

Appendix 1: Schedule of Amendments on Proposed Plan Change 77



Tasman Resource Management Plan

PROPOSED PLAN CHANGE NO. 77

WITHOUT LEGAL EFFECT

Growth

Murchison

Schedule of Amendments

The Tasman Resource Management Plan is amended in accordance with the attached annotated portions of the Plan

NOTE:

- Red underlined text denotes proposed new text inserted or amended.
- Blue text denotes text deleted.

Notified: 19 September 2022

CHAPTER 6: URBAN ENVIRONMENT EFFECTS

[unchanged or irrelevant text omitted]

6.18 MURCHISON

Refer to Policy set 13.1.

6.18.1 Issues

Murchison is a rural service centre supported mainly by farming, tourism and mining. The main issues are:

6.18.1.1 Effect of river erosion on the township.

6.18.1.2 Adequacy of parking in commercial area.

6.18.1.3 Lack of an integrated stormwater system.

6.18.1.4 A lack of housing options to cater for growth and people at various stages of life, including a lack of residential and rural residential zoned land within the Murchison township and in the wider area.

6.18.3 Policies

6.18.3.1 To restrict land uses at the northern end of Fairfax and Grey streets to rural purposes to minimise possible loss of assets in an area at risk from riverbank erosion by the Buller River.

6.18.3.2 To provide additional public parking areas for the commercial area of Murchison.

6.18.3.3 To enable a variety of housing options on suitably zoned land.

6.18.20 Methods of Implementation

6.18.20.1 Regulatory

(a) Rural zoning of land closest to the Buller River at Murchison.

(b) Residential and Rural Residential zoning in suitable locations.

6.18.20.2 Works and Services

(a) Provision of public car parking area in Murchison.

6.18.30 Principal Reasons and Explanation

Rapid bank erosion by the powerful Buller River places properties at the ends of Fairfax and Grey streets at some risk. Further urban development is inappropriate in these areas.

There is a need to ensure sufficient Residential and Rural Residential zoned land in Murchison to support the growth of the community and provide housing options to suit people at various stages of life.

Parking becomes congested along the state highway (State Highway 6) at times. Some additional parking is proposed behind the museum in Fairfax Street.

CHAPTER 16: GENERAL RULES

[unchanged or irrelevant text omitted]

16.3.8 Rural Residential and Closed Zones

16.3.8.1 Controlled Subdivision (Rural Residential Zone)

Subdivision is a controlled activity if it complies with the following conditions:

Area

- (a) Every allotment has a minimum net area as stated in Figure 16.3C.

Figure 16.3C: Minimum Allotment Areas in Rural Residential Zone

[Refer to planning maps for locations]

LOCATION IN RURAL RESIDENTIAL ZONE	MINIMUM NET AREA	
Allotments in: George Kidd Street Champion Road & Hill Street North Hill Street South annotated area,	2,000 m ²	C20 8/10 Op 8/12
Richmond, where wastewater servicing is required to be provided and in the Richmond East Development Area where Schedule 16.3C servicing is required to be provided.		
Allotments in other areas with reticulated wastewater servicing or where wastewater servicing is required to be provided, as follows: Pinehill Heights, Ruby Bay Pohara Valley Road Korepo Road, Ruby Bay Ligar Bay South Collingwood Central Takaka	2,500 m ²	
Allotments at Motueka with reticulated wastewater servicing. Allotments at Milnthorpe without reticulated wastewater servicing.	3,000 m ²	
Allotments without reticulated wastewater servicing at: Puponga Tukurua/Parapara Mackay Pass Road, Bainham Upper Moutere Eliot Creek, Aorere Valley	4 ha	
Allotments without reticulated wastewater servicing at: Kina Craigieburn Road, West Takaka Redwood Valley Upper Haile Lane, Pohara Ligar Bay North Parapara Valley Patons Rock Rocklands Road North, Clifton Mapua (including Seaton Valley Road) and Waimea Inlet	2 ha	
Murchison		

LOCATION IN RURAL RESIDENTIAL ZONE	MINIMUM NET AREA	
Allotments in all other parts of the Rural Residential Zone without reticulated wastewater servicing, as follows: Eighty Eight Valley Alpine Meadows Hill Street South, Richmond Tophouse Road Extension Haycock Road, Richmond Onekaka Kina Triangle Bay Vista Drive, Pohara Permin Road Spot Zone Riwaka-Kaiteriteri Road, Kaiteriteri (Deferred) Pangatotara Old Coach Road, Mariri (Deferred)	5,000 m ²	
Allotments without reticulated wastewater servicing at Higgins Road, Wakefield (part Lot 1 DP 303114) Deferred	5,000 m ²	C65 10/17 Op 4/18
Allotments with reticulated wastewater servicing at Higgins Road, Wakefield (part Lot 1 DP 303114) Deferred	1,500 m ²	
Allotments at Tata Headland North and Upper Ligar Bay. Allotments without reticulated wastewater servicing in Permin Road (excluding Permin Road Spot Zone).	1 ha	
Allotments to be used exclusively as a site for a network utility or public work.	1 m ²	

Frontage

- (b) Every allotment that has a frontage width of at least 25 metres (reducible for serviced allotments to 5 metres in a cul-de-sac head) for front allotments, or at least 5 metres in the case of rear allotments.
- (bb) Every allotment on which any habitable building is intended to be located has a building location area shown which is set back 30 metres from internal boundaries where those boundaries are adjoining the Rural 1, Rural 2 or Rural 3 zone.

C65 10/16
Op 6/19

[unchanged or irrelevant text omitted]

Transmission Lines

- (m) In Mangles Valley, Murchison, every allotment on which any habitable building is intended to be located, has a building location area shown which is set back at least 32 metres from the centreline of any electricity transmission line.

[unchanged or irrelevant text omitted]

- (18) In the Richmond East Development Area, where land which is the subject of a subdivision proposal contains a protected tree or the minimum root protection zone of a protected tree, any matter necessary to:
- (i) ensure the integrity of the protected tree and its associated amenity values; and
 - (ii) ensure that general construction activities are set back from the protected tree so that adverse effects on the protected tree are appropriately avoided, remedied or mitigated; and
 - (iii) give effect to any matter raised in a report of an appropriately competent person in arboriculture.

C20 8/10
Op 8/12

In considering applications and determining conditions, the Council will have regard to the criteria set out in Schedule 16.3A, as well as other provisions of the Plan and the Act.

[unchanged or irrelevant text omitted]

16.3.20 Principal Reasons for Rules

Subdivisions Affecting Heritage Items

Subdivision is a process that results in physical works on a site that can be potentially damaging to heritage items and protected trees. It is also a time when arrangements can be negotiated between landowners and the Council for the protection of heritage items and protected trees.

C10 10/07
Op 3/14

The subdivision provisions for the Richmond East Development Area Rural Residential Zone introduce a new controlled condition to ensure that protected trees are not adversely affected by subdivision. The standard is based on the Australian Standard AS 4970 2009 'Protection of Trees on Development Sites' and Guidelines. It determines the minimum root protection zone required to safeguard the health and stability of a tree which should be protected from land development activities. The controlled condition is introduced to avoid a subdivision application for land on which a protected tree is located, defaulting to a higher level (restricted or discretionary) activity status. It is intended that these rules will be introduced for general application across the District.

C20 8/10
Op 8/12

[unchanged or irrelevant text omitted]

Electricity Transmission Corridor

C20 8/10
Op 8/12

The Richmond West and Richmond East development areas are traversed by high voltage transmission lines which are important elements of the National Grid. Rural Residential areas in Mangles Valley, Murchison, are also within close proximity to a high voltage transmission line. These transmission lines that need to be protected from adverse effects of development. As well, development needs to be protected from risks of the electricity transmission lines.

CHAPTER 17: ZONE RULES

[unchanged or irrelevant text omitted]

17.1.3 Building Construction or Alteration

17.1.3.1 Permitted Activities (Building Construction or Alteration — Standard Density Development)

C66 10/17
Op 12/18

[unchanged or irrelevant text omitted]

17.8.3 Building Construction, Alteration, or Use

C60 1/16
Op 6/19

17.8.3.1 Permitted Activities (Building Construction, Alteration, or Use)

Construction, alteration, or use of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Dwellings

- (a) There is no more than one dwelling or building used for the purpose of a dwelling on a site.

C60 1/16 &
V2-C60 7/18
Op 6/19

[unchanged or irrelevant text omitted]

Height

- (e) The maximum height of the building is 7.5 metres, subject to condition 16.6.2.1(k).
- (f) Any building sited on a hill whose ridgeline is identified on the planning maps is no higher than the level of the ridgeline.

Setbacks

- (g) The building is set back at least:
 - (i) 10 metres from road boundaries and 5 metres from internal boundaries except:
 - (a) where condition (h)(i) applies and subject, in the case of artificial shelter, to condition 17.8.2.1(f); and
 - (b) that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;
 - (ii) 20 metres from the margins of lakes and from the boundaries of Open Space, Recreation and Conservation zones;
 - (iii) 8 metres from the top of the bank of any river with a bed less than 5 metres in width;
 - (iv) 20 metres from the top of the bank of any river with a bed greater than 5 metres in width;
 - (v) 30 metres from a plantation forest;
 - (vi) 10 metres from internal boundaries in the case of buildings housing livestock;
 - (vii) 32 metres from the centreline of any electricity transmission line in Mangles Valley, Murchison, and in the Richmond East Development Area (notwithstanding condition (g)(i)) as shown on the planning maps.

C60 1/16
Op 6/19

C20 8/10
Op 8/12

[unchanged or irrelevant text omitted]

17.8.3.1A Controlled Activities (Building Construction, Alteration, or Use)

C60 1/16
Op 6/19

Construction, alteration, or use of a building is a controlled activity, if it complies with the following conditions:

- (a) The activity is a second dwelling that is a minor dwelling and is located on a site of at least two hectares
- (b) The minor dwelling complies with permitted conditions 17.8.3.1 (e) – (q) and the principal dwelling is a single housekeeping unit only.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) Location and effects of on-site servicing, including wastewater disposal, access, and traffic safety.
- (1A) Effects on the road network.
- (2) Effects on the amenities of the area and the potential impact for existing plant and animal production activities to be adversely affected by complaints from new residential activities arising from adverse cross-boundary effects.
- (3) Effects of any proposed outdoor storage of goods, machinery or produce.

- (4) For buildings that exceed the permitted activity height, in addition to the other matters listed, the appearance and visual impact (including colour, materials, surface treatment and fenestration), site landscaping and planting, shading effects across site boundaries, and effects on significant views, ridgelines and hill tops
- (5) Effects of buildings, including dwellings, where they exceed building coverage, on rural amenity and character, and potential for reverse sensitivity effects on plant and animal production.
- (6) Low impact building design.
- (7) The on-site management of stormwater in accordance with Low Impact Design solutions.
- (8) The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk and coastal, flood, stormwater, geotechnical or earthquake hazards will be avoided or mitigated.
- (9) Alternatives for fire risk management.
- (10) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (11) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.8.3.2 Restricted Discretionary Activities (Building Construction, Alteration, or Use)

C60 1/16
Op 6/19

Construction, alteration, or use of a building that does not comply with the conditions of rule 17.8.3.1 or rule 17.8.3.1A is a restricted discretionary activity, if it complies with the following conditions:

- (a) Except as provided for in condition (a) of rule 17.8.3.1A, there are no more than two dwellings or buildings used for the purpose of dwellings on a site.

C60 1/16 &
V2-C60 7/18
Op 6/19

Setbacks

C60 1/16 Op 6/19

- (b) Any building forming part or all of a rural selling place is set back no less than 30 metres from the road boundary.

- (c) In the Richmond East Development Area, buildings are set back at least 12 metres from the centreline of any electricity transmission line, as shown on the planning maps.

C20 8/10
Op 8/12

Non-Notification

In the Richmond East Development Area, applications for resource consent for an activity under this condition will be decided without public notification.

Note: In the Richmond East Development Area, the owner/operator of the transmission line is likely to be the only affected person to be determined in accordance with section 95B of the Resource Management Act.

- (d) The building is within the Ruby Bay ridgeline setback but a favourable geotechnical report has been provided.

C22 2/11
Op 1/15

[unchanged or irrelevant text omitted]

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

- | | | |
|-----|--|---------------------|
| (1) | Matters of control (1) – (11) in rule 17.8.3.1A. | C60 1/16
Op 6/19 |
| (2) | Effects of a building with reduced setbacks. | |
| (3) | Additional matters for buildings at Alpine Meadows: building design, appearance, and site layout. | |
| (4) | Additional matters for second dwellings: whether the dwelling is proposed to be relocatable; whether the dwelling will be removed once its purpose ceases. | |
| (5) | In the <u>Mangles Valley, Murchison and in</u> Richmond East Development Area, for buildings located between 12 and 32 metres from the centreline of any electricity transmission lines as shown on the planning maps: | C20 8/10
Op 8/12 |
| (a) | the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001); | |
| (b) | the extent to which buildings ensure adverse effects from or on the National Grid and on public safety are appropriately avoided, remedied or mitigated. | |
| (6) | Alternatives for fire risk management. | C34 3/12 Op 4/13 |

[unchanged or irrelevant text omitted]

17.8.20 Principal Reasons for Rules

[unchanged or irrelevant text omitted]

Electricity Transmission Corridor

C20 8/10
Op 8/12

Two high voltage transmission lines owned by Transpower traverse the southern portion of the Richmond East Development Area. The lines cross land proposed to be rezoned from Rural 2 to Deferred Rural Residential Serviced (minimum lot size 2,000 square metres). The Kikiwa–Stoke Line A is a 220 kilovolt double circuit voltage line (six conductors) supported by towers. The Kikiwa–Stoke Line B is a 110 kilovolt single circuit voltage line (three conductors) supported by poles.

The Deferred Rural Residential Serviced Zone provides for a total buffer corridor of 32 metres either side of the transmission lines within which development is limited or subject to assessment, namely:

- (a) For buildings and earthwork activities, a ‘no-build’ corridor 12 metres either side of the transmission centrelines and an additional 20-metre corridor within which buildings are subject to Transpower assessment and approval.
- (b) For subdivision activities, a 32-metre corridor either side of the transmission centrelines within which subdivision is subject to Transpower assessment and approval.

Rural Residential zoned land in Mangles Valley, Murchison is also within close proximity of a high voltage transmission line owned by Transpower. In this location, the transmission line is located on the opposite side of Mangles Valley Road. Provisions are included to manage the effects of any building within 32 metres of the centreline of the transmission line.

The purpose of the buffer corridor is to protect the National Grid and developments in close proximity from adverse effects “on” and “from” the National Grid. The extent of the buffer corridor is due to the long line spans between the support structures (more than 375 metres in the case of Richmond East), the fact that both the lines are critical to the Nelson electricity supply and the 220 kilovolt voltage of Line A.

[unchanged or irrelevant text omitted]