

## Tasman Resource Management Plan

# **Proposed Plan Change 78: St Arnaud Papakāinga Zone**

## **Section 32 Evaluation Report**

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# 1. Introduction

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The purpose – and therefore the objective – of Plan Change 78 ('this Plan Change') is to rezone a parcel of land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities. The identified site is owned by the Ngāti Apa ki te Rā Tō Trust and includes land that was returned to them under the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014. The proposed rezoning will enable the Ngāti Apa ki te Rā Tō Trust to use this land for the intended cultural redress purposes. This is considered to be an appropriate way of achieving the purpose of the Resource Management Act 1991 (RMA).

Any adverse effects will be able to be managed under the existing Tasman Resource Management Plan (TRMP) provisions, including controls at the time of development.

## 2. Overview and Purpose

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### 2.1 Purpose of Section 32 RMA

The fundamental purpose of Section 32 (s32) of the RMA is to ensure transparent, robust decision-making in the development of plans, plan changes and policy statements. This includes the use of sound evidence and rigorous analysis, which in turn leads to robust and enduring provisions.

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

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

### 2.2 What are the Proposed Changes?

#### 2.2.1 Status Quo

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

##### 2.2.1.1 Site Description

The Plan Change site is a parcel of land, approximately 2,000 m<sup>2</sup> in area, located on Massey Street in St Arnaud. It borders the residential area of St Arnaud to the south-east, and Department of Conservation land to the north-west. The site contains native vegetation and is otherwise vacant.

The site comprises of two existing lots, being Section 1 SO 426794 (shown in Figure 2 below) and Section 1 SO 571164 (shown in Figure 3 below). Section 1 SO 426794 was returned to the Ngāti Apa ki te Rā Tō Trust through the Treaty settlement process<sup>1</sup> as a cultural redress property.<sup>2</sup>

<b>Cultural redress properties</b>		
<b>Sites that vest in fee simple</b>		
<b>Name of site</b>	<b>Description</b>	<b>Interests</b>
St Arnaud	Nelson Land District—Tasman District 0.1000 hectare, more or less, being Section 1 SO 426794. Part Gazette notice 337629.1.	

Figure 1: Record of Cultural Redress Property<sup>1</sup>

Section 1 SO 571164<sup>3</sup> is the result of a recent boundary adjustment (Resource Consent RM210516) with the adjoining Department of Conservation land to the north-west and was given to the Ngāti Apa ki te Rā Tō Trust as part of the recent land swap agreement between the Crown (Department of Conservation) and the Ngāti Apa ki te Rā Tō Trust. While the boundary adjustment consent has been granted, the title for Section 1 SO 571164 is yet to be issued.

Prior to being in the ownership of the Ngāti Apa ki te Rā Tō Trust, both Section 1 SO 426794 and Section 1 SO 571164 were gazetted<sup>4</sup> for Conservation purposes under the Conservation Act 1987. This Conservation status ceased to apply to Section 1 SO 426794 when it became a freehold title in Ngāti Apa ki te Rā Tō Trust ownership and is also being removed from Section 1 SO 571164 as part of the land swap.<sup>5</sup>

<sup>1</sup> Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014, Schedule 3

<sup>2</sup> The Treaty Claims Settlement Act Guidelines 2018 define a 'Cultural Redress Property' as a property that 'has cultural and/or spiritual meaning to iwi. Specific Acts vest them in iwi on the Settlement Date by operation of law so they do not need to be transferred. However, an application is required to effect that vesting on the RT'

<sup>3</sup> Land parcel Section 1 SO 571164 approved as to survey. Title yet to be issued. (Grip <https://grip.co.nz/>)

<sup>4</sup> NZ Gazette Notice 1994-In2847. Page 1411

<sup>5</sup> Department of Conservation, email dated 18 August 2022

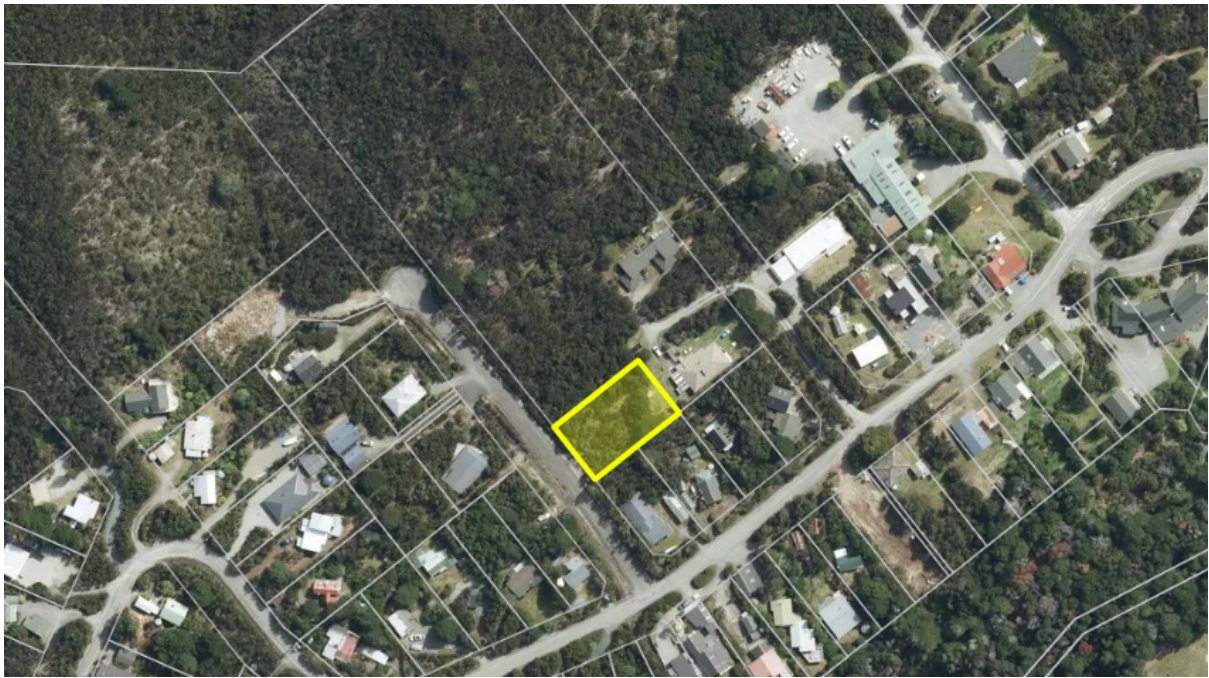


Figure 2: Section 1 SO 426794, shaded yellow



Figure 3: Section 1 SO 571164, shaded yellow

The Plan Change site boundaries include both lots identified in Figures 2 and 3. Figure 4 shows the Plan Change Site with the existing zoning. The Plan Change site is currently zoned Conservation.



Figure 4: Plan Change Site and Existing Zoning

### 2.2.1.2 Operative Conservation Zoning

Under the current operative Conservation zoning, in order for an activity to be permitted (i.e., undertaken without resource consent), it needs to be either:

- Carried out by the Crown in accordance with:
  - an approved conservation management strategy proposed for the area under the Conservation Act 1987, or
  - a management plan prepared under the Reserves Act 1977; or
- Authorised by the State Owned Enterprises (Cobb River Power Station Vesting Order No.1 Order 1999 (NZ Gazette p1829)).<sup>6</sup>

In other words, only activities undertaken by the Crown are currently permitted to occur on the land with its current Conservation Zoning without resource consent. Any activity that does not comply with this requires resource consent as a discretionary activity. This zoning is problematic for the Plan Change site as it is no longer in Crown ownership. The current Conservation zoning restricts the Ngāti Apa ki te Rā Tō Trust’s ability to use the site for cultural purposes, which was the intension of the transfer of land (Section 1 SO 426794) under the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

### 2.2.2 Re-Zoning

This proposed Plan Change is seeking to rezone the Plan Change site from Conservation Zone to Papakāinga Zone, to enable the site to be used for cultural purposes. The proposed changes to the existing TRMP zone map are depicted in Figure 5.

<sup>6</sup> TRMP Rule 17.11.2.1(b)

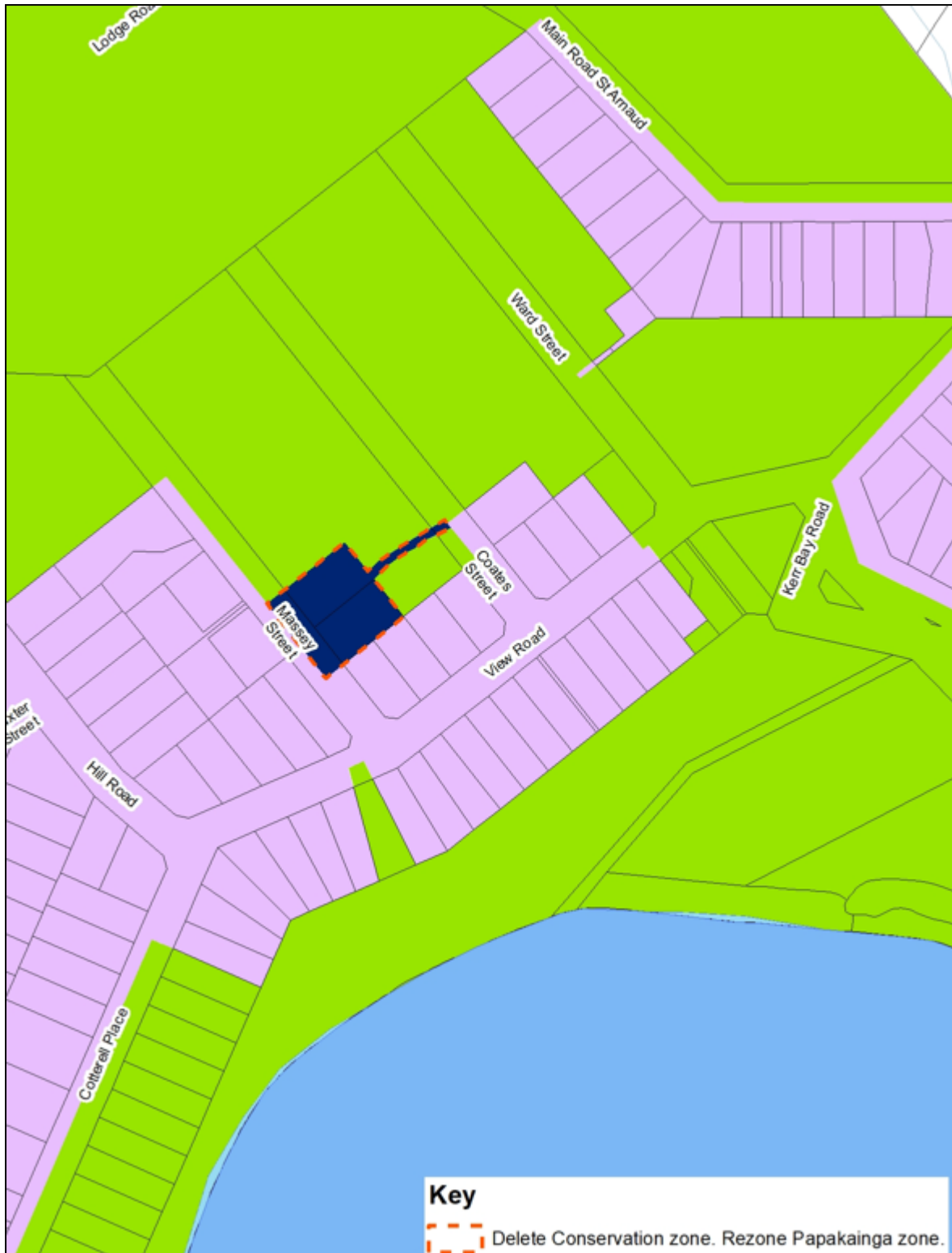


Figure 5: Proposed Re-Zoning (extract from Update Map 78/1)

The existing Papakāinga Zone provisions (a full copy of which is included in Appendix 1) are proposed to be applied to the site. The Papakāinga Zone allows for a diverse range of traditional, spiritual, and cultural activities to occur. The stated permitted activities in the zone include community activities, kaumatua housing, telecommunication and radio facilities, a caretaker's dwelling, and short-term accommodation in connection with cultural events or courses run on a marae or for support housing, market gardening, and the grazing of animals (TRMP Rule 17.13.2.1).

These activities are subject to compliance with permitted activity standards to ensure that potential adverse cross-boundary effects are managed. This includes:

- Noise limits, similar to Residential Zone noise limits, with some exceptions for temporary activities e.g., mobile horticultural and agricultural equipment, forest and tree harvesting activities, animals (excluding livestock farming and boarding), and bird scarers and hail cannons.
- Building bulk and location rules, including building setback of 10m from road boundaries and 5m from other boundaries, a max building height of 7.5m, a maximum building coverage of 33%, and a 60sqm outdoor living space requirement for any dwelling. Note, this is similar to the Residential Zone rules, except that shorter boundary setback distances are required in the Residential Zone, and a maximum building coverage of 20% applies within the Residential Zone in St Arnaud.
- The requirement for a site development plan, showing building layout and servicing, to be submitted to Council.
- The requirement for stormwater to be discharged to Council's system or in accordance with discharge rules.

Any activity that does not comply with the permitted activity standards requires resource consent as a discretionary activity. Trades training facilities for apprenticeships or work experience, and the sale of goods produced on site are also discretionary activities.

### **2.2.3 Fire Sensitive Area Overlay**

The TRMP includes existing provisions to manage potential adverse amenity effects from the discharge of contaminants from outdoor burning. This is managed through rules that apply to the Fire Sensitive Area overlay, which generally aligns with Residential zoning and other Papakāinga areas in the district. This provision is about amenity and nuisance effects. Other fire risk will be managed through the rural fire network, consistent with the rest of the St Arnaud community.

In order to manage potential adverse amenity effects and to be consistent with the existing TRMP structure, it is proposed that the Plan Change site be a deferred Fire Sensitive Area. This is an extension of the overlay which already applies to the remainder of the St Arnaud township. This proposed change is depicted in Figure 6.



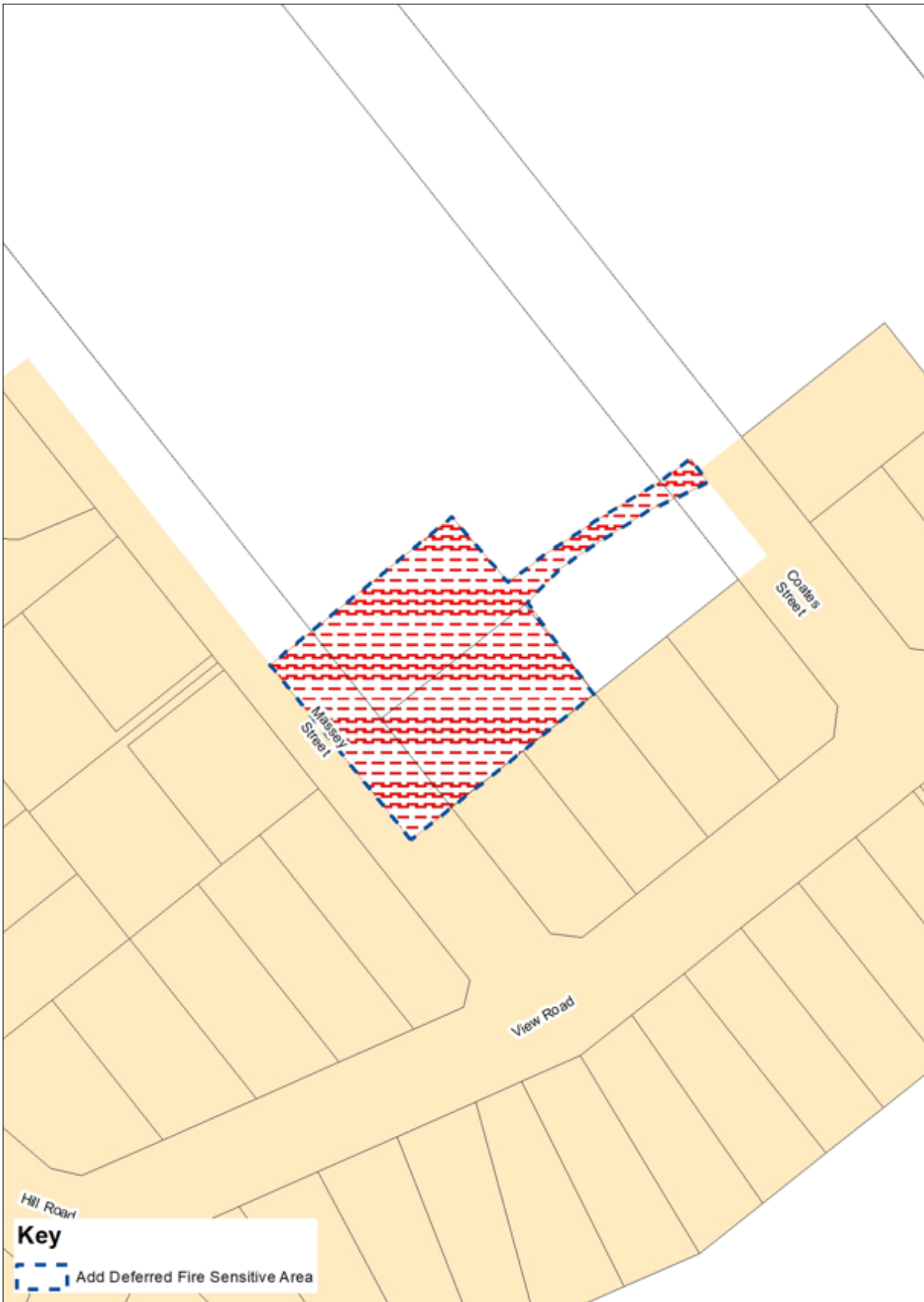


Figure 6: Proposed Change to TRMP Map 275 (extract from Update Map 78/2)

### 2.2.4 St Arnaud Landscape Priority Area

The Plan Change site is within the St Arnaud Landscape Priority Area; a landscape overlay which applies to the whole St Arnaud township and wider area (as shown in Figure 7 below).

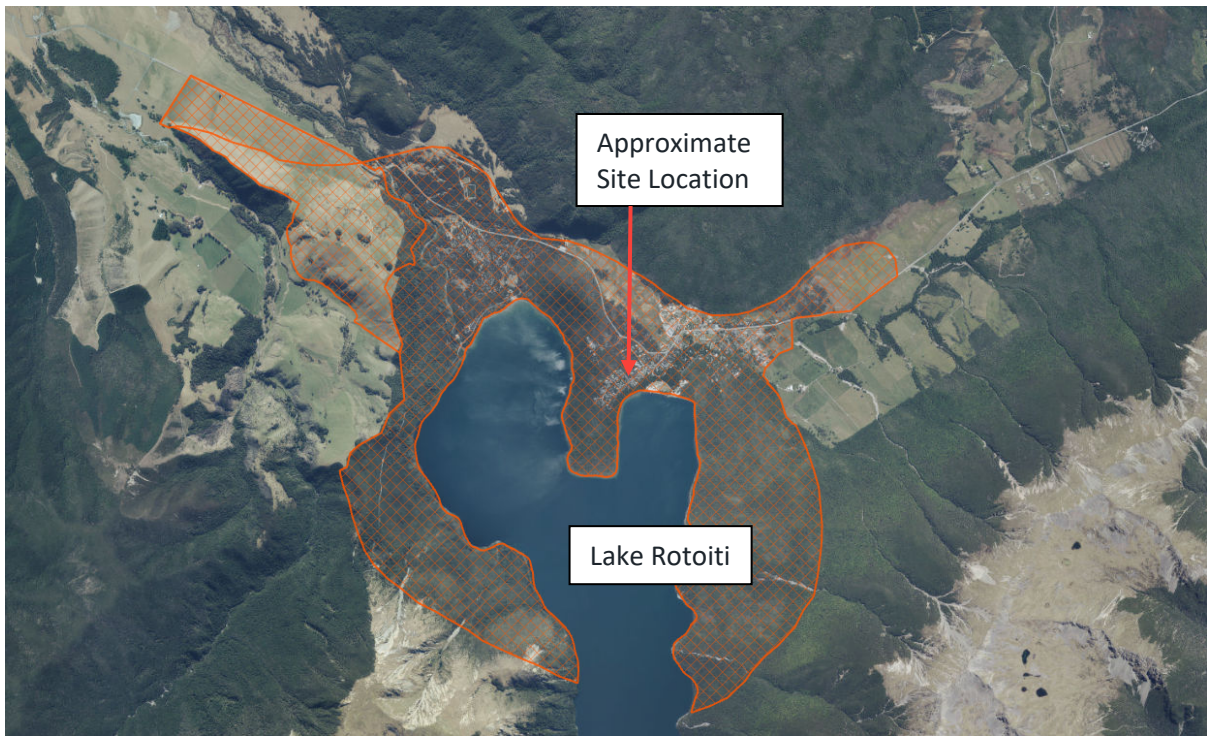


Figure 7: St Arnaud Landscape Priority Overlay, indicated by orange hatching

The St Arnaud Landscape Priority Overlay provisions require resource consent to be obtained as a controlled activity for the construction or extension of a building (TRMP Rule 18.2.3.1). They also require resource consent to be obtained as a restricted discretionary activity for the removal of indigenous forest, beyond the extent required for a building site and access (TRMP Rule 18.2.4.2) and for plantation forestry (TRMP 18.2.5.2).

These existing provisions are not proposed to be altered as part of this Plan Change and will continue to apply to the Plan Change site.

### 2.3 Proposed Objectives, Policies and Methods

The purpose – and therefore the objective – of Plan Change 78 (‘this Plan Change’) is to rezone a parcel of land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities. This proposed rezoning is responding to the fact that:

- The Plan Change site is not Crown-owned, meaning that the existing Conservation zoning is not appropriate.
- The Plan Change site includes land that was returned to the Ngāti Apa ki te Rā Tō Trust as a cultural redress property and should be able to be used accordingly.

This Plan Change does not seek to introduce any new objectives into the TRMP, however, it does include a new Policy, Method of Implementation and explanatory text in terms of applying the Papakāinga Zone rules to this site, as outlined below. The changes to the TRMP text and maps are shown in the Schedule of Amendments and update maps.

Proposed Provision	Proposed Provision Wording
Proposed New Policy 6.13.3.11A	<i>To provide for cultural land use activities in St Arnaud within an identified Papakāinga Zone</i>

Proposed Provision	Proposed Provision Wording
Proposed New Method of Implementation 6.13.20.3(a)	<i>Papakāinga zoning in St Arnaud to provide for cultural activities.</i>
Proposed explanatory text, to go under TRMP Section 6.13.30	<i>There is Papakāinga zoning on Massey Street to provide for cultural activities. The Papakāinga Zone provides for a range of activities, and includes performance standards to ensure that adverse cross-boundary effects do not occur.</i>
Zone change	Change of zoning from Conservation to Papakāinga, applying the existing Papakāinga Zone rules (included in Appendix 1) to the site.

The proposed text changes are consistent with the existing TRMP structure and the purpose of the Papakāinga Zone. The key reasons for these proposed changes are outlined in Section 4.1 below.

### 3. Information Sources and Consultation

#### 3.1 Information Sources

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

- Boundary Adjustment Resource Consent RM210516, associated with the land swap arrangement between the Department of Conservation and the Ngāti Apa ki te Rā Tō Trust. Note: This resource consent has been granted, however, the new title is yet to be issued.
- Confirmation that the Conservation Purposes status no longer applies to the Plan Change site and that the site has ‘no or low’ ecological value, received via email from the Department of Conservation on 18 August 2022.
- Information on the Right of Way access, received via email from the Department of Conservation on 5 May 2022.
- Information on the site and intended land use, provided by the Ngāti Apa ki te Rā Tō Trust and their consultant planner.
- The Future Development Strategy 2022, including supporting documentation, indicating potential future change in this area. This information is available on Council’s website: <https://www.tasman.govt.nz/my-council/key-documents/more/future-development-strategy/>.
- Information from relevant Council staff on infrastructure and servicing capacity, received via email on 25 May 2022 and 30 June 2022. This information is outlined in Section 4.1.5.
- Feedback received through consultation with adjoining landowners and the wider community, summarised in the Engagement Summary in Appendix 2.

#### 3.2 Iwi Involvement and Advice

This proposed Plan Change has been prepared through ongoing liaison with the Ngāti Apa ki te Rā Tō Trust as the landowners.

Information on this proposed Plan Change, and an invitation for feedback or involvement in the Plan Change process, was sent to all Te Tau Ihu iwi via email on 13 May 2022. No feedback has been received in response to this.

The draft Plan Change material (being the Schedule of Amendments and update maps) was circulated to Te Tau Ihu iwi authorities for comment on 30 June 2022 as per the RMA Schedule 1 requirements. This was circulated in conjunction with a suite of other plan changes (being Plan Changes 75, 76, and 77) which are seeking to rezone identified sites for residential development in Brightwater, Wakefield and Murchison.

General feedback on this suite of plan changes have been received from Ngāti Tama. The feedback included general comments on effects on water quality, the physical structure and hydraulic characteristics of waterbodies and the health of aquatic plants and animals and sedimentation. These matters are addressed through the existing TRMP provisions, the Nelson Tasman Land Development Manual 2020, and Council's Erosion and Sediment Control Guideline 2019 and will be managed at the time of development.

No other feedback has been received from iwi.

### 3.3 Key Consultation Actions

Council, with support from the Ngāti Apa ki te Rā Tō Trust, has carried out consultation with adjoining landowners, key stakeholders, the local community, and infrastructure and service providers during this plan change process.

The feedback received has been instrumental in understanding the issues and desired outcomes, and in considering the options available for achieving these outcomes and the purpose of the RMA. The main consultation actions and feedback received are summarised in this section and in the Engagement Summary in Appendix 2.

Informal (pre-notification) public consultation was undertaken over the April-July 2022 period, and included:

- Ongoing liaison with the Ngāti Apa ki te Rā Tō Trust
- A workshop with Council's elected members on 13 April 2022
- An email to Te Tau Ihu iwi, with information on the proposed Plan Change and an invitation for feedback, sent via email on 13 May 2022
- Consultation with the Department of Conservation
- Letters to adjoining landowners, posted on 18 May 2022
- Correspondence with interested adjoining landowners, including phone calls, emails, and feedback letters
- A presentation to the Rotoiti District Community Council and St Arnaud community members on 29 June 2022. Note, adjoining landowners and the wider community were invited to attend this meeting. The Rotoiti District Community Council opted to hold this meeting via video call.
- Emails with key Council three-waters and roading staff on 25 May 2022 and 30 June 2022

The Ngāti Apa ki te Rā Tō Trust are supportive of the proposed Plan Change. The Department of Conservation have also expressed their support for the proposed rezoning.

Mixed feedback has been received from the St Arnaud community and adjoining landowners on the proposed Plan Change. This includes letters of both support and opposition from adjoining landowners. Concern has been expressed from some adjoining landowners regarding the scale of the potential future land use and associated disturbance including noise and traffic effects. These matters have been taken into account in the drafting of this Plan Change.

A full summary of engagement is included in Appendix 2.

## 4. What are the Key Resource Management Issues?

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### 4.1 Problem Definition and Outcome Sought

The information and knowledge obtained, and the results of the consultation processes, have allowed the current situation to be understood. This proposed Plan Change is responding to:

- The need to ensure appropriate zoning on the Plan Change site
- The need to allow the Ngāti Apa ki te Rā Tō Trust to use the property for cultural purposes

In considering future development of the Plan Change site, there is also a need to ensure that:

- Any potential adverse cross-boundary effects are appropriately managed
- There is appropriate access and management of traffic effects
- The site's conservation values are considered
- There is sufficient infrastructure capacity

These issues are also considered below.

#### 4.1.1 Conservation Zone

As outlined in Section 2.2.1.1. above, the Plan Change site is currently within the Conservation Zone. The TRMP's Conservation Zone is intended to apply to conservation estate administered by the Department of Conservation. This is reflected in the Conservation Zone rules which only allow for activities carried out by the Crown to be undertaken as a permitted activity on the site (i.e., without resource consent).

The Plan Change site is no longer owned by the Crown meaning that the Conservation zoning is no longer appropriate. The Conservation zoning is very restrictive for private landowners and – if retained – will not assist with the intended use of the site for cultural redress purposes.

#### 4.1.2 Land Use in Accordance with Cultural Redress Purposes

As outlined in Section 2.2.1.2. above, the Plan Change site includes land that has been returned to the Ngāti Apa ki te Rā Tō Trust for cultural redress purposes. This means that there is an expectation that the land can be used by the Ngāti Apa ki te Rā Tō Trust for cultural purposes. The current Conservation zoning does not allow for this.

The Papakāinga Zone is considered to be the most appropriate zoning for the site, as it allows for a diverse range of traditional, spiritual and cultural activities to occur. The Ngāti Apa ki te Rā Tō Trust and the Department of Conservation are supportive of this rezoning.

#### 4.1.3 Management of Adverse Cross-Boundary Effects

The Plan Change site is bordered by conservation land to the north-west, and by residential housing on Massey Street, View Road, and Coates Street. Concerns have been raised by some of the adjoining property owners around the wide range of permitted activities and the potential future development of the Plan Change site, including the scale of development and associated noise/disturbance.

The existing operative Papakāinga Zone provisions include controls to manage adverse cross-boundary effects. These are set out in Section 2.2.2 of this report. It is important to note that the noise limits and the building bulk and location rules are similar to those that apply to the Residential Zone, meaning that the effects of development on the Plan Change site will be similar to what could be anticipated on the adjoining residential sites or if the plan change site was zoned residential. Exceptions to this include more onerous boundary setback distances and a more generous maximum building coverage criteria in the Papakāinga Zone.

The change from Conservation Zone to Papakāinga Zone will change the potential land use activities that can occur on the site. However, this change is reflective of the current ownership and the purpose of that ownership as cultural redress land. The controls noted above will manage the cross-boundary effects of the potential land use.

#### 4.1.4 Access and Traffic

Concerns have also been raised by some of the adjoining property owners around site access and traffic effects.

The Plan Change site has road frontage on Massey Street. It also includes a leg-in strip of land connecting to Coates Street which is intended to allow the Ngāti Apa ki te Rā Tō Trust members to drive a long trailer with their waka on it straight through the site.<sup>7</sup> Prior to the land swap, this leg-in strip provided access to the adjoining Department of Conservation land. This access is intended to be maintained with the Right of Way over the access strip in favour of the Department of Conservation.<sup>7</sup>

No transport concerns have been raised by Council roading staff in relation to the proposed rezoning.<sup>8</sup> The TRMP and the Nelson Tasman Land Development Manual 2020 include existing provisions and development standards to ensure appropriate site access at the time of development. While there are no controls on this site's traffic generation, this will be restricted by the size of the Plan Change site (approximately 2,000 m<sup>2</sup>).

#### 4.1.5 Conservation Values

Concern has also been raised by adjoining landowners in relation to the conservation values of the site. The site currently contains native vegetation and has a level of protection through the existing Conservation zoning. The proposed rezoning will enable development which inevitably will impact on that vegetation. This was a known outcome at the time of Treaty settlement and the conservation land swap. The Department of Conservation has done an assessment of the site and found it to be of 'no or low' ecological value.<sup>5</sup> The Department of Conservation have expressed their support for this Plan Change and have not raised any concerns around the site's conservation values.

#### 4.1.6 Infrastructure Capacity

There is a roadside stormwater drain on Massey Street which the Plan Change site could connect to, with provision to ensure that there are no downstream effects. Depending on the capacity of the roadside drain, some on-site detention may be required for this.<sup>8</sup>

While Council's reticulated wastewater system has limited capacity, it is considered that the property could connect to the system given the limited size of potential development.<sup>9</sup>

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<sup>7</sup> Department of Conservation, email 5 May 2022

<sup>8</sup> Infrastructure email, 25 May 2022

<sup>9</sup> Infrastructure email, 30 June 2022

The Plan Change site does not have reticulated water supply, meaning that private water supply will need to be obtained for the development of the site.<sup>8</sup>

The TRMP and the Nelson Tasman Land Development Manual 2020 include existing provisions and development standards to ensure appropriate site servicing. In particular, the Papakāinga Zone rules include a requirement for a site development plan, showing building layout and servicing, to be submitted to Council for any permitted activity – this will ensure that servicing is appropriately addressed at the time of development.

#### **4.1.7 Ki Uta Ki Tai (Mountains to the Sea) Worldview and Management Approach**

The concept of ki uta ki tai reflects a holistic planning approach, where the wider environment and interconnectedness of areas are considered. This concept is relevant to this Plan Change, in terms of:

- Enabling the property to be used for cultural purposes
- The site’s interconnectedness with the wider St Arnaud Landscape. This will continue to be managed under the St Arnaud Landscape Overlay.

There are no waterways on or adjacent to the site and as such no direct relationship to Te Mana o te Wai concepts. Stormwater can be adequately managed within the site through the existing TRMP and Nelson Tasman Land Development Manual 2020 standards at the time of development.

#### **4.1.8 What’s Currently Being Done and Why Isn’t this Adequate?**

As outlined above, the existing Conservation zoning – intended to apply to conservation estate administrated by the Department of Conservation – is not appropriate for the Plan Change site which is in private ownership and includes land returned to the Ngāti Apa ki te Rā Tō Trust for cultural redress purposes.

St Arnaud is within Ngāti Apa’s rohe. They have been in the area for many generations and have an ancestral connection to the land.<sup>10</sup> There is currently no Papakāinga Zone in St Arnaud.

#### **4.1.9 Outcomes Sought**

This Plan Change is seeking to address the issues outlined above, by rezoning the identified site from Conservation to Papakāinga Zone and applying the existing operative Papakāinga Zone provisions in the TRMP.

### **5. What are the Possible Options?**

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

These reasonably practicable options are summarised as:

1. Option 1: For the provisions proposed in this plan change (set out in greater detail in Section 2.2.2)
2. Option 2: Retain the status quo (set out in Section 2.2.1)

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<sup>10</sup> *Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014*

These options form part of the evaluation of the approach to this topic. The evaluations are carried out in Sections 7-8.

## 6. What is the Statutory and Policy Context?

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

### 6.1 Resource Management Act 1991

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

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

#### 6.1.1 Section 6: Matters of National Importance

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

Relevant matter	Reason for relevance
e) The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga	This Plan Change is seeking to enable the identified site to be used for cultural purposes and is directly in keeping with this matter of national importance.

#### 6.1.2 Section 7 Other Matters

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

Relevant matter	Reason for relevance
a) kaitiakitanga	This Plan Change will enable the Ngāti Apa ki te Rā Tō Trust, as the landowner, to exercise kaitiakitanga.
b) the efficient use and development of natural and physical resources	The proposal is considered to be the efficient use of natural and physical resources. In this case, efficient use relates to using the land for cultural redress purposes as intended through the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.

#### 6.1.3 Section 8 Treaty of Waitangi

The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) have been taken into account. This Plan Change is seeking to enable the Plan Change site (including land returned to the Ngāti Apa ki te Rā Tō Trust under the Treaty settlement process as a cultural redress property) to be used for cultural purposes and directly relates to achieving the principles of the Treaty of Waitangi.

This proposed Plan Change has been prepared through ongoing liaison with the Ngāti Apa ki te Rā Tō Trust as the landowners, who are supportive of the Plan Change.




Early engagement with wider Te Tau Ihu iwi was sought with an email, providing information on the Plan Change and seeking input, sent on 13 May 2020. The draft plan change material was circulated (along with a suite of other draft plan changes) to Te Tau Ihu iwi authorities for comment on 30 June 2022 (as per the RMA Schedule 1 requirements). General feedback was received from Ngāti Tama in relation to this suite of plan changes and is discussed in Section 3.2. No other feedback has been received.

Overall, it is considered that the principles of the Treaty of Waitangi have been taken into account during the development of this Plan Change, including in the objective of the Plan Change and the development of provisions, and through the engagement process.

## 6.2 National Instruments and Legislation

The following Legislation, National Policy Statements, and National Environment Standards are relevant to this Plan Change.

Relevant national instrument	Reason for relevance
<b>Legislation</b>	
Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014	This Act was the result of the Treaty settlement process and transferred the ownership of a portion of the land within the Plan Change area to Ngāti Apa as cultural redress land. See 2.2.1.1. for further detail.
<b>National Policy Statements</b>	
Proposed National Environmental Statement for Indigenous Biodiversity (NPS-IB) Note: This is a proposed NPS and has no legal effect, and therefore does not have weighting.	<ul style="list-style-type: none"> <li>• Relevant to the native vegetation on the Plan Change site.</li> <li>• Has the objective to protect, maintain and restore indigenous biodiversity in a way that recognises tangata whenua as kaitiaki and provides for the cultural wellbeing and people and communities (among other things).</li> </ul>
<b>National Environmental Standards</b>	
National Environmental Standard for Freshwater 2020 (NES-F)	<ul style="list-style-type: none"> <li>• There is a wetland identified on the Conservation land immediately north of the site (as shown in Figure 8).</li> <li>• The NES-F includes provisions relating to works near wetlands and will apply to any work within proximity of this identified wetland. Resource consent will be required under the NES-F for any earthworks or vegetation removal within 10m of the wetland or for the take, use, damming, diversion or discharge of water within 100m of the wetland.</li> </ul>

Relevant national instrument	Reason for relevance
	 <p data-bbox="480 763 783 792">Figure 8: Identified Wetland</p>
National Environmental Standard for Telecommunication Facilities 2016	<ul data-bbox="528 831 1347 965" style="list-style-type: none"> <li>• The Papakāinga Zone allows for telecommunication and radio communications facilities.</li> <li>• The National Environmental Standard for Telecommunication Facilities will apply to any telecommunication facilities on the site.</li> </ul>

### 6.3 Operative Regional Policy Statement and Resource Management Plans

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

- Recognising and providing for enhancement of cultural values and traditional interests
- Acknowledging the role that mana whenua have as kaitiaki

The relevant objectives, policies, and methods in the operative TRPS and TRMP are identified in Appendix 3.

### 6.4 Iwi Management Plans

Ngāti Apa do not have an Iwi Management Plan lodged with Council. The following Iwi Management Plans produced by other Te Tau Ihu iwi are of relevance to papakāinga zoning generally.

Iwi Management Plan	Reason for Relevance
Ngāti Koata No Rangitoto ki te Tonga Trust Iwi Management Plan 2002	The Ngāti Koata Iwi Management Plan identifies the need for long-term protection of cultural heritage.
Ngāti Tama Environmental Management Plan 2018	The Ngāti Tama Environmental Management Plan (EMP) outlines an aspiration for the protection of cultural resources, sites and areas.
Ngāti Rārua Environmental Strategy 2021	The Ngāti Rārua Environmental Strategy 2021 includes policies around allowing land to be used for cultural purposes and for Papakāinga development.

There are no other relevant Iwi Management Plans. Details of iwi engagement are provided in Section 3.2 and Appendix 2.

## 6.5 Relevant management plans and strategies

The following plans, strategies, heritage listings and regulations are relevant to this Plan Change:

Item of relevance	Organisation	Relevant Provisions
Future Development Strategy 2022	Tasman District Council	<ul style="list-style-type: none"> <li>Identifies part of the Plan Change site and adjoining land for future change accommodating residential uses.</li> </ul>
Long Term Plan 2021-2031, including the Infrastructure Strategy	Tasman District Council	<ul style="list-style-type: none"> <li>Outlines planned infrastructure works.</li> </ul>
Walking and Cycling Strategy 2022	Tasman District Council	<ul style="list-style-type: none"> <li>Aims to improve transport network capacity, promote healthy communities (with safe active transport), look after the environment (by reducing carbon emissions), and create vibrant urban areas (with walkable communities). This site is within walking and cycling distance of St Arnaud shops and facilities.</li> </ul>
Age-Friendly Policy 2019	Tasman District Council	<ul style="list-style-type: none"> <li>Recognises that the Tasman District has an aging population.</li> <li>Includes a goal for a range of affordable and appropriate housing options for older people.</li> <li>Outlines feedback from people over 65 years of age that there is a need for smaller dwellings that are affordable, accessible, warm, low-maintenance, and close to services to allow people to age in place in their current communities. Kaumātua flat (enabled under the Papakāinga Zone provisions) can help to provide these housing options.</li> </ul>

## 6.6 National Planning Standards

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

This Plan Change has been drafted to fit within the existing structure of the TRMP with minimal change to ensure clarity and consistency with the existing TRMP. Tasman District Council are in the process of preparing a new unitary plan – the ‘Tasman Environment Plan (TEP)’ – which will be prepared in accordance with the National Planning Standards.

## 7. Are the Proposed Objectives of the proposal the most appropriate way to achieve the purpose of the RMA?

### 7.1 Evaluation Context

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

Section 32 encourages a holistic approach to assessing objectives, rather than looking at each objective individually. This recognises that the objectives may work inter-dependently to achieve the purpose of the RMA.

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

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

## 7.2 Evaluation of the Plan Change objective

This Plan Change does not add any objectives to the TRMP, nor does it amend any existing objectives. As per RMA sec 32(6)(b), the objective of this Plan Change is therefore the same as the Plan Change purpose which is to rezone a parcel of land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.

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

- 1) Option 1: For the provisions proposed in this plan change (set out in greater detail in Section 2.2.2)
- 2) Option 2: Retain the status quo (set out in Section 2.2.1)

An additional option of rezoning to residential has been raised in consultation, however, has not been progressed as this does not enable Ngāti Apa to achieve cultural redress outcomes as intended by the Treaty Settlements Claims process.

<b>Plan Change Objective Assessment – St Arnaud Papakāinga Zone:</b>		
To rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.		
<b>General intent:</b>		
The current Conservation zoning restricts the Ngāti Apa ki te Rā Tō Trust’s ability to use the site for cultural redress purposes as intended by its transfer under the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014. The intent of this Plan Change is to enable cultural uses of this site to be undertaken as permitted activities within the bounds of the Papakāinga Zone in the TRMP.		
<b>Other potential objectives</b>		
The potential other objectives relate to either seeking a residential zoning for the site, or the status quo of leaving this site as Conservation Zone. Neither alternative is sought by Ngāti Apa as landowners or meets the intention of the Settlement Act in providing cultural redress. The key alternative would be to retain the status quo with the objective of retaining the existing vegetated state of the land and achieving Conservation outcomes.		
The assessment below considers the proposed option and the potential viable alternative of retaining the status quo by way of comparison.		
<b>Other relevant objectives in the Plan:</b>		
TRPS General Objective 6: <i>Protection and enhancement of significant natural, heritage and cultural values of resources.</i>	The Tasman Regional Policy Statement contains general Objectives 6 and 7 which seek to recognise and protect traditional interests of tangata whenua in land. This is relevant to the intended use of the proposed Papakāinga Zone.	
TRPS General Objective 7: <i>Recognition and protection of significant traditional interests of the tangata whenua in relation to land, water, the coast and other taonga Māori.</i>	The Tasman Resource Management Plan recognises the need to manage cross-boundary effects and the distinctive character of the districts settlements and their adjoining landscape.	
TRMP Objective 6.7.2: <i>Maintenance and enhancement of the distinctive characters of urban settlements and integration between settlements and their adjoining landscapes</i>	The TRMP also contains provisions in Chapter 10 relating to historic heritage and cultural heritage sites. While this St Arnaud site is not a specific heritage site, the land itself is of importance to Ngāti Apa, as recognised through the cultural redress status through the Treaty settlement process.	
	<b>Plan Change objective</b>	<b>Status Quo</b>
	To rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.	To retain the existing Conservation Zoning of the site.

Plan Change Objective Assessment – St Arnaud Papakāinga Zone:		
Relevance:		
Directed to addressing a resource management issue	<p>Helps to address the following resource management issues:</p> <ul style="list-style-type: none"> <li>• The need to ensuring appropriate rezoning on the Plan Change site</li> <li>• The need to allow the Ngāti Apa ki te Rā Tō Trust to use the property for cultural purposes</li> </ul>	<p>This option does not address the identified issues as it retains the current zoning which limits the ability for Ngāti Apa to use the property in the way intended when returned as a cultural redress property.</p>
Focused on achieving the purpose of the RMA	<p>This objective helps to achieve the purpose of the RMA by:</p> <ul style="list-style-type: none"> <li>• Directly providing for cultural well-being of the landowners and tangata whenua, Ngāti Apa.</li> <li>• Managing adverse effects of potential future development through use of the existing Papakāinga Zone rules.</li> <li>• Recognising and providing for the relationship of Ngāti Apa with their ancestral lands.</li> </ul>	<p>This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to achieve the purpose of the RMA.</p> <p>It does not assist with achieving the cultural wellbeing outcomes intended or provide for the relationship of tangata whenua iwi with their ancestral lands.</p>
Assists the Council to carry out its statutory functions (RMA s.30 and s.31)	<p>The objective of this Plan Change assists Council with carrying out its statutory functions by ensuring that land development is undertaken in an integrated way to manage effects by using existing provisions of the TRMP – RMA s30(1)(a), and s31(1)(a).</p> <p>Future use and development of the site for the purposes set out in the Papakāinga Zone rules can be undertaken in a way that does not restrict Council’s other responsibilities in relation to the quality of water bodies, ecosystems, soil conservation, and the</p>	<p>This option will not change the objectives, policies, rules of the TRMP, or the methods used within the TRMP to assist Council to carry out its statutory functions.</p>

<b>Plan Change Objective Assessment – St Arnaud Papakāinga Zone:</b>		
	avoidance or mitigation of natural hazards. Also, development can occur in a way that manages other adverse effects in keeping the existing Papakāinga Zone provisions.	
Within scope of higher-level documents	The objective of this Plan Change is within the scope of the Treaty of Waitangi as expressed through the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014	This option does not change the degree to which the TRMP meets higher level documents. It is not in keeping with the intent of the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014.
<b>Feasibility:</b>		
Acceptable level of uncertainty and risk	<p>Provisions are included to manage potential adverse effects through the existing Papakāinga Zone provisions. This reduces the level of uncertainty as the zone has known application in the district and is an operative set of provisions.</p> <p>There is an acceptable level of risk as this land was returned as part of the Treaty settlement process and there is therefore an expectation that it should be able to be used for the purposes intended. The use of an existing set of rules in this zone manages what those activities are and how they can be carried out.</p>	<p>Uncertainty is created through the retention of the existing zoning for Ngāti Apa as their intended use of the site may not be able to be achieved through the resource consent process under the current zoning.</p> <p>There is also uncertainty for the community and the neighbours as there is no relevant set of provisions in place which guide this potential future use.</p>
Realistically able to be achieved within Council’s powers, skills and resources	The proposal uses an existing set of provisions in the TRMP. Therefore this is able to be realistically achieved.	Retaining the Conservation Zone is consistent with other land in this area. However, the fact that it is not owned by the Crown, as intended by the zone, would be inconsistent with the zone structure and therefore is not realistically within Council’s powers to manage appropriately.
<b>Acceptability:</b>		
Consistent with identified iwi/ Māori and community outcomes	This change to Papakāinga Zone is consistent with the outcomes sought by Ngāti Apa. It is also consistent with the community outcomes of protecting the settlement character and landscape values as	Retaining the status quo of Conservation Zone would be inconsistent with Ngāti Apa’s identified outcomes for the site.

<b>Plan Change Objective Assessment – St Arnaud Papakāinga Zone:</b>		
	expressed in the TRMP. There has been support and opposition from individual community members.	
Will not result in unjustifiably high costs on the community or parts of the community	There will be no unjustifiably high costs on the community or parts of the community from this proposed zone change. Monetary costs may potentially occur in relation to providing service upgrades to the area, however this need already exists and other wider development pressures will generate this need.	There are no identified costs to the community from retaining the status quo.
<b>Overall assessment of the appropriateness of the Plan Change objective</b>		
<p>Overall, the proposed Plan Change objective is considered to be an appropriate way to achieve the purpose of the RMA for the following reasons:</p> <ul style="list-style-type: none"> <li>• It responds to the identified issues and will assist with resolving these</li> <li>• It achieves the purpose of the RMA by enabling Ngāti Apa, as tangata whenua in the area to provide for their cultural well-being and role as kaitiaki</li> <li>• The proposal can be realistically achieved as it predominantly relies on application of existing provisions relating to development, or modifications of those provisions</li> <li>• There are no unjustifiable costs on the community, and the proposal is consistent with identified Māori and community outcomes.</li> </ul>		



## **8. Are the Proposed Policies and Methods the most appropriate way to achieve the Objectives?**

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### **8.1 Evaluation of proposed Policies and Methods**

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

The reasonably practicable options for achieving the objectives are set out in Section 5 and Section 7.2.

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

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

<b>Plan Change Objective:</b> To rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.				
<p>The proposed policies and methods are set out in full in the Schedule of Amendments. In summary these includes policies and methods related to the following:</p> <ul style="list-style-type: none"> <li>• Change of zoning from Conservation to Papakāinga enabling those zone rules to apply to the site.</li> <li>• Introduction of a St Arnaud specific policy stating, 'To provide for cultural land use activities at St Arnaud within an identified Papakāinga Zone'.</li> </ul> <p>The changes identified above are assessed together in the table below as they are reliant on each other and achieve the same intended objective.</p>				
<b>Proposed Provisions</b>	<b>Costs</b>	<b>Benefits</b>	<b>Effectiveness and Efficiency</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
<p>Change of zoning from Conservation to Papakāinga enabling those zone rules to apply to the site.</p> <p>Introduction of a St Arnaud specific policy stating, 'To provide for cultural land use activities at St Arnaud within an identified Papakāinga Zone'.</p>	<p>There will be a monetary cost in developing the site. This is a choice by the landowner rather than a consequence of the zoning and is not considered a cost relating to the plan change provisions.</p> <p>Environmentally, the potential costs, or negative effects, of an increase in development intensity relate to the ecology of the area in its current state, sediment control during development, and impacts on the character of the immediate area.</p> <p>In its current state, the site contains native vegetation and has a level of protection through the Conservation zoning. The change of zoning will enable development which inevitably will impact on that vegetation. This was a known outcome at the time of Treaty settlement and the conservation land swap. The ecological values of the site have been assessed by the Department</p>	<p>The proposed change will result in substantial cultural benefits through enabling use of the land as intended through the Treaty settlement process. The site includes land that has been returned to Ngāti Apa as a cultural redress property through the Treaty settlement process. The proposed zone change and proposed policy enable it to be used for this purpose.</p> <p>The change also has expected social benefits to Ngāti Apa in being able to use the land to support their people through a variety of activities. This is also expected to be a benefit to the wider community through having a wider variety of activities in the area, and people benefiting from those activities.</p> <p>Environmentally the change can be managed in a way to protect any existing vegetation of value, either ecologically or visually. This is not a benefit of the change but does acknowledge that total removal</p>	<p>The objective of the Plan Change is to rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.</p> <p>The effectiveness and efficiency of the proposed policies and methods to achieve this is set out as follows:</p> <p><b>Effectiveness</b></p> <p>The proposal to change the zoning and introduce a policy supporting the intended uses are effective at achieving the objective of the plan change. This is for the following key reasons:</p> <ul style="list-style-type: none"> <li>• The change of zoning to Papakāinga Zone enables the intended activities to occur.</li> <li>• The policy supports the outcome of enabling the intended uses to occur.</li> </ul>	<p>It is considered there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> <li>• The site includes land that has been returned to Ngāti Apa as a cultural redress property through the Treaty settlement process. The rezoning as Papakāinga Zone enables this intent to be realised. This lowers the risk of acting as it is consistent with the intended outcomes for the land.</li> <li>• Consultation with Ngāti Apa and the Department of Conservation has shown support for this outcome.</li> <li>• Advice from Council infrastructure staff provides sufficient information to know that servicing</li> </ul>

	<p>of Conservation and found to be very low.</p> <p>The potential environmental effects of sediment discharge are able to be managed on the site during development using Council’s Erosion and Sediment Control Guidelines and the Land Development Manual.</p> <p>The effects of future development on the character of the immediate area may be experienced as an observation of change. This is not necessarily a negative effect. The provisions of the Papakāinga Zone ensure there are limits and resource consent triggers to manage that change.</p> <p>There are no identified costs or negative effects relating to social matters.</p> <p>There are no identified costs or negative effects relating to cultural matters.</p>	<p>of the existing vegetation is not a likely outcome of development of the site.</p> <p>The zoning has the potential to enable the use of the site for residential purposes through Kaumatua Flats. Realising this benefit to housing supply and affordability will be up to Ngāti Apa as landowners.</p> <p>There are no identified economic benefits of the proposed changes, however there is potential for this to occur depending on how the site is to be used in the future.</p>	<ul style="list-style-type: none"> <li>• This is effective as the Papakāinga Zone is incorporated within the TRMP for the purpose of enabling cultural and related activities to occur on appropriate sites.</li> </ul> <p><b>Efficiency</b> The provisions identified in this Plan Change are efficient at achieving the stated objective for the following reasons:</p> <ul style="list-style-type: none"> <li>• The zoning used is an existing provision within the TRMP. This is efficient as the provisions are known and in use in other parts of the District.</li> <li>• The change of zoning, and the supporting policy, is consistent with the intended purpose of the site through the Treaty settlement process (cultural redress land), and the conservation land swap undertaken with the Department of Conservation.</li> <li>• The potential development of the site is able to be undertaken within the provisions of the zone, including development controls to manage potential cross-boundary effects.</li> <li>• Using existing zoning and provisions is the lowest cost</li> </ul>	<p>requirements of this site can be met to enable the development.</p> <ul style="list-style-type: none"> <li>• The risk of not acting is that Ngāti Apa cannot realise the intended cultural redress outcomes from this land.</li> </ul>
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			<p>option to enable the intended use of the site.</p> <ul style="list-style-type: none"> <li>This approach also offers the most benefits to the tangata whenua iwi, and to the wider community. The benefits outweigh the costs.</li> </ul>	
<b>Economic Growth and Employment</b>	<b>Economic Growth</b>		<b>Employment</b>	
	<p>Any economic growth from the proposed change is dependent on how the site is to be used in the future. Retaining it as Conservation Zone, but not in crown ownership or as part of the Conservation Estate, limits the ability to realise any potential economic growth from the land.</p> <p>Changing the zoning to Papakāinga provides the opportunity for economic growth but is not a key driver or outcome from the proposed Plan Change.</p>		<p>The potential for any employment outcomes is also not a driver, or desired outcome sought by this proposed Plan Change. However, making this change does give some opportunity for this, directly or indirectly, through potential future uses of the site.</p>	
<b>Overall Evaluation</b>	<p>In summary, these provisions are considered to be the most appropriate way of achieving the objectives of the plan change for the following reasons:</p> <ul style="list-style-type: none"> <li>The proposed change enables the use of the land for the intended cultural redress purposes as per the Treaty settlement process.</li> <li>The portion of land subject to a land swap for conservation purposes also supports the cultural redress purposes.</li> <li>Provisions are included in the existing zone, the TRMP, and other Council requirements, to manage potential adverse effects from development of the site.</li> <li>Overall, the proposed provisions are the most appropriate way to achieve the objective of the plan change which is to rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.</li> </ul>			

## 9. Conclusion

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

- The proposed change enables the use of the land for the intended cultural redress purposes as per the Treaty settlement process.
- The portion of land subject to a land swap for conservation purposes also supports the cultural redress purposes.
- Provisions are included in the existing zone, the TRMP, and other Council requirements, to manage potential adverse effects from development of the site.
- Overall, the proposed provisions are the most appropriate way to achieve the objective of the Plan Change which is to rezone land at Massey Street, St Arnaud from Conservation to Papakāinga Zone to enable the land to be used for a range of traditional, spiritual, and cultural activities.

## Appendix 1 – TRMP Papakāinga Zone Rules

## Appendix 2 - Engagement Summary

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

### Iwi Engagement

Person/Party	Engagement Undertaken	Feedback Received
Te Tau Ihu Iwi	<p>This proposed Plan Change has been prepared through ongoing liaison with the Ngāti Apa ki te Rā Tō Trust as the landowners.</p> <p>Early engagement with wider Te Tau Ihu iwi was sought with an email, providing information on the Plan Change and seeking input, sent on 13 May 2020.</p> <p>The draft plan change material was circulated (along with a suite of other draft plan changes) to Te Tau Ihu iwi authorities for comment on 30 June 2022 (as per the RMA Schedule 1 requirements).</p>	<p>The Ngāti Apa ki te Rā Tō Trust are supportive of the Plan Change and have been involved in its development.</p> <p>General feedback was received from Ngāti Tama in relation to the suite of plan changes that was circulated to iwi authorities on 30 June 2022. The feedback included reference to effects on water quality, the physical structure and hydraulic characteristics of waterbodies and the health of aquatic plants and animals and sedimentation. These matters are addressed through the existing TRMP provisions, the Nelson Tasman Land Development Manual 2020, and Council's Erosion and Sediment Control Guideline 2019 and will be managed at the time of development.</p> <p>No other feedback has been received.</p>

### Landowners and Key Developers

Person/Party	Engagement Undertaken	Feedback Received
Landowner (Plan Change site)	<ul style="list-style-type: none"> <li>This proposed Plan Change has been prepared through ongoing liaison with the Ngāti Apa ki te Rā Tō Trust as the landowners.</li> </ul>	<ul style="list-style-type: none"> <li>The Ngāti Apa ki te Rā Tō Trust are supportive of the Plan Change and have been involved in its development.</li> </ul>
Adjoining Landowners	<ul style="list-style-type: none"> <li>Letters to adjoining landowners, posted on 18 May 2022</li> <li>Adjoining landowners were invited to join a public presentation to the Rotoiti District Community Council and St Arnaud community members on 29 June 2022</li> <li>Various phone calls and emails with interested adjoining landowners</li> <li>Emails with the Department of Conservation</li> </ul>	<ul style="list-style-type: none"> <li>Feedback included letters and emails, both in support and opposition to the Plan Change</li> <li>Concerns were raised in relation to the wider range of permitted activities and the scale of potential future development on the site, associated disturbance including noise and traffic effects, the conservation values of the site and servicing. These matters have been considered in the development of the Plan Change.</li> </ul>

Person/Party	Engagement Undertaken	Feedback Received
		<ul style="list-style-type: none"> <li>The Department of Conservation have expressed their support for the proposed rezoning.</li> </ul>

## Community Engagement

Person/Party	Engagement Undertaken	Feedback Received
St Arnaud community, including the Rotoiti District Community Council and St Arnaud community members	<ul style="list-style-type: none"> <li>A presentation to the Rotoiti District Community Council and St Arnaud community members on 29 June 2022. Note, adjoining landowners and the wider community were invited to attend this meeting. The Rotoiti District Community Council opted to hold this meeting via video call.</li> </ul>	<ul style="list-style-type: none"> <li>Questions were asked in relation to the Ngāti Apa ki te Rā Tō Trust's plans for the site, site access, the Papakāinga permitted activity rules, the need to consider fire safety, and development contributions.</li> </ul>



## Appendix 3 – Operative Regional Policy Statement and Resource Management Plans

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

Policy/Objective/Method	Relevance
<b>Tasman Regional Policy Statement</b>	
General Objective 6: <i>Protection and enhancement of significant natural, heritage and cultural values of resources.</i>	This Plan Change recognizes the cultural connections that the Ngāti Apa ki te Rā Tō Trust have to the Plan Change site.
General Objective 7: <i>Recognition and protection of significant traditional interests of the tangata whenua in relation to land, water, the coast and other taonga Māori.</i>	This Plan Change will enable the Plan Change site to be used for traditional, spiritual and cultural activities.
Policy 4.1: <i>The Council will pursue a process of consultation and participation in resource management between itself and the tangata whenua of the District</i>	This Plan Change has been development through ongoing liaison with the Ngāti Apa ki te Rā Tō Trust. Other Te Tau Ihu iwi have also been invited to provide input. The draft Plan Change material has been circulated to Te Tau Ihu iwi authorities.
<b>Tasman Resource Management Plan</b>	
Objective 5.1.2: <i>Avoidance, remedying or mitigation of adverse effects from the use of land on the use and enjoyment of other land and on the qualities of natural and physical resources.</i>	This objective relates to site amenity effects and is relevant to potential cross-boundary effects of development of the site.
Objective 6.7.2: <i>Maintenance and enhancement of the distinctive characters of urban settlements and integration between settlements and their adjoining landscapes</i>	This objective relates to settlement character and design, including considering areas of landscape values and the character and appearance of each settlement. In this case St Arnaud where the proposed zoning is not expected to have negative impacts on the landscape priority area, or the character of the settlement. Policy 6.7.3.2, 6.7.3.3 and 6.13.3.12 are also relevant.
Policy 10.2.3.15: <i>To account for the values of manawhenua iwi by acknowledging the manawhenua iwi as kaitiaki in relation to cultural heritage sites of significance to Māori in the District.</i>	While not a listed cultural heritage site, the Plan Change site is of cultural significance to Ngāti Apa and includes land that has been returned to the Ngāti Apa ki te Rā Tō as a cultural redress property. The proposed rezoning recognises this cultural connection and the role that iwi have as kaitiaki.
Policy 7.2.3.9: <i>To enable sites in specific locations to be used primarily for rural industrial, tourist services and Papakāinga purposes, having regard to:</i> <i>(a) the productive values of the land;</i> <i>(b) natural hazards;</i> <i>(c) outstanding natural features and landscapes, and the coastal environment;</i> <i>(d) cross-boundary effects, including any actual and potential adverse effects and potential reverse sensitivity effects on existing activities from new or future activities;</i> <i>(e) servicing availability;</i>	This Plan Change enables the site to be used for Papakāinga purposes and has had regard to the relevant matters listed. In the TRMP this policy directly relates to rural environmental effects but is considered to have relevance in intent to this situation.

Policy/Objective/Method	Relevance
<p><i>(ea) in relation to rural-industrial development, the efficient location of the activity in association with sources of plant and animal production, existing development capacity, and the transportation network;</i></p> <p><i>(f) the availability of specific productive natural resources, such as aggregates or other mineral sources; (g) transport access and effects;</i></p> <p><i>(h) potential for cumulative adverse effects from further land fragmentation;</i></p> <p><i>(i) maintaining variety of allotment size;</i></p> <p><i>(j) efficient use of the rural land resource;</i></p> <p><i>(k) cultural relationship of Māori to their land.</i></p>	