

609 Change 60: Miscellaneous**Evaluation Overview**

This report addresses miscellaneous issues.

In total, 36 submitters requested relief and changes which are described and evaluated under the following sections:

- Road network (Evaluation and Recommendations 609.1)
- Electricity transmission (Evaluation and Recommendations 609.2)
- Wildfire and other natural hazards (Evaluation and Recommendations 609.3)
- Information requirements (Evaluation and Recommendations 609.4)
- Specific Plan provisions for Golden Bay (Evaluation and Recommendations 609.5)
- Flexible decision making (Evaluation and Recommendations 609.6)
- General (Evaluation and Recommendations 609.7)

Submissions Dealt with in this Report

C60.174.1	Transpower NZ Ltd	C60 GEN	Amend to ensure that (in the Rural Zones) the National Policy Statement for Electricity Transmission 2008 is fully given effect to in the TRMP.
Support			FC60.2864.3
C60.174.2	Transpower NZ Ltd	C60 GEN	Amend to ensure that (in the Rural Zones) the Regional Policy Statement is given effect to as it relates to the management of effects on the effective operation, maintenance and development of the National Grid.
Support			FC60.2864.4
C60.174.3	Transpower NZ Ltd	C60 GEN	Amend to ensure that (in the Rural Zones) the National Grid is protected from adverse effects (including reverse sensitivity effects) of subdivision, land use and development in proximity to electricity transmission infrastructure, including through use of appropriate objectives, policies, rules and other methods in the District Plan.
Support			FC60.2864.5
C60.174.4	Transpower NZ Ltd	C60 GEN	Amend by adopting the changes set out in the submission including any other consequential amendments to the relief sought in the submission OR Such similar relief as the scope of Transpower's decisions requested is otherwise achieved.
Support			FC60.2864.6
C60.174.5	Transpower NZ Ltd	2.2	Add the following new term and definition: "National Grid - means the same as in the National Policy Statement on Electricity Transmission 2008".
Support			FC60.2864.13
C60.174.6	Transpower NZ Ltd	2.2	Add the following new term and definition: "National Grid Subdivision Corridor - means the area measured either side of the centreline of above ground National Grid line as follows: • 32m for the 110kV transmission lines • 37m for the 220kV transmission lines"
C60.174.7	Transpower NZ Ltd	2.2	Add the following new term and definition: "National Grid Yard (shown in red in diagram below) – means the area located 12 metres in any direction from the outer edge of a National Grid support structure." (See: the submission for "National Grid Yard" diagram)
Support			FC60.2864.14
C60.174.9	Transpower NZ Ltd	7.0	Amend bullet point 3 to read: "managing the effects of activities in rural areas, including cross boundary and reverse sensitivity effects, effects on the National

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Grid, and effects on rural character and amenity values (under Objectives 7.4.2 and 7.4.2A).”

Support		FC60.2864.17	
C60.174.10	Transpower NZ Ltd	7.4	Amend by adding a new section "7.4A The National Grid in Rural Areas" [as provided in the submission].
Support		FC60.2864.30	
C60.174.11	Transpower NZ Ltd	16.3.5.1	Amend condition (o) by replacing the word "transmission" with the word "distribution" (including in the heading) so that it reads: "Electricity Distribution Corridor (o) In the Richmond West Development Area, any land to be subdivided is located at least 12 metres from the centre of any electricity distribution line as shown on the planning maps."
C60.174.12	Transpower NZ Ltd	16.3.5.1	Add new controlled activity condition (oa) under condition 16.3.5.1(o) as follows: "National Grid Subdivision Corridor (oa) Any land to be subdivided is not within the National Grid Subdivision Corridor"
C60.174.13	Transpower NZ Ltd	16.3.5	Add a new restricted discretionary rule as 16.3.5.3B Restricted Discretionary Subdivision (Rural 1 Zone – National Grid Subdivision Corridor) [as provided in the submission].
C60.174.14	Transpower NZ Ltd	16.3.5.5A	Amend rule by inserting in the first paragraph after "condition (c) of rule 16.3.5.3A" the words "condition (a) of rule 16.3.5.3B".
C60.174.15	Transpower NZ Ltd	16.3.6.1	Amend condition (m) to read as follows: "National Grid Subdivision Corridor (m) Any land to be subdivided is not located within the National Grid Subdivision Corridor."
C60.174.16	Transpower NZ Ltd	16.3.6.1	Add a new controlled activity condition as follows: "National Grid Substations (ma) Any land to be subdivided is not located within 25 metres of any National Grid Substation."
C60.174.17	Transpower NZ Ltd	16.3.6.2	Amend rule 16.3.6.2 [as provided in the submission].
C60.174.18	Transpower NZ Ltd	16.3.6	Add new restricted discretionary activity rule 16.3.6.2A [as provided in the submission]
C60.174.19	Transpower NZ Ltd	16.3.6	Amend proposed rule 16.3.6.5A to: "16.3.6.5A Non-Complying Subdivision Subdivision in the Rural 2 Zone that does not comply with condition (m) of rule 16.3.6.2, condition (c) of rule 16.3.6.3A or condition (a) of rule 16.3.6.4A is a non-complying activity. A resource consent is required. Consent may be refused or conditions imposed. In considering the applications and determining conditions, Council will have regard to the criteria set out in Schedule 16.3A as well as any other provisions of the Plan or Act."
C60.174.20	Transpower NZ Ltd	16.3.8	Amend condition 16.3.8.1(i) to: "National Grid Subdivision Corridor (i) Any land to be subdivided is not located within the National Grid Subdivision."
C60.174.21	Transpower NZ Ltd	16.3.8	Amend rule 16.3.8.3 Restricted Discretionary Subdivision (Rural Residential Zone – Specified Location) [as provided in the submission].
C60.174.22	Transpower NZ Ltd	16.3.8	Add a new restricted discretionary rule 16.3.8.3A Restricted Discretionary Subdivision (National Grid Subdivision Corridor)[as provided in the submission].

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C60.174.23	Transpower NZ Ltd	16.3.8	Add a new non-complying activity rule 16.3.8.6A [as provided in the submission].
C60.174.24	Transpower NZ Ltd	16.3.20	Amend the 'Electricity Transmission Corridor' section of Principal Reasons for Rules 16.3.20 to: "The Rural 1, Rural 2 and Rural Residential Zones are traversed by high voltage transmission lines which are important elements of the National Grid that need to be protected from adverse effects of subdivision and development. As well, development needs to be protected from risks of the electricity transmission lines."
C60.174.25	Transpower NZ Ltd	17.5.2.1	Amend the word "transmission" in condition (l) to "distribution".
C60.174.26	Transpower NZ Ltd	17.5.3.1	Add new permitted activity condition (kc) [as provided in the submission].

Support	FC60.2864.45
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C60.174.27	Transpower NZ Ltd	17.5.3.3C	Amend new rule to: "17.5.3.3C Non-Complying Activities (Building Construction, Alteration or Use) Any construction, alteration, or use of a building in the Rural 1 Zone that does not comply with condition (kc) of rule 17.5.3.1 or the conditions of rule 17.5.3.3B is a non-complying activity. A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act."
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Support	FC60.2864.46
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C60.174.28	Transpower NZ Ltd	17.6.2.1	Add new 'Note' as follows: "Note 2: For land use within 25m of any National Grid substation see also 17.6.2A."
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C60.174.29	Transpower NZ Ltd	17.6	Add a new rule 17.6.2A.1 [as provided in the submission].
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C60.174.30	Transpower NZ Ltd	17.6.3.1	Add a new permitted activity condition '(na)' as [as provided in the submission].
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Support	FC60.2864.50
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C60.174.31	Transpower NZ Ltd	17.6.3.1	Add new 'Note' to condition (t) as follows: "Note 5: For building construction, alteration or use within 25m of any National Grid substation see also 17.6.2A."
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C60.174.32	Transpower NZ Ltd	17.6.3	Insert a new rule 17.6.3.6 as [as provided in the submission].
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C60.174.33	Transpower NZ Ltd	17.8.3.1	Delete 17.8.3.1(g)(vii) and add a new condition '(ha)' [as provided in the submission].
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Support	FC60.2864.52
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C60.174.34	Transpower NZ Ltd	17.8.3.3	Amend to: "17.8.3.3 Non-Complying Activities (Building Construction, Alteration, or Use) Construction, alteration or use of a building that does not comply with condition (h)(vii) or condition (ha) of rule 17.8.3.1 or condition (ba) of rule 17.8.3.2 is a non-complying activity. A resource consent is required. Consent may be refused, or conditions imposed. In considering the applications and determining conditions, Council will have regard to any other provisions of the Plan or Act. "
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Support	FC60.2864.54
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C60.174.35	Transpower NZ Ltd	18.5.2.1	Amend condition (ib) [as provided in the submission].
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Support	FC60.2864.56
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C60.174.36	Transpower NZ Ltd	18.5.2.5	Amend the first paragraph of 18.5.2.5 to:
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“Any land disturbance that does not comply with the permitted conditions of rule 18.5.2.1 or with the controlled conditions of rules 18.5.2.2 and 18.5.2.3, and is not a non-complying activity under rule 18.5.2.6, is a restricted discretionary activity, if it complies with the following conditions: “

<i>Support</i>	FC60.2864.57
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C60.174.37	Transpower NZ Ltd	18.5.2	Insert a new rule 18.5.2.6 as follows: “In the Rural 1 Zone, Rural 2 Zone or Rural Residential Zone, within the National Grid Yard, any land disturbance that does not comply with condition 18.5.2.1(ib)(ii) or 18.5.2.1(ib)(iv).”
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<i>Support</i>	FC60.2864.55
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C60.174.38	Transpower NZ Ltd	PM: Planning Map	Amend all planning maps to delete reference to divested assets which no longer form a part of the National Grid.
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C60.806.1	NZ Transport Agency	7.0	Amend proposed changes to the introduction in section 7.0 as follows: 1. Insert at the end of the paragraph beginning, “In addition to production activities...”: “The effects of this increased pressure on transport routes include effects on the State Highway network which connects many of these areas to the main centres of the District.” 2. Delete and insert words to the third bullet point under the paragraph beginning, “This chapter addresses the management of the District rural land resource in terms of three main areas of policy, ...” to read as follows: “Managing the effects of activities in rural areas, including cross-boundary and reverse sensitivity effects, effects on rural character and amenity values, and effects on transport routes including State Highways.”
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<i>Support</i>	FC60.174.2
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C60.806.3	NZ Transport Agency	7.1.1.1	Amend issue (c) to include the words “transport routes” after “service provision”.
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<i>Support</i>	FC60.806.2
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C60.806.20	NZ Transport Agency	7.2.3.1C	Amend proposed policy 7.2.3.1C(c) to: “can be adequately serviced for water, wastewater, stormwater, and road access including the State Highway network and its intersections with local roads.”
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<i>Support</i>	FC60.806.3
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C60.806.21	NZ Transport Agency	7.2.3.1C	Insert a new clause in 7.2.3.1C: “(d) The development will not result in adverse effects on the State Highway network including its intersections with local side roads.”
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<i>Support</i>	FC60.806.4
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C60.806.23	NZ Transport Agency	7.2.3.1D	Amend proposed policy 7.2.3.1D(d) to: “can be adequately serviced for water supply, wastewater, stormwater and transportation, including the State Highway network and its intersections with local side roads.”
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<i>Support</i>	FC60.806.6
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C60.806.25	NZ Transport Agency	7.2.3.1G	Insert a new clause in 7.2.3.1G: “(f) The development will not result in adverse effects on the State Highway network including it intersections with local side roads.”
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<i>Support</i>	FC60.806.8
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C60.806.26	NZ Transport Agency	7.2.20.1	Amend third sentence of current provision 7.2.20.1(a)(i) to: “The specific rules for each zoned area take into account rural character and amenity, availability of servicing, landscaping, access, traffic effects including on the State Highway, potential visibility and ecological impacts of development, ...”
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C60.806.27	NZ Transport Agency	7.2.20.1	Amend the fourth bullet point in current provision 7.2.20.1(b) to: "define access and transport effects, including effects on the State Highway;"
Support FC60.806.9			
C60.806.28	NZ Transport Agency	7.2.30	Insert words into the last sentence of the third proposed paragraph beginning "Co-operative living opportunities so it reads: "Council supports innovative cooperative solutions to living and working on the land provided that landscape, rural character and amenity, productive potential, cross-boundary effects and effects on servicing and access, including on the State Highway network, can be adequately management."
Support FC60.806.10			
C60.806.30	NZ Transport Agency	7.2.30	Insert words into the third sentence of the current paragraph beginning "The Rural 3 zone applies ..." to read: "In this area, residential development proposals will be evaluated through consent processes in terms of their effects on landscape, productive, amenity and other values, including natural and cultural values; the availability of appropriate infrastructure and services including local roads and State Highway networks and its intersections with local roads, and cumulative effects."
Support FC60.806.10			
C60.806.31	NZ Transport Agency	7.2.30	Insert words at the end of the fourth sentence of proposed paragraph beginning "The different Rural Residential Zone areas ..." to: "Tourist Services Zone locations provide for relatively intensive tourist and visitor service activities in areas where such uses have been traditionally established, or where they can be accommodated with minimal impact on the natural qualities and characteristics of the nearby rural area and are accessible without generating adverse effects on roading networks, including State Highways."
C60.806.32	NZ Transport Agency	7.3.3.11	Amend current policy 7.3.3.11 to: "To improve access and progressively upgrade roads and intersections (including with the State Highway) throughout the Coastal Tasman Area ..."
Support FC60.806.11			
C60.806.33	NZ Transport Agency	7.3.3	Insert a new policy in section 7.3.3 as follows: "To take into account, and avoid, remedy, or mitigate actual or potential traffic and access effects (including cumulative effects) of any development on the roading network, including the State Highway."
Support FC60.806.12			
C60.806.34	NZ Transport Agency	7.4.3.9	Amend current policy 7.4.3.9 to: "To avoid, remedy or mitigate servicing effects on rural subdivision and development including road access, and impacts on the State Highway network, water availability and wastewater disposal."
C60.806.36	NZ Transport Agency	16.3.5.1	Amend proposed rule 16.3.5.1 by inserting a new matter of control after matter (4) as follows: "Potential effects on the State Highway network, including where local roads intersect with it."
Support FC60.806.13			
C60.806.38	NZ Transport Agency	16.3.6.1	Amend proposed rule 16.3.6.1 by inserting a new matter of control after matter (4) as follows: "Potential effects on the State Highway network including where local roads intersect with it."
Support FC60.806.15			
C60.806.39	NZ Transport Agency	16.3.8.1	Amend proposed rule 16.3.8.1 by inserting a new matter of control after matter (3) as follows:

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"Potential effects on the State Highway network including where local roads intersect with it."

<i>Support</i>		FC60.806.16	
C60.806.40	NZ Transport Agency	Sch. 16.3A	Amend current Assessment Criteria in Schedule 16.3A by inserting a new assessment criterion after matter (36) as follows: "Potential effects from increased traffic generation on the State Highway network, including where local roads intersect with it."
<i>Support</i>		FC60.806.17	
C60.806.43	NZ Transport Agency	17.5.2.8A	Amend proposed rule 17.5.2.8A by inserting a new matter of restricted discretion after matter (9) as follows: "Potential effects on the State Highway network including where local roads intersect with it."
<i>Support</i>		FC60.806.18	
C60.806.46	NZ Transport Agency	17.6.2.8A	Amend proposed rule 17.6.2.8A by inserting a new matter of restricted discretion after matter (9) as follows: "Potential effects on the State Highway network including where local roads intersect with it."
<i>Support</i>		FC60.806.19	
C60.806.49	NZ Transport Agency	17.8.3.1A	Amend proposed rule 17.8.3.1A by inserting a new matter of control after matter (1) as follows: "Potential effects on the State Highway network including where local roads intersect with it."
<i>Support</i>		FC60.806.20	
C60.1089.5	Nelson Forests Ltd	2.2	Amend the operative plan definition of 'natural hazard' by replacing the word "fire" with "wildfire".
<i>Support</i>		FC60.1196.7	
C60.1089.6	Nelson Forests Ltd	2.2	Amend Chapter 2 to include the definition of 'wildfire': "Wildfire' - means any unwanted unplanned, damaging fire burning in forest, scrub or grass" OR "Wildfire' - means any unwanted, unplanned, uncontrolled fire in an area of combustible vegetation that occurs in the rural area. A wildfire differs from other fires by its extensive size, the speed at which it can spread out from its original source, its potential to change direction unexpectedly and its ability to jump gaps such as roads, rivers and firebreaks".
<i>Support</i>		FC60.1196.8	
C60.1089.8	Nelson Forests Ltd	7.2.3.1C	Amend proposed clause (a) to achieve consistency of wording with other relevant provisions in the Plan, for example: "is not affected by natural hazards within and beyond the boundaries of the site, including wildfire risk, coastal flood, stormwater, geotechnical or earthquake hazard effects' or other similar wording."
C60.1089.9	Nelson Forests Ltd	7.2.3.1D	Amend proposed clause (b) to achieve consistency of wording with other relevant provisions in the Plan, for example: "is not affected by natural hazards within and beyond the boundaries of the site, including wildfire risk, coastal flood, stormwater, geotechnical or earthquake hazard effects' or other similar wording."
C60.1089.16	Nelson Forests Ltd	16.3.5.1	Retain proposed matter of control (7B).
C60.1089.17	Nelson Forests Ltd	16.3.6.1	Retain proposed matter of control (7B).
C60.1089.22	Nelson Forests Ltd	16.3.7.1	Amend matter of control (10A) to state: "Management of natural hazards, within and beyond the boundaries of the site, including wildfire management, slope instability and flood hazard effects."

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C60.1089.23	Nelson Forests Ltd	16.3.8.1	Amend matter of control (11A) to state: "Management of natural hazards, within and beyond the boundaries of the site, including wildfire management, slope instability and flood hazard effects."
C60.1089.24	Nelson Forests Ltd	16.3.8.4A	Amend restricted discretionary matter (2) to include reference to wildfire in the list of natural hazards.
C60.1089.25	Nelson Forests Ltd	Sch. 16.3A	Amend criterion (3) as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
C60.1089.31	Nelson Forests Ltd	Chapter 17	Amend restricted discretionary matter 17.5.2.8A(7) and 17.6.2.8A(7) to include reference to wildfire in the list of natural hazards.
C60.1089.32	Nelson Forests Ltd	Chapter 17	Amend matter of control (6A) in 17.5.3.2 and 17.6.3.2 to read as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
C60.1089.34	Nelson Forests Ltd	17.8.3.1A	Amend proposed matter of control (8) to read as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
C60.1089.35	Nelson Forests Ltd	17.8.3.1A	Amend proposed matter of control (9) to clarify its meaning.
C60.1089.36	Nelson Forests Ltd	19.2	Amend proposed information requirement in 19.2.1 and 19.2.2 so that a productive value report is only required when there is a proposed change in land use from productive to non-productive use.
C60.1188.3	Drummond, Wendy	C60 GEN	Include planning provisions suitable for Golden Bay.
C60.1188.7	Drummond, Wendy	C60 GEN	Request flexibility in decision making in the absence of a zoning review.
C60.1196.1	Waimea Rural Fire Authority	16.3	Retain 16.3.5.1 7B and 16.3.6.1 7B "wildfire risk" as an assessment matter in subdivision.
C60.1196.2	Waimea Rural Fire Authority	16.3	Amend 16.3.7.1 and 16.3.8.4A to insert reference to "wildfire risk" as an assessment matter in subdivision (the same as 16.3.5.1 7B and 16.3.6.1 7B).
C60.1403.4	Muter, Frans	C60 GEN	Amend to include Golden Bay-specific provisions for multiple dwellings and cooperative living on smaller rural land holdings.
C60.1430.4	Royal Forest & Bird Protection Society (Nelson/Tasman)	C60 GEN	Develop more stringent planning with high environmental aspirations.
C60.1521.35	Federated Farmers of NZ (Inc.)	19.2	Delete proposed 'Productive Value Report' section in 19.2.1 and amend proposed 'Productive Value Report' section in 19.2.2 so that only applications for significant subdivision consents are required to include this Report.

Oppose

FC60.2864.58

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C60.2649.4	Hoos, Yana	C60 GEN	Amend to provide Golden Bay-specific provisions that meet the needs of the Golden Bay community for more flexible housing opportunities.
C60.2864.72	Horticulture New Zealand	19.2.1	Insert a new point to proposed section 19.2.1 as follows: “(g) Availability of water”
C60.2864.73	Horticulture New Zealand	19.2.2	Insert a new point to proposed section 19.2.2 as follows: “(g) Availability of water”
C60.2891.1	NZ Fire Service Commission	Chapter 17	Retain the amended order of (i) and (ii) in conditions 17.5.3.2(d), 17.6.3.1(r), 17.7.3.2(c) and 17.8.3.1(m).
C60.3592.7	Golden Bay Community Board	C60 GEN	Amend to provide for more opportunities for affordable housing that are specific to Golden Bay.
C60.3987.4	Angelo, Joseph	C60 GEN	Amend Plan Change 60 to simplify rules and regulations.
C60.3987.5	Angelo, Joseph	C60 GEN	Amend to provide for Golden Bay-specific provisions.
C60.3989.5	Astill, Rosie	C60 GEN	Amend to provide for Golden Bay-specific provisions.
C60.3989.7	Astill, Rosie	C60 GEN	Amend Plan Change to simplify it so that it can be understood by the lay person.
C60.4001.3	Butts, Joan E	Chapter 7	Amend to include Golden-Bay specific policies that meet the needs of its diverse community, including flexibility in housing.
C60.4004.3	Cartwright, James E	C60 GEN	Request specific Plan provisions for Golden Bay.
C60.4009.1	Eastman, Liza	C60 GEN	Request specific plan provisions for Golden Bay.
C60.4009.2	Eastman, Liza	Chapter 17	Increase opportunities for discretionary decision-making by Council where rural land is zoned Rural 1 or Rural 2 and is non-productive.
C60.4010.3	Eastman, Vic	C60 GEN	Request specific plan provisions for Golden Bay.
C60.4021.7	Halliwell, Cathleen	C60 GEN	Request specific plan provisions for Golden Bay.
C60.4022.4	Halliwell, Marlene	C60 GEN	Request specific plan provisions for Golden Bay.
C60.4023.5	Hancock Forest Management (NZ) Ltd	2.2	Amend the definition of natural hazards by replacing the word “fire” with “wildfire”.

<i>Support</i>	FC60.1196.11
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C60.4023.7	Hancock Forest Management (NZ) Ltd	2.2	Insert a definition for “wildfire”: “Wildfire – A wildfire is any unwanted, unplanned uncontrolled fire in an area of combustible vegetation that occurs in the rural are. A wildfire differs from other fires by its extensive size, the speed at which it can spread out from its original source, its potential to change direction unexpectedly, and its ability to jump gaps such as roads, rivers and fire breaks.”
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<i>Support</i>	FC60.1196.12
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C60.4023.15	Hancock Forest Management (NZ) Ltd	16.3	Retain proposed matters of control (7B) in 16.3.5.1 and 16.3.6.1 which address hazards.
C60.4023.20	Hancock Forest Management (NZ) Ltd	16.3	Amend proposed matters of control 16.3.7.1 (10A) and 16.3.8.1 (11A) to: “Management of natural hazards within and beyond the boundaries of the site, including wildfire management, slope instability and flood hazard effects.”

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C60.4023.21	Hancock Forest Management (NZ) Ltd	16.3.8.4A	Insert "wildfire" into the list of natural hazards in the proposed matter of Restricted Discretion.
C60.4023.22	Hancock Forest Management (NZ) Ltd	Sch. 16.3A	Amend proposed matter of control (3) in Schedule 16.3A as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
C60.4023.24	Hancock Forest Management (NZ) Ltd	16.8.20	Include a reference to 'wildfire' into the Principal Reasons for Rules and align with amended conditions and matters of control.
<i>Support</i>		FC60.1196.14	
C60.4023.28	Hancock Forest Management (NZ) Ltd	Chapter 17	Insert wildfire into the lists of natural hazards in proposed matters of Restricted Discretion 17.5.2.8A (7) and 17.6.2.8A (7).
<i>Support</i>		FC60.1196.18	
C60.4023.29	Hancock Forest Management (NZ) Ltd	Chapter 17	Amend proposed matter of control (6A) in 17.5.3.2 and 17.6.3.2 as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
<i>Support</i>		FC60.1196.19	
C60.4023.31	Hancock Forest Management (NZ) Ltd	17.8.3.1A	Amend proposed matter of control (8) in 17.8.3.1A as follows or similarly: "The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard effects will be avoided or mitigated."
<i>Support</i>		FC60.1196.20	
C60.4023.32	Hancock Forest Management (NZ) Ltd	17.8.3.1A	Amend proposed matter of control (9) in 17.8.3.1A to further clarify what alternatives for fire risk management could include.
<i>Support</i>		FC60.1196.21	
C60.4023.33	Hancock Forest Management (NZ) Ltd	19.2	Amend proposed information requirement in 19.2.1 and 19.2.2 so that a productive value report is only required when there is a proposed change in land use from a productive to a non-productive use not associated with the balance of the land use.
C60.4031.2	Jacobson, Julie	19.2	Amend to require a product value report only for land that is or has been productive in the last 10 years in proposals 19.2.1 and 19.2.2
C60.4032.10	Jelf, Iona	19.2	Retain the increase in the information requirement for Rural 1 and 2 subdivision.
C60.4034.6	Kebbell, John	Chapter 17	Provide flexibility in decision making in the absence of a zoning review.
<i>Support</i>		FC60.4032.36	
C60.4034.11	Kebbell, John	C60 GEN	Identify Golden Bay as a pilot area for the implementation of proposed co-operative living and multiple housing provisions.
C60.4034.23	Kebbell, John	C60 GEN	Amend to provide for more opportunities for affordable housing that are specific to Golden Bay.
C60.4048.4	McMahan, Diana C	C60 GEN	Provide for flexibility of land use for land that is inappropriately zoned in Golden Bay.

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C60.4051.2	Mead, Donald J	C60 GEN	Provide proposals that control development in areas of outstanding landscape and heritage landscapes.
C60.4056.4	Needham Rosemary	C60 GEN	Provide specific Plan provisions for Golden Bay.
C60.4064.3	Pope, Jannine	C60 GEN	Provide submission time as proposed Plan Change 60 was brought to Club's attention at the end of the submission period.
C60.4067.6	Rowse, Chris & Schneider, Silvia	C60 GEN	Provide pilot or more flexible planning provisions for Golden Bay.
C60.4067.7	Rowse, Chris & Schneider, Silvia	C60 GEN	Provide for flexibility in decision making in the absence of a zoning review.
C60.4071.4	Schwarz, Ursus	C60 GEN	Provide specific plan provisions for Golden Bay.
C60.4071.5	Schwarz, Ursus	C60 GEN	Provide flexibility in decision making in the absence of a zoning review.
C60.4072.5	Scurr, Lorna	Chapter 17	Provide flexibility in decision making on proposals for building construction use and alteration.
C60.4072.9	Scurr, Lorna	C60 GEN	Ensure that Council planning proposals enable aging in place.
C60.4079.2	Strang, Dot	C60 GEN	Ensure that Council planning proposals enable aging in place.
C60.4080.1	Thomas, Liz	Chapter 17	Provide flexibility in decision making in the absence of a zoning review.
<i>Support</i>		FC60.4032.37	
C60.4080.6	Thomas, Liz	C60 GEN	Identify Golden Bay as pilot area for the implementation of proposed co-operative living and multiple housing provisions.
C60.4084.1	Turner, Reginald E J	C60 GEN	Acknowledge the unique needs of Golden Bay in planning proposals.
C60.4086.1	Wallis, William G	C60 GEN	Acknowledge the unique needs of Golden Bay in planning proposals.
<i>Support</i>		FC60.4076.2	
C60.4091.1	Wells, Ned	C60 GEN	Provide flexibility in decision making in the absence of a zoning review.

Evaluation and Recommendations 609.1

A. Evaluation

1.0 Introduction

This section addresses the effects on the road network, specifically the state highway network, from increased development opportunities in rural areas particularly in the Rural Residential zone locations.

Three submitters (C60.806, C60.35 and C60.4013) made submissions on this issue.

Tasman's road network is essential to the wellbeing of the District. The road network connects settlements in Tasman with other regions and the other key transport modes of air, rail and water transport and non-motorised land transport links such as cycleways and footpaths. The road network is strategically important, both regionally and nationally, with State Highway 6, 60 and 63 running through the District. Due to the District's extensive land area, relatively low population base and a resulting lack of alternative forms of transport, Tasman is heavily reliant on private motor vehicle transport. This has resulted in an extensive rural road network where state highways form

connections between other districts, major arterial routes within Tasman, local sealed roads and the many kilometres of metalled roads extending into rural areas.

Generally, the proposed Plan Change already provides for the effects of development in rural areas on services, transport routes or roading, (which includes the state highway network).

2.0 Affected Plan Provisions

Chapter 2.2 – Meaning of Words, Chapter 7 – Rural Environment Effects, Chapter 16.3.5 to 16.3.8 - Subdivision and Chapter 17- Zone rules.

3.0 Issues

Submitter C60.806 requested that there is clear policy direction and plan provisions (matters of control and discretion) that enable the effects on the state highway network from increased development opportunities in rural areas, particularly the Rural Residential zone to be addressed through the planning and consenting processes, by:

- (a) adding references to Chapter 7 (Rural Environment Effects) to include reference to effects on the state highway network;
- (b) including specific references to the state highway network in current operative matters of control or discretion referring to the effects of development on services, roading or the transport network; and
- (c) adding new matters of control or discretion referring to the transport network, including the state highway network.

Submitter C60.806's further submission requested that effects on the state highway network from increased development opportunities in rural areas need to be addressed at Restricted Discretionary consent level and through map overlays for specific locations, to be confirmed on the rezoning of land.

Submitters C60.4013 and C60.35 requested that Council negotiate with the New Zealand Transport Agency for acceptable solutions to allow for multiple occupancy of land off state highways. (These two submission points were not summarised. They were considered out of scope as the issues were not raised in the proposed Change.)

Submitter C60.806 notes that the proposed Change does not rezone land. By way of context, staff note, that generally, the proposed Change adopts an approach of affirming the operative Plan objectives and policies. New Zealand Transport Agency is an affected party for consents that effect the state highway network.

4.0 Options

4.1 Option 1

Generally, the proposed Plan Change already provides for the effects of development on services, transport routes or roading (which includes the state highway network). The benefit of this option is that the effects on all elements of the transport network, including but not limited to the state highway, are accounted for. The disadvantage is that the Plan references do not consistently use the same words or phrases.

4.2 Option 2

The option of amending the proposed provisions to make particular reference to the state highway network elevates one element of the transport network above others and may not be relevant in all circumstances.

4.3 Option 3

A third option of consistently referring to various key elements of the transport network, including the state highway network, is considered impracticable.

4.4 Option 4

There is a fourth option of defining the term 'land transport or road network' to clarify what the network consists of and to facilitate consistent reference to and assessment of effects of development on the road network.

4.5 Option 5

As the proposed Change does not rezone land and information relating to spatial overlays to manage the effects of development along state highways is not available at this point in time, this option is not assessed. The submitter is invited to provide further information to Council in this regard.

5.0 Preferred Option

On consideration of the requests, further requests and the issues they raise, staff prefer option 4 - defining the term 'road network' and amending relevant plan references, where appropriate, in line with the definition. This option is expected to clarify what the road network consists of and to facilitate consistent reference to and assessment of the effects of development on all elements of the road network.

B. Staff Recommendations

1. Define the term 'road network' and amend relevant plan references in line with the definition.

C. Reasons

1. Consistent reference to a defined term will clarify what the road network consists of and facilitate consistent assessment of effects of development on all components of the road network.
2. Amendments are 'not allowed' where the operative plan addresses the issue adequately.
3. The proposed provisions enable Council to call for a 'productive value report' where considered necessary for the assessment of an application for consent and clarify that it is the responsibility of the applicant to obtain the information.
4. Better quality applications enable consents to be processed more quickly.

D. Plan Amendments

Topic : 2.2

Include a new definition of 'road network' to read as follows:

"Road network - means state highways, arterial, distributor, collector roads, access roads, access places and the intersections between them. (or as per draft Land Development Manual: state highways, arterial principal, collector, sub-collector and local roads, shopping streets, residential lanes, service lanes, private ways and access ways)."

Topic : 7.0

Amend the last sentence of the 4th to last paragraph beginning, "In addition to production activities...", to insert after the words "transport routes" the words "including the road network".

Topic : 7.1.1.1

Amend clause (c) of issue 7.1.1.1 to insert the words "including the road network" after the words "service provision".

Topic : 7.2.3.1G

Add an additional criterion to the policy:

"(f) the development does not adversely affect the road network".

Topic : 7.2.3.1C

Amend criterion (c) of policy 7.2.3.1C to:

"can be adequately serviced for water, wastewater, stormwater and road access and by the road network".

Topic : 7.2.3.1D

Amend criterion (d) of policy 7.2.3.1D to:

"can be adequately serviced for water, wastewater, stormwater and road access and by the road network".

Topic : 7.2.20.1

1. Amend the last sentence of Regulatory method (a)(i) to insert the words "and effects on the road network" after the word "servicing".
2. Amend 5th bullet point of Regulatory method (b) to read: "define access and effects on the road network".

Topic : 7.2.30

1. Amend the last sentence of the third (proposed) paragraph beginning “Cooperative living opportunities ...” after the word “servicing” to insert the words “including effects on the road network”.
2. Insert the words “including the road network” into the third sentence of the 12th paragraph beginning “The Rural 3 zone applies ...” to read:
“... the availability of appropriate infrastructure and services including the road network; ...”
3. Add the words “and are accessible without generating adverse effects on the road network” at the end of the fourth sentence of the 13th paragraph beginning “The different Rural Residential Zone areas ...” to read:
“Tourist Services Zone locations provide for relatively intensive tourist and visitor service activities in areas where such uses have been traditionally established, or where they can be accommodated with minimal impact on the natural qualities and characteristics of the nearby rural areas and are accessible without generating adverse effects on the road network.”

Topic : 7.3.3.11

Amend operative policy by replacing the word “roads” with the phrase “the road network”.

Topic : 7.4.3.9

Amend operative policy to insert the words “and impacts on the road network” after the words “road access”.

Topic : 16.3.5.1

Amend rules by inserting a new matter of control after matter (4) to read:
“(4AA) Effects on the road network.”

Topic : 16.3.6.1

Amend rules by inserting a new matter of control after matter (4) to read:
“(4AA) Effects on the road network.”

Topic : 16.3.8.1

Amend rule by inserting a new matter of control after matter (3) to read:
“(3A) Effects on the road network.”

Topic : 17.5.2.8A

Amend proposed rules by inserting a new matter of restricted discretion after matter (9) to read:
“(9A) Effects on the road network.”

Topic : 17.6.2.8A

Amend proposed rules by inserting a new matter of restricted discretion after matter (9) to read:
“(9A) Effects on the road network.”

Topic : 17.8.3.1A

Amend proposed rule by inserting a new matter of control after matter (1) to read:
“(1A) Effects on the road network.”

F. Submission Recommendations

C60.806.1 <i>Allow in Part</i>	NZ Transport Agency FC60.174.2	Allow In Part
C60.806.3 <i>Allow in Part</i>	NZ Transport Agency FC60.806.2	Allow In Part
C60.806.20 <i>Allow in Part</i>	NZ Transport Agency FC60.806.3	Allow In Part
C60.806.21 <i>Allow in Part</i>	NZ Transport Agency FC60.806.4	Allow In Part
C60.806.23 <i>Allow in Part</i>	NZ Transport Agency FC60.806.6	Allow In Part
C60.806.25 <i>Allow in Part</i>	NZ Transport Agency FC60.806.8	Allow In Part

C60.806.26	NZ Transport Agency	Allow In Part
C60.806.27	NZ Transport Agency	Allow In Part
C60.806.28 <i>Allow in Part</i>	NZ Transport Agency FC60.806.9 FC60.4032.25	Allow In Part
C60.806.30 <i>Allow in Part</i>	NZ Transport Agency FC60.806.10	Allow In Part
C60.806.31	NZ Transport Agency	Allow In Part
C60.806.32 <i>Allow in Part</i>	NZ Transport Agency FC60.806.11	Allow In Part
C60.806.33 <i>Disallow</i>	NZ Transport Agency FC60.806.12 FC60.2864.29	Disallow
C60.806.34	NZ Transport Agency	Allow In Part
C60.806.36 <i>Allow in Part</i>	NZ Transport Agency FC60.806.13	Allow In Part
C60.806.38 <i>Allow in Part</i>	NZ Transport Agency FC60.806.15	Allow In Part
C60.806.39 <i>Allow</i>	NZ Transport Agency FC60.806.16	Allow
C60.806.40 <i>Disallow</i>	NZ Transport Agency FC60.806.17	Disallow
C60.806.43 <i>Allow in Part</i>	NZ Transport Agency FC60.806.18	Allow In Part
C60.806.46 <i>Allow in Part</i>	NZ Transport Agency FC60.806.19	Allow In Part
C60.806.49 <i>Allow in Part</i>	NZ Transport Agency FC60.806.20	Allow In Part

Evaluation and Recommendations 609.2

A. Evaluation

1.0 Introduction

This section addresses the issue of electricity transmission in rural areas.

One submitter, C60.174, made submissions on the issue.

In March 2008, the Ministry for the Environment gazetted the National Policy Statement for Electricity Transmission (NPSET). The NPSET sets out objectives and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991. The NPSET solely applies to the National Grid which is defined as the assets used or owned by Transpower New Zealand Ltd (Transpower). The National Grid within Tasman currently consists of the Kikiwa Substation, Murchison Substation, 110 kV Kikiwa-Stoke A line; 110kV Blenheim-Kikiwa A line; 110kV Kikiwa- Stoke A line; 220kV Inhangahua-Kikiwa A line; and the 220kV Islington-Kikiwa A and B Lines. The National Grid and substations are largely located on or across rural land. Council was required by 10 April 2012 to notify a Plan Change or review, to give effect as appropriate to the provisions of the NPSET.

Council has already included the location of the National Grid transmission lines in the planning maps as required by the NPSET and in 2007 and 2010, Council undertook two plan changes which gave effect to the NPSET in the Richmond East and West Development Areas. Council is currently drafting a plan change to apply the NPSET to the remaining zones and to update and amend the existing NPSET provisions in the Plan.

The importance of fully implementing the NPSET is acknowledged by Council and to this end Council has commenced consultation with Transpower and other electricity providers. An issues and options paper has been drafted and it is anticipated that broader public consultation will commence in the next few months.

2.0 Affected Plan Provisions

Plan Chapter 2.2 – Meaning of words, Chapter 7 - Rural environmental effects, Chapter 16.3 - Subdivision, Chapter 17 – Zone Rules; Chapter 18.5 – Land Disturbance and the Planning maps.

3.0 Issues

Transpower considers that any review of rural land use and subdivision should consider and give effect to the NPSET to the extent relevant for the rural zones. Under section 75(3) of the RMA Council is required to give effect to the NPSET and, to this end, Transpower proposes new objectives, policies, rules and other methods to implement the NPSET. Transpower acknowledges that Council has commenced a plan change which will give effect to the NPSET, however they are concerned that there is a high level of uncertainty regarding the timing and content of such a plan change. In the interim, Transpower believes that it is appropriate to include suitable provisions which give effect to the NPSET through Plan Change 60.

Transpower seeks the following and have also proposed specific changes to give effect to their concerns:

- The National Policy Statement for Electricity Transmission 2008 is fully given effect to in the Plan (C60.174.1).
- The Regional Policy Statement is given effect to as it relates to the management of effects on the effective operation, maintenance and development of the National Grid (C60.174.2).
- The National Grid is protected from adverse effects (including reverse sensitivity effects) of subdivision, land use and development in proximity to electricity transmission infrastructure, including through use of appropriate objectives, policies, rules and other methods in the District Plan (C60.174.3).

4.0 Options

Given the submission requests, two possible options are considered:

1. Relief requested is out of scope
2. Allowing or disallowing the relief requested

4.1 Option 1 - Relief requested is out of scope

Council accepts the good intentions of Transpower in addressing the NPSET (in part) through this proposed Plan Change. However, it is considered that Council is unable to give effect to the changes sought by Transpower because they are outside of the scope of the proposed Plan Change. The High Court (Palmerston North CC v Motor Machinists LTD [2013]) found that for a submission to be valid, the matters raised in the submission should have been addressed in the section 32 evaluation report or raise some relief regarding issues raised in the plan change. The NPSET was not discussed in the section 32 evaluation report or raised as a matter in the Plan Change. It is acknowledged that some changes sought do affect provisions proposed to be amended by the Plan Change, however the changes sought by Transpower are consequential amendments arising from Transpower's request to implement the NPSET and are independent of the changes sought in the proposed Plan Change.

In Palmerston North CC v Motor Machinists LTD [2013], the High Court further found that a precautionary approach was required to receiving submissions proposing more than an incidental or consequential change to the plan change. Robust and sustainable management of resources required notification of a section 32 analysis of the comparative merits of a proposed plan change to persons directly affected by those proposals. Other case law similarly states that there needs to be a real opportunity for potentially affected parties to participate in the plan review process and that the cross submission process may not be adequate to allow true participation where a submission seeks to make major alterations. The changes Transpower proposes are more than incidental or consequential affecting subdivision; building construction and setbacks; activities; land disturbance and amenity planting provisions in the Plan for over 200 properties. There is no formal process under the RMA to contact property owners affected by the submission and the opportunity for property owners to respond to the submission is limited to support or opposition. There is also limited capacity for Council to consider alternatives as they would under section 32. For the above reasons, Transpower's submission to a greater or lesser degree is considered out of scope.

4.2 Option 2 - Disallowing the relief requested

Should the hearing panel disagree with this recommendation then it is recommended that the submission be declined for the following reasons. The NPSET provides guidance regarding matters that the Council should give effect to in their plans. The NPS anticipates that councils will review the plan and draft provisions to reflect the nature of the district following a section 32 process of evaluation and consultation. While Council appreciates Transpower's concerns over the length of the process, Council is currently drafting a plan change to fully implement the NPSET. Accepting the changes sought by Transpower severely limits Council's capacity to undertake a thorough analysis of the effects (including on affected landowners) or achieving integrated sustainable management of natural and physical resources for the region. For these reasons, if considered within scope, the recommendation is to decline the changes sought.

5.0 Preferred Options

On consideration of the requests, further requests and the issues they raise, staff prefer the option that the submission requests be considered out of scope for the reason that the relief sought by the submitter is considered to be beyond the scope of the Plan Change. The NPSET was not raised as a matter in the proposed Change or discussed in the section 32 report and the relief requested will result in more than incidental or consequential changes to the proposed Change.

The issues raised by the submitter are, however, acknowledged and Council has already commenced a plan change which will implement the general relief sought by the submitter as well as achieving the integrated management of regionally significant energy resources within the region. The proposed Plan Change will enable full participation by affected parties and the opportunity to evaluate different means of achieving the policy and objectives of the NPSET. On this basis, the relief sought is recommended to be not allowed.

B. Staff Recommendations

Relief is out of the scope of the Proposed Change.

NOTE: The submission requests are shown as 'disallowed' under the "Submission Recommendations" heading below, as that is the only available 'system' option.

C. Reasons

The relief sought by the submitter is considered beyond the scope of the Proposed Change as the NPSET

was not raised as a matter in the proposed Change or discussed in the section 32 report and the relief requested will result in more than incidental or consequential changes to the proposed Change.

D. Plan Amendments

Topic : C60 GEN

No Plan amendments.

E. Other Action

Council progress the Plan Change it has already commenced, which will implement the general relief sought by the submitter as well as achieving the integrated management of regionally significant energy resources within the region. The proposed plan change will enable full participation by affected parties and the opportunity to evaluate different means of achieving the policy and objectives of the NPSET. On this basis, the relief sought is recommended to be not allowed.

F. Submission Recommendations

C60.174.1 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.3	Disallow
C60.174.2 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.4	Disallow
C60.174.3 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.5	Disallow
C60.174.4 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.6	Disallow
C60.174.5 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.13	Disallow
C60.174.6	Transpower NZ Ltd	Disallow
C60.174.7 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.14	Disallow
C60.174.9 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.17	Disallow
C60.174.10 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.30	Disallow
C60.174.11	Transpower NZ Ltd	Disallow
C60.174.12	Transpower NZ Ltd	Disallow
C60.174.13	Transpower NZ Ltd	Disallow
C60.174.14	Transpower NZ Ltd	Disallow
C60.174.15	Transpower NZ Ltd	Disallow
C60.174.16	Transpower NZ Ltd	Disallow
C60.174.17	Transpower NZ Ltd	Disallow
C60.174.18	Transpower NZ Ltd	Disallow
C60.174.19	Transpower NZ Ltd	Disallow
C60.174.20	Transpower NZ Ltd	Disallow
C60.174.21	Transpower NZ Ltd	Disallow
C60.174.22	Transpower NZ Ltd	Disallow
C60.174.23	Transpower NZ Ltd	Disallow
C60.174.24	Transpower NZ Ltd	Disallow
C60.174.25	Transpower NZ Ltd	Disallow
C60.174.26 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.45	Disallow

C60.174.27 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.46	Disallow
C60.174.28	Transpower NZ Ltd	Disallow
C60.174.29	Transpower NZ Ltd	Disallow
C60.174.30 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.50	Disallow
C60.174.31	Transpower NZ Ltd	Disallow
C60.174.32	Transpower NZ Ltd	Disallow
C60.174.33 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.52	Disallow
C60.174.34 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.54	Disallow
C60.174.35 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.56	Disallow
C60.174.36 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.57	Disallow
C60.174.37 <i>Disallow</i>	Transpower NZ Ltd FC60.2864.55	Disallow
C60.174.38	Transpower NZ Ltd	Disallow

Evaluation and Recommendations 609.3

A. Evaluation

1.0 Introduction

This section addresses wild fire and other natural hazards.

The proposed Change did not specifically address the issue of natural hazards. During the Plan Change consultation process, the issue of the risk of wild fire in the context of subdivision and land use development in rural areas was raised and, consequently, provisions on this topic were included in the proposed Change.

Four submitters made submissions on this issue.

The issue of the risk of wild fire in the context of temporary activities in rural areas is addressed in Staff Evaluation Report No 608 on Temporary Activities.

2.0 Affected Plan Provisions

The proposed Change amends the Rural 1, 2, 3 and Rural Residential subdivision matters of control and discretion to account for wild fire (16.3.5.1(7B), 16.3.6.1(7B), 16.3.7.1(10A), 16.3.8.1(11A) and Schedule 16.3A(3)). The Change also amends the matters of control for building construction or alteration in the Rural 1, 2 and Rural Residential zones to account for wild fire (17.5.3.2(6A), 17.6.3.2(6A), and 17.8.3.1A(8)).

3.0 Issues and Options

Three submitters (C60.1089, C60.1196 and C60.4023) support the proposed provisions in the Plan that require wildfire and other natural hazards to be assessed (as a matter of control or restricted/discretion) at the time that subdivision and building activities are consented.

The same group of submitters also have requested changes to definitions and to the proposed provisions to provide for consistency of description through the Plan. In principle, staff support the requests that will improve the consistency of the Plan.

The submission requests for a definition of wild fire in the Plan are not supported. It is considered unnecessary as the meaning of wild fire is generally well understood and the operative Plan contains a definition of 'natural hazard'.

4.0 Preferred Options

On consideration of the requests, further requests and the issues they raise, staff support the option of amending the proposed matters of control and restricted/discretion to avoid or mitigate the effects of natural hazards, including the risk of wild fire. The amendments are expected to achieve consistency through the subdivision and zone rule sections of the Plan.

B. Staff Recommendations

Amend the proposed and, where necessary, include new matters of control and restricted/discretion to avoid or mitigate the effects of natural hazards, including the risk of wildfire.

C. Reasons

Consistency will improve Plan readability and effectiveness.

D. Plan Amendments

Topic : 2.2

Amend the meaning of the word 'natural hazard' to replace the word "fire" with "wildfire".

Topic : 7.2.3

Amend policy criterions 7.2.3.1.C(a) and policy 7.2.3.1.D(b) to read as follows:

"is not affected by natural hazards, within and beyond the boundaries of the site, including wildfire risk,

coastal, flood, stormwater, geotechnical or earthquake hazard; and”

Topic : 16.3

Amend matters of control 16.3.7.1(10A), 16.3.8.1(11A) to read as follows:

“Management of natural hazards within and beyond the boundaries of the site, including wildfire risk, coastal, flood, stormwater, geotechnical or earthquake hazard.”

Topic : 16.3.8.4A

Amend matters of restricted discretion 16.3.8.4A(2) to read as follows:

“Any matter relating to natural hazard, including wild fire risk, coastal, flood stormwater, geotechnical or earthquake hazard.”

Topic : Sch. 16.3A

Amend criterion (3) of Schedule 16.3A criterion (3) to read as follows:

“The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wildfire risk, coastal, flood, stormwater, geotechnical or earthquake hazard will be avoided or mitigated.”

Topic : Chapter 17

1. Amend restricted discretionary matter 17.5.2.8A(7) and 17.6.2.8A(7) to include the words “wildfire risk” after the word “including”.
2. Amend matters of control 17.5.3.2(6A), 17.6.3.2(6A) and 17.8.3.1A(8) to read as follows:
“The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard will be avoided or mitigated.”

Topic : 17.7.3.2

Insert new matter of control (5A) to read as follows:

“The extent to which the effects of natural hazards, within and beyond the boundaries of the site, including wild fire risk, coastal, flood, stormwater, geotechnical or earthquake hazard will be avoided or mitigated.”

F. Submission Recommendations

C60.1089.5 <i>Allow</i>	Nelson Forests Ltd FC60.1196.7	Allow
C60.1089.6 <i>Disallow</i>	Nelson Forests Ltd FC60.1196.8	Disallow
C60.1089.8	Nelson Forests Ltd	Allow
C60.1089.9	Nelson Forests Ltd	Allow
C60.1089.16	Nelson Forests Ltd	Allow
C60.1089.17	Nelson Forests Ltd	Allow
C60.1089.22	Nelson Forests Ltd	Allow In Part
C60.1089.23	Nelson Forests Ltd	Allow In Part
C60.1089.24	Nelson Forests Ltd	Allow
C60.1089.25	Nelson Forests Ltd	Allow
C60.1089.31	Nelson Forests Ltd	Allow
C60.1089.32	Nelson Forests Ltd	Allow
C60.1089.34	Nelson Forests Ltd	Allow
C60.1089.35	Nelson Forests Ltd	Disallow
C60.1196.1	Waimea Rural Fire Authority	Allow
C60.1196.2	Waimea Rural Fire Authority	Allow
C60.2891.1	NZ Fire Service Commission	Allow
C60.4023.5 <i>Allow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.11	Allow
C60.4023.7 <i>Disallow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.12	Disallow

C60.4023.15	Hancock Forest Management (NZ) Ltd	Allow
C60.4023.20	Hancock Forest Management (NZ) Ltd	Allow
C60.4023.21	Hancock Forest Management (NZ) Ltd	Allow
C60.4023.22	Hancock Forest Management (NZ) Ltd	Allow
C60.4023.24 <i>Disallow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.14	Disallow
C60.4023.28 <i>Allow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.18	Allow
C60.4023.29 <i>Allow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.19	Allow
C60.4023.31 <i>Allow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.20	Allow
C60.4023.32 <i>Disallow</i>	Hancock Forest Management (NZ) Ltd FC60.1196.21	Disallow

Evaluation and Recommendations 609.4

A. Evaluation

1.0 Introduction

This section addresses the requirements for information.

The proposed Plan Change introduces provisions that enable Council to call for a 'productive value report' as part of the information required for the assessment of any application for land use or subdivision consent.

Six submitters made submissions on this issue. In general, submitters support the requirement in relevant circumstances.

2.0 Affected Plan Provisions

Chapter 19.2.1 - Information required for land use applications and 19.2.2 - Information required for subdivision applications.

3.0 Issues and Options

One submitter requests the proposed provision be retained, while four submitters request that a report only be required where the use of the land was changing from productive to non-productive uses or for significant consents. These requests are supported as staff note that the proposed changes enable Council to call for a productive value report. The provisions do not automatically require that a report accompany every application. Currently, in many cases, where an assessment of productive potential is necessary, applicants rely on in-house Council staff to assess productivity. This ought to be the responsibility of the applicant and the proposed changes clarify this. The approach accords with recent changes to the RMA aimed at improving the quality of applications so that consents can be processed more quickly. It also supports a key objective of the Plan for rural areas—the protection of opportunities for plant and animal production on land with productive value.

One submitter requests that the 'availability of water' be included in the list of information required in the report. This request is accepted as, although water is variably necessary for production and can be variably addressed by landowners, it is a relevant factor in the assessment of productive value.

4.0 Preferred Option

On consideration of the requests, further requests and the issues they raise, staff prefer to retain the proposed provisions amended to include the additional criterion of the 'availability of water'. The proposed provisions enable Council to call for a 'productive value report' when necessary for the assessment of an application for consent and clarify that it is the responsibility of the applicant to obtain the information.

B. Staff Recommendations

Retain proposed changes to 19.2.1 and 19.2.2 amended to include the additional criterion of the "availability of water".

C. Reasons

1. The proposed provisions enable Council to call for a 'productive value report' where considered necessary for the assessment of an application for consent and clarify that it is the responsibility of the applicant to obtain the information.
2. Better quality applications enable consents to be processed more quickly.
3. The proposed provisions support a key objective of the Plan for rural areas - the protection of opportunities for plant and animal production on land with productive value.
4. The "availability of water" is a relevant factor in the assessment of productive value.

D. Plan Amendments

Topic : 19.2

Amend rules 19.2.1 and 19.2.2 to include a new criterion as follows:
 “(g) Availability of water.”

F. Submission Recommendations

C60.1089.36	Nelson Forests Ltd	Allow In Part
C60.1521.35	Federated Farmers of NZ (Inc.)	Allow In Part
<i>Disallow</i>	FC60.2864.58	
C60.2864.72	Horticulture New Zealand	Allow
C60.2864.73	Horticulture New Zealand	Allow
C60.4023.33	Hancock Forest Management (NZ) Ltd	Allow In Part
C60.4031.2	Jacobson, Julie	Allow In Part
C60.4032.10	Jelf, Iona	Allow

Evaluation and Recommendations 609.5

A. Evaluation

1.0 Introduction

Twenty submitters requested specific Plan provisions tailored to the needs of Golden Bay. All of the submitters are residents of the Bay.

2.0 Affected Plan Provisions

General

3.0 Issues

Submitters requested Plan provisions that respond to the special needs of Golden Bay which is a remote community with a sector of the population that has a high interest in alternative ways of living and working; an aging population that has indicated a preference for aging in place; and a lack of affordable housing for young families and workers. In particular, several submitters requested that Golden Bay serve as a pilot for introducing more enabling provisions for multiple dwellings and co-operative living.

4.0 Options

The proposed Change contains new provisions for multiple dwellings and co-operative living but does not include any provisions particular to Golden Bay.

The option of special provisions for Golden Bay could be developed on the basis of the strength of the feedback on this issue from Golden Bay. However, this option is considered unnecessary as the proposed Change contains provisions that are expected to enable more diverse and flexible living opportunities better suited to the requirements of modern day rural communities including that of Golden Bay. If the proposed Change did not contain these provisions, the option of special provisions for Golden Bay would be pertinent.

Other communities within the District have similar characteristics to the Bay (remote locations with low populations, an aging demographic profile and limited employment opportunities) and should be afforded the same opportunities as the Golden Bay community.

5.0 Preferred Option

On consideration of the requests, further requests and the issues they raise, staff prefer the proposed Change option of one generic set of Plan provisions for the District as Golden Bay forms part of the district. Other communities within the District have similar characteristics to the Bay (remote locations with a low and aging population) and should be afforded the same opportunities as the Bay. The approach adopted in the proposed Change of developing robust but flexible Plan provisions that are able to accommodate the requirements of different communities within the District is preferred.

B. Staff Recommendations

Retain the proposed Change.

C. Reasons

1. The proposed Change contains new provisions that are expected to enable more diverse and flexible living opportunities better suited to the requirements of modern-day rural communities including that of Golden Bay.
2. Other communities within the District have similar characteristics to the Bay (remote locations with low populations, an aging demographic profile and limited employment opportunities) and should be afforded the same opportunities as the Golden Bay community.
3. The proposed Change approach of developing robust but flexible Plan provisions able to accommodate the requirements of different communities within the District is preferred.

D. Plan Amendments

Topic : C60 GEN

No Plan amendments.

F. Submission Recommendations

C60.1188.3	Drummond, Wendy	Disallow
C60.1403.4	Muter, Frans	Disallow
C60.2649.4	Hoos, Yana	Disallow
C60.3592.7	Golden Bay Community Board	Disallow
C60.3987.5	Angelo, Joseph	Disallow
C60.3989.5	Astill, Rosie	Disallow
C60.4001.3	Butts, Joan E	Disallow
C60.4004.3	Cartwright, James E	Disallow
C60.4009.1	Eastman, Liza	Disallow
C60.4010.3	Eastman, Vic	Disallow
C60.4021.7	Halliwell, Cathleen	Disallow
C60.4022.4	Halliwell, Marlene	Disallow
C60.4034.11	Kebbell, John	Disallow
C60.4034.23	Kebbell, John	Disallow
C60.4056.4	Needham Rosemary	Disallow
C60.4067.6	Rowse, Chris & Schneider, Silvia	Disallow
C60.4071.4	Schwarz, Ursus	Disallow
C60.4080.6	Thomas, Liz	Disallow
C60.4084.1	Turner, Reginald E J	Disallow
C60.4086.1	Wallis, William G	Allow In Part
<i>Allow in Part</i>	FC60.4076.2	

Evaluation and Recommendations 609.6

A. Evaluation

1.0 Introduction

Ten submitters raised the subject of flexible decision-making largely within the context of land that is considered to be inappropriately zoned.

2.0 Affected Plan Provisions

General

3.0 Issues and Options

The Plan Change proposes changes to the policy and rules for the rural areas in the District to give better effect to the Plan objectives but did not include a zoning review. Submitters request flexible decision-making, primarily for this reason. Submitters note that much rural land, historically, is inappropriately zoned; that zoning has not been reviewed for over 20 years; zoning should have an appropriate relationship with the actual land use and the actual productive potential of land (e.g. the established residential clusters on the outskirts of Takaka and Hope are located on land that is zoned Rural 1).

Staff note that the Resource Management Act provides a consent hierarchy which allows for flexibility of decision-making in that if an activity is Permitted or requires a Controlled consent (which cannot be refused if conditions are met), the parameters are clear, certain and prescriptive. If the activity is not Permitted or Controlled, then the activity trips to a higher level of consent which involves discretion (Restricted or full Discretion) but also allows for flexibility and innovation.

4.0 Preferred Option

On consideration of the requests, further requests and the issues they raise, staff prefer that, in principle, the proposed Change with the proposed consent hierarchies are retained as the Change provides for the full range of decision making, from certain to discretionary and from prescriptive to flexible.

B. Staff Recommendations

The proposed Change and proposed consent hierarchies are retained.

C. Reasons

The resource consent hierarchy allows for both certain and flexible decision-making.

D. Plan Amendments

Topic : C60 GEN

No Plan amendments.

F. Submission Recommendations

C60.1188.7	Drummond, Wendy	Allow In Part
C60.4009.2	Eastman, Liza	Allow In Part
C60.4034.6	Kebbell, John	Allow In Part
<i>Allow in Part</i>	FC60.4032.36	
C60.4048.4	McMahan, Diana C	Allow In Part
C60.4067.7	Rowse, Chris & Schneider, Silvia	Allow In Part
C60.4071.5	Schwarz, Ursus	Allow In Part
C60.4072.5	Scurr, Lorna	Allow In Part
C60.4080.1	Thomas, Liz	Allow In Part
<i>Allow in Part</i>	FC60.4032.37	

C60.4091.1

Wells, Ned

Allow In Part

Evaluation and Recommendations 609.7

A. Evaluation

1.0 Introduction

This section of the report addresses general requests relating to environmental standards, aging in place and simplification of the Plan, planning guides and more submission time.

2.0 Affected Plan Provisions

General

3.0 Issues and Options

One submission requested that stringent Plan provisions aim for high environmental standards.

The proposed Change follows on from an evaluation of the effectiveness of the Plan policies relating to rural land use and subdivision (Evaluation Report on the Effectiveness of the TRMP Policies relating to rural land use and subdivision, 2013). The evaluation revealed some challenges relating to the management of subdivision and development in rural areas. The proposed Plan change is expected to address the issues raised. The next cycle of Plan implementation, monitoring and evaluation will assist to determine the effectiveness of the proposed changes in achieving the Plan outcomes.

One submitter requested that development is controlled in areas of outstanding and heritage landscape. This request is considered out of scope as proposed Change 60 and the supporting section 32 report did not address this issue. A separate Council process is addressing the issue. Currently a draft change entitled, 'Golden Bay Outstanding Natural Features and Landscapes' is being consulted on.

Two submitters requested that the provisions allow for 'aging in place'. The proposed provisions that increase flexibility for housing in rural areas are expected to assist the community to age in place.

Four submitters requested that the Plan is simplified and one submitter requested that Council provide guidelines for low impact service networks. The proposed Change has reduced duplication in the Plan. Planning guides relating to subdivision and built development in rural areas will be updated to reflect the changes and to provide guidance for new provisions.

One submitter requested additional time to lodge a submission as the Change was brought to their attention at the end of the submission period. As the submitters have requested topic related relief, the hearing will provide an opportunity for the submitter to present evidence in support of the submission.

B. Staff Recommendations

1. Retain the proposed changes.
2. Update Council planning guides

C. Reasons

1. The proposed Change is expected to manage future rural subdivision and development effectively.
2. Updated Plan guides are expected to assist public understanding of the proposed Changes.

D. Plan Amendments

Topic : C60 GEN

No Plan amendments.

E. Other Action

Council to update the planning guides and provide guides for new Plan provisions.

F. Submission Recommendations

C60.1430.4	Royal Forest & Bird Protection Society (Nelson/Tasman)	Allow In Part
C60.3987.4	Angelo, Joseph	Allow In Part
C60.3989.7	Astill, Rosie	Allow In Part
C60.4051.2	Mead, Donald J	Disallow
C60.4064.3	Pope, Jannine	Disallow
C60.4072.9	Scurr, Lorna	Allow In Part
C60.4079.2	Strang, Dot	Allow In Part