

34.0 Deferred Township Residential Zone

34.1 Permitted Activities

34.1.1 Unless expressly limited elsewhere and subject to compliance with the conditions applying to Permitted Activities the activities listed below shall be permitted without a resource consent.

- Grazing.
- Recreational Activities.
- Any activity listed as a Permitted Activity in the Township Residential Zone.

Conditions for Permitted Activities

34.1.2 Any activity listed as a permitted activity in the Township Residential Zone shall be a permitted activity in the Deferred Township Residential Zone provided that:

- a) A reticulated potable water supply has been installed servicing both the Deferred Township Residential zone and the Township Residential Zone at Rarangi. Further, all properties in both the Deferred Township Residential Zone and the Township Residential Zone at Rarangi have a service connection to a reticulated potable water supply.
- b) The activity complies in all other respects with the conditions for Permitted Activities.

34.2 Controlled Activities

34.2.1 Application must be made for a resource consent for a Controlled Activity for the following:

- Relocated buildings of greater than 36m² in area.

34.2.2 All Controlled Activities shall be subject to the general conditions applicable to Permitted Activities. In addition the following shall apply to specified activities. An application for a resource consent may be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94(1)(b) of the Resource Management Act 1991.

34.2.3 Relocated Buildings

34.2.3.1 The relocation of any building is a Controlled Activity provided that the activity conforms to the following Standards and Terms:

34.2.3.2 Standards and Terms

All relocated buildings must comply fully with the rules for permitted activities for the zone and all other relevant rules.

34.2.3.2.1 A permanent potable water supply has been installed to service the property.

34.2.3.3 Information Requirements

34.2.3.3.1 The application is accompanied by an assessment of effects that address the Fourth Schedule of the Act and the following additional matters:

- a) The age and architectural design.
- b) The external appearance of the building and its compatibility with the standard of other buildings in the vicinity of the proposed site.
- c) The effect on the visual amenities of the area in the vicinity of the proposed site.

34.2.3.4 Matters Over Which Council the Will Exercise Control

The Council reserves control over and may impose conditions with respect to:

- a) The external appearance of the building.
- b) Compatibility with buildings in the immediate vicinity.
- c) Reinstatement or restoration works.
- d) Landscaping requirements.
- e) The need for a bond to cover reinstatement work.
- f) A time period for the completion of reinstatement work.

34.3 Discretionary Activities

34.3.1 Application must be made for a resource consent for a Discretionary Activity for the following:

- Activities listed as Permitted or Controlled Activities which do not comply with standards and/or conditions or with the provisions for minor non-compliance dealt with as Limited Discretionary Activities. Except that this provision shall not apply to activities listed as Non-Complying or Prohibited Activities.
- Visitor accommodation, including camping grounds.
- Community facilities and activities, places of assembly, religious institutions.
- Retail facilities.
- Emergency service activities.

34.3.2 General Assessment Criteria (Pursuant to Sections 67(1)(k) and 75(1)(k) of the Resource Management Act 1991)

Any application for a Discretionary or Non-Complying Activity shall generally comply with the standards for Permitted Activities. In addition they shall be considered in

terms of the following assessment criteria. For some activities specific standards and criteria also apply.

34.3.2.1 Matters the Subject of Assessment

34.3.2.1.1 Any relevant objective, policies and rules of this Plan.

34.3.2.1.2 Any relevant policies of the New Zealand Coastal Policy Statement.

34.3.2.1.3 Any relevant objectives, policies and methods of the Marlborough Regional Policy Statement.

34.3.2.1.4 The availability of a potable water supply.

34.3.2.1.5 The likely effects of the proposal on the amenities of the area and in particular that it does not have any significant detrimental effects on:

- a) The privacy and residential amenities enjoyed on nearby residential properties and on the applicant's own site.
- b) Daylight and shading of adjoining properties.
- c) The usual background noise characteristics of the locality and the likely extent and significance of any increase in noise.
- d) Roading, traffic movement, road safety or cycle and pedestrian movement and safety.
- e) Local air quality.

34.3.2.1.6 The likely effects of the proposal on the visual character of the residential area, and in particular:

- a) Whether the activity is appropriate within its setting.
- b) The extent to which the design and appearance of new buildings reflect residential forms as far as practicable.
- c) The use of landscaping and site treatment proposed with the application to soften the appearance of the development and reduce the effects upon neighbouring properties.

34.3.2.1.7 The likely effects of the proposal on any significant natural values and features and in particular that the proposal:

- a) Does not adversely impact on any habitat of any indigenous species.
- b) Safeguards the life supporting capacity of ecosystems.
- c) Preserves the natural character of the coastal environment, wetlands, lakes, rivers and their margins.

34.3.2.1.8 The likely effects of the proposal on any cultural, heritage or iwi values, and in particular that the proposal:

- a) Does not have an adverse impact on the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.
- b) Does not have an adverse impact on any historic, archaeological site or waahi tapu.

- c) Contributes to the character of the residential township and helps maintain the cultural values of the community.

34.3.2.1.9 The likelihood of the proposal to increase any risk from natural hazards.

34.3.3 Particular Standards and Criteria Applicable to Listed Discretionary Activities (Pursuant to Sections 67(1)(k) and 75(1)(k) of the Resource Management Act 1991)

The criteria specified for any particular Discretionary Activity as listed below shall be considered in addition to the General Assessment Criteria set out in Rule 34.3.2.

34.3.3.1 Visitor Accommodation

34.3.3.1.1 Assessment Criteria

- a) Any adverse effects of the activity in terms of noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.
- b) The extent to which any proposed buildings will be compatible with character and scale of development in the township.
- c) Any actual or potential adverse effects of the activity in terms of traffic congestion, traffic safety and pedestrian safety.
- d) The ability to provide adequate vehicle parking and manoeuvring space on site.
- e) The ability of the activity to supply water, and dispose of sewage, stormwater and other wastes in a manner which avoids or mitigates any adverse effects.

34.3.3.2 Retail Facilities

34.3.3.2.1 Standards

The area of floor space dedicated to retail activity shall not exceed 200 m².

34.3.3.2.2 Assessment Criteria

- a) The reasons why siting in a Township Residential Zone is considered appropriate or necessary and the extent to which alternative locations have been considered including sites in business or rural township zones.
- b) Any adverse effects of the activity on residential amenity values including noise, dust, glare and discharges.
- c) Any actual or potential adverse effects of the activity in terms of traffic congestion, traffic safety and pedestrian safety.
- d) Any cumulative effects of the activity including the likely potential for other retail activities to congregate nearby.

34.3.4 Resource Consent Conditions

Any resource consent may include conditions relating to one or more of the following in addition to those matters contained in Section 108 of the Act:

- a) The bulk and location of buildings.
- b) The protection or enhancement of amenity values.
- c) The protection or enhancement of the quality and quantity of natural waters or water systems.
- d) The protection of any significant environmental feature.
- e) The design and appearance of any buildings.
- f) Landscape design and appearance, and site layout.
- g) The protection of future roading options and the management of traffic impacts.
- h) The hours of operation.
- i) The scale of development.
- j) Financial contributions in accordance with the requirements of the Plan.
- k) Bonds or covenants to secure the performance of consent conditions.

34.4 Non-Complying Activities

34.4.1 Application must be made for a resource consent for a Non-Complying Activity for the following:

- Any activity not provided for as a Permitted, Controlled, Limited Discretionary, Discretionary or Prohibited Activity shall be deemed to be a Non-Complying Activity.
- Any non-compliance with Rule 33.1.3.1 (Residential Site Density). This does not apply to Integrated Residential Development provided for as a Discretionary Activity.
- Within any area identified as a Flood Hazard on the Planning Maps the following are Non-Complying Activities:
 - Any building.
 - Construction of stopbanks, modification of existing stopbanks or deposition of material in ephemeral channels.
 - Construction of impermeable walls, fences or similar structures which would divert water.
 - Any excavation.

34.5 Prohibited Activities

34.5.1 The following are Prohibited Activities for which no resource consent shall be granted:

- The disposal of hazardous waste substances to land or water.
- The combustion of:

- Materials associated with the recovery of metals from insulated electrical cables in the open; or
- Materials and metals used in motor vehicles in the open; or
- Any other PVC plastic, or rubber tyres, waste oils, treated timber, or agricultural chemical wastes in the open.

Note:

In the open means other than in an enclosed incineration device with a chimney.