



We have the key to
Tana Pukekohatu

GREY STREET, MOTUEKA

PROUDLY MARKETING BY

Jan Long AREINZ

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Jan Long &
Sandra Goodman



*We have
the key*



BAYLEYS

VINING REALTY GROUP LTD, BAYLEYS
LICENSED UNDER THE REA ACT 2008



LOT 900 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 3 & 4 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH (SEE: TO BE CONFIRMED)

LOT 901 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 7 & 8 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH (SEE: TO BE CONFIRMED)

LOT 902 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 11 & 12 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH (SEE: TO BE CONFIRMED)

LOT 903 HEREON (LEGAL ACCESS) BE HELD AS TO FIVE UNDIVIDED ONE-FIFTH SHARES BY THE OWNERS OF LOTS 88, 89, 90, 91 & 92 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH
SEE: TO BE CONFIRMED

LOT 904 HEREON (LEGAL ACCESS) BE HELD AS TO TWO UNDIVIDED ONE-HALF SHARES BY THE OWNERS OF LOTS 98 & 99 HEREON AS TENANTS IN COMMON IN THE SAID SHARES AND THAT INDIVIDUAL COMPUTER REGISTERS BE ISSUED IN ACCORDANCE THEREWITH (SEE: TO BE CONFIRMED)

AREAS & DIMENSIONS ARE SUBJECT TO FINAL SURVEY

COMPRISED IN	APPELLATION	CT AREA
NL541206 &	LOT 9 DP 4437	862m ²
NL540772	PART LOT17 DP 1506	7534m ²
NL540773	PART LOT17 DP 1506	1170m ²
NL540774	PART LOT17 DP 1506	1170m ²
NL540775	PART LOT17 DP 1506	24623m ²
NL321339	LOT 15 DP 20374	55019m ²
NL3201110	LOT 15 DP 20374	55019m ²
NL3201110	LOT 15 DP 20374	55019m ²
NL1062687	PART LOT 6 DP 1506	10433m ²
PART (PART 1)	PART LOT 9 DP 1506	6502m ²
PART (PART 1)	PART LOT 9 DP 1506	6502m ²
PART (PART 1)	LOT 2 DP 6532	6151m ²
	TOTAL CT AREA	120318m ²

SCHEDULE OF AREAS	
RESIDENTIAL LOTS 1 - 102 & 1000	4.1694ha
J.O.A.L LOTS 800 - 904	1296m ²
ROAD TO VEST LOTS 1001 - 1004	2.5405ha
RESERVE TO VEST LOT 800	2082m ²
BALANCE LOT LOT 2000	4.9766ha
TOTAL SITE AREA	12.0318ha

DESIGNED:	MC	ISSUED FOR INFORMATION	
CHECKED:			
DRAWN:	RA		
APPROVED:		SWEETED:	
JOB NUMBER:	600428	SCALE	
ISSUED:	26/01/11	1:1500 @ A3 1:750 @ A1	
DWG. NO.	002	REV.	A



GREY ST MOTUEKA

SCHEME PLAN

TASMAN DISTRICT COUNCIL



WOODS
Engineers, Surveyors, Planners.

PO BOX 39102, HAREWOOD, CHRISTCHURCH 8545
30 SIR WILLIAM PICKERING DRIVE, CHRISTCHURCH
+64 3 357 9663 FAX +64 3 357 9669 WWW.WOODS.CO.NZ



WAKATU

INCORPORATION

IENT:

NAME	DATE
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LATEST REVISION DETAILS

RESTRICTIVE COVENANTS SCHEDULE A

DESIGN GUIDELINE DEFINITIONS FOR TANA PUKEKOHATU SUBDIVISION

Definitions:

All definitions shall be those in the Tasman Resource Management Plan (as at September 2011) except that:

"Daylight Controls" means the angles within which a complying building must fit in order to allow adequate daylight onto adjoining sites. Daylight indicators limit the envelope of a building in a way that ensures equitable access to daylight on all adjoining properties. Daylight controls also ensure that minimum building separation, open space and amenity are maintained within residential areas.

"Design Guidelines" means the Bulk & Location Standards for High Density Lots and Medium Density Lots set out in Subdivision Consent RM110351 and the Architectural Constraints following.

"Duplex Housing" means house that are attached to another house along one common wall (may also be referred to as 'semi-detached' housing).

"Garage Door Yard" means an area clear of buildings 5.5m in length, the same width as the garage door and wholly within the boundaries of the site. The garage door yard shall be provided in a line immediately perpendicular (i.e. at a 90 degree angle) and adjacent to any garage door. This is to provide for parking of a standard vehicle in front of the garage and to ensure that garages are set back so as to not dominate the visual appearance of a dwelling from the street.

"High Density Lots" means lots in the Tana Pukekohatu Subdivision between 320m² and 399m² in size.

"Low Density Lots" means lots in the Tana Pukekohatu Subdivision that are 500m² or larger.

"Medium Density Lots" means lots in the Tana Pukekohatu Subdivision that are between 400m² and 499m² in size.

"Production Housing" means a continuous row of more than two houses with an identical design.

"TDC" means Tasman District Council.

"Terrace Housing" means a row of attached houses built in one block of uniform style.

RESTRICTIVE COVENANTS SCHEDULE A

ARCHITECTURAL CONSTRAINTS FOR TANA PUKEKOHATU SUBDIVISION

The following architectural constraints shall apply to all lots within the Tana Pukekohatu Subdivision.

Design Philosophy

Building designs with an excellent standard of architectural merit are expected. Whilst architectural compatibility (visual accord and formal coherence) between buildings is essential, it is also important to avoid visual monotony in design.

Each property is to be designed to an individual theme expressed in consistent them detailing, balance proportions and scale, colour and materials to suit the chosen architectural style. "Production housing" and associated detailing will be deemed inappropriate.

Housing Typologies

Duplex, or semi-detached, dwellings are permitted only on the High and Medium Density lots. Where a duplex is proposed, both adjoining owners must make a concurrent application which demonstrates a compatible design. Second-hand and/or relocated buildings are not permitted.

Broken Building Form

No building shall present a blank or unrelieved wall facing any road boundary.

Building Materials

Only quality building materials shall be used. Any of the following exterior materials, finishes and construction methods shall not be used on buildings or fences on any site unless they have architectural merit enhancing the overall design:

- a) Any second-hand or recycled building, roofing or fencing materials;
- b) Unfinished cement board cladding;
- c) Unpainted or uncoated profiled metal cladding;
- d) Reflective or dark-tinted exterior glazing;
- e) PVC/plastic wall claddings;
- f) Imitation woodgrain cladding, or materials finished with stone chips;
- g) Manufactured stone/brick cladding;
- h) Unpainted sheet or pressed metal wall or roof claddings; or
- i) Aluminium composite panels.

Exterior Colours

Exterior wall colours shall avoid obtrusive or overly dominant colours and shall enhance the local vernacular.

Roof Structures

All roof structures and/or roof accessories, such as satellite dishes, TV aerials, vent pipes, air conditioning units etc, shall be placed on the rear-facing roof slopes, i.e. no roof structures/accessories shall be visible from the road frontage. Solar water heating panels or photovoltaic panels will be permitted on north facing roofs provided that they form part of the overall dwelling design.

Fencing

Fences along any road boundary shall not exceed a height of 0.9m. Side boundary fences shall be designed to taper or step from 0.9m at the road boundary up to a maximum height of 1.8m along side and rear boundaries. The tapered or stepped section shall extend at least 5m from the road boundary before the maximum height of 1.8m is reached.

Materials and colours of fences are to be consistently themed with the architectural style of the dwelling in terms of colour, materials and/or appearance. Preferred materials include timber or masonry.

The use of hedges in lieu of fencing along the front boundaries is encouraged.

SCHEDULE B
TANA PUKEKOHATU ESTATE
RESTRICTIVE COVENANTS

Building:

1. The Grantor shall not construct, erect or place or permit to be constructed, erected or placed on the Property:
 - a.
 - i. Any building, structure or improvement without first obtaining the written approval of Wahanga Limited ("Wahanga") (or its nominated representative) to the final building plans and specifications (and where appropriate in the same form as intended to be submitted to the Territorial Authority for a building consent) and such specifications shall include full details of all exterior colour schemes and finishes and details of fences, driveways and front yard landscaping.
 - ii. Wahanga's approval shall be entirely at Wahanga's discretion in all respects provided however that should Wahanga (or its nominated representative) fail to approve or disapprove such plans and specifications within 20 working days of receipt of the same, then it shall be deemed to have approved the same. The Grantor shall not apply for a building consent until such time as Wahanga's approval, whether deemed or otherwise, has been obtained.
 - iii. Wahanga shall be entitled to serve an injunction notice on the Grantor to cease all work if the Grantor shall commence any construction work without having first obtained the approval of Wahanga in accordance with this clause.
 - iv. The obligation to obtain the approval of Wahanga (or its nominated representative) pursuant to this clause shall expire ten (10) years after the date of registration of the transfer of the Property by Wahanga to the Grantor, but shall not release the Grantor from its obligation to comply with these covenants.
 - b. More than one household dwelling unit.
 - c. Any building of an A-frame style.
 - d. Any building that shall present a blank or unrelieved wall facing any road boundary.
 - e. Any relocated, transportable or used building or structure provided that:
 - i. One prefabricated garden shed which is adequately screened from neighbouring properties may be placed on the Property; and
 - ii. Builders shed or other similar buildings required during construction of any dwelling may be placed on the Property during such construction, but must be removed on completion of such construction.

- f. Any dwelling, building or fence which utilises any of the following exterior materials, finishes or construction methods:
- i. Any second-hand or recycled building, roofing or fencing materials;
 - ii. Unfinished cement board cladding;
 - iii. Unpainted or uncoated profiled metal cladding;
 - iv. Reflective or dark tinted exterior glazing;
 - v. PVC/Plastic wall claddings;
 - vi. Imitation woodgrain cladding or materials finished with stone chips;
 - vii. Manufactured stone/brick cladding;
 - viii. Unpainted sheet or pressed metal wall or roof claddings;
 - ix. Aluminium composite panels,

unless such exterior materials, finishes or construction methods shall have architectural merit enhancing the overall design (as confirmed in a statement by a registered or certified designer under the Building Act 2004) and, in the opinion of Wahanga (or its nominated representative) does not detract from the quality of the subdivision and the local housing standard.

- g. Any fence which exceeds a height of 0.9m along any road boundary or which exceeds a height of 1.8m along any side or rear boundaries and provided that there must be a tapered or stepped section of at least five (5) metres in length from the road boundary before the maximum side boundary height of 1.8m is reached.
- h. Any building or structure unless the exterior of that building or structure is finished in recessive colours which blend in with the immediate local environment, or if such recessive colours are not used, then exterior colours which are not obtrusive or overly dominant and enhance the local vernacular (as confirmed in a statement by a registered or certified designer under the Building Act 2004).
- i. Any building that has windows, doors or sky-lights so placed that the privacy of any neighbouring dwelling is unreasonably affected.
- j. Any roof structures or roof accessories (such as satellite dishes, TV aerials, vent pipes, air conditioning units) which are visible from the road frontage provided however that solar hot water heating panels and photovoltaic panels will be permitted on north facing roofs if they form part of the overall dwelling design.
- k. Any building, structure or fence which does not comply with the Design Guidelines and Architectural Constraints (attached as Schedule A)
- l. Any building that exceeds a height of seven and a half (7.5) metres above the ground level. For the purposes of this clause, the height shall be measured between the highest point of the building and the ground level immediately

below that point and the ground level shall be the level existing as at the date of the transfer of the property from Wahanga.

2. The Grantor shall complete construction of any building, structure or improvement on the property within 12 months of commencing work on any such building, structure or improvement and the Grantor shall not allow a period of more than three months to elapse without substantial work being carried out once such work has commenced.
3. The Grantor shall not reconstruct, alter, add to, renovate or refurbish any building, structure or other improvement on the property which results in such building or structure no longer being of a standard commensurate with the exterior appearance and architectural standard of the properties in the subdivision or being in breach of these covenants.
4. The Grantor shall not allow any masts, aerals, other structures, trees or shrubs to exceed a height of eight (8) metres above the average ground level of the Property.
5. Wahanga may at any time, at its discretion, grant a waiver of any of these covenants to any Grantor provided that in giving any such waiver the character and standard of the subdivision is not significantly altered and if such waiver is provided, the Grantor shall be deemed to not be in breach of the covenants.

Maintenance:

6. The Grantor shall not:
 - a. Allow any building or structure on the Property to become dilapidated or to fall into disrepair and shall not allow any nuisance or unreasonable disturbance to be caused to any owner or occupier of neighbouring properties.
 - b. Move, damage or remove any survey pegs or markers on the Property and in the event of any breach of this restriction the Grantor shall at their cost have such pegs or markers replaced by a registered surveyor and if the Grantor shall not comply with this covenant within 30 days of being requested to do so by Wahanga, then Wahanga shall have the right to instruct a registered surveyor to replace such pegs and markers and the Grantor shall be liable for all associated costs.
 - c. Allow the property to become littered, overgrown or unsightly to the intent that the property shall be maintained in a neat and tidy condition (including not allowing grass to grow to a height greater than 100 millimetres), nor allow any noxious weeds (including gorse, blackberry or ragwort) to grow on the land.
 - d. Except when building operations are in progress, allow any trade equipment or materials, debris, rubbish or any vehicle of any unsightly nature to be brought onto or remain on the property unless the same is adequately garaged or screened so as not to be visible to or to cause any offence to neighbouring properties and to preserve the amenity of the subdivision.

Activity/Use of Property:

7. The Grantor shall not occupy nor allow any dwelling constructed on the Property to be occupied until the dwelling has been completed in accordance with the requirements of the local authority nor will the Grantor allow any temporary

structures, vehicles, caravans, tents or other similar accommodation to be used for temporary residential purposes prior to the completion of the dwelling.

8. The Grantor shall not store or allow to be stored on the Property, any caravan, motorhome, craft, trailer, recreational vehicle or other equipment or machinery in such a way or in such location as shall unreasonably shade or impact on any adjoining property or the use and enjoyment of any adjoining property or as to detract from the amenity value of the subdivision.
9. The Grantor shall not allow any live-stock, animals or beehives to be brought onto or kept on the Property other than normal household domestic pets (and the term "household domestic pets" does not include livestock such as pigs, goats, horses, sheep, chickens, roosters, pigeons, peacocks or any animal which may cause a nuisance to owners or occupiers of other properties in the subdivision) and in particular, the Grantor shall not keep or allow to be kept on the property any dog which is generally recognised as being of an aggressive breed and which may cause a risk to owners or occupiers of other properties in the subdivision (e.g. Pit-bull terrier, Rottweiler and Doberman Pincher).
10. The Grantor shall not carry out nor permit to be carried out on the Property any activity which does not comply with the Tasman District Council permitted activities in a Residential Zone (as qualified/varied by RM 110802 and 110351 and by the Design Guidelines attached as Schedule A) provided however that this clause shall not apply to the use of the Property for the purposes of a builders show home (and ancillary builders office) for a period of three years after the date of transfer of the Property from Wahanga to the Grantor, and provided that Wahanga's express consent has first been obtained.
11. The Grantor shall not use or permit the use of the Property for institutional residential purposes. For the purposes of this clause "institutional residential purposes" shall include but not be limited to the use of the Property for housing purposes by central or local government agencies or public or private health centre agencies.
12. The Grantor shall not for a period of 10 (ten) years from the date of the transfer of the property by Wahanga subdivide the property and the term "subdivide" shall have the same meaning as "subdivision of land" defined in Section 218 of the Resource Management Act 1991.

General:

13. Any difference or dispute between any parties regarding the interpretation of these covenants or as conferred by such covenants shall be referred at the request of either party to the arbitration of a single arbitrator on the following terms:
 - a. The arbitrator is to be jointly agreed upon by the parties;
 - b. If the parties fail to agree upon an arbitrator within seven (7) days of notice from one party to the other, then the arbitrator shall be appointed by the President of the Nelson District Law Society for the time being and such nomination will bind the parties;
 - c. The reference is a reference to a single arbitration under the Arbitration Act 1996;

- d. The arbitrator's decision shall be final and binding on both parties and may include an order for costs, an order for enforcement and interest on monies payable;
 - e. The parties will not resort to litigation except for the purposes of enforcing this clause.
14. Wahanga will not be liable because of any action it takes or fails to take or for any default in any building, structure or improvement erected on any of the properties in the subdivision or for any breach of these covenants or otherwise and the registered proprietors for the time being of the servient and dominant lots shall indemnify and keep indemnified Wahanga and its legal successors (other than successors in title after registration of a transfer from Wahanga to a subsequent owner) from any costs, claims, suits, demands or liabilities arising out of or under these covenants.

Fencing:

15. Wahanga shall not be liable to erect or maintain or contribute towards the costs of any dividing fence or boundary fence or part thereof between the property and any adjoining land, but this provision shall not inure for the benefit of any Grantor of such adjoining land.

To the District Land Registrar

Please Register the within Covenant against the Servient and Dominant Tenements.

LEGEND



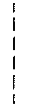
MAXIMUM BUILDING COVERAGE - 50%



LIVING COURT AREA - 6m DIA CIRCLE



BOUNDARY SET BACKS



BOUNDARY SET BACK FOR GARAGE

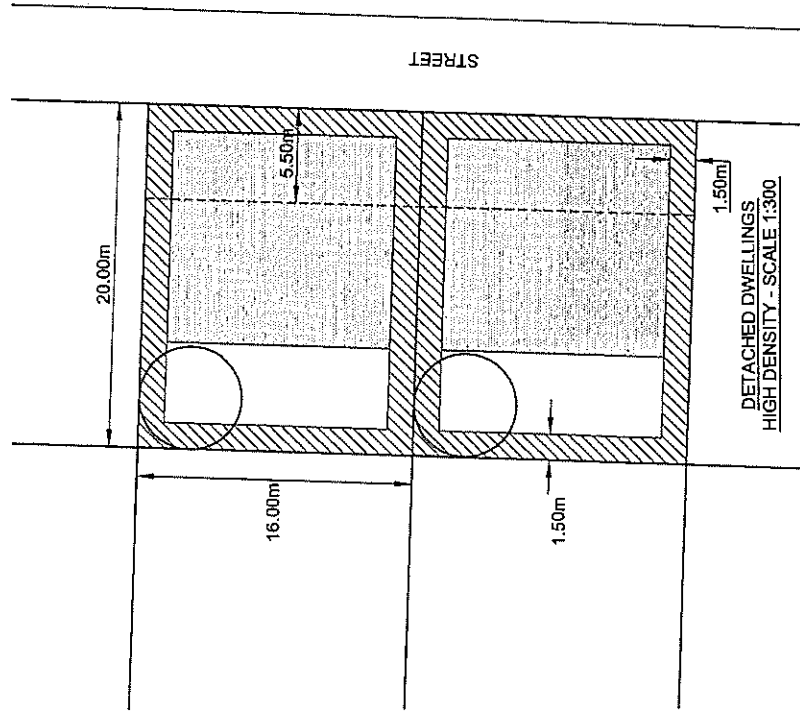
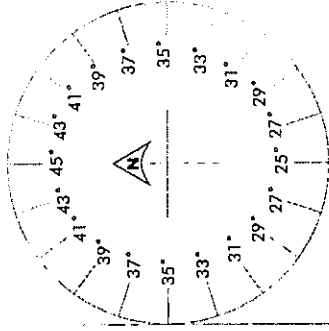


PROPOSED BOUNDARIES

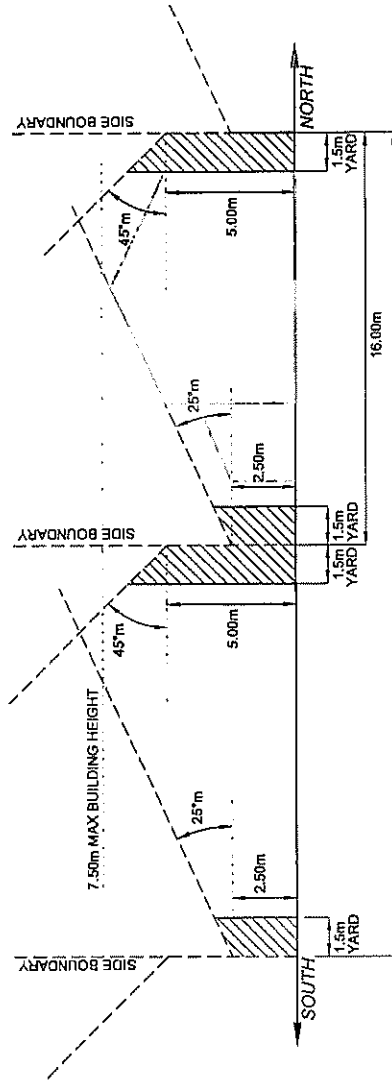


AVAILABLE BUILDING ENVELOPE

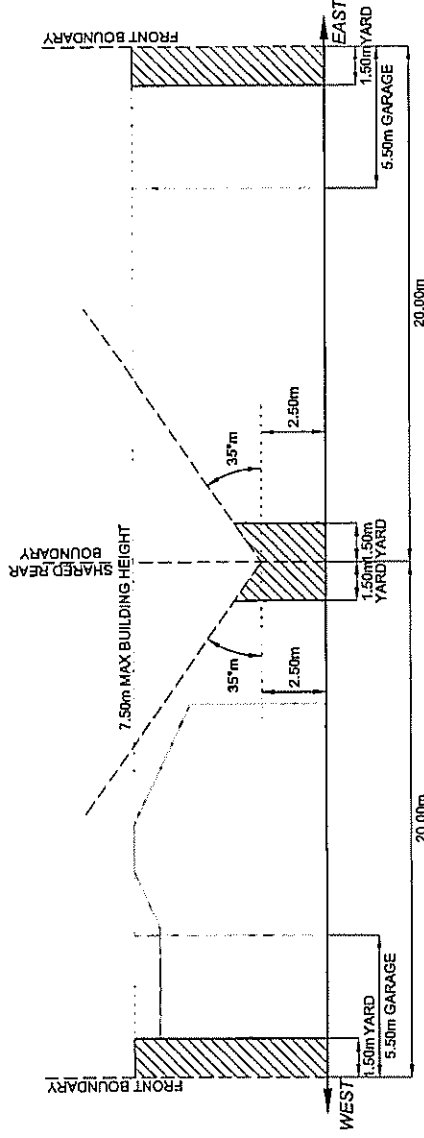
DAYLIGHT ADMISSION ANGLE DIAGRAM



DETACHED DWELLINGS
HIGH DENSITY - SCALE 1:300



DETACHED DWELLINGS - STREET ELEVATION
HIGH DENSITY - SCALE 1:200



DETACHED DWELLINGS - SIDE ELEVATION
HIGH DENSITY - SCALE 1:200

REVISIONS: NAME: Client:



MOTEUEKA PLAN CHANGE
BDY SETBACKS - HIGH DENSITY
DETACHED DWELLINGS
TASMAN DISTRICT COUNCIL

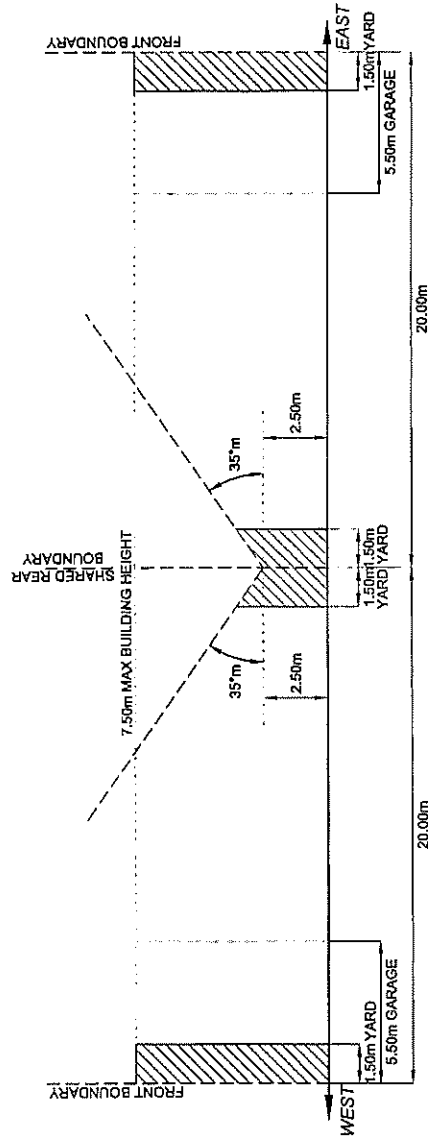
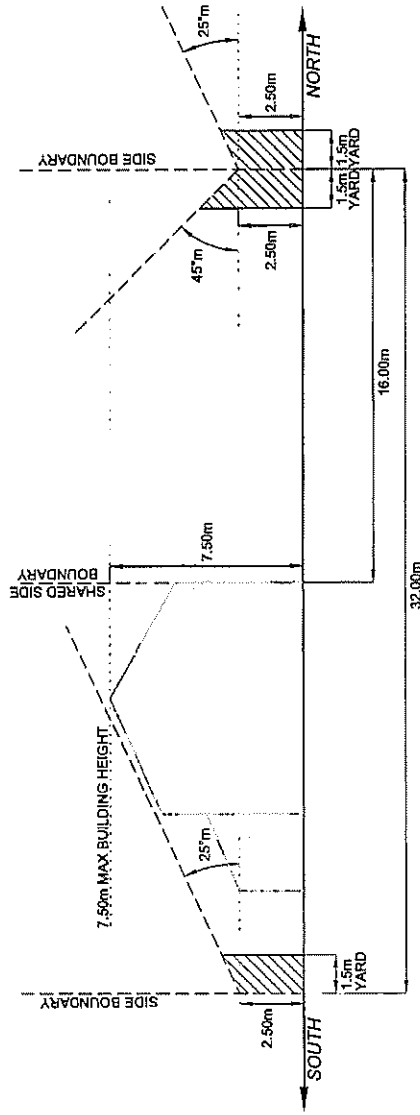
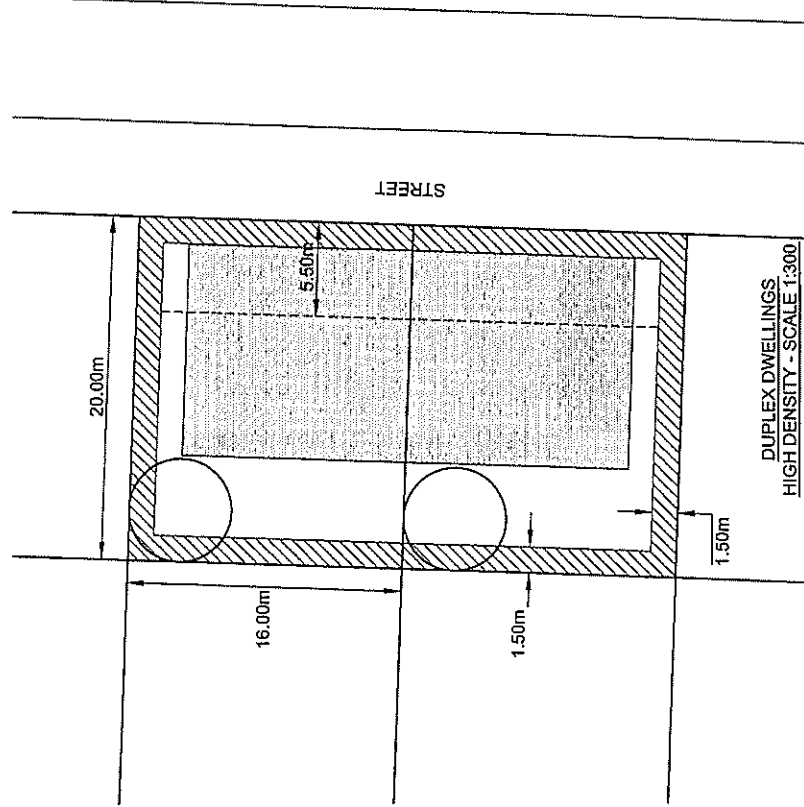
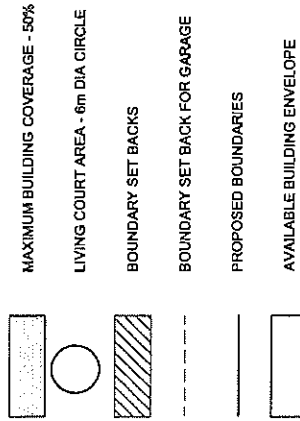
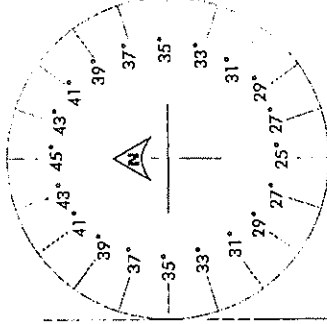


REGISTERED SURVEYORS
CONSULTING ENGINEERS
TOWN & RESOURCE PLANNERS

DESIGNED: RP
DRAWN: JLS
CHECKED: RP

SCALE: AS SHOWN
JOB NO: 60432
DRAWING NO: PC-03

Level 4 Building 3
PO BOX 87652 AUCKLAND
PH 09 871 3470
FAX 09 871 3408

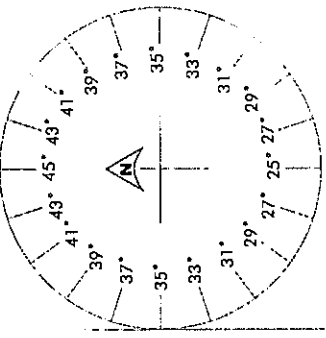


MOTEUEKA PLAN CHANGE
BD'Y SETBACKS - HIGH DENSITY
DUPLEX DWELLINGS
TASMAN DISTRICT COUNCIL



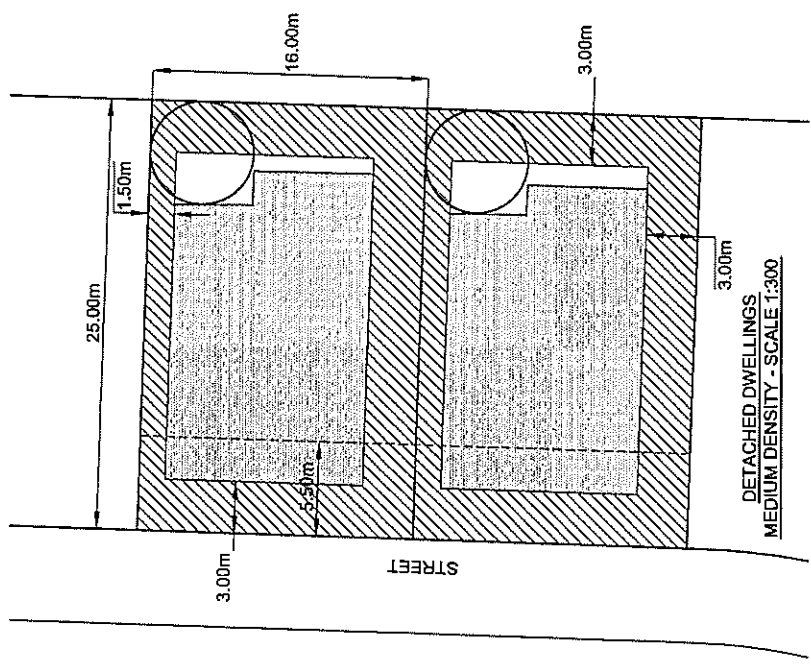
REGISTERED SURVEYORS CONSULTING ENGINEERS TOWN & RESOURCE PLANNERS	DESIGNED: RP	SCALE: AS SHOWN
Level 4 Dredging 3 800 Great South Road Box 8075 Auckland	DRAWN: JS	JOB NO: 60432
	CHECKED: RP	DRAWING NO: PC-01
	CAD REF: See Plot Stamp	
	PH 03 871 2470	
	FAX 03 871 3460	
	ISSUED: 07/04/09	

DAYLIGHT ADMISSION ANGLE DIAGRAM

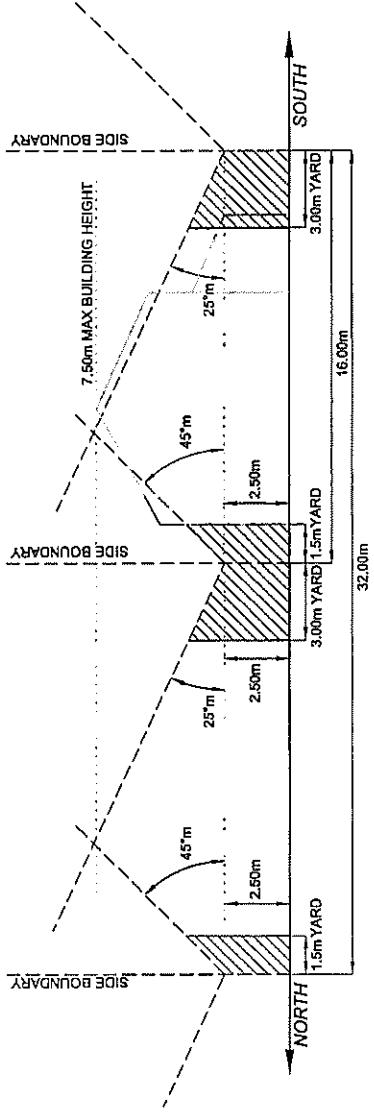


LEGEND

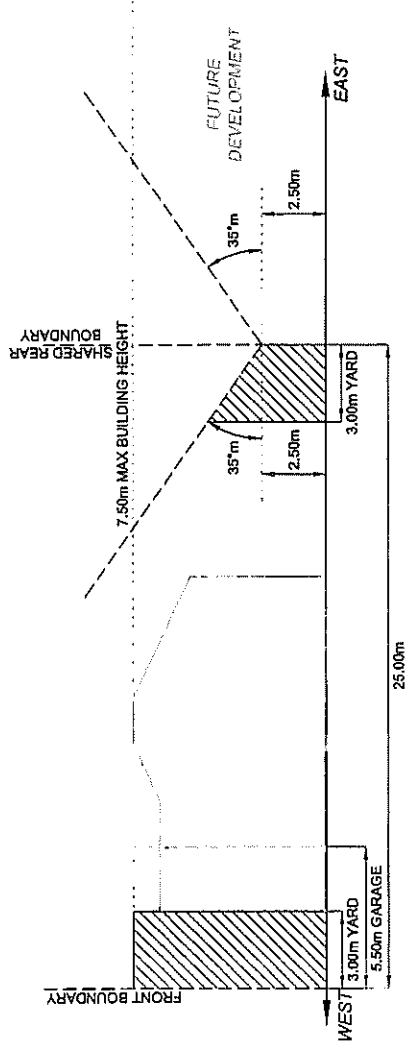
- MAXIMUM BUILDING COVERAGE - 50%
- LIVING COURT AREA - 80m² MINIMUM AND 6m DIA CIRCLE
- BOUNDARY SET BACKS
- BOUNDARY SET BACK FOR GARAGE
- PROPOSED BOUNDARIES
- AVAILABLE BUILDING ENVELOPE



DETACHED DWELLINGS - SCALE 1:300

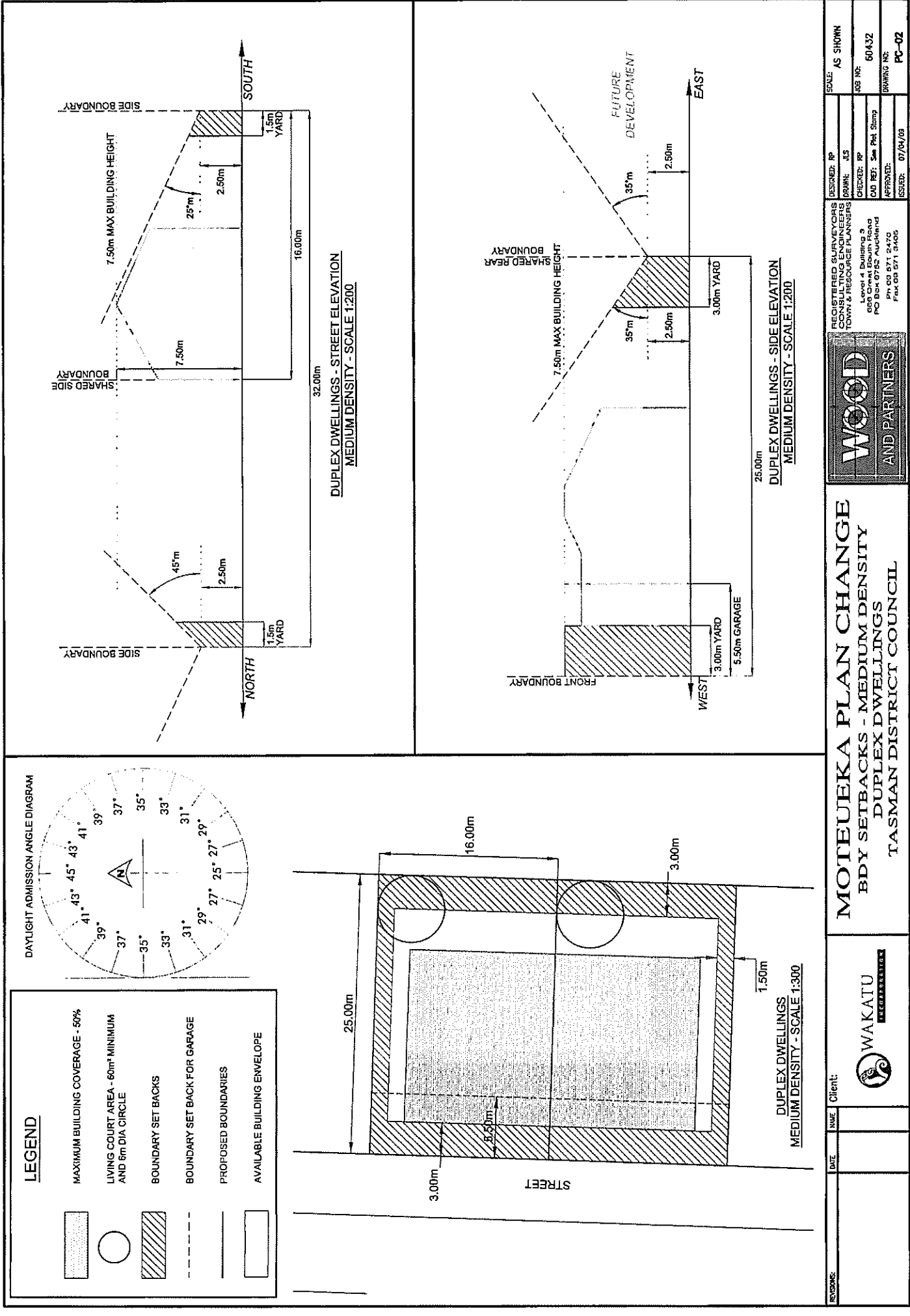


DETACHED DWELLINGS - STREET ELEVATION
MEDIUM DENSITY - SCALE 1:200

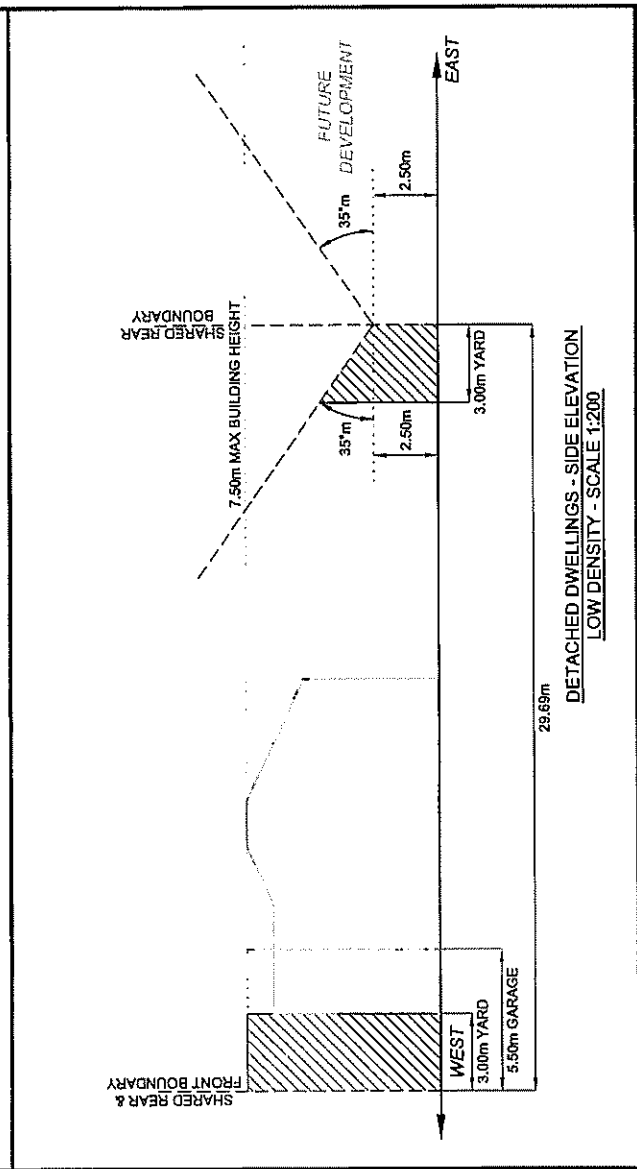
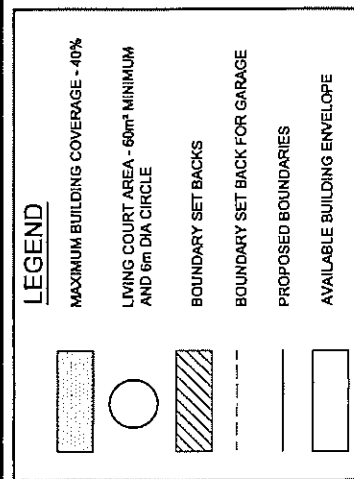



DETACHED DWELLINGS - SIDE ELEVATION
MEDIUM DENSITY - SCALE 1:200

REVISED:	DATE:	NAME:	Client:	WAKATU ARCHITECTS		MOTEUEKA PLAN CHANGE BDY SETBACKS - MEDIUM DENSITY DETACHED DWELLINGS TASMAN DISTRICT COUNCIL		WOOD AND PARTNERS REGISTERED SURVEYORS CONSULTING ENGINEERS TOWN & RESOURCE PLANNERS Level 4 Building 3 PO Box 6732 Auckland PH 09 671 3470 FAX 09 671 3405		DESIGNED: RP DRAWN: JS CHECKED: RP CNO REF: See Plat Stamp APPROVED: ISSUED: 07/04/09	SCALE: AS SHOWN JOB NO: 60432 DRAWING NO: PC-04
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DATE	NAME	CLIENT	WAKATU	MOTEUEKA PLAN CHANGE BDY SETBACKS - MEDIUM DENSITY DUPLEX DWELLINGS TASMAN DISTRICT COUNCIL	REGISTERED SURVEYORS CONSULTING ENGINEERS TOWN & RESOURCE PLANNERS Level 4 Building 5 100-102 Main Street PO BOX 8711 Auckland Ph 09 871 2470 Fax 09 871 3405	WOOD AND PARTNERS	DESIGNED BY DRAWN BY CHECKED BY CDD REF: See Plot Stamp APPROVED: ISSUED: 07/04/09	SCALE AS SHOWN 003 NO: 60432 DRAWING NO: PC-02
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DATE	NAME	Client:	 WAKATU INCORPORATED	MOTEUEKA PLAN CHANGE BDY SETBACKS - LOW DENSITY DETACHED DWELLINGS TASMAN DISTRICT COUNCIL
ADDRESS				

WOOD

AND PARTNERS

REGISTERED SURVEYORS CONSULTING ENGINEERS TOWN & RESOURCE PLANNERS	RESURDED: 10	SCALE: AS SHOWN
CHECKED: 10	DRAWN: 45	
Level 4 Building 3 680 Great South Road PO Box 6722 Auckland	JOB REF: See Ref. Signs	JOB NO: 60432
Ph 09 671 2470 Fax 09 671 1475	APPROVED:	DRAWING NO:
	ISSUED: 07/04/09	PC-06



NELSON CITY COUNCIL/ TASMAN DISTRICT COUNCIL URBAN DESIGN PANEL MEETING REPORT

Application Name: Wakatu Incorporation
Project Address: Pah/Grey Streets
Project Description: Affordable Housing Subdivision
Meeting Date: 1 June 2011
Members Present: Graeme McIndoe (panel chairman), John Tocker, Greg McBride
Applicant Presence: Ray Molineux (Project Manager), Tim James (director) and Franziska Lang (Planner)
Council Staff Presence: Jeremy Butler (Assisting the Panel), Pauline Webby (Planner)

1 Overview and General Comments

- 1.1 Overall, this proposed development is sound in concept and intent. The proposal shows good consistency with the Council's growth intentions as described in the Motueka West draft plan change. We applaud Wakatu Inc and the Tasman District Council for working together to provide affordable housing in Motueka.
- 1.2 We have considered the need for a local commercial service location within this development (a dairy or similar) but have decided that such a facility is not needed and is unlikely to be viable. However, such a facility could be considered in future developments to the west and central.
- 1.3 There is potential to achieve improvements to the design of the development. In addition to some development of distribution of lots, and the design of streetscape and open space there is a need to explore and describe the potential of individual lots in combination with standards to demonstrate that design and amenity outcomes of appropriate quality will be achieved.
- 1.4 We consider it appropriate that different housing typologies be allowed for. Along with the zero lot line approach mentioned below, there should be encouragement for duplex, two storey and other residential forms so that there is a mix of housing forms in the completed development.

2 Structure, Planning and Lot Distribution

- 2.1 The proposed structure of the subdivision provides an appropriate degree of connectivity, including the essential provision to connect to future development that may occur to the West.

- 2.2 We support the level of density proposed and the intention to provide affordable housing. However, the intended density demands that greater attention is paid to the quality and amenity of the development that is possible on each lot. There is a need to look carefully at design. This is further addressed later in this report.
- 2.3 We consider that the success of the development would benefit from mixing different lot sizes within the various blocks. Introducing some larger lots into what are currently high density blocks would allow a variety of building types and help avoid “ghettoisation” and the visual monotony which results when there is repetition of very similar buildings. This will introduce more open areas (larger yard spaces) into an area of higher density housing which is not otherwise offset by public open space (a public park). This will also help provide for diversity of the social demographic and a more sustainable community.-We consider it appropriate that the proposed different housing typologies be allowed for.
- 2.4 Overall, greater intermixing of lot sizes will give a better balance to the visual appearance of the subdivision, will allow more people to enjoy the open space areas provided, and will also provide better balance and diversity to the communities that will develop.
- 2.5 Smaller lots could be used around the park to maximise the benefit of that location. Locating most people closer to the open space provides security and offsets the density of the buildings with additional open space.
- 2.6 It is important in a New Zealand residential context to achieve diversity at frontages along the street edge, even as this is balanced with general consistency of building siting and form. That is, while compatibility is desirable, repetition is not appropriate as it leads to monotony and lack of visual interest. Diversity of building height – one and two storey – is also supported. The diversity of built form should be balanced with strong consistency and uniformity within the landscaping along the street.
- 2.7 We consider there would be benefit in exploring alternatives to the access legs (lots 900, 901, 902 and 904) leading to the rear lots at the northeast corner of the development. We think the amenity of the access lanes the integration of the lots served with the lanes and the central open space can be improved. This might be by a combination of measures such as increasing the width of the access lanes, landscaping and planting trees along the lanes, and opening the side fences of the lots so that they become frontages to the lanes. A small reduction in the sizes of the lots will be more than offset by the increased amenity and open space provided by the lane.

3 Roading Design

3.1 We support the connected structure, but we think it is important to improve amenity and public safety by exploring narrower carriageways along roads 2, 4, 5, 6 and 7. This would be in combination with appropriate streetscape design including street tree planting and inset parking.

3.2 Narrower carriageways:

- encourage lower traffic speeds;
- enhance the environment for pedestrians, including their perception of safety;
- allow for a combination of more landscaping and/or larger private lots;
- send clearer messages to drivers about where parking can and cannot practicably occur; and
- require less asphalt surface with the associated benefits of a greener and less barren amenity and lower stormwater runoff volumes.

Narrower roads are nationally supported by the recently released NZS4404:2010 (Land Development and Subdivision Infrastructure), and internationally researched and explained in the UK Manual for Streets.

3.3 Roads 1 and 3 are appropriately treated as major connectors with streetscape and geometric characteristics to suit. In particular, Road 1 will provide vehicle connections to the East and South, pedestrian and cycle connections towards the High School, Motueka centre, and also potentially to the West toward the Marae/Papakainga. Road 3 will be particularly important in providing a vehicle linkage to Pah Street and Motueka Town Centre. This hierarchy should be reflected in the design and streetscape response, particularly in street trees and other planting.

3.4 To support the East-West movement of cyclists and pedestrians along Road 1 we recommend crossing facilities be constructed at, respectively, the northern and southern ends of Roads 2 and 3 to indicate the dominance and importance of pedestrian and cyclist passage across that intersection.

3.5 We understand and support Wakatu Incorporation's intention to provide gateway recognition at the entrance to both Roads 1 and 3. The Road 3 entrance as it is currently shown presents some challenges with carparks and exposed side fences close to the Pah Street intersection. This location would benefit from consideration of street trees and parking closer to the park to improve the amenity.

3.6 We consider that the corner splays are both unnecessary and undesirable. By maximising visibility higher vehicle speeds are encouraged and therefore safety is compromised. This view is supported by international research and practice (UK Manual for Streets and NZS4404:2010). Removing the splays will also allow for regular shaped lots which are more usable and versatile.

- 3.7 The overprovision of roadside parking should be avoided as this compromises street quality and offers no functional benefit. The approach discussed of distributing street parking around the development within the landscaping berm is supported, providing that the carriageway is narrowed and this is integrated with high quality streetscape design and appropriate tree placements.

4 Open space and streetscape

- 4.1 The proposed central park is strongly supported. It provides an appropriate combination of green open space, children's play facilities and kick about space in a central and well connected location.
- 4.2 We understand that Wakatu Inc is reconsidering the design of park. We suggest that the following items be included:
- reduce the number of pedestrian footpaths along the southern edge;
 - in placing any diagonal or curved paths, consider the potential northeast to southwest desire line across the park;
 - consider the placement of the playground, potentially closer to the Roads 1 and 3 intersection where it is more visible.

The above changes will help keep older "ball kicking" children away from the roads and position younger supervised children on playground equipment in a more visible location where they can be contained by means of an appropriate safety barrier.

- 4.3 The playground offers high potential to develop real amenity and a distinctive sense of place. This could be achieved with high-quality potentially purpose-designed and unique play structures. There may be an opportunity to involve a local artist and to relate the structures to the local cultural and ecological context. This could add distinctiveness and a sense of place to the amenity of the park.
- 4.4 There is potential to develop multi-generational facilities that would provide for community gatherings. Consider an area where community barbeques might be able to take place, or a pergola or shelter structures over seating. Such facilities will help the park become a focal point for the community.
- 4.5 We draw attention to the night-time environment of the park. Lighting should be carefully considered to achieve the necessary security but also to allow the amenity of the night sky to be preserved. There is an opportunity to use creative lighting within the playground or the gathering place described above.
- 4.6 We are aware that the proposed tree species to be used are under review. We consider that more work is required to achieve both legibility and an appropriate sense of place. We see potential for a mix of exotic and indigenous planting to reflect the local conditions and provide a high degree of amenity through the seasons, including optimising daylight and solar access in winter.

- 4.7 We support investigations for the implementation of low impact stormwater solutions such as rain-gardens and swales. For example, the park has potential for a rain garden which has a high amenity potential as well as a functional purpose.

5 Lot size and shape

- 5.1 We consider the 20 metre deep lots may prove problematic. They should be tested by way of site design investigations in combination with the proposed standards. Extra depth could be gained if some carriageways were to be reduced in width and also if roads 6 and 7 could be moved to the west with gains added pro rata to the lots.

6 Building design considerations

- 6.1 Provision should be made for zero lot-line housing. This allows for better cross-boundary privacy, improved sun and better use of a small site including more usable open space in the rear yard. In relation to this, where a garage is attached to a dwelling by one or more walls (or is free-standing) there is no reason why the garage cannot be built within the side or rear yards (this is already provided for as a permitted activity in the TRMP).
- 6.2 The proposed maximum site coverage of 50% is potentially problematic and must be tested to determine if a good quality open space and on-site amenity can be achieved, and that there will not be a perception of overcrowding, paved surface domination and lack of trees and planting on private lots. We also accept that the 35% site coverage (non-complying threshold in the TRMP) is too low for this more intensive, affordable housing development.
- 6.3 We support the proposed garage door yard setback which will help to achieve visual breaks along the street edge and eliminate any visual dominance of garage doors.
- 6.4 We support the 1.5 and 3 metre front boundary setbacks, as reducing frontage setbacks allow useable private open space to be maximised at the rear of the lot.
- 6.5 We consider that the proposed “Architectural Constraints”¹ address the right sorts of issues but are too prescriptive to the point where poor outcomes risk being encouraged. We particularly recommend the following:

¹ Section 6 of the Design Guidelines document dated April 2011.

- Within the 'Design philosophy' paragraph, introduce the concept of 'design and formal coherence'. This would be specifically to give leverage in design review to be able to preclude any building that arbitrarily determines its roof form by adherence to daylight access planes.
- Broken Building Form – the statement that all buildings shall be of a “broken form” is not necessary. It is entirely feasible to build a high-quality aesthetically pleasing building without this requirement. However, the statement preventing the presentation of large areas of blank wall is an appropriate requirement.
- Building Materials – The wording of these requirements is problematic as a number of the building materials listed can effectively be used in a high-quality innovative design (e.g. recycled railway sleepers); and such designs should be encouraged. Instead a guideline is recommended. This, coupled with the right of a review panel to reject the design, should give comfort that innovation and design can be fostered and low quality buildings can still be rejected.
- Number of Cladding Materials – Again, this requirement may stifle innovative designs. This restriction should be deleted or replaced by a guideline. Poor cladding choices can be rejected by panel decision.
- Exterior Colours – The focus of this clause should be on avoiding obtrusive dominant bright colours rather than restricting colours to a certain palate or shade. In this sense the phrasing should be changed to disallow visually dominant and obtrusive approaches colour rather prescribe what the colours should be.
- Roof Structures – an exemption should be provided for solar hot water or photovoltaic panels which must necessarily be on the north facing roof. Such energy capture devices are encouraged.
- Fencing – Under Section 7 “Site Access and Boundary Treatments” of the same document we recommend that front fences should not exceed 900 millimetres high. Low side fences in front yards can be encouraged but not necessarily with tapers. A requirement for tapers risks creating an arbitrary and dominant visual feature in views along the street (i.e. a cattle yard effect).

7 Process

- 7.1 We consider that further lot and site design investigation is required to give confidence that the combination of proposed lots and standards will achieve the necessary level of quality. This can be done with further investigations on the design and planning of housing, car-parking and private open spaces on typical lots. We do

not consider that a comprehensive development plan is necessary. Neither is it desirable as the development will be implemented over an extended period of time.

- 7.2 We consider that the optimal and most likely successful method of control is a combination of subdivision plan, standards and design guidelines, and design review by Wakatu Inc or a body as may be agreed with the Council. However, we are not convinced that the standards as currently described will achieve appropriate amenity. These standards need to be carefully reviewed and need to be thoroughly tested with lot and site design investigations.
- 7.3 We recommend that flexibility in driveway placement be allowed to reflect final housing design on each lot. However at the same time, continuity and uniformity of street trees should be ensured.
- 7.4 Any design panel needs a minimum of 3 members, including at least one but preferably two qualified and experienced design professionals.

Graeme McIndoe

Chair of Urban Design Panel



RESOURCE CONSENT

RESOURCE CONSENT NUMBER: RM110351

Pursuant to Section 104B of the Resource Management Act 1991 ("the Act"), the Tasman District Council ("the Council") hereby grants resource consent to:

Wakatu Incorporation
(hereinafter referred to as "the Consent Holder")

ACTIVITY AUTHORISED BY THIS CONSENT:

To subdivide six freehold titles and one leasehold title with a combined area of approximately 12 hectares into 103 residential allotments, with new road entry points from both Pah and Grey Streets and a 2082 square metre area to be vested with Council as public recreation reserve.

LOCATION DETAILS:

Address of property: Adjacent to Grey Street & Pah Street, Motueka
Legal descriptions and Certificates of Title: Lot 5 DP1506 (CFR NL3D/1110); Lot 9 DP4437 (CFR NL5A/1205); Lot 9 DP4437 (CIR NL13A/47) (LH); Pt Lot 17 DP1506 (CFR NL5A/1272); Lot 4, Pt Lot 3, Pt Lot 6 and Pt Lot 9 DP1506, Lot 1 DP4776 and Lot 2 DP6532 (CFR NL10C/587); Pt Lot 15 DP1506 (CFR NL10D/1261); and Lot 1 DP20374 (CFR NL13C/339).
Easting and Northing: 2510095E 6010430N

CONDITIONS

Pursuant to Section 108 of the Act, this consent is issued subject to the following conditions:

General

1. The subdivision shall be undertaken in general accordance with the information submitted with the application for consent and in particular with the plans prepared by Woods Engineers, Surveyors, Planners, titled as follows:

Plan A "Grey Street Scheme Plan" drawing no. 001;
Plan B "Wastewater Layout Plan" drawing no. 301;
Plan C "Water reticulation Plan", drawing no. 600;
Plan D "Overall Earthworks Plan", drawing no. 100;
Plan E "Cut /Fill Plan", drawing no. 105;
Plan F "Overall Roding Plan". drawing no. 200;
Plan G "Overall Roding Plan," drawing no. 210;
Plan H "Stormwater Layout Plan" drawing no. 300.

Plans prepared by Rory Langbridge - Landscape Architect, titled as follows:

Plan I "Street Tree Proposal"; and

Plan J "Central Park Concept" both amended December 2011 after discussion with TDC.

If there is any conflict between the information submitted with the consent application and any conditions of this consent, then the conditions of this consent shall prevail.

Amendments to Plans

- 1A. The Plans shall be amended to remove the car parks at the northern end of Road 3.
- 1B. The Cherry "Awanui" trees at the northern end of Road 3 shall be replaced with *Prunus amanogawa*.
- 1C. Lot 902 shown on the subdivision plan as a JOAL shall instead be vested with the Council as road. This amendment has been reflected in Conditions 2 (Stage 3), 6, 14 and 42.

Staging

2. The subdivision is anticipated to be undertaken in four stages, generally as follows:

Stage 1

Lots 16-32, Lots 37-46 and Lot 1001 (Road to vest) and Lot 800 to vest in Council as Recreation Reserve;

Stage 2

Lots 33-36, Lots 47-66 and Lot 1002 (Road to vest);

Stage 3

Lots 1-15, Lots 82-102, Lot 1000, Lots 1004 and 902 (Roads to vest) and Lots 900, 901, 903 (JOALs) and Lot 1005 as a Private Road with ownership remaining with Wakatu with easements in gross for access and services and the DEED of use between Wakatu and Council to be formalised;

Stage 4

Lots 67-81 and Lot 1003 (Road to vest).

Easements

3. Easements shall be created over any services located outside the boundaries of the allotments that they serve as easements in gross to the appropriate authority or appurtenant to the appropriate allotment. The survey plan which is submitted for the purposes of Section 223 of the Act shall include reference to easements.

Advice Note

This shall include the easements in gross over the access road shown as Lot 1005 (Private Road) and include public access and all services that will be required including but not limited to power, telecommunications, water stormwater and sewer.

Easements in gross will be required over the stormwater attenuation pond to allow for Council maintenance. This easement shall be relinquished when alternative stormwater provisions have been made for residential development and the stormwater attenuation pond is no longer necessary.

4. Easements shall be created over any right of way and shall be shown in a memorandum of Easements on the survey plan submitted for the purposes of Section 223 of the Act. Easements shall be shown on the land transfer title plan and any documents shall be prepared by a solicitor at the Consent Holder's expense.

Soil Testing

5. (a) Prior to Section 223 approval, the Consent Holder shall undertake soil testing to assess any potential soil contamination as set out in the recommendations of the Tonkin and Taylor report on potential ground contamination on areas 4, 6a, 3 and 7 as shown on Tonkin and Taylor Plan Figure 2 and provide a report to Council that shows that the soil is suitable for residential use and any soil contaminants meet the requirements set out in the NES-Contaminated soils. This report is to be based on "*Soil sampling and Assessment guideline for horticultural sites in TDC and NCC, June 2004*", and be carried out by an accredited environmental consultant (list attached as Appendix A).

Advice Note:

Testing is required over the entire residential allotment rather than just the building site.

- (b) Should the soil testing required in (a) show that any areas exceed the NES-Contaminated soils then prior to the issue of Section 223 approval, the applicant shall undertake site remediation to the satisfaction of Council's Resource Scientist, Contaminants.

Roads to Vest

6. The survey plan which is submitted for the purposes of Section 223 of the Act shall show Lots 1001, 1002, 1004, 1003 and 902 as vesting in the Council as Road Reserve at respective stages.

Advice Note:

For the avoidance of doubt, Lot 902 is shown on the subdivision plan as being a JOAL. The consent holder advised that this was an error and sought that this lot be vested as road. This was accepted.

Private Road

7. Prior to Section 223 approval for Stage 3, which includes the Private Road on proposed Lot 1005 that is to remain in Wakatu Incorporation's ownership, Wakatu Incorporation shall enter into a formal deed ("the Deed") with Tasman District Council whereby the Private Road (Lot 1005) will be treated for all intents and purposes as if it were a public road vested in Council. The Deed shall generally encompass the terms outlined in the letters attached to this consent as Appendix A and Appendix B.

In addition to the matters stated above, the Deed shall also ensure that the Private Road will be treated for all intents and purposes as if it were a public road in relation to the administration of the Resource Management Act 1991, the District Plan (Tasman Resource Management Plan) or any future relevant statutes or statutory documents; and the Deed shall also state that the two parties (Wakatu incorporation and Tasman District Council) will not prevent reasonable legal and physical access being provided across proposed Lot 1005 to serve 79 Pah Street (being Lot 1 DP9015 or 81 Pah Street (being Lot 1 DP 5670) and future subdivision of those two properties.

Archaeological

8. (a) A HPA Authority Section 12 is applied for prior to any earthworks commencing on the site.
- (b) the following recommendations included in the archaeological assessment provided by Deb Foster dated May 2009 shall be adhered to:
- (i) any archaeological deposits identified during excavations are sampled, recorded and assessed according to archaeological practice;
 - (ii) That prior to the work commencing on the property, all contractors and subcontractors are briefed on archaeological and cultural issues and advised of procedure;
 - (iii) any cultural protocols advised by Tangata Whenua are acknowledged and provided for.

Iwi Monitor

9. The Consent Holder shall engage the services of a representative of Tiakina te Taiao Limited to be present during any earthworks. The Consent Holder shall contact Tiakina te Taiao Limited, PO Box 1666, Nelson (ph (03) 546 7842) at least five working days prior to commencing any earthworks and advise it of the commencement date of the earthworks.

In the event of Maori archaeological sites (e.g. shell midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or koiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder shall contact Tiakina te Taiao and New Zealand Historic Places Trust's Central Regional Office (PO Box 19173 Wellington, phone (04) 801 5088, fax (04) 802 5180), and shall not recommence works in the area of the discovery until the relevant Historic Places Trust approvals to damage, destroy or modify such sites have been obtained.

Financial Contributions

10. The Consent Holder shall prior to the issue of a completion certificate pursuant to Section 224(c), pay a financial contribution to Council's Community Services Manager for reserves and community services in accordance with following:
- (a) The amount of the contribution shall be 5.62 per cent of the total market value (at the time subdivision consent is granted) of 97 allotments (credit for six existing Computer freehold registers) less any credit due at Stage 1 for the vesting of Lot 800 in Council as Recreation Reserve.
 - (b) The Consent Holder shall request in writing to the Council's Consent Administration Officer (Subdivision) that the valuation be undertaken. Upon receipt of the written request the valuation shall be undertaken by the Council's valuation provider at the Council's cost.
 - (c) If payment of the financial contribution is not made within two years of the granting of the resource consent, a new valuation shall be obtained in accordance with (b) above, with the exception that the cost of the new valuation shall be paid by the Consent Holder, and the 5.62 per cent contribution shall be recalculated on the current market valuation. Payment shall be made within two years of any new valuation.

Advice Note:

A copy of the valuation together with an assessment of the financial contribution will be provided by the Council to the Consent Holder.

Street Names and Numbers

11. Street names shall be submitted to the Council's Environment & Planning Manager, prior to the approval of the survey plan submitted for the purposes of Section 223 of the Act, together with reasons for each option.
12. The street numbers and street names shall be shown on the "as-built" plans.
13. The cost of a nameplate for any new street or private way sign shall be met by the Consent Holder on application to the Tasman District Council.

Roads and Joint Owned Access Lot (JOALs) formation

14. Road 1 and Roads 2-7 and Lot 902; JOALs 900,901 and 903 as shown on attached Plan F "*Overall Roding Plan*" shall be formed in accordance with the design specified on Plan G and all work and material to be in accordance with the Council's Engineering Standards & Policies 2008.
15. Kerb, channels and sumps shall be installed in accordance with Council's Engineering Standards & Policies 2008.

Recreation Reserve to vest

16. Lot 800 (Recreation Reserve to vest) shall be presented prior to vesting in accordance with Section 12.2 of the Council's Engineering Standards & Policies 2008 or to the satisfaction of Council's Reserves Manager and shall be in general accordance with the Rory Langbridge Concept design as per attached Plan J.

Access

17. A formed access crossing shall be constructed to each of Lots 1-103 in accordance with Diagram 616 of the Council Engineering Standards & Policies 2008. Pram crossings shall be provided at the street intersections.

Water Supply

18. Full water reticulation, complete with all mains, valves, fire hydrants and associated fittings shall be installed and a water meter and approved housing box shall be provided for each of Lots 1-103.

Advice Note:

Water connection fees will be payable under the Council's Long Term Community Council Plan for any new water connections prior to the signing of the Section 224(c) Certificate for the subdivision.

Sewer

19. Full sewer reticulation discharging to the Council's reticulated system shall be installed complete with any necessary manholes and a connection to each of Lots 1-103.

Stormwater

20. A full stormwater reticulation system discharging to the Council's reticulated System shall be installed complete with all necessary manholes, sumps, inlets and a connection to each lot, including the design of the stormwater pond that will attenuate stormwater flows across the rural land.

21. Stormwater calculations for the subdivision shall be provided with the engineering plans required by Condition 30 of this resource consent.

Cabling

22. Telephone and electric power connections shall be provided to each lot and all wiring shall be underground to the standard required by the supply authority.
23. Confirmation of compliance with Condition 23 of this resource consent shall be obtained from the relevant supply authority and a copy of the supplier's Certificate of Compliance shall be provided to the Council prior to issue of the Section 224(c) Certificate under the Act.

Electricity

24. Electricity substation sites shall be provided as required by the supply authority. Substation areas shall be shown as "Road to Vest" on the Survey Plan submitted for the purposes of Section 223, if such sites are adjacent to a road or road to vest.

Street Lighting

25. The Consent Holder shall provide street lighting in accordance with the Council's Engineering Standards & Policies 2008.

Engineering Certification

26. At the completion of works, a suitably experienced chartered professional engineer or registered professional surveyor shall provide the Council's Engineering Manager with written certification that the works have been constructed to the standards required by the engineering plans required by Condition 31 of this resource consent.
27. Certification that a site has been identified on each of Lots 1-103 that is suitable for the construction of a residential building shall be submitted from a geotechnical engineer (chartered professional engineer) This certificate shall define on Lots 1-103 the area suitable for the construction of residential buildings and shall be in accordance with NZS 4404:2010 Schedule 2A.

Any limitations identified in Schedule 2A shall be noted on a consent notice pursuant to Section 221 of the Resource Management Act 1991 prior to the issue of the Section 224(c) certificate. This consent notice shall be prepared by the Consent Holder's solicitor at the Consent Holder's expense and shall be complied with by the Consent Holder and subsequent owners on an ongoing basis.

28. Where fill material has been placed on any part of the site, a certificate shall be submitted to the Council's Engineering Manager from a suitably experienced chartered professional engineer, certifying that the filling has been placed and compacted in accordance with NZS 4431:1989.

Environmental Management Plan for construction and earthworks effects

29. The consent holder shall provide an environmental management plan with Engineering plans specifying control and mitigation of construction and earthworks effects that includes those matters identified in the Woods application on pages 28 and 29.

Maintenance Performance Bond

30. The Consent Holder shall provide the Council's Engineering Manager with a bond to cover maintenance of any roads or services that will vest in the Council. The amount of the bond shall be \$1,100 per lot to a maximum of \$23,000, or a figure agreed by the Engineering Manager and shall be held for 2 years after the date of issue of the Section 224(c) Certificate for each respective stage of the subdivision.

Engineering Plans

31. Engineering plans detailing all works and services for each respective stage shall be submitted to the Council's Engineering Manager and approved prior to the commencement of any works on each of Stages 1 to 4 of the subdivision. All plans shall be in accordance with either the Council's Engineering Standards & Policies 2008 or else to the satisfaction of the Council's Engineering Manager. The plans shall include (but not necessarily be limited to):
- (a) all roading and associated works as set out in Conditions 10-16;
 - (b) stormwater culverts, stormwater attenuation pond;
 - (c) wastewater pump station;
 - (d) the engineering plans shall include an Environmental Management Plan for the construction and earthworks effects as required by Condition 29.
32. "As-built" engineering plans detailing all completed engineering works and finished earthworks shall be provided for approval and signing by the Council's Engineering Manager. The "as-built" engineering plan details shall be in accordance with the Council's Engineering Standards & Policies 2008.

A Certificate under Section 224(c) of the Act for the subdivision shall not be issued until the "as-built" engineering plans have been approved and signed by the Council's Engineering Manager.

Commencement of Works and Inspection

33. The Council's Engineering Manager shall be contacted at least 5 working days prior to the commencement of any engineering works. In addition, 5 working days' notice shall be given to the Council's Engineering Manager when soil density testing, pressure testing, beam testing or any other major testing is undertaken.
34. No engineering works shall commence until the engineering plans required under Condition 30 have been approved and signed by the Council's Engineering Manager.

Engineering Works

35. All engineering works referred to in this consent shall be constructed in strict accordance with the Council's Engineering Standards & Policies 2008 or to the Council's Engineering Manager's satisfaction.

Construction Access

- 35A. A construction access shall be formed off Whakarewa Street. All vehicles associated with earthworks or the construction of the subdivision shall use this access and shall not use either Road 1 or Road 3.

The location of the construction access shall be at least 10 metres to the west of 92 Whakarewa Street (Lot 1 DP 14116) as shown on Plan K (attached).

Advice Note:

If a new crossing is formed a Vehicle Access Crossing Permit will be required from the Council's Engineering Department.

Fencing

36. A wooden fence shall be provided along the entire length of the northern boundary of 34 Grey Street, the western boundary of 79 Pah Street and the eastern boundary of 81 Pah Street. The fences shall be in accordance with the NCC Land Development Manual - Plan number 21/315 - Close Board Timber Fence (attached as Appendix D). The palings side of the fences shall face into the private properties stated above. The fences shall be provided at the consent holder's cost.

In the event that this design of fence is not acceptable to the owners of one or more of the above properties then those owners shall organise the construction of a fence of their choice on the relevant boundary and the consent holder shall reimburse the owners to a maximum value of \$120 (including GST) per metre.

Consent Notices

37. The following consent notice shall be registered on the certificate of title for Lots 37-65 and 68-76 pursuant to Section 221 of the Act.

- (a) The definitions specified in Grey Street design standards, pages 1 and 2 attached as Appendix C.
- (b) Bulk and location standards for high density lots (320m²-399m²) specified in Grey Street design standards, pages 4 and 5 attached as Appendix C.
- (c) The Architectural Constraints specified in Grey Street design standards, pages 8 and 9 attached as Appendix C.

The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

38. The following consent notice shall be registered on the certificate of title for Lots 1, 2, 5, 6, 8-10, 12-15, 19-36, 66, 67, 77-89, 91-98 and 100-102 pursuant to Section 221 of the Act.

- (a) The definitions specified in Grey Street design standards, pages 1 and 2 attached as Appendix C.
- (b) Bulk and location standards for medium density lots (400m²-499m²) specified in Grey Street design standards, pages 6 and 7 attached as Appendix C.
- (c) The Architectural Constraints specified in Grey Street design standards, pages 8 and 9 attached as Appendix C.

The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

39. The following consent notice shall be registered on the certificate of title for Lots 3, 4, 7, 11, 16, 17, 18, 90, 99 and 1000 pursuant to Section 221 of the Act.

- (a) The definitions specified in Grey Street design standards, pages 1 and 2 attached as Appendix C.
- (b) The Architectural Constraints specified in Grey Street design standards, pages 8 and 9 attached as Appendix C.

The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

40. The following consent notice shall be registered on the certificate of title for Lots 35, 36, 57-76, 77-82, 90-93, 101 and 102 pursuant to Section 221 of the Act.

- (a) The 25 metre setback from the Rural 1 boundary is waived and the setbacks specified for medium or high density allotments shall apply.

The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

41. The following consent notice shall be registered on the certificate of title of all allotments pursuant to Section 221 of the Act.

"In the event of Maori archaeological sites (e.g. shell midden, hangi or ovens, garden soils, pit depressions, occupation evidence, burials, taonga) or koiwi (human remains) being uncovered, activities in the vicinity of the discovery shall cease. The Consent Holder shall then contact Tiakina te Taiao and the New Zealand Historic Places Trust's Central Regional Office (PO Box 19173 Wellington, phone (04) 801 5088, fax (04) 802 5180), and shall not recommence works in the area of the discovery until the relevant Historic Places Trust approvals to damage, destroy or modify such sites have been obtained."

The consent notices shall be prepared by the Consent Holder's solicitor and submitted to the Council for approval and signing. All costs associated with approval and registration of the consent notices shall be paid by the Consent Holder.

Amalgamation Conditions

42. (a) Lot 900 hereon (Legal Access) be held as to two undivided one-half shares by the owners of Lots 3 and 4 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.
- (a) Lot 901 hereon (Legal Access) be held as to five undivided one-fifth shares by the owners of Lots 7, 8, 9, 10 and 11 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.
- (b) Lot 903 hereon (Legal Access) be held as to two undivided one-half shares by the owners of Lots 98 and 99 hereon as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.

Land Information New Zealand reference: To be advised.

ADVICE NOTES

Council Regulations

1. This is not a building consent and the Consent Holder shall meet the requirements of Council with regard to all Building and Health Bylaws, Regulations and Acts.

Other Tasman Resource Management Plan Provisions

2. This resource consent only authorises the activity described above. Any matters or activities not referred to in this consent or covered by the conditions must either: 1) comply with all the criteria of a relevant permitted activity rule in the Tasman Resource Management Plan (TRMP); 2) be allowed by the Resource Management Act; or 3) be authorised by a separate resource consent.

Consent Holder

3. This consent is granted to the abovementioned Consent Holder but Section 134 of the Act states that such land use consents "attach to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "Consent Holder" in the conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.

Development Contributions

4. Council will not issue a completion certificate pursuant to Section 224(c) of the Act in relation to this subdivision until all development contributions have been paid in accordance with Council's Development Contributions Policy under the Local Government Act 2002.

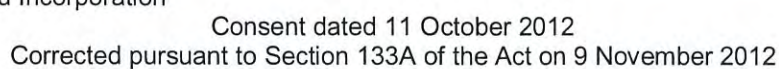
The Development Contributions Policy is found in the Long Term Council Community Plan (LTCCP) and the amount to be paid will be in accordance with the requirements that are current at the time the relevant development contribution is paid in full.

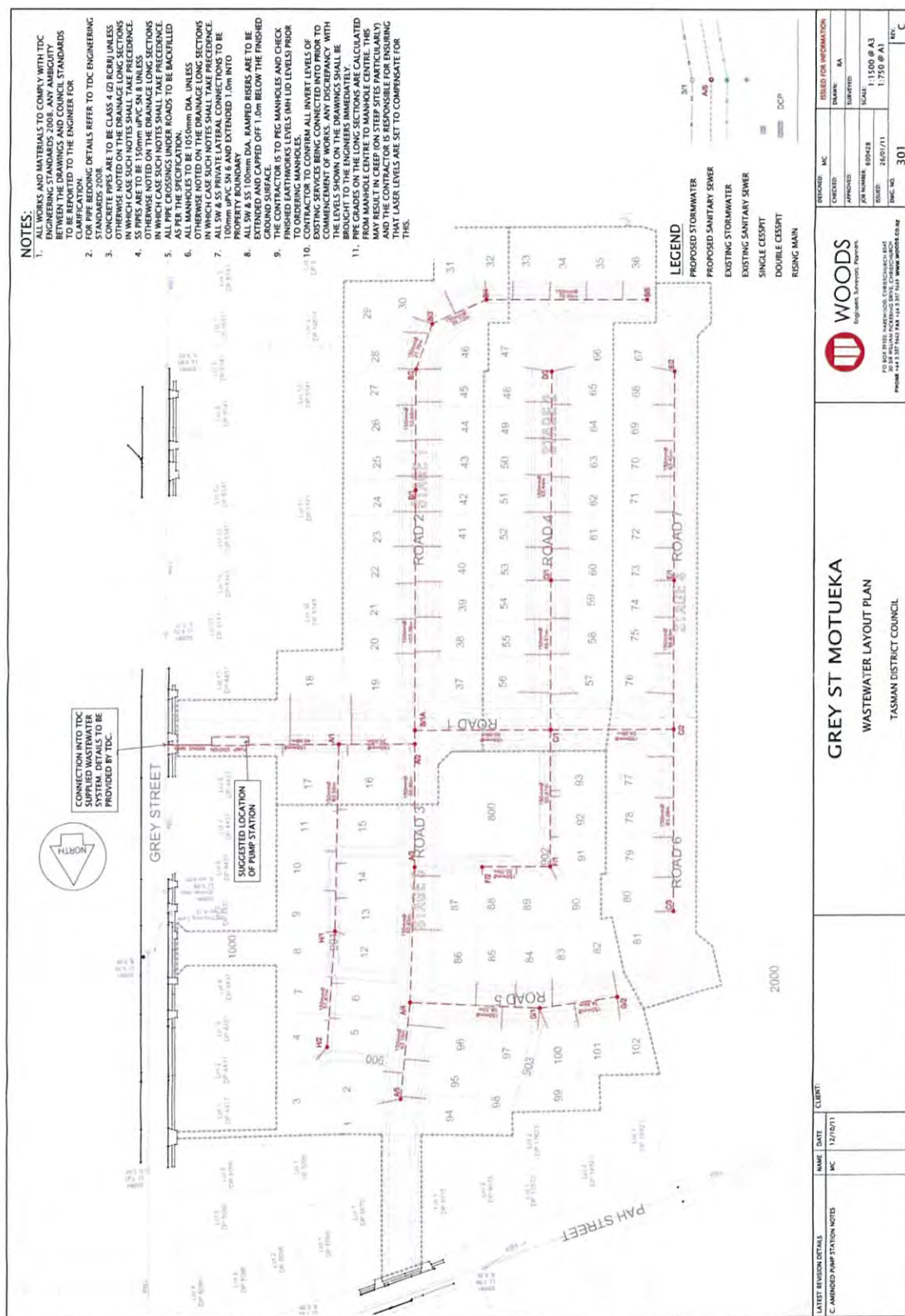
This consent will attract a development contribution on 97 allotments in respect of roading, wastewater, stormwater and water (103 Allotments with credit given for six existing Computer Freehold Registers).

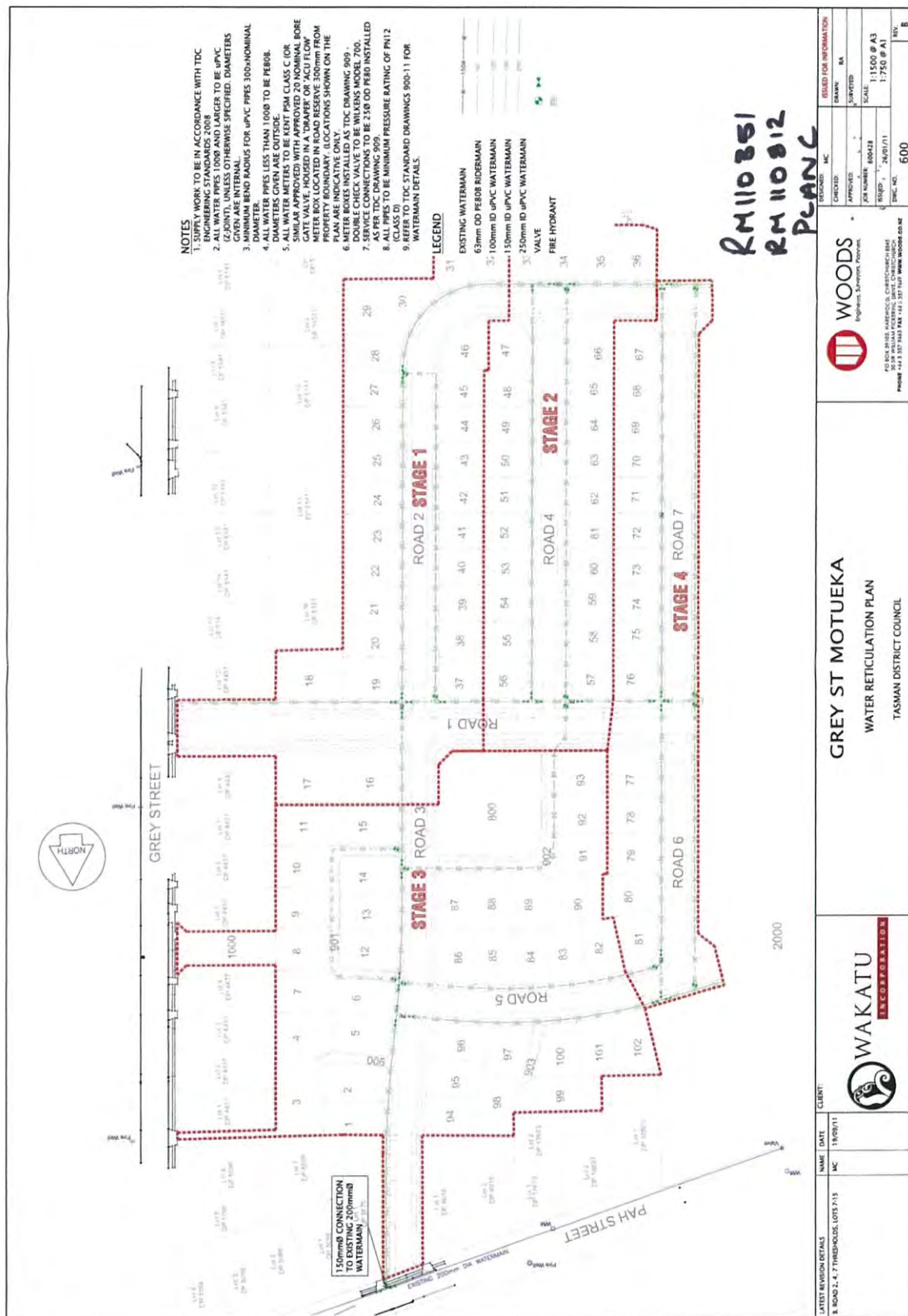
Issued this 11th day of October 2012

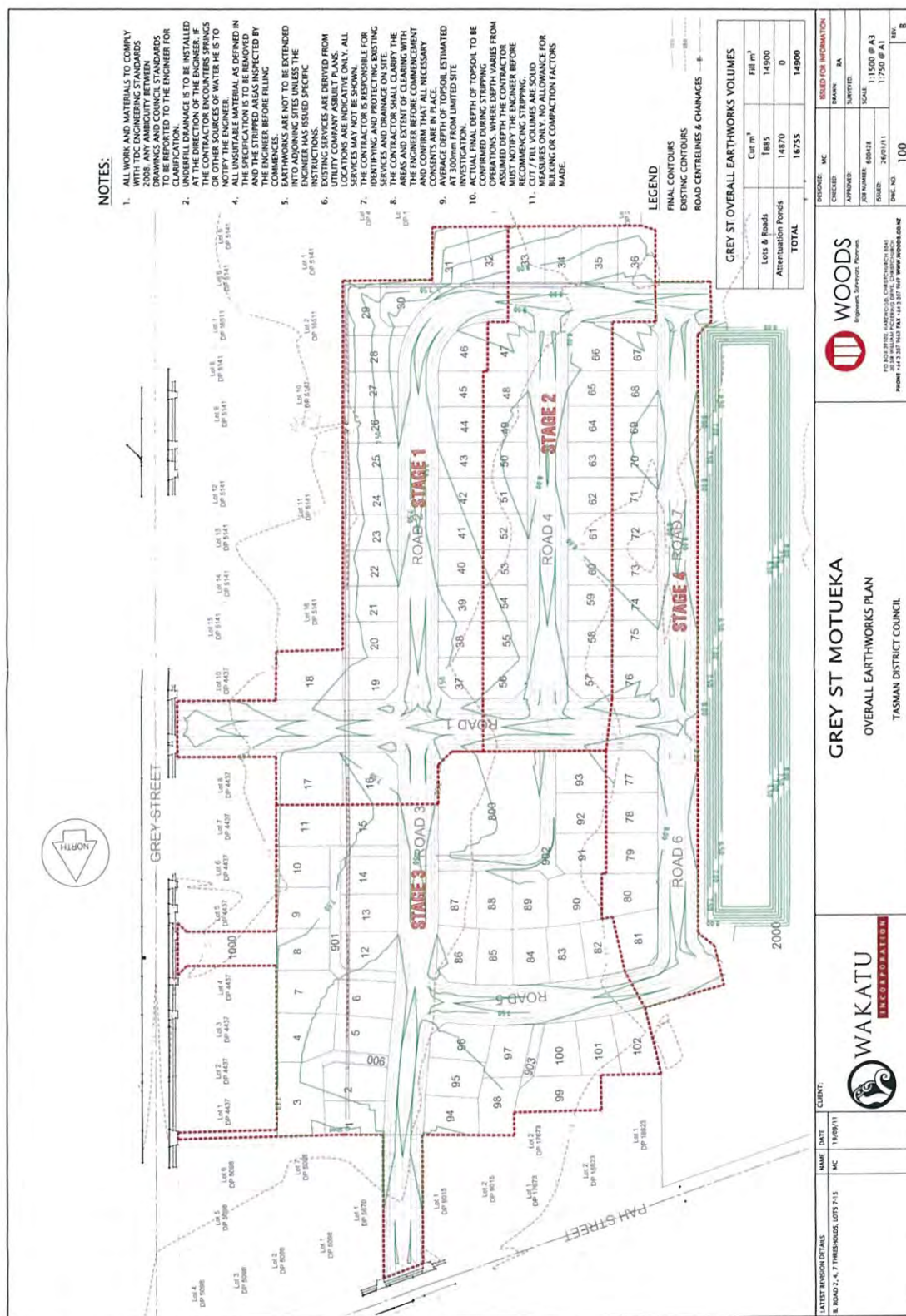


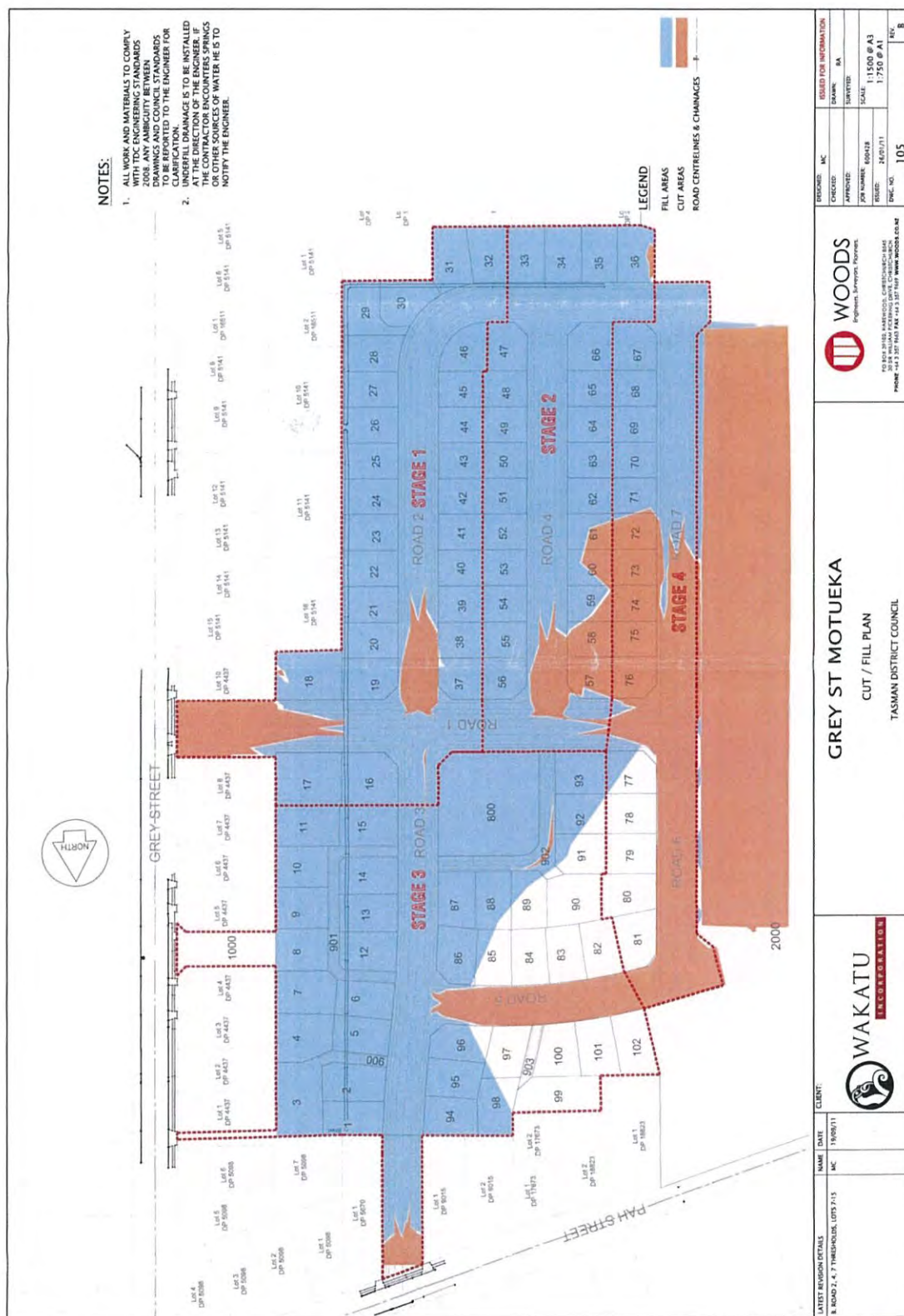
Tim King
Chair of Hearings Committee



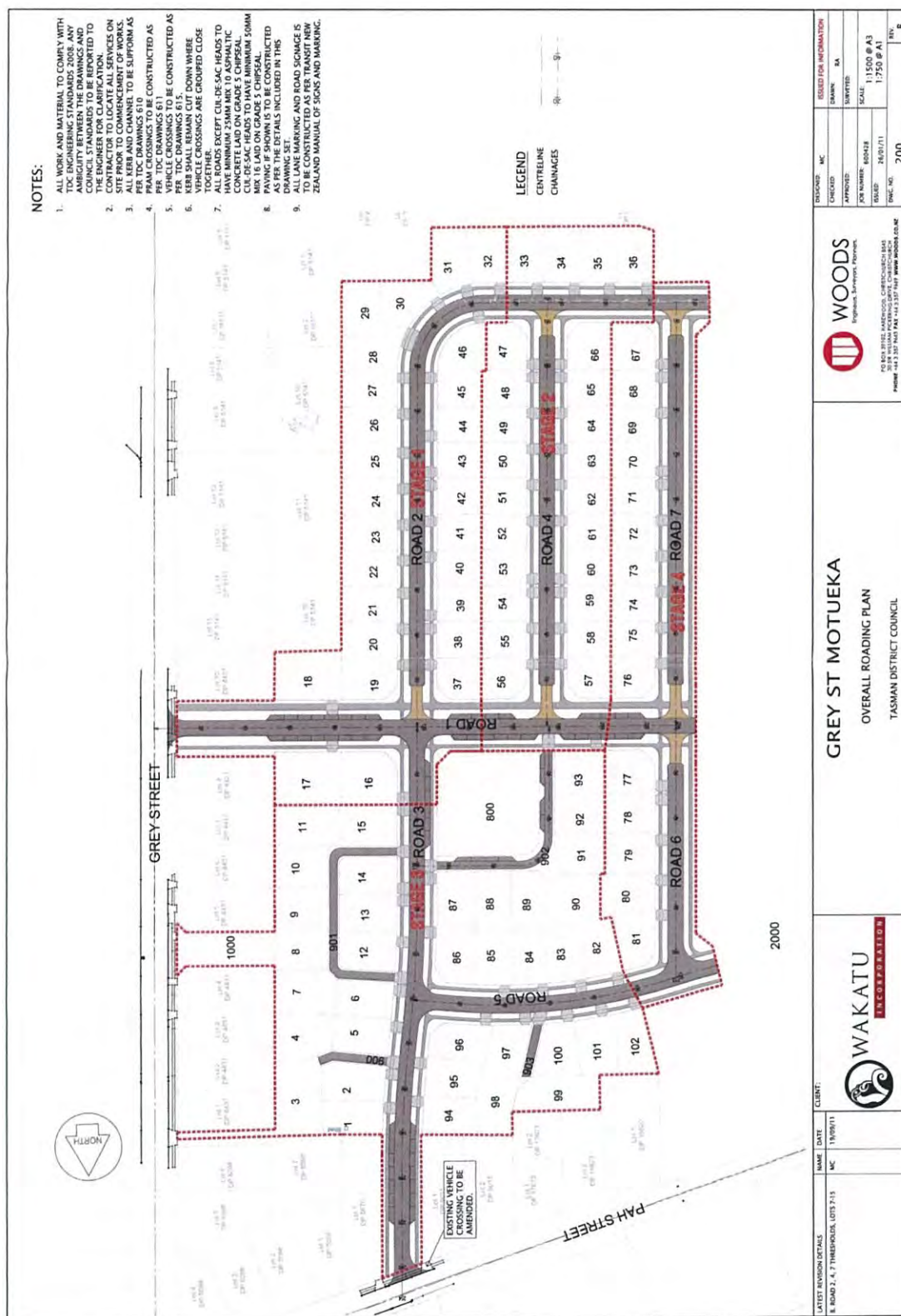


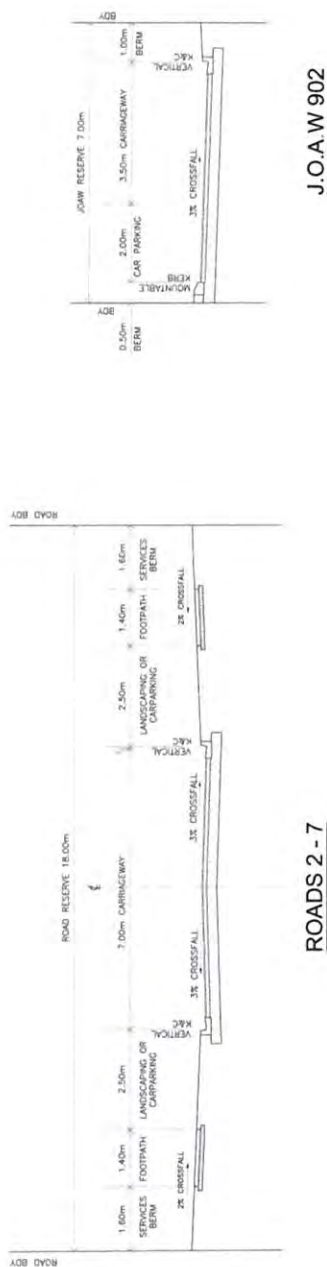
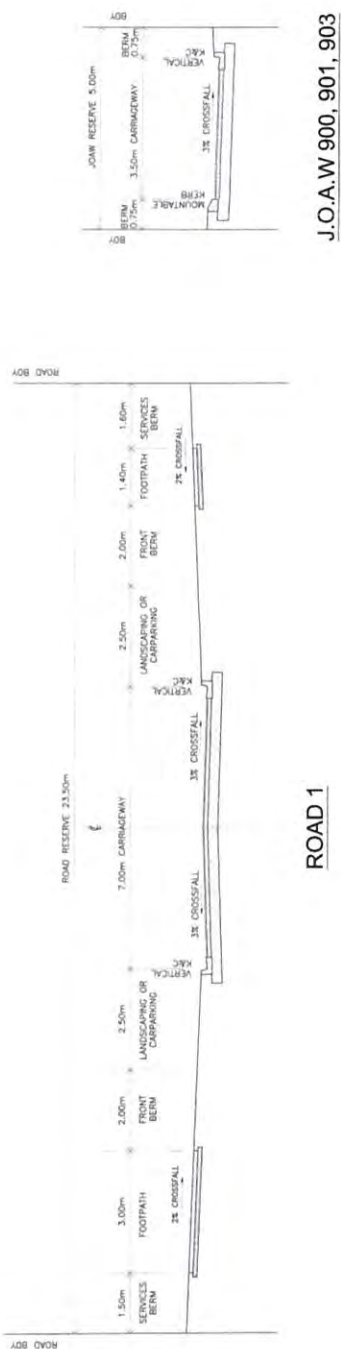




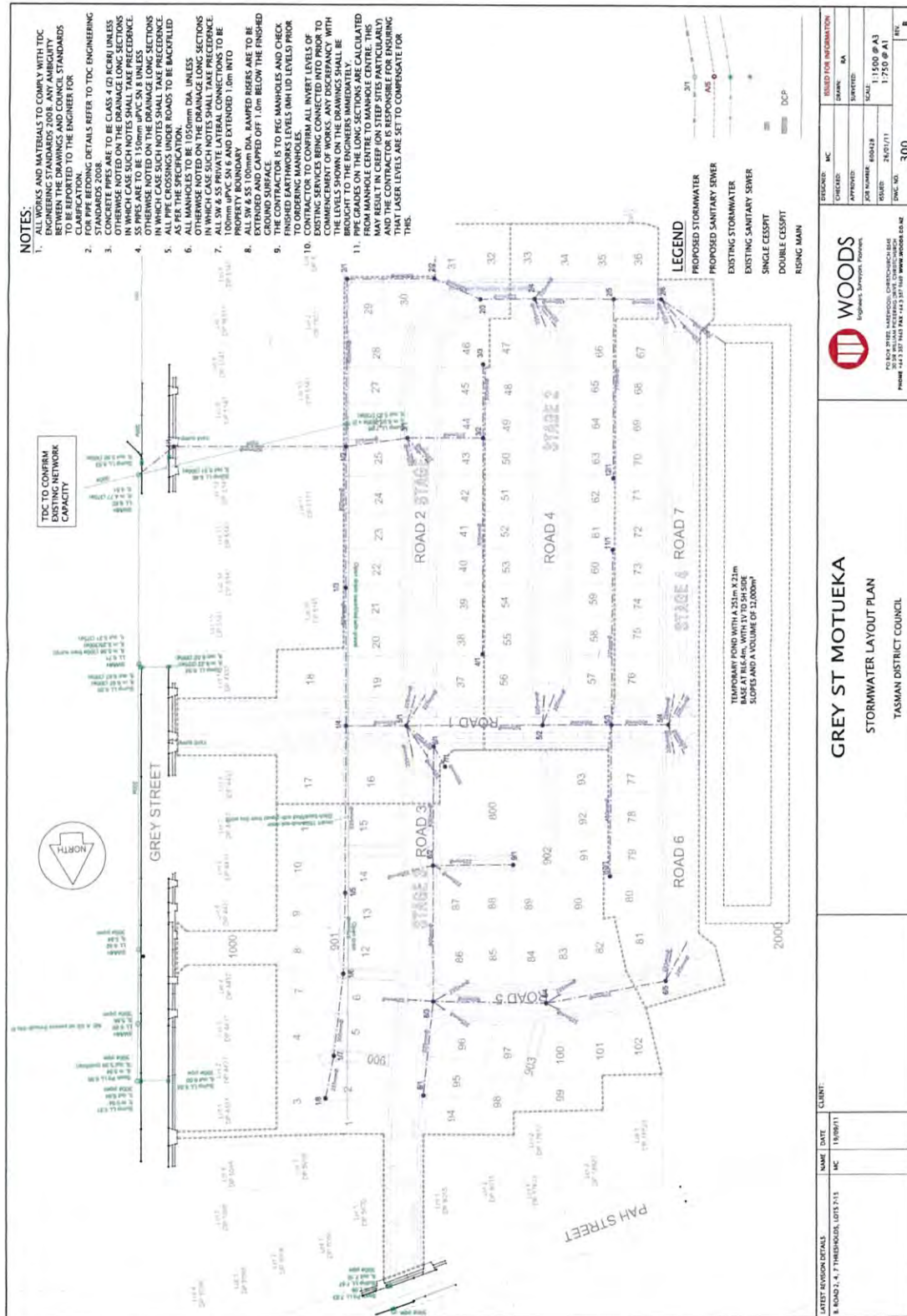


RM110351, RM110312
PLAN E



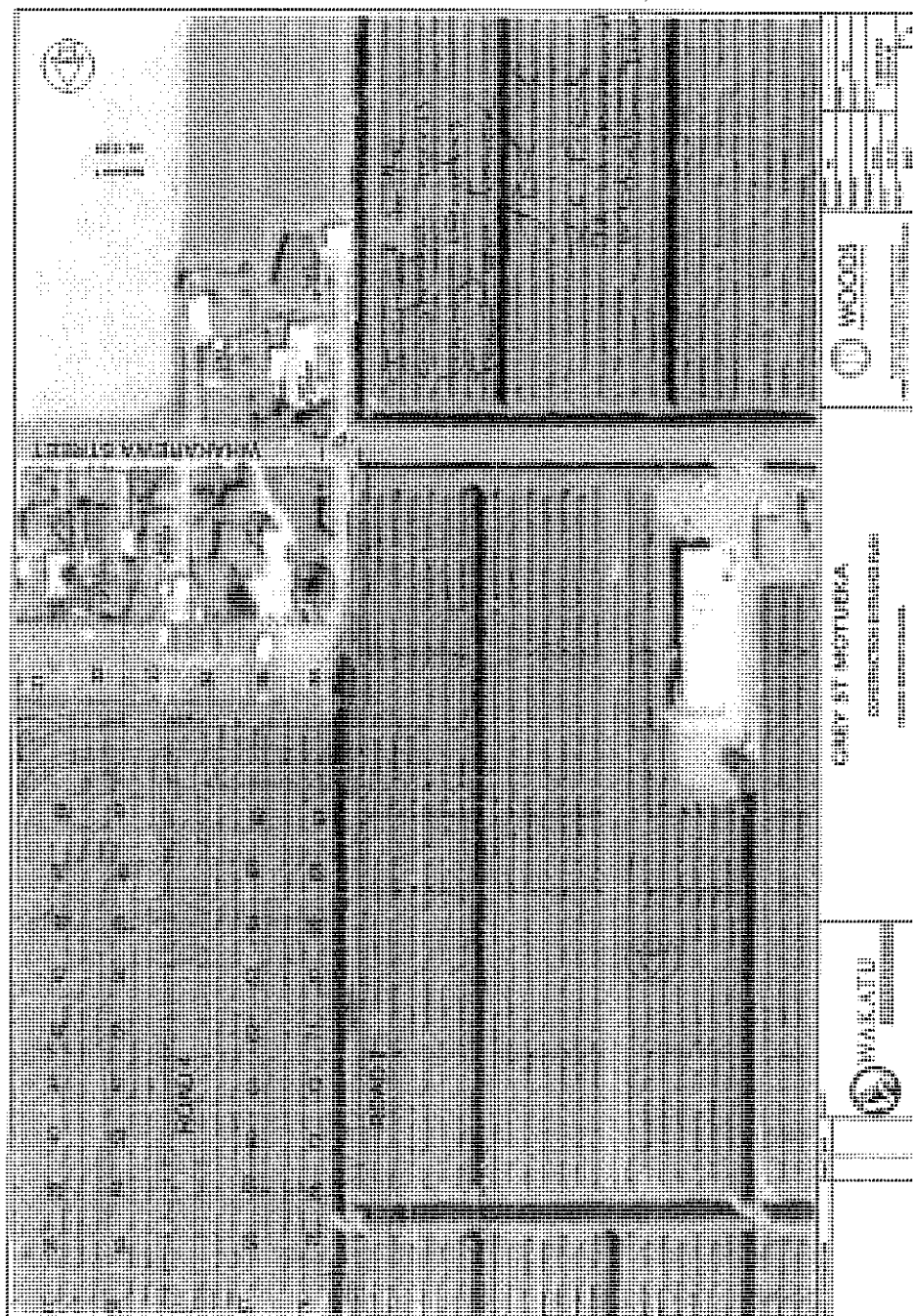


AT&T DIVISION DETAILS ROAD 7, 4, 7 TIMESLOUSE, LOTS 7-13		CLIENT:		GREY ST MOTUEKA OVERALL ROADING PLAN TASMAN DISTRICT COUNCIL		WOODS  Woods Engineers Surveyors Planners PO BOX 31816, AUCKLAND, CHRISTCHURCH 8042 TEL: 03 379 1414 FAX: 03 379 1415 WWW.WOODS.CO.NZ		DESIGNED: MC CHECKED: APPROVED: JOB NUMBER: 600428 ISSUED: 26/01/15 DWG NO.: 210 DATE:		ISSUED FOR INFORMATION DRAWING: BA SCALE: 1:100 @ A3 1:50 @ A1	
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RM110351-
20110812
Plan H







FLETCHER VAUTIER MOORE
LAWYERS

Tasman District Council
Private Bag 4
Richmond
Nelson

Office Richmond
Author Stuart Fitchie
Telephone 03 543 8301
Facsimile 03 543 8302
Email srfitchie@fvm.co.nz
Matter No 27321214

7 March 2012

Attention: Phil Doole

Dear Phil

**WAKATU INCORPORATION - PROPOSED SUBDIVISION AT GREY STREET,
MOTUEKA - PRIVATE ROAD**

1. Thank you for your email of 3 February 2012. We have been asked to comment on a proposal by Wakatu Incorporation (Wakatu) to create a private road as part of a 100 lot subdivision at Grey Street, Motueka. It is proposed that the private road will be created over the land shown as Lot 1005 on the Scheme Plan and will provide a road link between Pah Street and the subdivision. Access to the subdivision will also be provided by a road to be vested in the Council, which connects with Grey Street.
2. The proposal to create a private road is mentioned in extracts from Wakatu's application, which have been sent to us by Pauline Webby. The application states:

A private road will link Road 3 to Pah Street. The road is proposed as a private road as it is located in close proximity to a historical Pah site. Wakatu iwi have been consulted with regards to the proposed application and have expressed a preference to retain the road as a private road with a right of way to the public.

3. The application also states that Wakatu Manaaki Board:

'...indicated concern over the alienation of that part of the site which provides a road linkage to Pah Street... As a result, this section of road has been deemed a private road so that Wakatu can maintain ownership of the underlying land. However a public right of way over the land will be provided.'

4. Private roads are recognised by the Local Government Act 1974 (Act), and defined as 'any roadway, place, or arcade laid out or formed within a district on private land, whether before or after the commencement of this Part, by the owner thereof, but intended for the use of the public generally'. We make the following comments on

Nelson
Level 1, 126 Trafalgar Street, Nelson 7010.
PO Box 90, Nelson 7040, DX WC 70009.
Tel: (03) 548 1469, Fax: (03) 548 2994
27321214\120217SRRI

Richmond
265A Queen Street, Richmond 7020.
PO Box 3029, Richmond 7050, DX WC 71017.
Tel: (03) 543 8301, Fax: (03) 543 8302
Takaka and Havelock by appointment

Motueka
12 Wallace Street, Motueka 7110.
PO Box 23, Motueka 7143, DX WC 72002.
Tel: (03) 528 7030, Fax: (03) 528 9120


the proposal to create a private road at the Northern entrance to the Wakatu subdivision:

- (a) The roadway will be situated on private land. It will not be owned by the Council. The Council does not have the same powers with respect to a private road that it exercises over roads vested in the Council. Limited powers under the Act, such as the power to light, apply to private roads but generally the Council will not be able to do anything on a private road unless it has the consent of the landowner. We also point out that the Council's Traffic Control Bylaw will not apply to the private road;
- (b) The Council will require easements for all Council services under the private road. We expect Telecom and Network Tasman will also require easements. We note from the Scheme Plan you sent us that Wakatu intends to grant the Council the right to convey electricity, telecommunications and water, over the private road, together with a right of way. We recommend the right to convey telecommunications includes the right to convey computer media, and that the Council considers whether it will also need the right to drain water and the right to drain sewage over the land;
- (c) Wakatu will need to be contractually bound to allow the public to pass over Lot 1005. We recommend that Wakatu is required to grant the Council a right of way easement over Lot 1005, which provides that the Council has the right to allow the public to pass over the land in vehicles, and on foot, on bicycles, and mobility scooters. This easement can then be registered against the title to Lot 1005. The Council may also need to enter into a deed with Wakatu, as proposed by Pitt and Moore, setting out the rights of the Council in respect of the road that are not contained in the right of way easement;
- (d) Responsibility for maintenance of the roadway will need to be discussed. The Council does not have a statutory obligation to maintain roads so we do not consider the Council should be bound by a contractual obligation to maintain the private road. Furthermore, we do not consider that the Council should be liable to Wakatu for any damage to the land directly or indirectly caused by the public using the land;
- (e) Pitt and Moore mention (at paragraph 2(b) of their letter) that the terms of the easements will need to be such that Wakatu does not have any liability to the grantees (i.e. the Council, Network Tasman and others) in relation to those easements. It is not entirely clear what Pitt and Moore is suggesting, but Wakatu will have some obligations under those easements, and the grantee must be able to enforce those obligations;
- (f) We note that Wakatu does not wish to be charged any rates for the private road. A private road is rateable land. Unless the Council's policy on the remission of rates applies we do not consider the Council can agree that the private road should be exempt from rates;
- (g) Purchasers of properties in the new subdivision are unlikely to check the legal status of the access way to their subdivision, and may be surprised to learn that it is private land. Solicitors for prospective purchasers of lots in the new subdivision are unlikely to check the legal status of the road leading to the

lots. It is not proposed that each of the lots will benefit from a right of way over Lot 1005 so the land owners will have to rely on the rights granted by Wakatu to the Council under the easement and the deed. If the Council agrees to the creation of a private road we recommend that the Council places a note on the property file for each lot in the new subdivision stating that the road link from that property to Pah Road is a private road.

5. We consider the next step is to draft the deed between the Council and Wakatu, and the easement instruments, so that the terms of those documents can be considered and negotiated by the parties. These documents may address the matters set out in paragraphs 3 and 5 of Pitt and Moore's letter but we do not consider the Council should agree to those matters in the meantime. The deed will also need to prohibit Wakatu from granting a mortgage over the land, and selling the land without the transferee entering into a deed on the same terms with the Council. The deed will also need to contain an acknowledgement that the Council owns the improvements on the private road. The Council may also need to consider registering a memorandum of encumbrance against the title to the private road to serve as a reminder to prospective purchasers of that land, and to the Council, that the landowner is bound by the terms of the deed with the Council. If the landowner were wound up or cease to exist the Council may need to have the ability to declare the land road. We expect other matters will come to mind in the course of preparing the deed and the easement instruments.
6. Please call us if you wish to discuss any aspect of this letter. Otherwise, we suggest that the next step is for the Council to instruct us to prepare the draft easement instruments, and deed, and for the Council and Wakatu to be satisfied with the terms of those documents before the Council permits the creation of a private road as part of the subdivision.

Yours sincerely
Fletcher Vautier Moore



Stuart Ritchie
Partner

PITT&MOORE

LAWYERS AND NOTARIES PUBLIC

24 January 2012

HAND DELIVERY

Wakatu Incorporation
Level 2
Wakatu House
Montgomery Square
Nelson

Attention: Ray Molineux

VIABILITY OF PRIVATE ROAD ACCESS TO GREY STREET SUBDIVISION

Introduction and Summary

1. You have asked us to provide you with an opinion as to how a private road might be utilised to allow the 0.1080ha area marked "private road" on the attached plan (the "Access Road") to remain in Wakatu's ownership whilst, in effect, replicating Wakatu's and the Council's respective rights and obligations as if the Access Road were a public road.
2. We think that the following could be used to give effect to the above aim:
 - a. The Access Road should not vest in the Council, but rather should remain in Wakatu's private ownership as a "private road" (as that term is defined under section 315 the Local Government Act 1974). The survey plan which is to be deposited should, as per the attached plan:
 - i. treat the Access Road as a separate parcel of land which is to be the subject of a separate title (and which is to remain in Wakatu's ownership); and
 - ii. record the Access Road as "private road".
 - b. Wakatu should grant appropriate easements in gross over the Access Road granting rights to convey electricity, telecommunications, water, stormwater, sewage and a right of way (as permitted by section 291 of the Property Law Act 2007). The terms of those easements would need to be such that Wakatu would not have any liability to the grantees in relation to the easements. The terms of the right of way should also be such that Wakatu is effectively prohibited from ever building on the Access Road.
 - c. Wakatu and the Council should enter into a formal deed (the "Deed") whereby they both agree to treat the Access Road, for all intents and purposes, as if it were a public road vested in the Council.

78 Selwyn Place, PO Box 42, Nelson 7040, New Zealand
T 64 3 546 8349 F 64 3 546 9153 E mail@pittandmoore.co.nz W www.pittandmoore.co.nz
GC-027833-410-B-V1
Pitt & Moore also in Richmond

LawXLink

3. Provided the Deed is carefully drafted (and in particular provided it covers off each of those matters listed below), we expect that this approach should provide:
 - a. Council with sufficient assurance that the Access Road is permanent and will, for all practical purposes, function exactly like a public road; and
 - b. Wakatu with sufficient assurance that the Access Road will remain in its ownership, but that Wakatu shall have no on-going liability in relation to the Access Road (as if it had vested in Council as a public road).
4. Both parties will however need to appreciate that it is difficult to draft agreements that are guaranteed to remain binding and effective in perpetuity. Legislative changes and various other unforeseen changes may have unforeseeable effects upon the way the Deed may operate in the distant future.

Detailed Description of Deed

5. We would suggest that the Deed should provide as follows:
 - a. Notwithstanding that the Access Road is to remain in Wakatu's ownership, the parties agree that as between themselves the Access Road will be treated for all purposes as if it were a public road vested in the Council.
 - b. To the extent that legislative or other changes have the effect of frustrating the above aim, the parties shall negotiate in good faith to seek to agree a variation to the Deed which best gives effect to that aim.
 - c. The Council agrees not to at any time in the future, without Wakatu's express prior written consent, exercise its right under section 349 of the Local Government Act 1974 (or any similar right under any other or subsequent legislation) to declare the Access Road to be a public road. Council also agrees to not at any time dispute Wakatu's ownership of the Access Road.
 - d. If formally requested to do so by Wakatu and subject to any legislative requirements, the Council agrees to exercise its right under section 349 of the Local Government Act 1974 (or any similar right under any other or subsequent legislation) to declare the Access Road to be a public road.
 - e. Wakatu grants the Council full, free and unrestricted access to the Access Road to undertake any works or do anything on the Access Road which the Council would be entitled to undertake or do if the Access Road were a public road vested in the Council. Wakatu agrees that it has no right whatsoever to prevent the Council from undertaking any such works.
 - f. The Council agrees to comply with all of the maintenance and other obligations incumbent upon the Council in respect of public roads as if the Access Road were a public road.
 - g. The Council agrees not charge Wakatu rates or any other levies in relation to the Access Road.

GC-027833-410-8-V1

PITT & MOORE
LAWYERS AND NOTARIES PUBLIC

- h. Wakatu agrees to grant any utility company who requests permission, permission to undertake such works on the Access Road as that utility company would be permitted to undertake were the Access Road a public road.
- i. The parties will each agree to comply with any protocols that existing between the Council, Wakatu and Tiakina te Taiao in regard to any future works within the Access Road.
- j. Each party agrees to indemnify the other for any liability caused by that party's failure to comply with its obligations under the Deed.
- k. The Deed would only be capable of being varied with the prior written consent of both parties. Neither party would have any right whatsoever to unilaterally terminate the Deed. Termination of the Deed would be expressly excluded as an available remedy for any breach of the Deed (so that, for example, if the Council failed to maintain the Access Road Wakatu would not be entitled to terminate the Deed).
- l. For the purposes of the Contracts (Privity) Act 1982, the Deed is intended to be enforceable by potential users of the Access Road.

Next Steps

- 6. If the above proposal is acceptable to Council in principle then the next step will be to prepare a first draft of all of the requisite documentation for approval by the parties.
- 7. This letter is addressed to and is for the benefit of Wakatu Incorporation and may not be relied on by any other person. Pitt & Moore does not accept any liability whatsoever to any other person in relation to the content of this letter.
- 8. Please feel free to contact the writer should you have any questions or comments.

PITT & MOORE
per:


Geoff Caradus
Senior Solicitor

Email: geoff.caradus@pittandmoore.co.nz
Direct dial 03-545 6717
Direct fax 03-546 9153

GC-027833-410-8-V1

WAKATU INCORPORATIONGREY STREET DEVELOPMENTMOTUEKADESIGN GUIDELINES

October 2011

1. DEFINITIONS

All definitions shall be those in the Tasman Resource Management Plan 1996 (as at September 2011) except that:

'Daylight Controls' means the angles within which a complying building must fit in order to allow adequate daylight onto adjoining sites. Daylight indicators limit the envelope of a building in a way that ensures equitable access to daylight on all adjoining properties. Daylight controls also ensure that minimum building separation, open space and amenity are maintained within residential areas.

'Design Guidelines' means the guidelines contained herein. These will form the basis of consent notices on the titles of all high and medium density residential lots forming part of the Grey Street Development.

'District Plan' means the District Plan provisions which applied at the time of preparing these Design Guidelines, this was the Tasman Resource Management Plan as at August 2010.

'Duplex Housing' means houses that are attached to another house along one common wall (may also be referred to as 'semi-detached' housing).

'Garage Door Yard' means an area clear of buildings 5.5m in length, the same width as the garage door and wholly within the boundaries of the site. The garage door yard shall be provided in a line immediately perpendicular (i.e. at a 90 degree angle) and adjacent to any garage door. This is to provide for parking of a standard vehicle in front of the garage and to ensure that garages are set back so as not to dominate the visual appearance of a dwelling from the street.

'High Density Lots' means all lots in the Grey Street Development between 320m² and 392m² in size.

'JOAL' means a Jointly Owned Access Lot

'Low Density Lots' means all lots in the Grey Street Development that are 500m² or larger.

Wakatu Incorporation - Grey St Development - Design Standards

1

'Medium Density Lots' means all lots in the Grey Street Development that are between 400m² and 499m² in size.

'Production Housing' means a continuous row of more than two houses with an identical design.

'TDC' means Tasman District Council.

'Terrace Housing' means a row of attached houses built in one block of uniform style.

High Density Lot Standards (320m²-399m²) ONLY

The following bulk and location standards set out in the table below shall be applied to Lots 37-65 and 68-76 (High density (HD) allotments) replacing all the Residential zone standards relating to building construction and alteration (bulk and location) set out in the Tasman Resource Management Plan (TRMP) or any subsequent planning document. For the avoidance of doubt, TRMP rules relating to activities such as home occupations shall continue to apply.

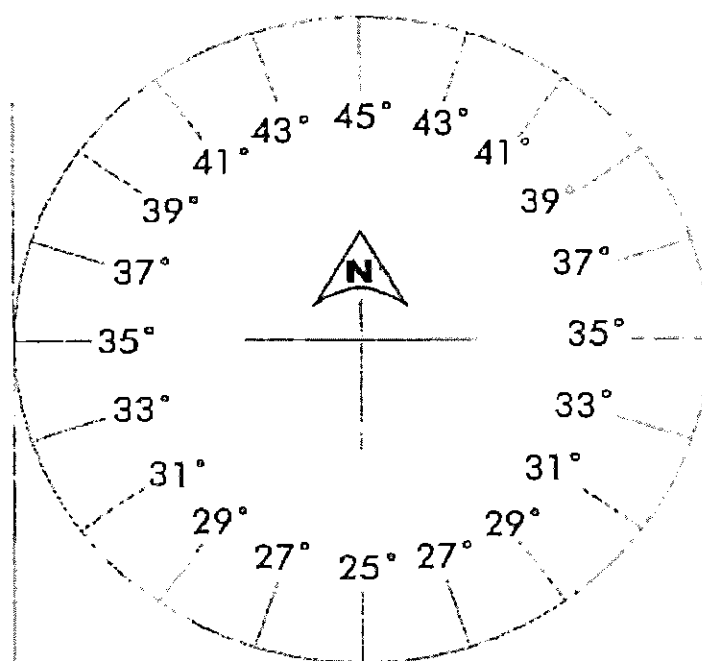
Standard HD1	
Maximum Dwellings per Site:	One
Standard HD2	
Maximum Building Coverage:	50%
Standard HD3	
Maximum Impervious Surface Area	70%
Standard HD4	
Minimum setback from Road Boundary:	1.5m
Standard HD5	
Minimum Setback from Side and Rear Boundaries:	<p>1.5m, except that:</p> <ul style="list-style-type: none"> a) No setback is required from side or rear boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall; and b) No setback is required along one side boundary providing the dwelling design complies with Standard HD9 (daylight Controls); and c) This setback does not apply to accessory buildings, such as detached garages, which may be built right up to the boundary provided they do not exceed a height of 3.6m and comply with the daylight controls of Standard HD9. (However where a carport or garage is attached to a building by one or more walls, it must comply with the 1.5m side and rear yard standard.).
Standard HD6	
Garage Door Yard	5.5m
Standard HD7	
Garage Door Offset	Where two double garages are proposed to adjoin one another or where they are less than 3m apart, the front walls of the garages will be offset by a minimum of 1 m.
Standard HD8	
Maximum height:	<p>7.5m for dwellings</p> <p>3.6m for accessory buildings</p>

Standard HD9
Daylight Controls:

Buildings shall not project beyond daylight admission lines commencing from a point 2.5m above ground level on all southern and rear side boundaries and 5m above ground level on all northern side boundaries. The angle to be used for the daylight admission lines is to be determined using the Daylight Admission Angle Diagram below.

Where there is a common wall along the side boundary (i.e. where a duplex or terrace house is proposed), no daylight admission line will apply along that wall. For clarity, the maximum building height along a common wall will be 7.5m.

DAYLIGHT ADMISSION ANGLE DIAGRAM



Standard HD10
Outdoor Living Space:

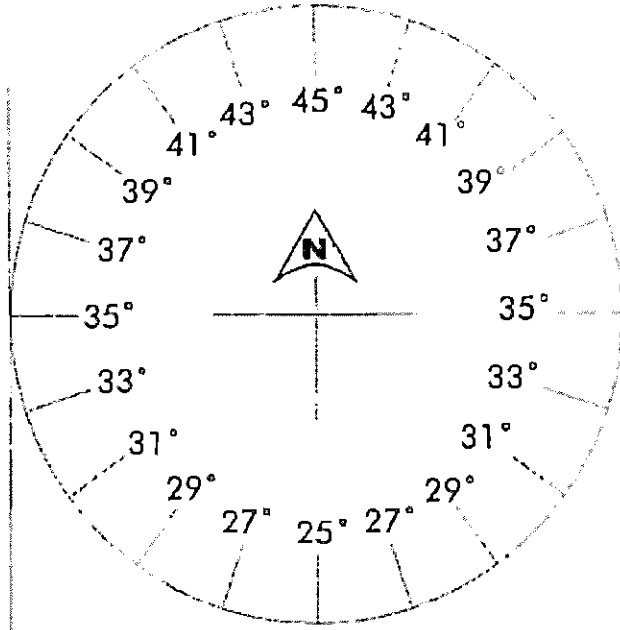
Each dwelling shall have an area of outdoor living space for the exclusive use of the occupants of that dwelling which:

- a) Has a minimum area of 60m²;
- b) Contains a circle with a diameter of at least 6 metres;
- c) Is located to receive sunshine in midwinter; and
- d) Is readily accessible from a living area of the dwelling

Medium Density Lot Standards (400m² - 499m²) ONLY

The following bulk and location standards set out in the table below shall be applied to Lots 1, 2, 5, 6, 8 -10, 12-15, 19-36, 66, 67, 77-89, 91 - 98 and 100-102 (Medium density (MD) allotments) replacing all the Residential zone standards relating to building construction and alteration (bulk and location) set out in the Tasman Resource Management Plan (TRMP) or any subsequent planning document. For the avoidance of doubt, TRMP rules relating to activities such as home occupations shall continue to apply.

Standard MD1	
Maximum Dwellings per Site:	One
Standard MD2	
Maximum Building Coverage:	50%
Standard MD3	
Maximum Impervious Surface:	70%
Standard MD4	
Minimum setback from Road Boundary:	3m
Standard MD5	
Minimum Setback from Side Boundaries:	<p>All buildings shall be set back at least 1.5 metres from the internal boundaries on one side boundary and at least 3 metres from all other side and rear boundaries except that:</p> <ul style="list-style-type: none"> a) No setback is required from side boundaries for buildings with a common wall on the boundary along that part of the boundary covered by the common wall; and b) No setback is required along one side boundary provided that the dwelling complies with Standard MD10 (Daylight Controls); and c) This setback does not apply to accessory buildings, such as detached garages, which may be built right up to the side boundary provided they do not exceed a height of 3.6m and comply with the daylight controls of Standard MD10. (However where a carport or garage is attached to a building by one or more walls, it must comply with the 1.5m side and rear yard standard.)
Standard MD6	
Minimum Setback from Rear Boundaries:	3m
Standard MD7	
Garage Door Yard:	5.5m
Standard MD8	
Garage Wall Offset:	Where two double garages are proposed to adjoin one another or where they are less than 3m apart, the front walls of the garages will be offset by a minimum of 1 m.

Standard MD9	
Maximum height:	7.5m for dwellings 3.6m for accessory buildings
Standard MD10 Daylight Controls:	<p>Buildings shall not project beyond daylight admission lines commencing from a point 2.5m above ground level on all southern and rear side boundaries and 5m above ground level on all northern side boundaries, excluding Lots 1 and 94 where the height on the northern boundary shall from a point 2.5m above ground level at the boundary. The angle to be used for the daylight admission lines is to be determined using the Daylight Admission Angle Diagram below:</p> <p>Where there is a common wall along the side boundary (i.e. where a duplex or terrace house is proposed), no daylight admission line will apply along that wall. For clarity, the maximum building height along a common wall will be 7.5m.</p>
<p style="text-align: center;">DAYLIGHT ADMISSION ANGLE DIAGRAM</p> 	
Standard MD11 Outdoor Living Space:	<p>Each dwelling shall have an area of outdoor living space for the exclusive use of the occupants of that dwelling which:</p> <ul style="list-style-type: none"> a) Has a minimum area of 60m²; b) Contains a circle with a diameter of at least 6 metres; c) Is located to receive sunshine in midwinter; and d) Is readily accessible from a living area of the dwelling.

Architectural Constraints

In addition to the bulk and location standards, the following architectural constraints shall apply to **all** lots within the Grey Street Development.

5.1 Grey Street Development Design Philosophy

Building designs with an excellent standard of architectural merit are expected. Whilst architectural compatibility (visual accord and formal coherence) between buildings is essential, it is also important to avoid visual monotony in design.

Each property is to be designed to an individual theme expressed in consistent theme detailing, balanced proportions and scale, colour and materials to suit the chosen architectural style.

"Production housing" and associated detailing will be deemed inappropriate.

5.2 Housing Typologies

Duplex, or semi-detached, dwellings are permitted only on the High and Medium Density lots. Where a duplex house is proposed, both adjoining owners must make a concurrent application which demonstrates a compatible design. Second-hand and/or relocated buildings are not permitted.

5.3 Broken Building Form

No building shall present a blank or unrelieved wall facing any road boundary.

5.4 Building Materials

Only quality building materials shall be used. Any of the following exterior materials, finishes and construction methods shall not be used on buildings or fences on any site unless they have architectural merit enhancing the overall design:

- a) Any second-hand or recycled building, roofing or fencing materials;
- b) Unfinished cement board cladding;
- c) Unpainted or uncoated profiled metal cladding;
- d) Reflective or dark-tinted exterior glazing;
- e) PVC/plastic wall claddings;
- f) Imitation woodgrain cladding, or materials finished with stone ships;
- g) Manufactured stone/brick cladding;
- h) Pressed metal roofing;
- i) Unpainted sheet or pressed metal wall or roof claddings; or
- j) Aluminium composite panels.

5.5 Exterior Colours

Exterior wall colours shall avoid obtrusive or overly dominant colours and shall enhance the local vernacular.

5.6 Roof Structures

All roof structures and/or roof accessories, such as satellite dishes, TV aerials, vent pipes, air conditioning units etc, shall be placed on the rear-facing roof slopes, i.e. no roof structures/accessories shall be visible from the road frontage. Solar water heating panels or photovoltaic panels will be permitted on north facing roofs provided that they form part of the overall dwelling design.

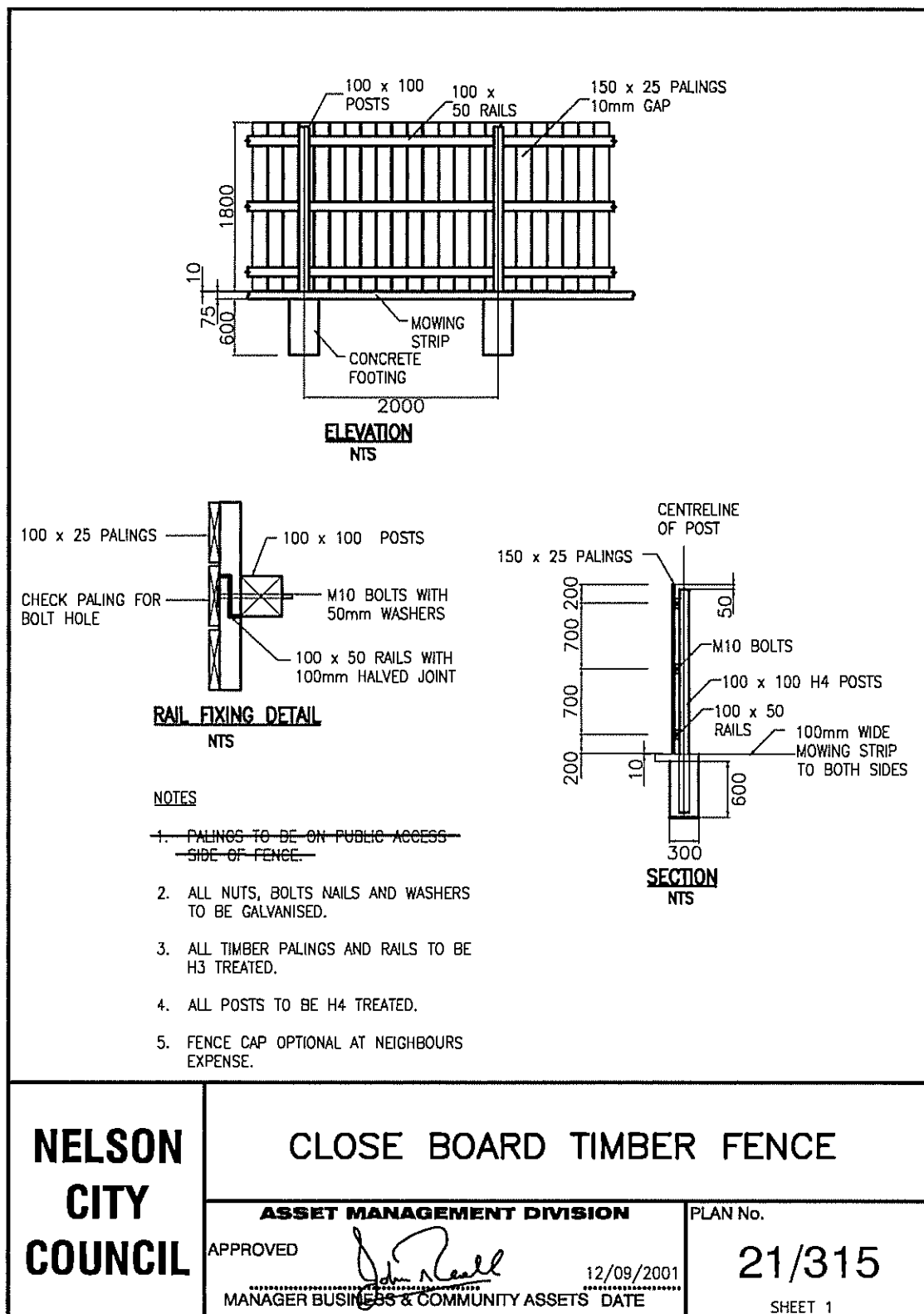
5.7 Fencing

Fences along any road boundary shall not exceed a height of 0.9m.

Side boundary fences shall be designed to taper or step from 0.9m at the road boundary up to a maximum height of 1.8m alongside and rear boundaries. The tapered or stepped section shall extend at least 5m from the road boundary before the maximum height of 1.8m is reached.

Materials and colours of fences are to be consistently themed with the architectural style of the dwelling in terms of colour, materials and/or appearance. Preferred materials include timber or masonry.

The use of hedges in lieu of fencing along the front boundaries is encouraged.



RM110351

Writer's Direct Dial No. (03) 543 8589

Writer's E-mail: jeremy.butler@tasman.govt.nz

9 November 2012

Wakatu Incorporation
C/- Ray Molineux, Molineux Project Management Ltd
24 Tainui Street
Raumati
KAPITI 5032

Dear Sir/Madam

MINOR CORRECTION TO RESOURCE CONSENT APPLICATION NO. RM110351 - PAH STREET SUBDIVISION

Pursuant to Section 133A of the Resource Management Act 1991 ("the Act"), and acting under delegated authority from Council, I have authorised a minor correction to resource consent RM110351. The correction relates to Condition 35A. We understand that you are in agreement with this correction wording.

The correction relates to the distance that the construction entrance off Whakarewa Street is to be separated from 92 Whakarewa Street, being the closest residence. In the original decision a greater separation distance was required to avoid potential affects on the owner/occupier of 92 Whakarewa Street. However, you have now advised (and provided evidence) that the owner/occupier has consented to a separation distance of 10 metres. Therefore, this amendment has been made to correct what is now effectively a defect in the consent. Plan K has also now been included which shows the agreed position of the construction entrance.

The corrected copy of the consent is enclosed for your records.

Please feel free to contact me if you have any questions regarding this correction. My contact details are listed at the top of this letter.

Yours faithfully



Jeremy Butler
Principal Resource Consents Advisor

*We have the key
to your new home*



PROUDLY MARKETING BY

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