	Yes	Decline
N Blasdale 138	Kaituna Creek Homestead, 1396 SH60 Tukurua	Yes	No	Decline
M J Talbot & H A Harris 137 & 136	Parapara Valley Rd RD 2 Takaka		No	Decline
J Riley 135	187 Packard Rd, Motupipi		No	Opposed – grant consent under conditions
S J Wilson 134	C/- Collingwood Postal Centre	Yes	Yes	Decline
H M Wilson 132	PO Box 18 Takaka		No	Decline
D Jones 131	PO Box 115 Takaka		No	Decline
D Dumont 130	32 Pakawau Bush Rd,		Yes	Decline
J M Weir 128	1114 Pakawau-Puponga Rd – Now Lookout Rd, Parapara	Comments from purchasers of this property (G Redshaw)	No	Decline
D H Slater 127	1114 Pakawau-Puponga Rd – Now Lookout Rd Parapara	Comments from purchasers of this property (P Searle)	Yes	Decline
L J Weir 126	2A Norfolk Rd Whangapararua, Auckland		No	Decline
B J White 125	Pakawau-Puponga Main Rd	Yes	Yes	Decline
R Templeton & L Sise 124 & 123	241 Patons Rock rd Takaka	Yes	No	Decline

D W Myall 122	40 Parapara Beach Rd		No	Decline
B C and J Warren 121	1084 Main Rd Pakawau		No	Decline
J Newport 119	Pakawau Bush Rd		No	Decline
D Whiteman 118	19b Redfern Tce Queenstown		No	Decline
P M Potter 117	844 East Takaka Rd		Yes	Decline
S du Feu 116	Haile Lane Pohara		No	Decline
G J Climo 114	1737 Collingwood- Puponga Rd, Collingwood 7073		No	Decline
T Blithe & C Grigson 113	Thora.blithe@globe.n et.nz	Yes	No	Decline
M K Ellis 110	343 Uruwhenua Rd RD Takaka		No	Decline
T Slater 109	95 Apu Crescent Lyal Bay Wellington		No	Decline
A & M Maloney 108	44 Lookout Rd Parapara		No	Decline
A Vaughan 107	Ferntown Collingwood	Yes	Yes	Decline
M & C Gunn 106 & 105	111 Queens Rd Nelson	Yes	No	Decline
R Gould & C Nessen 103	222 Panorama Dr Nelson	Yes	No	Decline
C Mitson 102	Beach Rd Collingwood	Yes	No	Decline
S & K Gilbert 101	46 Great Barrier Reef Enclosure Bay Waiheke Island		Yes	Decline
C Walters & P Ratner 100	48 Ferry St, Seatoun Wellington		Yes	Decline
E Burdett & P Castle 99	18 Bay Vista Dr Pohara		No	Decline
R J Easter & G Loveridge 98 & 97	5 Victoria Heights Nelson		No	Decline
D Morgan (Friends of Golden Bay) 96	PO Box 274		Yes	Decline
R & J Piekarski 95 & 94	Pohara Valley Rd Takaka		No	Decline
S & P Marcussen	546 Hamama Rd RD1 Takaka		No	Decline

93&92				
B Loveridge 91	1160 Collingwood- Puponga Rd		No	Decline
J Wouter 90	Patons Rock Rd		Yes	Decline
J & V.F. Johnson 89 & 88	C/- Collingwood Post Office		No	Decline
I Huebler 87	2044 State Highway Collingwood		No	Decline
L Jaeger 85	Takaka Post Office		Yes	Decline
B Hooegeveen 83	Rainbow Community Anatoki Valley		No	Decline
P Williams 82	PO Box 118 Takaka		No	Decline
T Hodgson 81	PO Box 105 Nelson		No	Decline
D Sissons 80	7 Wynand Place Christchurch	Yes	Yes	Decline
M S Clark 79	151 Hill Richmond	Yes	No	Decline
M Clark 78	833 Collingwood- Puponga Rd	Yes	No	Decline
G Simpson 77	Anatori		No	Decline
H Gunn 76	1126 Main Rd RD1 Pakawau		No	Decline
W Climo 75	PO Box 14 Collingwood		No	Decline
A Wilson 74	Puramahoi		No	Decline
W Drummond 73	PO Box 30 Collingwood	Yes	No	Decline
I Huebler 87	2044 State Highway Collingwood		No	Decline
L Jaeger 85	Takaka Post Office		Yes	Decline
B Hooegeveen 83	Rainbow Community Anatoki Valley		No	Decline
P Williams 82	PO Box 118 Takaka		No	Decline
T Hodgson 81	PO Box 105 Nelson		No	Decline
D Sissons 80	7 Wynand Place Christchurch	Yes	Yes	Decline
M S Clark 79	151 Hill Richmond	Yes	No	Decline
M Clark 78	833 Collingwood- Puponga Rd	Yes	No	Decline
G Simpson 77	Anatori		No	Decline
H Gunn 76	1126 Main Rd RD1 Pakawau		No	Decline

W Climo 75	PO Box 14 Collingwood		No	Decline
A Wilson 74	Puramahoi		No	Decline
W Drummond 73	PO Box 30 Collingwood	Yes	No	Decline
I Huebler 87	2044 State Highway Collingwood		No	Decline
H & R Mckendry 72&71	39 Parapara Beach Rd		No	Decline
R Cosslett 70	Tukurua Rd		Yes	Decline
V Liddle 69	7 Feary Cres Takaka		No	Decline
P Brunner 68	614 Abel Tasman Drive Clifton		No	Decline
H Wallace 67	Tukurua Rd		Yes	Decline
C Whetter 66	192 Commercial Rd Takaka		No	Decline
R Solly 65	38 Rototai Rd Takaka		No	Decline
L Paynter 64	C/- Collingwood Post Office		No	Decline
G Godfrey 63	Te Rae, Collingwood		No	Decline
D Key 62	1188 Collingwood Puponga Rd Pakawau		No	Decline
M Clark 61	1188 Collingwood Puponga main Rd		No	Decline
S Pomeroy 60	C/- Collingwood Post Office		No	Decline
C Hornby 59	1174 Collingwood Puponga Rd Pakawau		No	Decline
S Pearson 58	1174 Collingwood Puponga Rd, Pakawau		No	Decline
S Norton 57	96 Whakaramarama Rd Ferntown		No	Decline
A Godfrey 56	Te Rae, Collingwood		No	Decline
A Scott 55	361 Mclean Rd Whakatane		No	Decline
K Henderson 54	361 Mclean Rd Whakatane		No	Decline
H & R Mckendry 72&71	39 Parapara Beach Rd		No	Decline
R Cosslett 70	Tukurua Rd		Yes	Decline
V Liddle 69	7 Feary Cres Takaka		No	Decline
P Brunner 68	614 Abel Tasman Drive Clifton		No	Decline
H Wallace 67	Tukurua Rd		Yes	Decline

C Whetter 66	192 Commercial Rd Takaka		No	Decline
R Solly 65	38 Rototai Rd Takaka		No	Decline
L Paynter 64	C/- Collingwood Post Office		No	Decline
G Godfrey 63	Te Rae, Collingwood		No	Decline
D Key 62	1188 Collingwood Puponga Rd Pakawau		No	Decline
M Clark 61	1188 Collingwood Puponga main Rd		No	Decline
S Pomeroy 60	C/- Collingwood Post Office		No	Decline
C Hornby 59	1174 Collingwood Puponga Rd Pakawau		No	Decline
S Pearson 58	1174 Collingwood Puponga Rd, Pakawau		No	Decline
S Norton 57	96 Whakaramarama Rd Ferntown		No	Decline
A Godfrey 56	Te Rae, Collingwood		No	Decline
J Walls 53	Onekaka, Takaka	Yes	Yes	Decline
D McDonald 52	1154 Collingwood Puponga Rd Pakawau		No	Decline
S Shaw 51	575 State Highway Puremahoi Takaka		No	Decline
A Gardener & P Beere 50 & 49	9 Factory Rd Takaka		No	Decline
L O'Connor 48	Quarry Farm Paynes Ford		No	Decline
D Welty 47	100 Rocklands Rd,		Yes	Decline
M Tilling 46	Abel Tasman Drive Ligar Bay		No	Decline
M Thomas 45	C/- Takaka Post Office		No	Decline
J Hearn 44	The Inlet, Pakawau RD1 Collingwood		Yes	Decline
P Griffith 43	Gibbs Rd Collingwood	Yes	Yes	Decline
W Howard 42	184 Abel Tasman Drive, Takaka		No	Decline
DJ & GD Andrell 41	1327 Collingwood Puponga Rd		No	Decline
C Fones & G Knowles 39 & 38	Happy Acre, Puramahoi		No	Decline
M Jones 36	Flat 10, 155 Nile St, Nelson		Yes	Decline
H Conves 35	C/- Bainham Post Office		Yes	Decline

B Wallace for GB Marine Farmers Consortium Ltd, 33	8 Lusty Place, Stoke		Yes	Decline
Victory Marketing Ltd. 32	8 Lusty Place, Stoke		Yes	Decline
W Wallace 31	811 Main Rd, Pakawau	Yes	Yes	Decline
J Walls 53	Onekaka, Takaka	Yes	Yes	Decline
D McDonald 52	1154 Collingwood Puponga Rd Pakawau		No	Decline
S Shaw 51	575 State Highway Puremahoi Takaka		No	Decline
A Gardener & P Beere 50 & 49	9 Factory Rd Takaka		No	Decline
L O'Connor 48	Quarry Farm Paynes Ford		No	Decline
D Welty 47	100 Rocklands Rd,		Yes	Decline
K Hindmarsh 30	Onekaka, Takaka		No	Decline
J Loveridge 29	39 Farm Rd, Northland Wellington		Maybe	Decline
E Alcock & R N Barry 28	23 Marama Cres. Wellington	Yes	Yes	Decline
H Wilson for Sanford Ltd. 27	hwilson@sanford.co.nz		Yes	Decline
Q Davies, Gascoigne Wicks Lawyers 26	Blenheim		Yes	Decline
J Randall 24	478 Long Plain Rd Kotinga		No	Decline
R Huebler 22	2044 State Highway 60 Collingwood		No	Decline
A & D Gentleman 21	34 Peninsula Rd, Tata Beach		No	Decline
I Milne 19	83 Ironworks Rd, Onekaka		Yes	Decline
Timothy Rowe 18	C/- Motor Camp Collingwood		No	Decline
Paul Bumford 17	State Highway 60 Onekaka		No	Decline
Fiona Hughes 16	State Highway 60 Onekaka	Yes	No	Decline
L Henderson 12	1176 Main Rd Pakawau	Yes	No	Decline

H Fleischer 11	177 Commercial St Takaka	Yes	No	Decline
A Hubbard 10	Patons Rock Takaka		No	Decline
T Thom 5	30 Apollo St Tauranga		No	Decline
S Nalder 3	Wigzells Rd Collingwood		Yes	Decline
J Lee 1	59c Selwyn St, Pohara	Yes	Yes	Decline

The submissions in opposition are set out in the same format as those supporting the application, but in this case the number is considerably more and the issues that have been raised are of a wider nature than those in support. There was a strong response from people who have both permanent and holiday accommodation at Pakawau and this is quite understandable given the nature of the application and the potential change from a typical New Zealand seaside camping ground to a modern high density accommodation complex. The issues that surface from the submissions in opposition that are considered relevant to this application are summarised as follows:

- the intensity of the development and its appropriateness for the Pakwau site;
- the height of the complex, the materials used and the “monolithic” character of the proposed buildings;
- the visual impact of the proposed buildings when viewed from the coast and from the general Pakawau area
- a significant change from the character of the current development at Pakawau and in the wider context, development in Golden Bay that is more typical of the type of the “resort like” developments that are occurring in other parts of New Zealand, such as Queenstown;
- an increase in the number of domestic animals at Pakwau and the associated potential adverse effect on birdlife and other indigenous fauna in this area;
- the loss of a New Zealand Coastal camping ground;
- the potential adverse effects on other servicing infrastructure in Golden Bay and in particular the capability of the local roads to cope with an increase in development of this size;
- an increase in air traffic (helicopters) in the Golden Bay area;
- the potential loss or damage of an identified cultural and heritage site at Pakawau;
- the method of determining of Mean High Water Spring and the use of rock protection as opposed to methods that rely on natural coastal processes;
- increase in the level of light spill and background lighting in the Pakwau area;

- the application of rules relating to development contributions by the Tasman District Council;
- the staging of the development over a 10 year period and the on-going disruption that ensues;
- public access to the beach;
- coastal hazard risks including building on a fore dune, erosion, inundation, sea level rise and off site effects from the rock wall in front of the site;
- off site effects including; parking, noise, domestic pets, boats and jet skis;
- the location of screening on road reserve;
- the absence of an esplanade reserve;
- shortage of water for domestic use;
- cumulative and precedent effects;
- reverse sensitivity in relation to the coastal marine area and marine farming.

Comment: The submissions received that are in opposition to the original application are from a wide and diverse sector of the community, that include permanent residents at Pakawau and people who have holiday homes in this area. There is obviously a strong feeling among the people associated with Pakawau and the wider Golden Bay community that oppose the type, scale and extent of the original proposal to the redevelop the Pakawau camping ground. While there will always be a sector of the community who are resistant to any form of development or change to an existing environment, there is a clear message that some of the community are not in favour of such a development. This application is seen as “ground breaking” in Golden Bay terms and there are no other developments of a similar nature that can be used as a comparison to this proposal. The applicant has taken the submissions seriously and the modified application has down scaled the initial development to remove the commercial aspects associated with the resort complex facilities and reduce the number of apartments planned for the site to 30.

3.3 Neutral Submissions

Submitter and Submission number	Address	Further comments provided on revised proposal	Wish to be heard	Decision requested
Royal Forest and Bird Protection Soc. 194	C/- Jo-Anne Vaughan (Ferntown, RD1 Collingwood)	Yes	Yes	Neutral, decline
J Anderson Nelson Marlborough District Health Board 104	Public Health Service PO Box 647 Nelson	Yes	Yes	Oppose and support various aspects
S Grace for NZ Fire	PO Box 3942		Yes	Neutral

Submitter and Submission number	Address	Further comments provided on revised proposal	Wish to be heard	Decision requested
Service Commission 86	Wellington			
C Walker 84	2055 Collingwood Puhanga RD		Yes	Neutral
Department of Conservation 34	Private Bag Nelson	Yes	No	Neutral
Marlborough Shellfish Quality Programme 23	PO Box 767 Blenheim 7240	Yes	Yes	Neutral – approve with conditions
N Howse 22	116 Brenton Cres Thames	Yes	No	Grant consent with conditions

There are seven neutral submissions in relation to the original application that include those from such organisations as the Department of Conservation, New Zealand Fire Service, Marlborough Quality Shellfish Programme and the District Health Board. There are also some members of the community that have a neutral response to the application. These parties are generally more interested in having particular issues considered and appropriate conditions imposed if consent is granted.

Comment: These submissions are easily understood and the matters they raise are also usually matters that are considered as actual and potential effects. No further comment is really necessary in relation to these submissions.

3.4 Informal Submissions

Three of the submissions lodged for this application were not completed to indicate whether the submitter was supporting or opposing the application, or whether they wished to be heard. These are as follows:

Submitter and Submission number	Address	Further comments provided on revised proposal	Wish to be heard	Decision requested
B N Douglas 148	Soggy-Bottom, Puhanga Rd, Collingwood Pakawau		Does not indicate	Does not indicate
M Campey 25	Pakawau		Does not indicate	Does not indicate
M Scotland 15	23 Gibbs Rd Collingwood	Yes	Does not indicate	Opposed, Does not indicate

3.5 Additional Comments

Following receipt of the submissions to the initial application, the applicant re-considered the concept of the development at Pakawau and decided to submit a revised proposal that effectively removed the resort complex from the application and reduced the number of apartments from 48 to 30. Council considered this change should be made known to the submitters and decided to circulate a copy of the revised proposal and allow the submitters the opportunity to “comment” should they consider that to be appropriate. Thirty nine submitters lodged comments with Council and of these, one was in support, three were neutral and thirty five were in opposition. The matters that were then raised as comments are summarised as follows:

- the proposal was still inappropriate for Pakawau in relation to the height and the way it is measured, density, site coverage and configuration;
- coastal hazard risks including building on a foredune, the effects of a rock seawall and the implications of sea level rise;
- potential increased costs for ratepayers from the failure of wastewater systems and water supply;
- encroachment of the 30 metre setback for buildings in the Coastal Environment Area;
- the introduction of takeaway food sales;
- reverse sensitivity for marine farmers and potential contamination of seawater;
- extending the period for giving effect to consent;
- off site effects including light spill and noise;
- an increase in the number of domestic pets kept and associated effects on birdlife;
- cultural and heritage issues;
- the visual effects of extensive carparking;
- the loss of a camping ground;
- the administration of development contributions by Council and the method of determining Mean High Water Spring;
- the viability of turf roofs.

Comment: The additional comments made by these submitters are particularly relevant to the revised application as it is the “downscaled” proposal that the Committee is required to consider and not the original proposal. It is clear from these comments that a smaller proportion of the original submitters still have some concerns about the proposal. Some of the matters raised are actual and potential effects and these are discussed further within this report. The comment in relation

to the introduction of takeaway food sales may have failed to notice it was in the original application. The comment in support acknowledged the change in the proposed development and supported the revised proposal.

4. ASSESSMENT

The proposed land uses that have been applied for and described in the preamble to this report that are being considered by the Committee today are a non complying activity, as defined by the Resource Management Act and the provisions of the Tasman Resource Management Plan (TRMP). The Transitional District Plan (Golden Bay Section) has no relevance to the application any more. The Tasman Resource Management Plan has progressed through the Plan process and is now operative in relation to Part II of the Plan, including the relevant objectives and policies and the Zone and Area Rules that apply to this site. The Tasman Resource Management Plan is the appropriate plan to use, when considering this application.

The Committee may grant or decline an application for a Non Complying Activity, pursuant to Section 104 of the Resource Management Act 1991 (RMA) and if consent is granted, conditions may be imposed pursuant to Section 108.

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

The decision should therefore be based on:

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

Because in this case the application is a non-complying activity it is also necessary to consider the provisions of Section 104(B) and also Section 104(D) which requires the application to pass one of the two threshold tests before consent can be granted.

Under Section 104(D) these are; either

the adverse effects of the activity on the environment will be minor; or

the application is for an activity that will not be contrary to the objectives and policies of the relevant Plan.

It is also appropriate to note Section 104D (2) of the RMA which confirms that Section 104(2) applies to the determination of an application for a non complying activity. Section 104(2) indicates when considering any actual and potential effects

on the environment of allowing an activity, a consent authority may disregard an adverse effect of the activity on the environment if the Plan permits an activity with that effect.

5. RESOURCE MANAGEMENT ACT

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

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

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

5.1 Matters of National Importance – Section 6 of RMA

The matters of National Importance are set out in Section 6 of the Resource Management Act. In this case the following matters are seen to be relevant to this application:

- a) The preservation of the natural character of the coastal environment (including the coastal marine area) and its margins, and the protection of it from inappropriate subdivision, use and development; (*edited*)
- b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development;
- d) The maintenance and enhancement of public access to and along the coastal marine area; (*edited*)
- e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga;
- f) The protection of historic heritage from inappropriate subdivision, use and development.

In the case of this particular application, sub sections a) and e) of Section 6 are particularly relevant.

Pakawau has retained a coastal character that is quite unique to the Golden Bay area and the scale of the proposed redevelopment of the Pakawau Camp is a matter that should be carefully considered when making a decision on this particular application. The preservation of the preservation of the natural character of the coastal environment is a matter of national importance and that issue is directly relevant to the situation at Pakawau.

Appendix 5 to the original application provides comprehensive information in relation to the archaeological significance of this site. This matter is discussed further under the “Actual and Potential Effects” section of this report.

5.2 Other Matters – Section 7 of RMA

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

- a) kaitiakitanga;
- aa) the ethic of stewardship;
- b) the efficient use and development of natural and physical resources;
- c) the maintenance and enhancement of amenity values;
- d) intrinsic values of ecosystems;
- f) maintenance and enhancement of the quality of the environment;
- g) any finite characteristics of natural and physical resources;

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

6. STATUTORY PLANNING DOCUMENTS

6.1 Tasman Regional Policy Statement

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

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

6.2 The Tasman Resource Management Plan

The Tasman Resource Management Plan has been prepared and has progressed to the point that Part II is now operational. The Plan sets out a range of policies and objectives that are pertinent to sustainable development in the Coastal Environment Area and in particular those that relate to site amenity, margins of the coast, natural hazards and cultural heritage are considered to be particularly relevant to this application.

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

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

Summary of Objectives and Policies – Proposed Tasman Resource Management Plan

<i>Chapter 5 – Site Amenity Effects</i>	Council must ensure that the character and amenity values of a site and the surrounding environment are protected, and any actual or potential adverse effects of the proposed land use must be avoided remedied or mitigated so they are minor.
<p><i>Objectives 5.1.2, 5.2.2, 5.3.2 and 5.4.2</i></p> <p><i>Policies: 5.1.3.1, 5.1.3.2, 5.1.3.4, 5.1.3.5, 5.1.3.6, 5.1.3.8, 5.1.3.9, 5.1.3.11, 5.1.3.12, 5.1.3.13, 5.2.3.1, 5.2.3.3, 5.2.3.4, 5.2.3.6, 5.2.3.7, 5.2.3.8, 5.2.3.13, 5.3.3.1 (nyo), 5.3.3.3, 5.3.3.4, 5.3.3.5 and 5.4.3.1</i></p>	Management of the effects of the proposed use must protect the use and enjoyment of other land in the area, including how such a complex can be integrated into a community and retain the amenity of the area. The effects of a land use can have the potential to add or detract from the use or enjoyment of other properties in an area. The density of development can influence the degree of some effects and the expectations of the amenity in an area such as Golden Bay can be quite different from that in a larger urban environment such as Motueka or Richmond.
<i>Chapter 6 – Urban Environment Effects</i>	While the Pakawau area is technically an urban area it has a character of its own and is typically a low density residential area that is surrounded by a rural setting on the coastal margin of the western side of Golden Bay. The camping ground has been established for many years and it is accepted by that community as part and parcel of that area.
<p><i>Objectives: 6.2.2, 6.3.2 and 6.4.2</i></p> <p><i>Policies 6.2.3.4, 6.3.3.1, 6.3.3.2, 6.4.3.1, 6.4.3.2 and 6.4.3.3</i></p>	The provision of servicing infrastructure for development in urban is a necessary component to ensure there is the ability to address such issues as water supply, roading/traffic flows, wastewater and stormwater systems. In areas where these do not exist there is some potential for adverse effects to be created. Those effects are also considered within other reports associated with this application
<i>Chapter 8 – Margins of</i>	Golden Bay's coastline is a particularly valuable asset

<i>the coast</i>	that needs to be protected from inappropriate use and development. The use and enjoyment of these coastal margins is a matter of national importance under the RMA so these objectives and policies are very relevant and should be weighed accordingly.
<i>Objectives 8.1.2 and 8.2.2</i> <i>Policies 8.1.3.1, 8.1.3.4, 8.1.3.5, 8.2.3.1, 8.2.3.4 (nyo), 8.2.3.5, 8.2.3.6, 8.2.3.7(nyo), 8.2.3.8, 8.2.3.11, 8.2.3.12, 8.2.3.16, 8.2.3.17, 8.2.3.18, 8.2.3.20 and 8.2.3.21</i>	The provision of access along the coastal margin can be obtained through the subdivision process and the land is usually vested in Council and managed via a reserves management plan. Development on land adjoining these coastal margins can have a bearing on the use and enjoyment of it and a cautious approach is appropriate where there is uncertainty about the effects of an activity. The acquisition of such a margin is seen as a beneficial effect in this case, but this must also be weighed against the proposed development and the effects it creates.
<i>Chapter 9 – Landscape Effects</i>	The protection of the landscape and natural features, particularly in rural areas and along the coast, is very important for the Tasman District as it is those values that contribute to the District’s uniqueness and diversity.
<i>Objective 9.1.2</i> <i>Policies 9.1.3.3, 9.1.3.4, 9.1.3.5, 9.1.3.6 and 9.1.3.7 (nyo)</i>	The Golden Bay landscape is an important regional feature, particularly recognising the openness and amenity values it has. The use and development of land in the District should not compromise that value and where appropriate, mitigation measures can be used to help protect and manage those landscape values.
<i>Chapter 10 – Significant Natural Values and Cultural Heritage</i>	The combination of natural and cultural features in the District contribute to a rather unique set of values that are of national, regional and local significance. Many of these areas are also of great significance to Maori and they form part of the cultural heritage of the District.
<i>Objective 10.2.2</i> <i>Policies 10.2.3.1, 10.2.3.2, 10.2.3.3, 10.2.3.4, 10.2.3.6 and 10.3.3.3</i>	The use and development of sites in sensitive areas can have some effect on ecosystems and biodiversity, including indigenous flora and fauna in the area of development. While there are obligations under the Historic Places Act in relation to archaeological sites in the District, the TRMP also contains a range of policies to help protect those values. The subject site has been identified as an archaeological site and it is clear the proposed development will have some impact on the values associated with it. The site is also of considerable cultural significance to local Iwi.
<i>Chapter 11 – Land Transport Effects</i>	The provision of a safe and efficient transport system is a matter that is pertinent to Golden Bay where there are significant traffic flows, particularly at holiday periods.

<p><i>Objective 11.1.2</i></p> <p><i>Policies 11.1.3.1, 11.1.3.2, 11.1.3.3, 11.1.3.4, 11.1.3.6 and 11.1.3.7,</i></p>	<p>The District's transport system should be appropriate for the use it receives and to provide a safe and efficient means of accessing the various parts of the District. An increase in traffic movements can be expected from the additional development that is proposed and there can be some effect on the Districts roading infrastructure. The provision of appropriate access to the site is also important to protect the safety and efficiency of the Collingwood Puponga Road in this location.</p>
<p><i>Chapter 13 – Natural Hazards</i></p>	<p>The coastal margin of the District is subject to natural coastal processes and there is an identified hazard from coastal erosion in Pakawau along with many other parts of the District. This risk can be aggravated by natural coastal processes such as sea level rise and where it is appropriate, mitigation measures can be adopted to help address this risk.</p>
<p><i>Objective 13.1.2</i></p> <p><i>Policies 13.1.3.1, 13.1.3.2, 13.1.3.3, 13.1.3.4, 13.1.3.7, 13.1.3.8, and 13.1.3.13</i></p>	<p>The risk associated with development on the coastal margin needs to be assessed and measures adopted to avoid or mitigate any such risk. Coastal protection can be considered as a mitigation measure but this also has the potential to produce adverse effects beyond the actual area that is protected. Any such protection has an on-going maintenance issue to consider, particularly where the works are on land that is to vest in Council as an esplanade reserve.</p>
<p><i>Chapter 14 – Reserves and Open Spaces</i></p>	<p>Reserves and open space provide for amenity values, recreational interests and protection of coastal landscapes. Such an area provides a buffer between built development and the coast and is an important mitigation measure in a location such as the site at Pakawau.</p>
<p><i>Objectives 14.1.2, 14.2.2 and 14.4.2</i></p> <p><i>Policies 14.1.3.2, 14.1.3.4, 14.1.3.7, 14.2.3.1, 14.4.3.1, 14.4.3.2 and 14.4.3.3</i></p>	<p>Esplanade reserves provide a linkage along the margin of the coast for general public access and also contribute to the openness and amenity of an area. These reserves can be lost through coastal erosion but are considered a valuable asset for the District. There can be some contention as to how such areas are measured in relation to Mean High Water Spring (MHWS) and it is appropriate to consider the location of adjoining reserves in a case such as this.</p>

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

In particular Objectives 5.1.2 and 5.2.2, supported by Policies 5.1.3.1, 5.1.3.4 and 5.1.3.12 seeks to protect the amenity of the area and to control built development.

Equally Objective 8.2.2 supported by Policies 8.2.3.4 and 8.2.3.7 (both not operational as yet) and Policies 8.2.3.6 and 8.2.3.16 provides guidance as to the management, use and development of land on the coastal margins of the District

7. ACTUAL AND POTENTIAL EFFECTS OF ALLOWING THE ACTIVITY

The application lodged by Sustainable Ventures Limited is a revised application to redevelop the Pakwau Camping Ground by constructing 30 apartments on a new title of 1.03 hectares that will be developed as a staged development on unit titles over a period of 10 years. The existing shop, manager's residence, petrol pumps and a rental accommodation unit will be retained on a separate title to the north of the proposed apartments. An esplanade reserve is proposed on the coastal margin and public access to the beach is to be provided through a right of way to be created through proposed Lot 1. There is also a right of way on the road frontage of proposed Lot 2 for public access. The land use application is accompanied by applications for the discharge of waste water, discharge of stormwater, subdivision, a water permit and earthworks.

The proposal has the potential to create a number of actual and potential effects and these are now discussed in more detail to identify the relevant issues and how they will affect the current environment at Pakawau.

At this point it is appropriate to re-confirm the proposal has changed from the original application that was notified and the above description is what is actually being applied for.

7.1 Permitted Baseline

The land is zoned Residential under the Tasman Resource Management Plan and the permitted baseline can be considered in relation to buildings in a Residential Zone that is located in the Coastal Environment Area.

The proposed title of 1.03 hectares is zoned Residential and the TRMP rules will allow land in this location to be subdivided down to a minimum area of 1000 m², but the average for subdivisions creating three or more allotments has to be 1200 m². This could then conceivably create 8 allotments and dwellings could be erected on each of these as a Controlled Activity under the Residential and Coastal Environment Area rules. In the case of the Residential Zone rules, a second dwelling can be erected on an allotment as a Controlled Activity, but the buildings have to meet the relevant bulk and location requirements, which may be a little difficult to achieve for all eight allotments. The land is also in the Special Domestic Wastewater Disposal Area and the disposal of wastewater has more onerous requirements that may also affect the density of development.

While it may present some practical difficulties, a development could conceivably create 16 residential units within eight allotments on the 1.03 hectare title and this could be considered as the permitted baseline for the land in question.

The revised proposal for 30 residential apartments is markedly different from the permitted baseline and the density of development is atypical of development in Golden Bay where the area is not reticulated for sewerage. At the time of writing this report, I could not find any approval to create the density of development proposed in this case for any other comparative form of higher density development on a coastal margin in Golden Bay or in fact within the Tasman District Council area. I am aware there is a proposal for a similar number of residential units on an area of approximately 2 hectares at Best Island that is to be heard next month, but that is a different proposal to one in an established residential area.

7.2 The Pakawau Settlement

The proposal to redevelop the Pakawau Camping Ground to enable 30 residential units to be constructed has drawn a strongly negative response from many of the Pakawau residents who consider it will bring a significant change to the current character of the settlement. There is also a view expressed that the proposal will introduce a “new community” to the area that will not necessarily be compatible with the current environment. That response is not unexpected, but it is not entirely reasonable as well. In any situation the dynamics of a community can change for a variety of reasons and it is difficult for Council to control or attempt to control that aspect.

What is more relevant in this situation is to look at the existing form of development and try to assess whether any new proposal can have an adverse or beneficial effects. If there are identified adverse effects, it is appropriate to consider whether conditions can be imposed to avoid, remedy or mitigate those effects to the point that they can be reduced in scale so they are acceptable or considered as minor.

The density of the proposed development is a dramatic change from the existing form of development at Pakawau and even though it is downscaled from the original proposal of 48 units, it is of a scale and nature that has not been seen before in Golden Bay. The waterfront developments in Nelson have some comparison with this proposal but the Pakawau location is not analogous with a city environment.

Pakawau is seen as a quiet low impact area of development that is located on the western side of Golden Bay where there is not a great deal of redevelopment occurring and growth is generally seen as much slower than the eastern part of Golden Bay. The area has a sense of spaciousness from the low density development that has occurred at Pakawau and the number of buildings that exceed 5 metres is very limited. The proposed development is not in keeping with the current environment and if it is to proceed, it will inevitably have some effect on the existing Pakawau settlement. There are no mitigating factors identified that can be used in a case like this to change the effects the proposal will create, other than markedly downscaling the proposal. Downscaling the proposal will undoubtedly have a financial impact on the whole development and that is a matter that only the applicant will be in a position to advise on.

In summary, I consider the proposal will have an effect on the existing Pakawau settlement and the 30 units in their current configuration will be of a character that cannot be seen as compatible with the current Pakawau settlement.

7.3 Density, Form of Development and Height of Buildings

The revised proposal has been designed by an architect to attempt to address some of the concerns raised by the original submitters and in particular the view of the buildings from the east and west that created a rather monolithic form. The current proposal reduces the number of units and provides for four clusters of units that are softened to some extent by landscaping and screening. This form of development has not been seen before in Golden Bay before and takes some readjustment of thinking to understand that more intensive forms of development will undoubtedly take place over time and some of these will be in coastal locations. The real question in this case is whether this proposal is appropriate for the Pakawau location and whether the density and form of development are appropriate for this location.

The proposal has been designed to build the units to a reasonably uniform overall height and this will be a maximum of 5 metres above the highest sand dune on the site. The result of this is some of the buildings will be over 5 metres above ground level which undulates and will be subject to varying degrees of excavation, creating buildings up to 6.9 metres above the finished ground level. The more or less uniform line across the roofs of the development and the varying land levels generate units that vary in height with some two-storey and others single storey. Earthworks that may result in excavations up to 1.9 metres deep, will create units of varying heights. The application is clear that consent is sought to exceed the 5 metre height restriction that is imposed by the Coastal Environment Area rules for building within 100 metres of MHWS.

While there are examples of existing buildings that may exceed the current height restrictions at Pakawau, they should not be used as a reason to permit a new extensive development to exceed this standard by a significant amount. The revised plans submitted as part of the application do not make it easy to see the extent of the varying heights of the units and the text of the amended architectural report needs to be relied on to identify buildings that exceed the height restriction. The approach adopted “to keep all roof levels below 5 metres above the top of the existing sand dune” is an approach that is a completely different approach to measuring building heights under the TRMP. If this related to one residential building, the effects of exceeding the 5 metre height restriction may be able to be seen as more of a minor issue. In this case the height will apply to four clusters of buildings over most of the site, making the effect more dominant.

While the revised proposal produces a development which is of a different form and a reduced scale from the original proposal, it still is a major change from the character of the existing development at Pakawau. As the proposal is regarded as a new development that could be designed to meet TRMP standards, there needs to be a valid reason for departing from the current rules and that is not obvious from the revised proposal that has been submitted. The density makes the proposal a non-complying activity under TRMP and the height of buildings, density of development and overall design of the complex makes it difficult to say the effects are likely to be minor.

7.4 Visual Impact and Landscape Effects

Both the original application and the revised proposal have gone to some length to address the landscape issues and associated visual effects in relation to the proposed development. This aspect is particularly important when considering how potentially adverse visual effects can be mitigated to try and make the buildings compatible with the Pakawau area. The current settlement has been established for a period of time allowing vegetation to become well developed and this softens the impact of the built development, both when viewed from the coast and from the Collingwood Puponga Road.

In the case of the views from the west, a screen planting has been provided on the road boundary, including land that appears to be road reserve that is comprised of pine, macrocarpa, taupata and other vegetation. This is well established and while it was primarily established as a wind break, it provides a visual screen when viewed from the Collingwood Puponga Road. The landscape value of this planting is possibly of questionable value due to the species that have been used, but it could be easily enhanced and modified as suggested in the landscape report “so that views of the development from the road will be occasional and limited in the long term”. That approach is supported, but additional planting should be located on the applicant’s land rather than road reserve. The landscaping of this side of the proposed complex is an important part of the application and apart from the buildings, mitigation of the visual impact of the parking areas needs to be considered, due to the number of vehicles and the location of them.

The view of the site from the coast (the eastern side) is already mitigated by a range of existing vegetation, some of which will be modified by additional planting, to help break the mass of the buildings and reduce the perceived overall scale of the proposal. The photomontage photos 4 and 5 in the original application have direct relevance to the revised proposal and these show vegetation can provide mitigation of the visual impact of substantial buildings that are located in sensitive locations.

Overall, the use of effective and well designed landscaping, together with sensitive design and use of materials and colours can provide mitigation measures that can reduce the impact of built developments on the landscape values in sensitive coastal areas. This part of the application is considered very important and if consent is to be granted, carefully worded conditions that can be effectively enforced to address landscape values should be part of the consent.

7.5 Cultural Heritage / Archeological Issues

Appendix 5 of the original application provides detailed and comprehensive information about the Pakawau site in relation to an archaeological investigation undertaken by Dr Charles Sedgwick during 2006. That investigation was authorised by an Authority issued by the New Zealand Historic Places Trust in November 2006 to Landon Carter, to modify or damage or destroy an archaeological site, identified as NZAA Site Record M25/7, M25/151.

The investigation found the Pakawau Camping Ground contained an extensive archaeological area that contained middens, ovens and artefacts. The investigation was regarded as incomplete as the removal of vegetation and further excavation was required to establish the depth, range and complexity of the site. Dr Sedgwick considered his investigation was only sparsely documented and under-examined. Appendix 5 provides detailed records of the sites investigated, including photos and diagrams to record the results of that exercise.

Dr Sedgwick's recommendations confirm further investigation of the site is required to provide a more detailed picture of the occupation of the western area of Golden Bay. There are four areas he has identified that he considers warrant further investigation before any form of land disturbance takes place. That work is in addition to monitoring that will be required at the time earthworks and vegetation removal take place as part of the construction of the proposed complex.

The information gained from such investigations, in conjunction with the investigation of Triangle Flat at Farewell Spit by Dr Ian Barber, can provide a more complete picture of pre-European occupation in this part of Golden Bay.

In addition to the archaeological issues associated with this site, it is important to address the cultural issues associated with an identified occupation site. Manawhenua Ki Mohua have lodged a submission to the original application that draws attention to the relevant sections of the Resource Management Act (Sections 5 – 8) and they have stated they are opposed to this application and have asked that it is declined. There is also a comment provided on the revised proposal that states their initial submission remains in relation to the site. These views are very important as the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is a matter of national importance under Section 6 of the RMA.

The archaeological and cultural issues in relation to this application are particularly relevant and any decision on redevelopment of the Pakawau Camping Ground needs to be very carefully considered in respect of these issues. Without some form of consensus on these aspects, it is very difficult for the Committee to grant consent given the weight of Part II of the RMA and in particular Section 6 of the Act.

7.6 Management of Coastal Margins and Associated Hazard Risks

Development in the vicinity of the coast raises a number of issues that need to be considered to manage potential risks and hazards and preservation of the amenity associated with these areas. In this particular case there are some issues that require further consideration if consent is to be granted for the proposed development.

The coastal hazard risks associated with this development have been investigated by the applicant's consultant (Ocel Consultants NZ Ltd) and they have indicated a rock wall with a crest height of 5 metres above Mean Sea Level will provide security for the site. This aspect has been addressed by other staff members and their comments are included in the other reports to be considered for this proposal.

The application contains both narrative and plans that relate to the setback of the buildings from the proposed esplanade reserve and from Mean High Water Springs (MHWS). This creates a slightly confusing and contradictory situation in relation to compliance with Plan rules. MHWS is determined by measuring the height of the beach at the point that is the mean of the "high spring tides". This point can vary for a number of reasons but most typically on the degree of erosion or accretion at the time that point is actually measured. In the case of this application, MHWS is shown as a point that is estimated to be approximately 10 metres from the toe of the existing rock wall. This situation will leave an area with a width varying from approx 5 to 15 metres that will be the esplanade reserve above the rock wall and the proposed buildings will be located as close as what appears to be 1.5 to 2 metres from the boundary of the reserve. The area of esplanade reserve below the rockwall becomes unusable for public access in some situations, due to storm surge and wave run up. This issue is raised as a matter of clarification as the applicant has asked to build to a point 20 metres from MHWS rather than 30 as the Plan requires. There needs to be a clearer description of actually where the buildings will be built and a defined measurement from the esplanade reserve boundary.

The location of the most seaward units will have an intrusive effect on people using the esplanade reserve for access and recreation purposes and it is unlikely owners of those units would be happy with landscaping in front of them to mitigate that effect.

It is also appropriate to comment on the concept of the upgraded rock wall to provide the protection that Ocel desire for this site. Because the wall is technically above the MHWS point, it does not require a coastal permit and Council is required to address this aspect within the land disturbance consent. The upgraded wall would appear to be somewhat higher than the existing structure and may also result in the loss of some vegetation at the top of the wall. This may have some visual and landscape impacts for people using the beach. It also has the potential to produce adverse effects beyond the area to be protected, affecting nearby properties.

7.7 Off Site Effects

While the outcome of the proposed use of the site at Pakawau is essentially a residential use, the scale of it has some potential to produce some off-site effects that could be detected beyond the area of development. These have been identified as follows;

There is the potential for an intense residential development to change the background level of lighting for the area surrounding the property. Unless thought is given to the type and location of lighting provided for common areas, there can be a degree of light spill beyond the actual site. Pakawau is not provided with street lighting and people in communities such as this, value the low level of artificial lighting, allowing the night sky to be more prominent. Those values can be preserved with careful design and positioning of light fixtures and the use of appropriate shading so only specific areas are lit.

There is the potential for some increase in noise levels in an area of higher density development but this can tend to produce on-site effects that are potentially more significant than off-site effects. The creation of an area of higher density development will inevitably have some effect on the general background levels in that area. That increase can be due to the use of motor vehicles, recreational activities, animals and many other sources. The TRMP rules are quite clear if there is an identified generator of noise, the levels are controlled to reasonable levels with both a day time and night time level set. There is also the ability to control specific excessive noise from residential sources should that be necessary under the provisions of the RMA.

Increased residential use can also increase the number of domestic animals kept in an area and these can have the potential to affect birdlife and other indigenous fauna beyond the site. Pakawau has a significant birdlife population and this can be subject to predation and disturbance from both domestic animals and other pests in the area. There are a number of cases reported to Council and to DoC where birdlife is disturbed and harassed by domestic animals and it is not an easy issue to deal with. Advisory signs have been erected in a number of locations to heighten the public awareness of this issue but it basically is an owner responsibility to control this aspect. It can be expected that intensive development on coastal margins can have an effect on birdlife and other fauna as a result of increased numbers of people and domestic animals.

7.8 Servicing Infrastructure

The Pakawau settlement is provided with limited servicing infrastructure and there are no footpaths, sewerage or stormwater reticulation provided at the current time. The Sustainable Ventures proposal includes applications for wastewater and stormwater discharges and they are being reported on by Dr M Durand for consideration by the Committee. It is not intended to comment any further on those applications, other than to say there has been some concern expressed by submitters that should any on-site system fail in the future, there is a potential for other Pakawau residents to be affected should a reticulated system be seen as a solution for waste water disposal in this area. While there is no evidence to confirm this could happen, it is a possibility at some future date.

It is also appropriate to consider any impact on the roading network between Collingwood and Pakawau as there will potentially be a considerably increased number of users on that stretch of road. The road is typically a under width road that also contains a number of single lane bridges and increased traffic flows will possibly have an adverse effect on the roading infrastructure. The right of way proposed on Lot 2 can provide an alternative to a Council footpath on road reserve to cater for pedestrians and potential increased traffic on the Collingwood Puponga Road.

The subdivision report from Mr M Morris that forms part of this application looks at the associated roading issues and that is the appropriate place to consider that issue.

A development such as this also needs to address the need for on site first aid fire fighting and the submission from the New Zealand Fire Service highlights this issue.

On site water storage in appropriate locations can satisfy this requirement as there is no reticulated system available at Pakawau.

7.9 Staging of the Development

The applicant has requested an increased period of time (ten years) to give effect to this consent on the basis it may be impractical to market and sell all the units within a five year period. Some submitters considered extending the statutory timeframe beyond the five year period could prolong any adverse effect created by the construction of the units. Those effects generally relate to service traffic and construction noise and it is inevitable completion of a project of this size must have some effect beyond the actual site. The issues relating to the effects of the construction of the proposed complex could be addressed through a development management plan that considers any potential adverse effects that can arise through undertaking a project of this size.

7.10 Other Matters

There are some other matters that have been raised by submitters that should be considered within the actual and potential effects section of this report and some other matters that require comment as a point of clarification. These are as follows:

7.10.1 Precedent

The matter of precedent has been raised and there is a perception that approving this application could result in a wave of further applications that could potentially affect other parts of Golden Bay. This matter can be argued either way but granting an application for a significant development in one part of Golden Bay or any other part of the District is not a precedent for granting an application in other areas. Each application has to be considered on its specific merits, how they affect the area of development and what measures need to be adopted to avoid, remedy or mitigate any potential adverse effects. Precedent is not considered to be a particularly significant issue in this case. And this case must be judged on its merits. If consent is granted to the application it is not a reason to grant consent to other developments in Golden Bay and they equally must be judged on their merits.

7.10.2 Loss of Coastal Camping Grounds

The loss of coastal camp grounds in New Zealand is a matter that gets raised on a number of occasions and the general public express concern about the loss of an iconic coastal holiday facility, whenever these are closed or redeveloped. As mentioned earlier in this report, the value of some of these coastal locations is such that commercial investment in such a facility is very questionable given the value of the asset and the returns that can be expected. While it is entirely reasonable to exert pressure on such agencies as DoC, Council and the Government to retain these facilities, it is unreasonable to expect a private developer or owner to be forced to retain an unprofitable business to satisfy a section of the community that want these facilities retained.

7.10.3 Reverse Sensitivity

The matter of reverse sensitivity has been raised through the submission process in relation to development of land affecting the adjoining coastal marine area. That aspect is a matter that the wastewater discharge will need to address and it is appropriate to take this issue into account given there is established marine farming activity at Pakawau. Allowing an intense development adjoining the coast in an un-serviced residential area has a potential reverse sensitivity effect of the land use consent.

7.10.4 Development Contributions

A submission and further comment from Cr G Glover is concerned that the approach adopted by the applicant would negate the full extent of the development contributions that would be payable in relation to the construction of 30 apartments to be constructed. She also refers to the "Coastal Tasman Area" in relation to this application and that is misleading as the Coastal Tasman Area is a defined area in the Kina/Mapua area.

The situation with development contributions is that they are payable at the time a building consent is granted and there would be one contribution payable for each "Household Unit of Demand (HUD)" that is created. The creation of the 1.03 hectare allotment will not affect this and there will be 30 development contributions payable at the time building consent issues. It is also appropriate to confirm at this stage that Financial Contributions are also payable in respect of comprehensive developments and it is usual to include a condition in any consent to cover this aspect. Development contributions are covered by way of an advice note rather than a condition as they are a building consent issue.

8. CONCLUSION

The original application lodged by Sustainable Ventures Ltd to redevelop the Pakwau Camping Ground with a tourist resort that included 48 residential apartments has been replaced by a revised application to establish and use 30 residential apartments at 1060 Collingwood Puponga Road. The revised proposal removed the tourist resort and the associated commercial activities. Consent is also sought to abstract water to provide a water supply to these units and to discharge treated domestic waste water and stormwater on site as the area is not provided with any sewerage or stormwater reticulation. Earthworks are necessary to allow the proposed complex to be constructed and these, along with works to repair and upgrade the existing rockwork protection on the site generate the need for a land disturbance consent.

The land use component of the revised application is a Non Complying Activity under the rules of the Tasman Resource Management Plan and the Transitional District Plan (Golden Bay Section) no longer has any relevance to this application.

The original application was processed as a notified application and attracted one hundred and ninety seven submissions. Of these sixteen were in support, one hundred and seventy one were in opposition and eight were neutral. Two submissions were informal.

The submissions in support saw the proposal as supporting the tourism industry in Golden Bay, creating employment opportunities and the optimum use of the available site. Those in opposition were opposed to the scale of the development and considered it was inappropriate for the Pakawau location. They also raised a number of other matters, such as the lack of infrastructure in the area, coastal hazards, cultural heritage, risk to birdlife in the area and potential off site effects. Some of these matters can be seen as actual and potential effects of allowing the activity.

On receipt of the submissions, the applicant requested Council to place the application on hold to enable the proposal to be reconsidered and a revised application was submitted for a re-designed complex that provided thirty residential apartments in four clusters. The revised proposal was circulated to the original submitters and Council allowed them to "comment" whether this affected their original submission. Thirty nine comments were received in relation to the revised proposal with one supporting the proposal, thirty five opposing and three neutral. The matters that arose with the original proposal were still a matter of concern to many people and it did not change the view of those opposed to the application who chose to make additional comments.

The submissions to the original application are still valid and legal submissions, but the change and downscaling of the proposal has to be taken into account when evaluating these.

The assessment of actual and potential effects in respect of this application has looked at a number of matters that are considered relevant to this application. The potential change to the character of the Pakawau settlement and the density and form of the proposed development are matters that have drawn considerable comment and are considered to be very important when evaluating this application. This change in character to the local area and the size, form and density of the development has the potential to have an effect over a very wide area and to have an impact on the naturalness and openness of Golden Bay

The visual impacts of a development of this size at Pakawau has the potential to be very significant, but the information provided with the landscape report indicates those effects can be mitigated with careful design. The use of vegetation, building design that incorporates appropriate materials and colours and the provision of an esplanade reserve goes some way to mitigating the visual impact of the development when viewed from the coast and the Collingwood Puponga Road.

The cultural and archaeological issues that are associated with this site are complex and it is clear the site has been subject to pre-European occupation and the site is of heritage value to local iwi. There are two areas that need to be carefully considered in this area and even if the archaeological issues can be addressed through the provisions of the Historic Places Act, there are also cultural issues that need to be considered. The cultural and heritage issues are matters of National Importance under the provisions of the RMA.

The management of development on the coastal margin of Golden Bay is also a matter of national, regional and local importance that must be very carefully considered in this particular case. While the site is already developed as a camping ground, the redevelopment of it with the construction of 30 residential units on an area of 1.03 hectares is a major change from the status quo. There are associated coastal hazard risks with all development on the coastal margin, regardless of scale and these must be addressed to provide on site security, without creating adverse off site effects.

Some of the off site effects from this development may well be able to be addressed with appropriate conditions and these should be carefully considered and where appropriate, conditions imposed to ensure the issues are avoided, mitigated or remedied to the extent they become minor.

There are many objectives and policies of the TRMP that can be seen as directly relevant to this particular application and it is important to consider how this proposal "fits" with the Plan. The objectives and policies that relate to amenity and the management of the coastal margin at Pakawau are seen as very important in this case and require careful and detailed consideration. There are also strong objectives and policies that are related to the management of cultural heritage and archaeological sites and these are directly related to the site that has already been identified as being of pre-European significance. Other matters such as roading infrastructure, reserves and open spaces and natural hazards are also seen as relevant to this application.

The issues associated with the provision of an esplanade reserve in association with this development raise some matters of concern and these are generally related to the determination of Mean High Water Spring and how it relates to a particular site. In this case MHWS is deemed to be a point some 10 metres or more from the existing rock protection on the coastal margin of the site. This leaves a very limited area above the rockwork that provides usable access when there is adverse weather and the sea reaches the rockwork. The applicant has requested consent to build close to this esplanade reserve and this has the potential to create friction with apartment owners and users of the reserve if the complex develops in its current form.

While the redevelopment of parts of coastal margin of Golden Bay is inevitable, I have considerable difficulty supporting the scale, intensity, form and location of the buildings in this particular case. It is seen as having the potential to create an irreversible change in the character of the Pakawau settlement and undertaking an intensive development in an area that is lacking in the infrastructure to support it is a questionable development in this part of Golden Bay. Even with careful and appropriate landscaping of the site, the scale and form of this development is difficult to support in this location.

Accordingly I am not prepared to recommend this development is approved in its revised form and believe if consent is granted it will create effects that are seen as more than minor. Further, I consider the proposal is not in accordance with the objectives and policies of the Tasman Resource Management Plan, The Regional Policy Statement and the New Zealand Coastal Policy Statement.

As such I do not believe it satisfies either of the tests of Section 104D of the Resource Management Act and Council is not in a position to grant consent to the application.

9. RECOMMENDATION – LAND USE

Pursuant to Section 104(B) and 104(D) of the Resource Management Act 1991, I recommend the application by Sustainable Ventures Limited to construct and use 30 residential apartments at 1060 Collingwood Puponga Road, Pakawau, Golden Bay, on land described as proposed Lot 2 of a subdivision of Part Section 11, Square 15, comprised in Certificate of Title NL 96/197 (Ltd), being land zoned Residential within the Coastal Environment Area where the area of the proposed title is 1.03 hectares, be **declined**.



Laurie Davidson
Consents Planner (Land)
Golden Bay

REGIONAL POLICY STATEMENT

Policies and objectives appropriate to this application are as follows:

General Objectives

- GO 1 Maintenance and enhancement of the quality of the Tasman District Environment.
- GO 2 Maintenance of the biological diversity and healthy functioning of land, freshwater, coastal and marine ecosystems.
- GO 3 Avoidance, remedying or mitigation of the adverse effects on the environment and the community from the use, development or protection of resources.
- GO 4 Efficient use and development of resources.
- GO 5 Maintenance of economic and social opportunities to use, and develop resources in a sustainable manner.
- GO 6 Protection of significant natural heritage and cultural value of resources.
- GO 7 Recognition and protection of significant of significant traditional interests of the tangata whenua in relation to land, water, the coast and other taonga Maori.
- GO 8 Open, responsive, fair and efficient processes for all Resource Management decision-making.
- GO 9 Resolution of conflicts of interest in resource management between people in the community and within Council.

Urban Development

- Obj 5.2 Avoidance, remedying or mitigation of the adverse effects arising from urban development locating or expanding in:
 - i) hazard prone areas; and
 - ii) coastal areas; and
 - iii) areas where the amenity standards of adjacent rural activities would not be accepted in an urban context; and
 - iv) areas of natural character, outstanding natural features and landscapes, significant vegetation or fauna or other heritage values; and
 - v) wetlands, lakes, rivers and their margins
- Obj 5.3 Urban development that is consistent with the limited availability of water for all abstractive purposes.

- Obj 5.4 A safe and efficient urban transport system.
- Obj 5.5 Maintenance and enhancement of urban and environmental quality, including amenity values and the character of small towns.
- Pol 5.2 The Council will avoid locating new urban development in areas subject to natural hazard, except extensions in areas that are so subject may be allowed provided adequate mitigation measures are undertaken.
- Pol 5.3 Council will allocate sufficient water for urban development that incorporates water conservation measures consistent with the provision for other abstractive uses, while maintaining instream and life support values of available water resources.
- Pol 5.4 The Council will avoid, remedy or mitigate adverse effects across properties, especially between urban and rural land use or development, including effects of;
- i) noise;
 - ii) odour;
 - iii) shelter belts (microclimate and biological effects)
 - iv) contaminant discharges;
 - v) fire risk.
- Pol 5.5 The Council will protect the natural character of the coastal environment from adverse effects of further urban development, including effects on:
- a) natural features and landscapes, such as headlands, cliffs and the margins of estuaries;
 - b) habitats such as estuaries and wetlands;
 - c) ecosystems, especially those including rare or endangered species or communities;
 - d) natural processes, such as spit formation;
 - e) water and air quality;

having regard to:

- i) rarity and representativeness;
- ii) vulnerability and resilience;
- iii) coherence and intactness;
- iv) interdependence; and
- v) scientific, cultural, historic or amenity values.

- Pol 5.6 Council will avoid, remedy, or mitigate the adverse effects of:

Urban development on the safe and efficient operation of land transport resources, including effects on:

- a) their accessibility;
- b) principal road corridors;
- c) alternative modes of transport; and

the provision and operation of the land transport system on:

- a) the amenity, convenience, health and safety of people in urban communities;
 - b) the health of ecosystems; and
 - c) the quality of air, water and soil resources.
- Pol 5.7 Council will seek to enhance urban environmental quality, having regard to:
- i) the design and appearance of buildings and spaces;
 - ii) vegetation and open space;
 - iii) heritage sites and values;
 - iv) pedestrian facilities and traffic management;
 - v) noise levels and air quality;
 - vi) the relationship between the urban area and the values of its adjoining landscapes.

Coastal Environment

- Obj 9.5 Preservation of the natural character of the coastal environment, including the functioning of natural processes.
- Obj 9.6 Coastal land use and development that avoids, remedies or where appropriate mitigates adverse effects on:
- i) natural character, including natural processes, outstanding natural features and landscapes, and areas of significant indigenous vegetation and significant habitats of indigenous fauna; and
 - ii) public access to and along the coast; and
 - iii) heritage values; and
 - iv) Maori traditional associations with any coastal lands, waters, sites, waahi tapu, and other taonga; and
 - v) The natural qualities of coastal waters.
- Obj 9.8 Maintenance and enhancement, where appropriate, of public access to and along the coast.
- Pol 9.6 The Council will preserve the natural character of the coastal environment by protecting:
- a) natural features and landscapes, such as headlands and cliffs, coastal plains, estuaries, tidal flats, dunes and sand beaches;
 - b) habitats such as estuaries and wetlands;
 - c) ecosystems, especially those including rare or endangered species or communities, or migratory species;
 - d) natural processes, such as spit formation;
 - e) water and air quality

having regard to the:

- i) rarity or representativeness;
- ii) vulnerability or resilience;
- iii) coherence and intactness;
- iv) interdependence;

- v) scientific, cultural, historic or amenity values.

of such features, landscapes, habitats, ecosystems, processes and values.

Pol 9.9 Council will maintain and where appropriate enhance public access to and along the coast.

Environmental Hazards

Obj 11.1 Reduced risks arising from flooding, erosion, inundation and instability and earthquake hazards.

Pol 11.2 The Council will seek to reduce risks:

- i) to the use and development of land subject to erosion, inundation or instability;
and
- ii) to the use and development of any other land that may be affected as a result of such erosion or instability;

Transport

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

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

PROPOSED TASMAN RESOURCE MANAGEMENT PLAN

Policies and objectives appropriate to this application are as follows:

Site Amenity

Avoidance, remedying or mitigation of adverse effects from the use of land, on the use and enjoyment of other land and on the qualities of natural and physical resources. *(Objective 5.1.2)*

To ensure that any adverse effects of subdivision and development on site amenity, natural and built heritage and landscape values and contamination and natural hazard risks are avoided, remedied or mitigated. *(Policy 5.1.3.1)*

To protect the quality of groundwater and surface water from the adverse effects of urban development and rural activities. *(Policy 5.1.3.2)*

To limit the intensity of development where wastewater reticulation and treatment are not available. *(Policy 5.1.3.4)*

To ensure that the characteristics, including size, soil type and topography of each lot of any proposed subdivision or built development are suitable for sustainable on-site treatment of domestic waste in unreticulated areas, particularly in areas where higher risks of adverse effects from on-site disposal of domestic wastewater exist. *(Policy 5.1.3.5)*

To limit the use of on-site domestic wastewater disposal systems in the Special Domestic Wastewater Disposal Areas (SDWDAs) where cumulative adverse effects including degraded receiving water quality, health risks, nuisance odours, and overland flows of wastewater are likely or have been identified because of increasing system density. *(Policy 5.1.3.6)*

Development must ensure that the effects of land use or subdivision activities on stormwater flows and contamination risks are appropriately managed so that the adverse environmental effects are no more than minor. *(Policy 5.1.3.8 – Not yet operative)*

To avoid, remedy, or mitigate effects of:

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

beyond the boundaries of the site generating the effect. *(Policy 5.1.3.9)*

To avoid, remedy or mitigate the likelihood and adverse effects of the discharge of any contaminant beyond the property on which it is generated, stored or used. *(Policy 5.1.3.11)*

Maintenance and enhancement of amenity values on-site and within communities throughout the District. *(Objective 5.2.2)*

To maintain privacy in residential properties, and for rural dwelling sites. *(Policy 5.2.3.1)*

To promote opportunity for outdoor living on residential properties, including rural dwelling sites. *(Policy 5.2.3.3)*

To promote amenity through vegetation, landscaping, street and park furniture, and screening. *(Policy 5.2.3.4)*

To maintain and enhance natural and heritage features on individual sites. *(Policy 5.2.3.6)*

To enable a variety of housing types in residential and rural areas. *(Policy 5.2.3.7)*

To avoid remedy or mitigate the adverse effects of traffic on the amenity of residential, commercial and rural areas. *(Policy 5.2.3.8)*

To limit lighting of rural and residential subdivisions and development, including rural signs, to that which is necessary for safety and security, including public safety and security. *(Policy 5.2.3.13)*

Maintenance and enhancement of the special visual and aesthetic character of localities. *(Objective 5.3.2)*

To maintain the low or medium density residential character within the existing urban areas, except where higher residential density is provided for in specified development areas. *(Policy 5.3.3.1 – Not yet operative)*

To maintain the open space value of rural areas. *(Policy 5.3.3.2)*

To avoid, remedy or mitigate the adverse effects of the location, design and appearance of buildings, signs and incompatible land uses in areas of significant natural or scenic, cultural, historic or other special amenity value. *(Policy 5.3.3.3)*

To avoid, remedy or mitigate the adverse effects of activities on the character and sets of amenity values in specific urban locations. *(Policy 5.3.3.4)*

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

- a) heritage
- b) vegetation
- c) significant landmarks and views *(Policy 5.3.3.5)*

Accommodation of a wide range of residential activities and accessible community facilities in urban areas. (*Objective 5.4.2*)

To enable a variety of housing types, recognising different population growth characteristics, age, family and financial circumstances and the physical mobility of, or care required by, residents. (*Policy 5.4.3.1*)

Urban Environment

Urban growth that avoids or mitigates the loss of land of high productive value and the risks of extending onto land subject to natural hazards. (*Objective 6.2.2*)

To avoid extending urban development onto natural flood plains with a moderate to high risk of flooding or areas that have a moderate to high risk of river or coastal erosion or inundation or land instability. (*Policy 6.2.3.4*)

Sustainable urban growth that is consistent with the capacity of services and has access to the necessary infrastructure such as water supply, roading, wastewater and stormwater systems. (*Objective 6.3.2*)

To ensure that utilities and services are adequate to avoid, remedy, or mitigate adverse effects of urban development and population growth on both existing and future urban areas. (*Policy 6.3.3.1*)

To require financial contributions towards the provision of servicing infrastructure at the time of subdivision or development. (*Policy 6.3.3.2*)

Containment of urban subdivision, use and development so that it avoids cumulative adverse effects on the natural character of the coastal environment. (*Objective 6.4.2*)

To avoid the creation of new settlement areas in the coastal environment. (*Policy 6.4.3.1*)

To provide for future growth of key coastal settlements landward rather than along the coast. (*Policy 6.4.3.2*)

To protect the coastal environment from sprawling or sporadic subdivision, use and development. (*Policy 6.4.3.3*)

Margins of the Coast

The maintenance and enhancement of public access to and along the margins of lakes, rivers, wetlands and the coast, which are of recreational value to the public. (*Objective 8.1.2*)

To maintain and enhance public access to and along the margins of water bodies and the coast while avoiding, remedying or mitigating adverse effects on other resources or values, including: indigenous vegetation and habitat; public health, safety, security and infrastructure; cultural values; and use of adjoining private land. (*Policy 8.1.3.1*)

To set aside or create an esplanade reserve, esplanade strip or access strip at the time of subdivision of land adjoining water bodies or the coastal marine area, where there is a priority for public access. (*Policy 8.1.3.4*)

To seek public access linkages between reserves and public access adjoining water bodies or the coastal marine area in the vicinity. (*Policy 8.1.3.5*)

Maintenance and enhancement of the natural character of the margins of lakes, rivers, wetland and the coast, and the protection of that character from adverse effects of the subdivision, use, development or maintenance of land or other resources, including effects on landform, vegetation, habitats, ecosystems and natural processes. (*Objective 8.2.2*)

To avoid, remedy or mitigate adverse effects of buildings or land disturbance on the natural character, landscape character and amenity values of the margins of lakes, rivers, wetlands or the coast. (*Policy 8.2.3.4 – Not yet operative*)

To set aside or create an esplanade reserve, esplanade strip or access strip at the time of subdivision of land adjoining water bodies or the coastal marine area, where there is a priority to protect the natural character of those margins. (*Policy 8.2.3.5*)

To adopt a cautious approach in decisions affecting the margins of lakes, rivers and wetlands, and the coastal environment, when there is uncertainty about the likely effects of an activity. (*Policy 8.2.3.6*)

To ensure that the subdivision, use or development of land is managed in a way that avoids where practicable, and otherwise remedies or mitigates any adverse effects, including cumulative effects, on the natural character, landscape character and amenity values of the coastal environment and the margins of lakes, rivers and wetlands. (*Policy 8.2.3.7 – Not yet operative*)

To preserve natural character of the coastal environment by avoiding sprawling or sporadic subdivision, use or development. (*Policy 8.2.3.8*)

To maintain or acquire reserves of at least 20 metres width along the coastline of the District, for natural character, ecological or public access purposes, particularly along estuary margins, dunes, sandspits and cliffs. (*Policy 8.2.3.11*)

To enable the maintenance of physical resources for the well-being of the community, where those resources are located in riparian or coastal margins, subject to the avoidance, remedying or mitigation of adverse effects on the environment. (*Policy 8.2.3.12*)

To manage the location and design of all future buildings in the coastal environment to ensure they do not adversely affect coastal landscapes or seascapes. (*Policy 8.2.3.16*)

To pursue and encourage restoration and enhancement of coastal and riparian areas where natural character has been degraded by past human activities. (*Policy 8.2.3.17*)

To avoid, remedy or mitigate adverse effects on natural coastal processes of the subdivision, use or development of land, taking account of sea-level rise. (*Policy 8.2.3.18*)

To ensure that where erosion protection works are deemed to be necessary to protect existing settlements or structures that these are designed as much as possible to harmonise with the natural character of the coastline, river bank or lake shore. (*Policy 8.2.3.20*)

To protect historic and cultural sites in riparian margins and the coastal environment. (*Policy 8.2.3.21*)

Landscape

Protection of the District's outstanding landscapes and features from the adverse effects of subdivision, use or development of land and management of other land, especially in the rural area and along the coast to mitigate adverse visual effects. (*Objective 9.1.2*)

To ensure that structures do not adversely affect:

- (a) visual interfaces such as skylines, ridgelines and the shorelines of lakes, rivers and the sea;
- (b) unity of landform, vegetation cover and views. (*Policy 9.1.3.3*)

To discourage subdivision developments and activities which would significantly alter the visual character of land in outstanding landscapes (including adjoining Abel Tasman, Nelson Lakes and Kahurangi national parks). (*Policy 9.1.3.4*)

To promote awareness and protection of landscape (including seascape) values. (*Policy 9.1.3.5*)

To ensure that land disturbance including vegetation removal and earthworks does not adversely affect landscape character and rural amenity value in the Coastal Environment Area in locations of public visibility, particularly where there are distinctive natural landforms. (*Policy 9.1.3.7 – Not yet operative*)

Significant Natural Values and Cultural Heritage

Protection and enhancement of cultural heritage items that contribute to the character, identity and visual amenity of the District. (*Objective 10.2.2*)

To recognise and protect those buildings, objects and places situated in the District that are of historic, architectural or landmark value to the community, assessed according to the criteria in Schedule 10A. (*Policy 10.2.3.1*)

To recognise and protect those archaeological sites or sites of significance to Māori that are included in the New Zealand Historic Places Trust register of historic places. (*Policy 10.2.3.2*)

To establish those archaeological sites or sites of significance to Māori, or areas containing such sites, that warrant protection because of their archaeological or cultural significance, and the risk of damage or destruction. (*Policy 10.2.3.3*)

To protect those archaeological sites or sites of significance to Māori in coastal margins, or river or lake margins that warrant such protection because of their archaeological or

cultural significance and the risk of damage or destruction, by means that include the setting aside or creation of esplanade reserves or esplanade strips. (*Policy 10.2.3.4*)

To foster community responsibility for the cultural heritage values of the District. (*Policy 10.2.3.6*)

To control the subdivision of land to ensure that there is no damage or destruction of archaeological sites, or sites of significance to Māori as part of the subdivision process; and to ensure that these sites are not unnecessarily or unreasonably separated. (*Policy 10.3.3.3*)

Transport

A safe and efficient transport system, where any adverse effects of the subdivision, use or development of land on the transport system are avoided, remedied or mitigated. (*Objective 11.1.2*)

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

- (a) avoids, remedies or mitigates adverse effects of traffic generation;
- (b) provides direct and short travel routes by vehicle, cycling and pedestrian modes between living, working, service, and recreational areas;
- (c) avoids an increase in traffic safety risk;
- (d) allows opportunities for viable passenger transport services to be realised;
- (e) provides a clear and distinctive transition between the urban and rural environments;
- (f) segregates roads and land uses sensitive to effects of traffic. (*Policy 11.1.3.1*)

To ensure that land uses generating significant traffic volume:

- (a) are located so that the traffic has access to classes of roads that are able to receive the increase in traffic volume without reducing safety or efficiency;
- (b) are designed so that traffic access and egress points avoid or mitigate adverse effects on the safety and efficiency of the road network. (*Policy 11.1.3.2*)

To avoid, remedy or mitigate adverse effects of high traffic-generating land uses on the community cost of the road network resource of the District. (*Policy 11.1.3.3*)

To avoid, remedy or mitigate adverse effects of traffic on amenity values. (*Policy 11.1.3.4*)

To control the design, number, location and use of vehicle accesses to roads; including their proximity to intersections and any need for reversing to or from roads; so that the safety and efficiency of the road network is not adversely affected. (*Policy 11.1.3.6*)

To ensure that adequate and efficient parking and loading spaces are provided, either on individual sites or collectively, to avoid or mitigate adverse effects on the safety and efficiency of the road network. (*Policy 11.1.3.7*)

Natural Hazards

Management of areas subject to natural hazard, particularly flooding, instability, coastal and river erosion, inundation and earthquake hazard, to ensure that development is avoided or mitigated, depending on the degree of risk. (*Objective 13.1.2*)

To avoid the effects of natural hazards on land use activities in areas or on sites that have a significant risk of instability, earthquake shaking, flooding, erosion or inundation, or in areas with high groundwater levels. (*Policy 13.1.3.1*)

To assess the likely need for coastal protection works when determining appropriate subdivision, use or development in the coastal environment and, where practicable, avoid those for which protection works are likely to be required. (*Policy 13.1.3.2*)

To avoid developments or other activities that are likely to interfere with natural coastal processes including erosion, accretion, inundation, except as provided for in Policy 13.1.5. (*Policy 13.1.3.3*)

To avoid or mitigate adverse effects of the interactions between natural hazards and the subdivision, use and development of land. (*Policy 13.1.3.4*)

To maintain or consider the need for protection works to mitigate natural hazard risk where:

- (a) there are substantial capital works or infrastructure at risk; or
- (b) it is impracticable to relocate assets; or
- (c) it is an inefficient use of resources to allow natural processes to take their course; or
- (d) protection works will be effective and economic; or
- (e) protection works will not generate further adverse effects on the environment, or transfer effects to another location. (*Policy 13.1.3.7*)

To promote the maintenance and enhancement of coastal vegetation in areas at risk from coastal erosion. (*Policy 13.1.3.8*)

To avoid new subdivision, use or development that would hinder the ability of natural systems and features (such as beaches, dunes, wetlands or barrier islands) to protect existing subdivision, use or development from natural hazards (such as erosion, inundation, storm surge, or sea level rise). (*Policy 13.1.3.13*)

Reserves and Open Spaces

Adequate area and distribution of a wide range of reserves and open spaces to maintain and enhance recreation, conservation, access and amenity values. (*Objective 14.1.2*)

To ensure additional open space is available in those areas (for example, Golden Bay and Motueka wards) which have high visitor numbers. (*Policy 14.1.3.2*)

To provide for new open space areas that are convenient and accessible for users, including the provision of walking and cycling linkages in and around townships, between townships and between reserves. (*Policy 14.1.3.4*)

To identify, acquire, and manage land, including esplanade reserves and road reserves, to facilitate public access to water bodies and the coast. (*Policy 14.1.3.7*)

Efficient and effective use of open space and reserves to meet community needs for recreation and amenity. (*Objective 14.2.2*)

To maintain and where necessary improve the quality of reserves, open space and public recreational facilities. (*Policy 14.2.3.1*)

The avoidance of significant adverse effects of activities and facilities on open space and recreational areas, and on the amenity values of surrounding areas. (*Objective 14.4.2*)

To control the scale, extent and location of buildings and structures to ensure the open space character of reserves is maintained. (*Policy 14.4.3.1*)

To ensure that activities associated with open space and reserves do not give rise to adverse environmental effects (such as noise, glare, traffic, pesticide discharge) without adequate mitigation. (*Policy 14.4.3.2*)

To design open space and recreational areas to complement and, where necessary, to improve the visual amenity of the surrounding area. (*Policy 14.4.3.3*)