

Tasman Resource Management Plan

**REPORT ON ASSESSMENT OF ALTERNATIVES UNDER
SECTION 32 OF THE RESOURCE MANAGEMENT ACT**

PLAN CHANGE 74

Rezoning of Special Housing Areas (SHAs)

December 2020

Report Information

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EXECUTIVE SUMMARY

This report has been prepared as part of the Plan Change process to rezone land in Tasman District that has been approved for residential development using the special housing legislation of the Housing Accords and Special Housing Areas Act 2013 (**"HASHAA"**) which has resulted in housing developments being approved on land that is not zoned for residential development in the Operative Tasman Resource Management Plan (**"TRMP"**). The sites proposed to be included in the Plan Change are not all of the sites that have been approved for residential development under the HASHAA legislation. This Plan Change only includes those areas where resource consents have been granted for subdivision and residential development on land that is not zoned for such development. This report assesses the proposed Plan Change to ensure that it is the most appropriate option to ensure that the land is zoned in a manner consistent with the approved land uses. The report also explains the purpose of the proposed Plan Change and evaluates the objectives to ensure that they are the most appropriate method to ensure this outcome.

In summary, the five sites to be rezoned were areas approved for residential development as a result of Tasman District being one of the fastest growing areas in New Zealand which resulted in a shortage of housing availability, housing choice and housing affordability across the District. To resolve this housing issue the Council signed the Tasman Housing Accord with the Government in 2015. This established Council as an "accord territorial authority" under the HASHAA legislation. Since then several Special Housing Areas (**"SHAs"**) have been gazetted in the District, this included providing for residential development over land that is not currently zoned for residential use.

As part of the process of preparing a Plan Change to the TRMP, the Council is required under section 32 of the Resource Management Act 1991 (**"RMA"** or **"the Act"**) to undertake and evaluate whether or not any particular objective(s) is the most appropriate means of achieving the purpose of the Act.

A section 32 analysis must also consider the benefits and costs associated with each policy, rule or method and also the risk of acting or not acting if there is uncertain or insufficient information on the subject matter.

This report has been prepared to fulfil the obligations of the Council under section 32 of the RMA, with respect to undertaking a Plan Change to the TRMP.

1. INTRODUCTION

1.1 Aim of the Plan Change

The proposed Plan Change seeks to rezone land at Richmond West, central Richmond and Pohara to reflect the resource consents that have been granted for residential and rural residential development and subdivision of these sites. It also seeks to ensure appropriate planning provisions for the five areas that are enabling residential growth in the Richmond urban environment and Pohara. The sites to be rezoned include only those sites where resource consents have been granted and the zoning does not align with the consented residential development. It does not include all of the sites included within the HASHAA legislation for Tasman District.

In addition to providing the new housing development changes to the zoning, overlays and rules for these sites are proposed to clearly reflect land that is now vested in Council as reserves or land that is to be developed for commercial purposes within the SHA development area.

1.2 Purpose of the Report

The purpose of this report is to evaluate:

- whether the objectives of the Plan Change are the most appropriate way of achieving the purpose of the RMA;
- whether the provisions in the Plan Change are the most appropriate way to achieve the objectives of the proposal;
- identify other reasonably practicable options for achieving the objectives of the Plan Change;
- assess the efficiency and effectiveness of the options considered; and
- consider the costs and benefits of implementation of the provisions.

This report fulfils the requirements of Section 32 of the RMA and the associated requirements of clause 5(1)(a) of Schedule 1 and section 74(1) of the RMA.

1.3 Summary of Plan Change Sites

The proposed rezoning of the Special Housing Areas (“SHAs”) Plan Change covers five residential developments. Three of these sites are located within Richmond West and one site is located in central Richmond as set out in the location map below:

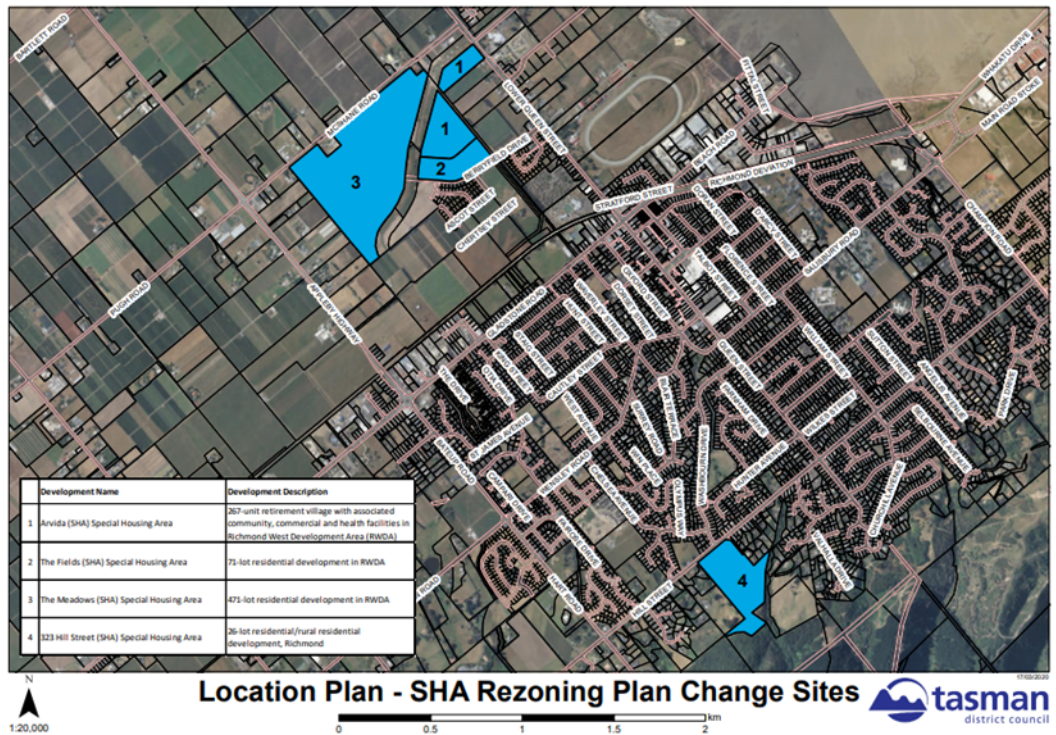


Figure 1 Location Plan of the four SHA sites within Richmond

The fifth site is located on Richmond Road, Pohara.

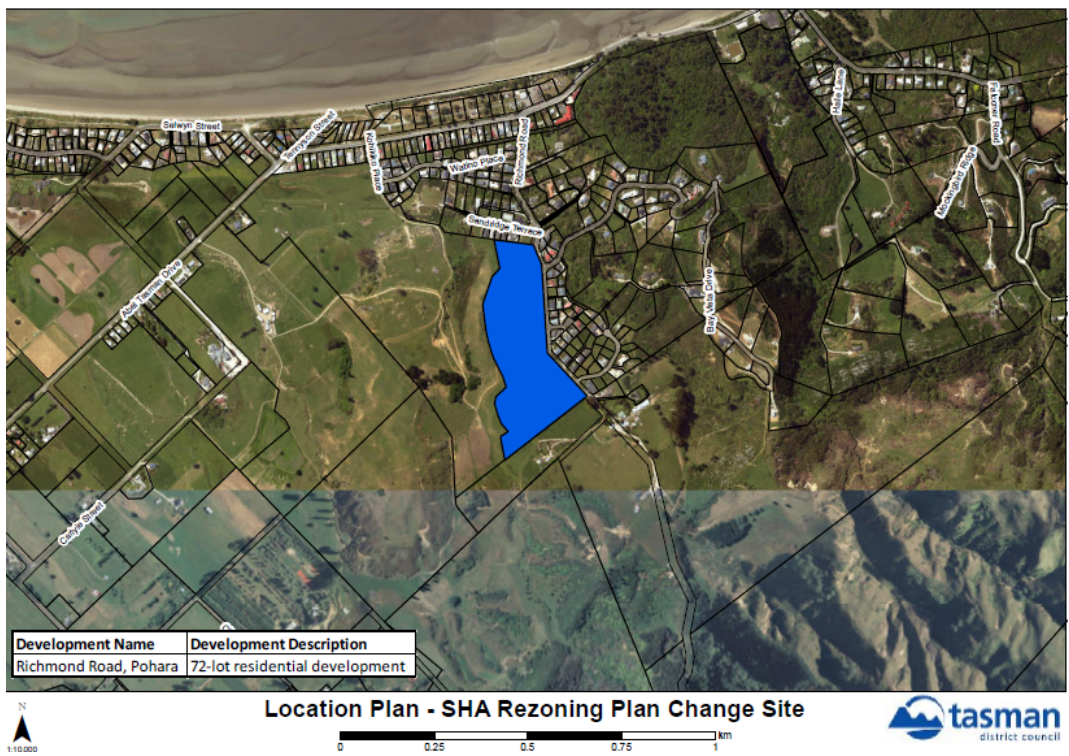


Figure 2 Location Plan of the SHA site on Richmond Road, Pohara

Set out below is a summary of each of the sites to be rezoned.

Table 1: Sites to be Rezoned

	Development Name & Address	Description
1	Arvida Special Housing Area, Lower Queen Street	<p>This development is in the Richmond West Development Area (RWDA) and includes a 267-unit retirement village with associated community, commercial and health facilities. It is accessed off Lower Queen Street and borders Borck Creek</p> <p>The site which comprises 8.04 hectares is part of the Richmond West (The Meadows) Special Housing Area that was gazetted on the 14 August 2017.</p>
2	The Fields Special Housing Area, Berryfield Drive	<p>This subdivision comprises 71-lot residential development, in the RWDA and has an area of 19.68 hectares. The site is part of the Richmond West (The Meadows) Special Housing Area that was gazetted on the 14 August 2017. The approved subdivision and land use application has been prepared and assessed against the (HASHAA).</p>
3	The Meadows Special Housing Area, McShane Road	<p>This area comprises 482 residential allotments development with access off McShane Road. The proposal will also include a commercial hub comprising two lots to be zoned Commercial, in the RWDA. The site has an area of approximately 36 hectares and fronts McShane Road for approximately 520m, with the southern side boundary adjoining Borck Creek. The site forms part of the cluster of residential developments of the Richmond West (The Meadows) Special Housing Area, that was gazetted on the 14 August 2017, and the subdivision and land use application was prepared and assessed against the Housing Accords and Special Housing Areas Act (2013) (HASHAA).</p>
4	Hill Street Special Housing Area, 323 Hill Street	<p>This area includes a 26-lot development located off Hill Street in Richmond and is another approved SHA site gazetted on 14 August 2017. The subdivision includes the creation of 10 residential allotments to be zoned Residential, 15 rural-residential allotments to be zoned Rural-Residential and one rural balance allotment. The residential allotments are clustered on the north-eastern side of the site alongside the neighbouring established residential area and the rural-residential allotments are generally located on the western side of the site adjoining existing rural-residential properties. Three further rural-residential sites are located on the elevated portion of the site above the residential allotments. The site area is 10.39 hectares and is located on the southern side of Hill Street. The topography of the site is undulating hillside that generally slopes upward from Hill Street toward the rear of the site. The surrounding area is a mix of</p>

	Development Name & Address	Description
		<p>established residential, rural-residential and rural land uses.</p> <p>Access to the lots approved in the subdivision is via two new rights-of-way.</p>
5	Richmond Road, Pohara	<p>This area is part of a 34-hectare rural property on the elevated portion of Richmond Road. The site is relatively gentle sloping and is bounded by Richmond Road to the east, a gully to the west and adjoins existing residential properties on Sandridge Terrace to the north and lower density rural lifestyle blocks to the south. The area to be rezoned Residential includes a 71-lot residential subdivision which comprises approximately 7.9 hectares of the site with one balance lot of 26 hectares created. The subdivision is to be developed in six stages. This site was gazetted as a Special Housing Area on the 14 August 2017. As part of the resource consent decision process for subdivision and land use consents, special consideration was given to the archaeological features of the site. The resource consent decisions include specific iwi monitoring of the earthworks of the site and the appropriate accidental discovery protocol conditions.</p>

1.4 Amendment to the Tasman Resource Management Plan

Volume 2 of the Tasman Resource Management Plan contains the Planning Maps. For each site there is an Area map and a Zone map. The sites that are to be rezoned include:

- The three sites within the Richmond West Development Area located within maps 23, 57, 123, and 124.
- The Hill Street site is located within maps 23, 57 and 129.
- The Richmond Road, Pohara site located within maps 10 and 77.

The existing Zone map information relevant to each site is provided below:

Land zoned Rural 1 deferred Mixed Business to be rezoned **Open Space**

Land zoned Rural 1 deferred Light Industrial to be rezoned **Open Space**

Land zoned Rural 1 deferred Residential to be rezoned **Open Space**

Land zoned Rural 1 to be rezoned **Open Space**



Figure 4 Proposed Amendment to Zone Map Information (Maps 23, 57, 123 & 124) refer to Appendix 2.

1.4.2 323 Hill Street

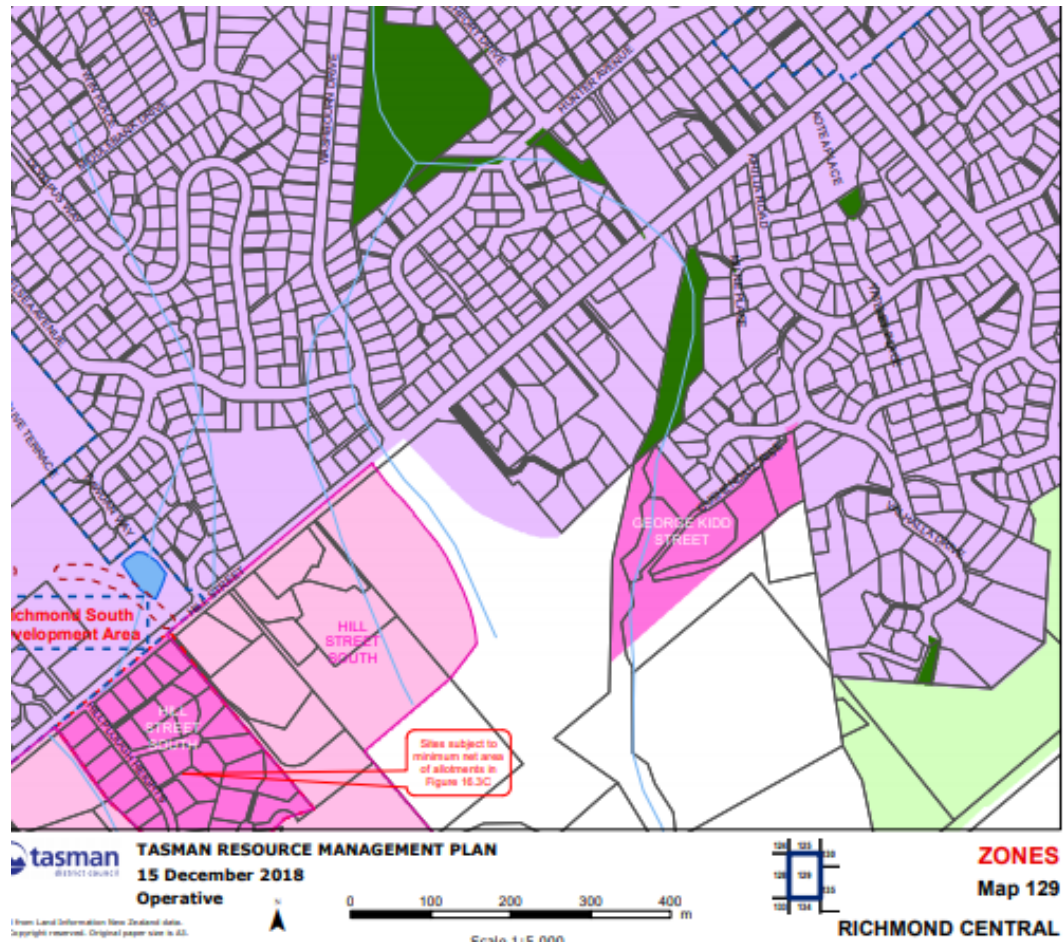


Figure 5 Current Zoning Map Information for 323 Hill Street (Maps 23, 57 & 129)

The proposed amendment to the Zone map information involves rezoning land within maps 23, 57 and 129 as follows:

Maps 23, 57 & 129

Land zoned Rural 2 to be rezoned **Residential**

Land zoned Rural 2 to be rezoned **Rural Residential**

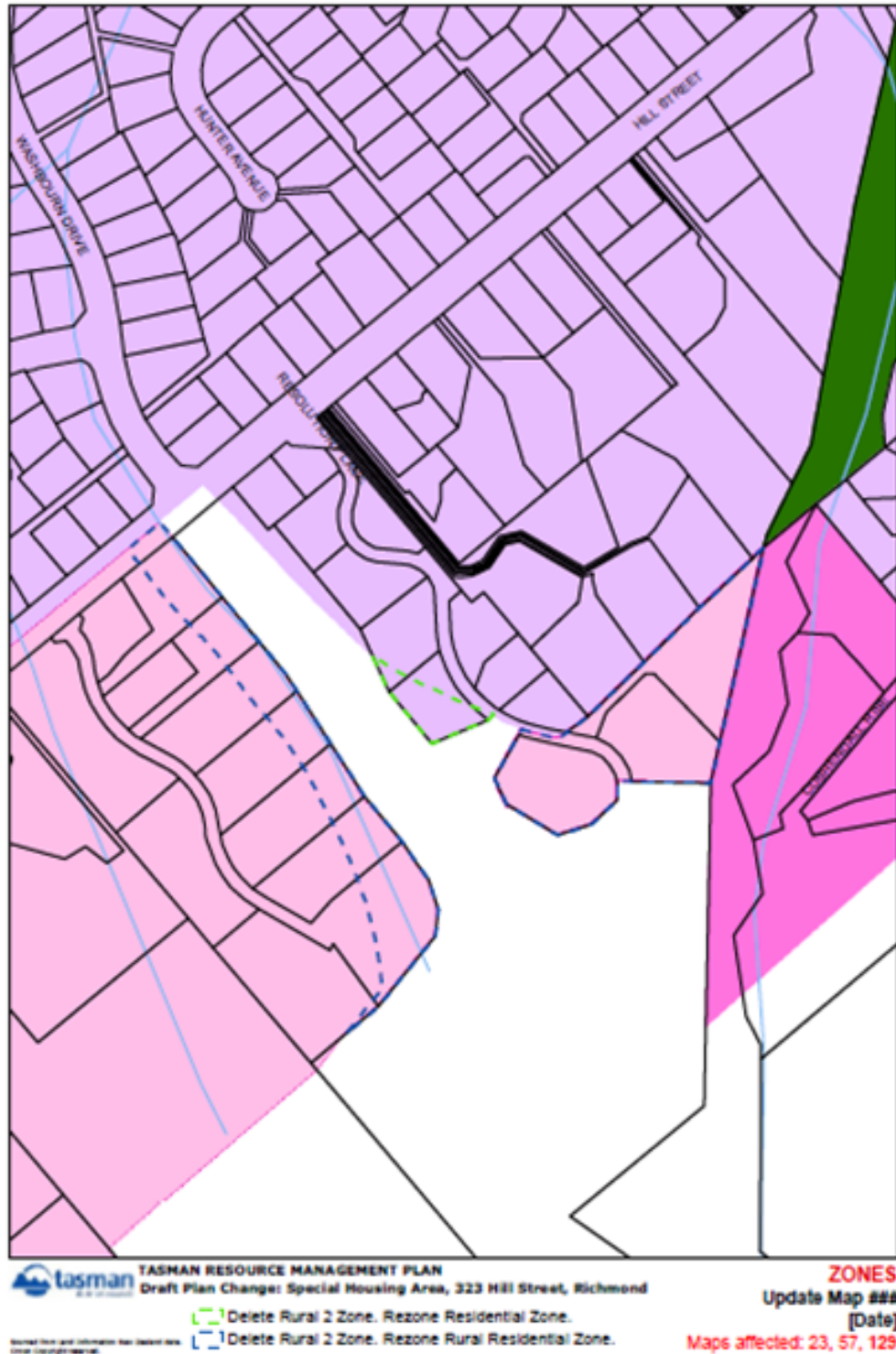


Figure 6 Proposed Amendment to Zone Map Information (Maps 23, 57 & 129) refer to Appendix 2

Amend Map 270 Fire Ban and Fire Sensitive Areas

Map 270 showing the Fire Ban and Fire Sensitive Areas in Richmond will be amended to include the land zoned Residential and Rural Residential in Richmond West and at 323 Hill Street as set out above in Figures 4 and 6.

1.4.3 Richmond Road, Pohara

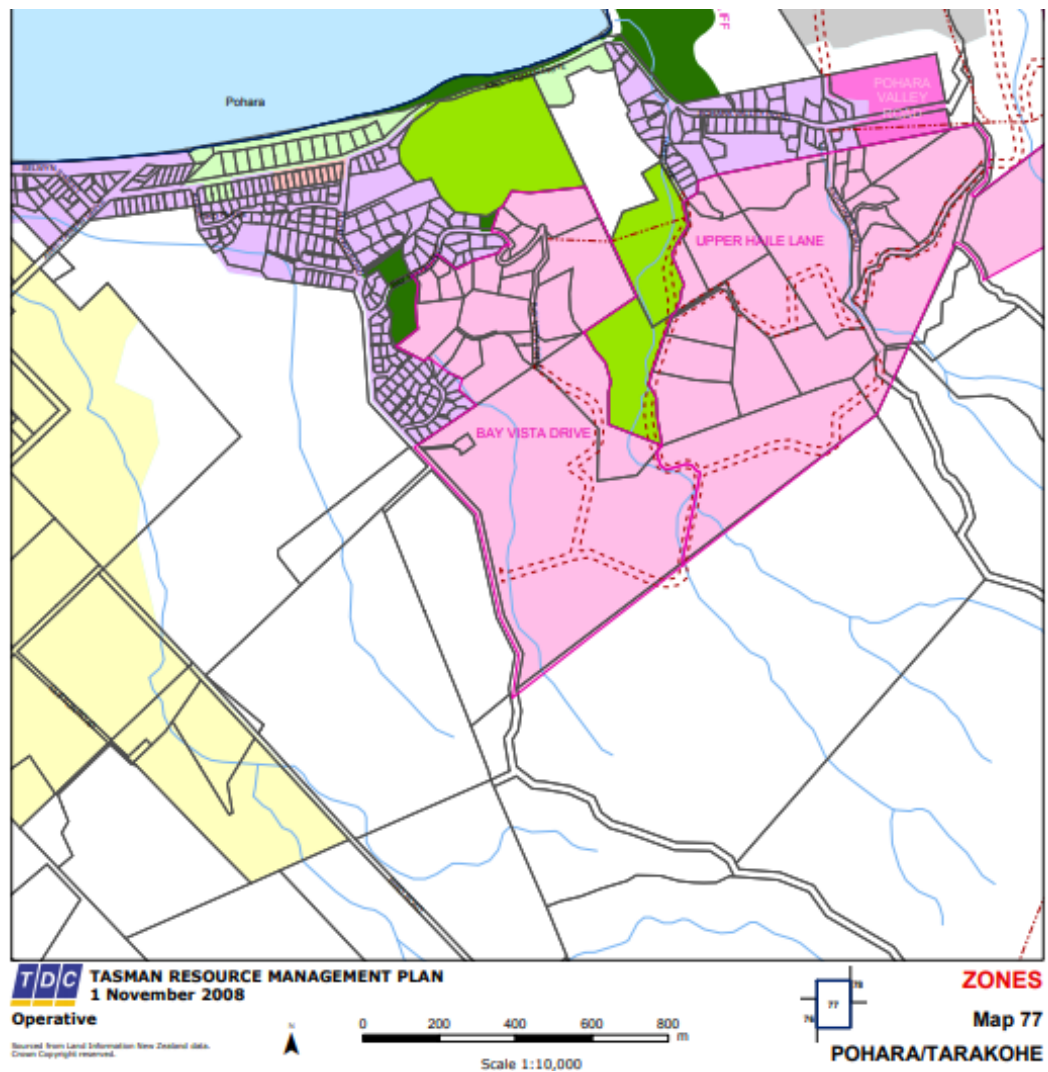


Figure 7 Current Zone Map Information for Richmond Road (Maps 10, 51 & 77)

The proposed amendment to the zone map information involves rezoning land within maps 10, 51 and 77 as follows:

Maps 10, 51 & 77

Land zoned Rural 2 to be rezoned **Residential**.

Amend Map 260 Fire Sensitive Areas

Map 260 showing the Fire Sensitive Area in Pohara will be amended to include the land zoned Residential at Richmond Road Pohara as set out above in Figure 7.

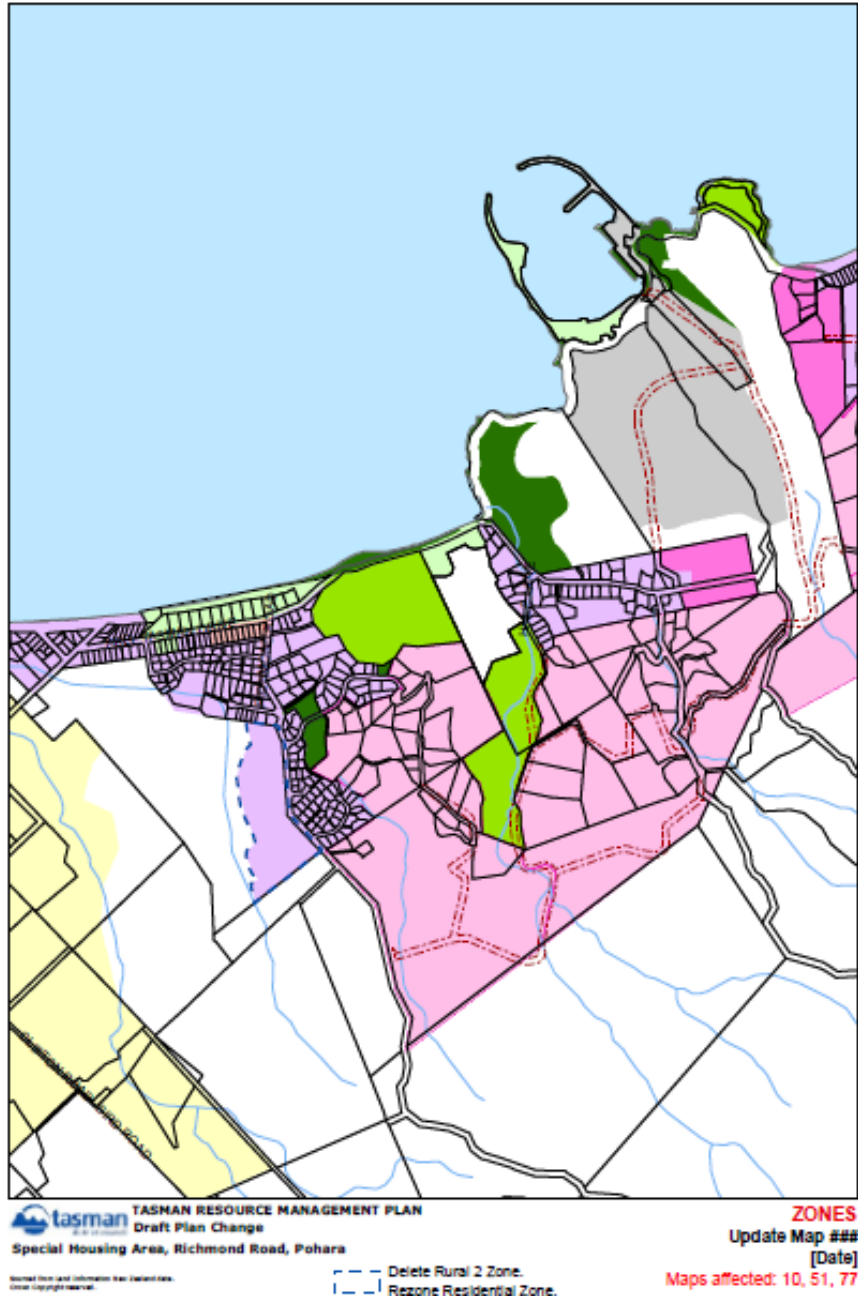
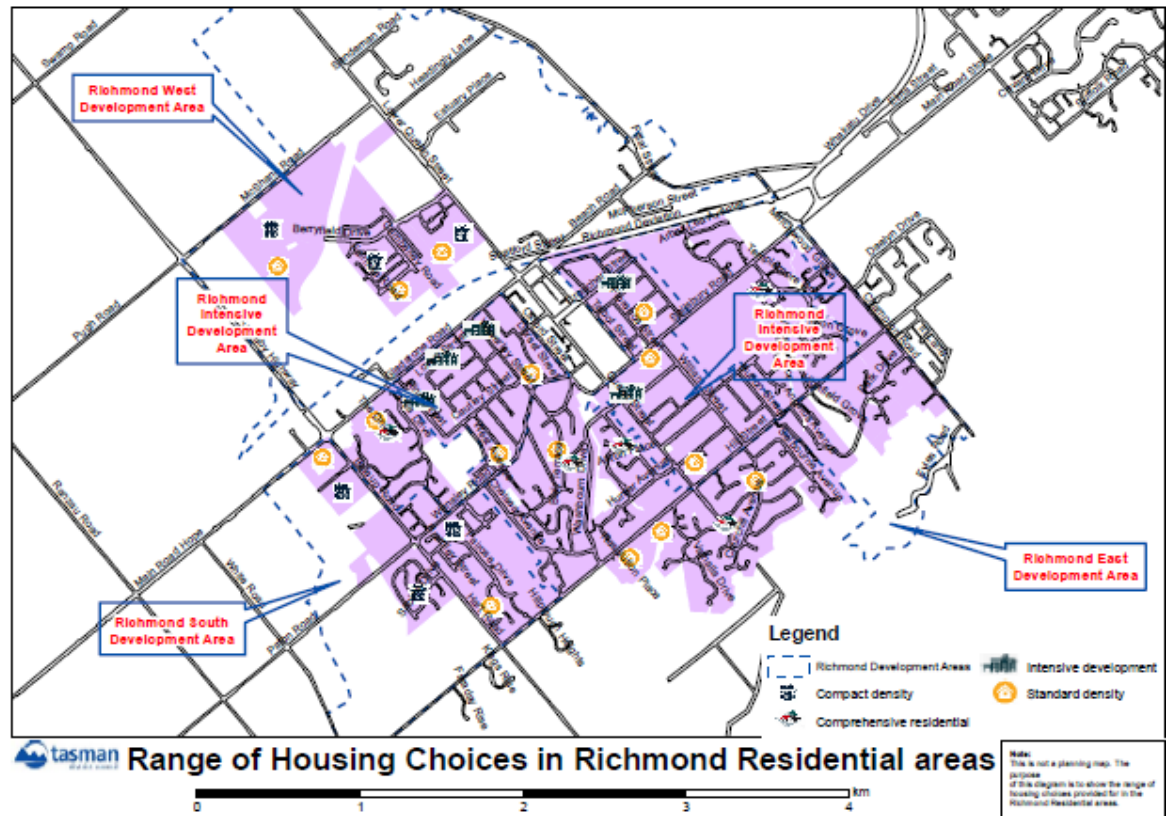


Figure 8 Proposed Amendment to Zone Map Information (Maps 10, 51 & 77) refer to Appendix 2.

1.4.4 Amend Figure 6.8b Range of Housing Choices in Richmond Residential Areas

Figure 6.8B is amended to include the additional residential areas in Richmond West as follows:



1.4.5 Amend Schedule 17.14A

Schedule 17.14 A Deferred Zone Locations is to be updated to correctly reflect those areas within the Schedule that are to be rezoned Residential Commercial and Open Space and therefore can be deleted from the table.

2. BACKGROUND TO THE SHA PLAN CHANGE

2.1 Residential Growth

Over the last two decades, Tasman has generally had sufficient new housing to meet population and household growth¹. Demand however outstripped the supply within the district around 2011 when population growth occurred following the Canterbury earthquakes. To provide for this additional growth and the development of new residential areas within Tasman, the Tasman District Council signed the Tasman Housing Accord with the government under the HASHAA which enabled land within the District to be gazetted for residential development. This led to resource consents for subdivisions and residential development in a range of locations across Richmond and the District which were not currently zoned for residential development.

2.2 Richmond West Development Area

Three of the sites subject to this Plan Change are located within the Richmond West Development Area (“**RWDA**”) overlay, as shown on the location map set out in Figure 1 above. This area is located to the northwest of Richmond, across State Highway 6, and it encompasses a total area of approximately 477 hectares.

Richmond West has been identified in the Tasman Resource Management Plan as a key strategic location for urban development in the Nelson-Richmond region. This has been recognised by Council in several reports assessing development and growth across the region including the *Richmond Development Study: Issues and Options for Growth* paper released in 2003 and the *Richmond Residential Growth and Development (September 2012)* paper. These growth studies resulted in a Plan Change to the TRMP rezoning the Richmond West Development Area to a mix of residential and business land in Richmond via Plan Change 10 (‘PC10’ notified in 2007 and made operative in 2014). This rezoning was as deferred Light Industrial, deferred Mixed Business and some deferred Residential with the anticipation that once servicing was available, the deferred zoning would be uplifted, and the land developed.

At the time of Plan Change 10 it was anticipated that the mix of development options in Richmond West would provide for anticipated demand for urban land including additional residential, business and light industrial development along with ensuring good pedestrian, cycle and road linkages; areas of open space; and diversity of housing styles. In total, approximately 210 hectares of greenfields land (previously Rural 1 zone) was rezoned.

¹ National Policy Statement on Urban Development Capacity, Nelson-Tasman Monitoring Report – year ending June 2019.

As noted above, as a result of pressure for additional residential land The Tasman Housing Accord was established which resulted in the gazetting of additional areas of land for residential purposes including this additional land in Richmond West.

The Meadows (parent) Special Housing Area was gazetted under the HASHAA legislation on 14 August 2017 and provided for a mix of new housing and residential development in line with the qualifying criteria of the SHA, including a maximum building height and minimum number of dwellings. In summary, for this area it was a minimum of 800 residential units to be developed on approximately 48 hectares (28%) within the RWDA land which was originally intended to have met future demand for business land.

2.3 Other Sites

In addition to the land gazetted at Richmond West for additional residential development, at the same time land at 323 Hill Street in Richmond was also identified as suitable for residential and rural residential development under the provision of the HASHHA legislation. This land is identified as the Richmond (Hill Street) Special Housing Area and included in the Housing Accords and Special Housing Areas (Tasman) Order 2017.

Land at Richmond Road, Pohara was also gazetted and included in the Tasman Order 2017 as land meeting the qualifying development criteria of the SHA which included a minimum number of 70 dwellings. The landowner of this site had for many years had a proposal to subdivide this land for residential purposes, proposing a structure plan to enable the development. Part of the site included the Tasman Order 2017 which has now been subdivided using the SHA criteria of the HASHHA legislation and was approved by Tasman District Council in December 2019 (Subdivision reference SH180012-17).

These areas are now proposed to be rezoned Residential through the SHA Plan Change.

2.4 Richmond Urban Area Housing and Business Capacity Assessment

In November 2018, Council prepared the *National Policy Statement Urban Development Capacity: Assessment for Tasman*, which covers the Richmond urban area ('the housing and business land capacity assessment').

The purpose of this report is to demonstrate that Council has adequate supply of housing and business land to meet demand. Its findings are based on the 2016 Growth Demand Supply Model (GDSM) review that informed the Tasman District Council Long Term Plan (LTP) 2018-2028.

This report notes that Richmond's population is growing, and its household size is decreasing:

*“Over the next 10 years, we expect an increase of 1,050 residents in Richmond.
In order to accommodate this population growth and trend of smaller*

households, we anticipate a further 1,100 new dwellings will be needed and 150 new business lots created by 2028. It is not just the new residents who will need new dwellings, but also the existing population's smaller households adding to demand.” (p. 1)

Due in part to a forecast of high population growth in the 65 years plus age, it is estimated that 30% of future demand for housing in Richmond will be for residential units or townhouses or units in retirement villages, and 40% will be for small houses (i.e., less than 150 square metres).

2.5 Nelson Tasman Future Development Strategy

In July 2019, Tasman and Nelson Councils finalised the Future Development Strategy which covers the Richmond Nelson urban area. FDS sets out the long term picture for future urban growth. It looks out over 30 years, from 2018 – 2048. The National Policy Statement on Urban Development 2020 (NPS-UD) encourages Councils like Nelson and Tasman to prepare an FDS to show how sufficient development capacity will be provided over the next 30 years to meet growth needs. The FDS is a high level strategy that covers both regions. The strategy does not set out the detail of how housing and business areas will be developed, or how required infrastructure will be funded. The identified areas need further interrogation of potential constraints – for example, cumulative impact analysis on the wider state highway network and their feasibility for development. The options may then be developed through a subsequent series of more detailed plans and strategies that the Councils will prepare and consult on.

Currently house prices in Nelson and Tasman are some of the most unaffordable in New Zealand. (Massey University Home Affordability Report). The FDS, which determines how best to accommodate future housing and business needs for Nelson and Tasman's fast growing population, will be reviewed at regular intervals.

3. STATUTORY EVALUATION

3.1 What is a s32 Report?

Before a proposed Plan Change is publicly notified, the Council is required under Section 32 of the RMA to consider:

- What is the most appropriate zoning of the land?
- Can the existing TRMP provision apply without modification, or are new provisions appropriate?
- Do the existing zonings represent the most appropriate use of land and methods for achieving the objectives?
- Are the proposed methods the most effective and efficient means of achieving the objectives?

The primary resource management issue to be addressed by the Plan Change is the appropriate zoning of this land. While the developments were approved under the HASHAA legislation, this did not result in the rezoning of the land. In addition, the National Policy Statement on Urban Development Capacity requires that Council ensures that there is sufficient housing and business land available.

3.2 Section 32 Requirements

3.2.1 Part 2 Matters

This report is required as part of the wider RMA framework that sets the purpose, principles, roles, responsibilities, and scope for plan making.

The proposed Plan Change must be consistent with Section 5 of the RMA ensuring that it will promote the sustainable management of natural and physical resources. In this instance, the proposed Plan Change reflects the consents that have been granted for residential development on land that was included as part of the HASHAA legislation to enable new affordable housing within Tasman. The Plan Change is providing for the long-term provision of land for urban growth within Tasman District. Part 2 requires that this occurs in a way and at a rate which enables people and communities to provide for their social, economic and cultural wellbeing. It also requires that the potential of natural and physical resources is sustained and that any adverse effects on the environment are avoided, remedied or mitigated.

The purpose of the Plan Change is consistent with the purpose of the RMA as in providing additional Residential zoned land it also provides for the communities social and economic wellbeing. The areas identified have already been assessed as being able to be developed for residential or rural residential development in a manner that avoids, remedies or mitigates adverse effects on the environment via the subdivision consent process.

In turn the proposed Plan Change is required to recognise and provide for those “Matters of National Importance” identified in Section 6 and to have particular regard to the matters outline in Section 7.

This proposed Plan Change does not relate to any Section 6 matters but is relevant to efficient land use and to creating a high amenity urban environment (and is consistent with Sections 7(b) (c) and (f)). The land has been identified through the HASHAA legislation as being suitable for being developed for residential purposes and that use is therefore considered efficient.

In terms of Section 8 of the RMA, these matters have been given due consideration and the Plan Change has been discussed with mana whenua.

3.2.2 Sections 30 and 31

Sections 30 and 31 of the Resource Management Act are important as they set out the Council’s regional and territorial functions. As a unitary authority, the Tasman District Council must ensure both functions are adequately addressed. In this proposed Plan Change it is only the territorial authority responsibilities that are implicated relating to the zoning of the land.

Section 31 also requires that Council, as a territorial authority, review its objectives policies and methods to ensure the integrated management of effects of development. Specifically relevant to this Plan Change, Section 31(1)(aa) requires the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.

This proposed Plan Change reflects the previously approved housing and business land that ensures that the District can meet its obligations in providing sufficient residential development capacity. In addition, the Plan Change seeks to establish appropriate zonings to control any actual or potential effects of future use and development within these areas.

3.2.3 Section 66 and 74

These sections of the RMA set out the matters to be considered when preparing or changing a regional or district plan, setting out the requirements including that the Plan:

- must state objectives, the policies to implement those objectives and the rules (if any) to implement the policies;
- may state issues to be addressed, other methods for achieving the policies, principal reasons for any policies and methods, processes for dealing with effectiveness monitoring and cross-boundary issues and information to be included with resource consent applications (among other matters)
- must give effect to the National Policy Statement, the New Zealand Coastal Policy Statement and Regional Policy Statement (RPS);

- must not be inconsistent with other regional and district plans for the region.

As set out above, this report sets out that evaluation.

3.2.4 Housing Accords and Special Housing Areas Act 2013 (HASHAA)

The purposes of the HASHAA as defined by Section 4 “is to enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts”. The applications that were approved under this legislation in areas that are now proposed to be rezoned have enabled new residential units across the district to be created and enabled Tasman District Council to meet its housing demand.

3.2.5 Relevant National and Regional Planning Documents

Consideration of the overarching planning documents, including the relevant national environmental standards and national policy statements, is required as set out above.

3.2.5.1 National Policy Statements

There are currently five national policy statements:

- National Policy Statement on Urban Development (2020)
- National Policy Statement for Freshwater Management (as amended 2020)
- National Policy Statement for Renewable Electricity Generation (2011)
- New Zealand Coastal Policy Statement (2010); and
- National Policy Statement on Electricity Transmission (2008).

3.2.5.2 National Planning Standards

In addition, the National Planning Standards (gazetted in April 2019) have effect but the Council has 10 years to give effect to the requirements of the Standards and while the National Planning Standards are a relevant consideration, they do not affect this Plan Change. These standards relate to the content and formatting of district and regional plans.

3.2.5.3 National Environmental Standards

There are also seven National Environmental Standards in force, but none of these standards are considered relevant to the amendments proposed by this Plan Change:

- a) National Environmental Standards for Air Quality (2004);
- b) National Environmental Standard for Sources of Drinking Water (2007);
- c) National Environmental Standard for Telecommunication Facilities (2016);
- d) National Environmental Standard for Electricity Transmission Activities (2009);
- e) National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011); and
- f) National Environmental Standard for Plantation Forestry (2018)
- g) National Environmental Standards for Freshwater (2020)

- h) National Environmental Standards for Marine Aquaculture (takes effect 1 December 2020).

3.2.5.4 Assessment of Higher Order Planning Documents

An analysis of the implications of the relevant higher order planning documents and legislation is set out below.

In terms of this proposed Plan Change, the following documents are considered relevant.

- National Policy Statement on Urban Development (which replaced the National Policy Statement on Urban Development Capacity, 2016) requires councils to plan well for growth and ensure a well-functioning urban environment for all people, communities and future generations. This policy statement requires that Council provide for sufficient capacity in respect of housing and business land supply to meet the expected demands of the District. This NPS is directly relevant to this Plan Change which rezones land already approved for residential development. The Tasman District Council has developed a Growth Demand and Supply Model (GDSM) which was first implemented in 2005. The Council now reviews the demand and supply across the District in line with the requirements of the NPS-UD. The seventh monitoring report on housing and business market activity covers the period July 2019-June 2020. The report is joint with Nelson and covers the whole Tasman District as well as the Nelson Urban Area (Nelson, Richmond and Hope).
- The NPS–UD also encourages councils such as Tasman and Nelson to prepare a Future Development Strategy (FDS) to plan how the region will provide for urban growth. As mentioned in section 2.4 of this report (above), Tasman District Council, jointly with Nelson City Council, finalised their first FDS in 2019. The strategy is scheduled to be reviewed in 2021.
- National Policy Statement for Freshwater 2014 (amended 2017 and 2020) and National Environmental Standards for Freshwater (2020) seek to protect the values of freshwater. These national instruments are relevant as the Plan Change includes the rezoning of the open space network in Richmond West (a portion of Borck Creek and Poutama Drain) through the SHA sites.

3.2.5.5 Tasman Regional Policy Statement (TRPS)

This overarching policy document provides higher direction and context for the Tasman Resource Management Plan and is therefore highly relevant to this proposed Plan Change. As set out above, the Plan Change is required to ‘give effect’ to the TRPS. Key policy issues included urban growth, freshwater management, and provision of open space and amenity values:

The TRPS sets out the following matters as the key urban design issues:

- (i) Allocating the use of high-quality lands adjacent to urban areas
- (ii) Managing natural hazard risks to urban growth
- (iii) Water allocation for urban growth

- (iv) Cross-boundary conflicts between adjacent urban and rural areas
- (v) Urban expansion in areas of natural coastal character
- (vi) Managing urban transport systems and urban development
- (vii) Maintenance and enhancement of the quality of the urban environment

The key considerations in this Plan Change include managing conflicts between adjacent urban and rural areas as the SHA sites are located on the urban/rural interface and the maintenance and enhancement of the quality of the urban environment. The subdivision and land use consent applications that have been previously approved by Council have been carefully considered against the TRPS in their assessment.

3.2.5.6 Long Term Plan (“LTP”)

The LTP is reviewed every three years and sets the priorities for the District in guiding its decision-making under the Local Government Act 2002. The LTP identifies that the District is growing in population and housing demand, and the challenge is to manage that growth in a sustainable and timely manner. One of the keys to this is ensuring housing affordability.

3.2.5.7 Tasman Resource Management Plan (TRMP)

No amendments to the current framework, objectives, policies or rules are proposed.

The Richmond West Development Area was previously rezoned to provide for additional business and light industrial development with the intention that this deferred zoning would provide the long-term provision of residential, business and industrial land. With the gazetting of 50 hectares of this deferred business and industrial land with the SHA as suitable for residential, a portion of this deferred zoned land is no longer available to be zoned for mixed business and light industrial purposes. The recent National Policy Statement on Urban Capacity Assessment for Tasman (2018) identifies that this loss of land for residential development in the Richmond West Development area has resulted in additional land identified for the longer term to be brought forward for business land rollout.²

In addition to the specific amendment above, it is considered that the following chapters of the TRMP are of particular relevance to this assessment:

- Chapter 5: Site Amenity Effects
- Chapter 6: Urban Environmental Effects
- Chapter 16: General Rules Section 16.3.3. Subdivision in Residential Zone
- Chapter 17: Residential Zone Rules

Set out below is a summary of the existing objectives of the TRMP that are the most relevant to the Plan Change.

² National Policy Statement on Urban Development Capacity: Assessment for Tasman – Section 7.1(page 31).

No amendments to the existing objectives of the TRMP are proposed. The Residential zone is an existing zone, and these overarching objectives are relevant to this proposal without alteration.

Table 2: Objectives of the TRMP that are relevant to the Rezoning

Chapter 6	URBAN ENVIRONMENTAL EFFECTS
6.1	Sustainable Urban Design and Development
6.1.2.2	<i>A wide range of living opportunities in urban locations that incorporate urban design principles</i>
6.2	Land Effects from Urban Growth
6.2.2.1	<i>How to provide for urban growth that keeps the loss of land of high productive value to a minimum and that avoids or mitigates the risks of extending onto land subject to natural hazards.</i>
6.2.2.2	<i>How to use existing urban land and infrastructure effectively and efficiently to accommodate the growing population, the changing demographic profile, and a diversity of living opportunities.</i>
6.5	Land for Industrial Activities
6.5.2.2	<i>A supply of suitably located industrial land to provide for the medium to long-term needs of the Tasman and Nelson region.</i>
6.6	Land for Commercial Activities
6.6.2.1	<i>Effective accommodation of a wide range of commercial activities on appropriately located sites, including a strong, vibrant commercial focus in the main towns of the District.</i>
6.6.2.2	<i>A high quality, high amenity business environment with minimal environmental effects within and beyond the zone boundary.</i>
6.8	Richmond
6.8.1.6	<i>Meeting the demand for a range and choice of residential housing within the Residential Zone in Richmond.</i>
Chapter 7	RURAL ENVIRONMENTAL EFFECTS
7.2	Provision for Activities Other than Plant and Animal Production
7.2.2.1	<i>Retention of opportunities to use rural land for activities other than plant and animal production, including rural living, rural residential, rural industrial, tourist services and papakainga activities in restricted locations, while avoiding the loss of land of high productive value.</i>
7.2.2.2	<i>Retention of opportunities for a range of residential living options within rural locations, including coastal and peri-urban areas, in the form of the Rural Residential and Rural 3 zones.</i>
Chapter 14	RESERVES AND OPEN SPACE
14.1	Provision of Reserves and Open Space
14.1.2	<i>Adequate area and distribution of a wide range of reserves and open spaces to maintain and enhance recreation, conservation, access, and amenity values.</i>

3.2.6 Planning Documents recognised by an Iwi Authority

Section 74(2A) of the RMA requires the Council to consider any relevant planning document recognised by an Iwi authority.

Ngati Koata Trust Iwi Management Plan 2002

Ngati Koata have an interest across the District and in protecting the heritage and cultural values of the region when land is developed.

Ngati Tama Environmental Management Plan 2018

This plan identifies that Ngati Tama is actively involved in statutory decision-making processes to zone land in the rohe and establish building codes, and that Ngati Tama have a particular interest in protecting cultural values and ensuring that the adverse effects of subdivision proposals on cultural values and sites are avoided.

Pakohe Management Plan 2015 Ngati Kuia

Pakohe is a taonga tūturu, and Ngati Kuia has developed a management plan in recognition and protection of the Pakohe archaeological sites to ensure they are sustainably managed into the future. This includes ensuring accidental discovery protocols are followed when earthworks associated with a range of land uses occur.

4. CONSULTATION

4.1 Stakeholder/Community Engagement

For developments consented under HASHAA, public notification was not required by that Act. In certain circumstances, adjacent landowners, infrastructure providers and/or requiring authorities were consulted.

Workshops have been held with the Tasman District Councillors to discuss the changes proposed and refine some of the possible options for the changes.

The early consultation on this Plan Change primarily consisted of targeted engagement with the landowners directly affected by the Plan Change. This was carried out through correspondence and engagement with various parties to consider the rezoning.

The draft Plan Change was circulated to landowners, Iwi, and affected crown entities for comment. Also, at Pohara, a meeting was held with Manawhenua ki Mohua and, thereafter, a public drop-in session was held. The following feedback has been received:

Richmond West Landowners

Feedback from the Richmond West Development Company was generally supportive of the draft proposal and the company requested an adjustment to the area of the Commercial Zone within the site to be rezoned. This feedback was responded to and incorporated into the Plan Change.

One other issue was raised around the north-western corner of the Meadows site which may not be developed for residential purposes. This request has not been included in the Plan Change due to the new titles for this area not yet being available. In addition, the Plan Change is only amending sites where resource consents have been approved. Currently there is no approval for the proposed subdivision of the north western corner of the Meadows site separate from the remainder of the site.

Landmark Lile Ltd also commented on the Plan Change and in particular in relation to the areas to be zoned Open Space. The proposed Open Space zone replaces the Indicative Reserve notation. These comments have been responded to advising that the Plan Change has carefully considered the Open Space zone standards and the adjoining residential development.

Waka Kotahi New Zealand Transport Agency

Waka Kotahi supports the Plan Change.

Pohara Landowner

Feedback was received from the Richmond Pohara Holdings Ltd and Project Ventures Ltd requesting that the full area identified as a Special Housing Area be rezoned Residential. The intention of this Plan Change is only to rezone the parts of the site that

have an approved land use and subdivision consent. It is anticipated that as part of the process of the review of the Tasman Resource Management Plan there will be the opportunity to consider appropriate zoning of land at Pohara. This is considered a more appropriate process to consider this request.

Additional comments requested inclusion of additional sites within the HASHAA as Special Housing Areas within the SHA Plan Change. This Plan Change only relates to those sites that have resource consents and a zone that is not in line with the consented residential development. A number of the SHA sites are already zoned Residential or serviced Rural Residential and therefore do not need to be rezoned.

Pohara Drop in Session

Most of the people who attended Pohara public drop session were residents of Pohara who had received notification from Council (either as an interested or affected party) about Council's proposed Pohara stormwater upgrade). Concerns included the potential impact of any further residential development on the upgraded stormwater system and locality.

Council staff confirmed that, in combination with works required by the owner/developer, the Council stormwater system is being designed to accommodate the consented residential development on the SHA site.

Richard English, (Pohara land owner) noted that given the circumstances of the Council (i.e. approval of the Richmond Rd, Pohara SHA), independent commissioners should be appointed for the hearing of this Plan Change to avoid any perception of bias.

4.2 Iwi Authorities

The draft Plan Change was circulated to Te Tau Ihu iwi authorities for comment. Iwi are important partners in the drafting of plan changes. Manawhenua ki Mohua ('MkM') representing (Te Ātiawa, Ngāti Rārua and Ngāti Tama in Golden Bay) met with Council staff regarding this Plan Change on the 8 September 2020 and provided supportive feedback to be included into the Plan Change. In summary, the key points raised include:

- Ensuring that the prior involvement of Iwi with the site and related resource consent conditions are recorded in the Plan Change, i.e., an archaeological assessment was completed by Charles Sedgewick in 2008, when the owner first applied to develop the site. In collaboration with Chris Hill of MkM, the report recommended that initial removal of topsoil be monitored by local Iwi until such time as Iwi are satisfied there is no further likelihood of exposing or locating artefacts. The s29 HASHAA report and earthworks consents record that the developer confirmed their acceptance of an Iwi monitor for the earthworks phase and an accidental discovery protocol condition.
- The sensitivity of the Pohara natural environment and associated servicing challenges be kept in mind when development in the area is considered in future.

- In future, care should be taken that fast track consenting processes (such as Special Housing Area legislation) do not exclude consultation with Iwi.

The recommendations of MkM are included in the Plan Change documents.

5. EVALUATION

5.1 The “Most Appropriate” Way

It is considered that the Plan Change is “appropriate” in regard to achieving the following:

- **Relevance:** The Plan Change addresses a resource management issue (around growth management and land development) identified and addressed in the Tasman Resource Management Plan and the Tasman Regional Policy Statement, and it will appropriately zone land that has been approved for residential development. In turn, this will enable the objectives set out in Table 2 above to be achieved;
- **Usefulness:** The Plan Change will be useful as it appropriately identifies areas within Richmond and Pohara that form part of the urban growth area. It will therefore provide a high degree of certainty for the community about the development of these areas in accordance with the objectives set out in Table 2 above. It will also result in an appropriate Open Space zoning for areas of public open space along Borck Creek and Poutama Drain which has been anticipated for many years and provides public recreation and amenity linkages through this area of Richmond West. The Plan Change will also zone an area of land for commercial purposes enabling a small cluster of commercial developments within the developing residential community of Richmond West to meet the day to day needs of that community;
- **Reasonableness:** The Plan Change is considered to be reasonable as it has been planned for by the community and the landowners for many years. It provides for a high degree of certainty of outcome and aligns with the consents granted for development under the HASHAA legislation and the objectives set out in Table 2 above. It results in long-planned infrastructure growth and efficiency, developed through the staged subdivision of these areas, particularly in Richmond West;
- **Achievability:** The outcome sought by the Plan Change is able to be achieved by the land being developed by the landowners in accordance with the long-planned proposal for development of these areas in accordance with the objectives set out in Table 2 above.

5.2 Scale and Significance

The level of detail undertaken in this evaluation has been determined by the assessment of the scale and significance of the environmental, economic, social and cultural effects anticipated through the rezoning of these sites. Key considerations that have informed this assessment include regard to the relevant TRMP objectives and the relevant provisions of the higher order documents, relevant strategies and Iwi Management Plans discussed above, this section evaluates the scale and significance of the proposed rezoning:

Table 3: Scale and Significance of the Plan Change

Matter of Assessment	Comment	Scale and Significance
Degree of change from current practice	While the Plan Change results in a change of zoning to various sites within Richmond and Pohara, the Change is in line with the subdivision and land use consents that have been granted over these sites through the HASHAA legislation. The rezoning therefore seeks to provide district plan certainty for existing land uses, rather than to result in a change in land use.	<p>Minor</p> <p>It is considered that the rezoning of the land is best practice and reflects the changing land uses that have been approved on the sites.</p>
Range and scope of changes to TRMP	The range and scope of changes are relatively minor. There are no changes required to the objectives and policies of the Plan. The sites located in Richmond West, Hill Street and Pohara are all located in areas where it is anticipated urban development for residential purposes would occur.	<p>Minor</p> <p>The TRMP provisions are unaffected by the rezoning. All of the sites can be rezoned to existing zones within the TRMP without the need for modification of those zone provisions.</p>
Economic Effects	<p>All the sites have previously been approved through subdivision and land use consents.</p> <p>Overall, the economic effects of this additional residential in Richmond West and Pohara will be a positive effect on the Tasman economy.</p> <p>The small area of land to be zoned Rural Residential forming part of the Hill Street rezoning will also enable a number of additional rural residential properties in this area of Richmond.</p>	<p>Moderate</p> <p>The rezoning of these sites and development as additional residential areas will have a positive effect on the District's economy.</p>
Social/Cultural Effects	<p>As noted above, these sites have been approved through subdivision and land use consent applications. Consideration of best practice, good urban design and consideration of infrastructure requirements have been key considerations in the development of these additional residential areas.</p> <p>In addition, the Plan Change enables the rezoning of portions of Borck Creek and Poutama Drain to Open Space Zone which reflects the investment by both the Council and the developers to provide and maintain this important area of open space through this area of Richmond West.</p> <p>Two lots within the Meadows subdivision will also be rezoned Commercial which will ensure that there is the opportunity for some small scale commercial development to provide</p>	<p>Minor</p> <p>The Plan Change will appropriately provide a mix of zoning that reflects the residential character of these sites and also enables the appropriate zoning of the areas of public open space and the small commercial area.</p>

Matter of Assessment	Comment	Scale and Significance
	<p>services for this emerging residential area at a scale that reflects the residential nature of the locality.</p> <p>As part of the resource consent for the Pohara site, a detailed archaeological assessment was undertaken, and specific iwi monitoring conditions were included as part of the resource consent decisions.</p>	
Environmental Effects	<p>This Plan Change will ensure that the environmental outcomes of the TRMP are appropriately reflected.</p> <p>The subdivision and land use applications and approvals have carefully considered the environmental effects of the subdivision and development of these sites, including providing for the day-to-day needs of the emerging residential area in Richmond West with a pocket of commercial land which will be zoned Commercial. The area of land approved for residential and rural residential development in Hill Street will be zoned residential and rural residential to reflect the existing environment and the approved subdivision which carefully considered all of the environmental effects of development of this land.</p>	<p>Minor</p> <p>Positive changes are anticipated in relation to the environmental outcomes of the development of these sites included within the Plan Change. Careful consideration of the environment has formed part of the land use and subdivision consents for the development of these sites to ensure that the environmental effects are minimised.</p>

5.3 Alternative Approaches (Zoning and Provisions Application)

The following section evaluates the proposed provisions against other practicable options.

In summary, this Plan Change proposes to rezone the land Residential and Rural Residential, rezone the open space areas vested in Council as Open Space and rezone a small area Commercial. The alternatives to progressing the Plan Change are:

- (a) Retain the current zoning of the sites - do nothing approach (i.e. retain the mix of Rural zone and deferred zonings over the sites and await the TRMP review to rezone the land; or
- (b) Rezone to an appropriate zone including:
 - i) Rezone areas developed or proposed to be developed for residential purposes Residential;
 - ii) Rezone areas designated by Tasman District Council for stormwater and recreation (portions of Borck Creek and Poutama Drain) Open Space;
 - iii) Rezone areas developed for rural residential purposes Rural Residential zone; and;

- iv) Rezone areas approved for commercial development Commercial zone.
- (c) Rezone to another zone option such as a new specific Residential Zone and associated structure plans for the HASHAA sites.

The process of approval for the subdivision and development of these areas of Richmond West, central Richmond and Pohara through the HASHAA legislation identified that these areas were suitable for residential development including a mix of density and housing styles to provide a range of housing options and affordability. Many technical reports were commissioned about each of the five sites and the suitability of each site for residential development. The consents that have been granted have included details about the layout, density and nature of each of the proposed developments.

In terms of the preferred options for zoning these site Residential, it is necessary to also explore whether or not the existing provisions/methods are adequate or whether any need to be amended. In summary, these options are:

- a) Retain existing provisions
- b) Include new specific provisions in the applicable zones OR
- c) Modify/provide bespoke provisions, methods, etc.

An assessment of the options and alternatives has been undertaken, including the costs and benefits of each, attached as Appendix 1. The conclusion of this assessment is that rezoning to existing zonings within the TRMP that match the consenting land use has the greatest ratio of benefits to costs and is the most appropriate option.

6. PROPOSED TRMP PROVISIONS (POLICIES AND METHODS/RULES)

6.1 Amended Provisions

As already discussed, no new objectives are proposed as part of this Plan Change.

No changes to the rules in the Residential, Rural Residential, Commercial or Open Space zones are required.

The land within the five sites approved under the HASHAA and included as Special Housing Areas are proposed to be rezoned to reflect the approved development. This includes the areas of public open space within Richmond West that incorporate portions of Borck Creek and Poutama Drain, a small new reserve area vested in Council to be zoned Open Space and the area to be developed for commercial purposes proposed zoned Commercial.

It is proposed to amend Figure 6.8B to include the additional residential areas in Richmond West to include the additional areas zoned Residential in this area of Richmond (refer Appendix 3.)

It is also proposed to update Schedule 17.4A Deferred Zone Locations to correctly reflect that areas within the Schedule are to be rezoned Residential, Commercial and Open Space and therefore deleted from the table.

7. CONCLUSION

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs of the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the Act.

The evaluation demonstrates that this proposal to rezone the land within Richmond West, 323 Hill Street and on Richmond Road Pohara to Residential, a portion of land at 323 Hill Street to Rural Residential and small areas of land in Richmond West as Open Space and Commercial is the most appropriate option to appropriately reflect the residential development that has been approved through the subdivision and land use consents for SHA developments within Richmond and Pohara.

Appendix 1: Analysis of Options

Table 4: Cost Benefit Analysis

Option 2 (preferred option)	Costs	Benefits	Risk of Acting/Not Acting
	<p>Option 1</p> <p>Retain the Current Zoning of the Sites</p>	<p>Option 2</p> <p>Adopt Existing zonings included Residential, Open Space, Rural Residential and Commercial</p>	<p>Option 3</p> <p>Develop a customised Structure plan for each of the sites</p>
<p>Effectiveness</p>	<p>The focus of the existing Rural 1 and 2 zones over the sites is on the rural production and land based on primary production purposes.</p> <p>Within the Richmond West area, the sites also have a future deferred zoning of Mixed Business and Light Industrial.</p> <p>These existing zones do not reflect the approved land uses of residential and the zoning would therefore be ineffective in achieving the successful implementation of these new residential developments. The developments would also be contrary to the relevant objectives of the rural zones.</p>	<ul style="list-style-type: none"> • Rezone the 3 sites in Richmond West Residential. • Rezone the areas of Borck Creek and Poutama Drain within the three Richmond West sites Open Space • Rezone the Commercial Area within the Meadows Subdivision Commercial • Rezone Hill Street to Residential and Rural Residential and retain a portion of the site Rural 2 • Rezone part of the site in Richmond Road Pohara as Residential and retain the remainder Rural 2 <p>The Residential zone provides for urban expansion within the Richmond West area, Richmond and Pohara. Objectives, policies and rules are included in this zone, and throughout the Plan, that address amenity effects and urban design principles, as well as reverse sensitivity issues. These provisions have been developed and adopted through the Tasman Resource Management Plan process and subsequent plan changes to reflect the urban character of these parts of the district.</p>	<p>A specific set of zone provisions could be drafted to provide for the development of each specific site. This however would create a number of new bespoke zones which do not reflect the intention of the HASHAA legislation which was to enable residential development to provide for a range of housing styles and housing options at affordable prices.</p> <p>The site at Pohara, for example, was originally anticipated as a Structure Plan development prior to being identified and gazetted in the HASHAA process. The TRMP includes specific objectives and policies relating to urban development at Pohara and given</p>

Option 2 (preferred option)	Costs	Benefits	Risk of Acting/Not Acting
		<p>All of the sites proposed to be zoned in the SHA Plan Change have been approved with resource consents granted for subdivision and land use development. This has included consideration of:</p> <ul style="list-style-type: none"> • Consistency with the HASHAA criteria; • Consideration of the actual and potential effects of the proposals including the: <ul style="list-style-type: none"> • Transportation effects; • Landscape effects; • Servicing Infrastructure effects; • Construction effects; • Cultural and Heritage Effects; • Rural Productive Value; • Loss of Mixed Business and Light Industrial land; • Cross boundary effects; • Effects on reserves and open space • Reverse Sensitivity • Land Contamination; and • Ecological effects <p>The rezoning of these sites to reflect the approved development would be highly effective in achieving the purpose of this proposal and the existing relevant objects of the District Plan.</p>	<p>the consents that have been granted for the development of this land through the HASHAA legislation, a specific structure plan is not required.</p> <p>Having individual structure plans over each of the five sites would not be an effective way of providing for the long-term development of these urban areas.</p>
Costs	Any of the lots or sites developed would require ongoing resource consent approval which is very costly for individual landowners and does not reflect the purpose of the	The infrastructure costs of the developments have been borne by the developers of the sites.	Additional costs would be incurred with the development of individual zones and structure plans for each of the sites.

Option 2 (preferred option)	Costs	Benefits	Risk of Acting/Not Acting
	<p>HASHAA which was to enable additional residential areas.</p> <p>Retaining the existing zoning and deferred zoning does not reflect the development of residential and associated open space and commercial land uses.</p>	<p>The loss of productive land and impact of urban development has been specifically considered through the land use and subdivision consents for these sites.</p> <p>Rezoning these sites enables the integration of the public open space areas with appropriate zoning, the identified commercial areas and correctly reflects the residential and rural-residential land uses.</p>	<p>Would not provide for the long-term urban development priorities of connected communities with integrated open space networks and character.</p>
Benefits	Economic – No additional cost to Council.	Social – Change of character will integrate with adjacent residential land uses and provides for the zoning of the open space networks that are designated and owned by Council and the establishment of small commercial areas.	Social – inclusion of these areas within structure plans identifies them as unique areas within the district.
Overall Appropriateness	Not appropriate	Appropriate	Not appropriate
Risks of Acting or not Acting	Risk of not acting to provide for the appropriate zoning of these sites results in further costs to the landowners and lack of integration into these areas with the appropriate zoning.	N/A – information is sufficient and certain	Risk of not acting to provide for the appropriate zoning of these sites results in further costs to the landowners and lack of integration into these areas with the appropriate zoning.