

Tasman Resource Management Plan

PROPOSED CHANGE 69
Nelson Tasman Land Development Manual

Section 32 Evaluation Report

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1. Executive Summary

1.1 Overview

This report summarises the process of evaluation of the proposed Nelson Tasman Land Development Manual Plan Change 69, finding it to be the most effective and efficient option for addressing identified issues, in accordance with Section 32 of the Resource Management Act. It has been guided by “The guide to section 32 of the Resource Management Act 1991” by The Ministry for the Environment (MfE, 2014).

The following summarises what is contained in each chapter, and may be used as a quick reference guide to find key information.

Introduction and Planning Context (ref. p 2 –5)

This section introduces the NTLDM Plan Change, the NTLDM document, and the requirements of Section 32 to report on the process of its development. It also provides an overview of the part of the TRMP affected by the proposed changes.

Legal Context (ref. p 5 – 9)

This section provide more detail on the requirement to report on the process of determining a Plan Change in accordance with Section 32 of the Resource Management Act. It describes the broader requirements of Council in the context of the RMA, and outlines the planning context for the Plan Change, namely regional and national planning documents.

The Development of the Plan Change (ref. p 10 –11)

This describes the background of the project that led to the proposed Plan Change. It also outlines process matters, including consultation undertaken in the development of the Plan Change with key stakeholders and Iwi.

Problem Definition (ref. p 12 –15)

The key drivers of the Plan Change, being the new NTLDM and Transportation Plan Change 4 (formerly Variation 44) are identified and described in this section.

Issues, the current state and desired outcomes (ref. 15- 20)

The current state of the TRMP in respect of the resource management issues arising from the new NTLDM are described in this section. An assessment of the new NTLDM and how it impacts the current Plan is provided. This section also describes desired outcomes and goals sought by the Plan Change.

Evaluation Approach (ref. p 21 –23)

This section describes the scale and significance of the issues and how they might be resolved in the context of a Plan Change in accordance with S.32. The matters that are considered relevant to any assessment of options are also outlined. These give rise to an evaluation framework or method for assessing options.

Options Evaluation (ref. p 24 –35)

What are the options available to Council for addressing identified issues? This section answers this question, and describes a range of options from ‘do nothing’ through to ‘comprehensive content review and integrated infrastructure design’. By evaluating each option against the matters of Section 7, we can identify the costs, benefits and risks of each option. This leads to the

determination of the most effective, appropriate and efficient option in accordance with Section 32. The preferred option is identified in this section.

Conclusion (ref. p 36)

This identifies the preferred option in terms of the requirements of Section 32.

1.2 Summary

This report summarises the process of evaluation of the proposed Nelson Tasman Land Development Manual Plan Change 69, finding it to be the most effective and efficient option for addressing identified issues, in accordance with Section 32 of the Resource Management Act.

The identified issues relate to the new Nelson Tasman Land Development Manual 2019 and the relationship of it to the Tasman Resource Management Plan. Land development and subdivision effects management, through the TRMP, include reference to former Engineering Standards for network infrastructure management. Such infrastructure design and construction is required to address the actual and potential effects of land development, and includes design standards for stormwater management, road design and wastewater.

The new NTLDM replaces the former Engineering Standards and this is one of the key drivers for the proposed Plan Change. The other issue that is addressed in the proposed Plan Change relates to an earlier unresolved Plan Change: Transportation Plan Change 4 (formerly Variation 44). This historical Plan Change will be proposed to be withdrawn and replaced, in part, by this Plan Change.

The options that were considered included 'do nothing', 'cross referencing only', 'partial content review', 'comprehensive content review', and 'comprehensive content review integrating network design'. These were assessed against matters such as 'legality', 'process efficiency', 'effects management' and 'development costs'.

The preferred option and this Plan Change is 'partial content review'. This option provided the least risk, maximum benefit solution to issues raised by the new NTLDM, in the most time-cost efficient way. It clarifies the relationship between the proposed Plan Change and the Engineering Standards, and eliminates duplication and conflict in content between the two. It stops short of addressing other wider resource management issues associated with network infrastructure where those subjects are being addressed within other current Council projects.

2. Introduction and Planning Context

2.1 Purpose of this Report

The purpose of this report is to evaluate the Nelson Tasman Land Development Manual Plan Change (the Plan Change) for effectiveness and efficiency in accordance with Section 32 of the Resource Management Act.

The proposed Plan Change relates to the recently adopted Nelson Tasman Land Development 2019 (NTLDM), and Tasman Resource Management Plan (TRMP) content related to engineering development standards. This report considers the proposed Plan Change as the best option for addressing resource management issues around network infrastructure asset design and construction within land development activities that are managed within the TRMP. Other options assessed within this report are the “status quo” option, and the “introduce network infrastructure asset standards into the TRMP” option.

2.2 What is a Section 32 report?

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

- evaluate whether the objectives of the proposal are the most appropriate way of achieving the purpose of the Act;
- evaluate whether the provisions in the proposal are the most appropriate way to achieve the objectives;
- assess the efficiency and effectiveness of the options considered; and
- consider the costs and benefits of implementation.

More detail of Section 32 is set out in Section 3 of this report (Legal Context).

2.3 The NTLDM Plan Change

The Plan Change concerns content and referencing in the TRMP as it relates to the NTLDM, through development activities associated primarily with land use and subdivision. The NTLDM is a revised engineering standards document that replaces former Tasman District Engineering Standards, and is Council’s key document that provides minimum standards and guidance for work undertaken on Council assets, or subdivision and development that results in the vesting of assets with the Council. It is a combined Council document applying to both the Nelson City Council and Tasman District Councils.

The NTLDM has been structured to separate mandatory standards from good practice guidance. Mandatory standards are minimum standards required to be achieved for different development activities. Some of these mandatory matters are referenced in TRMP rules. The referencing occurs where the NTLDM standards are necessary to meet environmental outcomes and/or define consent activity status. The NTLDM is also referenced within the context of some discretionary activity assessment matters as a key document, guiding development outcomes where that development and associated network infrastructure may have resource management implications. Subdivision activity and associated network infrastructure is the main activity where the NTLDM is implicated and referenced.

The aim of the Plan Change in combination with the NTLDM is to align outcomes relating to network infrastructure where they are used in the management of development effects. This is achieved by formalising the relationship between the documents, and aligning content of them. The proposed NTLDM Plan Change also replaces or re-introduces proposed content of an earlier Plan Change 4 (formerly Variation 44), a change that focussed on Transportation. This earlier Plan Change sought to align TRMP transportation standards with the former Engineering Standards. Proposed Plan

Change 4 will be formally withdrawn once the relevant provisions have legal effect through proposed Plan Change 69.

The scope of the NTLDM Plan Change has been limited to ensure that it can be advanced in a cost effective and efficient way. Changes focus on:

- (a) Plan provisions directly affected by a duplication and conflict of content between Plan rules and new NTLDM standards,
- (b) Issues raised that cannot be addressed through other current Council projects, and
- (c) Matters relating to Plan Change 4 (Variation 44).

More detail of how each part of the TRMP will be affected is summarised in **Table 1**.

2.4 Summary of Changes

Table 1 summarises the proposed changes to the TRMP by chapter, and explains them in brief.

Table 1 – Summary of Plan Change Amendments

Chapter	New or amended provision	Comment
Chapter 2 – Definitions	Definitions	New road class definitions including cross reference to road classification maps. External reference to a definition of ‘accessway’ - a reintroduction of former Plan Change 4 definitions.
Chapter 5 – Site Amenity	Method	Add method to connect NTLDM as a method for helping to achieve the policies of this Chapter.
Chapter 6 – Urban Design	Policies Methods Principal Reasons & Explanation (PRE)	Add policies that give status to development effects management through the implementation of the NTLDM, and recognise the role that network infrastructure services play in managing development effects associated with urban development. Add methods to connect the NTLDM to TRMP as a tool for helping to achieve the policies of this Chapter. Amend PRE text to explain the relationship of the NTLDM to the TRMP
Chapter 11 – Land Transport Effects	Policies Methods PRE	Delete methods, that refer to Plan rules that define road and access standards Add method that provides the policy context for the NTLDM as the tool for helping to achieve the policies of this Chapter. Add explanation for the NTLDM in context of land transport.
Chapter 13 – Natural Hazards	Objective Policies Methods PRE	Add an objective that introduces network infrastructure resilience against natural hazards (current objective only deals with management of areas subject to natural hazards). Add policies that connect the NTLDM and infrastructure design to hazard avoidance and resilience through network infrastructure design. Add method that connects the NTLDM to achieving TRMP objectives and policies. Add PRE that explains the relationship of the NTLDM to risk management and resilience.
Chapter 14 – Reserves and open space	Policy Method PRE	Add policy that recognises the importance of the NTLDM to achieving effective, efficient and integrated parks and reserves management, and multifunctional uses. Add methods that connect the NTLDM to the TRMP as a method for achieving the policies of this chapter. Amend PRE that explains it all.
Chapter 15 – Strategic Infrastructure and Network Utilities	Objective Policy Methods PRE	Add new issue, objective and policy set, that comprehensively addresses the relationship of network service infrastructure to effects management and the role of the NTLDM in the context of the TRMP. New objective recognises the importance of effective network infrastructure in land development and effects management. New policy set addresses: effects

	Performance Indicators (PI)	management; the role of the NTLDM in meeting other TRMP policies and objectives; development, growth and capacity considerations; environmental costs and benefits in the context of cost and affordability; asset integration and multi-functionality; public health and wellbeing.
Chapter 16.2 – Transport (Access, Parking & Traffic)	Rules Assessment matters Principal Reasons for Rules (PRR)	Delete access and crossings standards within the TRMP. Replace with external cross-reference to specific NTLDM sections. Update road hierarchy descriptions, and references throughout. Delete principal reasons that relate to deleted rules. Introduce new PRR that relates to the role of the NTLDM in determining standards for access and vehicle crossings. Reintroduce any Change 4 material not amended by this proposed NTLDM Plan Change, including parking provisions.
Chapter 16.3 Subdivision	Rules Assessment Matters PRR	Replace all references to former Engineering Standards to Nelson Tasman Land Development Manual (dated or undated, as appropriate). Amend specific cross references to figures within 18.8 to general cross-references to whole chapter instead. Introduce new matters (controlled and discretionary) that refer to NTLDM in determining appropriate infrastructure design and construction. Update road hierarchy references throughout. Re-notify any Change 4 material not amended by this proposed NTLDM Plan Change.
Chapter 17 – Zone rules	Rules Assessment Matters	Replace all references to former Engineering Standards to Nelson Tasman Land Development Manual (dated or undated, as appropriate). Introduce new matters (controlled and discretionary) that refer to NTLDM in determining appropriate infrastructure design and construction. Update road hierarchy references throughout. Re-notify any Change 4 material not amended by this proposed NTLDM Plan Change.
Chapter 18.8 – Road Area	Rules	Delete road design standards and insert new external reference to NTLDM standards. Insert new rules that address NTLDM ‘gaps’ applying to Open Space, Recreation and Conservation Zones. Update road hierarchy references throughout.
Chapter 19 – Information Requirements	Information Requirements	Re-notify Plan Change 4 material
Maps	Road Hierarchy	Replace maps 160 – 168. (Replaced with new road hierarchy definitions that include cross-reference to new NTLDM road classifications).

3. Legal Context

3.1 The Resource Management Act

This Section 32 evaluation is part of a wider Resource Management Act framework that sets the purpose, principles, roles, responsibilities and scope for plan making. Any plan change must be assessed in terms of Part II of the RMA, specifically against Sections 5 – 8 of the RMA. The functions, powers and duties of Council is set out in Part IV. New provisions must be consistent with the requirements of Part V.

3.2 Part II Matters

Section 5 of the Resource Management sets out the Purpose of the Act. As such, Council must ensure that any plan change is consistent with it. Will it promote the sustainable management of natural and physical resources? Does it enable people and communities to provide for their social, economic and cultural well-being, and health and safety as they use resources in an environmentally sustainable way? Does the plan change ensure that the adverse effects of resource use are avoided, remedied or mitigated?

This Plan Change is relevant to effects associated with subdivision and land development, especially in urban settings where network infrastructure such as roads, wastewater, water supply and stormwater networks are used to manage development effects and provide for the needs of those communities. It is considered that the relationship between effects management and the NTLDM, provided for within the proposed Plan Change, is highly relevant to Section 5 matters, and that proposed changes will enable Council to meet its obligations under this section.

Section 6 of the Resource Management Act relates to matters of “national importance”. Among other things, this section requires Councils to recognise and provide for natural character values associated with freshwater resources, matters of significance to Maori, and risks from and to natural hazards. These have been taken into account in more detail within Section 6 of this report.

In addition to those things it considers to be of National Importance, Council must also have particular regard for matters outlined in Section 7 of the RMA. These matters include the efficient use of resources, energy efficiency, amenity values, ecosystem values, environmental quality and climate change. This Plan Change is especially relevant to the efficient land use and creating a high amenity urban environment (Sections 7(b) and (f)).

Section 8 of the RMA contains the specific directive for Council to act in accordance with its Treaty obligations. Council have involved local iwi in the process of development of the NTLDM and provisions in it that will be externally referenced in the Plan Change. While much of the detailed content of the NTLDM is of less interest to iwi being technical and related to engineering design, more general issues that the NTLDM aims to address are highly important. These include freshwater management, habitat health, native plant species use and archaeological sites disturbance through land development. More detail about iwi issues are set out in Section 4 of this report and how each have been addressed in the NTLDM are appended in Appendix 1.

3.3 Part IV Matters

Sections 30 and 31 of the Resource Management Act are important in that they specify Council’s regional and territorial functions. As a unitary authority, the Tasman District Council must ensure both functions are adequately addressed. In the proposed Plan Change a range of both regional and territorial responsibilities are implicated, particularly concerning freshwater management associated with stormwater, and land use effects management. Section 31 also requires that Council, as a territorial authority, ensures development capacity in respect of housing and business land to meet the expected demands of the district.

Council must ensure that Plan Provisions such as objectives, policies, methods and rules comprehensively address all functions and legal obligations.

3.4 Section 32

All of the above summarises the legal obligations of Council in its Plan Change and provides a context for this report, which addresses the obligations of Council in reporting the process of a plan change. Process obligations are defined within Section 32.

In brief, Section 32 requires that before a proposed plan change is publicly notified, the Council must evaluate whether the objectives of the proposal are the most appropriate way of achieving the purpose of the Act; evaluate whether the provisions in the proposal are the most appropriate way to achieve the objectives; assess the efficiency and effectiveness of the options considered; and, consider the costs and benefits of implementation.

Section 32 states:

- (1) *An evaluation report required under this Act must –*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by –*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection 1(b)(ii) must –*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risks of acting or not acting if there is insufficient information about the subject matter.*

Clauses (3) and (4) are not relevant to this Plan Change; however, Clauses (4A) and (5) are:

- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must –*
 - (a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) *summarise the response to that advice, including any provisions of the proposal that are intended to give effect to the advice.*

- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection –*
- (a) *as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
- (b) *at the same time as the proposal is notified.*

These above provisions are addressed within subsequent sections of this report.

3.5 Incorporation by Reference

Parts of the NTLDM are proposed to be incorporated into the TRMP by way of ‘incorporation by reference. The requirements for consultation relating to this process are partly set out in the First Schedule, Cl. 34.

The requirements of Cl.34 have been met, as consultation on the NTLDM followed a Special Consultative Procedure under the Local Government Act. Through that process the NTLDM was available to the public for review, submissions and a hearing prior to the notification of this Plan Change. The adopted document is available on the Council website and is available at Council offices.

3.6 Planning Context

Part V of the RMA requires that Council give effect to all overarching legal documents, including National Environmental Standards and National Policy Statements in preparing a Plan Change.

In regards to relevant Policy Statements, the following are considered relevant and have been implemented through the Plan Change:

- **National Policy Statement on Urban Development Capacity (2016)** — This policy statement requires that Council provide for sufficient development capacity for communities to provide for their housing and business needs.
- **National Policy Statement for Freshwater Management (2014)** – This is highly relevant to the Plan Change in respect of stormwater management.
- **Tasman Regional Policy Statement** – This overarching policy document is context for the Tasman RMP and therefore highly relevant to this Plan Change. Key policy issues include urban growth onto rural land, freshwater management, amenity values and habitat protection.
- **Long Term Plan** – The Infrastructure Strategy and Activity Management Plans prepared under Council’s LTP document have a direct relationship to network infrastructure design and construction. It is therefore relevant to an assessment of this proposed Plan Change.
- **Nelson Resource Management Plan** – The Nelson Tasman Land Development Manual is a document intended to cover engineering design and construction across the jurisdiction of both authorities. Although this Plan Change is relevant specifically to the current structure and content of the TRMP, alignment between the Councils regarding all matters of infrastructure design and construction, is implicit.

More detailed assessment of the issues raised by the above documents in common with NTLDM Plan Change issues and how they have shaped the proposed Plan Change, is set out in sections 6 and 8 of this report.

In addition to the above, Council has also developed a set of guidelines (the Tasman Erosion Control and Sedimentation Guideline) that set out current and accepted methods for the control of erosion and sedimentation effects arising from land development. Although this document is intended as a

non-statutory tool for encouraging effective management of soil, erosion and sedimentation effects of land development, it does form part of Council's formal response to land development effects management.

3.7 Other Relevant Projects and Processes

Decisions relating to the scope and extent of changes to the TRMP also take into account other work being undertaken by Council in these and other areas. Projects of relevance to issues raised in the NTLDM Plan Change process include the following:

- **The Plan Review project** – Part II (Land) of the Tasman Resource Management Plan is being reviewed comprehensively as part of its legally required 10-year review, in combination with a review of Council's Regional Policy Statement (RPS) and Coastal Policy Statement (CPS).
- **Freshwater Management** – This project relates to the management of all freshwater resources in the District, and includes a review of instream, riparian, water quality and use values of freshwater. The review has relevance to stormwater management and the treatment of freshwater within stormwater network infrastructure.
- **Catchment Management Planning** – Stormwater management requires a catchment-based and strategic approach to information gathering, planning and decision-making. Council's efforts in this area are a significant component of the total picture for stormwater management, alongside the TRMP and NTLDM.
- **Erosion and Sedimentation Control Guideline** – This document provides detail on expectations for land disturbance and earthworks management necessary to meet TRMP activity standards. It is related to the Plan Change through its combined approach to subdivision and land development activities that involve earthworks activities, including land re-contouring and trenching and reinstatement associated with development activities.
- **Land Disturbance** – A review of provisions relating to earthworks, vegetation removal, re-contouring, tracking and land disturbance is pending. This project is connected with the development of the Erosion and Sedimentation Control Guideline, a key tool in the management of effects during land disturbance activities.
- **Tasman District Parking Strategy** – This document is held by the Council Asset Engineering Department and it outlines a short, medium and long-term approach to managing on-site parking requirements in urban centres. It is relevant to this Plan Change in respect of parts of chapter 16.2, which are re-introduced parking standards. It implicates future possible changes to the requirements for on-site parking that may affect current parking provisions in 16.2. As parking is not a matter addressed by the NTLDM and the NTLDM Plan Change, recommendations of the Parking Strategy are not within the scope of this Plan Change. This is discussed in more detail in Section 5.3 of this report.

Where it is most efficient and effective to do so, these above projects will be used to address many of the TRMP issues that were raised through the process of introducing a new NTLDM. This is discussed in more detail within Section 8 of this report.

4. The Development of the NTLDM Plan Change

4.1 Background

This Plan Change is about subdivision and land development provisions in the NTLDM where they relate to network infrastructure development effects. The process of development of the Plan Change is thus directly related to the development of the NTLDM itself.

The purpose of the NTLDM is to provide standards and guidance for the design, construction, maintenance, repair and replacement of network assets and infrastructure, owned by or to be vested in Council. In some cases, private assets are also required to meet the standards where they connect to public assets. Engineering standards are relevant to resource management where the effects of development are managed in some way by network infrastructure. Subdivision and land use development that is regulated by the TRMP may involve infrastructure design and construction as a means to manage effects. New roads and wastewater management are examples of this. Connection between the two documents and the processes they regulate is therefore important to land development effects management.

As early as 2009, the Tasman District Council considered the value of an Engineering Standards document that aligned with Nelson City Council. In 2015, the Councils agreed to develop a joint set of standards. Over the last three years, staff from both Nelson City and Tasman District councils have been working on a joint set of standards.

To assist, a Steering Group was established comprising two elected members from each Council and two industry representatives with associated terms of reference. The steering group has been providing direction to staff on issues raised in the review, as well as alignment matters.

As the NTLDM began to take shape in 2017, the need for changes to the TRMP was identified: content of the TRMP no longer aligned with NTLDM content, and TRMP references to the former Engineering Standards would soon become outdated. This gave rise to the need for a parallel Plan Change process.

4.2 Consultation

Council staff have consulted with stakeholder groups and iwi representatives to determine an appropriate planning response to the relationship between development infrastructure and effects management.

Iwi

Te Tau Ihu iwi¹ were consulted in the process of this Plan Change and were involved in the development of the NTLDM, viewing draft versions in August 2018 and pre-draft consultation in April 2018. Key issues raised by iwi are:

- i. Emphasise the use of native plant species for habitat management and amenity plantings
- ii. Improve and highlight references to sedimentation and erosion control guidelines throughout the document
- iii. Insert more references to obligations to archaeological sites excavation through earthworks and land disturbance works associated with development infrastructure
- iv. Include references to iwi consultation obligations throughout the document, and to Settlement Act/Statutory Acknowledgements and Iwi Management Plans
- v. Promote use of local Maori names for roads

¹ Te Tau Ihu iwi – Manawhenua Ki Mohua; Ngati Apa ki Te Ra To Trust; Ngati Koata; Ngati Rarua Iwi; Ngati Tama; Te Atiama o Te Waka-a-Maui; Te Runanga o Ngai Tahu; Te Runanga o Ngati Kuia; Te Runanga o Rangitane o Wairau; Tiakina te Taiao; Toa Rangatira

- vi. Enhance reference to cultural values associated with water supply, water use and waterways management (including the protection of mauri of waterways).

A draft version of this Plan Change was also circulated to iwi from August 2018. No further feedback was received. A summary of feedback to both the NTLDM and the Plan Change together with Council's action response, is attached as Appendix 1 "Te Tau Ihu Iwi Feedback to the NTLDM".

Steering Group and NTLDM Public Consultation

The steering group comprises staff and Councillor representatives from both Councils and stakeholder representatives from the developer community. The steering group was set up in 2015 to inform the process of combining and updating the NTLDM.

Key issues for the steering group, in relation to NTLDM provisions of relevance to the Plan Change, include the desire to have greater clarity and certainty of "what Council wants". Where possible, unambiguous quantitative standards for development are sought. At the same time, the development community seek flexibility for innovative responses and clear guidance around how innovation will be assessed.

A draft version of the Plan Change was made available to the steering group in August 2018, coinciding with the public consultation period for the draft NTLDM itself. No comments on the draft Plan Change were received. Submissions to the NTLDM were received and they are summarised and attached as Appendix 2 "NTLDM Submissions".

In addition to general issues, specific text amendments were made by staff to the draft NTLDM in response to issues and concerns raised by the steering group. The NTLDM document was formally adopted on 9 May 2019.

Staff

In addition to involvement with the above consultative processes, Tasman staff have also been involved in the development of Plan Change content and externally referenced NTLDM content. In particular, consents and engineering staff have contributed to new transportation content and in decisions around an appropriate stormwater management response.

Key issues for consents staff were as follows:

- i. Current standards in the TRMP relating to private access, vehicle crossings and road cross sections are generally working well and should be used as a basis for development of new Nelson Tasman Land Development Manual content.
- ii. Certainty and clarity in standards that will be externally referenced is imperative.
- iii. Standards to be externally referenced must be relevant to matters that are known at the time of building consent approval, or otherwise addressed through a resource consent process where any outstanding development issues might be tackled by way of appropriate consent conditions
- iv. Care not to require too much "engineering detail" that is more appropriately addressed through other permit processes (independent process from TRMP).
- v. Stormwater rules at present do not represent best practice in respect of freshwater management thinking.

5. Problem Definition

5.1 Drivers for Change

As noted in sections above, the Tasman District and Nelson City councils previously had independent engineering standards that controlled the design and construction of assets to be vested in Council, and works on those assets. A consequence of the process of creating a single engineering standards document was changes to content relating to the design and construction of network infrastructure. Where those changes relate to development effects management, the new NTLDM would mean consequential change for both the Nelson Resource Management Plan (NRMP) and the Tasman Resource Management Plan (TRMP).

At a minimum, updated references to the new Nelson Tasman Land Development Manual would need to replace old references to the Engineering Standards. Additionally, due to content changes in the NTLDM around network design associated with subdivision and land development, some provisions of the TRMP would also need to be amended or otherwise result in duplication and conflict. These amendments can ensure that the two documents will seek to achieve the same things in the design and construction of network infrastructure.

A second driver for change relates to the Transportation Plan Change (No. 4 - formerly Variation 44). This Plan Change was notified and submissions were received, but decisions were suspended pending engineering standards review processes. That process has now been completed with the adoption of the new NTLDM, and the suspended Plan Change 4 must be addressed. More detail about this Plan Change and how it relates to the NTLDM Plan Change is addressed in Section 5.3 of this report.

Both updated references and content alignment amendments form the basis for proposed NTLDM Plan Change 69 and this Section 32 assessment.

5.2 Issues Raised by the new NTLDM

As above, the new NTLDM has raised issues for the current TRMP. Without the proposed changes, the formal relationship between the two documents would be inconsistent. A policy framework that provides a resource management context for the NTLDM is weak, and effects management through the design and construction of network infrastructure is poorly articulated within TRMP provisions. References to the former Engineering Standards do not comprehensively address the role of network infrastructure in the management of land development effects. A policy context or 'place' for engineering design to be acknowledged, and valued for contributing to effective resource management, is not currently part of the TRMP.

A second significant consequence of the new NTLDM is content duplication and conflict. In dealing with common issues, differences exist between the content of current TRMP provisions and engineering practice that is contained in the new NTLDM. The subject areas affected are transportation, stormwater, land disturbance and natural hazards. In these topic areas, best practice design and construction of infrastructure networks in the NTLDM differs from what is sought by provisions of the TRMP. More detail about the issues in each subject area is as follows:

- **Transportation** - New NTLDM standards reflect best practice design and construction, but they are in conflict with current TRMP standards for the same access and road design matters. This includes new NTLDM road classification information (based on the New Zealand Transport Association 'One Road Network Classification' or ONRC), with corresponding maps. Duplication and conflict exists between these new NTLDM standards and those currently set out in the TRMP.

In respect of transportation generally, an important feature of the NTLDM change is that it will affect and replace content that was the subject of an earlier change to the TRMP, the

Transportation Plan Change (No. 4 - formerly Variation 44). More about Change 4 and what will be replaced or reintroduced is outlined below (ref. 5.3).

- **Stormwater** - Best-practice approaches being implemented nationally are being introduced through the proposed new NTLDM. Current TRMP discharge standards in Section 36.4 do reflect an effects-based management approach and address a comprehensive range of potential adverse effects. Changes to the NTLDM can be accommodated within 36.4 without conflict. However, it is noted that 36.4 does not align as well as it could to a design-based approach to network infrastructure. In simple terms, current rules are considered 'clunky' and could benefit from a wider review of freshwater management. This work is outside of the scope of this Plan Change.
- **Land Disturbance** - Previous engineering standards contained more detail about earthworks and land disturbance associated with network infrastructure construction. With the exception of standards relating to trenching and reinstatement, much of this content has now been replaced by Council's Erosion and Sedimentation Control Guidelines with reliance on current Land Disturbance provisions of the TRMP for regulatory control. The Erosion and Sedimentation Control document will be made publicly available from June 2019 to coincide with the adoption of the NTLDM and the notification of the NTLDM Plan Change
- **Natural Hazards** - Natural Hazards is the fourth subject area affected by the NTLDM. Currently the TRMP addresses natural hazards as an issue to be avoided when considering the appropriateness of any given location for land development. 'Network resilience against natural hazards' and 'exacerbation of hazard risk through development' are NTLDM hazards management concepts not addressed in the TRMP.

5.3 Transportation Plan Change 4 (Variation 44)

The proposed NTLDM Plan Change affects and relates to Change 4 (Variation 44) a plan "variation" notified in 2005 and renamed a plan "change" in 2008 when the TRMP became a fully operative Plan. This Plan Change sought to incorporate transportation matters into the TRMP to align them with the then Engineering Standards. Submissions and further submissions to the Plan Change were made, ranging from seeking a withdrawal of the Plan Change through to specific changes to design standards. Decisions were not made on the submissions, and the change was put on hold pending further work on the then Engineering Standards content. The earlier engineering review process has since been superseded by the combined NTLDM development process, and all matters have been addressed in the revised NTLDM. Plan Change 4 must now be 'taken off hold' and addressed through this Plan Change.

The content of Change 4 is relevant to the proposed NTLDM Plan Change. For legal reasons and simplicity of process, Change 4 will be formally withdrawn in parallel with the notification of the NTLDM Plan Change. Provisions of Change 4 that remain relevant and are current will be reintroduced as part of the NTLDM Plan Change. These are set out in **Table 2A**. All submissions and further submissions that were made to Plan Change 4 (Variation 44) have been appended to this document (ref. Appendix 4, "Submissions to Variation 44"). Submission requests that still apply to material being reintroduced to this NTLDM Plan change are summarised in **Table 2B**.

Table 2A: Retained provisions of Plan Change 4 (reintroduced as part of Plan Change 69)

Provision	Specific Plan References*	Comment
Definitions of 'Formed Legal Road'	2.0	The definition is remains relevant
Parking and Loading standards	16.2.2.3 (d) (i) Changes within Figure 16.2C – 'Onsite Parking Requirements' 16.2.2.3 (e), (f), (k), (m), (i), (n)	The NTLDM does not address Parking, and a review of parking standards is outside of the scope of this Plan Change

Transport Matters & Assessment Criterion	16.2.2.5 (a) 16.2.2.6 (matters) 1, 3, 4, 5, 8, 9, 10, 13, 14, 17, 21-25	The retained matters/criterion are still relevant
Subdivisions Matters and Assessment Criterion (all Zones)	16.3.3.1 (matters) 4 and where it appears throughout Zones Schedule 16.3A criteria	Zones that this 'matter' appears in are Residential, Business, Rural 1, Rural 2, Rural 3, Rural Residential Criteria 37

Table 2B: Submissions to Plan Change 4 material being reintroduced within this NTLDM Plan Change

Submitter	TRMP reference	Request
Transit New Zealand (now the New Zealand Transport Authority)	16.2	Plan rules should be expanded to address four underpinning values, espoused by Transit New Zealand, being "sustainability", "integration", "safety" and "responsiveness"
	16.2.6.12 matters for discretion	The deletion of 'access' as a matter for discretion is challenged
Tasman District Council	Replace 16.2.3 (i)	"Car parking areas include space for people with disabilities at the rate of: 1 – 20 carparks, not less than 1 space; 21 – 50 car parks, not less than 2 spaces; For every additional 50 car parks or part of a car park, not less than 1 space"
	Add to rule 16.2.3 (i)	"This condition does not apply to parking required for dwellings, workers' accommodation, or home occupations"
	Definition of "Unformed road"	"Unformed road – means legal road reserve in which no carriageway formation has been authorised by the Council"
Staig & Smith	Car Parking (General)	Withdraw car parking changes until a comprehensive review of car-parking requirements has been undertaken
	16.2 Car Parking	Amend sealing requirements for the surface of car parking in all zones (actual wording was submitted and is appended)
	18.8 Road Connections	Council should facilitate future road connections to adjoining land, including by way of cost sharing with other landowners benefitting from it (paraphrased from original submission)
Note: All submissions are appended to this Section 32 report (Appendix 4). The above summary refers only to submissions requests that are still relevant to content of the TRMP being reintroduced or amended by the proposed NTLDM Plan Change.		

A component of Change 4 relates to on-site parking provisions for land use activities. The parking requirements are part of 16.2 of the TRMP, but not the subject of the NTLDM. By withdrawing Change 4 in its entirety, these parking provisions will need to be re-introduced to the TRMP, appearing as 'new' provisions. It is important to note here that although they will appear new, they are currently in the Plan and have legal effect (by virtue of being notified prior to RMA changes in 2009 that related to the legal effect of proposed rules).

Parking provisions in the TRMP are the subject of Council's own Tasman District Parking Strategy, held by the Asset Engineering Department and adopted by Council in 2018. The Parking Strategy sets out Council's short, medium and long-term approach to on-site parking in urban centres. The parking strategy is intended to help inform a full review of parking provisions in the TRMP during the Plan Review process.

Parking provisions that are being re-introduced as part of this proposed NTLDM Plan Change have not been reviewed in light of the Parking Strategy; as such, changes are beyond the scope of changes introduced through the new NTLDM. Parking on private land is not a topic covered by the NTLDM. Council intends to undertake the policy review for parking in combination with wider urban planning considerations raised through the Plan Review process.

6. Issues, the Current State and Desired Outcomes

6.1 Resource Management Issues

Based on an assessment of the issues raised by the NTLDM, the resource management matters of relevance to the effects of land development and network infrastructure are summarised:

- **The effects of land development and subdivision** – Land use and subdivision activities have an effect on land and water resources. Network infrastructure, such as new roads, stormwater, water, wastewater and parks and reserves, is used to manage many of the effects of that development.
- **The effects of stormwater runoff** – The particular resource management issue associated with stormwater network infrastructure is rainfall run-off effects. These are potential contamination, inundation or flood hazard, and habitat loss.
- **Traffic safety, amenity and functioning effects of the road network** – Resource management issues associated with land transport include safety and functionality of road networks and the effect that roads may have on amenity values associated with urban places.
- **Open space, parks and reserves management within urban spaces** – Public open space areas serve a range of functions within urban spaces, and contribute to effects management of land development. Amenity, stormwater, habitat/biodiversity, access and transportation effects associated with land development for urban spaces is difficult to achieve.
- **Amenity values and effects on amenity within urban development** – An important issue associated with land development is amenity and amenity values. Network infrastructure can contribute to the protection of amenity values and well-designed infrastructure can contribute to high amenity urban environments.
- **Long-term efficiency, effectiveness and sustainability of network services** – Network service infrastructure contributes to a number of land-use development effects. Over time, this infrastructure may be more or less effective and sustainable. A whole of life and long-term approach to the design and construction of services, including consideration of future capacity demands, can ensure long-term efficiency and sustainability.
- **Land development and public health effects** – An effect of development is risk to public health. Public health effects are managed through effective infrastructure networks, chiefly water supply, wastewater management and stormwater management.
- **Land development and hazard risk management** – Development may create or exacerbate risk associated with a range of natural hazards. High-risk locations such as flood hazard areas and unstable slopes must be managed through appropriate development, including appropriate network infrastructure. Additionally, risk can be reduced where infrastructure networks have been designed to address hazard resilience.

6.2 The Current State

Existing TRMP content has been assessed against these issues, and a summary of the findings is listed in **Table 3**. It identifies where there may be policy shortcomings that are the consequence of the new NTLDM.

Table 3 – Existing TRMP Content

	Issue	Existing TRMP Objectives	Comment
1	Land Development effects	5.1.2; 6.1.2; 10.1.2; 11.2.2; 12.1.2	The importance of network infrastructure in addressing development effects could be strengthened. Land disturbance and earthworks policies are the subject of the Land Disturbance provisions review project.
2	Stormwater effects	8.1.2; 8.2.2; 11.2.2; 12.1.2; 27.1.2; 27.3.2; 30.1.2; 33.3.2	Stormwater management is well covered within existing policies. However the link between riparian and instream habitats and stormwater infrastructure could be strengthened.
3	Land transportation effects	11.1.2; 11.2.2; 12.1.2	Land transportation policies address key issues. Integration with other land development objectives could be strengthened. Currently there is a lot of overlap between the TRMP and the NTLDM.
4	Open space, parks and reserves	8.1.2; 11.2.2; 14.1.2; 14.2.2; 14.3.2	Existing objectives do not explicitly address all of the multifunctional opportunities in open spaces (parks & reserves) for network infrastructure. Stormwater is, however, included.
5	Amenity values	5.2.2; 6.7.2; 10.1.2; 12.1.2	Amenity transverses all aspects of land development. A stronger connection between amenity objectives and the role of infrastructure network design could be made.
6	Long term efficiency and effectiveness	6.3.2.1;	The role and relationship of network infrastructure services to land development effects is not covered well.
7	Public health	11.2.2	Public health issues and effects of land development are not well addressed within existing policy frameworks.
8	Natural hazards risk management	6.2.2.2; 12.1.2; 13.1.2; 23.1.2	Existing objectives deal with avoiding and managing known risks. Infrastructure resilience and hazard exacerbation are issues not addressed as natural hazards policies.

6.3 Issues associated with the NTLDM

What will the introduction of the NTLDM mean for the TRMP, and what may need to change so that the two documents are seamlessly integrated? How are resource management issues addressed in the NTLDM and existing TRMP, and how do they need to change so that the issue is appropriately addressed? **Table 4** summarises a response to these questions and implications for the TRMP.

Table 4: Proposed Plan Change Response to the Introduction of the NTLDM

Issue/Objective	New NTLDM	Current TRMP	Plan Change implications
Land development effects	<p>The importance of network infrastructure to the management of development effects is well covered within the new NTLDM, and proposed new Performance Outcomes.</p> <p>The new NTLDM does not address land disturbance and earthworks matters in detail, except in relation to trenching and reinstatement. Although land disturbance and earthworks are often closely associated with network infrastructure</p>	<p>A comprehensive set of policies that address the relationship of land development effects management and network infrastructure provision do not currently exist.</p> <p>The current TRMP refers to old Engineering Standards to implement network infrastructure outcomes.</p> <p>Current TRMP Land Disturbance objectives and policies do address aspects of earthworks</p>	<p>Updates to the TRMP can align the land development effects objectives with new NTLDM performance outcomes. A new set of policies and an objective relating to the role of network infrastructure in managing land development is required.</p> <p>Replacing references to Engineering Standards with NTLDM can ensure these are implemented.</p> <p>The Erosion and Sediment Control Guideline, in combination with the Land Disturbance and Earthworks</p>

Issue/Objective	New NTLDM	Current TRMP	Plan Change implications
	development, the issues are deemed land development effects rather than network design and construction ones.	and land disturbance generally, and are being reviewed. A Sedimentation and Erosion Control Guideline has been prepared and is in draft form.	plan review process, can address the 'gap' in earthworks and land disturbance effects management created by the updated NTLDM.
Stormwater effects	<p>The stormwater chapter of the proposed NTLDM has changed significantly from previous Engineering Standards. It now reflects a water sensitive design philosophy, with a strong emphasis on Low Impact design solutions.</p> <p>Water volume, quality and habitat health issues are addressed in Performance Outcomes and implemented through standards and good practice matters. The changes reflect best practice thinking for stormwater management.</p>	<p>The current TRMP does address the full range of stormwater considerations of relevance to stormwater network infrastructure design.</p> <p>However, current rules in 36.4 do not align as seamlessly as that could with the new NTLDM in terms of the 'best practice' management approach that it is attempting to implement.</p>	<p>Current provisions are relevant to stormwater effects management, but the regulatory framework does not reflect 'best practice'.</p> <p>A review of 36.4 is required to align it with best practice being implemented through the NTLDM and other related review projects such as the freshwater management review (NES for freshwater management). This review work is forthcoming, the subject of a separate project on the Policy work programme.</p>
Land transportation effects	The NTLDM provides for a new set of transportation design and construction standards. These address all aspects of transport function, including amenity, safety and non-vehicle access. The NTLDM also reclassifies roads and provides a new road map showing all new classifications.	The current TRMP contains standards for transport design, including road design and vehicle access/access crossings, and rules that relate to the classification of roads. Policies and objectives generally reflect NTLDM performance outcomes, however, current rules-based content would be either a duplication of or in conflict with NTLDM provisions. Additionally, new road classifications of the NTLDM do not reflect existing TRMP road hierarchy.	Amendments to the TRMP are required to avoid duplication and/or conflict of current content with proposed new NTLDM content. Maps of the TRMP will need to be deleted to avoid duplication and conflict with new NTLDM road hierarchy classifications.
Open space, parks and reserves	The NTLDM provides an updated set of standards relating to Parks and Reserves.	Current TRMP content allows for the provision and design of parks and reserves however refers to the 'old' Engineering Standards	Changing references from former Engineering Standards to the new NTLDM within subdivision provisions will address issues of relevance to open space, parks and reserves in the TRMP. A new TRMP policy can recognise the multi-functional opportunities

Issue/Objective	New NTLDM	Current TRMP	Plan Change implications
			parks, reserves and open spaces can provide. This can ensure alignment with NTLDM performance outcomes.
Amenity values	<p>Amenity cuts across all aspects of land development, and changes to the NTLDM reflect that.</p> <p>Road design, stormwater network design and parks and reserves design are key areas of the NTLDM where amenity values are addressed through network infrastructure design.</p>	<p>Amenity effects are relevant to most aspects of land development. Amenity outcomes sought are implemented through a variety of land development rules as well as 'old' Engineering Standards through subdivisions and land development</p>	<p>A stronger connection between amenity objectives and the role of infrastructure network design can be encouraged with a Plan method that directs to the NTLDM.</p> <p>Changing references from the old Engineering Standards to the new NTLDM within subdivision provisions will address issues of relevance to open space, parks and reserves within the NTLDM</p>
Long term efficiency and effectiveness	<p>Standards contained within the NTLDM generally reflect Council's objective of cost effective and efficient whole of life design. Cost effectiveness and efficiency is also contained in the performance outcomes of each chapter and implemented through design standards.</p>	<p>The TRMP does not focus on the cost effectiveness of management responses to land development effects.</p> <p>However, the adverse effects of land development may be considered as 'costs', therefore fundamentally linked to the long term management of land development effects.</p>	<p>A stronger policy-level connection between land development effects management, and whole of life cost effectiveness/ efficiency can help ensure a more comprehensive cost-benefit assessment of options and alternatives in land development effects management where network infrastructure is required.</p>
Public health	<p>There is a close relationship between the NTLDM and public health, especially regarding water supply, wastewater management and transportation provisions.</p>	<p>Public health effects are relevant to land development and subdivision, currently implemented through the Engineering Standards.</p>	<p>Policy recognition of the relationship between land development and public health is recommended.</p>
Natural hazards risk management	<p>The NTLDM focusses on the design and construction of new network infrastructure. It is therefore relevant to the management of land development effects where they may exacerbate hazards risk. Network resilience is also relevant to natural hazards risk management.</p>	<p>Currently the TRMP addresses hazards risks associated with potential development locations. Hazard exacerbation and hazards resilience issues are not addressed.</p>	<p>New objectives and associated policies can provide a policy framework for land development effects management related to natural hazards risk management. The deficient issues of 'resilience' and 'risk exacerbation' have been introduced allowing for consideration at the time of network infrastructure design and construction.</p>

6.4 Desired Outcomes

Previous sections have identified issues associated with the introduction of a new NTLDM, and how the TRMP currently deals with issues associated with subdivision and land development. Addressing these issues is the driver of the Plan Change; however, alongside this, key outcomes are also being sought:

1. **Alignment** – The Plan Change seeks alignment of high-level performance outcomes (NTLDM) and objectives (TRMP), and to avoid duplication and the potential for conflict between specific standards. In following from high-level alignment of objectives with performance outcomes, design and construction standards of the NTLDM should align with standards and conditions of rules in the TRMP, including standards that rely on maps. The goal of alignment seeks to avoid duplication and the potential for conflict.
2. **Communication clarity and efficiency** – A goal of the Plan Change is to ensure that the two documents work together in a way that clearly communicates what it is that Council seeks by way of effects management through network infrastructure. As above, alignment can help to achieve this by ensuring that the NTLDM and Plan Change work together and communicate what is sought without duplication, conflict or process inefficiencies.
3. **Process efficiency** – Plan change processes under the RMA can be lengthy and resource hungry. A goal of the NTLDM Plan Change is thus to minimise the extent of changes and seek efficiencies with other scheduled Plan Review processes where possible (e.g. ‘stormwater’ and the freshwater plan review project; ‘parking’ and the Tasman District Parking Strategy). This can help to reduce the time-cost associated with the Plan Change, and bring it to completion more quickly.

7. Evaluation Approach

7.1 Scale and Significance

Section 32 (1) (c) of the Resource Management Act requires that Council evaluate proposed changes to a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal. What is the significance of the proposed plan change? What is the anticipated scale of effects – positive and negative – arising from proposed changes?

As noted, the primary driver of the Plan Change is the advent of a new NTLDM document. The proposed changes will ensure content alignment of the TRMP with the NTLDM, and clarity around the relationship between the two documents. However, how significant will the proposed changes be in practical terms? Table 5 sets out an assessment of the scale and significance of the proposed changes in accordance with Section 32 (1) (c).

Table 5 – Scale and significance of the proposed Plan Change

Matter of Assessment	Comment	Scale and Significance
Degree of change from current practice	While sections of the TRMP are being deleted and replaced by an external change, the degree of change from current practice is considered to be moderate. The proposed Plan Change will formalise 'best practice' outcomes that are currently being encouraged and supported, where possible at present, through resource consent processes that involve the design and construction of new infrastructure.	Moderate Transportation changes to the Plan are significant, but replacement material (external reference to NTLDM) is based on best practice already being encouraged and supported within development proposals.
Range and scope of changes to TRMP	The range and scope of changes to the TRMP are not great. Transportation sections are most affected, with proposed deletions being replaced by cross-references to comparative replacements in the NTLDM. Changes to policies largely formalise the relationship between the two documents, and ensure alignment. Other subject areas affected by the Plan Change such as 'parking' and 'stormwater' are not being considered as part of this Plan Change, being matters addressed by other Plan Change projects or beyond the scope of network infrastructure design matters.	Minor The range of TRMP provisions affected is narrow, with proposed policy changes largely focussing on relationship (not changed environmental outcomes)
Economic Effects	The changed NTLDM standards that may have more economic implications in relation to transportation and stormwater. The new NTLDM standards implicated have the potential to change the costs at the time of development, costs (or savings) passed on to future landowners.	Variable There will be economic consequences of the new NTLDM standards being externally referenced in the TRMP. Short-term development/design costs may be offset by long-term whole-of-life costs associated with a network asset.
Social/Cultural	Best practice land development, including good urban design, is a positive outcome	Minor

Matter of Assessment	Comment	Scale and Significance
	<p>that will benefit future generations and communities.</p> <p>The proposed Plan Change can ensure that those outcomes are integrated with TRMP environmental outcomes. Proposed changes will not, however, introduce any new urban design provisions; rather, they would strengthen the relationship to new NTLDM provisions that better reflect TRMP existing objectives and policies.</p>	<p>As above the degree of change from current practice is not high, however positive social and cultural outcomes are anticipated by implementation of good practice standards that are based on good urban design.</p>
Environmental	<p>As above, good practice outcomes sought by the NTLDM — connected through the proposed Plan Change — will help to ensure that environmental objectives in the Plan are achieved.</p> <p>Proposed changes are based on current good practice, already being encouraged through consenting changes by staff where possible. No new environmental objectives that have associated policies and rules are being introduced. New objectives relating to natural hazards provide a context for existing best practice outcomes sought through current resource consents practice.</p>	<p>Minor</p> <p>Positive changes are anticipated in relation to environmental outcomes sought. However, given that best practice environmental outcomes are already being sought through current processes, the impact of the proposed changes is likely to be small.</p>

In summary, the impact of this proposed Plan Change is small in scale and not considered to be significant in practical terms in relation to economic, social/cultural and environmental effects anticipated by it.

7.2 Choice of Evaluation

This section identifies the values against which to provide an assessment of the appropriateness of the proposed Plan Change. These values help us to consider the proposed Plan Change option in terms of the requirements of Section 32 (a) and (b), especially its appropriateness, effectiveness and efficiency in meeting the purpose of the Act and relevant Plan objectives. They also provide a basis for reasons under Section 32 (b) (iii) in determining the most appropriate option. The considerations, questions and outcome sought are summarised in **Table 6**.

Table 6 – Assessment Considerations for Evaluation

Matter	Questions	Outcome
Legality	<p>Is the option legally robust? Is the TRMP content, and the way in which NTLDM standards and conditions are used and implemented in practice, legally robust? What legal risks are associated with adopting the option?</p>	<p>The preferred option is legally sound and does not create a legal risk.</p>
Effects management	<p>Will the option support effective and efficient effects management processes? Will it ensure that all adverse effects of development are avoided, remedied or mitigated through the design and construction of effective network infrastructure? What risk is there of adverse environmental effects?</p>	<p>The preferred option will ensure adverse effects of development are avoided, remedied or mitigated to the extent that Plan objectives can be met and risks to the environment are minimised.</p>

Matter	Questions	Outcome
Time-cost of implementation	What effort and time-cost would be associated with the development of the option, and its implementation? What is the risk of pursuing this option to long duration, expensive process?	The preferred option will not require a long, complicated and/or expensive Plan Change process.
Process efficiency	Will the option contribute to the efficient and effective administration of infrastructure design and construction processes, chiefly resource consenting and engineering approval processes? What are the risks to on-going processing of resource consents and development proposals associated with this option?	The preferred option will maintain or improve Council processes associated with the development of land and network infrastructure design/construction.
Best practice	How does the option measure up against current knowledge and understanding of best practice management for the design and construction of infrastructure networks, including risk management, within the context of resource management planning? Will amendments result in TRMP provisions that reflect current thinking about how land development effects can be best addressed?	The preferred option aligns with best practice, including risk management.
Administrative efficiency – process and plan	How will changes to the Plan endure over time, and what will the ongoing administrative consequence of them be? Will they require frequent and/or extensive updating to remain current and appropriate? What future risk is created by this option in terms of the administrative efficiency of the Plan and processes associated with keeping it up-to-date?	Amendments to the Plan associated with the preferred option are durable and/or flexible so to avoid ongoing administrative costs and risk associated with content being out of date.
Development Costs	What is the cost implication of this option to developers, seeking to design and construct new development infrastructure? Will the proposed Plan Change present an affordable network infrastructure design and construction solution for land development proposals?	The preferred option facilitates affordable compliance costs.

8. Options Evaluation

8.1 Identification of Options

This section outlines the range of response options to the issues raised above, in accordance with s.32 (1)(b)(i). The costs, benefits and risks of them can be assessed, as required by s.32 (2). In short, they are the options available to Council for managing subdivision and land use where network infrastructure is required in the management of effects. Five key options are considered here:

1. **Status quo/Do nothing** – This option would involve no change to the TRMP. Existing references to former Engineering Standards would remain. The NTLDM would replace the former Engineering Standards.
2. **Cross referencing review only** – This option would involve replacing all references to the former Engineering Standards with a reference to the Nelson Tasman Development Manual. No further content would be amended.
3. **Partial content review** – This option would involve looking more closely at the relationship between the NTLDM and the TRMP. It would seek to ensure that the NTLDM, as an externally referenced document, was appropriately provided for in policy terms, as a context for subsequent rules containing cross-references. It would also seek to amend rules where the standards contained within would result in a conflict with proposed NTLDM content.
4. **Comprehensive content review** – This option would entail a complete review of all sections of the TRMP affected by the introduction of the NTLDM as well as issues raised by it. Unlike ‘3’ above, this option would go beyond those matters in direct conflict with new material in the NTLDM, to broader issues including matters relating to re-introduced Parking standards material (formerly from the Transportation Change 4), land disturbance matters, stormwater management and natural hazards shortcomings of the TRMP.
5. **Comprehensive content review and integrated infrastructure design** – This option would overcome the requirement for external document cross-referencing by incorporating directly into the TRMP all design and construction matters, relevant to the design of network infrastructure related to the management effects of development. This would affect all aspects of development, with a particular focus on stormwater infrastructure and transportation infrastructure. This option would also comprehensive changes noted in option 4 above (parking, stormwater, natural hazards and land disturbance)

These options represent the scope of choice available to Council for managing the relationship of the new NTLDM to the TRMP. They have been assessed against the values in section 7, to determine which is most effective, efficient and appropriate in accordance with Section 32.

8.2 Evaluation of Preferred Options

What are the benefits and costs, risks and effectiveness and efficiencies associated with each of the identified options? By assessing them against the values outlined in Methods of Evaluation, this can be determined. This is summarised in Table 7: Assessment of Options against Assessment Considerations.

Table 7: Assessment of Options against Assessment Considerations

Option	Legality	Effects Management	Time-cost Implementation	Process Efficiency	Best Practice	Administrative Efficiency	Development Costs
Do nothing – Status Quo	A disconnection would be created between TRMP processes and engineering development standards. The TRMP would refer to an outdated document no longer supported by Council, creating a legal risk.	Differences between TRMP and NTLDM content could result in poor outcomes for the environment, where the design of infrastructure is critical to the management of effects associated with land development.	NA (No change to TRMP content)	This option would be detrimental to good process between resource consents and engineering functions of Council in respect of the design and construction of network infrastructure. There would be a high degree of uncertainty for applicants about Council’s expectations.	This option would represent worst practice, creating legal risk, uncertainty for applicants, and the potential for ineffective and inefficient process outcomes.	NA (no change to TRMP content)	If old Engineering Standards were applied through the TRMP, there would be no change to development standards and associated costs. However, differences with the NTLDM would introduce the potential for uncertainty and conflict through consenting processes and associated time-cost for resolution.
Cross Referencing only	This option is legally sound, in so far as references to the appropriate engineering development standards within the TRMP are concerned. However, the relationship between the NTLDM and the TRMP in legal terms would be unclear in the absence of a comprehensive supporting policy framework. Similarly, a legal risk will remain, where TRMP content differs from NTLDM content. Cross referencing alone will not assist discretionary or non-complying activity assessments	As above, differences between TRMP and NTLDM content could result in poor outcomes for the environment, where the design of infrastructure is critical to the management of effects associated with land development.	As a plan change, this would be a relatively straight forward change, simply swapping the old Engineering Standards reference with the new NTLDM.	This option would introduce the potential for conflict between TRMP and engineering standards details. This would create a high degree of uncertainty for applicants about Council’s expectations. Differences would have to be resolved through consenting processes, adding cost and uncertainty to the process for applicants. Current issues with TRMP stormwater management and its alignment with proposed NTLDM approaches would not be addressed.	This option does not reflect good practice, and current issues where there are content differences between the NTLDM and TRMP would remain unresolved.	This option would not address known content and relationship deficiencies, which at some point would need to be addressed in a subsequent plan change. From a plan change process point of view, a single plan change dealing with known and easily resolvable content issues is more efficient than multiple plan changes. This option would represent a very poorly “future proofed” plan change option.	Appropriate cross-references to the NTLDM would enable those standards to be applied. Implementation of “old” Engineering Standards and the proposed new NTLDM will have implications for development and associated costs: In some cases, they may be more, such as the requirement to set aside larger areas of land for adequate stormwater management. In other cases, they may be less onerous and costly to developers, as in the case of road pavement formation, where a narrower formed carriageway may be accepted. However, some uncertainties and conflicts would remain. A lack of clarity would add time-cost to the process.
Partial content review	This option is legally sound. Both content and relationship issues would be addressed.	This option will provide a TRMP-NTLDM framework that can be used to address the effects of land development through appropriate infrastructure. Issues identified through this process relating to current TRMP shortcomings (such as freshwater management and stormwater, land disturbance, parking and natural hazards) would not be addressed.	This option would limit the scope of the Plan Change to only TRMP issues created by a direct conflict with the new NTLDM, and which are not currently the subject of a TRMP policy review project already underway. This would have the effect of significantly reducing the time-cost associated with the Plan Change development process.	The option has the potential to significantly improve Council processes where they involve the creation of new network infrastructure. By addressing content conflict and duplication, there will be greater clarity and certainty for users of both document where network infrastructure is being designed and constructed.	This option aligns with current thinking on engineering development standards and resource management planning. Issues raised but not addressed through this option (parking, stormwater, land-disturbance and natural hazards) would represent a risk to Council.	This option helps to establish an appropriate framework for legal and practical relationship between the TRMP and NTLDM. Changes can be made to the NTLDM without the need for a Plan Change process. This would create a more robust and future proofed TRMP – NTLDM relationship going forward.	As above, development standards in the NTLDM will have both positive and negative outcomes for the cost of development. However, the potential conflict problems between the two documents (and associated costs) can be avoided by amending the TRMP to provide an appropriate policy framework, improving relationship references and amending conflicting content.
Comprehensive content review	This option is legally sound. Both content and relationship issues would be addressed.	This option will provide a TRMP-NTLDM framework that can be used to address the effects of land	This option would address all subject areas identified in the review process, including issues that are the subject of other current Council review projects and processes.	This option would address all current issues (raised through this process) thereby providing the most comprehensive package of changes.	This option aligns with current thinking on engineering development	This option would address known issues raised by the new NTLDM in a single process. However, the	Development standards in the NTLDM will have both positive and negative outcomes for the cost of development.

Option	Legality	Effects Management	Time-cost Implementation	Process Efficiency	Best Practice	Administrative Efficiency	Development Costs
		development through appropriate infrastructure.	<p>It would include a review of onsite parking provisions in the TRMP (the subject of the Tasman District Parking Strategy) and stormwater management in the context of freshwater management review work.</p> <p>This option would add complexity and widen the scope of the proposed Plan Change significantly, pushing out timeframes and adding significant cost.</p>		<p>standards and resource management planning.</p> <p>In work-programme management terms, this option does not reflect best practice, as it does not seek out efficiencies with other Council projects addressing common issues.</p>	<p>process would be more costly and less efficient than seeking efficiencies with other Council projects, where common issues are being addressed (e.g. freshwater and stormwater, and the Tasman District Parking Strategy)</p>	<p>By addressing all issues raised by the introduction of the new NTLDM, efficiencies in land development regulation processes can be realised.</p>
Comprehensive content review integrating network design	<p>This option is not legally sound. All NTLDM content relevant to the RMA and the creation of infrastructure networks involved in the management of effects of land development would be contained within the TRMP. Cross-referencing to external documents would not be required.</p> <p>This option would also involve introducing a vast amount of “technical engineering detail” which may not directly relate to effects management, and therefore result in TRMP content that is ultra vires.</p>	<p>This option can ensure that the effects of land development are managed by the appropriate design and construction of network infrastructure</p>	<p>This option would most likely be a complicated, lengthy and costly process. It would involve rigorous assessment of all engineering development standards for inclusion in the Plan, and all content would be subject to the Plan Change process.</p>	<p>The option has the potential to significantly improve Council processes where they involve the creation of new network infrastructure.</p> <p>By aligning content and clarifying the relationship of the NTLDM to effects management, there is also greater certainty for applicants and clarity in expectations when dealing with Council staff.</p> <p>However, approvals and changes to engineering design would also become the subject of the resource consent process, decreasing process efficiency for any design that did not meet prescribed standards.</p>	<p>This option is not considered best practice, as it would involve introducing “technical engineering” type standards into the TRMP, which although contributing to the appropriate design of network infrastructure, may not be relevant to effects management.</p>	<p>This option would require on-going administrative burden, with plan changes necessary each time an engineering development standard required up-dating.</p>	<p>As above, development standards in the NTLDM will have both positive and negative outcomes for the cost of development.</p> <p>Including all engineering matters in the TRMP would provide a clear and certain pathway for developers, having to only deal with a single document in respect of the design and construction of network services infrastructure.</p> <p>However, any engineering design divergence from standards would entail a resource consents process, and this could result in a more lengthy process and time-cost implications.</p>

8.3 Preferred Option

Which option is the most appropriate, preferred option for addressing issues associated with the introduction of the new NTLDM?

A useful summary of how each of the options available to Council rates against relevant assessment considerations has been provided in Table 7. The evaluation set out in Appendix 3 “Section 32 Evaluation Summary” places these findings in the context of Section 32 (2)(a), namely, organises the findings into costs and disadvantages, benefits and advantages, risks, effectiveness, efficiency and appropriateness of each of the options. A summary of Appendix 3 is set out in support of the preferred option:

1. **Status quo/Do nothing** – This option is not recommended.

It is not appropriate, neither effective nor efficient in meeting designed outcomes of the NTLDM and relevant TRMP objectives. While it would involve no change to the TRMP, and no Plan Change process would be required, it would mean that existing references to former Engineering Standards would remain. The NTLDM would replace the former Engineering Standards. This would create a legal and practical risk in managing land development where new network infrastructure is required. Content conflict between the two documents would create problems for Council in achieving effective and efficient network infrastructure design, and lack clarity for users of both documents.

2. **Cross referencing review only** – This option is not recommended.

This option would involve replacing all references to the former Engineering Standards with a reference to the Nelson Tasman Land Development Manual. This would go some way to addressing the legal risk associated with the introduction of a new Land Development Manual. However, as above, differences in content addressing the same activities would create significant legal and process administration problems, particularly where best practice standards sought by the NTLDM are in conflict with current rule-based standards of the TRMP.

3. **Partial content review** — This is the preferred option.

This option aligns the relationship between the NTLDM and the TRMP while minimising the scope of changes. It seeks to ensure that the NTLDM, as an externally referenced document, is appropriately provided for in policy terms, as a context for subsequent rules containing cross-references. It also seeks to amend rules where previous standards would result in a duplication and conflict with proposed NTLDM content. This option would present the most effective and efficient solution to the introduction the NTLDM, limiting content changes to only those directly associated with new NTLDM material.

4. **Comprehensive content review** — This option is not recommended.

This option would address known issues raised by the introduction of the NTLDM, including a review of stormwater rules, land disturbance and natural hazards provisions, and changes giving effect to findings of the Tasman District Parking Strategy where recommendations of that Strategy implicate reintroduced parking provisions of this proposed Plan Change. While comprehensively addressing all known issues associated with the NTLDM and its relationship to common issues with the TRMP, this option would not meet the desired outcome of process efficiency. It would be a lengthy, costly change. A much longer Plan Change development period required to develop new TRMP content would create an additional risk: Either:

- (i) an operative NTLDM would not align with an ‘old’ TRMP, creating considerable duplication and conflict in the interim; or
- (ii) the adoption of the proposed new NTLDM would need to be delayed for a considerable period until such time that new TRMP content was ready to be notified.

5. **Comprehensive content review integrating infrastructure design** - This option is not recommended.

This option would overcome the requirement for external document cross-referencing by incorporating all design and construction matters of the NTLDM, relevant to the design of network infrastructure related to the management effects of development. This would affect all aspects of development, with a particular focus on stormwater infrastructure and transportation infrastructure. This option would also include changes giving effect to findings of the Tasman District Parking Strategy where recommendations of that Strategy implicate current parking provisions. While comprehensively addressing all matters of design of infrastructure necessary to manage the effects of development, the level of technical engineering content would be inappropriate for a resource management document. Furthermore, the time-cost associated with the development of such a process would render it highly inefficient, being time consuming and resource heavy. Plan administration of future changes associated with engineering technical detail would add a considerable on-going cost into the future.

Table 8: Section 32 Evaluation Summary

Option	Costs and/or Disadvantages	Benefits and/or Advantages	Risk	Effective, Efficient and Appropriate?
<p>Do nothing – Status Quo</p> <p>Not recommended</p>	<p>This option is not legally sound.</p> <p>Implementation of “old” engineering standards through the TRMP would create problems for Council’s Asset Engineering department. Potential adverse environmental effects could result if outdated standards are applied to current development. Iwi issues, especially regarding freshwater management, would not be addressed through this option.</p> <p>Some standards required of the old engineering standards would be more costly to developers than those being introduced in the new NTLDM (e.g. sealed road area width).</p> <p>In terms of process efficiency, this option would be detrimental to good process and functionality of Council in regards to network infrastructure design and construction.</p>	<p>There would be no Plan Change required.</p> <p>Some standards required of the old engineering standards may not be as costly to developers (e.g. less land area required for stormwater management).</p> <p>There would be no time-costs associated with making changes to the TRMP.</p>	<p>This option would involve a significant legal risk, associated with retaining an outdated reference to an Engineering Standard that was no longer current.</p> <p>The potential for adverse effects associated with implementing “old” standards would introduce environmental risk.</p>	<p>This option would not be effective or efficient in meeting Plan objectives and the purpose and principles of the RMA.</p> <p>Therefore is it considered inappropriate.</p>
<p>Cross Referencing only</p> <p>Not recommended</p>	<p>A relationship “vacuum” between the two documents would remain, as would the uncertainties for developers and Council.</p> <p>Conflicting content will create further uncertainty and a lack of clarity to developers as they attempt to negotiate the land development process between the TRMP and the NTLDM.</p> <p>Iwi issues, especially regarding freshwater management, would not be addressed through this option.</p>	<p>Outright legal conflict would be avoided.</p> <p>The Plan Change would be relatively simple. By limiting the change to references only, there will be no potential for content discussion involving TRMP standards.</p> <p>New and updated NTLDM standards would be applied, where no corresponding (conflicting) TRMP standard existed.</p>	<p>Conflicting content between the two documents would still represent a legal risk.</p> <p>Conflicting content would also introduce environmental risk, as less appropriate standards could be applied.</p> <p>Absence of an appropriate policy framework for the NTLDM in the TRMP could introduce risks and uncertainties into the resource consent process, where network infrastructure design matters,</p>	<p>This option would go some way to addressing legal risks in an efficient manner. However, due to content conflicts and Plan shortcomings, it would not be effective in addressing known issues or adequately ensuring the adverse effects of</p>

Option	Costs and/or Disadvantages	Benefits and/or Advantages	Risk	Effective, Efficient and Appropriate?
	<p>Known deficiencies in content would not be addressed, and would still need to be addressed within a subsequent Plan Change. There is inefficiency in running two or more Plan Change processes, when a single process could be used to address known issues associated with a common theme (i.e. network infrastructure design).</p> <p>This option would not “future proof” the Plan in terms of the role of network infrastructure to ensuring effects management through development.</p> <p>In some cases, the new standards would mean higher development costs (e.g. land area for stormwater management).</p> <p>Opportunities for cost savings through the implementation of some new development standards (e.g. reduced road surface area) may not be able to be realised (without applying for a resource consent), where those new standards were in conflict with “old” TRMP standards.</p> <p>Inefficient/ineffective network service infrastructure design could cost Council more over the whole of life of that asset.</p>		<p>contained in the NTLDM (critical to effective and efficient effects management), are challenged.</p> <p>Substandard design of network infrastructure, a consequence of implementation of “old” content, introduces the potential for financial risk to Council if that infrastructure does not represent best practice in terms of its whole of life cost effectiveness and efficiency.</p>	<p>development were addressed.</p> <p>These limitations would render this option inappropriate.</p>
<p>Partial content review</p> <p>Preferred Option</p>	<p>This option will not address known issues with parking provisions, reintroducing existing standards that do not reflect Council’s current thinking outlined in the Tasman District Parking Strategy. It will not address issues identified with existing stormwater, land disturbance and</p>	<p>This option addresses relationship and content issues raised by the introduction of a new NTLDM. It would ensure legal risks are avoided, duplication and/or conflict of content avoided and clarity of Council’s infrastructure design</p>	<p>Risks would be minimised with this option. Content and relationship issues would align the TRMP and NTLDM, reducing legal risk and environmental risks.</p>	<p>This option would be the most effective option for achieving the objectives and policies of the TRMP and purpose and</p>

Option	Costs and/or Disadvantages	Benefits and/or Advantages	Risk	Effective, Efficient and Appropriate?
	<p>natural hazards matters, as these issues are the subject of other Council projects.</p>	<p>goals between two documents. It can ensure a combined NTLDM-TRMP framework for effective effects management.</p> <p>Both content and relationship issues between the NTLDM and the TRMP can be adequately addressed.</p> <p>Known shortcomings of the NTLDM and TRMP regarding effects management can be addressed, avoiding the potential for adverse effects associated with land development network services infrastructure.</p> <p>This option has the potential to significantly improve Council processes where they involve the creation of a new network. This option can also provide more certainty and clarity to developers in dealing with Council.</p> <p>This option aligns with current “best practice” thinking in relation to network infrastructure design and land development within resource management.</p> <p>Externalising engineering standards from the Plan can also ensure good administrative efficiency. Changes to the NTLDM can be more efficient than the TRMP.</p>	<p>There is a risk associated with not addressing known issues (e.g. parking and stormwater). However, as these issues are the subject of other Council projects, the risk is minimised.</p>	<p>principles of the RMA.</p> <p>Limiting TRMP content changes to those related directly to the introduction of the NTLDM and which are not otherwise captured by other Policy projects is the most efficient in process terms.</p>

Option	Costs and/or Disadvantages	Benefits and/or Advantages	Risk	Effective, Efficient and Appropriate?
		This option achieves the desired outcome of process efficiency.		
<p>Comprehensive content review</p> <p>Not recommended</p>	<p>The biggest disadvantage of this option is the relative time-cost and complexity of Plan Change preparation process necessary to advance it.</p> <p>It would entail a review of on-site parking provisions in the TRMP, and stormwater management in parallel with freshwater management review work, and a potentially significant amount of change preparation work associated with land disturbance and natural hazards.</p> <p>Being lengthy and costly, this option would not represent best practice in policy programme management terms. It would not meet the desired outcome of 'process efficiency'.</p>	<p>As an ideal, this option represents the best possible Plan outcome. That is, all Plan issues raised by the introduction of the new NTLDM would be addressed.</p> <p>Parking provisions could reflect Council's current thinking outlined in the Tasman District Parking Strategy, and stormwater rules could be aligned with current best practice design outcomes sought by the NTLDM. Natural hazards provisions could be reviewed to comprehensively address the role of infrastructure management to hazards risk management, and land disturbance rules could be amended to align with current thinking around erosion and sediment control, in relation to land development practices.</p>	<p>This option would minimise risk associated with known TRMP shortcomings, raised through the process of the new NTLDM.</p> <p>However, by advancing issues such as 'parking' and 'stormwater management, independent from other current Council projects such as the Freshwater Review and the implementation of the Tasman District Parking Strategy, there is a risk that outcomes will not be aligned with the 'bigger picture'.</p> <p>There is also a risk associated with the length of time likely to be required to advance all of the issues, and the timing of the new NTLDM, adopted in June 2019. Either i) an operative NTLDM would not align with an 'old' TRMP, creating considerable duplication and conflict in the interim; or, ii) the adoption of the proposed new NTLDM would need to be delayed for a considerable period until such time that new TRMP content was ready to be notified.</p>	

Option	Costs and/or Disadvantages	Benefits and/or Advantages	Risk	Effective, Efficient and Appropriate?
<p>Comprehensive content review integrating network design</p> <p>Not recommended</p>	<p>A very large amount of engineering “technical detail” would be introduced into the plan, including those matters not directly related to effects management.</p> <p>The option would require a very lengthy and complicated Plan Change development process, involving discussion of all material currently sitting in the Nelson Tasman Land Development Manual, for appropriateness as Plan content and relevance to effects-based management.</p> <p>A comprehensive content overhaul would involve very high time-cost, and an ongoing burden associated with keeping standards contained in the Plan up to date with best practice resource management and engineering design thinking. Both the immediate and long-term cost associated with administering this Plan Change option would be very high.</p> <p>Including engineering detail within a Resource Management Plan is not appropriate and does not reflect “best practice” thinking in relation to the management effects associated with land development.</p>	<p>In theory this option would provide the greatest degree of certainty for developers in knowing what Council’s expectations are in the design and construction of network infrastructure. A single document would detail all technical and principal requirements for development.</p> <p>This option has the potential to ensure the effective management of adverse environmental effects arising from land development. Plan content would comprehensively cover all aspects of network infrastructure design and construction.</p>	<p>The ongoing administrative burden associated with this option could introduce risks to Council, with significant Plan content at risk of dating and/or being less responsive to necessary change (the Plan Change process being slow and burdensome for Council).</p>	<p>This option is not considered to be an effective and efficient method for ensuring the design and construction of network infrastructure.</p> <p>This is not an appropriate option for addressing known issues associated with land development and network infrastructure design and construction.</p>

9. Conclusion

The preferred option, “Partial Content Review”, has been identified as the most appropriate option, addressing content and relationship issues of the TRMP that were created by the introduction of the new NTLDM. This report summarises the policy analysis process underpinning this decision, in accordance with Section 32 of the Resource Management Act.

The report examines the extent to which the preferred option is the most appropriate way to achieve Plan objectives and the purpose and principles of the RMA, including by way of a comparison with other reasonably practicable options for achieving the objectives. It has assessed the efficiency and effectiveness of all options against relevant values in keeping with the scale and significance of the environmental, economic, social and cultural effects anticipated (Section 32 (1)).

The assessment leading to the determination of the preferred option took account of costs, benefits and risks of all options, including relevant environmental, economic, social and cultural ones. Matters used in the assessment to determine the preferred option included, ‘legality’, ‘environmental effects’, ‘administrative and process efficiency’, ‘engineering and resource management best practice’ and ‘development costs’. The time-costs associated with the development and implementation of the preferred option, and risks associated with this, were also considered. Process efficiency is an identified desired outcome of the assessment leading to the preferred option (Section 32 (2)).

Consultation with relevant Iwi authorities was undertaken and feedback is recorded in this document (Appendix 1), along with Council’s response to it. Wider consultation with the development community was also undertaken, in parallel with the development of the NTLDM. This too is recorded and appended, fulfilling Council’s Schedule 1 and Section 32 obligation to consult in accordance with Section 32 (4A).

Appendices

Appendix 1: Iwi Feedback on the draft NTLDM (April 2018)

Appendix 2: Public Submissions on the draft NTLDM

Appendix 3: Original Submissions to Plan Change 4 (Variation 44) *[separate attachment]*

Appendix 1: Iwi Feedback on the Draft Nelson Tasman Land Development Manual

Iwi Feedback	NTLDM response
More support for use of native plant species (particularly species locally indigenous – many with medicinal qualities; the area was often swamp land and ought to support more use of swamp plants).	Insert new standards into stormwater, transportation and parks and reserves chapters, that encourage the use of native species, including wetland species in association with freshwater management.
More reference to sediment and control guidelines.	Insert new standard into trenching and reinstatement, parks and reserves, transportation chapters and highlight the importance of sedimentation and erosion control within Chapter 1 introduction. Check that Sedimentation and Erosion Control Guidelines are correctly referenced throughout the document.
Chapter 2 should include reference to need for contractors to be aware of cultural obligations re archaeological sites/sites of significance; and their responsibilities. Explain how they can find out more about checking records or sites.	Add an appropriate standard to Chapter 2 to emphasise the importance and legal obligation of contractors to archaeological sites excavation.
Include the need for iwi consultation to diagram on page 2/20 .	It is not considered to be appropriate to refer to the need for iwi consultation in this diagram, as it relates to Engineering Plan process approval.
Chapter 1.4: Include reference to Settlement Act/Statutory acknowledgements/Iwi management plans.	It is appropriate to list any relevant documents in this chapter, including Iwi Management Plans. It is considered that Settlement Act/Statutory acknowledgements do not have any direct relevance to the design and construction of network infrastructure.
Chapter 4: Promote use of relevant maori names for roads. Would like names to reflect cultural affiliations or historic use, or events.	Insert a new standard within the road naming section of Chapter 4 to encourage the use of Maori names of local significance (good practice).
4.15.1: Prioritise use of native plant species	Insert a new standard into 4.15.7 that encourages the use of native plant species.
4.13.3: Alert users to potential need for cultural monitors with earthworks.	Insert a new standard that alerts the legal requirements of contractors to sites of cultural significance and archaeological discovery.
Queried what was in Appendix A – pg 4/67 as this page is blank in their copy.	Appendix A is the Form 1 – RAMM Update sheet – New or Reconstructed Roads.
Chapter 7: Would like a performance outcome that recognises that there are significant cultural values associated with waterways – seeking to support improvements to water quality to improve mauri, mahingakai opportunities etc.	Introduce an appropriate mandatory standard that requires cultural consideration of freshwater management.
7.1C: Raised some concerns about mixing of water sources and the effects on mauri.	I believe a statement along the lines of “A water supply network that recognises cultural values for freshwater management” is appropriate.
Would like a performance outcome to be inserted into 8.1 that supports compliance with Heritage NZ requirements and recognition of cultural heritage values. They also asked for a reference to iwi monitors here.	It is appropriate to remind of obligations under Cultural Heritage legislation
10.3.3.8: Add ‘and or cultural interest’.	Will amend as requested.
10.6.1: Add priority for native planting.	Add reference to native planting.
10.6.2.2(e): Add ‘cultural significance’.	Will amend as requested.

Appendix 2: Public Submissions on the Draft Nelson Tasman Land Development Manual

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
Simon Jones	8	<p>Clarify and amend “alternative route”.</p> <p>Justify “the length of the reinstatement will not be less than the width of the carriageway (or footpath). 8.4.7.7.</p>	<p>This requirement was introduced in the 2010 LDM. It was included to reduce the likelihood of planned excavation works occurring in newly re-surfaced roads by encouraging other planned works to occur prior to road re-surfacing projects. Narrow trench reinstatement and small patches in the vehicle lane have a higher risk of seal failure occurring compared with full width resurfacing (especially those resulting in longitudinal seal joints within the traffic lane). Also, the surface finish is not as smooth as paver-laid AC surfaces. Notwithstanding the above, staff acknowledge that there are situations where this requirement can be relaxed, eg</p> <ul style="list-style-type: none"> • where the excavation works is entirely within one side of the road and the road is a high order road such as Waimea Rd then we would allow the full width reinstatement to terminate at the centre of the road. • if the excavation is entirely within the parking lane then we may allow reinstatement to terminate at the edge of the parking lane. • reactive or emergency works. 	<p>Include the following changes to 8.4.7.7 and 8.5.1.9:</p> <p>Where work is required within an area that has been re-surfaced within the last two years an alternative route must be identified. If this is not possible then, <u>depending on the position and nature of the excavation, a full width reinstatement will not may be required carried out. Where a full width reinstatement is required then</u> the length of the reinstatement will be not less than the width of the carriageway (or footpath).</p>
Simon Jones	1	Rename document to include year in the title	Yes this is accepted	Full name of document to include year of issue
Council staff	Whole document	Various typos and minor word corrections to improve readability. Removal of some As Built drawing specifications and placing them in a separate web on-line document	<p>General re formatting and correcting typographically errors and improve readability are accepted in this large document.</p> <p>Allow for technical advances in As Built drawings specifications to Council</p>	Allow changes where required
Steve Odinet	1	Suggest a trial period of 12 months to use the LDM and then give feedback, as we would be in a better position having used it.	The majority of the draft document is not too dissimilar to the current Nelson City Council Land Development Manual and Tasman District Council Engineering Standards. Amendments or reviews may be carried out three-yearly. Also, an earlier individual amendment may be made if an important alteration to a standard or technology arises.	No change

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
Council staff	1	Table of Contents needs to extend to include all chapters		Extend Table of Contents
Council staff	2	Amend Table 2-1 to say that all onsite works must have a level 3 qualification and then as you go up the ranking of Type of Work it then requires one of those staff to have the higher level qualification.	Level 3 is listed as the minimum. Level 4 is required when the works involves NCC assets. Therefore, no change to Table 2-1 needed.	No change
Council staff	2	Appendix A diagram is not clear		Improve clarity of text and line work
Council staff	2	Regarding 2.2.14: Reference to the requirement for a Performance Bond should be included here.		Include a reference to Section 1.4 of Appendix 1.
Council staff	4	Regarding Table 4-7: The legal road reserve width shown as 18m should be 19m. The exact figure is 18.8m for the Sub-Collector Residential and 18.7m for the Local Residential. These should round up to 19m.		Change the Sub-Collector Residential and Local Residential legal road reserve width from 18m to 19m.
Council staff	4	Regarding 4.19.1.4: Include a note that Mix 15D may be accepted or requested by the Engineer as an alternative to DG10.	DG10 is more suited for 50mm or deeper depths and laying using a paving machine. 15D is a locally developed mix more suited to small paving jobs and thinner layers.	Add Mix15D to this clause
Council staff	5	Regarding 5.7.8.6a: Remove approval to have kerb entries because it says it is not generally permitted in 5.5.6.3	This submission has been withdrawn.	No change required
Council staff	5	Regarding 5.6.4.2b and c	The AP20 supplied locally is slightly different to the aggregates listed in AS/NZS 2566	Insert the words 'NZTA M4' before 'AP20' and the word 'or' after 'AP20'

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
Council staff	5 and 6	Table 5-5 and 6.14.6.3: Formatting changes	Improve readability	Undertake formatting changes
Council staff	7	Council's contractors have expressed concern about PVC-O and potential leaks around tapping bands	Amend text to address issues with PVC-O and leaking around tapping bands.	Amend wording in 7.4.2.1 as follows: "PVC-U or PVC-O pipes are acceptable in all normal circumstances for principal mains. PVC-U Pipes are acceptable where pipe diameters exceed the range available in PVC-O." Amend wording in 7.4.2.2 as follows: "PVC-M or PVC-O pipes may be approved on application. Installation will be to AS/NZS 2032 and ..." Amend Table 7-5 as follows: "PVC-U or PVC-O (Series 1 or Series 2 dimensions). PVC-M Series 1 or Series 2 or PVC-O (with specific approval)"
Council staff	7	The word 'longer' in 7.4.6.2 is incorrect	Amend text	Change 'longer' to 'larger'
Council staff	10	Regarding 10.3.3.6 and 10.3.3.7: Suggestion that it is not a good idea duplicating specific wording from the AMP, especially when the Plan changes every three years.	Tasman District Council criteria for location of reserves in relation to residential areas is based on a radial distance (500m) measurement. Nelson City Council use a walking distance (800m)	Change 10.3.3.6 to the following wording: "The level of service for the location of Neighbourhood Parks in relation to residential properties in Nelson City is determined in the NCC Parks and Reserves AMP." Change 10.3.3.7 to the following wording: "The level of service for the location of Urban Open Space Amenity"

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
				Reserves in relation to residential and rural properties in Tasman District is determined in the TDC Reserves and Facilities AMP."
Ms Amme Hiser	10	Requests that Council consider a significant increase in the amount of edible trees, bushes and vegetables as amenity plantings in reserves and road berms and if not edible, then native plants as opposed to grass or ornamentals.	Reserves staff acknowledge the request to increase the amount of edible trees, bushes and vegetables and will continue to consider these types of plantings where it is practical and appropriate; maintenance costs are not increased and there is community support. However, the LDM already includes a section (10.6.5.2) stating that where appropriate to the site and location conditions, native planting should be prioritised over exotic and introduced species. Reference is made throughout the Manual to the Living Heritage - Growing Native Plants in Nelson and Native Plant Restoration lists when considering native plantings.	Include additional "functional outcomes" in section 10.6.2.2: "(c) Provide edible plants where appropriate."
Civil Contractors New Zealand	4	Aggregates and grading	Staff have amended its AP65 grading curves after much discussion with various local contractors. The contractors wish to have more flexibility to such things as weathering resistance and sand equivalent as examples, and the ability to vary where these aggregates will be used. Staff have allowed flexibility in grading of AP65 due to the various source material around the region, however if a provider wished to provide an alternate specification then there is the ability to submit that alternate design to Council for approval. Council requires quality products within its infrastructure.	No change.
Civil Contractors New Zealand	5	General matters –stormwater and trench bedding AP 20 is now permitted as bedding (instead of pea gravel that allows tracking of water along the trench).	The submitter says this is too expensive material to use. Council requires a premium product to support pipe infrastructure and optimises whole-of-life costs. An alternate design can be submitted.	No change.

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
Civil Contractors New Zealand	5 5.6.4.9	Clegg Hammer test Council specifies a reading of 35 in trenches and the contractors would like 12-15	On looking at other councils and the guide for use of the Clegg hammer, the reading for a trench reading can be reduced to 25 and the wording amended accordingly.	Amend.
Civil Contractors New Zealand	5	M/4 AP 20 aggregate bedding material consistency of description. Submitter wishes consistency of wording i.e M/4 AP20 rather than just AP20.	The document will be amended to show where AP20 is mentioned that it be M/4 AP20.	Amend.
Civil Contractors New Zealand	5	M/4 AP20 specified for bedding when fines could be washed out in soak/wet situations.	There may be situations where pipes will be buried in subsequent high ground water locations. The bedding in these situations will require specify design and approval from council.	Additional wording under clause 5.6.4.2 which will allow an application to be made requiring a specific bedding design due to the local environment issues present.
Civil Contractors New Zealand	5 5.6.12.1	Air test of stormwater pipes up to 300mm dia.	Air testing is normal for both wastewater and stormwater pipes for small dia range pipes otherwise water filling is required. Hence, the difficulty to water fill bigger pipes. Note: Council has specified that pipes will “generally” be tested this way.	Alternatives to testing pipes can be submitted to Council and assessed on a case-by-case basis.
Civil Contractors New Zealand	4	Cycle-friendly sumps: Why two types, Drawings 523 and 524?	Misinterpretation - Drawing 523 is for a new sump grate whereas Drawing 524 is retrofitting an existing sump.	No change.
Civil Contractors New Zealand	6 6.14.8.2	“other testing” of wastewater pipes needs to be specified	There could be many other testing regimes that can be carried out on the integrity of newly installed pipework, samples, ultra sound, etc. This testing can usually be advised at the pre- construction meeting, however when a flaw or problem becomes evident some other testing may be required to determine the fault.	No change.
Civil Contractors New Zealand	7 7.9.6.4	This clause requires that there be no <i>E.coli</i> and acceptable levels of coliforms in the new water	The limits will be on a case-by-case basis depending on the area within the pipe network, size of pipe and the length of pipe. Usually a number of tests are undertaken which hopefully will show declining readings over time. Council’s Senior Water Quality Officer will assess the information and approve or	No change.

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
		source. The submitter wish to know what these limits are.	otherwise that the required disinfection has been complied with.	
Civil Contractors New Zealand	5	Standardising construction items around New Zealand.	Although Council endeavours to standardise many types of infrastructure, specific design is sometimes required due to the regional differences around New Zealand. Both councils agree to have specific design for “scruffy” domes as standard designs will tend to block up with floatables.	No change.
Civil Contractors New Zealand	7 7.4.6.9	Electrofusion couplers allowed as standard	Electrofusion couplers require specifically trained personnel and equipment to get a satisfactory water tight joint. These pipes/joint are likely to be of a bigger size and higher pressures and laid where normal PVC pipes in 6m lengths can’t be laid, hence the more stringent construction regime. To be used only with specific approval of the Engineering Manager.	No change.
Civil Contractors New Zealand		Work on private reticulation systems will need some discretion and not be bound by the LDM	The LDM sets performance outcomes and then mandatory and good practice guides. Generally, “private” reticulation will come under the Building Act, and therefore not covered under the LDM.	No change
Damian Velluppillai, Tonkin and Taylor Ltd	Inundation Practice Note (IPN), Section 2.11	Section 2.11 and Figure 5 might be improved by distinguishing more carefully between coastal and freshwater inundation. Ensuring raising ground levels does not cause adverse effects on neighbours applies to freshwater inundation, but not so well to coastal inundation.	Infilling a site may cause adverse effects on neighbours in a coastal inundation setting just as much as in a freshwater inundation setting.	No change.
Damian Velluppillai, Tonkin & Taylor Ltd	Inundation Practice Note, Section 2.11	The requirement to include freeboard to ground levels may be at odds with MfE’s Coastal Hazards and Climate Change Guidance (2017) – compare Figure 49 of the guidance with the IPN’s Figure 5. For new developments affected by coastal inundation, the MfE guidance	Section 6.5.6 and Footnote 81 of the MfE Guidance uses the freeboard definition as per NZS4404:2010, being “freeboard is measured from the top water level to the building platform level or the underside of the floor joists or underside of the floor slab, whichever is applicable”. The IPN also uses this definition and depicts this in Figure 5, whereas Figure 49 in the MfE Guidance is more simplistic. Figure 5 and Figure 49 are seen as being compatible, although Figure 5 is more comprehensive as it takes into account all forms of inundation,	Although there is consistency regarding the definition of freeboard in the MfE Guidance and the IPN, changes are recommended to Section 2.11 in the IPN and consequential changes to Section 7. The recommended changes provide clarity regarding options for mitigation (raising ground and/or

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
		requires freeboard to <u>floor</u> levels, whereas the IPN puts forward the more onerous requirement of 0.5 m to <u>ground</u> levels. Suggest consistency with the MfE guidance is important, noting that the IPN can be updated in future as newer MfE guidance is issued.	including that caused by wave run-up/overtopping in coastal locations. It is reasonable for landowners to set back from the coast to enjoy a level of land use and amenity in a storm-tide/sea level rise scenario wherever possible, especially in a greenfield subdivision setting, ie the land remains dry. More importantly, any building on land in a coastal setting, particularly if set further back from the direct effects of wave run-up and overtopping should, wherever possible, be able to be built without the requirement of a hazard notice being appended to the title under the Building Act. This is achieved by the land intimately connected with the building being free from flooding hazard during its lifetime (unlimited but no less than 50 years, typically now 100 years). Having freeboard above flooding hazard being maintained to the ground level, rather than floor level, provides this outcome.	floor levels and the application of freeboard), consistent with the MfE Guidance.
Trevor James	5 2.2.3	Stream channel design signed off by suitably qualified aquatic ecologist	This section is about review and acceptance of design drawings. Involvement of an aquatic ecologist may be requested on a case-by-case basis as per clause 5.5.1.7.	No change
	2.2.7.3	Add potential fish recovery of rare species	This is partly covered by 2.2.7.3 (b) as matters to be discussed which include environmental conditions. It is advised to add a specific section within clause 5.5.2 to address relocation of fish.	Add clause 5.5.2.6 Fish recovery by a DOC permitted operator is required for ponds, watercourses and drainage channels that are filled in over a surface area of 50m ² or more.
	2.2.11	Supervision by a suitably qualified aquatic ecologist of in-stream work	This is not the right section to address this. The involvement of an aquatic ecologist may be requested on a case-by-case basis as per existing clause 5.5.1.7 and will depend on the magnitude of the works.	No change
	2.5.10.1	Keep Low Impact Design (LID) Mandatory	Noted	No change
	5.3.2	Supporting water sensitive design principles, particularly the mimicking of natural systems.	Noted	No change

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
	5.4.1.2 (b)	Very good to see stormwater treatment as mandatory	Noted	No change
	5.4.7.1	More control/treatment is required for all discharges from residential areas, not just stormwater from high use roads.	<p>The mandatory treatment requirement is to treat runoff from high contaminant generating surfaces only. This is considered to be a good balance between a practical/cost effective approach that achieves good environmental outcomes. The minimum standard is in accordance with what is generally accepted as good practice in New Zealand (as compared to many other councils in New Zealand).</p> <p>It should be acknowledged that a higher treatment efficiency may still be achieved through correct implementation of water sensitive design. This should result in combined, whole-of-catchment solutions such as combined treatment/detention wetlands and/or treatment/ infiltration raingardens.</p> <p>It is acknowledged that the mandatory requirements may result in certain contaminants reaching the environment untreated and that better environmental outcomes would be achieved if all runoff from residential areas was treated, however treating many smaller roads is considered less efficient (cost per treated area) than treating busy roads with high contaminant loads.</p> <p>The following changes are recommended:</p> <ul style="list-style-type: none"> – Redefine high priority carparks to (1) include accessways into these carparks, (2) to state “exposed to rainfall” and (3) to also include carparks with use of more than 50 vehicles per day. – Compared to residential areas, runoff from commercial/industrial paved areas have elevated contamination risk due to the higher risk activities in these areas and increased contaminant loads (even from small roads) as a result of heavy and commercial traffic. It is recommended to require treatment for all hard surfaces from new industrial and commercial developments. 	<p>Change to mandatory water quality clauses to clarify:</p> <ul style="list-style-type: none"> • Parking areas, exposed to rainfall, greater than 1,000m² total surface area or more than 50 vehicles per day, including access ways; • Treatment for all roads and paved areas (including metaled surfaces) within greenfield, industrial and commercial developments. <p>Add a “good practice” clause to address enhanced water quality treatment:</p> <p>Good Practice:</p> <ul style="list-style-type: none"> • Selection and design of appropriate stormwater management devices, including their location should be based on a whole of catchment analysis and aimed at combining multiple functions to achieve the best environmental outcome (i.e. water quality treatment, detention, infiltration, ecology and amenity values) • Enhanced water quality treatment is considered good practice and can be achieved through: <ul style="list-style-type: none"> ○ Designing for treatment of contaminants in addition to

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
			<p>A “good practice” is recommended to be included to address how higher treatment standards can be achieved.</p> <p>It should also be noted that changes to the LDM can be seen as a significant shift forward to improve water quality. Changing regulation under the NPS Freshwater Management may require both councils to implement more stormwater treatment in the future.</p>	<p>the key contaminants of concern (5.4.7.2), including temperature increases, nutrients and potentially household contaminants.</p> <ul style="list-style-type: none"> ○ Designing for treatment of runoff from surfaces in addition to high contaminant generating surfaces (5.5.8.2) such as lower hierarchy roads (< 5,000 AADT) and small carparks (<1,000m²), driveways and patios. ○ Implementation of catchment devices such as wetlands. ○ Education and increased awareness through signage (sumps with fish).
	5.4.7.1	Household discharges and illegal spills should be treated at the end of pipe before entering the stream.	<p>The submission focusses on the risk of dissolved contaminants associated with household discharges either accidentally or illegally spilled into the stormwater network. Due to the wide variety of potential contaminants (often chemicals), as well as irregular nature of these spills and the risk of re-suspending contaminants in high flows, it is considered difficult to design effective treatment methods. The scale of the problem is not well understood and there is nationwide no accepted engineering solution available.</p> <p>The preferred approach would be to address the issue at source by banning the use of harmful products and education around correct disposal. It is agreed with that this requires intensive and ongoing education campaigns as well increased compliance/ enforcement efforts to be effective. It is considered outside the scope of the LDM to address this.</p>	No change
	5.4.8	Same as above	Same as above	Same as above

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
	5.4.9	Reference to soft engineering options for bank stabilization	<p>“Soft” engineering options for bank stabilization are indeed preferred over “hard” engineering options, which clarified by clause 5.4.9.2. Specific design considerations for soft engineering are site specific and their implementation should be carefully considered on a case-by-case basis.</p> <p>Tasman District Council is in the process of developing a future guideline document on stream management which will specify soft engineering options.</p>	No change
	5.4.9.2	Clause is supported but should also prohibit the use of geotextile in stream beds and restoration of natural substrate composition and placement of wood	<p>Reference to geotextile should be added to this clause.</p> <p>Specific and detailed design guidance on placement of wood etc., is site specific and consideration should be based on appropriate guidelines.</p>	Add reference to not use geotextile where possible
	5.4.10	Map of recharge areas required	<p>Although it is acknowledged that a map identifying recharge areas would be beneficial, this information is currently not available for the entire Nelson/Tasman region. Discharge zones have therefore been identified as those areas that have:</p> <ul style="list-style-type: none"> • Low risk for slope stability issues • Permeability rate of at least 5mm/hr • Seasonal high groundwater table > 1m below surface <p>Areas that meet the above criteria are required to infiltrate at least 5mm of runoff from newly created impervious surfaces.</p>	No Change
	5.4.11	Detention design combined with other functions	<p>Clause 5.3.2 requires designs to be consistent with water sensitive design principles. This includes a holistic and integrated design approach which addresses multiple values. Therefore the LDM encourages designs that combine functions such as detention and treatment in one device.</p>	No change
	5.5.1.2(c)	Change wording of “biodiversity habitats” “habitat for aquatic flora and fauna” to promote biodiversity	Noted	Adopt suggested change
	5.5.1.2(d)	Target for shading required of 70% of wetted width of 3m or less	<p>Although this may not be practically achievable in all instances, 70% shading is considered as a good target to pursue.</p>	Add 70% shading as “good practice”

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
	5.5.2.1	Pipes not to be constructed at grades > 3% to allow fish passage	It is acknowledge that steep pipe grades create flow velocities that are too high for fish passage. This is addressed by 5.5.2.5 requiring flow velocities to be considered and more specifically by Table 5-14 specifying maximum flow velocities for fish passage as well as the pipe required to maintain the same grade as the stream bed upstream and downstream of the pipe.	No change
	5.5.2.4	Specify gravel layer thickness	Noted and agreed	Add wording: “provision of an in-stream environment for pipes longer than 15 metres consisting of a 100mm to 150mm thick gravel layer”.
	5.5.12.6	Reference NIWA NZ fish passage guideline here	Noted and agreed	Adopt suggested change
	Drawing 503	Waterway concepts requires further specification as per detailed comments in submission	It is acknowledged that more detailed design guidance is required to support appropriate channel design. A guidance document is currently being developed by Tasman District Council, however in the meantime it is proposed to address some design considerations in a “best practice” section.	<p>No change to drawings</p> <p>Adopt suggested changes within “best practice” 5.5.1.9</p> <p>The following design criteria should be considered for aquatic habitat in streams:</p> <p>Overhanging vegetation: planting of riparian margins should be aimed at achieving 70% shading of a wetted width of 3 metres or less after 20 years of tree growth.</p> <ul style="list-style-type: none"> • Meander patterns: the radii and wavelength of stream bends need to be appropriate to the location and simulate natural streams in a similar setting. • Bank shape: allow for variety in steeper bank shapes and flatter beach bars as deposition zones for sediment

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
				<ul style="list-style-type: none"> • Water depth: allow for variety of water depths with deep pools and shallower sections such as rapids and riffles. • Substrate: Sufficient gravel thickness, cobble and woody debris are essential components for healthy streams. • Flood plain: Flat benches that are designed to flood in high flows may also provide for other functions such as spawning sites and capturing sediment that would otherwise clog the channel.
	1.1(d)	Rewording required (avoid use of “resource” and replace by “freshwater ecosystem”)	Noted and agreed	Adopt suggested change
	5.1	Replace freshwater resource with freshwater ecosystem	Noted and agreed	Adopt suggested change
Z Energy Limited	Plan change 27 to NRMP	<p>The NRMP does not define drains and, as currently drafted, the proposed rule captures private drains. Service stations have buildings and structures classed as buildings over or alongside drains and the rule wording needed to limit the scope to that of common private or public drains.</p> <p>The submitter does not support the discretionary activity category and seeks that a restricted discretionary category be added.</p>	<p>Staff agree with the submitters concerns in regards to the scope of the rule and their suggested amendments.</p> <p>Staff do not support a restricted discretionary activity category. Both the permitted and controlled activity category define the standards where building over or alongside drains is acceptable. There are no other standards or matters of restricted discretion to use for a restricted discretionary category, all other proposals not fitting within the permitted or controlled categories should be discretionary to enable the Council the ability to consider a full range of matters in making its assessment.</p>	<p>Add the words “common private or public” into the rule descriptions as follows:</p> <p>Building over or alongside <u>common private or public</u> drains (piped or open) and water mains.</p> <p>No change</p>

Additional Feedback

Submitter	Chapter	Issues Raised	Staff Response	Staff Recommendation
Sally Palmer	4 and 9	Include low streetlights in special places such as Kaiteriteri	<p>Section 9.12.1 requires new street light installations to minimise the impact on the neighbouring properties and environment with regard to aesthetics, glare and light spill. This demonstrates Councils' support of the dark night sky concept.</p> <p>The standard AS/NZS1158 for street lighting sets minimum standards for upward waste light.</p>	No change to 2019 NTLDM
Davis Ogilvie and Partners – Tony Alley	4	Private ways should not be restricted to six users.	<p>It appears that Davis Ogilvie and Partners (Tony Alley) have reviewed and made comments against the 2010 Nelson Land Development Manual as the references and relief sought do not correspond with the 2019 NTLDM section numbering and text.</p> <p>Notwithstanding that the 2019 NTLDM retains the six potential lot maximum, as experience has demonstrated, when numbers increase above that, neighbourly cooperation does not result in effective maintenance or the ability to easily add additional lots.</p>	No change to 2019 NTLDM
Davis Ogilvie and Partners – Tony Lindbom	4	Allowing services under footpath when service berm not wide enough to accommodate requirements	Already allowed. In tables 4.6 and 4.7, the proposed NTLDM allows for the service berm to be reduced and services to be placed under the footpath provided that it does not preclude the introduction of street trees.	No change to 2019 NTLDM

Appendix 3: Original Submissions to Plan Change 4 (Variation 44) *[separate attachment]*

SUBMISSIONS

on

VARIATION 44 (NOW CHANGE 4) TRANSPORT PROVISIONS

R 16.9.05 R
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Submission to the Tasman District Council
on the publicly notified "Proposed Variation
44 - PTRMP"

Contact:

Transit New Zealand
Wellington Regional Office
PO Box 27-477
WELLINGTON

Attention: Kirsten Wierenga (Acting Regional Planning Manager)
Phone: (04) 801 2584
Fax: (04) 801 2599
Email: kirsten.wierenga@transit.govt.nz

16 September 2005

INTRODUCTION

- 1 Transit New Zealand (Transit) is making this submission because it is the road controlling authority with overall responsibility for the state highway network. Transit's statutory objective is to operate the state highway system in a way that contributes to an integrated, safe, responsive, and sustainable land transport system. As such, it has an interest in the proposed variation to the transportation provision within the Tasman Resource Management Plan (Proposed Variation 44) to the extent that it may impact on state highways.
- 2 Transit has ultimate responsibility for State highways, so it is concerned to ensure that the Proposed Variation 44 does not purport to impose restrictions on state highways that are not under the delegated control of the Council.
- 3 Furthermore, Transit wishes to ensure that regional transportation planning rules and standards are compatible with Transit's own engineering standards and planning policy guidelines wherever practicable.

TRANSIT'S SUBMISSION

- 4 Transit wishes to appear before the committee that is considering this proposed variation to discuss and elaborate on Transit's views regarding the proposed variation, some of which are discussed below.
- 5 Council proposes to delete the last row in Figure 16.2C. Transit would prefer to see the table reflect the standards presented in Transit's Planning Policy Manual (PPM), which are derived from the 'Austroads' guidelines. The table should require the operating speed to take precedent over the posted speed limit. The activity type is not relevant as the consequence remains the same irrespective of the type of access. Transit suggests that the regulatory speed column could be removed, or alternately, the entire table could be removed and reference made to the 'Austroads Guide to Traffic Engineering Practice'. The guide has a formula into which the actual operating speed environment is an input.
- 6 There are several references within the rules refer to an 'effects on safety and efficiency' (16.2.6.1, 16.2.6.14AA). The New Zealand Transport Strategy (2002), enacted through the Land Transport Management Act (2003), has four underpinning principles, these being: sustainability; integration; safety; and, responsiveness. Transit believes that the rules within the Plan should be expanded to incorporate these principles.

7 Various rules, (e.g. Rule 16.2.6.2C, 16.3.3, 16.3.5, 16.3.7, 16.3.8, 16.3.9C, 16.3.10, etc) refer to 'requirements set out in any current Tasman District Council Engineering Standards'. Transit requests that this statement be amended to refer to the 'requirements set out in any current Road Controlling Authority's Engineering Standards', as this covers situations where Transit is the road controlling authority.

5

8 The proposed variation does not provide a reason for the deletion of 'access' as a matter to which the Council has restricted its discretion (Rule 16.2.6.12). Transit wishes Council to retain discretion over 'access'.

6

9 Transit requests that the Rural Intersection and Access Design requirements outlined in Schedule 16.2.C be aligned to the requirements of Transit's Planning Policy Manual, i.e.

7

9.1 Diagram 1: Up to 30 equivalent car movements per day (ecm);

9.2 Diagram 2: up to 30 ecm, but with frequent heavy vehicle access, (i.e. milk tankers); and,

9.3 Diagram 3: For vehicle crossing catering for more than 100 ecm, a full intersection design in accordance with the engineering standards of the relevant Road Controlling Authority.

Further information

10 If the Council requires any further information in relation to this submission, please contact Kirsten Wierenga, Acting Regional Planning Manager.

faxed 03 543 9524

Submission on Variations 43 & 44 to the Proposed Tasman Resource Management Plan

OFFICE USE ONLY	
Date Stamp 16.9.05	Submitter Number: 939
Time:	Initials: AS

Submitter Name: New Zealand Institute of Surveyors (Nelson Branch)
(organization/individual)

Representative/Contact: C/- ~~PO~~ PO Box 562 NELSON
(if different from above)

Postal Address: _____

Home Phone: _____

Bus. Phone: _____

Fax: _____

Postal address for service of person making the submission: _____
(if different from above)

Email: Simon@Jals.co.nz

Date: 15/9/05

Signature: [Signature]
(Signature of person making the submission or person authorized to sign on behalf of person making the submission)

Total number of pages submitted: _____

Please tick as appropriate

This submission relates to the following Variation(s):

43 (Car Parking – Mapua & Other Provisions) 44 (Transport)

I/we wish to be heard in support of my/our submission. I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Return your submission on or by 4:00pm,
Friday, 16 September 2005 to:

Manager, Policy
Tasman District Council
Private Bag 4
Richmond 7031

16-3
Subdn
rules

(1) My submission relates to: Provision No or Planning Map No. <small>(Please specify, e.g. 34.2.20(a)(iii) or Zone Map 256)</small>	(2) My submission is that: <small>(State concisely the nature of your submission and clearly indicate whether you:</small> • support or oppose the specific provisions, or • wish to have amendments made, giving reasons)	(3) I seek the following decisions from the Tasman District Council: <small>(Give precise details of the nature of the decision you seek in relation to the variation number and provision/map number given in column (1), e.g. addition, deletion or alteration. The more specific you can be the easier it will be for Council to understand your concerns.)</small>	OFFICE USE Submission No.
<u>2.2</u> , <u>2.1.1</u>	<u>oppose</u> <u>2.2 contradicts 2.1.1</u>	<u>Withdraw variation and re-advertise after consultation</u>	①
<u>2.1.2</u>	<u>oppose</u> <u>Figure 16.2A, full of errors and requirements to tough.</u>	<u>Withdraw Variation and consult.</u>	②
<u>2.2</u>	<u>oppose</u> <u>all references to "future loading requirements"</u>	<u>Make it clear where the costs lie.</u>	③
<u>Figure 18.10A</u>	<u>oppose.</u> <u>requirements are too onerous, eg collector 13m wide</u>	<u>Withdraw and consult</u>	④

FORM 13

**SUBMISSION ON A PUBLICLY NOTIFIED APPLICATION
CONCERNING RESOURCE CONSENT UNDER SECTION 96,
RESOURCE MANAGEMENT ACT 1991**

To: Tasman District Council
Submission on: Variation 44
Name of submitter: New Zealand Fire Service Commission (The Commission)
Address: c/o Beca Carter Hollings & Ferner Ltd
PO Box 3942
WELLINGTON

This is a submission on Proposed Variation 44 to the Proposed Tasman Resource Management Plan

The specific part of the application that the Commission's submission relates to is:

* The amendment of Figure 16.2A; specifically, the gradient standards that are proposed within the table.

The Commission's submission is:

The specific functions of the Commission are outlined in the Fire Service Act 1975. Included in this is the Commission's responsibility of ensuring the 'efficient, effective and economic management of the functions and activities of the NZFS. The key objective of the Commission is to ensure the provision of an effective emergency service to all New Zealanders so as to reduce the occurrence and impact of fire and other emergencies.

In order for the Commission to meet its obligations to the community, the Commission requires an appropriate coordination of the natural and physical resources utilised by the Commission in a manner that facilitates and assists the delivery of its operational requirements. This specifically includes the ability to efficiently manoeuvre fire appliances when attending fires or other incidents.

①

The Commission seeks the following decision from the consent authority:

That the maximum average gradient standard of 1:6 which is the current standard in the Proposed Tasman Resource Management Plan is retained and that the Engineering Standards are amended to reflect this standard.

The Commission does wish to be heard in support of its submission.



.....
(Signature of person authorised to sign on behalf of New Zealand Fire Service)

16 Sept 05

.....
Date

Title and address for service of person making submission:

New Zealand Fire Service Commission
c/o Beca Carter Hollings & Ferner Ltd

Attention: Steve Kerr

Address: Beca Carter Hollings & Ferner Ltd
PO Box 3942
WELLINGTON

Neil Jackson

To: Melody Valentine
Subject: Submission - Tasman Resource Management Plan

Melody,

I am looking at the submission that you / Steve Kerr lodged on behalf of NZ Fire Service, on Variation 44 to the Proposed Tasman Resource Management Plan. The Commission's concern is with gradients allowed in Fig.16.2A. The submission asks that the previous PTRMP standard of "maximum average gradient of 1:6" be retained.

By retaining "maximum ~~average~~ gradient", the actual gradient at some points on an access may exceed 1:6. It may even reach the 1:4 allowed by Fig.16.2A in its current form, which is what has generated the Commission's concern.

Council was initially looking at just removing "average" from that clause, leaving a maximum gradient of 1:6. However, the figure was also changed to 1:4 to match the Engineering Standards.

You may want to consider if you can address this aspect at the hearing, although there may be a jurisdictional issue if deleting "average" from the 'decision requested' is seen as asking for something more stringent than what is stated in the submission. That is, some other party may accept the submission as it is written, but might have made a further submission in opposition if the request had been more stringent.

Another option would be to lodge a late submission, with an amended request. I can only make that suggestion "without prejudice" to the question of whether or not Council would receive a late submission.

Neil Jackson.

sent 1/10/05

Neil Jackson

From: Neil Jackson
Sent: Tuesday, 25 October 2005 10:07 a.m.
To: 'Melody Valentine'
Subject: Submission - Tasman Resource Management Plan

Melody,

I am looking at the submission that you / Steve Kerr lodged on behalf of NZ Fire Service, on Variation 44 to the Proposed Tasman Resource Management Plan. The Commission's concern is with gradients allowed in Fig.16.2A. The submission asks that the previous PTRMP standard of "maximum average gradient of 1:6" be retained.


By retaining "maximum average gradient", the actual gradient at some points on an access may exceed 1:6. It may even reach the 1:4 allowed by Fig.16.2A in its current form, which is what has generated the Commission's concern.

Council was initially looking at just removing "average" from that clause, leaving a maximum gradient of 1:6. However, the figure was also changed to 1:4 to match the Engineering Standards.

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Another option would be to lodge a late submission, with an amended request. I can only make that suggestion "without prejudice" to the question of whether or not Council would receive a late submission.

Neil Jackson.

Steve  I suggest logging the earlier submission and the late submission as two separate submission items. Then if both are
Email sent in response to the original submission from NZ Fire Service has resulted in the attached LATE submission.

N.

accepted the submission
concerning the one it
wants; or if the late one
is rejected as invalid, the
submitter can run with the
first one as far as it
can. At least, we have
not had the current submission
withdrawn.



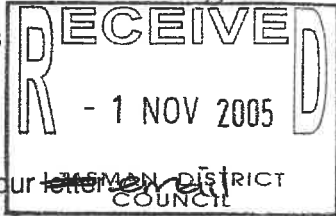
TO: Neil Jackson
 Tasman District Council
 Private Bag 4
 Richmond

FROM: Melody Valentine

DATE: 31/10/05 REF: 250212/174

Enclosed without special covering letter

- Returned with thanks
- For your information
- As requested
- In accordance with your letter
- Requesting your comments
- For approval
- For signature
- Please reply
- Please return



Here's the hard copy of
 the N2FS submission (modified
 version) as previously emailed

BECA CARTER HOLLINGS AND FERNER LTD
 PO BOX 3942, WELLINGTON
 PH: (04) 473 7551 FAX: (04) 496 2539

1056
(LATE)

FORM 13

SUBMISSION ON A PUBLICLY NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT UNDER SECTION 96, RESOURCE MANAGEMENT ACT 1991

To: Tasman District Council
Submission on: Variation 44
Name of submitter: New Zealand Fire Service Commission (The Commission)
Address: c/o Beca Carter Hollings & Ferner Ltd
PO Box 3942
WELLINGTON

This is a submission on Proposed Variation 44 to the Proposed Tasman Resource Management Plan

The specific part of the application that the Commission's submission relates to is:

The amendment of Figure 16.2A; specifically, the gradient standards that are proposed within the table.

The Commission's submission is:

The specific functions of the Commission are outlined in the Fire Service Act 1975. Included in this is the Commission's responsibility of ensuring the 'efficient, effective and economic management of the functions and activities of the NZFS. The key objective of the Commission is to ensure the provision of an effective emergency service to all New Zealanders so as to reduce the occurrence and impact of fire and other emergencies.

In order for the Commission to meet its obligations to the community, the Commission requires an appropriate coordination of the natural and physical resources utilised by the Commission in a manner that facilitates and assists the delivery of its operational requirements. This specifically includes the ability to efficiently manoeuvre fire appliances when attending fires or other incidents.

The Commission seeks the following decision from the consent authority:

That the maximum gradient standard is amended to 1:6 and that the Engineering Standards are amended to reflect this standard.

2

The Commission does wish to be heard in support of its submission.



.....
(Signature of person authorised to sign on behalf of New Zealand Fire Service)

31-10-05

.....
Date

Title and address for service of person making submission:

New Zealand Fire Service Commission
c/o Beca Carter Hollings & Ferner Ltd

Attention: Steve Kerr

Address: Beca Carter Hollings & Ferner Ltd
PO Box 3942
WELLINGTON

TO THE TASMAN DISTRICT COUNCIL

Davis Ogilvie
Land Development Professionals

RESOURCE MANAGEMENT ACT 1991
PROPOSED TASMAN RESOURCE MANAGEMENT PLAN
SUBMISSION ON VARIATION 44 – TRANSPORT PROVISIONS

DATE 16 SEPTEMBER 2005

SUBMITTER – DAVIS OGILVIE & PARTNERS LTD

ADDRESS FOR SERVICE – 277 HARDY STREET, NELSON
Phone – 548 4425
Fax – 546 8420
Email – nelson@dop.co.nz

16 SEP 2005

1 General:

The submitter is generally opposed to Variation 44 on the grounds that: -

- 1.1 There has been no prior consultation with or specific notice given to professionals involved in subdivision design, especially surveyors. Accordingly there has been insufficient time to properly consider the legal and other complexities of the proposals and their effect on the resource consent process generally.
- 1.2 The change purports to be aimed at resolving inconsistencies between the TRMP and the Engineering Standard. It follows that such inconsistencies have been generated by the later formulation of the Engineering Standards
- 1.3 The Council is persistently amending the PTRMP by variation such that it cannot be determined when the TRMP will become operative.
- 1.4 There is no urgency or necessity to proceed with this variation at this time and that the matter should be considered by subsequent plan change when the TRMP Land Plan is declared operative.
- 1.5 Relief Sought
 - (a) That variation 44 be withdrawn.
 - (b) That consultation be held especially with the practicing survey profession in the district.
 - (c) That the amended figures 16.2A, 18.10A of variation 44 and Table 6.1 of Section 6 of the Tasman District Council engineering Standards and Policies 2004 be withdrawn to eliminate the present inconsistencies (i.e that figures 16.2A and 18.10a of the PTRMP as notified be reinstated).

①

②

③

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2 Relationship between the TRMP and Engineering Standards:

There is confusion between the above relationship especially when the standards are an assessment criteria or required for compliance especially with subdivision as controlled activities.

Under Chapter 18.10 of the TRMP "Road Area", compliance is required with the roading standards of figure 18.10A or 18.10.AA.

Exceptions to these standards is a discretionary activity by virtue of Rule 18.10.4 subject to assessment criteria listed as 1 to 9.

Any of these matters relate entirely to internal effects in the case of subdivision within the subdivision.

2.1 Relief Sought

5

That such discretionary activities are listed as limited discretionary activities which are not required to be notified in accordance with Section 94 D (2) and (3) of the Resource Management Act 1991.

3 Private Access Standards:

There is unnecessary detail and excess formation requirements for private access including Rights Of Way and a too severe cut-off on numbers of users especially in residential areas. These are private ways not public and considerably greater flexibility is warranted as such accesses do not generate external effects beyond the land served

3.1 Relief Sought

That figure 16.2A be amended by

6

(1) Deleting all reference to maximum length of access for all categories of users.

7

(2) 1 user (residential) that reference to shoulders and kerb and channel is deleted.

8

(3) 2.4 users (residential) the carriageway width be reduced to 3 metres with passing bays required at 50 metre intervals only if there is no clear visibility for that length or where the right of way is more than 50 metres long.

9

(4) 5-6 users (residential) substitute 5 –12 users and amend maximum gradient to 1 in 5 with the formation to be concrete or asphaltic concrete for gradients exceeding 1 in 6.

4 Rooding Standards: Figure 18.10A

This submission under paragraph 1.5(c) effectively seeks the restoration of the original figure 18.10A road Construction Standards of the PTRMP as originally notified.

The submitter is concerned that the proposed figure 18.10a provides too coarse a graduation in roading standards for various roads within the Urban Area Rooding Hierarchy.

4.1 In the event the relief sought in paragraph 1.5(c) above is not granted the submitter seeks the following additional relief.

4.2 Urban area

10

(a) Access place – A further category of road serving up to 20 household Lots is provided for: at the following standards

(1) Minimum lane width 4 metres.

(2) Cycle lanes N/A.

(3) Parking width 1 x 2.0 metres.

(4) Total carriageway width minimum 6 metres

(5) (a) Footpath 1 x 1.4 adjacent to kerb (downhill side) for hillsides >20° slope.

(6) Services 1 x 1.0 m

(7) Landscape.... N/A

(8) Road reserve minimum width 8.4 metres.

(9) Maximum gradient 1 in 6.

(b) Collector Roads

There is a huge leap in carriageway requirements between access roads and collector roads.

In an access road 50 lots could generate at least 400 vehicles per day and 2 x 3 metre lanes could carry 1000 vehicles per day.

Collector roads within urban areas should be designed for a slow speed traffic environment and separate cycle lanes should not be necessary.

117

4.3 Accordingly the relief sought is that for the category of urban collector road other than commercial zones for 500 to 1000 vehicles per day the requirement for cycle lanes is deleted reducing the minimum carriageway width to 10 metres and reducing the required road reserve width to 18.8 metres.

5 Hearing

The submitter wishes to be heard in respect to this submission.

Yours faithfully
DAVIS OGILVIE & PARTNERS LTD



TONY ALLEY
Senior Associate

E-mail: nelson@dop.co.nz

TASMAN DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

SUBMISSION ON VARIATION 44: TRANSPORT PROVISIONS

16 SEP 2005

- 1.0 **Submitter: Federated Farmers.**
- 2.0 **Federated Farmers wish to lodge a Submission of Opposition to Variation 44.**
- 3.0 **Particular parts of the Variation we wish to oppose are set out below.**

A. Figure 16.2A – Standards for On-Site Access and Vehicle Crossings

- (i) Federated Farmers oppose the provisions of Figure 16.2A as they relate to rural zoning. It is noted that Rule 16.2.2(b)(ii) does in fact provide an exemption in the Rural 1 and 2 zones to any part of an access extending more than 50m from the road boundary and serving a single site or sites in the same ownership. However, the standards in Figure 16.2A seem contradictory, or at least very inconsistent, saying on the one hand that Rural 1 and 2 properties that extend more than 50m from the road boundary are not bound by the access standards, but then within the access standards Council has seen fit to introduce a maximum length on access through all of the zones, including the rural zones, with a maximum length of access of 200m.
- (ii) 200m in a rural context is a very short distance, and the majority of full-time farms (or even complying rural allotments in terms of subdivision standards, ie Rural 1 Blocks 12ha and Rural 2 Blocks 50ha) would have accessways significantly in excess of 200m. While there is the exemption for a single site or sites in single ownership, it does beg the question as to what is the point of the Rule in terms of adverse effects on the environment, which is what Council is supposed to be controlling.
- (iii) However, while there is an exemption as noted above, there would still be a very large number of farm properties caught by the standards in Figure 16.2A, where they involve rights-of-way. It is not uncommon to have rights-of-way serving various parts of farm properties over neighbours' properties, particularly on large farms where it is not always practical to take all access internally. Often topography and sheer size of the property means that it is practical and more efficient to gain access to certain parts of the farm through rights-of-way over neighbouring properties. In that circumstance, Figure 16.2A would apply. In such circumstances, the standards in the Figure would place a 200m maximum length on the access, which in the majority of cases would never be able to be complied with in a rural farming context or, for that matter, forestry. The carriageway specified for two to six users (but in the majority of cases it would only be two users) is a 5.5m wide carriageway, which is probably wider than a significant number of the formed roads in Tasman District, certainly in Golden Bay, and depending on the gradient, there is a requirement for sealing. Where rights-of-way are serving farming and forestry situations rather than residential situations, requirements for sealed surfaces are, in many cases, completely over the top. Often, the rights-of-way will be to service areas that are rarely accessed – depending on the land use, eg forestry – and sealing in the farming context is somewhat of a luxury,

particularly when the majority of Council roads servicing the rural area are not of such a standard.

- (iv) It is accepted that, in certain circumstances, gradient of access will determine that, from a practical use point of view, landowners may choose to look at such surfacing, but it is clearly going to depend on the nature and frequency of the use. Where such rights-of-way are servicing housing in a lifestyle context, such standards may be appropriate. However, they are clearly not appropriate as a blanket standard over the rural area for those involved in farming and forestry properties of a large scale, which can have extensive roading, some of which will be covered by rights-of-way for convenience purposes, and the majority of these rights-of-way will not be servicing residential situations.
- (v) In a rural situation, the need for passing bays at 50m intervals, regardless of visibility, is a nonsense on most rural rights-of-way. It is regulation for regulation's sake, and is not related to visibility, which the previous standards were. These required passing bays if visibility was less than 150m along any part of the access. The proposed standards require -even when there is only one user - to have a passing bay every 50m, which is excessive in a farming context. Again, this is not a matter that needs regulation, but left up to the commonsense of the farmer in the particular circumstances, given the nature of the activity and the extent of use. Sometimes, a right-of-way is into a part of the farm that is rarely used, eg to an area planted in a woodlot, access to such an activity is very intermittent. Other parts of an access may be used quite regularly and, if there are visibility issues, then what is in the current Figure 16.2A is much more appropriate, as it relates to an actual problem, ie visibility of less than 150m. Clearly, a passing bay will mitigate that effect. If there is no visibility issue, ie an access is perfectly straight, then there is no clear need for a passing bay.
- (vi) In a rural context, the standards for Figure 16.2A are excessive and, in many cases, there is no clear link to mitigating a serious adverse effect that needs to be taken care of via Rules rather than left to the common-sense of the landowner in light of the land uses they are undertaking.
- (vii) The Submitters are concerned that staff have written this Proposed Variation with little practical knowledge of actual situations on large rural properties, and the impacts of this level of regulation in a rural context. The Submitters consider that Council staff and Councillors would benefit from familiarising themselves with farm access issues and how they are operated, and having a full understanding of such operating conditions would enable Council to ensure that the level of regulation introduced was practical, necessary, and was for a clear resource management purpose.

Relief Sought

Delete the new Figure 16.2A from this Variation, and substitute the Figure 16.2A that has been part of the Tasman Resource Management Plan to date. At a very minimum, the Submitters require the deletion of the new standards as they apply to the Rural 1 and 2 zones, and that the standards in the previous Figure 16.2A be retained for the Rural 1 and 2 zones.

B. Chapter 18 – Figure 18.10A

- (i) The Variation seeks to replace the existing Figure 18.10A with a new Figure. The Submitters are concerned at the significant increase in standards for a number of the roads in rural situations, and are concerned as to the impact of this on their development of farms. Most rural roads would fall in the category of either Access Roads or Access Places. There appears to be a significant difference in standards applicable, comparing the current Figure 18.10A – particularly for the access road situation – and the proposed standard. These differences include that, currently, access roads do not have a requirement for sealing, nor do they have requirements for footpaths. The new standards are proposing sealed roads for roads servicing as few as seven households, and are requiring footpaths.
- (ii) The Submitters are concerned as to the move in direction to saying that all rural roads should have a footpath. In isolated areas of the district, where there are huge distances to any urban facilities and services, just what is the purpose in a truly rural environment of footpaths? Who is going to use them? Who is going to pay to maintain them, and just what purpose are they serving? The Submitters agree that, in some roading situations in close proximity to urban or coastal settlements, there may be some benefit if these rural roads connect urban settlements. However, in the heart of rural areas, there seems to be no purpose at all, yet there is no distinction between the extraordinarily diverse number of situations that the district's rural zoned areas have, and the standards.
- (iii) The standards adopt an approach *one size fits all* when that could result in totally redundant infrastructure in some areas, when money could be better spent on required infrastructure. Also, how appropriate is it, when Council seems so concerned with landscape and rural amenity values being observed, to introduce footpaths into a rural area? Are they part of what is perceived as rural character? The Submitters consider that, in many situations, footpaths are inappropriate and seek to introduce urban elements into rural areas where they have often no place.
- (iv) The Submitters are concerned about the standards on two levels. Firstly, they are concerned at a ratepayer level that, if these are the standards Council is aiming for, and over time they are looking to upgrade rural roads to this standard, then ratepayers will be funding potentially redundant infrastructure, such as footpaths on remote rural roads. This is not seen as an efficient use of scarce financial resources, and it is a significant burden on the ratepayer.
- (v) The more direct concern is the manner in which this new Table will be utilised when legitimate development is being undertaken in the rural area, which may be, for example, seeking consent to erect an additional dwelling for a sharemilker on a property, or perhaps undertaking a complying subdivision for rural purposes on a particular landholding. Is this going to result in Council assessing the application in light of the roading standards in Chapter 18, some assessment criteria direct Council to take into account those standards. Are landowners going to find Conditions placed on a Consent simply to provide an additional sharemilker's dwelling, or undertake a two-lot complying subdivision, that a Condition of Consent is upgrading roads servicing the particular property to the standards set out in Figure 18.10A? Quite clearly, this is a major concern as, to upgrade many rural roads to a standard in excess of a 6m sealed

carriageway, provision for grass shoulders, swales and batters, and footpaths, will mean that such development is totally uneconomic.

- (vi) The Submitters are not necessarily opposed to upgrade of some of the standards to address situations where, within rural areas, there are occurring large development proposals involving a significant number of allotments for lifestyle or rural residential purposes, introducing into an area a significant increase in demand for a higher level of roading standard. But the blanket approach of the Council not differentiating between the different needs of different parts of the rural zone, depending on the character and nature of activity in that zone, means that those involved in full-time rural activities, undertaking necessary development to support those activities, could be penalised by standards which are likely to be quite excessive in the examples described.

Relief Sought

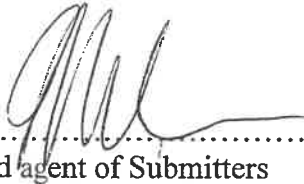
- ② {
- (a) The Submitters consider the standards for Access Places, particularly with reference to the number of households between 7 and 19, that requirements for footpaths and sealing are excessive. In respect of other parts of the road hierarchy, it depends on the nature of the activities, the density of development, as to whether the sealing of roads and requirements for footpaths are necessary. The Submitters therefore request that the standards be re-written to reflect the differing circumstances in different parts of the rural area, particularly on the issues of footpaths and sealing; or
- (b) that the Council withdraws the Variation and works with the various interest-groups to come up with a workable standard that is responsive to high levels of growth, particularly in the rural area, but does not penalise genuine rural activities and rural landowners by standards that are excessive and out of proportion to the scale of development.

C. General Submissions on Transport Standards

- (i) The Submitters are concerned that some of these standards are inconsistent, and contrary to other policy documents the Council is pursuing, such as the Landscape Character Assessment document.
- (ii) The Variation appears reactionary to perhaps some individual concerns that have arisen in specific instances but, in the Council seeking to remedy this, there is potential for significant disadvantage to other groups, such as the Submitters. A more co-ordinated and integrated approach is required and, more importantly, a consultative approach, where the regulations that are written are done so fully recognising the different activities in the area, and the different responses necessary in terms of regulation for those activities. The concern overall for these Submitters is that the standards provide a response which assumes the issues or problems are uniform, and that the response should be a blanket response. One size does not fit all in this district, and the level of regulation must recognise this, otherwise sectors of the community are unfairly disadvantaged.

4.0 The Submitters do wish to be heard in respect of their Submission.

DATED this 16th day of September 2005



.....
Authorised agent of Submitters

Address for Service: Staig & Smith Ltd
PO Box 913
Nelson

Phone: (03) 548 4422

Fax: (03) 548 4427

Attn: J McNae

Submission on Variation 44 to the Proposed Tasman Resource Management Plan

Submitter: Tasman District Council

Address: Private Bag 4, Richmond, 7031

Signed: Dennis Bush-King

Date: 16 September 2005

Number of pages submitted:

The Council wishes to be heard in support of this submission.

Item 1: Figure 16.2A:

The purpose of the submission is to clarify that the column headed "Capacity" refers to maximum capacity. Where that capacity would be exceeded, Rule 16.2.6 applies.

Decision sought:

① **Amend** the heading "*Capacity*" in the second column of Figure 16.2A to "*Maximum Capacity*".

Item 2: Figure 16.2A:

The purpose of the submission is to remove an ambiguity in Footnote (3), clarifying that a multi-tenancy development operated as a single business unit does not qualify as "1 user".

Decision sought:

② **Amend** Footnote (3) of Figure 16.2A to:

"For the purposes of this Figure, "user" includes an owner-occupier and any tenancy occupying all or part of any site or premises."

Item 3: Rule 16.2.3, condition (i):

The parking requirement for people with disabilities should be the same as is required under the Building Act 2004.

Decision sought:

3

Replace Rule 16.2.3 (i) with:

“Car parking areas include space for people with disabilities at the rate of:

- *1 – 20 car parks: not less than 1 space;*
- *21 – 50 car parks: not less than 2 spaces;*
- *For every additional 50 car parks or part of a car park: not less than 1 space.*

The dimensions of car park space for disabled people are detailed in Figure 16.2E”

Item 4: Rule 16.2.3, condition (i):

The parking requirement for people with disabilities need not apply to certain forms of development.

Decision sought:

4

Add to rule 16.2.3 (i):

“This condition does not apply to parking required for dwellings, worker’s accommodation, or home occupations.”

Item 5: Chapter 16:

The Plan does not adequately address the formation of unformed roads.

Decision sought:

5

Add a new rule:

“16.2.4A Discretionary Activities (Road Formation):

The formation of any unformed road is a discretionary activity.

A resource consent is required. Consent may be refused, or conditions imposed.”

Item 6: Chapter 16:

If item 5 is adopted, an amendment to the heading before condition (d) of Rule 16.2.4 is required.

Decision sought:

6

Amend the heading before condition (d) of Rule 16.2.4 to:

“Frontage to formed Legal Road.”

Item 7: Chapter 2:

If item 5 is adopted, a definition of “unformed road’ is required.

Decision sought:

7

Add a new definition in Chapter 2:

“Unformed road – means legal road reserve in which no carriageway formation has been authorised by the Council.”

Item 8: Schedule 16.2C, Diagram 1:

The diagram no longer represents the rule as amended by the variation.

Decision sought:

8

Amend Diagram 1 of Schedule 16.2C to represent the requirements of Rule 16.2.2 for vehicle crossings.

16 SEP 2005

TASMAN DISTRICT COUNCIL
RESOURCE AMANGEMENT ACT 1991
SUBMISSION ON VARIATION 44: TRANSPORT PROVISIONS

Submitter: Staig & Smith Limited

Proposed Tasman Resource Management Plan: Variation 44 – Transport Technical Amendments

Notified: 20 August 2005

Closing Date for Submissions: 16 September 2005.

Dated this 15th day of September 2005



.....
(Signed Staig & Smith Ltd))

Address for Service: Staig & Smith Ltd
PO Box 913
NELSON

Phone: (03) 548-4422
Fax: (03) 548-4427

If the matter is amended to "roadway & traffic matters, such as degree of compliance with any current TDC Engineering Standards or Design Guide", does this amount to "Incorporation of documents by reference in plans or proposed plans"?

These documents are not important as standards that must be complied with,

but are material that can be considered - along with unspecified proposals

1.0 General Comments On Transport Provisions Amendments

From applicants or Submitters.

- 1.1 Staig & Smith Ltd welcomes the opportunity to provide comments on the proposed Variations 44 : Transport Provisions. While it is acknowledged that the current discrepancies and inconsistencies between the Engineering Standards and the requirements in the TRMP require addressing, the Submitter is concerned about the intended status of the Engineering Standards and how the provisions in the TRMP are proposed to be amended, including inaccuracies within the changes and the imposition of standards in an over regulated one standard fits all approach that is not related to avoiding, remedying, or mitigating environmental effects.

2.0 The Submission

- 2.1 Aspects of the proposed variation that require further consideration are discussed in the following sections under individual headings, with bold and italicised excerpts from the proposed variation, followed by our submission in respect of those issues and the remedy sought:

2.2 Use and Status of the Engineering Standards in the PTRMP

- **Chapter 16, Section 16.2.1**
Addition of note "Note: While not forming part of this Plan, Council also has Engineering Standards that are relevant to the design and construction of roads and rights of way".
- **16.2.6(2C) and 16.3.3(7), 16.3.5 (7), 16.3.7 (10), 16.3.8 (10), 16.3.9 (12) and 16.3.10 (10) Matters of control and Assessment Criteria**
The addition of "Requirements set out in any current Tasman District Council Engineering Standards" for controlled activities and "the degree of compliance with any current Tasman District council Engineering Standards".

- * 2.3 It is not clear where the Engineering Standards lie, they are not part of the Plan yet a note specifies that they are 'relevant'. The Council website then states that "Proposed Variation 44 incorporates the Councils Engineering Standards for Streetworks into the TRMP". It is not clear whether Council intends these references to the Standards to mean that they are referenced in accordance with Part 3 of the Amendment Act 2005, and that they now have legal effect as part of the Plan. We consider that the Engineering Standards should be referenced as one means of compliance with Section 16.2, of which alternatives with appropriate supporting material are considered on a case by case basis.

- 2.4 The above confusion is further emphasised later on in the Proposed Variation where compliance with the Engineering Standards is used as a matter over which Council has reserved control, and an assessment criteria for discretionary activities (refer 16.2.6(2C) and 16.3.3(7), 16.3.5 (7), 16.3.7 (10),

d.a.
20/10/2018
d.o.c.
d.o.c.
d.o.c.

matter/assessment criterion : could just say "roading"
"roading matters"
"roading standards"

requirements
degree of compliance with

d.a. doc
16.3-9D (9A)

c.a. doc c.a. doc c.a. doc
16.3.8 (10), 16.3.9 (12) and 16.3.10 (10)). This approach is inconsistent within the Proposed Variation. On the one hand a note alerts the reader to this external document the "Engineering Standards" which is not part of the Plan because a note is not classed as a rule or standard, it is simply a note, the content of which is at the readers' discretion as to its relevance. Then on the other hand the Variation states that the 'degree of compliance with the Engineering Standards' is listed as a matter over which Council retains control, and as an assessment criteria for discretionary activities.

2.5 Use of the Engineering Standards is one means with which to show compliance, however there are many other methods (not included in the Engineering Standards) that provide more innovative, environmentally responsive and sustainable solutions, than those currently in the Engineering Standards.

2.6 The variation goes further to differentiate the status of the standards between controlled and discretionary activities. For controlled activities the variation lists as a matter of control the 'requirements set out in any current TDC Engineering Standards' whereas for discretionary activities it is listed as "the degree of compliance with any current TDC Engineering Standards". Our understanding of the Engineering Standards is that they are one means of compliance, therefore the variation should also include direct reference to the ability to have other alternative methods of compliance assessed. The PTRMP developed under the RMA 1991 should be performance and outcome orientated (hence the stated desired environmental effects) not prescriptive and requirement orientated. The PTRMP should be concerned with controlling environmental effects, any number of methods may be able to address the environmental effects and reach the desired performance outcome. It is not for Council to select the means though which an Applicant chooses to avoid, remedy or mitigate an environmental effect.

one d.a. refers to 'requirements'. All other d.a. + c.a. refer to 'degree of compliance'.

? "roading matters, such as degree of compliance with ..."

2.7 If the degree of compliance with the Engineering Standards is a matter of control, or assessment criterion, then how are alternative methods of compliance to be assessed under such regime? Why do alternative methods not have any assessment criterion? The Variation seems to imply that traditional hard engineering approaches to roading and access design are preferred over alternative, new innovative and environmental best practice options which have no specific assessment criteria or even a mention of the ability to have alternatives considered. Surely this is not the approach Council intends under the sustainable management mandate?

2.8 If assessment criteria for alternative methods are not included, but compliance with the Engineering Standards is, then it will essentially force any environmentally responsive, latest best practice design (such as those advocated in the Richmond South Design Guide) to have a very difficult, time and resource expensive investments to get through the consent process. Council Consent Officers can only but determine that such new and innovative technologies and design ideas do not to any degree comply with the Engineering Standards and their traditional hard approach to development. This will create a barrier to the implementation of any innovative,

environmentally responsive or sustainable design ideas in terms of transport and roading standards simply because they do not meet the traditional hard engineering approach of the Engineering Standards and there is no clear avenue to have alternatives considered. For instance there may be situations where it is appropriate to provide for a lesser width of road to achieve better urban design outcomes.

- 2.9 This very issue has been raised and highlighted in response to the direction Council has indicated it wishes to head in terms of future urban development within Richmond and rural residential development in the Coastal Tasman Area. These types of environmentally responsive developments are not representative of the roading and design standards in the Engineering Standards, how can Council be promoting this development type on the one hand, but be creating significant barriers to its implementation on the other hand? The black and white approach of the Engineering Standards is simply inconsistent with effects based promotion of sustainable management and for this reason the Standards are best left outside the Plan, and simply referred to as 'one means with which to show compliance of which there may be others'.

There should be specific assessment criteria that are performance based that alternative methods can be considered against.

Does submn suggest what these should be?

- 2.10 Proposing that the Engineering Standards become part of the Plan through Variation 44 will result in disadvantages which we believe Council has not adequately considered and will create barriers to the implementation of more sustainable transport and roading design options due to the following:

- (i) The Engineering Standards do not necessarily achieve the purpose of the RMA in managing environmental effects in all subdivision and development proposals; and
- (ii) The Engineering Standards are not effects based, outcome or performance orientated, they are prescriptive and directive in their approach which will not in all cases achieve consistency with the RMA and the Objectives, Policies and Rules of the PTRMP.
- (iii) The Engineering Standards do not provide for innovative planning approaches.
- (iv) The Engineering Standards maintain that one solution fits all situations. This is clearly not the case as the Tasman District includes different types of environments where different design solutions are appropriate. For instance, what is acceptable in Murchison or Golden Bay, may not be appropriate for Richmond. This has recently been acknowledged in Councils Landscape Character Assessment which suggests different standards of development are appropriate for different landscape areas within the District.

- 2.11 Council has recognised that there are inconsistencies between the Plan requirements and those in the Engineering Standards. Prior to attempting to solve this problem, Council should ask the question as to why these inconsistencies have arisen? It is our opinion that these inconsistencies have arisen because the whole Engineering Standards require a comprehensive review in the face of the sustainable management and good urban design focus mandate of the RM Act, the progress of the Proposed Plan in that direction,

and subsequent design guides and development approaches advocated by Council through other external documents and variations. The Council staff report for the Variation, reference L231 for Council meeting of 23 June 2005 states that where inconsistencies have been found between the PTRMP and the Engineering Standards, 'generally, the more conservative standard is adopted in the proposed amendments'.

- 2.12 In addition we question the ability of the Engineering Standards to be assessment criteria in the Plan given that assessment criteria are meant to relate to the issue or effects the activity will have on the environment, and/or the aspect of non-compliance that has triggered the rule, and should set the direction Council is heading towards when considering such an activity. Having the Engineering Standards as a matter of control and assessment criterion gives unreasonable discretion to Council and indicates that any solution that is not in the Engineering Standards is not considered acceptable. This is an unacceptable level of status given to an external document that has not gone through the public process in its drafting nor its amendment or upgrading. It is also an unacceptable level of status given to roading and access designs that meet the traditional hard engineering focus of the Engineering Standards over those that have environmental benefit. The consent process does allow consideration of alternatives, however why would any developer pursue a more environmentally responsive approach when it will cost more in time and resources to gain a consent than simply sticking with the hard engineering traditional approach? Council has a role to lead the development community in the direction of more environmentally responsive approaches to transport, access and parking, not to insist upon use of prescriptive standards from a hard engineering approach.

2.13 Remedy Sought

- ① (i) Removal of all matters of control, and assessment criteria directing towards the Engineering Standards OR direct inclusion of assessment criteria for the consideration of alternative design approaches to create a level assessment process.
- ② (ii) If there is to be a note retained that alerts readers to the fact that there is an external guiding document for Engineering Standards it should refer to a date and issue, so that any changes to that document can be evaluated in the public forum.
- ③ (iii) If there is to be a note in the Plan referring to the Engineering Standards should state that the standards are 'one means of compliance' only.
- ④ (iv) The entire Engineering Standards require review to incorporate the latest best practice environmentally responsive designs, this will avoid inconsistencies between the direction advocated by Council Design Guides, and Variations to the Plan and provide true assistance to the community as 'one means of compliance'.

2.14 Figure 16.2A Standards for On-site Access and Vehicle Crossings

2.15 Refer to the above table. The additional requirements in this new version of table 16.2A appear to be regulation for regulations sake., and have little relevance to the minimisation of environment effects, for instance, what is the effect that is trying to be minimised by the requirement for 2 users in the Rural 2 Zone to have a farm access no longer than 200m? How is this rule to be enforced and who is going to monitor it? How has this requirement been assessed in terms of the costs and benefits of providing a full road construction to serve Rural 2 sites with an access of greater than 200m?

2.16 The standards in 16.2A are extremely heavy for private driveways/right of ways, are a significant change from the current Plan provisions, and raise significant issues that Council needs to reconsider. The issues highlighted below are some of the inaccuracies and inconsistencies that have been included in the table 16.2A.

(i) Standard 16.2.2 (b) (ii) states that Figure 16.2A does not apply in the Rural 1 and 2 Zones to any part of an access extending more than 50metres from the road boundary serving a single site. Why then does the table 16.2A contain standards for Rural 1 and 2 serving 1 user for up to 200m in length? The table and the standard are inconsistent with one another.

(ii) Why is Rural 1, 2 and 3 lumped into the same category – they are clearly very different types of land use activities on different levels of development, that have entirely different levels of effect. If the effects generated by private landowners on their own private access way are of such concern that Council needs to impose heavy regulation in that respect, how can one standard fit all? Presumably the effects to be controlled by such regulation are directly related to the types of activities undertaken on Rural 1, 2 and 3 properties, which by their very nature and as described by the Plan, are very different.

(iii) It is unclear as to why a single residential driveway is required to have a kerb and channel, how such a requirement meet the purpose of the Act, and how it is going to be monitored?

(iv) It has implications for residential rear lot access ways that do not appear to have been considered, in that they will now need to be 4metres wide to fit the construction requirements.

(v) The requirement for passing bays for 2 to 4 residential users is too onerous and the 25metre distance requirement is too short. This standard should be based on effects, such as if there is poor visibility over the length of the access then it is appropriate to install a passing bay.

9 (vi) The definition of carriageway is proposed to change under this Variation yet the table is inconsistent with the new definition. What is

the reserve width? And what is the minimum total width requirements? How do these columns relate to the new definition of carriageway?

- (vii) A kerb and channel is not necessarily appropriate in any Rural Residential Zone for a number of potential reasons (landscape, low impact stormwater, energy efficiency, amenity and character, least environmental impact). When a kerb is required, such as when there is a lack of width to provide for a swale or other low impact drainage design, or too steep a gradient for low impact methods, then it should be assessed on a case by case basis. Once again, this standard is inconsistent with best environmental practice and the direction Council is heading in with recent variations and design guides.
- (viii) It is not clear in the Residential Zone in the Shoulders column what is meant by shoulder '1x0.5 kerb and channel'. Is the kerb and channel considered part of the shoulder? Is the shoulder to be sealed or gravelled? With a 0.5metre shoulder, what is wrong with a 2.5metres seal width with a gravel shoulder as this has the same effect as a 3metre seal with a kerb?
- (ix) In the Residential Zone why is the carriageway between 1 user and 2 to 4 users required to be 0.5metres wider? What is the function of this given that passing bays are required? There will still only be one car on the drive at a time so why is a further 0.5metres in width required? These standards are inconsistent and not related to environmental effects; the total reserve width is able to stay at 4metres. If the purpose is for pedestrians, it would be better to have a 0.5m path behind the required kerb. If the purpose is for aesthetic reasons, then it is up to the developer to decide whether or not to include a greater width to gain visual benefits.
- (x) In the Rural Zone the maximum right of way length of 200m is not an effects based standard, nor is it necessarily practical or efficient to construct a road thereafter. The construction of a road has greater environmental (landscape, earthworks, energy efficiency, loss of land) effects than that of a right of way, which is more than often able to provide safe and efficient access for a distance of greater than 200m given passing bay and maximum user requirements.
- (xi) The new carriageway definition has not been brought through into the new table. The Table is incorrect, the columns do not add up, it is not clear what the kerb and channel mention is doing in the shoulder column, for example:

Rural (2-6 users): $4.5\text{m (lane width)} + 2 \times 500\text{mm (shoulders)} = 5.5$
BUT

Residential (1 user): $3\text{m (lane width)} + 0.5\text{m (shoulder)} = 3.5\text{m}$ (Not 3m as is shown in the table)

(xii) Standards in the Plan should be effects based, not just replicated from the Engineering Standards which as discussed earlier, are but one means of compliance. The standards are too exclusive and general and are not applicable in many situations, take the following examples:

- a) What happens when a property owner has a 2000m² site in the Rural 1 or 2 Zones and they wish to put in a driveway? Why should they have a lesser construction standard than a property owner in the Rural Residential Area with 2000m² site? How is this standard effects based?
- b) What is the difference in terms of environmental effects (because that is what the TRMP is about) between two users on 300m of private access and 8 users on 50metres of private access? Why should one or the other become road simply because it is longer than 200metres or there are more than 6 users? What is the environmental effect that is triggered to require the change from right of way to road?

2.17 Remedy Sought – Figure 16.2A

2.18 The table in Figure 16.2A requires amending to place less onerous, more practical and environmentally responsive standards on both individual and common private access owners. The standards need to be effects based, practical and efficient, and the above identified inaccuracies and design issues need to be addressed.

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There is no need to control the driveway standard on an individual household beyond the legal width of an access strip. Standards are required to control environment effects, there is no environmental effect related to an individual private households driveway standard. It is however accepted that where there are shared accesses, there is a need to consider formation requirements in terms of the multiple users.

gradient //
emergency
vehicles +
adjoining road
standard

The following page contains the amended table, which is sought to be adopted to replace that proposed under the Variation.

no crossing more than one...
 No footpaths (at Industrial in 100%)
 Services/shoulder comb red in stormwater control.
 no total length

Zone	Capacity	Minimum Lane Width (m)	Stormwater Control	Passing Bays	Min. Legal Width (m)	Maximum gradient	Minimum Surface Requirement
Residential, Papakainga; Rural Residential, and Rural 3.	1 User	3.0	no k+c Yes	Not required	3.5	NA 1:4 1:5	All weather access
	2-4 users	3.0	Yes	One every 50metres where visibility is restricted and/or the access is longer than 100metres.	4.0	Up to 1 in 5	Permanent Surface
						Steeper than 1 in 5 max?	
5-6 users	Two lanes at 2.5m each	Yes	Not required	6.0	Up to 1 in 5	Permanent Surface	
Rural 1 and 2 not R3 & RR	1 user	3.0 3.5	Yes drains	Not required required	3.5	NA X	All weather access
	2-4 users	3.0	Yes	One every 50metres where visibility is restricted and/or the access is longer than 200metres.	4.0	Max grade 1 in 5	All weather access
	5-6 users	Two lanes at 2.5m each	Yes	Not required	6.0		
Industrial and Rural Industrial	<50 Hcvpd <1000 vpd	Two lanes at 3.0 each	Yes	No	8.5 10.5	1:8	Permanent Surface
Central Business, Commercial, Tourist Services	1-6 users	Two lanes at 2.5 each	Yes	No	6.0	1:8	Permanent Surface

Notes: - There are many methods of achieving effective stormwater control that avoids adverse effects within and downstream of a site, and designs which minimise stormwater in the first instance and are responsive to the site environment are to be encouraged over hard engineering approaches.

What U/S - Underground Services shall be provided for in accordance with industry standards. — what does this mean?

- Minimum legal width shall include stormwater control and depending upon the method selected may be required to be wider than that listed above. — can't have a variable width as a permitted activity standard. If can't give certainty of fixed minimum width, need to revert to controlled / discretionary status for that factor.

2.19 In 16.2.2 amendments

2.20 **Remedy Sought**

While undertaking these amendments the Break Over Angle diagram in Schedule 2.6A: Tracking Curves needs to be deleted.

— why ?

2.21 In 16.2.3

Amend Figure 16.2D Car Parking Standards

2.22 Variation 44 is headed “Transport Provisions” where as Variation 43 is headed “Car Parking – Mapua and other Provisions”. The titles of the Variations are misleading to the public, new car parking standards are clearly incorporated in the “Transport Provisions” Variation, and not the “Car Parking” Variation.

2.23 In addition it seems incredibly ad hoc changing some of the car parking standards which have had led to issues in terms of environmental effects (i.e the café/bar car parking assessments under the existing standards), when in fact the nature of activities scheduled in the car parking standards have changed across the board since the introduction of the Plan. If we are going to change one standard then a comprehensive study on car parking in relation to all categories of use is required. The need for such a comprehensive review is further highlighted by Variation 43 which now seeks financial contributions where parking in accordance with the standards is unable to be provided. To fairly and reasonably seek financial contributions in lieu of physical car parks Council needs to be sure the standards are effective and accurate.

Remedy Sought

2.24 Comprehensive car parking study and review.

Withdraw proposed changes on Figure 16.2D until the above review has been completed.

2.25 **New Condition (f)** (k)

“The surface of all parking areas in the Residential, Central Business, Commercial, Tourist Services, Light Industrial and Heavy Industrial zones, and for lots of 5000 square metres or less in the Papakainga and Rural Residential zones, is formed and sealed, and spaces marked on the ground, except that:

- (i) *Sealing is not required for parking areas for residential development if no more than two spaces are required for that development; and*
- (ii) *Marking of spaces is not required for residential development.”*

2.26 **New Condition (l)**

“The surface of all parking areas for any permitted activity in the Rural 1,2 and 3 zones, and for lots of more than 5000square meters in the Papakainga and Rural Residential Zones, is formed to a surface standard that is not less than that required for the on-site access for the site, and is sealed and spaces marked out if the number of car parks required for the activity exceeds four”.

2.27 These standards are standards for Permitted Activities, it is considered extremely onerous for permitted activities to require across the board sealing of parking areas for all activities. The need to seal (or other surface) should be based upon the effects generated by an activity, if the activities are permitted, then the level of effects generated by them are considered acceptable by the community. Surfacing of car parking may be required where there is an identified effect to be mitigated, such as noise or dust generation, when activities other than permitted activities are being considered by Council.

2.28 In respect of both conditions f and l, requiring that car parking areas are 'sealed' is questioned as to whether this particular type of surfacing is the most appropriate, and has been evaluated in terms of section 32 of the Act. There are many other forms of permanent surfacing that are more environmentally responsive than tar seal or asphalt. Why does this standard prevent alternative pavements from being considered under these standards? And why should alternative more environmentally responsive surfacing materials (such as porous pavers) be required to gain specific consent?

2.29 **Remedy Sought 16.2.3 Conditions f and l**

- Permanent just-free — how much judgement is involved? definition?*
- Withdraw car park surfacing standards for permitted activities.
 - Amend 'sealed' to 'permanent surface' to allow other forms of surfacing apart from tar seal to be required for non-permitted activities (i.e. controlled through to discretionary standards).
 - Withdraw the requirement to permanently surface car parking areas in the Rural 1, 2 and 3 and Rural Residential Zones.

2.30 **In 16.3. Subdivision New conditions 16.3.3 to 16.3.11.**

2.31 Addition in respect of 16.3.3(1C), 16.3.5 (1C), 16.3.7 (2A), 16.3.8(2A), 16.3.9C(3) and 16.3.10(2C) and 16.3.9D, 16.3.9E and 8B for 16.3.11AA.

"The relationship of any new road with existing roads, adjoining land, and any future roading requirements"

2.32 It should be made clear and noted with this new standard, that while consideration of the effects of a development may include future roading links, the setting aside and construction of such links can only be required of an Applicant if it is fair and reasonable considering the roading needed to serve the subject development. — *what about a wider/future need?*

fair + reasonable to community as well as to applicant?

2.33 Addition in respect of 16.3.3 (7), 16.3.5(7), 16.3.7(10), 16.3.8(10)16.3.9C,(12), 16.3.10 (10), and under 16.3.9D, 16.3.9E and 16.3.11AA.

"the degree of compliance with any current Tasman District Council Engineering Standards"

2.34 Refer to previous submission under paragraphs 2.3 to 2.11 above.

2.35 Remedy Sought

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(i) If Council wishes to have developers consider future roading connections on adjoining land, then Council should provide for mechanisms for the purchase of additional land required for roading links and/or for agreements to be entered into by the developer with Council, to ensure that the benefiting adjoining landowner pays a fair share towards the cost of providing the frontage road.

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(ii) The Tasman District Council Engineering Standards are not designed to be part of the PTRMP, have not been drafted under the RMA nor are they an effects based standard, do not represent environmental best practice, have not been through a public evaluation process, and provide only one possible means of compliance with rules and standards, and therefore have no place being an exclusionary matter of control or assessment criterion. References to the Engineering Standards, apart from that as a note which advises there are standards to be considered at the readers discretion, should be removed, unless Council intends to place a comparable level of discretion in terms of performance criteria for alternative methods currently not included in the Engineering Standards.

2.36 Chapter 18, Figure 18.10A

2.37 Refer to the above table. The Submitter has the following concerns with the above table proposed to be added to the PTRMP:

- (i) Where does Rural Residential Zones fit within the Roding Hierarchy Class? In rural or residential?
- (ii) Under Access Place – Rural – what is ‘with and without dwelling’ referring to? Does this mean if you construct a road to the without dwelling standards, that no dwellings are allowed off that road, or that when someone does construct a dwelling they are required to upgrade the road? Most rural roads would have at least one dwelling off it.
- (iii) Why is a rural road with dwellings required to provide a footpath, but not a cycle lane. Surely if we are going to have footpaths in the rural environment we should also have cycle lanes? Since when has it become appropriate to have footpaths in the rural environment?
- (iv) If a rural Access Place has no dwellings, why is the width requirement for total carriageway higher than the same road that does serve dwellings?
- (v) This table is inconsistent with Figure 16.2A. In Figure 16.2A residential and Rural residential driveways are required to have kerb and channel (although it is recommended by the Submitter that this be removed) but urban roads and rural residential roads under Figure

3.0 OVERALL SUBMISSION ON VARIATION 44

Variation 44 contains a number of errors, inconsistencies and provisions that have significant implications in terms of both private property and the future development and infrastructure for the District. The Variation has not been well publicised, nor has there been any prior consultation in regards to the change in standards with community interest groups, such as farmers and their organisations, the development community and their advisors. In addition the 20 working day submission period is considered too short for such a technical Variation to be given the assessment it requires, particularly considering the current number of Variations being notified by Council.

Variation 44 represents regulation for regulation sake. It does not identify specific effects that require remedy, mitigation or avoidance for which an Applicant should be able to select from various means (both construction standards and design techniques) to address. Instead Variation 44 provides a specific list of standards that are used as the only means to address an issue, unless the Applicant wants to drift into lengthy and costly debate with consents processing staff and engineers.

The PTRMP is not an Engineering Standard, it is a District Plan formulated under the effects based mandate of the RMA, it should simply identify the range of effects in terms of transport and parking that are to be assessed, avoided and mitigated. It is up to the Applicant to select the method most appropriate to that particular situation and environment. i.e. the Plan should simply state, that there should be effective stormwater control that avoids adverse effects within and downstream of a property, the method of stormwater control (swale, water table, kerb and channel, porous pavers etc) is up to the Applicant, the specifics of the site and the nature of the project.

Part 3 of the Amendment Act now provides for external documents to be referenced as part of a Plan. It is suggested that if Council seeks that the Engineering Standards should be so referenced and included as part of the Plan, then prior to such a Variation, the Engineering Standards require a comprehensive review to update them, to ensure that they represent latest best environmental practice, are consistent with the purpose of the PTRMP and the recent direction Council has signalled for future development through the Rural 3 Zone, the Richmond South Draft Variation, and the TDC Landscape Character Assessment. To undertake such a review Council should establish a working party comprising Developers Representatives and related professional groups, and other groups directly affected by the standards.

3.1 OVERALL REMEDY SOUGHT

Variation 44 in its current form should be withdrawn.

4.0 Hearing

The Submitter does wish to be heard in respect of the submission.

18.10A are not required to have kerb and channel. Why have kerb and channel on driveways but not require it on roads?

- (vi) There is a huge jump in construction requirements from Urban Access Roads to Urban Collector Roads from 8m to 13m carriageway. Why is there no standard for in between the two types of road?
- (vii) The standards for the Access Place (Steep Hillside) of hillsides > 20 degrees slope are too steep and need to be reduced (20 degrees equals 1 in 2.75. Nelson City Council have recently reduced this to 15 degrees which is considered more appropriate.
- (viii) The table should include design speeds for roads. In rolling countryside rural or urban roads may be restricted in design speed to provide for the preservation of an environmental feature such as a wetland or hillside that would otherwise need to be removed by earthworks if designers are unable to choose different design speeds in relationship to construction standards.

2.38 Remedy Sought Figure 18.10A

Amend the table in accordance with the above comments and inaccuracies highlighted in points (i) to (viii), or withdraw the entire Variation in favour of a full and comprehensive review of the Engineering Standards, transport and parking requirements that is undertaken in conjunction with the various interest party groups (such as the NZ Institute of Surveyors) within the community.

2.39 Figure 18.10B Intersection Spacing

Refer to the above table.

2.40 Remedy Sought

The Submitter seeks that the table is amended to change the 'regulatory speed' column to 'design or operating speed'. The Table has no relevance in terms of intersection spacing if the topography or environmental features restrict the speed limit able to be achieved to below the regulatory limit.