

Tasman Resource Management Plan

**Proposed Plan Change 75:
Brightwater – Residential Growth and
Waimea West Road Re-Zoning**

Section 32 Evaluation Report

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1. Executive Summary

Plan Change 75 ('this Plan Change') has two components; one being providing for residential growth in Brightwater, and the other being a zoning correction on Waimea West Road.

In terms of the residential growth aspect of this Plan Change, the purpose – and therefore the objective – of the Plan Change is to provide additional land for residential housing and encourage both intensification and a variety of densities within an area of land in Brightwater (the proposed 'Brightwater Development Area'). This is responding to issues around the need to provide for population growth, the need to ensure land supply for housing, and the need to provide a variety of lot sizes to cater for different demographics and ensure efficient land use. In order to address these issues, this Plan Change is seeking to rezone and change applicable rules for an area of land identified in the Future Development Strategy 2019 and 2022.

The proposed plan change is seeking to encourage medium density¹ housing by applying the Tasman Resource Management Plan's (TRMP's) existing Compact Density provisions to the site, with an additional non-notification provision to incentivise the use of the Compact Density provisions. This is considered to be the most appropriate method of encouraging intensification as it uses existing provisions in the TRMP (ensuring consistency) and introduces a non-notification provision.

This Plan Change is also seeking to require a minimum development yield and variety of section sizes when subdividing sites greater than 2 hectares. This is achieved by requiring a percentage of allotments to be smaller than standard residential allotments within the proposed Brightwater Development Area. This proposed approach is intended to ensure that a variety of lot sizes are achieved and encourage medium density housing is provided for in the Brightwater Development Area (to ensure efficient land use).

In order to enable development in the proposed Brightwater Development Area, key constraints such as transport (in particular access to the site and promoting active transport modes), reverse sensitivity effects in relation to the adjacent state highway, and stormwater management will need to be addressed at the subdivision stage. The Plan Change includes provisions relating to these matters, to ensure that they are appropriately managed at the time of consenting and development.

The Waimea West Road aspect of this Plan Change has the purpose and objective of rationalising the zoning at 336 and 368 Waimea Road. This will be achieved by aligning the zoning with the property boundaries. One property is Council owned, while the other is a private property. This change reflects a subdivision boundary adjustment consented in 2007, which resulted in a misalignment of the zoning in relation to the new property boundaries and the corresponding land-uses – one being rural and the other recreation on a public reserve.

2. Overview and Purpose

2.1 Purpose of Section 32 RMA

The fundamental purpose of Section 32 of the Resource Management Act 1991 (RMA) is to ensure transparent, robust decision-making in the development of plans, plan changes and policy

¹ *Medium Density, as defined in the Tasman Resource Management Plan – 'means residential development with a dwelling density between 20 – 30 dwellings per hectare on sites averaging between 200 – 300 square metres in extent, including Compact Density, Comprehensive and Intensive housing development.'*

statements. This includes the use of sound evidence and rigorous analysis, which in turn leads to robust and enduring provisions.

This Section 32 Report is intended to clearly and transparently communicate the reasoning behind plan provisions to decision makers, the public and future plan users. The effects of new policies and rules on the community, the economy, and the environment is clearly identified and assessed during this evaluation. This becomes an enduring document recording the rationale and thinking behind the provisions. It tells the story of why the provisions are the most appropriate way to achieve the purpose of the RMA.

Tasman District Council ('Council') is required to undertake an evaluation of any proposed plan provisions before notifying those provisions. The Section 32 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions.

2.2 What are the Proposed Changes?

2.2.1 Residential Growth – Brightwater Development Area

2.2.1.1 Status Quo

In order to understand the changes proposed in this Plan Change, it is necessary to first understand the site and the existing planning provisions that apply. This section outlines the site's existing zoning, and what would be allowed for if the status quo is retained (i.e., if the proposed provisions of the Plan Change are not adopted).

The residential growth aspect of this Plan Change relates to an 18 hectare area of land on the southwestern fringe of the Brightwater Township, located between Pitfure Stream, State Highway 6, council reserve land (the Lord Rutherford Memorial Reserve), and an established residential area. The area comprises of:

- Land which is currently zoned Rural 1. Under this existing operative Rural 1 zoning, resource consent is required to construct a dwelling, i.e., it is not a permitted activity (TRMP Rule 17.5.3.1(b)), and the minimum allotment size for subdivision to occur as a controlled activity is 12ha (TRMP Rule 16.3.5.1(a)).
- An area of 'Rural 1 deferred Residential' zoned land, which is deferred subject to reticulated water supply.² Once reticulated water supply is provided to the site and the deferral can be uplifted (through Council resolution), this portion of land will be able to be developed in accordance with the Residential Zone rules. These rules currently allow for standard residential development, enabling a single residential dwelling to be constructed on each site as a permitted activity (TRMP Rule 17.1.3.1), and requiring a minimum lot size of 450m² for subdivision to occur as a controlled activity (TRMP Rule 16.3.3.1). The Residential Zone rules also allow for Comprehensive Development land use (being the construction of three or more dwellings per site) to occur with a restricted discretionary activity status (TRMP Rule 17.1.3.4A) or higher.

The Plan Change site boundaries are shown below along with the existing TRMP zoning.

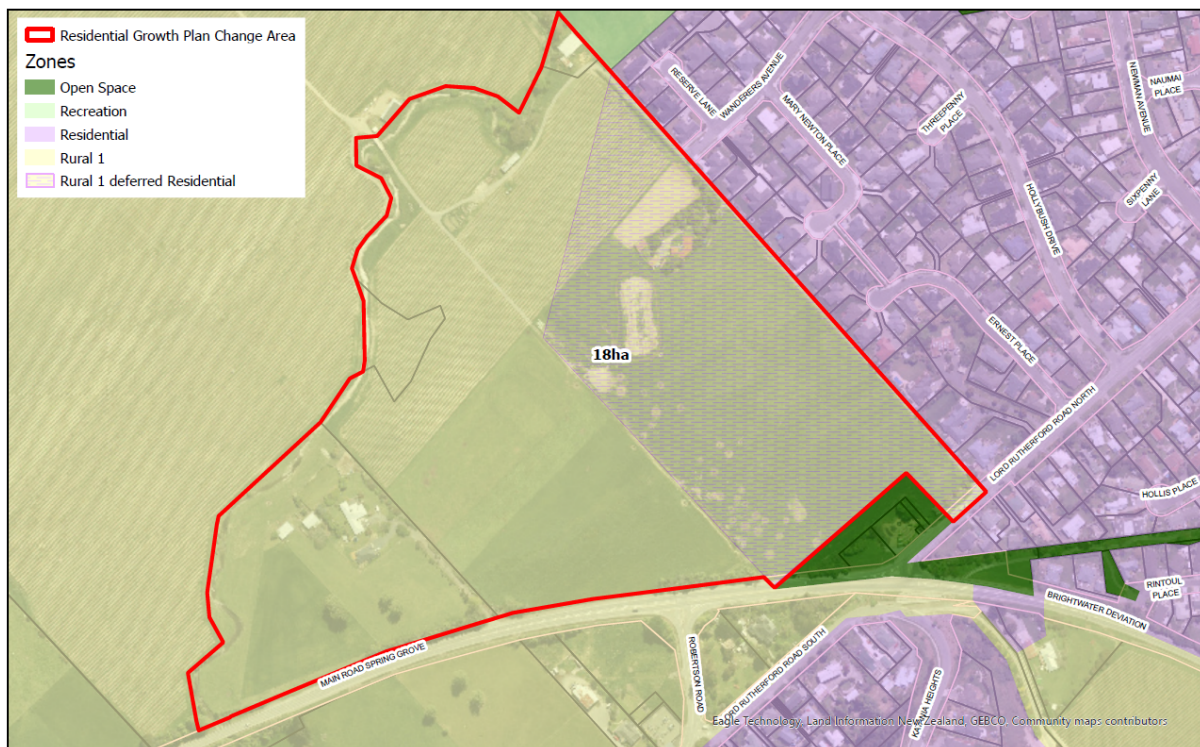


Figure 1: Brightwater Plan Change Area and Existing Zoning

2.2.1.2 Re-Zoning

This Plan Change seeks to rezone an area of land in Brightwater from Rural 1 to ‘Rural 1 deferred Residential’. The site comprised of land at 34 Main Road Spring Grove and 77 Lord Rutherford Road and is located between Main Road Spring Grove, Pitfure Stream, and an existing ‘Rural 1 deferred Residential’ area. Pitfure Stream provides a natural boundary for urban growth.

The area that is proposed to be rezoned is based on the Future Development Strategy T-005 Wanderers Avenue site which was identified for residential expansion in the Future Development Strategy 2019 and the Future Development Strategy 2022.

The Plan Change site is located approximately 1,000m away from the Brightwater town centre. With the available walking and cycling connections, there is the potential to create a walkable/ cyclable neighbourhood in this area, where future residents would be able to walk or cycle into the Brightwater town centre.

Key constraints include transport (access), reverse sensitive effects in relation to the adjacent state highway, flood hazard, and stormwater which, based on advice from relevant Council staff and Waka Kotahi NZ Transport Agency (Waka Kotahi), are sufficiently understood to enable the rezoning and can be managed satisfactorily at the time of the subdivision. Deferral of the residential zoning will ensure that the required services will be provided before the proposed Residential zoning becomes active.



Figure 2: Existing Zoning (Yellow = Rural 1, Purple = Residential, Purple hatching = deferred Residential, Green = Open Space Zone)

The proposed changes to the existing TRMP zone map are depicted on Update Map 75/2, an extract from which is included below.

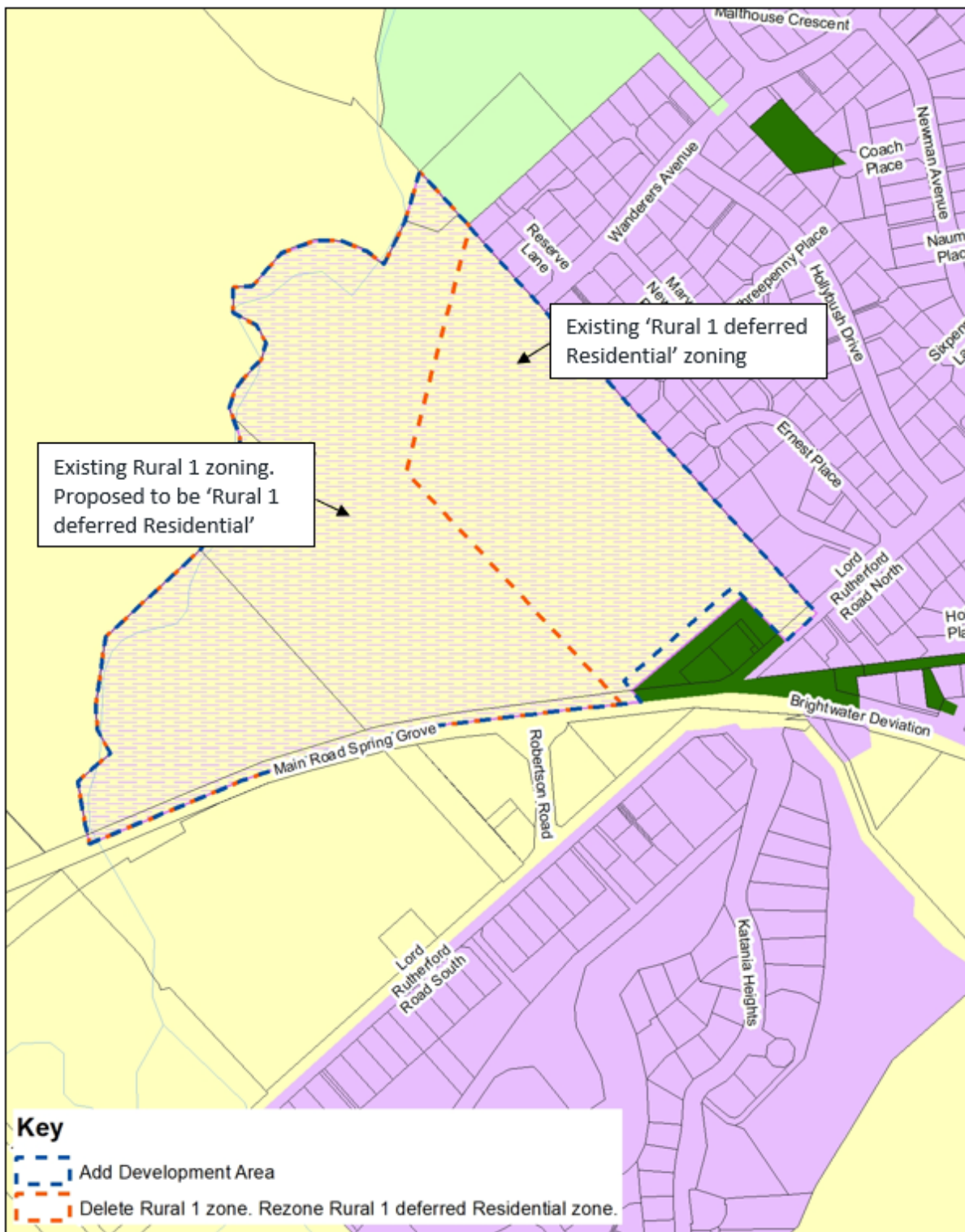


Figure 3: Residential Growth Area - Proposed Re-Zoning (extract from Update Map 75/2)

2.2.1.3 Development Area and Compact Density Provisions

This Plan Change is seeking to create a new development area, entitled the 'Brightwater Development Area', comprising of the land that is proposed to be re-zoned and the adjoining 'Rural 1 deferred Residential' area. The Brightwater Development Area is depicted on Update Maps 75/2 (see extract above) and 75/1.

This Plan Change is seeking to apply the TRMP's existing Compact Density provision to the Brightwater Development Area with the addition of a non-notification provision applying to this

activity. This is to enable and encourage a degree of medium density development within the Brightwater Development Area.

Applying a non-notification provision is considered an appropriate method to encourage Compact Density Development. This is because the structure of Compact Density Development rule 17.1.3.3 g) means that Compact Density Development along the external boundaries of the proposal site must meet the standard density permitted activity bulk and location criteria (including building height, boundary setback distance, and daylight admission) in the TRMP, unless the land adjoining the specific boundary is also a Compact Density Development. Therefore, any properties outside of the Compact Density Development will not experience a change in terms of the bulk and location of buildings from what could be developed under a permitted activity scenario in the Residential Zone.

2.2.1.4 Mandatory Requirement for Smaller Lots

This Plan Change is also seeking to require a percentage of allotments to be smaller than standard residential allotments for the subdivision of sites greater than 2 hectares within the Brightwater Development Area. Specifically, it is sought that, (except where Compact Density provisions are used) for the subdivision of parent titles greater than 2 hectares:

- A minimum of 20% of the lots created must have a net area between 270m² and 350m²; and,
- A minimum of 20% of the lots created must have a net area between 350m² and 450m²; and,
- A minimum of 50% of the lots created must be standard residential density (i.e., a minimum net area of 450m²).

The remaining 10% of the lots created can be comprised of any of these densities, or a mixture of all three.

The resulting density achieved using these requirements is approximately 15 dwellings per hectare as opposed to approximately 13 dwelling per hectare for standard residential development. The overall minimum potential housing yield in the Brightwater Development Area is approximately 270 dwellings. This approach is about creating a variety of lot sizes and resulting housing opportunities. Enabling the use of Compact Density provisions (see Section 2.2.1.3) is about increasing density in the Brightwater Development Area.

This proposed approach of requiring a certain percentage of different sized lots for subdivision of a site greater than 2 hectares in net area ensures that a variety of lots sizes are achieved. Provisions have also been included to ensure that the development of smaller lots in the Brightwater Development Area achieves good urban design outcomes in accordance with the Urban Design Guide (TRMP Appendix II).

For the subdivision of sites that have a net area of 2 hectare or less, the standard density minimum allotment size of 450m² would apply. This is to acknowledge that it may be difficult to achieve the specified quotas when subdividing smaller parent titles and that enforcing these quotas for smaller sites could result in poor design outcomes and have unintended consequences.

The proposed allotment size criteria will not apply to development under the TRMP's Compact Density provisions.

2.2.1.5 Indicative Items

The proposed Brightwater Development Area includes an existing indicative road (connecting Wanderers Avenue to Lord Rutherford Road) and an existing indicative walkway (connecting the indicative road to the Lord Rutherford Memorial Reserve). These existing indicative items are depicted below.



Figure 4: TRMP Existing Indicative Items

In order to manage future development of the proposed Brightwater Development Area, the following changes to the indicative items are proposed:

- A new indicative reserve adjoining the Lord Rutherford Memorial Reserve. This is to allow for a westward extension of the Lord Rutherford Memorial Reserve. This extension is based on the recommendations of Dr John Campbell, author of 'Rutherford Scientist Supreme', who has explained that the memorial is intended to represent Sir Ernest Rutherford stepping out into his future from his rural past. In order to maintain this symbology, Council's Reserve team has highlighted the need for this strip of land to be added to the Lord Rutherford Memorial Reserve.
- A new indicative road (as shown in Figure 5) connecting the existing indicative road (shown in Figure 4) to 33 Main Road Spring Grove. This is to ensure that a local road connection is provided to 33 Main Road Spring Grove and is not precluded through the development of 77 Lord Rutherford Road. This is important for enabling the development on 33 Main Road Spring Grove, as the adjacent state highway is a Limited Access Road. This new indicative road borders the proposed indicative reserve which adjoins, and is intended to become part of, the Lord Rutherford Memorial Reserve, and therefore removes the need for the TRMP existing indicative walkway (proposed to be deleted).

- A new indicative reserve running along the true-right bank of Pitfure Stream. This indicative reserve is intended to ensure that development is setback from Pitfure Stream, to help accommodate flood flows and improve ecology within and adjacent to the stream. It is also intended to ensure that there is access to Pitfure Stream, for public amenity, recreation and connection to the waterway, and for stream maintenance purposes.
- A new indicative reserve (running along a north – south axis) extending from Main Road Spring Grove to Pitfure Stream. This reserve is intended to have a stormwater function to accommodate the development of this site. The details of this are to be worked through with the developer at the time of subdivision. An indicative walkway is proposed along side this new indicative reserve, to provide an active transport connection through the site and connect the new indicative reserve beside Pitfure Stream to the Lord Rutherford Memorial Reserve.
- A new indicative reserve, central to the proposed development area, intended to be a neighbourhood park to cater for the future residents of the area. This new indicative reserve is intended to adjoin the new indicative reserve and walkway described in the point above.

The proposed changes to the existing TRMP area map are depicted on Update Map 75/1, an extract from which is included in Figure 5.

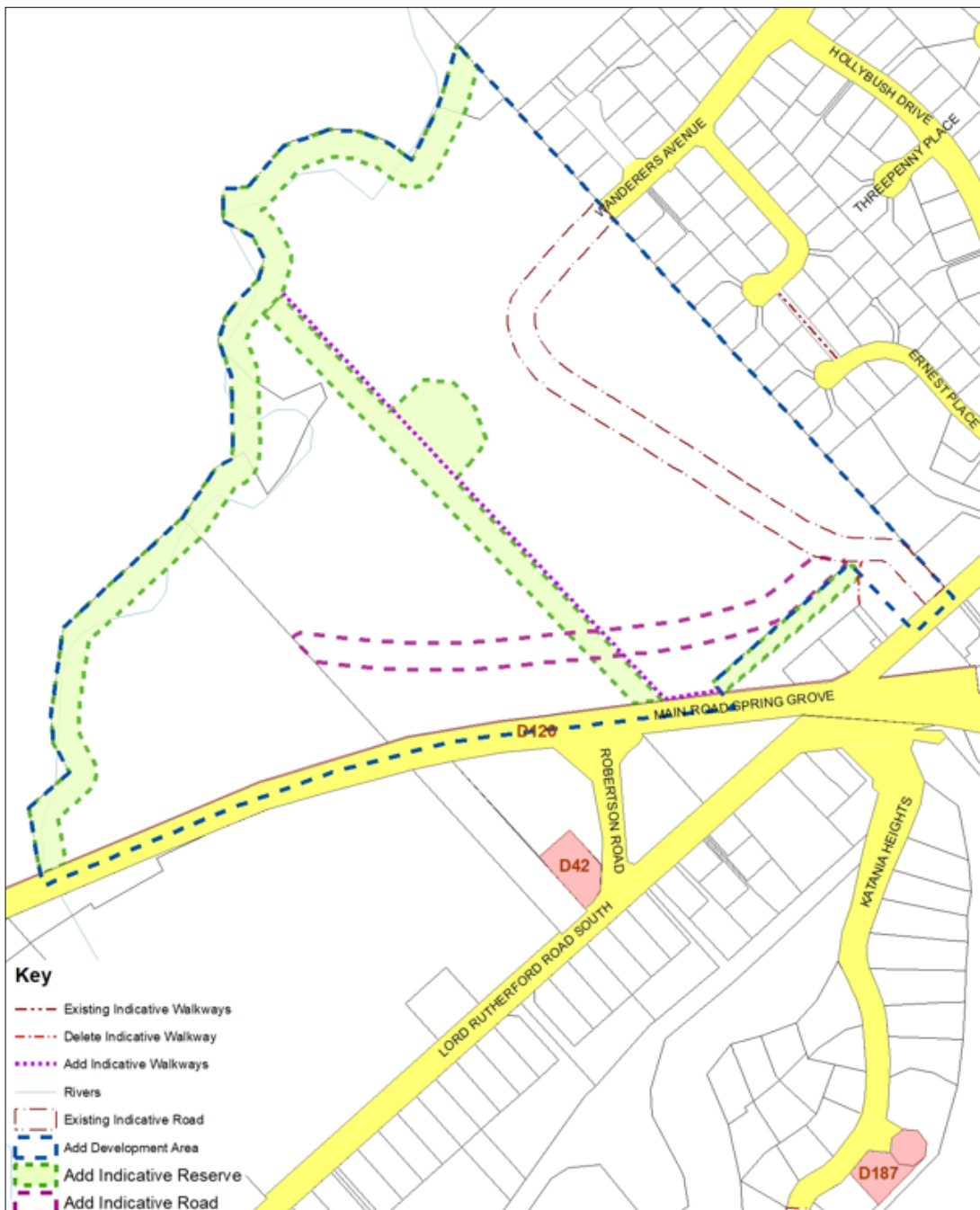


Figure 5: Residential Growth Area - Proposed Indicative Items (extract from Update Map 75/1)

2.2.1.6 Reverse Sensitivity

The growth area is bordered by State Highway 6 to the south. Waka Kotahi have developed a Reverse Sensitivity Guideline³ to mitigate the effects of noise and other disturbances from the state highway network on the inhabitants of any new dwelling within a reverse sensitivity ‘buffer’ and ‘effects’ area which generally extend 100m from the state highway. The Waka Kotahi buffer and effects areas are depicted in Figure 6 for the proposed Brightwater Development Area.

³ Waka Kotahi’s Reverse Sensitivity Guideline: <https://www.nzta.govt.nz/resources/effects-on-noise-sensitive-land/>

This Plan Change includes proposed reverse sensitivity provisions to mitigate noise and vibration effects from the state highway on the inhabitants of any new or altered dwelling for development within 100m of the state highway corridor. This includes a requirement for an acoustic report to be prepared upfront at subdivision stage to determine the measures or predicted noise level and, where this exceeds 57 dB L_{Aeq} , to recommend appropriate mitigation measures. It also includes land use rules to ensure that an appropriate internal habitable rooms noise level is achieved, and that a 20m setback distance from the state highway is provided for any new development at the time of subdivision and development.

The TRMP currently includes similar reverse sensitivity provisions (including internal noise limit rules) for development in the Richmond West Development Area. Outdoor noise levels are not proposed to be addressed through this Plan Change, as this is a new concept (not currently addressed in the TRMP) and will be better considered through the new Tasman Environment Plan on a district wide scale.

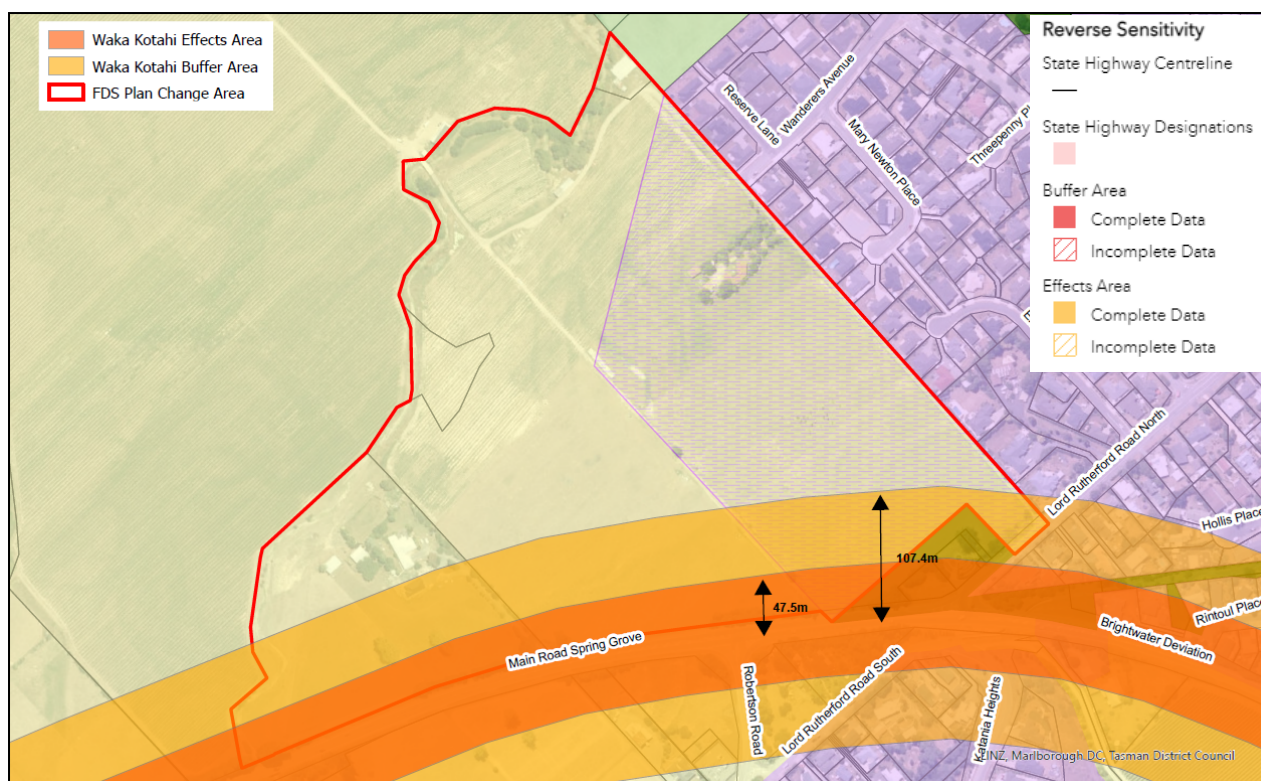


Figure 6: Brightwater Development Area - Reverse Sensitivity 'Buffer' and 'Effects' Areas (Data Source: Waka Kotahi)

2.2.1.7 Fire Sensitive Area Overlay

The TRMP includes existing provisions to manage potential adverse amenity effects from the discharge of contaminants from outdoor burning. This is managed through rules that apply to the Fire Sensitive Area overlay, which generally aligns with Residential zoning in the district. This provision is about amenity and nuisance effects.

In order to manage potential adverse amenity effects and to be consistent with the existing TRMP, it is proposed that the Brightwater Development Area be a deferred Fire Sensitive Area. This is an extension of the overlay which already applies to the remainder of the Brightwater Township. This proposed change is depicted on Update Map 75/3, an extract from which is included in Figure 7.

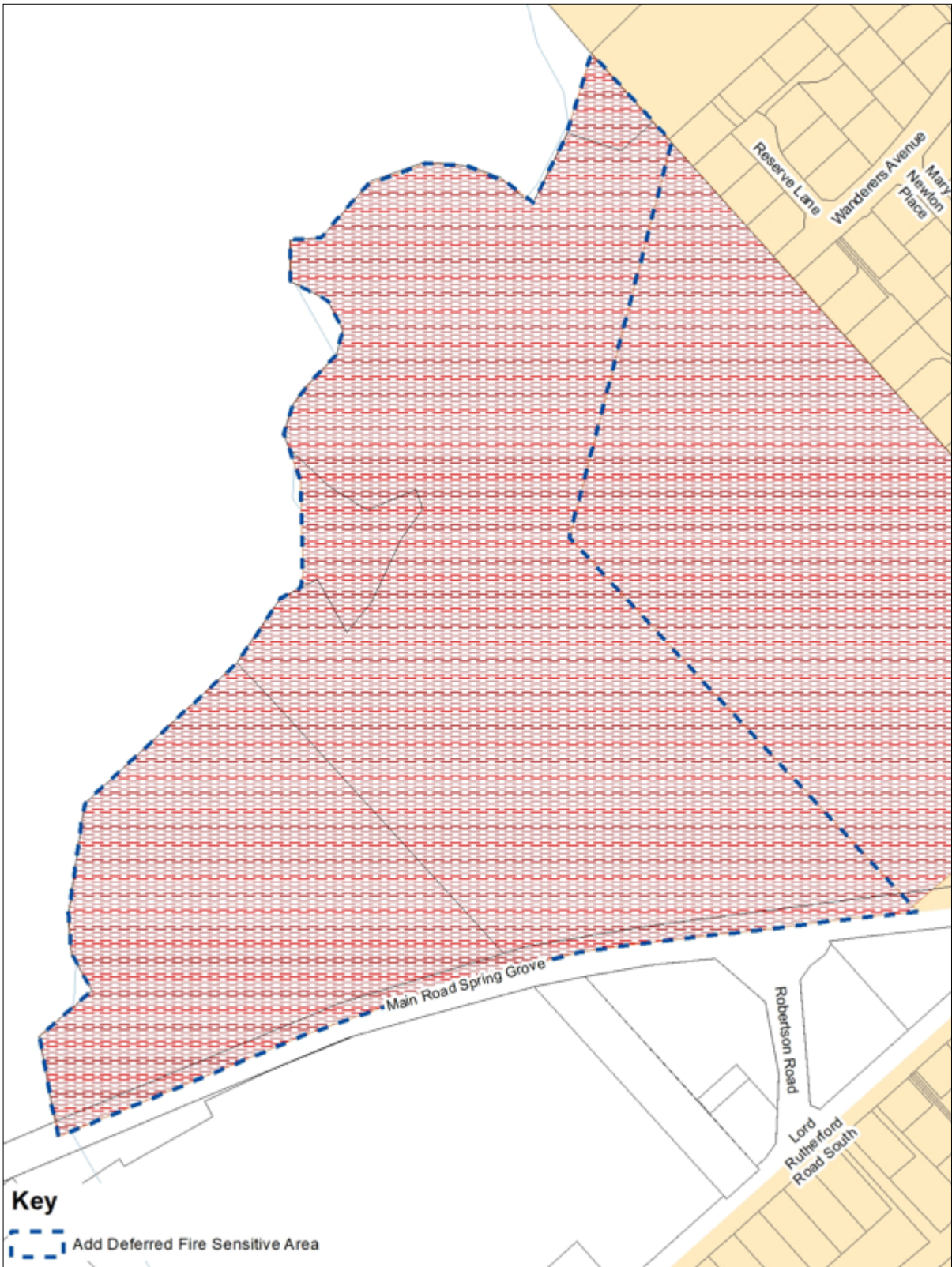


Figure 7: Proposed Change to TRMP Map 272 (extract from Update Map 75/3)

2.2.2 Waimea West Rezoning

2.2.2.1 Background

366 Waimea West Road is a Council-owned recreation reserve (the 'Waimea West Recreation Reserve') that is subject to the Reserves Act. It contains tennis courts and a heritage building and has an area of 0.5741 ha. 368 Waimea West Road is an adjoining private property.

A subdivision boundary adjustment (RM070030V1) was undertaken in 2007 to reconfigure the two sites. The pre and post 2007 property boundaries are depicted in Figure 8 and 9.



Figure 8: 366 and 368 Waimea West Road - Pre-2007 property boundaries



Figure 9: 366 and 368 Waimea West Road - Post-2007 property boundaries

The 2007 subdivision (RM070030V1) has resulted in the properties at 366 and 368 Waimea West Road both having split zoning in that they are both currently partially zoned Rural 1 and partially zoned Recreation. This split zoning is not rational, given the existing land use, ownership and property boundaries as adjusted through boundary realignment subdivision consent in 2007. 336 Waimea West Road is a Council-owned recreation reserve containing existing sportsfields and recreational facilities. For these reasons, it is proposed in this Plan Change to rezone the site for Recreation purposes. The adjoining private property at 368 Waimea West Road contains a residential dwelling and accessory buildings, and is part of the wider rural environment.

In light of the existing ownership, location, and land-use, the property at 368 Waimea West Road should be rezoned to Rural 1 zone to be consistent with the remainder of the Rural 1 site and the surrounding area.

2.2.2.2 Status quo

In order to understand the changes proposed in this Plan Change, it is necessary to first understand the site and the existing planning provisions that apply. This section outlines the site's existing zoning, and what would be allowed for if the existing status quo is retained (i.e., if the proposed provisions of this Plan Change are not adopted).

In this case, if the proposed Plan Change provisions are not adopted, the 366 and 368 Waimea West Road will continue to have split zoning. In particular, the private property at 368 Waimea West Road would include some Recreation zoning which is intended to apply to Council reserves and sportsfields only. This is problematic, as the zoning does not align with the existing land use, ownership and property boundaries.

2.2.2.3 Proposed Rezoning

This Plan Change is seeking to correct an error (or anomaly) in the TRMP zoning maps and to rationalise the zoning of 366 and 368 Waimea West Road to better reflect land-use and ownership. It is proposed that:

- The land added to Council-owned 336 Waimea West Road via the 2007 subdivision boundary adjustment would be rezoned from Rural 1 to Recreation zone to match the zoning of the rest of the title; and,
- The land added to privately-owned 368 Waimea West Road via the 2007 subdivision boundary adjustment would be rezoned from Recreation to Rural 1 to match the zoning of the rest of the title.

The proposed rezoning is depicted on Update Map 75/4, an extract from which is included in Figure 10.

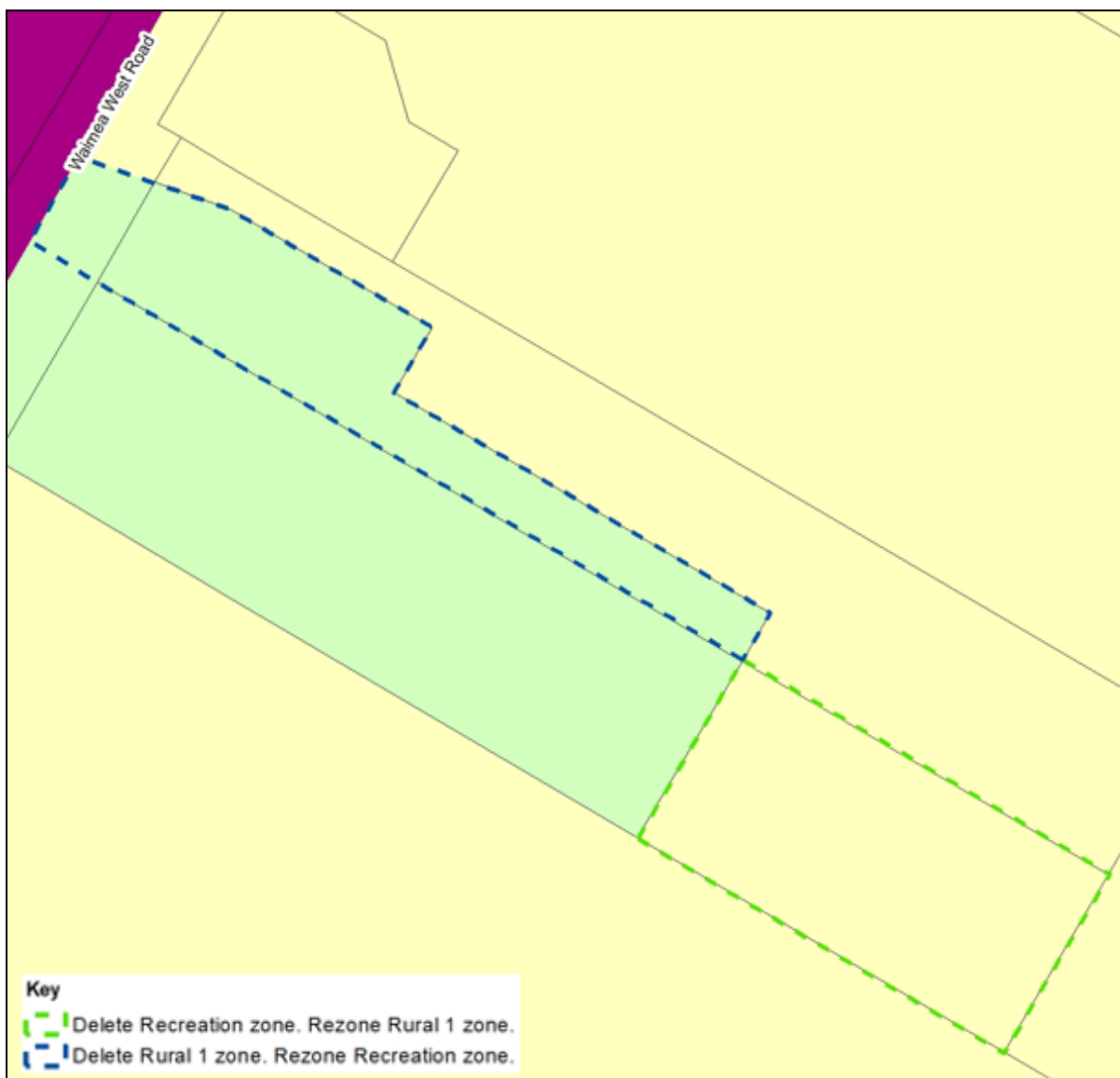


Figure 10: Waimea West Road – Proposed Rezoning (extract from Update Map 75/4)

2.3 What are the Key Reasons for the Change?

2.3.1 Residential Growth – Brightwater Development Area

This Plan Change is responding to the housing shortage currently being experienced throughout New Zealand. This is a significant issue in the Tasman District, which was found in July 2021 to be the fourth least affordable district to buy a house in (equal with Auckland)⁴ and in March 2022 to be the third least affordable district to buy a house in (with only Auckland and Bay of Plenty being less affordable).⁵

Tasman District Council has identified a number of issues that warrant the need for this Plan Change, including:

⁴National Policy Statement on Urban Development: Housing and Business Assessment for Tasman'. Tasman District Council. 2021.

⁵ Home Affordability Report Quarterly Survey. Massey University. March 2022.

- The need to provide for population growth (a requirement under the National Policy Statement on Urban Development 2020). This includes catering for a projected 263 additional people in Brightwater between 2021 and 2031 (assuming the medium scenario).⁶
- The need to address residential land supply and housing affordability issues, with evidence showing that the release of greenfields land is needed to help manage house prices.
- The need to provide a variety of housing options, including higher density options, to cater for a varying of demographics and make efficient use of land.

These issues are discussed in more detail in Section 4.1.

2.3.2 Waimea West Rezoning

This Plan Change is also seeking to rationalise the zoning of 366 and 368 Waimea West Road, due to a 2007 subdivision (RM070030V1) which has meant that the zoning of the properties does not align with the property boundaries and land use activities. This is detailed further in Section 2.2.2 and Section 4.1.2.

3. Information Sources and Consultation

3.1 Residential Growth Information Sources

The following information sources have been used to understand the issues and develop the options, and have helped to inform the proposed content of this Plan Change:

- The Future Development Strategy 2019 and Future Development Strategy 2022, including supporting documentation. This information is available on Council’s website: <https://www.tasman.govt.nz/my-council/key-documents/more/future-development-strategy/>.
- The Long-Term Plan 2021-2031, including growth projections and planned infrastructure works. This information is available on Council’s website: <https://www.tasman.govt.nz/my-council/key-documents/long-term-plan/long-term-plan-2021-2031/>.
- A 2020 report prepared by Sense Partners, entitled ‘Understanding the impacts of releasing greenfield sites for development’ attached in Appendix 1.
- A 9 May 2022 memo prepared by Dr Kirdan Lees of Sense Partners, entitled ‘Review of selected submissions on the Nelson-Tasman Future Development Strategy’.
- A 2021 report by M.E. Consulting, entitled ‘Nelson-Tasman Housing We’d Choose – Housing Demand Preferences’. This report is available on Council’s Future Development Strategy webpage: <https://www.tasman.govt.nz/my-council/key-documents/more/future-development-strategy/>.

⁶Tasman Growth Projections 2021-2051; Summary of Council’s Growth Model as Supporting Information for the Long Term Plan 2021-2031’. Tasman District Council (<https://www.tasman.govt.nz/my-council/key-documents/more/growth/growth-model/>)

- Tasman District Council’s Housing and Business Capacity Assessment 2021, found on Council’s website (<https://www.tasman.govt.nz/my-council/key-documents/more/urban-development-reports/capacity-assessments/>).
- Massey University’s Housing Affordability Quarterly Survey March 2022, found here: <https://www.massey.ac.nz/massey/learning/colleges/college-business/school-of-economics-and-finance/research/reau/home-affordability-report.cfm>.
- Tasman District Council’s Age-Friendly Policy 2019. This policy is available on Council’s website: <https://www.tasman.govt.nz/my-council/key-documents/more/age-friendly-policy/>.
- Tasman District Council’s Urban Design Action Plan 2008. This Plan is available on Council’s website: <https://www.tasman.govt.nz/my-council/key-documents/more/rates-and-housing/urban-design/>.
- The Ministry for the Environment’s National Medium Density Guideline, found here: <https://environment.govt.nz/assets/publications/national-medium-density-design-guide-31May2022.pdf>.
- The Ministry for the Environment’s 2019 discussion document on the proposed National Policy Statement for Highly Productive Land, found here: <https://www.mpi.govt.nz/dmsdocument/36624-Discussion-document-on-a-proposed-National-Policy-Statement-for-Highly-Productive-Land>.
- Information from relevant Council staff on infrastructure and servicing capacity, collated in the Background Report in Appendix 2. This includes the following feedback for the proposed Brightwater Development Area:
 - Stormwater: Runoff from the catchment to the south of the proposed Brightwater Development Area will need to be conveyed across the site to the Pitfure Stream and Wai-iti River. This can be achieved through the design of the development and the provision of a suitable flow path (such as an indicative road, walkways or other open space), and will need to be addressed by the developer at the time of development.⁷ The proposed Residential zoning is therefore deferred subject to the provision of appropriate stormwater management.
 - Wastewater: Brightwater currently has limited capacity to treat and convey wastewater. The provision of wastewater for the site is achievable (with infrastructure improvement works currently planned), however, the proposed Residential zoning needs to be deferred until the required upgrades are completed⁸.
 - Potable water: Potable water can be provided for this site but does require a deferral of the zoning until this is achieved.⁹
 - Natural hazards: The flood hazard will need to be mitigated to allow this growth area to be developed. This mitigation is considered to be feasible.⁷

⁷ Glenn Stevens, Senior Resource Scientist – Hazards, 26 January 2022

⁸ Helen Lane, Infrastructure Planning Advisor, 23 February 2022

⁹ Council Infrastructure Meeting, 9 February 2022

- Productive land: The proposed Brightwater Development Area is classified as highly productive under the Land Use Capability classification system, the Productive Land Classification 1994 and the Productive Land Classification 2021 which is currently being refined. However, the actual productive capability of the site is limited due to land fragmentation and physical constraints as it is situated between Pitfure Stream, the State Highway, and an existing residential area.¹⁰
- Transport: Waka Kotahi are not supportive of access from the adjoining state highway which is a Limited Access Road.¹¹ The Plan Change includes provisions (including rules and a new indicative road) to avoid direct state highway access to the site and ensure that access is provided for from the local road network.

There is a proposed new bus route, intended to be introduced in the next two years, which will run along Lord Rutherford Road and adjacent to the proposed Brightwater Development Area.¹² Walking and cycling connections to a potential bus stop location have been considered and are provided for through the proposed indicative items.

- Reserves: Council considers that there is a requirement to provide new reserves within the proposed Brightwater Development Area. These include an extension to the Lord Rutherford Memorial Reserve, an esplanade reserve along Pitfure Stream, a neighbourhood park in the area, and a reserve to provide for stormwater functions and connectivity.¹³ These reserves are reflected as indicative items in the Plan Change.
- Ecology: The proposed Brightwater Development Area borders a section of Pitfure Stream. This is dry for a large portion of the year and therefore has relatively low ecological values, however, potential contaminant discharge needs to be well managed as it will end up in more sensitive receiving environments (e.g., Waimea Inlet, Waimea River).¹⁴ There are opportunities to improve the ecological outcomes in this area through protection and planting of stream margins.
- Feedback has been received from external infrastructure and service providers, including Waka Kotahi NZ Transport Agency, Transpower, Network Tasman, the Ministry of Education, Fire and Emergency NZ, and Nelson Tasman Civil Defence Emergency Management. This feedback is collated in the Engagement Summary in Appendix 3. Of particular note for the proposed Brightwater Development Area:
 - Waka Kotahi: Waka Kotahi is not supportive of development gaining direct access from the adjacent state highway which is a Limited Access Road.¹¹ Waka Kotahi has also advised that reverse sensitivity effects (i.e. the potential for noise and vibration from the state highway to adversely effect the health of the inhabitants of any new dwellings) need to be considered and appropriately mitigated as part of any development.¹¹

¹⁰ Mirka Langford, Senior Resource Scientist – Land and Soil, meeting 19 January 2022

¹¹ Waka Kotahi Transport Meeting, 1 November 2021

¹² Drew Bryant, TDC Senior Infrastructure Planning Advisor, Council Infrastructure Meeting, 8 October 2021

¹³ Rosalind Squire, Contract Reserves Planner, 7 February 2022

¹⁴ Trevor James, Senior Resource Scientist Freshwater and Estuarine Ecology, email 28 January 2022

- Feedback received from Te Tau Ihu iwi is summarised in the Engagement Summary in Appendix 3. This is also discussed in Section 3.3.
- Feedback received through consultation from landowners and the wider community is summarised in the Engagement Summary in Appendix 3. This includes meetings with the Brightwater Community Association and residents, and meetings with landowners.
- Input from Dr John Campbell, author of 'Rutherford Scientist Supreme', on the Lord Rutherford Memorial Reserve.
- Waka Kotahi NZ Transport Agency's Reverse Sensitivity Guideline 2015 and noise modelling.

3.2 Waimea West Information Sources

The following information sources have been used to understand the issues and develop the options, and have helped to inform the content of the Waimea West Road part of this Plan Change:

- Boundary adjacent subdivision RM070030V1
- Feedback from the landowners (private owners and Council as landowners)

3.3 Iwi Involvement and Advice

Iwi of Te Tau Ihu have been involved in the process of developing this Plan Change. The information below summarises the engagement carried out, highlighting the key actions and matters raised by iwi.

Early engagement with iwi has included an initial hui, with all Te Tau Ihu iwi invited, in November 2021. This hui was attended by representatives from Ngāti Toa, Ngāti Kuia, and Te Atiawa, and was used to discuss residential growth in various locations around the district, including the proposed Brightwater Development Area, and the Waimea West rezoning.

High-level feedback was received from this hui in relation to residential growth. This included support for creating communities with a heart/ centre, supporting Te Mana o te Wai, using Māori placenames, having guiding development principles, and the need for housing that provides for larger families and multigenerational living.

While some of these ideas are beyond the scope of this Plan Change, others have been incorporated into the proposal. This Plan Change contributes to Te Mana o te Wai by including a new indicative reserve along Pitfure Stream – this will ensure that any new housing will be setback from the river and will promote public access to, and care for, the waterway. This Plan Change is also seeking to provide a variety of housing options, which will provide for families of different sizes.

Iwi have been kept informed on the Plan Change, with email updates as the Plan Change evolved through two rounds of informal (pre-notification) public consultation. The draft Plan Change material (being the Schedule of Amendments and update maps) was circulated to Te Tau Ihu iwi authorities for comment on 30 June 2022 as per the RMA Schedule 1 requirements.

Feedback was received from Ngati Tama on the 20 July 2022. This feedback included reference to effects on water quality, the physical structure and hydraulic characteristics of waterbodies and the health of aquatic plants and animals and sedimentation. The Plan Change has addressed the potential waterway effects through the inclusion of an indicative reserve along Pitfure Stream which provides a development buffer/setback to protect waterways values. Other issues raised include disturbance to soil and associated ecosystems, catchment management and stormwater management. As part of this Plan Change, the zoning of the land is deferred and will not be lifted

until Council is satisfied with stormwater and catchment management. Issues surrounding earthworks will be managed at the subdivision stage.

No other comments have been received from iwi on this Plan Change.

Iwi Management Plans (IMPs) have also been considered in the development of this proposed Plan Change and are discussed in Section 6.6.

3.4 Key Consultation Actions

Council has carried out extensive consultation with landowners, key stakeholders, the local community, and infrastructure and service providers during this Plan Change process. The main consultation actions and Council responses are summarised in this section and in the Engagement Summary in Appendix 3.

Two rounds of informal (pre-notification) public consultation have been undertaken on this Plan Change, as follows:

- The first round of consultation was undertaken in November 2021. This included:
 - Letters to landowners
 - Site visits
 - Phone calls and emails with interested person(s)
 - An in-person presentation at a Brightwater Community Association meeting
 - A webinar for external infrastructure and service providers (including Waka Kotahi NZ Transport Agency, Transpower, Network Tasman, the Ministry of Education, Fire and Emergency NZ, and Nelson Tasman Civil Defence Emergency Management) and one-on-one meetings as required
 - Meetings with Council technical specialists including hazards, infrastructure, soil scientists, and reserves staff
 - A workshop with Council's elected members
- The second round of engagement was undertaken in March-April 2022, in conjunction with public consultation on the Future Development Strategy 2022. This round of engagement presented the refined Plan Change area boundaries, following consideration of Round One feedback and constraints and servicing information. Due to COVID-19 precautions, Round Two public engagement was via platforms that maintained social distancing. This Plan Change consultation was advertised through Council's communications channels, including Newline and social media.

Round Two engagement included:

- An online feedback form
- Sending letters to landowners and adjoining property owners
- Presenting virtually (via video call) at a Brightwater Community Association meeting, with the wider public invited to this call
- Phone calls and emails with interested person(s)
- Meetings, phone calls and emails with key Council technical staff

- Emails, phone calls and meetings with external infrastructure and service providers
- A workshop with Council’s elected members

The landowners within this Plan Change area are supportive of the proposal. The wider community generally recognises the need for housing, however, has raised questions, primarily around the capacity of supporting services (e.g., local employment, schools and healthcare), the risk of flood hazard, and the loss of rural land. The community have also expressed a need for flexibility in lot size (to improve housing affordability), and a desire for more reserves. These matters have been taken into account in the drafting of this Plan Change.

A full summary of consultation is included in Appendix 3.

4. What are the Key Resource Management Issues?

4.1 Problem Definition and Outcome Sought

4.1.1 Residential Growth – Brightwater Development Area

4.1.1.1 Problem/ Issues

This Plan Change is responding to the housing shortage currently being experienced throughout New Zealand and the NPS-UD requirements to ensure there is adequate development capacity to provide for expected growth. This is a significant issue in the Tasman District and includes issues around:

- The need to provide for population growth
- The need to ensure sufficient residential land supply
- The need for a variety of lot sizes leading to differing housing typologies.

It is understood from the information gathered that, in considering the development of this Plan Change site, there is also a need to ensure that:

- Highly productive land is protected
- Good urban design outcomes are achieved
- Walking and cycling connections are provided for
- Flood hazard from Pitfure Stream is appropriately managed
- Reverse sensitivity effects related to the adjacent state highway are mitigated
- The heritage values of the Lord Rutherford Memorial Reserve are maintained
- Infrastructure will be available prior to development
- The adverse amenity effects of outdoor fires are managed once the area becomes residential
- The Plan Change will support a ki uta ki tai management approach and Te Mana o te Wai

These issues are also considered below.

4.1.1.2 Population Growth

The Tasman District is experiencing high levels of residential growth, putting pressure on existing Residential zoned areas. This growth is anticipated to continue, with the Long-Term Plan 2021-2031 growth model projecting that Tasman’s population will increase by 7,700 residents between 2021 and 2031, to reach 64,300 (assuming the medium scenario)¹⁵. This includes an additional 263 people in Brightwater and an estimated 131 additional dwellings.

Brightwater is part of the Nelson Tasman Urban Environment¹⁶ under the National Policy Statement on Urban Development 2020 (NPS-UD). This means that Council is required under the NPS-UD to provide sufficient capacity to meet residential growth demands. The Future Development Strategy 2022, and the Future Development Strategy 2019, look at residential growth projections over the next 30 years, and how these can be accommodated within the district.

The Future Development Strategy 2022 has found that some urban expansion is required to provide for growth and for Council to meet its obligations under the NPS-UD. Through a multi-criteria assessment, the Future Development Strategy 2022 and the Future Development Strategy 2019, have identified the T-005 Wanderers Avenue site for urban expansion – this is the basis of this Plan Change.

The Future Development Strategy 2022 gives an estimated housing yield of 143 potential dwellings for the T-005 Wanderers Avenue site. This is based on a mix of standard detached and some attached typologies (e.g., terraces and duplexes) with an average lot size 275m² and makes a 35% land area allowance for roads and associated infrastructure.

Note that the proposed Brightwater Development Area also includes an adjoining area of ‘Rural 1 deferred Residential’ land which is not part of the Future Development Strategies T-005 Wanderers Avenue site.

4.1.1.3 Land Supply for Housing

Tasman District Council released a ‘*Housing and Business Assessment for Tasman*’ report in 2021¹⁷, which looked at housing and business capacity in the Tasman District as part of a wider set of reports to assess the sufficiency of Nelson and Tasman’s residential and business land capacity to meet future needs over a 30 year period (2021-2051). This report highlights the issue of housing supply and affordability in the district.

In this 2021 report, the Tasman District was found to have the third highest median house price in the country (behind Auckland and Wellington) and, when considering house prices in relation to income, was found to be the fourth least affordable district to buy a house in (equal with Auckland). Using the Government’s measure of housing affordability (Housing Affordability Measure Buy Median or ‘HAM Buy’), it was found that 81% of first home buyer households in the Tasman District could not afford to purchase a house in the District in December 2018, spending more than 30% of their income on housing costs.

While the house price to income ratio suggests that housing is unaffordable for those within the region, strong internal mitigation has supported relatively high house prices in the district.¹⁸

¹⁵ ‘*Tasman Growth Projections 2021-2051; Summary of Council’s Growth Model as Supporting Information for the Long Term Plan 2021-2031*’. Tasman District Council (<https://www.tasman.govt.nz/my-council/key-documents/more/growth/growth-model/>)

¹⁶ *Urban environment is defined in the NPS-UD as ‘any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: is, or is intended to be, predominantly urban in character; and is, or is intended to be, part of a housing and labour market of at least 10,000 people.’*

¹⁷ ‘*National Policy Statement on Urban Development: Housing and Business Assessment for Tasman*’. Tasman District Council. 2021.

¹⁸ ‘*Understanding the impacts of releasing greenfields sites for development*’. Sense Partners. 2020

Tasman's population increased by 1.5% over the 2020-2021 period, which is relatively high compared to the national average.¹⁹

A 2020 Sense Partners report, entitled '*Understanding the impacts of releasing greenfields site for development*'²⁰ highlighted the need to re-zone some greenfields land for residential expansion to avoid further housing affordability issues. Land availability was found to be a significant driver of housing costs in the Tasman District, with increases in land prices having exceeded increases in house prices. The release of greenfields land for development has the effect of pushing down land prices. This also promotes intensification by managing the price of land in existing urban areas.

Dr Kirdan Lees of Sense Partners reiterated this approach when engaged by Council to provide economic evidence in response to submissions on the Future Development Strategy 2022, with his memo²¹ outlining that increases in land prices have outstripped house prices, indicating a shortage of land for development in the district, and that providing greenfields land for development promotes a competitive housing market, which helps to reduce the cost of housing.

The Future Development Strategy 2022 has found that intensification of existing residential areas will not provide sufficient capacity to for anticipated demand on its own, and that greenfields development is also required to meet the requirements under the NPS-UD.²²

4.1.1.4 Typologies

Nelson and Tasman Councils jointly commissioned a report, entitled '*Nelson-Tasman Housing We'd Choose – Housing Demand Preferences*'²³ in 2021 to understand housing preferences and demand in the Nelson Tasman area. This report found that, while stand-alone freehold dwellings are generally preferred, there is a growing demand for higher density housing options including townhouses, flats, apartments, and retirement units. The report was based on survey data. It was found that 10% of Tasman respondents lived in an apartment or attached dwelling, while (with financial constraints/ household purchasing ability factored in) 29% of respondents would choose an apartment or attached dwelling.

Tasman District Council's 2019 Age-Friendly Policy identifies that there is currently a lack of supply of smaller houses in the district, meaning that many older people remain in larger, older dwellings and properties that are not age-friendly. The policy identifies a need for smaller dwellings that are affordable, accessible, warm, low-maintenance and close to services to cater for the district's aging population. This will allow people to down-size and age in place within their current communities.

This Plan Change is seeking to require a variety of lot sizes which encourages a variety of housing typologies to cater for a variety of household sizes. This is done by requiring the subdivision of parent titles within the proposed Brightwater Development Area greater than 2 hectares to achieve:

- A minimum of 20% of the lots created must have a net area between 270m² and 350m²; and,

¹⁹ *Future Development Strategy 2022: Draft Technical Doc for Consultation*. Tasman District Council. 2022

²⁰ '*Understanding the impacts of releasing greenfields sites for development*'. Sense Partners. 2020

²¹ *Dr Kirdan Lees. Review of selected submissions on Nelson-Tasman Future Development Strategy*. Sense Partners. 2022

²² *Future Development Strategy 2022-2052 Technical Report*. Tasman District Council. March 2022.

²³ '*Nelson-Tasman Housing We'd Choose – Housing Demand Preferences*'. M.E Consulting. 2021

- A minimum of 20% of the lots created must have a net area between 350m² and 450m²; and,
- A minimum of 50% of the lots created must be standard residential density (i.e., a minimum net area of 450m²).

The remaining 10% of the lots created can be comprised of any of these densities, or a mixture of all three.

This gives an average density of approximately 15 dwellings per hectare, compare with the TRMP standard density provisions which gives an average density of approximately 13 dwellings per hectare. Note, this has been calculated using a nominal 5 hectare site with 35% of the land area allocated to roads, reserves, and services.

As an alternative, or complimentary, means of providing for a variety of housing options and increased density, this plan change is also seeking to apply the TRMP's existing Compact Density provisions to the site. The Compact Density provisions do not have a minimum allotment size, allowing for medium density housing to be achieved.

4.1.1.5 Accessibility and Greenhouse Gas Emission Reductions

The proposed Brightwater Development Area has taken account of Aotearoa New Zealand's Emissions Reduction Plan 2022 and National Adaptation Plan 2022. These documents work together to achieve a climate-resilient Aotearoa New Zealand.

Medium density housing, and greater population density, present opportunities for walkable and cyclable neighbourhood where residents can commute within 10-15 minutes via active transport to the town centre. The proposed Brightwater Development Area is located approximately 1,000m away from the Brightwater town centre, meaning that there is the potential to create a walkable/ cyclable neighbourhood in this area, where future residents would be able to walk or cycle into the town centre. This Plan Change includes proposed provisions to help achieve this outcome. This includes an indicative reserve along the true-left bank of Pitfure Stream, and an indicative walkway running north-south through the site from Pitfure Stream to the Lord Rutherford Memorial Reserve. The proposed Brightwater Development Area is also located within close proximity to the Great Taste Cycle Trail which provides cycle access into Richmond.

There is currently a Wakefield Community Bus (operated by the Nelson Tasman Community Transport Trust)²⁴ which runs to the Richmond town centre. This bus route includes stops in Brightwater (refer Figure 11). Council is proposing to introduce a new bus route which will run to Richmond and Nelson town centres. The bus route is proposed to run along Lord Rutherford Road adjacent to the proposed Brightwater Development Area.²⁵ This new bus route will be operated by electric buses. The proposed indicative items network (including roads, walkways and reserves) will provide a connect to Lord Rutherford Road and existing and future bus stops.

Additionally, intermediate and secondary school buses currently have bus stops on Lord Rutherford Road, adjoining the proposed Brightwater Development Area.

²⁴ Wakefield Community Bus – <https://www.ntctt.org.nz/wakefield-community-bus>

²⁵ Drew Bryant, TDC Senior Infrastructure Planning Advisor, Council Infrastructure Meeting, 8 October 2021

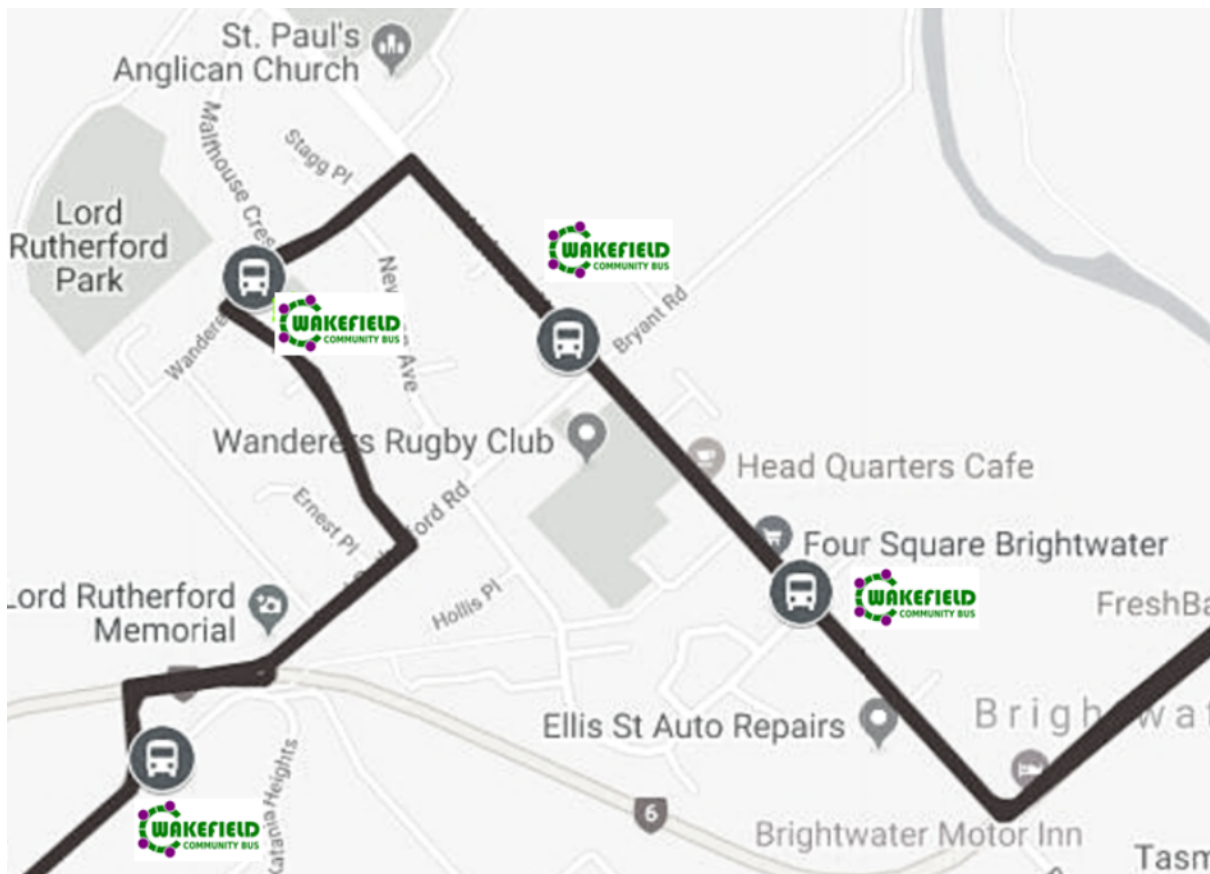


Figure 11: Wakefield Community Bus Route - Brightwater Stops

Overall, the proposed development area provides options for people to walk or bike to local destinations, or to bus further afield. The ability to increase density of residential use also improves this more efficient use of transport and infrastructure which assists with reducing emissions.

4.1.1.6 Urban Design Outcomes

There is a need to ensure that the proposed mix of housing options contribute to a quality urban environment. Tasman District Council's Urban Design Action Plan 2008 seeks to foster the seven essential design qualities in the New Zealand Design Protocol²⁶. This includes 'choice – ensuring diversity in lifestyle and transport options'. The proposed provisions in this Plan Change are intended to provide housing options, a variety of lot sizes, increased density, and contribute to achieving a well-designed community.

The TRMP includes an Urban Design Guide (TRMP Part II, Appendix 2) to assist with achieving good urban design outcomes. The proposed provisions reference the use of this design guide to ensure that the housing developed under these provisions result in a quality urban environment.

4.1.1.7 Productive Land

TRMP

The TRMP recognizes the need to protect productive land to provide for the social, economic, and cultural wellbeing of people in the district. This includes objectives and policies relating to the protection of highly productive land to meet the reasonably foreseeable needs of future

²⁶ New Zealand Design Protocol. Ministry for the Environment. 2005.

generations. Key policies and objectives are outlined in Appendix 4. The site's productive capability, and effects of the rural environment, including reverse sensitivity effects, are considered below.

Proposed National Policy Statement on Highly Productive Land (NPS-HPL)

The proposed NPS-HPL is currently under development and is not finalised or in effect, however, is considered here for completeness. The proposed NPS-HPL seeks to recognise the full range of values and benefits associated with the use of highly productive land for primary production to maintain its availability for primary production for future generations, and to protect it from inappropriate subdivision, use and development.²⁷

It is important to note that, while the proposed NPS-HPL is seeking to protect productive land, it does not intend to provide absolute protection.²⁷ Instead, it requires local authorities to proactively consider the resource in their region or district to ensure it is available for present and future primary production.²⁷

The proposed NPS-HPL is not intended to apply to areas that are already identified in the district plan for urban development.²⁷

Productive Capability

The proposed Brightwater Development Area includes soils that are classed as highly productive under the Land Use Capability classification system, the Productive Land Classification 1994 and the Productive Land Classification 2021 which is currently being refined. However, the actual productive capability of the site is limited due to land fragmentation and physical constraints as it is situated between Pitfure Stream, the State Highway, and an existing residential area.²⁸

Fragmentation

The proposed Brightwater Development Area is approximately 18 hectares in area. This includes 34 Main Road Grove Road, a 3.5 hectare property which contains two dwellings and provides for rural residential living. The remaining 14.5 hectares includes approximately 7 hectares of land which is already deferred for residential purposes and adjoins the existing residential area of Brightwater. This existing fragmentation limits the site's productive capability.²⁸

Defensible Boundary

When rezoning land for residential development, it is important to seek a defensible development boundary to provide a logical limit to development. This avoids what is typically seen as 'urban spawl' with no natural limit.

The proposed Brightwater Development Area is physically constrained by the residential area to the north, the adjacent state highway to the east, and Pitfure Stream to the southwest. Pitfure Stream separates the site from the rural land to the west and acts as a natural defensible boundary to the proposed Development Area. This defensible boundary will help to avoid future expansion into the wider rural area and protect land of higher productive capability. A portion of the development area is already zoned for future residential use which further constrains the site.

There is a proposed indicative reserve along Pitfure Stream which increases the physical separation between future residential development in the proposed Brightwater Development Area and the

²⁷ *Valuing Highly Productive Land: a discussion document on the proposed national policy statement for highly productive land. Ministry for the Environment. 2019*

²⁸ *Mirka Langford, Senior Resource Scientist – Land and Soil, meeting 19 January 2022*

wider rural land. The indicative reserve will strengthen the natural boundary created by Pitfure Stream.

Efficient Land Use

There is a need to ensure that, where urban expansion does occur, it is done in the manner which makes efficient use of land. The proposed Brightwater Development Area has been identified for urban expansion, in part to protect other areas of highly productive land that have more productive capacity. This is reflected in TRMP Policy 6.16.3.1, which relates to providing for residential growth in the existing 'Rural 1 deferred Residential' portion of the site – *'To manage the effects of the expansion of Brightwater on land of high productive value by providing for future residential areas south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road and further lots on Watertank Hill.'*

This Plan Change is seeking to require a certain quota of smaller sections to provide a variety of housing options and to encourage medium density housing to ensure efficient land use.

Reverse Sensitivity – Cross Boundary Effects

There is the potential for urban expansion in rural areas to have reverse sensitivity effects on the surrounding rural environment. Examples of this include rural activities such as the spraying of agrichemicals or noise from farm machinery.

In this case, the proposed Brightwater Development Area will be separated from the surrounding rural land to the west by Pitfure Stream and the proposed indicative reserve. This will minimise reverse sensitivity effects.

4.1.1.8 Flood Hazard

The proposed Brightwater Development Area is bordered to the west by Pitfure Stream. This section of Pitfure Stream is dry for a large portion of the year; however, it has been known to flood in heavy rainfall events. Council's Senior Resource Scientist – Hazards has advised that it is feasible to mitigate this flood hazard and that this can be addressed during the consenting process for development.

This Plan Change includes policies and rules to ensure that flood hazard is appropriately managed as part of the development of the proposed Brightwater Development Area. It also includes an indicative reserve along the true-right bank of Pitfure Stream, in part to accommodate flood flows and maintain access to the waterway. It also includes an indicative reserve through the centre of the site to manage stormwater from the other side of the state highway. As mentioned above, flood and stormwater design details will be investigated through the consenting process.

4.1.1.9 Reverse Sensitivity – State Highway 6

The growth area is bordered by State Highway 6 to the south. There is a need to mitigate the effects of noise and vibration from the state highway network on the inhabitants of any new or altered dwelling in the proposed Brightwater Development Area within 100m from the state highway (corresponding with the Waka Kotahi 'buffer' and 'effects' areas in their Reverse Sensitivity Guideline 2015³). This has been considered in the development of this Plan Change.

4.1.1.10 Lord Rutherford Memorial Reserve

The proposed Brightwater Development Area adjoins the Lord Rutherford Memorial Reserve. The memorial reserve is intended to represent Sir Ernest Rutherford stepping out into his future from his

rural past.²⁹ In order to maintain this symbology, Council’s Reserve team has highlighted the need for the reserve to be extended to the west. This plan change seeks to include an indicative reserve along the western boundary of the Lord Rutherford Memorial Reserve for this purpose.

4.2.1.11 Infrastructure Capacity

Stormwater⁷, wastewater⁸, and potable water⁹ infrastructure improvements are required to provide for the development of the proposed Brightwater Development Area. These improvements are achievable, however, are not yet in place. It is therefore proposed that the rezoning of the proposed Brightwater Development Area be deferred subject to the provision of sufficient stormwater, wastewater and potable water servicing.

The infrastructure requirements are detailed further in the attached Background Report (Appendix 2).

4.1.1.12 Deferred Fire Sensitive Area

The TRMP includes existing provisions to manage potential adverse amenity effects from the discharge of contaminants from outdoor burning in residential areas. This is managed through rules that apply to the Fire Sensitive Area overlay, which generally aligns with Residential zoning in the district. In order to manage potential adverse amenity effects and to be consistent with the existing TRMP format, it is proposed that the Brightwater Development Area be a deferred Fire Sensitive Area. This is an extension of the overlay which already applies to the remainder of the Brightwater Township.

4.1.1.13 Ki Uta Ki Tai (Mountains to the Sea) Worldview and Management Approach

The concept of Ki uta ki tai reflects a holistic planning approach, where the wider environment and interconnectedness of areas are considered. This concept is relevant to this Plan Change, particularly in terms of providing for the migration of water from the mountains to the sea.

The concept of Te Mana o te Wai is also relevant to this Plan Change. Te Mana o te Wai recognises that protecting the health of the waterway protects the health of the wider environment.

This Plan Change includes provisions to ensure that the development of the site appropriately manages stormwater flows and flood hazard from Pitfure Stream, and that the health of the waterway is protected. This includes an indicative reserve along the true-right bank of Pitfure Stream to provide public access to and promote care for the stream and to help accommodate flood flows and stream migration.

Council’s Ecology Staff have advised that the adjacent section of Pitfure Stream has low ecological value (given that it is dry for a large portion of the year), however, any contaminant discharge still needs to be appropriately managed as it could end up in a more sensitive receiving environment e.g., the Waimea Estuary. The TRMP includes existing provisions to manage contaminant discharge and water quality.

Overall, this Plan Change is consistent with, and helps to achieve, Council’s aim of a ki uta ki tai management approach. This Plan Change also supports Te Mana o te Wai.

4.1.1.14 What’s Currently Being Done and Why Isn’t this Adequate?

²⁹ *Dr John Campbell, author of ‘Rutherford Scientist Supreme’*

The Future Development Strategy 2022 has found that urban expansion is required to provide for growth and for Council to meet its obligations under the National Policy Statement on Urban Development. The TRMP's existing residential area is not sufficient to provide for future growth. Through a multi-criteria assessment, the Future Development Strategy 2022 and the Future Development Strategy 2019, have identified the T-005 Wanderers Avenue site for urban expansion.

In terms of intensification and achieving a variety of housing typologies, the TRMP currently includes three methods of providing for medium density housing. These are:

- The Richmond Intensive Development Area (RIDA) which were introduced to the TRMP through Plan Change 66 to promote more intensive housing in Richmond and achieve the following objectives:
 - Provide for a diversity and choice of housing density and form in Richmond to cater for a growing population, a changing demographic profile and a range of living options.
 - Encourage residential intensification through a combination of infill and redevelopment in the Richmond Intensive Development Area, which is a 'brownfields' or already developed area located around the town centre.
 - More generally, through stronger policy direction, ensure that medium density housing in Richmond achieves a high standard of amenity.

The RIDA provisions do not apply to the development of land in Brightwater or in other parts of the district outside of Richmond.

- The Compact Density Development provisions which provide for medium density housing in new or 'greenfield' development areas within specific development areas. Compact Density Development does not have a minimum allotment size and requires both the subdivision and land use consents to be lodged together to ensure good design outcomes. They also require a parent title with a net area of 1,500m² or more. The provisions currently apply to specified development areas in Richmond South and West on the outskirts of Richmond, the Motueka Compact Density Area and the Mapua Special Development Area. There is no existing provision for Compact Density Development in Brightwater.
- The Comprehensive Development, which has existed in the TRMP since its inception, is defined as '*a comprehensively planned and designed collection of three or more dwellings on one site.*' These provisions provide for medium density housing in the rest of the Residential zone throughout the district (including central Richmond), outside of the specified development areas. The Comprehensive Development provisions can be used in Brightwater. However, these provisions have been found to provide limited encouragement for medium density development in the district as they require high levels of consent, provide for a limited level of density and, other than provisions for minimum site size and coverage, provide no design guidance for the public or decision makers.

The TRMP currently provides only for standard residential development in Brightwater (including in the existing 'Rural 1 deferred Residential' area that is subject to this Plan Change), or development under the Comprehensive Development provisions which has not been widely used in the area. To date, this has resulted in standard density subdivisions which do not encourage a variety of housing options in this area or cater for smaller households.

This Plan Change is seeking to apply the TRMP's existing Compact Density Provisions to the proposed Brightwater Development Area, with the addition of a non-notification provision to encourage the uptake of these provisions.

4.1.1.15 Risks of Not Acting

If additional greenfields land is not released, there is a risk of not providing sufficient residential capacity to accommodate population growth.³⁰ This is likely to further increase housing affordability issues³¹. In addition to this, Council would be in breach of legislative requirements to provide for growth under the National Policy Statement on Urban Development 2020.

If a variety of lot sizes is not required in parts of the district, there is a risk of continued status-quo development, consisting of family homes on standard size lots. This approach will result in a lower housing yield, requiring more area to be developed to cater for growth. Furthermore, this approach does not cater for different demographics and smaller households (e.g., elderly, people without children). Research has shown that there is a demand for medium density housing which has not been adequately provided for under the current planning provisions.³¹

4.1.1.16 Outcomes Sought

This Plan Change is seeking to address the issues outlined above, by:

- Providing greenfield land for residential expansion, by re-zoning land within the proposed Brightwater Development Area site from Rural 1 to 'Rural 1 deferred Residential'. This is to increase housing supply to cater for growth, avoid further affordability issues, and provide for urban expansion in an area of constrained productive value instead of on other highly productive land.
- Requiring a variety of lot sizes to be achieved within the proposed Brightwater Development Area, by introducing a minimum allotment size quota. This is to encourage a variety of housing typologies to cater for different demographics and housing needs
- Encouraging higher density housing options, by utilising the TRMP's existing Compact Density provisions with the addition of a non-notification provision. This is to ensure efficient land use, minimise the need for further residential expansion, cater for different demographics (including the elderly and those without children), and help manage housing affordability issues by increasing supply.
- Providing roads, reserves and walkways to enable active transport and to ensure the health of Pitfure Stream, supporting Te Mana o te Wai.
- Applying the deferred Fire Sensitive Area overlay to the proposed Brightwater Development Area.
- Including policies and rules to ensure the appropriate management of flood hazards and reverse sensitivity effects. This is to manage any potential adverse effects.

4.1.2 Waimea West Rezoning

4.1.2.1 Problem/ Issues

This Plan Change is responding to the need to rationalise zoning at 366 and 368 Waimea West Road, by aligning zoning boundaries with property boundaries, following a boundary adjustment subdivision in 2007.

The subdivision relocated the boundaries of two titles. The owner at the time of 368 Waimea West Road (title CTNL107/125) approached Council, being the owner of 366 Waimea West Road (title CTNL107/124), to carry out a boundary adjustment to enable an existing house, which was located close to Waimea West Road to be relocated toward the rear of the site.

³⁰ *Future Development Strategy 2022*

³¹ *'Understanding the impacts of releasing greenfields sites for development'*. Sense Partners. 2020

The intention of the parties was that following the boundary relocation, the portions of land exchanged, that were amalgamated into the existing titles would be rezoned in line with existing zonings and intended new uses. The subdivision was duly completed but the rezoning of the land (from Recreation to Rural 1 and vice versa) exchanged was not. This Plan Change rezones this land as shown on Update Map 75/4.

4.1.2.2 What’s Currently Being Done and Why Isn’t this Adequate?

The properties at 366 and 368 Waimea West Road currently both have split zoning in that they are both currently partially zoned Rural 1 and partially zoned Recreation. This split zoning is not rational, given the land use and post-2007 property boundaries. 336 Waimea West Road is a Council-owned recreation reserve, and should therefore be zoned for Recreation purposes, while the adjoining private property at 368 Waimea should be zoned to match the surrounding Rural 1 area and the remainder of the site.

Following the 2007 subdivision, the owners of the properties obtained the necessary consents to use the properties as intended. More specifically, Council made changes to the access way off Waimea West Road to enable it to use its site for Recreation purposes (RM070030V1). The owner of 368 Waimea West Road obtained resource consent to move the dwelling from its current location to the rear of the site. (RM070229). However, the zoning was not amended to align with the property boundaries.

4.1.2.3 What is the risk of not acting?

If 366 and 368 Waimea West Road are not rezoned as proposed, then the existing split zoning will continue to apply to the site. This existing zoning is not rational and may be problematic as the land use differs from the intent of the zoning.

4.1.2.4 Outcomes Sought

This Plan Change is seeking to address the issues outlined above, by:

- Zoning the land added to Council-owned 336 Waimea West Road via the 2007 subdivision boundary adjustment from Rural 1 to Recreation to match the zoning of the rest of the title; and,
- Zoning the land added to privately-owned 368 Waimea West Road via the 2007 subdivision boundary adjustment from Recreation to Rural 1 to match the zoning of the rest of the title.

4.2 Summary of Resource Management Issue/s

4.2.1 Residential Growth – Brightwater Development Area

Based on the consultation, research and analysis undertaken to develop the problem definition and the general outcomes sought, the following resource management issues have been identified in relation to this Plan Change:

Issue	Comment
Issue 1: Need for housing, including a variety of lot sizes leading to a variety of housing typologies	<ul style="list-style-type: none"> • The Tasman District is experiencing high levels of residential growth, putting pressure on existing Residential zoned areas. This growth is predicted to continue • The district is currently experiencing housing supply and affordability issues • Tasman District Council have a legal obligation to provide for residential growth – doing nothing is not a legally defensible option

	<ul style="list-style-type: none"> Tasman District Council has heard from the community, through engagement on this Plan Change and other planning projects, that there is a lack of smaller housing options available
Issue 2: Flood Hazard	<ul style="list-style-type: none"> This Plan Change site is bordered to the west by Pitfure Stream which has been known to flood in high rainfall events. This flood hazard will need to be considered as part of any development and appropriately managed to avoid adverse effects.
Issue 3: Productive Land	<ul style="list-style-type: none"> Productive land is important for the local economy and livelihoods, resilience, and the district’s character. The TRMP recognizes the need to protect productive land to provide for the social, economic, and cultural wellbeing of people in the district. This includes objectives and policies relating to the protection of highly productive land to meet the reasonably foreseeable needs of future generations. Key policies and objectives are outlined in Appendix 4. The proposed National Policy Statement for Highly Productive Land (not currently in legal effect) seeks to recognise the full range of values and benefits associated with the use of highly productive land for primary production, to maintain its availability for primary production for future generations, and to protect it from inappropriate subdivision, use and development. The proposed National Policy Statement for Highly Productive Land does not seek to provide absolute protection for highly productive land and does not apply to areas that are already identified in the district plan for urban development (such as the ‘Rural 1 deferred Residential’ portion of the Plan Change site). Council’s Senior Resource Scientist – Land and Soil has advised that the productive capability of the site is limited due to existing land fragmentation, the existing deferred Residential land, and physical constraints as the site is situated between Pitfure Stream, the State Highway, and an existing residential area. The proposed Brightwater Development Area has been identified for urban expansion, in part to protect other areas of highly productive land that have more productive capacity. This is reflected in TRMP Policy 6.16.3.1, which relates to providing for residential growth in the existing ‘Rural 1 deferred Residential’ portion of the site – <i>‘To manage the effects of the expansion of Brightwater on land of high productive value by providing for future residential areas south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road and further lots on Watertank Hill.’</i> There is a need to encourage intensification and ensure efficient land use, where urban expansion does occur, to protect productive land. This Plan Change is seeking to encourage higher density housing options and efficient land use, to protect productive land in the wider area.
Issue 4: Reverse sensitivity – noise and vibration effects from the state highway	<ul style="list-style-type: none"> The Plan Change site is adjacent to Main Road Spring Grove. This is a state highway (State Highway 6) which caters for approximately 8,600 vehicles per day (including 12% heavy vehicles)³² and has the potential to have adverse health effects on the habitants of any new dwellings within close proximity due to noise and vibration.

³² Mobile Road, estimated 2019 – <https://mobileroad.org/desktop.html>

	Reverse sensitivity provisions have been included in this Plan Change to ensure that noise and vibration from the state highway are considered at both subdivision and land use stage and are appropriately addressed. These provisions have been developed in consultation with Waka Kotahi NZ Transport Agency, and with Council’s Team Leader – Environmental Health. These provisions are based on the existing reverse sensitivity provisions within the TRMP and other guidelines and examples.
Issue 5: Lord Rutherford Memorial Reserve	<ul style="list-style-type: none"> The proposed Brightwater Development Area adjoins the Lord Rutherford Memorial Reserve. The memorial reserve is intended to represent Sir Ernest Rutherford stepping out into his future from his rural past.³³ In order to maintain this symbology, Council’s Reserve team has highlighted the need for the reserve to be extended to the west. This plan change seeks to include an indicative reserve along the western boundary of the Lord Rutherford Memorial Reserve for this purpose.
Issue 6: Infrastructure	<ul style="list-style-type: none"> Stormwater, wastewater, and potable water infrastructure improvements are required to provide for the development of the Plan Change site. These improvements are achievable, however, are not yet in place. It is therefore proposed that the rezoning of the Plan Change site be deferred subject to the provision of sufficient stormwater, wastewater and potable water servicing.
Issue 7: Te Mana o Te Wai	<ul style="list-style-type: none"> The Plan Change includes an indicative reserve along Pitfure Stream to allow space for the waterway and flood flows. This also promotes access to, and care for, the stream, and presents an opportunity for biodiversity enhancement.

4.2.2 Waimea West Rezoning

Based on the consultation, research and analysis undertaken to develop the problem definition and the general outcomes sought, the following resource management issues have been identified in relation to this topic:

Issue	Comment
Issue 1: Need for 366 and 368 Waimea West Road to have appropriate zoning	<ul style="list-style-type: none"> The properties at 366 and 368 Waimea West Road currently have split zoning in that they are both currently partially zoned Rural 1 and partially zoned Recreation. This split zoning is not rational, given the land use and post-2007 property boundaries. 336 Waimea West Road is a Council-owned recreation reserve and should therefore be zoned for Recreation purposes. 368 Waimea should be zoned to match the remainder of the site.

5. What are the Possible Options?

Considering and evaluating a number of reasonably practicable options to respond to the key issues identified and therefore achieving the objectives is an important part of a Section 32 evaluation. The evaluation sections of this Section 32 include additional explanation of the options considered. These reasonably practicable options are summarized as:

³³ Dr John Campbell, author of ‘Rutherford Scientist Supreme’

For both the proposed Brightwater Development Area and for Waimea West Road:

1. Option 1: The provisions proposed in this plan change (set out in Section 2.2.1.2)
2. Option 2: Retain the status quo (set out in Section 2.2.1.1)

For the proposed Brightwater Development Area only:

3. Option 3: Rezoning the proposed Brightwater Development Area to Residential and apply the standard density rules.

These options form part of the evaluation of the approach to this topic. The evaluations are carried out in Sections 8 - 9.

6. What is the Statutory and Policy Context?

6.1 Introduction

In carrying out a Section 32 analysis, an evaluation is required of how the proposal achieves the purpose contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management 'means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment'.

In achieving this purpose, councils also need to recognise and provide for the matters of national importance identified in Section 6, have particular regard to other matters referred to in Section 7 and take into account the principles of the Treaty of Waitangi referred to in Section 8.

6.2 Relevant Statutory and Policy Documents

This section sets out a summary of the statutory and policy documents that have particular relevance to this topic. These have been used to inform and guide Council's assessment of the proposal and options to determine the most appropriate options.

6.3 Resource Management Act 1991

6.3.1 Section 6: Matters of National Importance

The Section 6 matters of particular relevance to this topic are:

Relevant matter	Reason for relevance
d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers	The proposed Brightwater Development Area is bordered by Pitfure Stream to the west. This section of Pitfure Stream is currently running through privately-owned property and does not have public access. The Plan Change includes a new indicative reserve along the true-right side of the stream to provide public access to Pitfure Stream. This indicative reserve will also have a flood hazard management function.

e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	It is recognized that iwi have a relationship with the land and water. Te Tau Ihu Iwi were engaged early in this Plan Change process to ensure that any cultural values are understood and provided for. Iwi provided high-level feedback on residential development, which has been taken into account in the drafting of this Plan Change. No cultural heritage sites have been identified within the proposed Brightwater Development Area.
h) The management of significant risks from natural hazards	Pitfure Stream runs along the western boundary of the proposed Brightwater Development Area and presents a potential flood hazard if not managed appropriately. This Plan Change includes policies and rules to ensure that the flood hazard is addressed in the development of the site.

6.3.2 Section 7 Other Matters

The Section 7 matters of particular relevance to this topic are:

Relevant matter	Reason for relevance
a) kaitiakitanga	It is recognized that iwi have a role of kaitiakitanga. Te Tau Ihu Iwi were engaged early in this Plan Change process to ensure that any cultural values are understood and provided for. Iwi provide provided high-level feedback on residential development, which has been taken into account in the drafting of this Plan Change.
b) the efficient use and development of natural and physical resources	There is a need to encourage intensification and ensure efficient land use, where urban expansion does occur, to protect productive land. This Plan Change is seeking to achieve this through requiring smaller lot sizes and enabling and encouraging Compact Density Development within the site.
c) the maintenance and enhancement of amenity values	<p>This Plan Change includes indicative reserves which will enhance the area's amenity values.</p> <p>As outlined above - The proposed Brightwater Development Area is bordered by Pitfure Stream to the west. This section of Pitfure Stream is currently running through privately-owned property and does not have public access. This Plan Change includes a new indicative reserve along the true-right side of the stream to provide public access to, and promote care for, Pitfure Stream.</p> <p>This Plan Change also includes an indicative reserve for the extension to the Lord Rutherford Memorial Reserve, and a new indicative reverse for the purpose of a neighbourhood park.</p>
d) intrinsic values of ecosystems	<p>The adjacent section of Pitfure Stream is considered to have relatively low ecological values, given that it is dry for a large portion of the year. However, the discharges of sediment and nutrients still need to be managed well because they will end up in sensitive areas e.g., Waimea Inlet and Waimea River.</p> <p>Opportunities exist to improve the ecological outcomes from protection and planting of the stream margins.</p> <p>There are no Significant Natural Areas or wetlands within the growth area or on the Waimea West Road site.</p>
f) the protection of historic heritage from inappropriate	The proposed Brightwater Development Area adjoins the Lord Rutherford Memorial Reserve. The memorial reserve is intended to represent Sir Ernest Rutherford stepping out into his future from his rural past ³⁴ . In order to maintain this symbology, Council's Reserve team has highlighted the need for the reserve to

³⁴ Dr John Campbell, author of 'Rutherford Scientist Supreme'

subdivision, use, and development	be extended to the west. This plan change seeks to include an indicative reserve along the western boundary of the Lord Rutherford Memorial Reserve for this purpose.
i) the effects of climate change	The proposed Brightwater Development Area is within close proximity to the Brightwater Town Centre and provides opportunities for active transport options. This includes indicative roads, reserves and walkways to enable active transport into the Brightwater Town Centre. The site is also within close proximity to the Great Taste Cycle Trail and the bus route, which provide access into Richmond. This reduces the reliance on private vehicles and therefore positively contributes to reducing greenhouse gas emissions.

6.3.3 Section 8 Treaty of Waitangi

The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) that have been taken into account and the Te Tau Ihu iwi involved in the development of the Plan Change and its provisions.

Early engagement with iwi has included an initial hui, with all Te Tau Ihu Iwi invited, in November 2021. This hui was attended by representatives from Ngāti Toa, Ngāti Kuia, and Te Atiawa, and was used to discuss residential growth in various locations around the district, including the proposed Brightwater Development Area, and the Waimea West rezoning.

High-level feedback was received from this hui in relation to residential growth. This included support for creating communities with a heart/ centre, implementing Te Mana o te Wai, using Māori placenames, having guiding development principles, and the need for housing that provides for larger families and multigenerational living.

Additional consultation with iwi representatives was undertaken via email through the development of this Plan Change including the provision of indicative mapping and policy direction. No other feedback was received.

The final draft notification material was sent to iwi representatives as part of the Schedule 1 RMA requirements. Through this consultation, feedback was received from Ngati Tama (20 July 2022). Feedback included reference to effects on water quality, the physical structure and hydraulic characteristics of waterbodies and the health of aquatic plants and animals and sedimentation. The plan change has addressed the potential waterway effects through the inclusion of an indicative reserve along Pitfure Stream which provides a development buffer/setback to protect waterways values. Other issues raised include disturbance to soil and associated ecosystems, catchment management and stormwater management. As part of this Plan Change the zoning of the land is deferred and will not be lifted until Council is satisfied with stormwater and catchment management. Issues surrounding earthworks will be managed at the subdivision stage.

No other feedback has been received and it is considered that the principles of the Treaty of Waitangi have been taken into account during the development of this Plan Change.

6.4 National Instruments

The National Instruments considered for their relevance to this topic are the National Policy Statements, including the New Zealand Coastal Policy Statement, and the National Environmental Standards that are currently in force.

Relevant national instrument	Reason for relevance
National Policy Statements	

<p>National Policy Statement on Urban Development (NPS-UD) 2020</p>	<ul style="list-style-type: none"> • Requires Tasman District Council to provide for anticipated housing demand. • Includes policies and objectives that set direction for Councils to (among other things) improve housing affordability, enable a variety of homes, and provide development capacity to meet expected housing demand. • Policies and objectives of particular relevance are as follows: <ul style="list-style-type: none"> ○ Objective 1: <i>Planning decisions improve housing affordability by supporting competitive land and development markets</i> ○ Policy 1: <i>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</i> <ul style="list-style-type: none"> a) <i>have or enable a variety of homes that:</i> <ul style="list-style-type: none"> (i) <i>meet the needs, in terms of type, price, and location, of different households; and</i> (ii) <i>enable Māori to express their cultural traditions and norms; and</i> b) <i>have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</i> c) <i>have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and</i> d) <i>support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</i> e) <i>support reductions in greenhouse gas emissions; and</i> f) <i>are resilient to the likely current and future effects of climate change.</i> ○ Policy 2: <i>Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</i>
<p>National Policy Statement for Freshwater Management (NPS-FM) 2020</p>	<ul style="list-style-type: none"> • Relevant to development near Pitfure Stream. • Requires Council to give effect to Te Mana o te Wai and – in doing so – to manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.
<p>Proposed National Policy Statement for Highly Productive Land (NPS-HPL) Note: This is a proposed NPS and has no legal effect, and therefore does not have weighting.</p>	<ul style="list-style-type: none"> • The purpose of the NPS-HPL is to: <ul style="list-style-type: none"> ○ recognise the full range of values and benefits associated with its use for primary production ○ maintain its availability for primary production for future generations ○ protect it from inappropriate subdivision, use and development. • Strengthens the requirements for Council to manage versatile and productive land to ensure its long-term availability for primary production. • Require councils to identify HPL within their region and protect this resource for land-based primary production, with a particular focus on

	<p>protecting HPL from lifestyle development, undesirable urban expansion and 'other' inappropriate subdivision, use and development.</p> <ul style="list-style-type: none"> • Does not seek to provide absolute protection for HPL and recognises that non-productive uses are appropriate on HPL in certain circumstances. • Does not impact on existing urban areas and land that councils have identified as future urban zones in district plans. • Relevant to the productive value of this Plan Change site, and the need to ensure efficient land use that minimises sprawl.
National Environmental Standards	
n/a	There are no applicable National Environmental Standards.

6.5 Operative Regional Policy Statement and Resource Management Plans

The Tasman Regional Policy Statement (TRPS) and TRMP include existing policies, objectives and methods of implementation that are relevant to this Plan Change in terms of:

- Providing for residential development.
- Avoiding, remedying or mitigating the adverse effects of urban development.
- Ensuring the efficient use and development of resources.
- Protecting productive land.
- Managing flood hazard and stormwater.
- Providing adequate reserving space and conserving heritage values.
- Providing for Compact Density Development in specified development areas. These existing provisions are proposed to be applied to the proposed Brightwater Development Area as part of this Plan Change.

The relevant objectives, policies, and methods in the operative Tasman Regional Policy Statement (TRPS) and TRMP are identified in Appendix 4.

6.6 Iwi Management Plans

The following Iwi Management Plans are considered to be relevant to this topic. The table below identifies the particular document and the relevant provisions within it.

Iwi Management Plan	Relevant Provisions	Reason for Relevance
Ngāti Koata No Rangitoto ki te Tonga Trust Iwi Management Plan 2002	<p>The Ngāti Koata Iwi Management Plan identifies the issues of importance to the relationship between land, air, and water and that the modification of land can adversely affect the resources of value to Ngāti Koata.</p> <p>The objectives refer to protection of Ngāti Koata heritage values and the maintenance and enhancement of landscape values of significance to Ngāti Koata.</p>	The TRMP includes existing provisions related to the relationship between land, air, and water and iwi values, and to the maintenance and enhancement of landscape values.
Pakohe Management Plan 2015 – Ngāti Kuia	n/a – this does not relate to urban development in Brightwater.	n/a – this does not relate to urban development in Brightwater.

Iwi Management Plan	Relevant Provisions	Reason for Relevance
Ngāti Tama Environmental Management Plan 2018	The Ngāti Tama Environmental Management Plan (EMP) seeks that urban development is contained within urban zones and that rural areas are protected from urban development. The EMP also seeks that any urban development maintains and enhances the natural environment. Ngāti Tama wishes to be actively involved in the decision-making process which involve zoning land.	<p>The proposed Brightwater Development Area includes land which is currently zoned Rural 1, however, the productive value of the Plan Change site is considered to be limited by the physical constraints of the state highway, Pitfure Stream, and the adjoining residential area. It is also limited by the existing 'Rural 1 deferred Residential' zoning within the Plan Change site.</p> <p>This Plan Change is seeking to encourage higher density housing options and efficient land use, to protect productive land in the wider area.</p>
Ngāti Rārua Environmental Strategy 2021	The Ngāti Rārua Environmental Strategy 2021 encourages affordable housing options, opposes development in areas of significance to them, discourages urban development within areas of high natural values or on highly productive rural land. Incorporation of cultural values in urban development is supported and the use of appropriate Maori names in areas of new development are encouraged.	<p>This Plan Change is intended to provide housing supply (including smaller housing options) and contribute to affordability. The Plan Change site has not been identified as an area of high natural values.</p> <p>While this Plan Change involves urban expansion into rural land, the productive value of the Plan Change site is considered to be limited by the physical constraints of the state highway, Pitfure Stream, and the adjoining residential area.</p>

There are no other relevant Iwi Management Plans. Details of iwi engagement are provided in Section 3.3 and Appendix 3.

6.7 Relevant management plans and strategies

The following plans, strategies, heritage listings and regulations are relevant to this topic/issue:

Item of relevance	Organisation	Relevant Provisions
Future Development Strategy 2022	Tasman District Council	<ul style="list-style-type: none"> Identifies the proposed Brightwater Development Area (T-005) for residential development with an average lot size 275m².
Future Development Strategy 2019	Tasman District Council	<ul style="list-style-type: none"> Identifies the proposed Brightwater Development Area (T-005) for residential development.
Long Term Plan 2021-2031, including the Infrastructure Strategy	Tasman District Council	<ul style="list-style-type: none"> Provided population growth estimates Outlines a major programme of work to address wastewater capacity issues Includes plans for new and upgraded infrastructure for source, treatment and

Item of relevance	Organisation	Relevant Provisions
		reticulation of water supply to improve the level of service and growth capacity in Brightwater and Wakefield.
Intensification Action Plan 2020	Tasman District Council	<ul style="list-style-type: none"> • Looks at ways in which residential growth can be provided for through intensification, following the Future Development Strategy 2019 • Includes actions to: <ul style="list-style-type: none"> ○ Incentivise the building of smaller dwellings ○ Ensure sufficient capacity of appropriately zoned, serviced land for medium density housing in identified settlements, to enable supply ○ Require high quality design standards for medium density housing through the new Tasman Environment Plan. ○ Ensure Plan rules continue to permit two storey and enable three storey in the future. • While this Plan Change is providing for greenfields development, there is also an element of intensification, in recognising the need to encourage medium density housing. The Intensification Action Plan is relevant to this aspect of the proposal.
Walking and Cycling Strategy 2022	Tasman District Council	<ul style="list-style-type: none"> • Aims to improve transport network capacity, promote healthy communities (with safe active transport), look after the environment (by reducing carbon emissions), and create vibrant urban areas (with walkable communities). • Includes plans for a separate cycle lane along Lord Rutherford Road, and 30kph 'slow speed residential streets' within the urban areas of Brightwater.
Age-Friendly Policy 2019	Tasman District Council	<ul style="list-style-type: none"> • Recognises that the Tasman District has an aging population. • Includes a goal for a range of affordable and appropriate housing options for older people. • Includes objectives to enable and encourage higher density development close to services across the District, and to enable and encourage smaller, more affordable dwellings, including second dwellings and the redevelopment of existing dwellings. • Outlines feedback from people over 65 years of age that there is a need for smaller dwellings that are affordable, accessible,

Item of relevance	Organisation	Relevant Provisions
		warm, low-maintenance, and close to services to allow people to age in place in their current communities.
Urban Design Action Plan 2008	Tasman District Council	<ul style="list-style-type: none"> Seeks to foster the seven essential design qualities in the New Zealand Design Protocol. This includes ‘choice – ensuring diversity in lifestyle and transport options’. The proposed medium density provisions in this plan change are intended to providing housing options and contribute to achieving this essential design quality.
Aotearoa New Zealand’s Emission Reduction Plan 2022 and National Adaptation Plan 2022	Central government	<ul style="list-style-type: none"> The proposed Brightwater Development Area has taken account of Aotearoa New Zealand’s Emissions Reduction Plan 2022 and National Adaptation Plan 2022. These documents work together to achieve a climate-resilient Aotearoa New Zealand. In terms of emissions reduction, the proposed development area is an extension of the existing township with the ability to easily access existing roading and transport networks. This gives people the ability to choose to walk or bike to local destinations, or to bus further afield. It also enables existing infrastructure to be utilised to the extent this is available which improved efficiency of that infrastructure. The ability to increase density of residential use also improves this more efficient use of transport and infrastructure which assists with reducing emissions. In terms of adaptation, the Plan Change has provided space for increased frequency and intensity of flood events using an indicative reserve alongside the Pitfure Stream. The associated infrastructure will be able to be developed in line with Council’s Land Development Manual to accommodate climate change effects.

6.8 Other relevant legislation or regulations

The following legislation and regulations are relevant to this topic/issue:

Relevant Legislation/Regulation	Relevant Provisions	Reasons for relevance
Resource Management (Enabling Housing Supply and Other Matters) Amendments Act 2021	Medium Density Residential Standards (MDRS)	<ul style="list-style-type: none"> Requires Tier 1 councils (in the greater urban areas of Auckland, Hamilton, Tauranga, Wellington, Christchurch,) and some Tier 2 and 3 councils experiencing acute housing demand to apply the Medium Density Residential

Relevant Legislation/Regulation	Relevant Provisions	Reasons for relevance
		<p>Standards (MDRS) to most of their existing residential areas as part of their plans from August 2022.</p> <ul style="list-style-type: none"> The MDRS enable a variety of housing, including an allowance for up to three dwellings per site, each being up to three storied, subject to compliance with relevant standards. Tasman District Council is not required to apply the MDRS, however, this is relevant in terms of what is being done in other areas around the country to address housing needs.
Government Roading Powers Act 1989	Sections 88 - 98	<ul style="list-style-type: none"> Gives Waka Kotahi the power to declare any section of state highway to be a Limited Access Road, and to control the use, scale and location of accessways along Limited Access Roads. Outlines that the Limited Access Road cannot be treated as a road for the purpose of subdivision, except in certain circumstances (s93).

6.9 National Guidance Documents

The following National Guidance Documents are relevant to this Plan Change:

Relevant National Guidance Documents	Reasons for relevance
Waka Kotahi NZ Transport Agency's Reverse Sensitivity Guideline 2015	The Plan Change site is adjacent to State Highway 6 and may result in residential development within 100m of the state highway.
National Medium Density Design Guide 2022	<ul style="list-style-type: none"> Provides guidance of the design and development of medium density housing, including design principals and priority design elements. Provides guidance at a site-development level. Has a focus on the Medium Density Residential Standards in the Resource Management (Enabling Housing Supply and Other Matters) Amendments Act 2021. <p>Draws on kaupapa Māori design, understanding specific knowledge, considerations, and protocols associated to kāinga.</p>
Valuing Highly Productive Land: A discussion document on a proposed national policy statement for highly productive land	Outlines the objectives and intent of the proposed NPS-HPL, including issues around urban expansion on highly productive land and the fragmentation of highly productive land.

6.10 Plans of adjacent territorial and regional authorities

RMA Sec 66 (2) d and 74 (2) c require regard to be had to the need for consistency with the RPS and Regional Plan (operative or proposed), and operative or proposed district plans, of adjacent authorities.

The RMA requires Council to have regard to the need for consistency with the Regional Policy Statement or Plans, or District Plans (both operative and proposed) of the adjacent authorities. The following documents and specific provisions have been considered in terms of the need for consistency:

Relevant Authority Document	Relevant Provisions	Need for consistency
Nelson Resource Management Plan (NRMP)	Residential Zone Rule REr.2 – Minimum Site Area	<p>The NRMP separates the Residential Zone into four categories (Lower Density Area, Lower Density Area (Stoke), High Density Area, and Standard Density), each with a different minimum allotment size. This includes a minimum allotment size of 400m² in the Standard Density area, and a minimum allotment size of 300m² in the higher Density area.</p> <p>The existing structure of the TRMP is different to the NRMP. The proposed Plan Change is intended to fit within the existing structure of the TRMP, and does not need to be consistent with the NRMP.</p>

6.11 National Planning Standards

The National planning standards were introduced in April 2019 with the purpose of improving the consistency of council plans and policy statements and relate to the structure and content of regional and district plans.

This Plan Change has been drafted to fit within the existing structure of the TRMP with minimal change to ensure clarity and consistency with the existing TRMP. However, where relevant, the National Planning Standards have been incorporated. An example of this is the proposed ‘habitable room’ definition in the proposed reverse sensitivity provisions which was adopted from the National Planning Standards.

Tasman District Council are in the process of preparing a new unitary plan – the ‘Tasman Environment Plan (TEP)’ – which will be prepared in accordance with the National Planning Standards.

7. What are the Proposed Objectives, Policies and Methods?

7.1 Proposed Objectives, Policies and Methods

This Plan Change does not seek to introduce any new objectives into the TRMP, however, it does include new policies and methods. The objectives of this Plan Change and the proposal changes to the TRMP text, including new and amended policies and methods, are summarised below. The changes to the TRMP can be found in the Schedule of Amendments.

7.1.1 Residential Growth – Brightwater Development Area

The objective of the Residential Growth aspect of this Plan Change is to provide for housing and encourage intensification within an identified site of Brightwater (the proposed Brightwater Development Area). This is responding to issues around the need to provide for population growth, the need to manage housing affordability and the need to provide a variety of housing typologies to cater for different demographic and ensure efficient land use. This is discussed further in Section 4.1.

Key changes to the TRMP relating to the proposed Brightwater Development Area include:

- The introduction of new minimum allotment size criteria for the subdivision of parent titles greater than 2 hectares in net area in the proposed Brightwater development area, including the introduction of Rule 16.3.3.1B. This is to require a minimum of 20% of the lots created to have a net area between 270m² and 350m², another 20% or more must have a net area between 350m² and 450m², and 50% to be standard residential density (i.e., a minimum net area of 450m²). The remaining 10% of lots created can be comprised of any of these densities, or a mixture of all three.
- The introduction of the Brightwater Development Area and amendments to the existing Compact Density provisions (including the definition, and relevant policies, methods of implementation, and rules) to apply these provisions to the proposed Brightwater Development Area.
- The introduction of a non-notification provision for the use of Compact Density subdivision and land use in the proposed Brightwater Development Area (including relevant policies, rules, and explanatory text).
- The introduction of reverse sensitivity provisions (including policies, methods of implementation, rules, matters of control/ discretion, and explanatory text) to manage potential reverse sensitivity provisions for the construction of dwellings within 100m of the state highway in the proposed Brightwater Development Area. These provisions are based on the Waka Kotahi Reverse Sensitivity Guideline and input from Waka Kotahi Acoustic Specialist, the reverse sensitivity provisions in the Christchurch District Plan, and input from Council's Team Leader – Environmental Health.
- Provisions (including policies, methods of implementation, rules and matters of control/ discretion) to ensure that the development of smaller lots in the proposed Brightwater Development Area achieves good urban design outcomes in accordance with the Urban Design Guide (TRMP Part II, Appendix 2).
- Provisions (including policies and matters of control/ discretion) to ensure that flood hazard is appropriately managed for the development of the proposed Brightwater Development Area.
- Indicative items (roads, walkways and reserves) to provide for accessibility, flood flows, and recreation.
- Applying the TRMP's deferred Fire Sensitive Area to the site.

7.1.2 Waimea West Rezoning

The Waimea West Road aspect of this Plan Change has the objective of rationalising the zoning at 336 and 368 Waimea Road. This is sought to be achieved by aligning the zoning with the property boundaries. This change is responding to a 2007 subdivision boundary adjustment which resulted in a misaligned of the property boundaries and zoning.

There are no new objectives, policies or methods, or proposed text amendments in relation to the proposed rezoning of 366 and 368 Waimea West Road.

8. Are the Proposed Objectives of the proposal the most appropriate way to achieve the purpose of the Act?

8.1 Evaluation Context

This section of the report evaluates the proposed objectives to determine whether they are the most appropriate way to achieve the purpose of the Act.

For the purposes of this evaluation the following criteria form the basis for assessing the appropriateness of the proposed objectives:

Category	Criteria
Relevance	<ul style="list-style-type: none">Directed to addressing a resource management issueFocused on achieving the purpose of the ActAssists the Council to carry out its statutory functions (RMA s.30 and s.31)Within scope of higher-level documents
Feasibility	<ul style="list-style-type: none">Acceptable level of uncertainty and riskRealistically able to be achieved within Council's powers, skills and resources
Acceptability	<ul style="list-style-type: none">Consistent with identified iwi/Maori and community outcomesWill not result in unjustifiably high costs on the community or parts of the community

8.2 Evaluation of the Plan Change objective

This Plan Change does not add any objectives to the TRMP, nor does it amend any existing objectives. As per RMA sec 32(6)(b) the purpose of this Plan Change, and therefore its objective, is to provide additional land for residential housing and encourage both intensification and a variety of densities within an identified site in Brightwater (the proposed Brightwater Development Area).

Through considering the consultation undertaken and issues identified Council has developed the following potential options for achieving the purpose of the plan change:

- 1) Plan Change proposal – To provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.
- 2) Standard density residential - Rezoning for standard density residential growth with no change resulting in an increase in density or an increased variety of lot sizes.
- 3) Status Quo – no change in zoning

The purpose in relation to Waimea West is to rationalise the zoning at 336 and 368 Waimea Road through aligning the zoning with the current property boundaries. The options to achieve this are restricted to:

- 1) Plan Change proposal – To make the proposed zone changes, or
- 2) The status quo of leaving the current zoning arrangement.

8.3 Evaluation – Brightwater Development Area

Plan Change Objective Assessment - Brightwater:
To provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.
General intent:
<p>This is responding to issues around the need to provide for population growth, the need to manage housing affordability, and the need to provide a variety of lot sizes to cater for different demographics. It also helps achieve more efficient land use.</p> <p>Under this objective, the Plan Change intends to:</p> <ul style="list-style-type: none"> • Provide greenfields land for residential expansion, by re-zoning land within this Plan Change site from Rural 1 to ‘Rural 1 deferred Residential’. This is to increase housing supply to cater for growth, assist with avoiding further affordability issues, and provide for urban expansion in an area of constrained productive value instead of on other highly productive land. • Require a variety of lot sizes to be achieved, by introducing a minimum allotment size quota. This is to encourage a variety of housing typologies to cater for different demographics and housing needs • Encourage higher density housing options, by making this Plan Change site a Development Area where the TRMP’s existing Compact Density provisions apply with the addition of a non-notification clause for the use of these rules within this development area. This is to ensure efficient land use, minimise the need for further residential expansion, cater for different demographics, and help manage housing affordability issues by increasing supply. • Include policies and rules to ensure appropriate management of flood hazard and reverse sensitivity effects. • To include indicative items to provide for recreation, connectivity, stormwater and flood hazard management, and – in the case of the new indicative reserve adjoining the Lord Rutherford Memorial – heritage values. • Make the proposed Brightwater Development Area a deferred Fire Sensitive Area.
Other potential objective
<p>The key alternative option relating to the purpose of this Plan Change is to undertake the rezoning as standard density residential without any provision to provide an increase in density or an increase in the variety of lot sizes. This would allow for standard residential development, enabling a single residential dwelling to be constructed on each site as a permitted activity (TRMP Rule 17.1.3.1), and requiring a minimum lot size of 450m² for subdivision to occur as a controlled activity (TRMP Rule 16.3.3.1). The Residential Zone rules also allow for Comprehensive Development land use (being the construction of three or more dwellings per site) to occur with a restricted discretionary activity status (TRMP Rule 17.1.3.4A) or higher.</p> <p>This option allows for standard density or comprehensive residential expansion to occur within the existing ‘Rural 1 deferred Residential’ area, when the deferred is uplifted, and within the existing Rural 1 land which would be rezoned for residential use.</p> <p>This option does not further enable or encourage medium density development. This option is therefore of limited benefit in terms of providing for residential growth within the region, for encouraging a variety of housing options, and for protecting soils of greater productive capacity.</p>

Plan Change Objective Assessment - Brightwater:					
<p>The status quo option of retaining the current zoning patterns and making no change has been shown to not meet the obligations set out in NPS-UD to provide for growth within the district. This position has been reinforced through the FDS 2019 and 2022 processes, and the supporting information to this Plan Change referenced in Section 3. The further assessment will therefore focus on options 1 and 2 for achieving the objective of the Plan Change.</p> <p>The assessment below considers the proposed option and the potential viable alternative of rezoning as standard density development by way of comparison.</p>					
Other relevant objectives in the Plan:					
<p>Objective 6.2.2.3: <i>For the period 2021 to 2051, the minimum sufficient development capacities for housing in the Tasman portion of the Nelson-Tasman Urban Environment are provided.</i></p> <p>Objective 6.2.2.2: <i>Urban growth and sufficient opportunities, including redevelopment opportunities that encourage more efficient use of land, energy and provision of infrastructure, services and amenities.</i></p> <p>Objective 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></p> <p>Objective 14.3.2: <i>The conservation of those areas in the District that have significant natural and scientific values such as landform, ecosystems, natural character and heritage values.</i></p>	<p>The TRMP contains existing objectives which relate to the objective of this plan change. Objectives 6.2.2.3 and 6.2.2.2 are of particular relevance, as they are seeking to achieve a similar outcome to the Plan Change objective, being the provisions of residential housing capacity and of efficient land use.</p> <p>Objectives 14.1.2 and 14.3.2 are also relevant, in terms of seeking an indicative reserve adjacent to the Lord Rutherford Memorial Reserve.</p> <p>Other relevant objectives are considered in Section 6.5 and Appendix 4.</p>				
	<table border="1"> <thead> <tr> <th>Plan Change objective</th> <th>Standard residential density development</th> </tr> </thead> <tbody> <tr> <td colspan="2">Relevance:</td> </tr> </tbody> </table>	Plan Change objective	Standard residential density development	Relevance:	
Plan Change objective	Standard residential density development				
Relevance:					

Plan Change Objective Assessment - Brightwater:		
Directed to addressing a resource management issue	<p>Helps to address the following resource management issues:</p> <ul style="list-style-type: none"> • Providing sufficient housing capacity for residential growth projections. • Housing affordability. • The need to provide a variety of lot sizes to cater for different demographic and ensure efficient land use. • Management of issues around flood hazard, productive land, and reverse sensitivity in relation to the state highway through provisions within the Plan Change. • The conservation on heritage values (in relation to providing an indicative reserve adjacent to the Lord Rutherford Memorial Reserve) 	<p>This options partially addresses the identified resource management issues but is not a directed response as it only enables standard density development. This is less effective at providing residential growth capacity in Brightwater to meet population projections and does not further enable or encourage medium density development.</p>
Focused on achieving the purpose of the Act	<p>This objective helps to achieve the purpose of the Act by:</p> <ul style="list-style-type: none"> • Catering for residential growth projections, to meet the foreseeable needs of future generations in a way that sustains natural resources such as other areas with greater production capacity. • Providing for sustainable residential development, by ensuring efficient land use. • Zoning patterns provide space to manage the effects of the activity on the environment. 	<p>This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to achieve the purpose of the Act.</p> <p>The use of the land for standard density residential development is not an effective way of sustaining the natural resources of other land with more productive potential.</p>

Plan Change Objective Assessment - Brightwater:		
Assists the Council to carry out its statutory functions (RMA s.30 and s.31)	<p>The objective of this Plan Change assists Council with carrying out its statutory functions by ensuring that there is sufficient development capacity for housing – RMA s30(1)(ba), and s31(1)(aa).</p> <p>It can be undertaken in a way that does not restrict Council’s other responsibilities in relation to the quality of water bodies, ecosystems, soil conservation, and the avoidance or mitigation of natural hazards.</p>	<p>This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to assist Council to carry out its statutory functions.</p> <p>This option is less effective at ensuring there is sufficient development capacity for housing – RMA s30(1)(ba), and s31(1)(aa).</p>
Within scope of higher-level documents	<p>The objective of this Plan Change is within the scope of the National Policy Statement on Urban Development 2020.</p> <p>While not yet in legal effect, the proposed National Policy Statement on Highly Productive Land is also relevant. The productive capacity of the site and the need to ensure efficient land use have been considered.</p>	<p>This option is also within the scope of the National Policy Statement on Urban Development 2020, however is less effective at achieving the supply of residential land directed by the NPS.</p>
Feasibility:		
Acceptable level of uncertainty and risk	<p>Provisions are included to manage potential adverse effects, including effects related to flood hazard and reverse sensitivity. Provisions are also included to ensure good urban design outcomes design in accordance with the Urban Design Guide (TRMP Appendix II).</p> <p>The Plan Change also includes indicative items to ensure that key transport connections are made, and that sufficient reserve area is provided. This includes an indicative reserve adjoining the Lord Rutherford Memorial Reserve to allow for an extension of this reserve and conserve heritage values.</p> <p>The proposed changes use the existing TRMP format and provisions where possible, to minimise</p>	<p>There is a risk of insufficient housing capacity, and of continued standard density development.</p> <p>Uncertainty is also created in relation to other areas of land with more productive capacity as these may also be required in the future to provide for residential growth.</p>

Plan Change Objective Assessment - Brightwater:

	<p>uncertainty. This includes relying on existing provisions in relation to bulk and location of future buildings, and subdivision requirements. In addition, all other provisions around the develop of residential sites and location adjacent to water courses remain the same.</p>	
<p>Realistically able to be achieved within Council’s powers, skills and resources</p>	<p>The proposed changes use the existing TRMP format and provisions where possible. This helps to ensure that the provisions are realistic.</p> <p>Future development within the area is consistent with the same activity in many areas of existing Residential zoning within the district. Therefore, use of provisions relating to the new zoned land is consistent with Council’s current function.</p>	<p>Rezoning as standard residential is realistic as it would be consistent with other Residential zoning throughout the district and would have the same outcome of standard residential density development. However, it would not achieve the aim of encouraging medium density housing.</p>

Acceptability:

<p>Consistent with identified iwi/Maori and community outcomes</p>	<p>This Plan Change includes engagement with iwi, consideration of applicable Iwi Management Plans and incorporation of relevant ideas, including Te Mana o te Wai and providing for a variety of housing options.</p>	<p>Rezoning as standard residential would be consistent with some of the identified iwi outcomes, including Te Mana o Te Wai which is provided for through the NPS-FW. However, this option would not achieve other outcomes of providing for a variety of housing options.</p>
<p>Will not result in unjustifiably high costs on the community or parts of the community</p>	<p>The proposal will not result in unjustifiably high costs on the community, and will help to manage housing affordability issues. The costs of implementing the proposal are consistent with those for any residential development.</p> <p>Council’s Development Contributions Policy will apply to the development of the sites.</p>	<p>This option will result in similar development costs to other residential developments in the district. However, this option will not encourage increased density, and therefore is unlikely to provide as many houses, limiting the impact on housing affordability. This option will not encourage more efficient use of land, which will have a cost in terms of not protecting other areas of higher productive land capacity.</p>

Overall assessment of the appropriateness of the Plan Change objective

Overall, the Plan Change objective is considered to be an appropriate way to achieve the purpose of the Act for the following reasons:

- It responds to the identified issues and will assist with resolving these

Plan Change Objective Assessment - Brightwater:

- It achieves the purpose of the Act by enabling efficient residential development and sustainable use of the land resource
- It assists Council with their statutory responsibilities under the RMA, and other national planning documents such as the NPS-UD
- The proposal can be realistically achieved as it predominantly relies on application of existing provisions relating to development, or modifications of those provisions
- There are no unjustifiable costs on the community, and the proposal is consistent with identified Maori and community outcomes.

8.4 Evaluation – Waimea West Road

Plan Change Objective Assessment – Waimea West:

To rationalise the zoning at 336 and 368 Waimea Road.

General intent:

This Plan Change is responding to the need to rationalise zoning at 366 and 368 Waimea West Road, by aligning zoning boundaries with property boundaries, following a boundary adjustment subdivision in 2007.

The intended outcomes are:

- Zoning the land added to Council-owned 336 Waimea West Road via the 2007 subdivision boundary adjustment from Rural 1 to Recreation to match the zoning of the rest of the title; and,
- Zoning the land added to privately-owned 368 Waimea West Road via the 2007 subdivision boundary adjustment from Recreation to Rural 1 to match the zoning of the rest of the title.

Other potential objectives

Status quo: The existing split zoning will continue to apply to the site. This existing zoning is not rational and may be problematic as the land use differs from the intent of the zoning.

Other relevant objectives in the Plan:

n/a – The TRMP does not include any existing objective that directly relate to this Plan Change objective. This reflects the minor nature of this Plan Change objective.

Plan Change objective**Status quo****Relevance:**

Directed to addressing a resource management issue

This Plan Change objective addresses the resource management issue of ensuring appropriate zoning.

This existing split zoning is not addressing any specific resource management issue.

Plan Change Objective Assessment – Waimea West:		
Focused on achieving the purpose of the Act	This objective helps to achieve the purpose of the Act by ensuring appropriate zoning to direct land use on the sites.	This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to achieve the purpose of the Act.
Assists the Council to carry out its statutory functions (RMA s.30 and s.31)	The objective of this Plan Change assists Council to achieve its required functions by ensuring appropriate zoning.	This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to assist Council to carry out its statutory functions.
Within scope of higher-level documents	n/a	n/a
Feasibility:		
Acceptable level of uncertainty and risk	There is a low-level of uncertainty associated with this Plan Change objective, as it is using the existing TRMP zoning provisions.	No change from what is currently achieved. This existing situation has a degree of uncertainty for the landowners involved, as the zoning does not align with the property boundaries or the land use activities.
Realistically able to be achieved within Council's powers, skills and resources	The proposed changes use the existing TRMP format and provisions. This helps to ensure that the provisions are realistic.	No change from what is currently achieved.
Acceptability:		
Consistent with identified iwi/Maori and community outcomes	This Plan Change is consistent with identified iwi and community outcomes of ensuring land is used appropriately, it is also minor in nature and will not change any existing impacts on these outcomes.	No change from what is currently achieved.
Will not result in unjustifiably high costs on the community or parts of the community	The proposal is minor in nature and not result in unjustifiably high costs on the community.	No change from what is currently achieved.
Overall assessment of the appropriateness of the Plan Change objective		
Overall, the proposal Plan Change objective is considered to be an appropriate way to achieve the purpose of the Act.		

9. Are the Proposed Policies and Methods the most appropriate way to achieve the Objectives?

9.1 Evaluation of proposed Policies and Methods

Section 32(1)(b) requires evaluation of the appropriateness of the policies and methods that are proposed to achieve the proposed objectives of the Plan Change. The policies and methods, including the reasonably practical options have been developed through the consultation, information reporting, research and analysis that has been undertaken for this topic. The level of this assessment has been determined by the scale and significance of the change.

The reasonably practicable options for achieving the objectives are set out in Section 5 and Section 8.2.

With respect to the preferred option, an evaluation of the provisions has been undertaken relating to the costs, benefits and the certainty and sufficiency of information in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective.

This evaluation of the provisions to achieve the objectives is set out in the following table:

9.2 Evaluation – Brightwater Development Area

Plan Change Objective: To provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.

The proposed policies and methods are set out in full in the Schedule of Amendments. In summary these includes policies and methods related to the following:

- The introduction of new minimum allotment size criteria for the subdivision of parent titles greater than 2 hectares in net area in the proposed Brightwater development area, including the introduction of Rule 16.3.3.1B. Including provisions to ensure that the development of smaller lots in the proposed Brightwater Development Area achieve good urban design outcomes in accordance with the Urban Design Guide (TRMP Appendix II). Including responding to flood hazard risk.
- The introduction of the Brightwater Development Area and amendments to the existing Compact Density provisions to apply these provisions to the proposed Brightwater Development Area. Including applying a non-notification provision for the use of Compact Density subdivision and land use in the proposed Brightwater Development Area.
- The introduction of reverse sensitivity provisions to manage potential reverse sensitivity for dwellings within 100m of the state highway in the proposed Brightwater Development Area.
- Indicative items to provide for recreation, connectivity, stormwater and flood hazard management, and – in the case of the new indicative reserve adjoining the Lord Rutherford Memorial – heritage values.
- Making the proposed Brightwater Development Area a deferred Fire Sensitive Area.

Proposed Provisions	Costs	Benefits	Effectiveness and Efficiency	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>The introduction of new minimum allotment size criteria for the subdivision of parent titles greater than 2 hectares in net area in the proposed Brightwater development area. Including provisions to ensure that the development of smaller lots in the proposed Brightwater Development Area</p>	<p>There will be a monetary cost to the developer in designing their proposal to achieve the new minimum allotment size criteria. This cost is considered to be limited as developments require design and consenting regardless of the section sizes. The costs of the proposed requirements are expected to decrease as development firms gain experience working with them.</p> <p>The use of the urban design guide as part of the assessment of developments under the proposed requirements is not expected to result in unreasonable costs to the developer. The requirements apply to sites with a net area of over</p>	<p>This will benefit the existing community and future generations by ensuring a variety of lot sizes, thereby encouraging different housing typologies, to cater for different demographics and household sizes. This approach is also expected to positively contribute to efficient land use housing yield, and housing affordability. Over time this is expected to be an economic benefit.</p> <p>Environmentally the expected benefits of an increase in development intensity and variability in section sizes (and the use of the urban design guide) relate to reserve provision, flood management, ecological</p>	<p>The objective of this Plan Change is to provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.</p> <p>The effectiveness and efficiency of the proposed policies and methods to achieve this is set out as follows:</p> <p>Effectiveness</p> <p>The proposed provisions, in particular policy 6.2.3.2B seeking efficient use of land through medium density housing and a variety of lot sizes (and associated policy</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> • Community consultation and Council research, including through the Future Development Strategy 2019 and 2022, has demonstrated the need to provide a variety of lot sizes and ultimately housing typologies. • Consultation with developers, and other

<p>achieve good urban design outcomes in accordance with the Urban Design Guide (TRMP Appendix II). Including responding to flood hazard risk.</p>	<p>2ha. Development of this scale generally involve a degree of urban design assessment to ensure they are well designed, attractive and functional.</p> <p>Environmentally the potential costs, or negative effects, of an increase in development intensity relate to the Pitfure Stream ecology (including sediment control during development), flooding effects and effects of residential scale development on highly productive land.</p> <ul style="list-style-type: none"> Ecologically the potential negative effects are to be managed through providing reserves along the stream banks. This ensures a setback is achieved and space is available for ecological restoration – noting that the stream is often dry. The site is not unusual in terms of the potential for sediment generation. Standard sediment control methods will manage this effect. Potential flood effects are avoided through space being provided to accommodate flood flows within the Plan Change area. Management of flood effects from the development will be possible as is required by the NTLDM for residential development. Effects on highly productive land is minimised through ensuring this land is efficiently used for housing; the land has lower productive 	<p>restoration opportunities, and the creation of quality urban environments.</p> <ul style="list-style-type: none"> Due to the proposed level of residential density, indicative reserves are identified to provide for this development. That provides opportunities to include additional planting and ecological restoration of riparian margins. The indicative reserves provide the ability to manage flood flows that cross the site, and development patterns and controls manage the generation of stormwater within the site. The use of the TRMP Urban Design Guide for designing and assessing proposals will assist with creating desirable places for people to live which function well and have a sense of community. <p>Socially an increase in development intensity and variability in section sizes relate to a greater variety of housing can have the following benefits:</p> <ul style="list-style-type: none"> Provision of different opportunities for future residents where a mix of small and larger properties will be available. A more varied neighbourhood with a housing available that may suit a wider variety of people leading to a 	<p>6.16.3.1B), and rule 16.3.3.1B which requires a variety of lot sizes to be achieved are effective at achieving the objective of the plan change. This is for the following key reasons:</p> <ul style="list-style-type: none"> The requirement for a variety of section sizes to be created at the time of greenfield development. This allows planned development of this nature from the outset. This is more effective than the alternative of standard density residential development where the market is the driver for any variation in densities. The provisions include a clear pathway, with policy support to achieve the objectives of the Plan Change. Use of the urban design guide is effective as it is an existing method in the TRMP and can be applied at the time of subdivision design. Applying these provisions to sites greater than 2ha ensures smaller sites which may be less able to achieve the mix of densities required do no end up with unintended design outcomes. <p>Efficiency</p>	<p>development examples in the region demonstrate that a variety of section sizes can be incorporated into greenfield residential developments.</p> <ul style="list-style-type: none"> Advice from Council specialists have confirmed that flood hazard, ecological, recreational/reserve, transport, and productive land matters can all be addressed through development in this location. Not acting has a risk of insufficient housing capacity, and of continued standard density development.
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	<p>capacity due to the constraints of the site by the surrounding development, state highway and stream; enabling development of this land takes development pressure off areas with more productive capacity.</p> <p>There are no identified costs or negative effects relating to social matters.</p> <p>There are no identified costs of negative effects relating to cultural matters.</p>	<p>wider segment of society being accommodated.</p> <ul style="list-style-type: none"> Increasing housing supply can assist with housing affordability (2020 Sense Partners Report). Opportunities for people to remain in their neighbourhood over time as their housing needs change. <p>Culturally an increase in development intensity and variability in section sizes relate to a greater variety of housing can have the following benefits:</p> <ul style="list-style-type: none"> There is potential for a wider housing choice and the creation of communities with a heart which was identified as a need through the consultation with iwi. The indicative reserve network proposed, due in part to the increased number of dwellings, is based on the waterways and flow paths. This supports the concept of Te Mana o te Wai. 	<p>The provisions identified in this Plan Change are efficient at achieving the stated objective for the following reasons:</p> <ul style="list-style-type: none"> The requirements for a mix of densities is based on the existing subdivision provision pathway in the TRMP. The provisions directly require a mix of densities to be achieved through the subdivision consenting process. Additional costs of development is expected to be limited as the development requirements are similar to what is currently required when undertaking greenfield subdivision of this scale. The benefits of this approach outweigh the identified potential negative effects of this intensity of development. 	
<p>The introduction of the Brightwater Development Area and amendments to the existing Compact Density provisions to apply these provisions to the proposed</p>	<p>No direct or indirect monetised costs have been identified as the provisions associated with undertaken Compact Density development are enabling provisions. Meaning the developer can choose to use them and are not obliged to.</p>	<p>The benefits of the use of Compact Density provisions within this area are the same as those identified for and increased variety of section sizes as identified above.</p> <p>The key difference is these provisions is enabled rather than required. Also, a non-notification provision is applied if they are</p>	<p>The objective of the Plan Change is to provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods for the same reasons given above. In addition, the follow reason also applies:</p> <ul style="list-style-type: none"> The effect of Compact Density development in the

<p>Brightwater Development Area. Including applying a non-notification provision for the use of Compact Density subdivision and land use in the proposed Brightwater Development Area.</p>	<p>The negative effects of the proposed provisions in terms of environmental, economic, social and cultural matters are the same as those identified for and increased variety of section sizes as identified above.</p> <p>The non-notification provision is not expected to result in costs, or negative effects, on the wider community as higher density development is an expected outcome. Also, the existing provisions ensure that buildings on the external boundary of the Compact Density development site are treated the same as they would be if they were not a Compact Density development. Neighbouring properties do not experience a difference in terms of building bulk and location rules.</p>	<p>used. This results in the following additional benefits:</p> <ul style="list-style-type: none"> • Land developers can use an existing method within the TRMP to achieve a greater level of density with no limit on the minimum size of the lots. • This method ensures that the developments are well-designed and designed as an integrated package of buildings and lots. • The use of a non-notification provision is of benefit to the developer in terms of certainty of consent process, and also of benefit in terms of being able to more easily achieve the objective of the Plan Change. • This approach of enabling Compact Density development works in conjunction with the requirement to create a variety of lot sizes. Both approaches work towards a greater variety of housing typologies, sections sizes and an efficient use of land. 	<p>The effectiveness and efficiency of the proposed policies and methods to achieve this is set out as follows:</p> <p>Effectiveness The proposed provisions effectively apply the existing Compact Density provisions in the TRMP to the proposed Brightwater Development Area. This is an effective approach due to the reliance on the existing structure within the TRMP.</p> <p>The use of a non-notified provision in relation to Compact Density developments is effective as it increases certainty for the applicant while maintaining the ability for Council to assess design outcomes and effects through the consent process.</p> <p>Efficiency The use of Compact Density provisions, including a non-notified provision, is an efficient way to achieve the objective of the Plan Change for the following reasons:</p> <ul style="list-style-type: none"> • It uses existing provisions and is able to be voluntarily used by the developer. • This means any additional cost of designing and consenting this style of development is a known factor that forms part of the 	<p>greenfield situation is to increase density and efficiency of land use. The effect on neighbouring properties is similar to that of standard density development in terms of building bulk and location on their boundaries. Therefore, sufficient information is known about the use of these existing provisions to know the risk of unintended effects is acceptable.</p>
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			<p>advanced planning for development viability.</p> <ul style="list-style-type: none"> Using the non-notification provision is an efficient way of improving the ability of development of this sort to achieve the objective of the Plan Change. 	
<p>The introduction of reverse sensitivity provisions to manage potential reverse sensitivity provisions for the construction of dwellings within 100m of the state highway in the proposed Brightwater Development Area.</p>	<p>There will be a monetary cost to the developer in terms of addressing the reverse sensitivity requirements during the subdivision and/or the construction phase. This includes assessment of the existing noise environment, potential mitigation actions at the subdivision stage, and potentially the need to include specific construction methods when the home is built. The costs may also be borne by the future homeowner, either through the purchase prices, or more directly through planning, design and construction requirements when the home is developed.</p> <p>These have not been quantified. Based on the experience of rules with acoustic insulation requirements in Richmond West these costs do not mean that the development of the lots become uneconomic.</p> <p>There are no identified social, cultural or environmental costs to the provisions relating to reverse sensitivity.</p>	<p>The application of reverse sensitivity provisions to the land within the proposed Brightwater Development Area has the following benefits:</p> <ul style="list-style-type: none"> Addresses a known issue as highlighted through consultation with Waka Kotahi. Ensures that the internal noise within habitable rooms near to the state highway is at a level which does not adversely affect day to day use, or sleep. External noise management is not directly required as this is more of an amenity effect that homeowners can choose to address if required. Enables housing to be built closer to the state highway without the need for a greater setback distance if no acoustic insulation or mitigation measures were undertaken. Addresses potential noise issues at the time of development rather than attempting to retrofit a solution. 	<p>The objective of the Plan Change is to provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area. Related to achieving this objective is the introduction of reverse sensitivity provisions.</p> <p>The effectiveness and efficiency of the proposed policies and methods relating to reverse sensitivity effects are set out as follows:</p> <p>Effectiveness</p> <p>The use of reverse sensitivity provisions is an effective way to achieve the objective of the Plan Change for the following reasons:</p> <ul style="list-style-type: none"> The provisions are modelled on those used within other local authorities and by Waka Kotahi to address this issue in other locations. Reverse sensitivity requirements for future state highway noise already apply to the Richmond 	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods relating to reverse sensitivity as:</p> <ul style="list-style-type: none"> Waka Kotahi modelling shows that noise is experienced on the site from the state highway at a level that requires mitigation. Experience from other local authorities demonstrates that this is a common requirement in this situation. Various methods are available that can be viably used in residential development and construction to manage the noise levels within habitable rooms.

		<ul style="list-style-type: none"> • The setback to minimise or avoid vibration effects being introduced at this plan change stage enables development planning to take this into account at the start. • The state highway, as critical / lifeline infrastructure is protected from complaint by sensitive receivers (residential) seeking to establish adjacent to the state highway. 	<p>West area in relation to Waka Kotahi’s designation in the area.</p> <ul style="list-style-type: none"> • The requirement to address reverse sensitivity concerns at both the subdivision development and building construction phase is effective as it means any mitigation required can be introduced at either stage. As an example, a bund may be a solution at the subdivision development stage which then negates the need for specific mitigation at the building stage. <p>Efficiency The use of reverse sensitivity provisions is an efficient way to achieve the objective of the Plan Change for the following reasons:</p> <ul style="list-style-type: none"> • There are costs associated with the proposed requirements however these are a consequence of residential development near to the existing state highway. • These provisions do support the objective of the plan change and are considered to be the least cost and most efficient way of doing this. The actual costs will depend on the methods that are selected by the developer or homeowner to mitigate the noise effect. 	
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<p>Making the proposed Brightwater Development Area a deferred Fire Sensitive Area.</p>	<p>The Fire Sensitive overlay applies to the Residential Zone in the remainder of the district, and will not cause any undue costs.</p> <p>The overlay will be deferred to ensure that the relevant provisions do not apply until the Residential Zoning is in place.</p>	<p>The Fire Sensitive overlay is used in the TRMP to manage potential adverse amenity effects from the discharge of contaminants from outdoor burning.</p> <p>Applying this overlay to the proposed Brightwater Development Area will have the benefit of:</p> <ul style="list-style-type: none"> • Ensuring consistency with the rest of the district • Managing potential adverse effects from the discharge of contaminants from outdoor burning. 	<p>This is an extension of the overlay which already applies to the remainder of the Brightwater Township, and is therefore considered to be an effective and efficient means of achieving the objective of the plan change.</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as this is an extension of the overlay which already applies to the remainder of the Brightwater Township.</p>
<p>Economic Growth and Employment</p>	<p>Economic Growth</p>		<p>Employment</p>	
	<p>The proposed Brightwater Development Area is based on the Future Development Strategy 2019 and Future Development Strategy 2022 T-005 Wanderers Avenue site which has been identified for urban expansion and medium density development to provide sufficient capacity for projected residential growth.</p> <p>Providing for residential growth will have economic growth benefits for the region as additional homes will be able to be developed. This assists with retaining people in the region and ensuring people coming to the region can find somewhere to live.</p> <p>The construction phase of the subdivision and housing will support local contractors in this industry.</p> <p>The site is currently predominantly grazed, and has other potential rural uses, that can provide a level of employment and economic growth. Part of the rationale of this plan change is that this area has constraints in terms of its productive capacity and by efficiently developing this area other areas of highly productive land with more productive capacity are protected.</p>		<p>Providing for residential growth will have employment benefits, as it will create jobs during the development of the site and will provide places for people that currently work in the area, or that want to work in the area in the future, to live.</p> <p>Employment will also occur for the development and construction industries that are involved in residential development.</p> <p>As noted for economic growth the proposal in this area supports the protection of other areas with higher land productivity capacity. Therefore, assisting with protecting employment in those areas.</p>	

Overall Evaluation	<p>In summary these provisions are considered to be the most appropriate way of achieving the objectives of the plan change for the following reasons:</p> <ul style="list-style-type: none"> • The provisions will achieve a variety of lot sizes, creating a neighbourhood with a mixture of lot sizes, and supporting a range of peoples living requirements in the area. The use of urban design guidelines will assist with achieving well designed subdivisions with small lots. • Enabling the use of Compact Density development provisions will allow for efficient and well-designed use of the land for residential growth. • A non-notification provision in relation to Compact Density is appropriate due to the need to encourage increased density. • The methods to increase density of residential development in the area make more efficient use of the rural land that is being rezoned. • Efficient use of this rural land for housing takes development pressure off rural land with higher productive capacity. • The reverse sensitivity provisions are appropriate as they ensure that sensitive receivers (residential) are appropriately managed when developed near the state highway. • The indicative reserve and associated walkway layout respond to the need to manage flood hazard on the site, provide for connectivity, and for ecological restoration. • The extension of the reserve around the Lord Rutherford Memorial is appropriate as it allows this reserve the room to properly respect its original purpose. • The deferred Fire Sensitive Area is appropriate as it is consistent with other Residential Zoned areas in the district and will manage potential adverse effects from the discharge of contaminants from outdoor burning. • Overall the proposed provisions are the most appropriate way to achieve the objective of the plan change which is to provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.
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9.3 Evaluation – Waimea West

Plan Change Objective 2: To rationalise the zoning at 336 and 368 Waimea Road.				
There are no proposed changes to the policies and methods in the TRMP for this Plan Change objective, which is seeking to apply the existing zone provisions to the identified areas at 366 and 368 Waimea West Road.				
Proposed Provisions	Costs	Benefits	Effectiveness and Efficiency	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
Rezoning land at 336 and 368 Waimea West Road such that the land added to Council-owned 336 Waimea West Road via the 2007 subdivision boundary adjustment is	There is a cost in undertaking this Plan Change to rezone the sites. However, this cost is small in relation to the potential ongoing issues (including consenting and compliance costs) that retaining the existing zoning may cause.	<p>This will rationalise the property zoning, by ensuring that it aligns with the property boundaries and land use.</p> <p>This will have benefits in allowing the landowners to use these two properties as intended when the 2007 boundary adjustment occurred.</p>	<p>The objective of the Plan Change is to rationalised the rezoning of 366 and 368 Waimea West Road.</p> <p>Rezoning the sites is an effective and efficient way of achieving this objective.</p>	Not acting has a risk of the existing split zoning being problematic for the use of the two properties. This may result in resource consenting and compliance costs as the land use activities do not align with the zoning.

<p>rezoned from Rural 1 to Recreation to match the zoning of the rest of the title; and, the land added to privately-owned 368 Waimea West Road via the 2007 subdivision boundary adjustment is rezoned from Recreation to Rural 1 to match the zoning of the rest of the title.</p>				
<p>Economic Growth and Employment</p>	<p>Economic Growth</p>		<p>Employment</p>	
	<p>n/a – this objective does not relate to economic growth.</p>		<p>n/a – this objective does not relate to employment.</p>	
<p>Overall Evaluation</p>	<p>The proposed rezoning is considered to be the most appropriate way of achieving the objective of rationalising the zoning at 366 and 368 Waimea West Road.</p>			

10. Conclusion

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The Brightwater Development Area is located within close proximity to the town centre of Brightwater and easily connects and provides additional active transport routes into the Brightwater town centre and into Richmond via the Great Taste Trail. It is also identified within close proximity to existing and future bus routes for both the general public and school children.
- The provisions to achieve a variety of lot sizes will have benefits that outweigh the identified costs by creating a neighbourhood with a mixture of lot sizes. This supports creating a variety of dwellings and living arrangements to support a range of peoples living requirements in the area.
- The use of urban design guidelines is appropriate to assist with achieving well designed subdivisions with small lots.
- Incentivising the use of Compact Density development provisions allows for efficient and well-designed use of the land for residential growth.
- A non-notification provision in relation to Compact Density is appropriate due to the need to encourage increased density.
- The methods to increase density of residential development in the area make more efficient use of the rural land that is being rezoned.
- Efficient use of this rural land for housing takes development pressure off rural land with higher productive capacity.
- The reverse sensitivity provisions are appropriate as they ensure that sensitive receivers (residential) are appropriately managed when developed near the state highway.
- The indicative reserve and associated walkway layout respond to the need to manage flood hazard on the site, provide for connectivity, and for ecological restoration.
- The extension of the reserve around the Lord Rutherford Memorial is appropriate as it allows this reserve the room to properly respect its original purpose.
- The deferred Fire Sensitive Area is appropriate as it is consistent with other Residential Zoned areas in the district and will manage potential adverse effects from the discharge of contaminants from outdoor burning.
- Overall the proposed provisions are the most appropriate way to achieve the objective of the plan change which is to provide for housing and encourage intensification and a variety of densities within the proposed Brightwater Development Area.
- The proposed rezoning of 366 and 368 Waimea West Road is the most appropriate way to rationalise the zoning of these sites.

Appendix 1 – 2020 Sense Partners Report ‘Understanding the impacts of releasing greenfields sites for development’

Appendix 2 – Background Report

Appendix 3 – Engagement Summary

The tables below provides a summary of the pre-public notification engagement undertaken on this Plan Change. This includes an overview of who was engaged, how, and what feedback was received.

Iwi Engagement

Person/Party	Engagement Undertaken	Feedback Received
Iwi Partnership Working Group	<p><i>Round 1 Engagement (November 2021):</i></p> <p>A hui was held on 17 November 2021, and was attended by the following;</p> <ul style="list-style-type: none"> • Onur Oktem (Te Rūnanga o Toa Rangatira); • Julia Eason (Ngāti Kuaia); and • Sylvie Heard (Te Atiawa). <p>Apologies and absences were noted for the following invited iwi representatives;</p> <ul style="list-style-type: none"> • Ngāti Tama • Ngāti Kōata • Ngāti Apa • Ngāi Tahu • Ngāti Rarua <p><i>Round 2 Engagement (March – April 2022):</i></p> <ul style="list-style-type: none"> • An email update was sent to Te Tau Ihu iwi on 23 March 2022. <p><i>Circulation of Plan Change Material (June 2022):</i></p> <p>The draft plan change material (Schedule of Amendments and update maps) was sent to iwi authorities on 30 June 2022.</p>	<p><i>Round 1 Engagement (November 2021):</i></p> <p>From the hui on 17 November 2021, the following general comments were noted in relation to Council’s residential growth planning projects, including this Plan Change:</p> <ul style="list-style-type: none"> • Create communities with a heart/ commercial centre (long-term vision). • Implement Te Mana o te Wai • Iwi placenames • Good to have some guiding development principles. • Allow for larger families/ multi-units. <p>No specific comments were noted in relation to Brightwater.</p> <p><i>Round 2 Engagement (March – April 2022):</i></p> <ul style="list-style-type: none"> • No comments were received with regards to the email sent on 23 March 2022. <p><i>Circulation of Plan Change Material (June 2022):</i></p> <p>Feedback was received from Ngati Tama on the 20 July 2022. Feedback included reference to effects on water quality, the physical structure and hydraulic characteristics of waterbodies and the health of aquatic plants and animals and sedimentation. The plan change has addressed the potential waterway effects through the inclusion of an indicative reserve along Pitfure Stream which provides a development buffer/setback to protect waterways values. Other issues raised include disturbance to soil and associated ecosystems, catchment management and stormwater</p>

management. As part of this Plan Change the zoning of the land is deferred and will not be lifted until Council is satisfied with stormwater and catchment management. Issues surrounding earthworks will be managed at the subdivision stage.

Landowners and Key Developers

Person/Party	Engagement Undertaken	Feedback Received
Landowner – 77 Lord Rutherford Road, Brightwater	<p><i>Prior to commencement of Plan Change:</i></p> <ul style="list-style-type: none"> • Early discussions with the landowner’s surveyor and planner. 	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Comfortable with land being involved in this plan change. • Raised servicing concerns, in particular wastewater. • Questioned the future of Brightwater and other potential growth areas. • Concerned about development on Katania Heights as this has resulted in increased runoff on his land. <p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Indicative roads and reserves should be confirmed at the time of subdivision. • Support provisions which enable density but not those that mandate density. Concerned that this is not the place for a purely higher-density development.
	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Initial consultation letters sent to all landowners on 14 October 2021. • Various phone calls and emails. • Discussion between landowner and Council’s wastewater engineer regarding pumpstation. • Site visit in November 2021. • In-person meeting with landowners and their planner on 9 December 2021. • Discussion regarding draft scheme plan in December 2021. 	
	<p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Video call meeting with landowners and their planner on 2 March 2022. • Various phone calls and emails, including email feedback from landowner’s planner on the indicative items and reserves, intensification provisions, and reserve sensitivity provisions. 	

Person/Party	Engagement Undertaken	Feedback Received
	<p><i>Circulation of Plan Change Material (June 2022):</i></p> <p>Draft plan change material (Schedule of Amendments and update maps) sent to landowner on 1 July 2022.</p>	<p><i>Circulation of Plan Change Material (June 2022):</i></p> <ul style="list-style-type: none"> • Questioned where the reverse sensitivity provisions have come from • Questions around the reserve compensation process.
<p>Landowner – 34 Main Road Spring Grove</p>	<p>Round 1 Engagement (November 2021):</p> <ul style="list-style-type: none"> • Initial consultation letters sent to all landowner on 14 October 2021. • Various phone calls and emails. <p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Various phone calls and emails, regarding indicative items, intensification provisions, and reverse sensitivity provisions. <p><i>Circulation of Plan Change Material (June 2022):</i></p> <p>Draft plan change material (Schedule of Amendments and update maps) sent to landowner on 1 July 2022.</p>	<p>Round 1 Engagement (November 2021):</p> <ul style="list-style-type: none"> • Supportive of plan change. • Provided information on previous flood events. <p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Supportive of plan change. • Understands the need for the proposed provisions. <p><i>Circulation of Plan Change Material (June 2022):</i></p> <ul style="list-style-type: none"> • Questioned interpretation of the proposed minimum allotment size criteria and asked for clearer wording around this. • Asked for clarification on what the Fire Sensitive Area overlay will mean. • Asked about the minimum 1500 sqm allotment size required for Compact Density development, and why this differs from the new minimum allotment size rules which have a 2 hectare threshold.

Community Engagement

Person/Party	Engagement Undertaken	Feedback Received
<p>Brightwater community, including the Brightwater Community Association, members of the community and adjoining landowners.</p>	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Presented to the Brightwater Community Association • Website <p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Letters sent to adjoining landowners. • Joint Future Development Strategy/ Growth Plan Change online webinars, for the Brightwater Community Association and wider public. • Website and online feedback form. <p>Information on the growth plan change communicated, along with information on the Future Development Strategy, via Council Communication Channels e.g., Newline, social media etc.</p>	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Questions around capacity of supporting services e.g., schools, hospital, commercial land. • Concern raised regarding flood hazard. • Concerned about new development reducing groundwater levels and causing Snowdens Bush to be affected. • Would like to see reserves included in the development. • Looking for flexibility in lot sizes to improve affordability. • Raised the matter of productive land. <p><i>Round 2 Engagement (March-April 2022):</i></p> <ul style="list-style-type: none"> • Concern around the plan change creating additional traffic on Lord Rutherford Road. • Concern was expressed about the safety of the SH6/ Lord Rutherford Road intersection. • Adjoining residents expressed a desire to retain the rural outlook. • Support for the indicative reserve extension of the Lord Rutherford Memorial.

External Infrastructure and Service Providers

Person/Party	Engagement Undertaken	Feedback Received
<p>External Infrastructure and Service Providers:</p> <ul style="list-style-type: none"> • Transpower • Network Tasman • Delta • Chorus • Civil Defence • Fire and Emergency • Nelson Tasman Regional Sewer Business Unit • Ministry of Education • Waka Kotahi NZ Transport Agency 	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Initial email advising of the plan change and seeking any questions or comments. • Various emails and phone calls. • Meetings arrangement upon request: <ul style="list-style-type: none"> ○ Video call meeting with Waka Kotahi NZ Transport Agency on 1 November 2021. <p><i>Round 2 Engagement (March – April 2022):</i></p> <ul style="list-style-type: none"> • A follow up email, providing an update on the plan change and either following up on any feedback, or (where applicable) advising how the early feedback has been incorporated or if the changes affect this early feedback. • Video call meeting with Civil Defence on 7 April. • Discussions with Fire and Emergency NZ. 	<p><i>Round 1 Engagement (November 2021):</i></p> <ul style="list-style-type: none"> • Waka Kotahi advised of support for intensification of existing residential areas, the need to consider the cumulative effects of development, the need to consider reverse sensitivity for Brightwater, and the need to engage with iwi. • Transpower advised that the site does not contain National Grid Assets. • Delta advised that they have no comment on the re-zoning, however, would like to be kept informed. • Chorus advised that the site is able to be serviced. • The Nelson Tasman Regional Sewer Business Unit advised that they have no comments at this time. • The Ministry of Education advised that they are interested in the anticipated number of dwellings. <p><i>Round 2 Engagement (March – April 2022):</i></p> <ul style="list-style-type: none"> • Network Tasman advised that they do not have any concerns. • No specific concerns raised by Civil Defence for this site.

Appendix 4 – Operative Regional Policy Statement and Resource Management Plans

The relevant Objectives, Policies, and methods in the operative Tasman Regional Policy Statement and the TRMP are identified in the table below. These are provided due to the relevance of understanding the current regulatory framework for managing the issues identified.

Policy/Objective/Method	Relevance
Tasman Regional Policy Statement	
<p>General Objective 2A: <i>For the period 2021 to 2051, the minimum sufficient development capacities for housing in the Tasman portion of the Nelson-Tasman Urban Environment are provided.</i></p> <p>Objective 5.5: <i>Maintenance and enhancement of urban environmental quality, including amenity values and the character of small towns.</i></p>	<p>Providing for residential growth:</p> <p>Objective 2A is particularly relevant as this Plan Change is based on the T-05 Wanderers Avenue site identified in the Future Development Strategy 2019 and 2022 to contribute to residential capacity to meet growth projections.</p> <p>Objective 5.5 is relevant in terms of the need to ensure good design outcomes. This is provided for through indicative reserves and design in accordance with the Urban Design Guide (TRMP Part II).</p>
<p>General Objective 3: <i>Avoidance, remedying or mitigation of the adverse effects on the environment and the community from the use, development or protection of resources.</i></p>	<p>Managing adverse effects.</p>
<p>General Objective 4: <i>Efficient use and development of resources.</i></p>	<p>Ensuring efficient land use.</p>
<p>Objective 5.1: <i>Avoidance of the loss through urban development, of the potential of land having high productive value to meet the needs of future generations.</i></p>	<p>Protecting productive land: This is relevant as part of the site is currently zoned Rural 1, however, the site is considered to have limited productive capacity.</p> <p>This is also relevant Plan Change's intent of ensuring efficient land use through medium density development.</p>
<p>Policy 5.2: <i>The Council will avoid locating new urban development in areas subject to natural hazards, except that extensions in areas that are so subject may be allowed provided adequate mitigation measures are undertaken.</i></p>	<p>Managing potential flood hazard.</p>
Tasman Resource Management Plan	
<p>Policy 5.2.3.7: <i>To enable a variety of housing types in residential and rural areas.</i></p> <p>Policy 5.3.3.1A: <i>To enable medium density housing with a high standard of amenity in specified locations.</i></p> <p>Method of Implementation 5.3.20.1: <i>Rules relating to:</i></p> <ul style="list-style-type: none"> • <i>allotment size and intensity of site development;</i> • <i>location, design and appearance of buildings and signs;</i> • <i>location of classes of activities and effects;</i> • <i>heritage, vegetation and landscape features.</i> <p>Policy 5.4.3.1: <i>To enable a variety of housing types, recognising different population growth characteristics,</i></p>	<p>Providing for residential growth: These provisions relate to the need to provide housing, including medium density housing options, and to ensure good design outcomes.</p> <p>Objective 6.2.2.3 is particularly relevant as this Plan Change is based on the T-05 Wanderers Avenue site identified in the Future Development Strategy 2019 and 2022 to contribute to residential capacity to meet growth projections.</p>

Policy/Objective/Method	Relevance
<p><i>age, family and financial circumstances and the physical mobility of, or care required by, residents.</i></p> <p>Objective 6.1.2.2: <i>A wide range of living opportunities in urban locations that incorporate urban design principles.</i></p> <p>Policy 6.1.3.1: <i>To encourage subdivision and development to incorporate sustainable urban design principles by:</i></p> <ul style="list-style-type: none"> <i>(a) encouraging a sense of place and identity;</i> <i>(b) working with the natural characteristics of sites;</i> <i>(c) creating opportunities to enhance natural values;</i> <i>(d) providing a high degree of connectivity within road networks;</i> <i>(e) providing for safe walking and cycling;</i> <i>(f) designing local roads to ensure a safe low traffic speed environment on local streets and accessways;</i> <i>(g) creating a streetscape which enhances perceptions of safety;</i> <i>(h) managing stormwater run-off on site where possible, and ensuring off-site stormwater run-off does not increase flood risk nor adversely affect water quality in waterways and the coastal marine area for aquatic ecosystems and recreation; and</i> <i>(i) locating and designing development to address cross-boundary effects between land uses.</i> <i>j) encouraging medium density housing development in the forms of compact density and comprehensive housing and intensive residential development within walking distance of or close to town centres and urban facilities, including public transport.</i> <i>(k) providing for a choice of residential density and form within the District, taking into account people’s preferences, the existing character of neighbourhoods, topography, proximity to town centre, the capacity of infrastructure and the constraints of the land resource.</i> <i>(l) enabling protection of heritage sites, items and values, cultural heritage and protected trees</i> <p>Objective 6.2.2.2: <i>Urban growth and sufficient opportunities, including redevelopment opportunities that encourage more efficient use of land, energy and provision of infrastructure, services and amenities.</i></p> <p>Objective 6.2.2.3: <i>For the period 2021 to 2051, the minimum sufficient development capacities for housing in the Tasman portion of the Nelson-Tasman Urban Environment are provided.</i></p> <p>Method of Implementation 6.2.20.1(g): <i>Subdivision and zone rules and an urban design guide that manage medium density development.</i></p> <p>Policy 6.7.3.2: <i>To identify land for future subdivision, and regulate the form of development, so that the particular character and appearance of each existing settlement is not compromised.</i></p> <p>Method 6.16.20.1(a): <i>Rezoning land suitable for residential and business use following evaluation of</i></p>	

Policy/Objective/Method	Relevance
<p><i>development areas outlined in the Council's growth model.</i></p>	
<p>Policy 6.1.3.1A: <i>To encourage medium density housing developments that achieve a high standard of amenity in areas identified on the planning maps as the Richmond South, Richmond West, Mapua Special and Richmond Intensive development areas and the Motueka West Compact Density Residential Area by:</i></p> <p><i>(a) ensuring the suitable and compatible location, height, density, scale and bulk of intensive residential development relative to its context and adjacent land uses, including streets and reserves.</i></p> <p><i>(b) encouraging best practice and design through the use of the Council's Urban Design Guide.</i></p> <p>Policy 6.2.3.2A: <i>To encourage and promote medium density development that achieves a high standard of amenity in areas specified on the planning maps as the Richmond South, Richmond West, Mapua Special and Richmond Intensive development areas and the Motueka West Compact Density Residential Area.</i></p>	<p>Compact Density: These provisions are proposed to apply to the Brightwater Development Area.</p>
<p>Policy 6.1.3.2: <i>To integrate the management of stormwater run-off with the maintenance and enhancement of natural waterways, vegetation and wetlands, and co-locate provision of passive recreational opportunities, and pedestrian and cycle access.</i></p> <p>Policy 6.3.3.7: <i>To require developers to adopt appropriate management methods to avoid or mitigate the adverse effects of stormwater run-off.</i></p>	<p>Managing stormwater: This is relevant as the Plan Change needs to include provision to ensure the appropriate management of stormwater.</p>
<p>Objective 6.2.2.1: <i>Urban growth that avoids or mitigates the loss of land of high productive value and the risks of extending onto land subject to natural hazards.</i></p> <p>Policy 6.2.3.3: <i>To minimise the loss of land of high productive value in allowing for further urban development, while having regard to:</i></p> <p><i>(a) the efficient use of resources, including land, infrastructure, and energy;</i></p> <p><i>(b) the quality of the urban environment.</i></p> <p>Objective 6.3.2.2: <i>Retention of opportunities for efficient future urban purposes on rural land that is identified for future urban use and development but deferred for this purpose, while enabling rural activities for the time it remains deferred.</i></p> <p>Policy 6.16.3: <i>To manage the effects of the expansion of Brightwater on land of high productive value by providing for future residential areas south east of Snowdens Bush and between Wanderers Avenue and Lord Rutherford Road and further lots on Watertank Hill.</i></p> <p>Objective 7.1.2: <i>Except where rural land is deferred for urban use, avoid the loss of potential for all rural land of existing and potential productive value to meet the needs of future generations, particularly land of high productive value.</i></p>	<p>Protecting productive land: This is relevant as part of the site is currently zoned Rural 1. The TRMP seeks to avoid the loss of highly productive land in the Rural 1 Zone. In this case, the site is considered to have limited productive capacity.</p> <p>The Plan Change is seeking to achieve efficient land use through medium density development. This will protect areas of higher productive capability.</p> <p>Policy 6.16.3 is particularly relevant as it sets direction for residential expansion in the existing 'Rural 1 deferred Residential' portion of the Plan Change site.</p> <p>Policies 7.2.3.6 and 7.4.3.9 provide direction on ensuring setbacks to avoid reverse sensitivity effects. This is achieved through the Plan Change with the site separated from the surrounding rural land by Pitfure Stream and a new indicative reserve.</p>

Policy/Objective/Method	Relevance
<p>Objective 7.1.2.2: <i>Retention and enhancement of opportunities for plant and animal production on land with high productive value in the District, identified as the Rural 1 Zone.</i></p> <p>Policy 7.1.3.1: <i>To avoid, remedy or mitigate the adverse effects of subdivision of rural land, particularly land of high productive value.</i></p> <p>Policy 7.1.3.3: <i>To avoid, remedy or mitigate adverse actual, potential, and cumulative effects on the rural land resource.</i></p> <p>Policy 7.1.3.4: <i>To avoid, remedy or mitigate the potential for reverse sensitivity on plant and animal production in the Rural 1, Rural 2 and Rural 3 zones.</i></p> <p>Objective 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></p> <p>Policy 7.2.3.6: <i>To minimise the potential for conflict between rural and residential activities by way of setbacks from boundaries and separation between incompatible uses.</i></p> <p>Policy 7.4.3.9: <i>To ensure that adequate physical or spatial buffers or other techniques are applied when allowing new allotments or buildings primarily or exclusively for residential purposes in rural areas, so that productive land use opportunities are not compromised.</i></p>	
<p>Objective 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></p> <p>Objective 14.3.2: <i>The conservation of those areas in the District that have significant natural and scientific values such as landform, ecosystems, natural character and heritage values.</i></p>	<p>Providing adequate reserve space and conserving heritage values: This is relevant to the proposed indicative reserves and the rezoning of a strip of land adjoining the Lord Rutherford Memorial Reserve.</p>