

565 **Change 22: Urban Zones Polices and Rules**■ **SUBMISSIONS DEALT WITH IN THIS REPORT**

Consideration Order : 3

C22.342.7	Adventurer Leisure Properties Ltd	17.2.4.1(b)(iii)	Retain maximum coverage of 60% for Tourist Services Zone at Mapua.
C22.342.8	Adventurer Leisure Properties Ltd	17.2.20	Delete words "high building coverage is inappropriate in this vulnerable environment".
C22.342.18	Adventurer Leisure Properties Ltd	ZM 54	Delete Mapua Tourist Services Zone from Mapua Development Area.
C22.342.19	Adventurer Leisure Properties Ltd	ZM 87	Delete Mapua Tourist Services Zone from Mapua Development Area.
C22.849.1	NZ Historic Places Trust	6.15.1.2	Retain issue 6.15.1.2 regarding heritage values.
C22.849.3	NZ Historic Places Trust	6.15.3.4	Retain rewording of policy to maintain Mapua wharf and historic wharf buildings.
C22.849.4	NZ Historic Places Trust	6.15.20.1	Retain method (f) with qualification that Council consent is not always required.
C22.849.6	NZ Historic Places Trust	Sch. 16.13A	Retain Wells Packing Shed.
C22.849.7	NZ Historic Places Trust	Sch. 16.13A	Consider listing apple store building on Mapua wharf.
C22.911.1	Freilich, D & A	ZM 87	Delete Deferred Residential notation on Freilich property and add controlled activity condition on servicing .
C22.911.2	Freilich, D & A	ZM 87	Rezone Lot 1 DP 17670 from Deferred Residential 2031 to Residential.
C22.911.3	Freilich, D & A	ZM 87	Delete Commercial zoning in Seaton Valley Road site.
Support	FC22.3731.1	FC22.3243.1	
C22.911.4	Freilich, D & A	17.1.3.1	Add exemption in Residential Zone condition (v) to 25 metre setback where adjoining land is Rural Deferred Residential.
C22.1445.8	Director-General of Conservation	6.15.3.9	Amend policy by adding a statement to enhance and restore vegetation by regulatory and non-regulatory means, including reserves acquisition.
Support	FC22.3151.12		
C22.1445.12	Director-General of Conservation	6.15.3.14	Retain policy 6.15.3.14.
Support	FC22.3151.16		
C22.2799.2	Tasman District Council	AM 54	Delete Heritage Building H25 to allow relocation of indicative road from Brown property.
C22.2799.3	Tasman District Council	AM 87	Delete Heritage Building H25 to allow relocation of indicative road from Brown property.
C22.2799.4	Tasman District Council	Sch. 16.13A	Remove heritage building H25.
C22.2870.5	Gilkison, Bruce J	6.15.3.14	Retain policy 6.15.3.14 on developing and maintaining high quality, enduring public spaces.
Support	FC22.3721.10		

C22.2874.5	Mitchell, David & Judy	16.3.3.1(rr)	Retain amenity planting measures at Mapua Drive and at State Highway/Mapua Drive intersection.
C22.2874.12	Mitchell, David & Judy	6.15.3.14	Retain policy 6.15.3.14 on developing and maintaining enduring public spaces at Mapua.
C22.2874.13	Mitchell, David & Judy	6.15.3.17	Retain policy on gateway but change "Ruby Bay Bypass" to "Te Mamaku Drive".
C22.2874.15	Mitchell, David & Judy	ZM 87	Delete Deferred Residential Zone on low-lying land south of Mapua wetland.
C22.3000.1	Beere, Helen J A	6.15.3.13	Provide more information about methods for allowing a range of housing types.
C22.3000.2	Beere, Helen J A	Part II, App. 2	Add a directive to have smaller houses with less land and multiple dwellings on sections.
C22.3000.3	Beere, Helen J A	Part II, App. 2	Avoid proliferation of lifestyle blocks on productive land.
C22.3000.4	Beere, Helen J A	Part II, App. 2	Retain open space for local employment and for amenity.
C22.3034.21	Gallagher, Devin & Charmaine	16.3.3.3	Provide criteria in condition (c) to enable development in Residential zones in Mapua that are not within the Mapua Development Area or Special Development Area.
<i>Oppose</i>	FC22.3151.59		
C22.3034.22	Gallagher, Devin & Charmaine	16.3.3.5	Replace non-complying status for subdivision in Mapua Development and Special Development Area with discretionary status.
<i>Oppose</i>	FC22.3151.60		
C22.3034.26	Gallagher, Devin & Charmaine	17.1.3.1	Increase height limit in condition (q)(i) to 7.5m in Mapua Special Development Area.
<i>Oppose</i>	FC22.3151.64		
C22.3151.6	BibbySmith, Fiona and Family	6.15.3.16	Ensure the entrance to Mapua from the coastal highway to Aranui Rd has trees and other greenery.
C22.3193.1	van Laanen, Henry & Anneke	ZM 87	Extend Rural Residential Serviced Zone to west side of Korepo Road.
C22.3285.1	Heatherbell, Diana	ZM 87	Retain Residential rather than Commercial Zone on 7A and 9 Toru St.
C22.3672.1	Mapua Community Assn/Waimea Estuary Sub-Committee	6.15.3.14	Add a clause for a buffer zone for minimising bird disturbance, allowing for restoration planting and sea level rise.
C22.3684.1	Tiakina te Taiao Ltd	6.15.3.9	Maintain water quality in estuary and kaimoana beds with adequate buffers to prevent sedimentation.
C22.3684.2	Tiakina te Taiao Ltd	6.15.20.1(f)	Protect traditional occupation areas and wahi tapu from the adverse effects of land use.
C22.3684.3	Tiakina te Taiao Ltd	6.15.3.14	Promote enhancement and restoration of habitats as part of urban development.
C22.3684.5	Tiakina te Taiao Ltd	6.15.20.3	Develop a management plan for the west side of the ex chemical

hazard area.

C22.3686.1	Anderson, David	ZM 87	Retain Residential rather than extend Commercial Zone in Toru Street.
C22.3687.1	Andrews, Don & Valerie	ZM 87	Retain Residential rather than extend Commercial Zone in Toru Street.
C22.3688.1	Aranui Syndicate	ZM 87	Extend Special Development Area to include Lot 59 DP 17242 to west.
C22.3691.1	Ball, Derek & Gaylyn	ZM 87	Restrict further subdivision of hills on Senior farm property.
C22.3691.2	Ball, Derek & Gaylyn	16.3.8.1Fig. 16.3C	Amend minimum lot size for Korepo Rd Rural Residential Zone to 4000m2.
C22.3691.3	Ball, Derek & Gaylyn	17.8.3.1(f)	Limit heights of buildings on high points to single storey.
C22.3695.1	Brown, Jim & Panes, Julie	16.3.4.1(p)	Provide amenity planting at least 2.5 metres wide in the proposed 5 metres wide Seaton Valley stream reserve rather than within the setback. OR Reduce reserve to 2 metres and increase planting to 3 metres.
C22.3696.1	Brown, Penny	ZM 87	Retain 7, 7A and 8 Toru St in Residential Zone.
C22.3696.2	Brown, Penny	C22 GEN	Explain Harcourts resource consent in Toru St Residential Zone.
C22.3697.1	Cassin, Fred	ZM 87	Retain 7, 7A and 9 Toru St in Residential Zone.
C22.3701.2	Drewery, Graeme	16.3.8.1Fig. 16.3C	Reduce the minimum lot size for Mapua Rural Residential Zone from 2 ha to 5000m2.
C22.3702.6	Friends of Mapua Wetland Inc.	16.3.3.1(rr)	Retain amenity planting measures at Mapua Drive including at State Highway 60 intersection.
<i>Support</i>	FC22.3151.30		
C22.3702.11	Friends of Mapua Wetland Inc.	6.15.3.14	Retain policy 6.15.3.14 on developing and maintaining enduring public spaces at Mapua.
<i>Support</i>	FC22.3151.35		
C22.3702.12	Friends of Mapua Wetland Inc.	6.15.3.17	Support policy on gateway to Mapua but change "Ruby Bay Bypass" to "Te Mamaku Drive".
<i>Support</i>	FC22.3151.36		
C22.3702.13	Friends of Mapua Wetland Inc.	ZM 87	Delete Deferred Residential Zone on low-lying land south of Mapua wetland.
<i>Support</i>	FC22.3151.37		
C22.3705.1	Heath, Ron & Gooding, Aileen	ZM 87	Delete extension of Commercial Zone in Toru Street.
C22.3709.1	Jansen-Hendriks-Benge, Eric	ZM 87	Delete extension of Commercial Zone in Toru Street.
C22.3711.1	Jemmett, Tony & Gill	ZM 87	Delete extension of Commercial Zone in Toru Street.

C22.3718.6	Mapua and District Cycle-Walkways Group	16.3.3.1(rr)	Retain amenity planting measures at Mapua Drive, including at State Highway 60 intersection.
<i>Support</i>	FC22.3151.90		
C22.3718.16	Mapua and District Cycle-Walkways Group	6.15.3.14	Retain policy 6.15.3.14 on developing and maintaining enduring public spaces at Mapua.
<i>Support</i>	FC22.3151.100		
C22.3718.17	Mapua and District Cycle-Walkways Group	6.15.3.17	Support policy on gateway to Mapua but change "Ruby Bay Bypass" to "Te Mamaku Drive".
<i>Support</i>	FC22.3151.101		
C22.3720.1	Mt Hope Holdings Ltd	ZM 87	Rezone Lot 2 DP 8474 as Residential.
C22.3720.3	Mt Hope Holdings Ltd	16.3	Delete all references to Urban Design Guide applying at Mapua Development Area.
C22.3721.2	Nelson Cycle Trail Trust	6.1.3.1	Amend policy 6.1.3.1 (j) to refer to "cycling" and "regional connections".
<i>Support</i>	FC22.3151.112		
C22.3721.4	Nelson Cycle Trail Trust	6.15.3.4	Amend policy 6.15.3.4 to: "... enhances public access to and along the foreshore".
<i>Support</i>	FC22.3151.114		
C22.3737.1	Toru Street Residents Group	17.1.2.6	Amend Residential Zone rule so that commercial use exemptions become non complying rather than discretionary activities. OR Delete Residential Zone rule.
C22.3737.2	Toru Street Residents Group	17.1.2.6	Notify affected residents of all discretionary activity applications in the Residential Zone.

■ ASSESSMENT

1.0 INTRODUCTION

This report addresses submissions on a number of urban matters at Mapua and Ruby Bay:

- Gateway policy
- Enduring public space policy
- Waimea Estuary buffer policy
- Commercial Zone
- Tourist Services Zone
- Heritage
- Urban Design Guide
- Industrial
- Residential Special Development Area
- Rural Residential Zone
- Deferred Zones
- Residential Zone

2.0 GATEWAY POLICY 6.15.3.17 AND RELATED RULE 16.3.3.1(rr)

The policy is to ensure a high quality visual experience and a gateway environment on the Mapua Drive route from the Ruby Bay bypass to Mapua.

Consultation during the plan change process had drawn attention to the need to have an appropriate gateway experience as travellers leave the State Highway and enter Mapua. Policy 6.15.3.17 and related rule 16.3.3.1(rr) were introduced for this purpose.

There are four submissions that support the policy (C22.2874.13, C22.3151.6, C22.3702.12, C22.3718.17) and three of these that support the related rule.

Two of these submitters have asked that the name be changed from "Ruby Bay Bypass" to "Te Mamaku Drive". As the latter name is used on a large signboard on the Bypass route and recognises a former Maori pa in the area, it is recommended that this additional name is added in brackets to the policy.

There is support from the same submitters for the related rule 16.3.3.1(rr) which implements the policy. The rule requires 3 metre strip of amenity plantings on residential subdivisions along Mapua Drive from the Bypass to Aranui Park and that there is also a restriction on close boarded or solid fencing.

3.0 ENDURING PUBLIC SPACE POLICY 6.15.3.14

There is a good level of support for policy 6.15.3.14. Five submissions seek to retain policy 6.15.3.14 on developing and maintaining enduring public spaces both at the water's edge and within Mapua. The concept of enduring public space has been added to ensure that public open space is adequately provided for in this dynamic coastal area as sea level rises. There is a risk that public space could be lost to coastal erosion unless techniques for securing open space that use movable boundaries are utilised.

C22.3672.1

The submitter wants to add wording to policy 6.15.3.14 that allows for a buffer zone between the public spaces and the Waimea estuary for the purpose of minimising bird disturbance, allowing for future restoration planting and for sea level rise. However the need for a natural buffer to be retained on the Waimea estuary is already referred to in policy 6.15.3.9. The reasons for the natural buffer could be added to the explanation 6.15.30.

4.0 WAIMEA ESTUARY BUFFER POLICY 6.15.3.9

C22.3684.1 and C22.1445.8

Policy 6.15.3.9 requires that a buffer is kept between the edge of the estuary and surrounding land use. The first submitter supports the concept of a buffer to prevent sedimentation of the Waimea estuary and kaimoana beds.

The second submitter wants to extend the policy to refer to enhancing and restoring vegetation by both regulatory and non regulatory means. It is likely there will be a need to enhance and restore vegetation rather than just retain it so these additional words should be added to the reasons for the policy.

5.0 COMMERCIAL ZONE

Plan Change 22 provides additional commercial zoning in three locations in Mapua on the assumption that the additional population will place extra demand on existing retail space and create demand for new types of commercial activity as the population grows. The three areas are the wharf precinct, the village centre precinct and the Seaton Valley local node. As well as serving the population in the immediate Mapua and Ruby Bay areas, Mapua commercial area also serves part of the Rural 3 area beyond. There are 10 submissions on the new Commercial zonings. The majority of these submissions are opposing the rezoning of land to Commercial in Toru Street.

C22.911.3

The submitter, whose 24 ha land has been rezoned mainly Deferred Residential in Plan Change 22 opposes the small commercial zone adjoining the Network Tasman substation in Seaton Valley Road on the grounds that the commercial zone on the corner of Mapua Drive and Stafford Drive is only 300 metres away. The purpose of the new zone is to allow for small-scale local commercial activity to serve those residents living on the northern side of Mapua Drive so they do not have to cross that road and come to the main commercial area for all their commercial needs.

C22.3686.1

The submitter, who lives at 11 Toru Street opposes the extension of the Commercial Zone on Toru Street on the grounds that it is a "dead end" without much passing traffic and that it has no stormwater. Toru Street is the main access to the Mapua Leisure Park so at times, such as in summer, it can be quite busy.

C22.3687.1

These submitters who live at 26 Toru Street oppose any more Commercial zoning in Toru Street as they wish it to remain residential.

C22.3696.1

This submitter whose property at 7 Toru Street is one of those proposed to be rezoned Commercial opposes the rezoning on the grounds that Toru Street is a quiet residential street. She is also concerned that Harcourts was given consent to operate its office in the Residential zone in Toru Street.

C22.3697.1 and C22.3709.1

These submitters, who lives across the road from the proposed Commercial Zone extension would like to retain a well-vegetated residential rather than commercial environment. They also express concern about the Harcourts office at 4 Toru Street.

C22.3705.1

These submitters, who also have a property across the road from the existing Commercial Zone wish to retain a residential environment in Toru Street.

C22.3285.1

These submitters own dwellings at 7A and 9 Toru Street and oppose the rezoning of them to Commercial as they prefer the neighbourhood to remain residential.

C22.3711.1

These submitters who live at 14 Toru Street also oppose the extension of the Commercial Zone on the grounds that there is enough commercial land and that some existing sites in the Mapua Mall are under-utilised. They support the current TRMP provisions which allow commercial activities to be considered by a consent process in residential areas.

C22.3737.1 and .2

This submission by a group of 16 Toru Street residents (no list of names was included) opposes the rezoning of 7, 7A and 9 Toru Street as well as the discretionary activity status of commercial activities in the Residential Zone and suggests they should become non-complying activities. It also seeks that affected residents are notified of such applications under rule 17.1.2.6. Unfortunately it is not possible to consider such changes to the TRMP as part of Change 22 as these are wide ranging changes that would affect other parts of the district. The status of commercial activities is not part of Plan Change 22 and to make changes would be going beyond the scope of the Plan Change.

There are three main options in respect to the submissions on the changes to the Commercial Zone at Mapua:

1. Retain the status quo - keep all the Plan Change commercial provisions (an additional 12040sqm)
2. Retain some of the Plan Change commercial provisions either at Toru Street (4260sqm) or at Seaton Valley Road (2855sqm)
3. Retain neither of the contested Plan Change commercial provisions

There is currently 2.6 ha Commercial zoning in the village centre, wharf precinct and at the Mapua Tavern corner. Option 1 would allow for a 50% increase in the amount of Commercial zoning. This may be overly generous given the rising importance of internet shopping and Mapua's projected population increase of 26% between 2006 and 2031. As it seems unlikely the Toru Street properties will become available in the foreseeable future, the recommendation is to not proceed with that particular rezoning. Other new Commercial zonings should be retained.

6.0 TOURIST SERVICES ZONE

C22.342.7 and C22.342.8

Plan Change 22 has altered the maximum coverage on the Mapua Leisure Park Tourist Services Zone from 60% to 30%. The reason the coverage was reduced was to better align the coverage rule with the policy for the coastal hazard area which covers the site. It seeks to limit subdivision and development on this dynamic sandspit area at the entrance to the Mapua Channel. The site is subject to coastal erosion and inundation. Coastal protection works erected in 2009 were breached prior to completion.

The Mapua Leisure Park is a relatively large site (12 hectares) and 60% building coverage is impractical on such a dynamic coastal area where sea level rise is likely to have an increasing impact.

The Tourist Services Zone is shown as included in the Mapua Development Area which means that the Urban Design Guide principles could be applied to any development proposal. The submitter seeks to be removed from the Mapua Development Area. However, because the site is high profile and visited by many tourists and locals every year with high demand for public access, it is recommended that it remain subject to the Urban Design Guide.

7.0 HERITAGE

NZ Historic Places Trust (C22.849) has asked Council to retain heritage issue 6.15.1.2 about managing the extent of urban development so that heritage values (including many archaeological sites) are protected at Mapua and Ruby Bay. NZHPT has also asked that method statement 6.15.20.1(f) clarify that Council consent is not always necessary in respect of altering archaeological sites. It is agreed that the method statement should be amended by adding "if required".

The NZHPT also supports the heritage listing of the "Wells" apple shed on the Mt Hope Holdings property at Mapua Drive, being highly visible on the main road into Mapua and an icon in the area. The Council Engineering Department opposes the listing of the shed as it has the view that an indicative road should be located there. The landowner, Mt Hope Holdings, has stated that its first preference is no indicative road or second preference that it be shown at the original location in the draft plan change map dated May 2010. The draft plan change located the road on the existing driveway located approximately 100 metres east on Mapua Drive towards Aranui Park. The latter is preferred so the former apple shed can be retained and reused.

The NZHPT has also sought that the ex apple storage shed on the Mapua wharf be considered as a suitable building for heritage listing. It is agreed that the former apple storage shed, now occupied by a number of commercial tenancies, has some heritage values. A separate Plan change will need to be undertaken to enable the listing of more heritage buildings.

Policy 6.15.3.4 which is about integrating part of the ex FCC site waterfront park with the historic wharf is supported by NZHPT. Nelson Cycle Trail Trust (C22.3721.4) seeks addition of words to ensure the policy refers to enhancing public access along, as well as to, the foreshore. It is agreed with the NCTT submission as one of the purposes of the waterfront park is to improve access to and along the foreshore.

8.0 URBAN DESIGN

There are several submissions that relate to urban design issues.

Mt Hope Holdings Ltd (C22.3720.3) wants to delete all references to the Urban Design Guide applying at the Mapua Development Area on the grounds that it is too prescriptive. However the Urban Design Guide contains some excellent principles to ensure sound urban design. The Urban Design Guide supports the Mapua policy framework such as policy 6.15.3.10 which is to ensure streets are well connected to reduce travel distances for vehicle, cycle and pedestrian traffic.

C22.3721.2

The submitter asks to amend policy 6.1.3.1(j) on locating more compact density and comprehensive residential development within walking distance of town centres and urban facilities to include "cycling distance" and "regional connections". It's unclear what is intended by "regional connections". The intention of the policy is that denser residential developments are close to urban facilities so no change is recommended.

9.0 INDUSTRIAL ZONE

The Industrial Zone has been extended north of the existing zone on Warren Place. The landscaping rule for this new Industrial Zone requires 2.5 metres of amenity planting on boundaries adjoining Seaton Valley Stream. Submitters C22.3695.1 have asked that either the reserve be reduced to 2m wide and the landscaping be increased to 3m wide OR that the 2.5 metres of amenity planting be provided in the 5 metres of the Seaton Valley Stream Reserve.

It is impractical to have the planting provided in the Seaton Stream Reserve as the purpose of the planting is to screen the future industrial activities from the Reserve but not to have any major impact on the flow of water in the Seaton Valley Stream. There is existing planting along the boundary of the submitters' property that would satisfy the proposed landscaping rule. No change to rule 16.3.4.1(p)(vi) is recommended.

10.0 RESIDENTIAL SPECIAL DEVELOPMENT AREA

There are four submissions that relate to the Mapua Special Development Area (MSDA). The MSDA provides opportunities for more intensive residential development on land located between Tahī St and Aranui Road. The site has been chosen because it is within walking distance of the town centre. Minimum section size is 200 sq metres and maximum building height is 6.5 metres.

C22.3688.1

The submitter would like an adjoining property to the northwest at 29 Aranui Road to be rezoned as Mapua Special Development Area. The property is 3827sq metres in area. The submitter is concerned that increased height of buildings on the MSDA could have a negative impact on his land. The land at 29 Aranui Road is generally lower than the MSDA. The maximum height limit for the MSDA is 6.5 metres and the submitter land also has the same maximum height limit as it's in the Coastal Environment Area. The Residential Zone daylight over and around provisions for external boundaries apply to the MSDA site as long as the land adjoining is not being developed as a compact density development - see rule 17.1.3.3(g) and 17.1.3.1(n) - (p) so the submitter's land does have some protection from this rule.

The site is low lying and would require filling. While additional water connections are available to the Council site because there are multiple titles, that is not the case on the submitter's land. Sufficient overland flow path also has to be retained along the stream that drains along the western side of the property. Rezoning is not recommended.

C22.3034.26

The submitters are of the view that the height limit of 6.5 metres in the MSDA does not go far enough in promoting some areas of the coastline in order to avoid the risk of sea level rise in other coastal hazard areas. The submitters suggest the height limit be raised to 7.5 metres. Provided two storey development can be accommodated in the 6.5 metre height limit - which should be possible - there is no need to change the height limit.

C22.3000.1

This submitter seeks more information about how the Council will encourage a range of housing types that will generally allow more efficient use of land. Not all residential sites are suitable for more intensive development. However the Council has added a policy about compact residential developments being within walking distance of town centres and urban facilities (policy 6.1.3.1(j)) to guide it as to which sites are suitable. Also to implement the policy the Council has rezoned some land at Mapua that meets the walkability criteria. This zone provides an opportunity for a different style of housing at Mapua so there is more choice for households.

C22.3684.5

The submission seeks the development of a management plan for the western side of the ex-chemical hazard area. There is already a site management plan for the ex landfill section of the remediated site which is zoned Open Space Zone (it adjoins the west side of the Mapua Special Development Area) on Zone Map 87. It is unclear if the submitter is seeking anything further than this management plan. Any residential development for compact housing on the site will need a resource consent for at least a controlled activity.

11.0 RURAL RESIDENTIAL ZONE

There are three Rural Residential zones in the Mapua Development Area. The Mapua Rural Residential Zone is the most extensive and has a 2 hectares minimum lot size and is unserviced apart from a low pressure water supply. There are also two serviced Rural Residential Zones towards the coast at Korepo Road and at Pinehill Heights. The minimum area in these latter two zones is 2500sqm. Plan Change 22 provides for the Korepo Rd Zone to be extended southwards.

C22.3193.1

The submitters, who have a 2.08 ha block in the Mapua Rural Residential Zone (2 ha minimum area) at 31 Korepo Road, seek Rural Residential zoning with 2500sqm minimum area on both sides of Korepo Rd (including their own and neighbouring properties) on the grounds that the properties are serviced. The current zone boundary is Korepo Road. The submitters have included no assessment of the effects of more intensive subdivision of their property and how any downstream stormwater effects and traffic effects on Korepo Road might be mitigated.

The Council's Development Engineer has commented that Council's water supply, wastewater, roading and stormwater systems do not have capacity at the present time for further rezoning and extra lots at this location in Korepo Road.

C22.3691.1 to .3

These submitters own a 0.6555 ha rural residential property at 81 Pomona Road overlooking the Senior farm property. They are opposed to the extension of the Korepo Road Rural Residential Zone on to the Senior farm on the grounds that there is inadequate servicing and infrastructure. They also consider that the lot size is too small and seek that the lot size be increased from 2500sqm to 4000sqm. As the rest of the Korepo Road Rural Residential Zone has a minimum lot size 2500sqm, it would be difficult to justify why the extended area should have a different minimum area. The Korepo Rd Rural Residential Zone extension is deferred until services can be provided so the inadequacy of services has been recognised.

The submitters are concerned to protect their rural views and avoid smoke and noise pollution. They would like building on knolls restricted to single storey although the submitters have not specified which knolls. The zone extension is likely to provide more subdivision similar to the type of subdivision the submitters already live in. All the Mapua Residential, Rural Residential Zones as well as the Rural 1 Closed Zone on the Seaton Valley floor are in the Fire Sensitive Area. Outdoor burning is not permitted in the Fire Sensitive Area in the winter months when there is a greater risk of creating smoke nuisances.

The maximum building height in the Rural Residential Zone is 7.5 metres. The building height is also limited on certain identified ridgelines rather than on individual knolls.

C22.3701.2

The submitter has proposed that the minimum subdivision area for the Mapua Rural Residential Zone should be changed from 2 hectares to 0.5ha.

The Mapua Rural Residential Zone is quite an extensive zone which is located on the poorly drained Mapua Hill soils. Reducing the minimum lot size could create a large number of smaller lots that would tax the ability of the soils to provide satisfactory on-site wastewater servicing. The Council policy is to provide for growth in a more compact manner closer to the centre of Mapua.

12.0 DEFERRED ZONES

There are four submissions on the deferred zones.

C22.3720.1

The submitter seeks that its 4 ha property Mt Hope Holdings is zoned Residential, not Deferred Residential. The reason the land is in a deferred zoning is because of the lack of services with sufficient capacity at present. Rule 17.14.2(b)(v) states that the Deferred Residential Zone applies "In the Mapua Development Area until reticulated water, wastewater and stormwater are provided by the Council or to the satisfaction of the Council".

Mt Hope Holdings request that future residential land not be deferred and that rules be imposed under rule 16.3.3.1 "for servicing for Mapua and any particular standards that are to be met". Any future water supply needs to meet public drinking water standards and fire-fighting supplies need to have flows and pressures as per the New Zealand Standard 4509:2008. Allowing individual landowners/developers to come up with variations of supplies from unreliable sources, i.e., groundwater, will be fraught with uncertainty when flows dry up or become tainted.

Because there is inadequate water and stormwater provision to service the submitter's property as yet, it would be unwise to remove the deferral.

The submitter suggests a separate set of rules in 16.3.3.1 but its unclear why this property should have a different set of deferred rules to the rest of the district.

C22.2874.15

A relatively small area (1.5 ha) of low-lying land adjoining the Mapua wetland project is zoned Deferred Residential. The submitters consider the land is too low-lying to be suitable for residential development and suggest it could be prone to liquefaction. There is no alternative zoning suggested. The land is a low-lying area between the submitters'

restored wetland and rolling land nearby that is zoned Deferred Residential. The land could be shown as an indicative reserve if a submitter had requested that. The default zoning would be Rural 1 which was the zoning of the land prior to Plan Change 22.

C22.911.1 and C22.911.2

The submitters seeks that 24 ha of their land zoned Deferred Residential in Plan Change 22 be altered to Residential. As an alternative to the deferred zone rules they have asked for a separate section on services to be inserted in the subdivision rule 16.3.3.1 as matters for a controlled activity subdivision. The subdivision rules are already quite complex and there is no reason to diverge from the current rules for deferred zonings which occur in various parts of the district other than Mapua.

The submitter's property is split between the Deferred Residential Zone and the Deferred Residential 2031. Lot 1 DP 17670 contains the submitter's house and is zoned Deferred Residential 2031. Residential zoning is requested. It is recommended that it is zoned Deferred Residential so it is treated the same as the balance of the submitter's land.

13.0 RESIDENTIAL ZONE

Submitter 3034 has asked for appropriate criteria within the discretionary activity rule 16.3.3.3(c) to enable development in residential zones in Mapua that are not within either the Mapua Development Area or the Mapua Special Development Area. It notes these subzones have specific performance criteria such as minimum lot sizes. It suggests similar controls (such as height above sea level) could be applied to residential developments outside these areas but within Mapua. There is the existing Residential Zone at Mapua which borders a part of the Mapua Special Development Area as well as the Mapua Development Area - where subdivision is a controlled activity provided certain criteria are met. Plan Change 22 does not alter the subdivision rules for the Residential Zone in Mapua. There is no need for further provisions for development in the Residential Zone within Mapua.

This submitter, referring to rule 16.3.3.5 of the TRMP, has also asked Council to remove the non-complying status for Residential Zone subdivision in the Mapua/Ruby Bay area that is outside the Mapua Development Area and Mapua Special Development Area. However the rule only applies to the Mapua Development Area and Mapua Special Development Area.

The existing Residential Zone has a minimum 25-metre setback from the Rural 1 Zone. The purpose of the rule is to provide a buffer from rural activities such as spraying. Submitter 911.4 has asked that the 25-metre setback should not apply if the adjoining rural zone is Rural 1 Deferred Residential. Plan Change 22 does not affect the 25-metre setback rule so what the submitter is requesting goes beyond the scope of the change and would affect many rural urban boundaries across the district. What the submitter is requesting may merit further review - but through a separate process.

■ RECOMMENDATIONS AND REASONS

Recommendation 565.1

C22.2874.5	Mitchell, David & Judy	Allow
C22.2874.13	Mitchell, David & Judy	Allow
C22.3151.6	BibbySmith, Fiona and Family	Allow
C22.3702.6	Friends of Mapua Wetland Inc.	Allow
<i>Allow</i>	FC22.3151.30	
C22.3702.12	Friends of Mapua Wetland Inc.	Allow
<i>Allow</i>	FC22.3151.36	
C22.3718.6	Mapua and District Cycle-Walkways Group	Allow
<i>Allow</i>	FC22.3151.90	
C22.3718.17	Mapua and District Cycle-Walkways Group	Allow
<i>Allow</i>	FC22.3151.101	

Plan Amendments

Topic : 6.15.3.17

Amend Policy 6.15.3.17 by adding "Te Mamaku Drive" in brackets after the words "Ruby Bay Bypass".

Topic : 16.3.3.3

No Plan amendments to rule 16.3.3.1(rr).

Reasons

1. The alternative name that is being added for the Ruby Bay Bypass is already used on the Bypass route.

2. The gateway planting rule for Mapua Drive is retained to improve the amenity of the entrance to Mapua.

Recommendation 565.2

C22.1445.12 <i>Allow</i>	Director-General of Conservation FC22.3151.16	Allow
C22.2870.5 <i>Allow</i>	Gilkison, Bruce J FC22.3721.10	Allow
C22.2874.12	Mitchell, David & Judy	Allow
C22.3672.1	Mapua Community Assn/Waimea Estuary Sub-Committee	Allow
C22.3684.3	Tiakina te Taiao Ltd	Allow
C22.3702.11 <i>Allow</i>	Friends of Mapua Wetland Inc. FC22.3151.35	Allow
C22.3718.16 <i>Allow</i>	Mapua and District Cycle-Walkways Group FC22.3151.100	Allow

Plan Amendments

Topic : 6.15.3.14

No Plan amendments to policy 6.15.3.14.

Reasons

Policy 6.15.3.14 (on enduring public space) is well supported by submissions. One amendment sought by submitter C22.3672.1 is already addressed in policy 6.15.3.9. Further reasons for the buffer will be added to explanation 6.15.30.

Recommendation 565.3

C22.1445.8 <i>Allow</i>	Director-General of Conservation FC22.3151.12	Allow
C22.3684.1	Tiakina te Taiao Ltd	Allow

Plan Amendments

Topic : 6.15.3.9

Retain Waimea estuary buffer policy 6.15.3.9.

Topic : 6.15.30

Add to explanation 6.15.30 at the end of second to last paragraph:

"Wide buffers are required on the estuary edge to allow for future restoration planting and sea level rise, to minimise bird disturbance and sedimentation in the estuary and its shellfish beds."

Reasons

1. The submitters generally support the policy.
2. More explanation has been added to clarify the reason for the policy.

Recommendation 565.4

C22.911.3 <i>Disallow</i>	Freilich, D & A FC22.3243.1 FC22.3731.1	Disallow
C22.3285.1	Heatherbell, Diana	Allow
C22.3686.1	Anderson, David	Allow
C22.3687.1	Andrews, Don & Valerie	Allow
C22.3696.1	Brown, Penny	Allow
C22.3696.2	Brown, Penny	Allow In Part
C22.3697.1	Cassin, Fred	Allow

C22.3705.1	Heath, Ron & Gooding, Aileen	Allow
C22.3709.1	Jansen-Hendriks-Benge, Eric	Allow
C22.3711.1	Jemmett, Tony & Gill	Allow
C22.3737.1	Toru Street Residents Group	Disallow
C22.3737.2	Toru Street Residents Group	Disallow

Plan Amendments

Topic : ZM 87

1. Delete Commercial Zone from 7, 7A and 8 Toru Street.
2. Retain Commercial Zone on Seaton Valley Road site.
3. No Plan amendments to the Residential Zone rules in respect to commercial activities.

Reasons

1. The extension of the Commercial Zone at Toru Street is unlikely to become available for some considerable time given the residential buildings already on site. The changes in retail trends means this land would not be required for many years, if at all. Additional land has been zoned Commercial on Aranui Road.
2. A small node for commercial activity is retained on the northern side of Seaton Valley Road as this locality is expected to become more urban, including on submitter C22.911.3's land. It can provide for some commercial needs within walking distance of future residential and recreational development on the north side of Mapua Drive.
3. There are no amendments to the provisions for commercial activities in the Residential Zone as the requested action to make commercial activities a non-complying activity goes beyond the scope of the Plan change. It would have to be part of a separate Plan change.
4. Notification of planning applications in the Residential Zone is also a separate matter that is outside the scope of this Plan change.

Recommendation 565.5

C22.342.7	Adventurer Leisure Properties Ltd	Disallow
C22.342.8	Adventurer Leisure Properties Ltd	Disallow
C22.342.18	Adventurer Leisure Properties Ltd	Disallow
C22.342.19	Adventurer Leisure Properties Ltd	Disallow

Plan Amendments

Topic : 17.2.4.1

Retain maximum coverage in Tourist Services Zone rule 17.2.4.1(b)(iii) as 30 per cent.

Topic : 17.2.20

No Plan amendments to 17.2.20.

Topic : ZM 87

No Plan amendments to Mapua Development Area.

Reasons

1. The reduction in maximum coverage in the Mapua Tourist Services Zone provides a more realistic figure that acknowledges the coastal hazard risks of coastal erosion and inundation that affect this dynamic sandspit site.
2. Allowing high coverage would reduce opportunities to relocate buildings in the future. Relocation could become necessary as sea level rises in the future. NZ Coastal Policy Statement 2010 supports a precautionary approach in areas of coastal hazard.
3. The explanation for the reduced maximum coverage in the Mapua Tourist Services Zone should be retained.
4. The general principles of sound urban design embodied in the Urban Design Guide are relevant to the Mapua Leisure Park.

Recommendation 565.6

C22.849.1	NZ Historic Places Trust	Allow
C22.849.3	NZ Historic Places Trust	Allow
C22.849.4	NZ Historic Places Trust	Allow
C22.3684.2	Tiakina te Taiao Ltd	Allow

Reasons

1. The Rural 1 Deferred Residential Zone adjoining the submitter 911's land is deferred for 20 years so rural effects could continue for a relatively long time.
2. The Rural 1 setback rule may require some review but this should be done on a district wide basis rather than through this Plan change.

Recommendation 565.20

C22.3034.21 <i>Allow</i>	Gallagher, Devin & Charmaine FC22.3151.59	Disallow
C22.3034.22 <i>Allow</i>	Gallagher, Devin & Charmaine FC22.3151.60	Disallow

Plan Amendments

Topic : 16.3.3.3

No Plan amendments to discretionary subdivision rule 16.3.3.3(c).

Topic : 16.3.3.5

No Plan amendments to non-complying subdivision rule 16.3.3.5.

Reasons

1. Plan Change 22 has not altered the subdivision rules for the existing residential zone in Mapua.
2. The rules for the "new" Residential Zone in the deferred areas of zoning are slightly different in that they are linked to the Urban Design Guide.