

**Tasman Resource Management Plan
Efficiency and Effectiveness Evaluation**

Evaluation of the Coastal Tasman Area
and the
Rural 3 Zone



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1. Executive Summary

1.1 Introduction

This report provides an evaluation of the efficiency and effectiveness of the Coastal Tasman Area provisions in the Tasman Resource Management Plan.

The Coastal Tasman Area is an area of land identified in the Tasman Resource Management Plan between Motueka and the Waimea Plains and is adjacent to the coast. It was created in 2003 in response to strong development pressures on the more productive Rural 1 land on the Waimea and Motueka Plains. The CTA is remarkable in the Tasman District for its landscape, rural and coastal amenity, and its planning regime. The CTA includes a number of zones, and is the only location for the Rural 3 zone which is dominant within the CTA (3,629 hectares or 60.7%).

1.2 Vision and Intentions for the CTA

Between about 2000 and 2003 the Council investigated a range of options to address the demand for rural lifestyle living. Ultimately, Variation 32 was notified with two zones: Rural 3 Zone in the inland, hillier and less productive areas of the CTA where substantial areas of fully serviced development was intended, and Rural 3A Zone on the more coastal, gentler and more productive areas where a much lesser amount of development was intended.

The intention was to retain an overtly rural zone, but to integrate rural lifestyle living in appropriate locations. The protection of land of productive value, rural character and rural landscape values was important, as was ecological restoration and recreation opportunities.

However, the split between Rural 3 and Rural 3A Zones raised a number of problems. To address these problems, and to provide for greater development opportunities over the somewhat more productive land, the Rural 3A zone was ultimately deleted and the Rural 3 zone extended. Also, the reticulated wastewater servicing was withdrawn in favour of on-site treatment and disposal. Decisions on the variation were made in 2005.

Arguably (because it is not explicitly stated) the Rural 3 concept had three principle objectives:

1. The provision of more rural living opportunities;
2. The retention of the best land of high productive value, and opportunities for its use; and
3. The retention of rural character, rural amenities, and rural landscapes, as well as the progressive development of natural character and ecological outcomes to balance the rural values.

However, the policy settings were high-level and directionless due to being without weighting, without spatial guidance, and sometimes inconsistent. The CTA Design Guide was used to fill the policy gap because it provided more specific direction, but was only written to be landscape guidance and never intended to be used as comprehensive policy.

Other areas of the CTA were more overtly identified for certain purposes, such as Rural Residential Zone locations (although many legacy zones that predated the CTA) where minimum lot size subdivisions are enabled. The CTA also includes Rural 1 and Rural 2 Zone locations where development is generally discouraged.

Since the CTA, and its planning framework was created, the Te Mamaku Drive bypass road has been constructed and the Tasman Great Taste Trail has been built through the area.

1.3 Outcomes

Since 2005 the Rural 3 Zone has achieved a range of positive outcomes, but also has not satisfactorily achieved some of the outcomes that were intended.

The relevant outcomes assessed relate to the numbers of lots and characteristics of subdivisions undertaken, the retention of land of high productive value and opportunities for plant and animal production, the retention of rural character, the maintenance of amenity, natural character and biodiversity, cultural heritage outcomes, and water quality.

After the implementation of Rural 3 there has been a steady growth in the numbers of residential and lifestyle titles between 250 square metres through to 6 hectares (60,000 square metres). Data suggests an additional 474 such lots have been created. The two main Rural Residential Zone locations (Māpua and Waimea Inlet) have seen an additional 126 and 104 lots, respectively. Altogether this is approximately 700 more rural lifestyle lots which is approximately half of the yield that was projected for the Rural 3 and Rural Residential areas over the 20 year¹ planning horizon that was established at the time.

The Coastal Tasman lifestyle living properties that have been created are very high quality and provide an exceptional standard of living to residents. The Coastal Tasman Area plan since 2005 has yield some excellent quality-of-life outcomes.

The pattern of development in the Rural 3 Zone has mainly been to create rural residential style lots. The cluster developments with residential sized lots (as were originally promoted) have only really occurred in two developments (Appleby Hills and Galeo).

Due to significant regulatory challenges as discussed below, the costs, difficulties and uncertainties of obtaining resource consent are likely to have increased the prices of the sites beyond what they might otherwise have been. The drivers of the market value of lots is clearly complex and not something that can easily be traced. However, it is self-evident that increasing developer costs will inevitably result in increased section prices for purchasers.

Regarding land productivity, the Rural 3 Zone land is divided into Classes B and E. Most new residential scale and rural-residential scale lots have been established on Class E land. New lots that have been established on Class B land are part of smaller subdivisions producing fewer new allotments. The major exception however, is the subdivision known as Tasman Bay Estates (formerly the Harakeke subdivision). This development is wholly on Class B land.

Development opportunities in the Rural 3 Zone have significantly increased land values within the zone. Indirectly, this places increased pressure on primary producers by increasing rates, and making it more difficult to buy and combine land into more economically sized blocks. More residents also increase the potential for cross-boundary effects and constraints on primary producers.

Rural character remains relatively high, but principally because a low number of developments have been undertaken. Where Rural 3 developments have occurred, rural character appears not to have been adequately maintained. However, this outcome appears to be more reflective of unrealistic

¹ Currently at year 16 since 2003

expectations in the policy, because the evidence suggests that it is not feasible to provide significant rural residential development and also retain rural character. Nevertheless, high levels of visual amenity (as distinct from rural character) have been maintained. In other words, once developed the Rural 3 development areas remain looking attractive, but have not remained strongly “rural”.

Council staff have been effective in creating walkway, cycleway and bridleway corridors within subdivision sites, and connecting these corridors to key linkages such as esplanade areas, legal roads, indicative walkways and reserves. Subdivisions are the key method by which such linkages are achieved, as there has been little work on securing other linkages through non-regulatory methods. The routing of the TGTT through the northern part of the Rural 3 Zone is an additional recreational benefit. The ongoing development of the public access network is a strong positive outcome.

Some natural character and biodiversity outcomes have been achieved, but again, with a lesser number of developments and a pattern of lower density rural residential and less common land, the outcomes are less than was likely anticipated.

Achieving cultural heritage outcomes continue to be challenging, with imperfect information and the potential for discoveries with any earthworks. Subdivision applications (involving earthworks) typically include cultural heritage considerations. In the case of the Tasman Bay Estates Ltd (ex-Harakeke Ltd) subdivision, a Pā site was identified and is to be vested to Manawhenua Iwi. Cultural heritage considerations have also been identified or acknowledged in other subdivisions. Increasingly over time, Te Tauihu Iwi are requiring cultural monitors to be on-site during earthworks or, at the very least, accidental discovery protocols to be in place.

In the absence of wastewater servicing, construction of dwellings in much of the CTA has depended on on-site wastewater treatment and discharge systems. As a result, in some catchments there may be many tens or hundreds of on-site systems. Once the Boomerang Farm Ltd development at the head of Stringer Valley is completed there could be approaching 200 on-site wastewater systems in that catchment. Similarly, there are a large and increasing number of on-site systems (including some old failing systems) in the Aporo Stream catchment.

Under the rules of the Wastewater Management Area treatment must be to a high standard and the treated wastewater applied only thinly to the land as the soils are hard clays which have poor soakage. It is unclear what effect high numbers of modern well-performing on-site systems may, cumulatively have. Failing old systems continue to cause a problem in most catchments.

Sediment erosion has been a significant concern in the CTA with virtually all catchments exiting to either the Moutere Inlet or the Waimea Inlet. Fine sediment can smother the beds of rivers and streams, which kills invertebrates and fish, and removes the base of the food chain. Earthworks associated with subdivision construction (e.g. roads, and cutting of platforms for dwellings) have contributed to ongoing erosion of sediment and deposition in the inlets. Experience has shown that fine sediment can be controlled to an acceptable level, but sediment control measures have to be sophisticated, very well constructed, and very well maintained. This frequently does not occur and, even then, heavy downpours can create significant erosion.

Overall, it is not clear how much ongoing rural residential development may be contributing to the degradation of rivers and estuaries, but there will inevitably be a contribution. However, normal rural farming activities can also make strong contributions through bank erosion.

1.4 Key Issues

The CTA, and the Rural 3 Zone in particular, were ambitious, novel and relatively sophisticated. There are great challenges in the task of trying to meld such a range of outcomes into a vision and planning framework.

What follows here is a summary of the key difficulties that have contributed to the less successful outcomes. Some strong positive outcomes are acknowledged and should not be lost sight of.

1.4.1 Planning and Development

There are a number of key difficulties with the planning and policy framework for the CTA. First, there are no explicit objectives for the CTA. This creates a large area of contention as to exactly what is intended to be achieved and how matters should be weighted.

Despite the lack of objective(s) the policies that apply to the CTA set out a very wide scope of matters. Many policies compete with one another. And the wide scope of discretion makes assessment and decision-making highly uncertain, and very challenging for applicants and planning practitioners. While it is clear that an open level of discretion was intended, practitioners have tended to simplify the scope in a very small number of key matters (e.g. land productivity). It does not appear that this was the original purpose.

There were originally to be two zones (Rural 3 and Rural 3A) and the policies were originally drafted accordingly. Following the deletion of the R3A Zone, the revision of the CTA policy set was inadequate and that contributed to a significant level of ambiguity and uncertainty.

There are notable inconsistencies between the Chapter 7 policy framework and the CTA Design Guide (CTADG). The CTADG establishes an expectation that a certain level and type of development is likely to be appropriate and supported. This expectation is not backed up by CTA policies, and furthermore there are clear inconsistencies between the two. Generally, the CTADG suggests that a greater level of development may be appropriate than is supported by the policies. Although, as previously stated it is also unclear what level of development the policies themselves do actually support.

There are also inconsistencies within the CTADG itself that cast doubt on what is trying to be accomplished.

One of the most significant factors that has affected the success of the Rural 3 Zone is the Council's withdrawal of an intention to service the area with wastewater reticulation. That is not to say that the decision was inappropriate or incorrect, but the decision resulted in a development pattern of lower density and more rural residential character (rather than clustered residential as the CTADG promotes). The lower development density, coupled with resource consenting uncertainty and other factors, has made developments financially difficult and increased costs. A key implication of the removal of the wastewater servicing is that it created a large disconnect between what could realistically be achieved "on the ground" and what the policy regime and CTADG still sought as outcomes.

The key impacts of the inconsistencies, policy contradictions and reduced development density has been on certainty and costs. First, developers, planning practitioners and the public have been uncertain as to what outcomes are expected and whether a development is appropriate or not. This is a disincentive to pursuing development proposals. Second, the uncertainty has driven higher costs

through multiple design iterations, extended consent processing, contention between applicants and Council, contention between experts, and challenge from affected parties.

As a result, there has been a considerable level of waste in Rural 3 processes to date. This waste includes financial waste for developers and purchasers, wasted opportunities, wasted time, and – less tangibly – wasted emotional energy by many in being involved with planning processes that involved significant levels of uncertainty.

1.4.2 Challenges from Residents

Rural 3 development progresses over time, with new residents buying into the area. Often such residents buy into a particular environment and are thereafter resistant to future change of that environment. The resistance occurs despite their uptake of the planning opportunities that provided them with their opportunity to live in that environment. Such new residents can individually and cumulatively make ongoing Rural 3 development increasingly time-consuming, uncertain and expensive.

1.4.3 Reduced Viability for Developments

The removal of the wastewater servicing is possibly the single biggest factor affecting the on-the-ground outcomes for the CTA².

The removal of the servicing had a number of effects. First, either the developer and residents would need to fund very expensive communal systems, or individual on-site wastewater systems would need to be installed.

On-site treatment and disposal systems require substantial areas of land since only 2mm (2 litres per square metre) can be soaked into the Moutere clays. In addition, generous setback areas are required. The discharge areas cannot be used for any construction or grazing of animals. And planting of productive horticulture is difficult. The resulting low-density pattern is both inconsistent with the pattern (clusters) and character (overtly rural) of development sought for the Rural 3 Zone.

The removal of the wastewater servicing also created a large disconnect between what could realistically be achieved “on the ground” and what the policy regime and CTADG still sought as outcomes.

Lower density typically means that a greater number of lots are required in order to make a development financially viable. The combination of cost, risk and uncertainty has placed a strong handbrake on potential development.

A further source of increased cost arises from the cost of road upgrades that are often required. Typically, the CTADG and the location of less productive land (Class E) has provided more support for rural lifestyle development in the upper areas of the CTA valleys. These areas are usually accessed by narrow, metal-surfaced, rural roads which require significant upgrades and which make development in the most ideal locations, financially untenable.

In summary, the Rural 3 process has tended towards high development costs and a high uncertainty of outcome.

² There is no criticism of that decision; just that the original ambition and intent depended upon that servicing.

1.4.4 Suitability of the Rural 3 Product

The CTA has produced a reasonable number of high-quality living environments that are desirable and sought-after. They provide high standards of living and amenity for owners.

However, a common criticism is that the Rural 3 model promotes a pattern of development that has little or no social cohesion, and that residents are entirely car-dependent. The lack of policy support for any commercial or community activities limits the ability to create a “heart” or a community node. Nevertheless, recent survey data indicates a strong preference for rural residential living.

The CTA setting provides some strong fundamental values including resilience from natural hazards, the ability to build upon existing population centres and high quality living opportunities.

1.5 Summary

The land within the CTA is a highly attractive and accessible part of Tasman, and it is desirable for a wide range of land uses and values.

The CTA as a planning instrument has yielded some good outcomes, principally high-quality living environments, improvements in the visual amenity of some areas, and the development of recreational linkages.

However, there have been significant difficulties with the implementation of the rules, objectives and policies that have resulted in extra costs, inconsistent decision making and sub-optimal outcomes. The causes of the poor outcomes are attributable, in large part, to the planning regime. However, other drivers such as infrastructure are also identified.

As a result, 15 years after the regime came into effect, it is considered that there is a strong case for review of the CTA planning framework.

1.6 Recommendations

A brief set of recommendations is provided here for each of the main Zones and geographic areas. More detailed recommendations will depend on what overall decisions are taken with respect to the CTA and its zones.

1.6.1 The Coastal Tasman Area

- It is recommended that the CTA be retained as there is still value in the concept.
- Changes should be made to the boundary in order to:
 - Remove Māpua and the peri-urban area of Seaton Valley.
 - Consider amendments around the settlements of Tasman Village and Mahana.

1.6.2 Rural 3 Zone

The broad options that could be considered at this stage are:

1. Try to achieve the original Rural 3 vision of strong clustering, extensive development, and a rural character through servicing and a revamped planning framework;
2. Continue with the current Rural 3 Zone framework but with substantial reworking and improvements;

3. Use Rural Residential Zone over some or all of the area; or
4. Revert to Rural 1 and Rural 2 zones (resulting in significantly less development)

Assuming a level of development of this area is to continue, then:

- Provide greater clarity and/or simplicity around development opportunities. This can be achieved in a number of ways including:
 - Use of Zones; and/or
 - Use of information overlays and/or development opportunity overlays; and/or
 - Use of planning hierarchies.
- Be more explicit about the outcomes sought.
- Direct development to more sustainable and self-contained community structures by promoting appropriate locations, and to promote consolidation of existing settlement areas.

1.6.3 Māpua Village and Māpua Rural Residential

- Māpua village and the Māpua Rural Residential Area (possibly excluding the area to the north of Pomona Road) should be excluded from the CTA. This will enable policy for the Māpua settlement to be developed independently.
- Reconsider zoning and policy guidance of these (particularly the Seaton Valley area) in light of Future Development Strategy.

1.6.4 Waimea Inlet Rural Residential

- Reconsider the boundaries of this zone in light of the decisions made around the Rural 3 Zone and the character of development opportunities in the current Waimea Inlet Rural Residential Zone.
- Review if the “limited further development” indications in the current policy remain appropriate or if more or less development should be provided for.

1.6.5 Northern Rural 1 / Rural 2

- Continue with a strong restriction on development in the existing R1 and R2 zones along the Mariri Coast. This area has been identified by Iwi as being of significant cultural importance. The area is visually attractive and development may be contrary to the NZCPS.

1.6.6 Kina Peninsula

- Undertake a thorough review of zones and outcomes.
- Consider enabling further development in locations where there is walking and cycling connectivity to Tasman Village.
- Take a conservative (i.e. restrictive) view of further development on the peninsula, particularly north of Kina Beach Road, due to significant values.

1.6.7 Tasman Village

- Give greater recognition and support to the village, as it contains desirable community foundations that are not easily established (e.g. shop, schools, home businesses, strong community).
- Consider providing for an appropriate level of growth that retains the character of the township.
- Support any growth with community wastewater servicing and hazard mitigation.

1.6.8 Other Recommendations

1.6.8.1 Tasman Great Taste Trail

- Develop a policy framework for the TGTT. It is a key infrastructural asset and there is a need for policy as to how key activities (e.g. accommodation, services, and attractions) are regulated.

1.6.8.2 Rules

- Review rule framework to ensure that appropriate activities and levels of built development are provided for.
- Simplify the consent status for boundary adjustments.

1.6.8.3 Infrastructure

- Consider whether Council could provide cluster wastewater systems to enable more compact communities, reduced costs for home-owners, and reduced chance of pollution of land and water from large numbers of on-site systems.
- Council to develop better systems to take and use development contributions to upgrade roads in the CTA in order to facilitate development.

2. Introduction

The Coastal Tasman Area is an area of land identified in the Tasman Resource Management Plan between Motueka and the Waimea Plains and is adjacent to the coast. It was created in 2003 and is unique in the Tasman District for its landscape, rural and coastal amenity, and its planning regime. It includes a number of zones, and is the only location for the Rural 3 zone which is dominant within the CTA.

2.1 Scope of this report

This report is divided into four parts.

The first part looks in detail at origins of the zones within the CTA. In particular, it reports on the genesis of the Rural 3 Zone and traces the decisions and chain of events that has led to it being as it is today.

The second part then looks at the outcomes that have been observed in the CTA, again with a particular focus on the Rural 3 zone.

The third part provides a discussion of the key issues and attempts to investigate or interpret the reasons and drivers behind the observed outcomes.

The final part of this report provides options and recommendations for what changes and actions could be implemented to provide for improved outcomes.

2.2 Background to the Coastal Tasman Area

The boundaries of the CTA are defined on the eastern side by the coast (mean high water springs). On the western side the boundary was defined by the ridgeline that separates the coastal catchments from the catchment that drain inland Moutere River. Prior to the construction of the Ruby Bay Bypass (now State Highway 60) there was a chain of roads that ran along the ridgeline of this catchment: Moutere Highway, Old Coach Road, Stagecoach Road, Tasman View Road and eventually ending at Robinson Road. The CTA was typically aligned to these roads.

The land within the CTA is dominated by the Moutere landform with a network of rolling hills, spurs and often asymmetric valleys (gentle slopes on one side and steeper on the other). The soils are a tight clay-bound gravel.

Prior to the early 2000s, the land within the boundary of the CTA was partly in exotic *Pinus radiata* forestry and retained in large blocks. The balance, particularly closer to the coast was in orchard and horticultural land uses held in small parcels by owner-producers. Subsequently the most of the exotic forestry has been felled and many of the orchards in the eastern area of the CTA have been removed. As set out later in this report there has been an ongoing trend of the fragmentation of land into smaller titles.

The boundaries of the CTA, and the zones that are present within it, are shown in Figure 1. The coverage of the main zones is shown in Table 1. It should be noted from this information that the CTA does not just incorporate rural zones, but also takes in the settlements of Tasman, Māpua and Ruby Bay/Te Mamaku which includes residential, tourist services, commercial and industrial areas. In recent times Māpua has been an area of rapid residential growth and tourism. This looks set to

continue. A substantial percentage of the CTA is also zoned Rural Residential. But the area is dominated by the Rural 3 zone. More background to these zones is provided in this report.

Table 1: Make-up of the CTA by zone area

| Zone | Area (hectares) | Percentage |
|--------------------------------------|-----------------|------------|
| Rural 1 | 835 | 14.0 |
| Rural 2 | 423 | 7.1 |
| Rural 3 | 3629 | 60.7 |
| Residential (all types) | 114 | 1.9 |
| Rural Residential (all types) | 851 | 14.2 |
| Commercial and Industrial | 7 | 0.1 |
| Recreation, Open Space, Conservation | 108 | 1.8 |
| Tourist Services | 12 | 0.2 |

There have also been some key physical changes within the CTA since 2003. In October 2010 the Ruby Bay Bypass was opened in the northern part of the CTA. This removed much of the traffic from the Coastal Highway (now Aporo Road). More recently the Tasman Great Taste Trail (TGTT) has been conceived and built. The TGTT enters the CTA at Māpua and winds its way through key areas such as Ruby Bay, Marriages Road, Aporo Road, Tasman Village, Harley Road, and Tasman View Road, eventually exiting near Riverside Community in the Moutere Valley.

As described in more detail below, the CTA was originally envisioned to provide for rural residential and rural lifestyle opportunities. It was a location that could be developed to a considerable extent, but yet retain an overtly rural character and feel. A quality lifestyle could also be provided for with enhancements in natural values, and recreation opportunities.

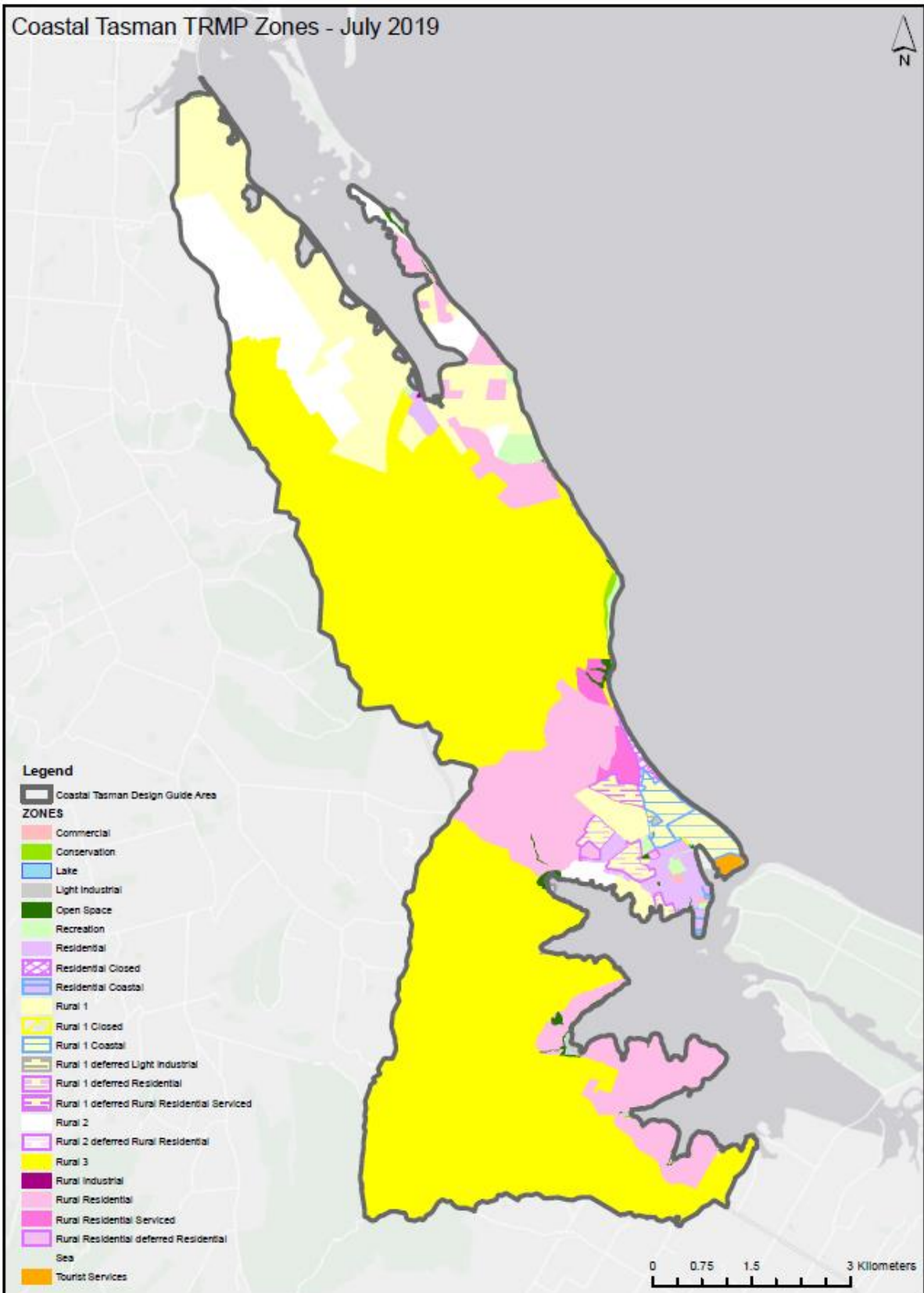


Figure 1: The zones of the Coastal Tasman Area

2.3 Summary of Consultation

The following consultation has been undertaken during the preparation of this evaluation.

2.3.1 Tasman District Councillors

A workshop with elected Councillors was held on [date] discussing key issues and recommendations identified for this chapter.

The following observations and matters were raised:

- That the land within the Coastal Tasman Area does have some productive uses, but is not particularly versatile.
- That Councillors recognise that houses must be provided somewhere and that, while no location is perfect, the CTA is very well suited due to its low productivity, high quality of living opportunities, high resilience and reasonable proximity to settlements.
- That the original Rural 3 planning regime was probably optimistic and that it is unlikely that there is high demand for residential density housing in this rural area.
- That there is some interest in at least investigating Council-owned package wastewater treatment options in key locations as the benefits are recognised.
- That the direction of Councillors is to continue with an improved form of Rural 3 that focusses on appropriate Rural Residential type development, but focusses on building communities.
- Environmental impacts of concern are sediment discharge and cumulative effect of many on-site wastewater systems.

2.3.2 Tasman Environmental Policy Iwi Working Group

The iwi of Te Tau Ihu, as tāngata whenua, have a unique relationship with Tasman District Council. There are a number of legislative requirements which oblige us to engage more collaboratively with iwi and Māori - including provisions in the Resource Management Act, Local Government Act and Treaty of Waitangi settlement legislation. To support this a separate section 35 report with a focus on iwi/Māori provisions has been prepared. Please refer to that chapter for a record of consultation undertaken.

3. Vision and Intentions for CTA Zones

The process of promulgating the CTA went through several phases, including early development of the concept, the preparation and process of a formal plan change, and finally the decisions that were made to finally implement the CTA as operative. This first part summarises what the vision and intentions were for the CTA through the various planning phases up until becoming operative in the TRMP.

The zones are considered individually, with the Rural 3 Zone being the most complex and significant being first, and the other major zones following.

Appendix 1 contains a map that illustrates three phases of mapping to show the progression of ideas through to operative status. It is a useful map to refer to.

3.1 Rural 3 Zone

3.1.1 Characteristics

As stated previously, the Rural 3 zone covers the majority of the land area within the CTA. It is deprived of full dominance by the rural residential zone locations particularly around Māpua and around the margins of the Waimea Inlet. The Kina Peninsula and the Mariri Hills at the northern end of the CTA are also Rural 1 and 2 Zone locations.

On its western margin, the Rural 3 Zone was deliberately delineated by the top of the coastal catchment. The boundary runs along the topographic line that separates the small coastal catchments from the larger inland Moutere River catchment. This was so that the more developable areas originally envisaged which were higher up in the catchments would get sea views.

The Council's Productive Land Classification system classifies all of the Rural 3 land into either Class B or Class E. The delineation between the two roughly follows the original delineation between the Rural 1 and Rural 2 zones that existed before Rural 3. See the map in Attachment 1.

The CTA landscape is one of characteristically long undulating spurs and valleys. A rolling countryside with a patchwork of land uses. Historic access roads typically run up the valley floors or along the ridgelines.

3.1.2 Early Policy Development (2000 to 2002)

In understanding the policy framework that underlies the Rural 3 Zone today, it is critical to be aware of the history of how it was developed.

A comprehensive document that draws together the early planning options for greater residential and rural-residential development in the Coastal Tasman Area between Appleby and Tasman village was the *“Coastal Tasman Area Strategic Development Review – Update and Review Paper Encompassing Section 32 Considerations (October 2002)”*

This document stated:

“The work to date has indicated that there is strong current demand for residential opportunities in rural settings, particularly in areas with attractive coastal outlooks and/or views of mountains or hills. The demand is strongest in areas accessible to urban

areas and thus to the range of “urban” opportunities and services (schools, shopping, jobs, culture and entertainment).

The “new wave” of rural dwellers are also seeking high levels of design and amenity, a clean environment, sometimes opportunities for home occupations including productive land-based occupations, management of rural cross-boundary effects, and sometimes a sense of community. For the right environment they will pay very high prices.”

This document presented a range of options and, significantly, a **single Rural 3 zone was originally the recommended option**. As explained below, the formal variation eventually proposed two new zones (Rural 3 and Rural 3A) but the final decision was to just implement a single comprehensive Rural 3 zone.

However, there is a very important difference between the early 2002 recommendations to what was finally enshrined in the plan. The early 2002 recommendations were for a single Rural 3 zone, but with substantial geographically-based information overlays that would be provided by the Council to provide landowners and potential developers with a greater degree of geographically-based information to highlight areas in which particular qualities and values would require special treatment or attention.

The report identified that by implementing:

1. A single broad development zone; **AND**
2. A discretionary rule regime (where applications could be assessed for quality by the Council, but there was always a risk of consent being declined); **AND**
3. A Uniform Regulatory Opportunity – meaning that no particular geographical guidance is given and all applications over the R3 Zone would be assessed on their merits;

That there would be a risk that “costs of putting together applications will increase, as a higher standards of application and information than the past will be expected. This cost will also carry a risk element ..., as there will be no guarantee of obtaining a consent. However, risk can be minimised by ongoing contact with Council officers during the design process.”

And “risks with this model include a level of uncertainty for all involved. The risks for landowners will increase ...”

As it turns out, and as explained later in this evaluation report, this is evidently the outcome that has occurred and which has significantly compromised some aspects of the success of the Rural 3 zone as it has eventuated between 2003 and the present day.

At the time the Rural 3 and 3A Zones were originally proposed, servicing was identified as feasible, essential and affordable. This transport servicing envisaged at that time included a significant upgrade to roads (although noted that Council was already gradually working towards an improved level of standard). Reticulated water supply was recommended to provide for health, safety and convenience benefits. Wastewater services were anticipated due to soil conditions throughout most of the area. The document noted that the absence of a reticulated service would limit the ability of the area to be developed to reasonably intensive levels without significant environmental risks which will increase over time.

3.1.3 The Formal Changes Proposed – Variation 32 (2003)

In late 2003, following the period of policy analysis and technical investigations, a variation to the TRMP was publicly notified. Variation 32 constituted a significant change by establishing the CTA and a new spatial and policy planning regime within it.

From background papers from 2003, the scope and intentions for the Rural 3 work were:

- To provide for rural residential/lifestyle opportunities within the zoned areas.
- To allow for rural residential/lifestyle while retaining productive, ecological, coastal and landscape values and qualities of the area.
- Planned provision for up to 1545 additional house sites in the proposed area over a 20 year time horizon.
- To reduce pressure for rural residential subdivision of other rural parts of the district, particularly Rural 1 areas and other areas of high landscape and rural character values.
- To require high standards of design and to be applied through discretionary plan provisions and a design guide.
- Serviced residential development of appropriate parts of the rural land in the coastal Tasman area integrated with development of Māpua-Ruby Bay and Tasman village
- Rural 3 Zone higher density and lower density areas to recognise both superb coastal views, rural character and the value of productive land in the area
- A staged release of land to run with provision of servicing
- Wastewater upgrading for Māpua-Ruby Bay and reticulation to serve the Rural 3 Zone area – \$19.3M with developer contributions of \$6500 per new house site
- Secure water to supply the area from the Motueka groundwater system – \$15.7M including trunk main and reticulation with contributions of \$7500 per new house site
- Road upgrading programme staged over 20 years with contributions of \$7650 per new house site.

Importantly, the papers identified two types of Rural 3:

- *“Rural 3 H [High density] applies to former Rural 2 land (and small areas of Rural Residential and Rural 1 land), and allows for more intensive development under revised Design Guide principles.*
- *Rural 3 L [Low density] applies to former Rural 1 land (and a small area of Rural 2 land) where rural residential opportunities will be much more limited, i.e. only allowed where long-term protection of productive land is assured. Specific policy and a new Design Guide section will apply to this area”*

The productivity of the ex-Rural 2 land (“Rural 3 H”) is specified as Class E, while the productivity of the ex-Rural 1 land (“Rural 3 L”) is Class B³.

Ultimately, in the variation document “Rural 3 H” and “Rural 3 L” became the “Rural 3 Zone” and the “Rural 3A Zone”, respectively. The spatial layout of the zones is shown in the Map in Appendix 1.

It is useful to note, that in the above quote, it was identified that separate policy and design guidance would be required for the more productive, Rural 3A zone where less development opportunity would be available.

³ Council’s Productive Land Classifications

Variation 32 was notified on 20 December 2003. The variation proposed to establish the Rural 3 and Rural 3A zones. From the explanatory information introduced to the plan via Variation 32, the Rural 3 and Rural 3A zones:

- *Contain land of high productive qualities, generally the more coastal land, and also land of lesser productive value, generally the more inland land in the zones;*
- *Can accommodate a level of residential development through a framework that provides for restricted discretionary subdivision and controlled residential development;*
- *There are opportunities for innovate residential development, while retaining the overall rural amenity values and character of the area; and*
- ***Rural 3 areas have greater potential for development than Rural 3A areas. In Rural 3A areas an applicant is required to demonstrate the long-term protection of productive land before development opportunities can be accessed***

The variation did not introduce objectives specifically for the CTA. From Staff Assessment Report 66 it is clear that this was intentional and that Objectives 7.1.2 and 7.2.2 were still intended to guide the Rural 3 and Rural 3A policy, but with further guidance from the Section 7.3 policies. Some aspects of this decision will be evaluated later in this report.

The variation proposed a set of 20 policies, but interestingly did not provide for separate policy guidance for each of R3 and R3A zones. The two mapped zones would have provided an easily distinguishable differentiation between the two zones where the different policies could be applied.

The variation also introduced provisions that committed to the full servicing of the zones.

In summary, the variation proposed a regime of:

- 1 Two zones (Rural 3 with high development opportunity) and Rural 3A (with very low development opportunity); AND
- 2 A discretionary rule regime; AND
- 3 Uniform regulatory opportunity, with no further geographical information provided.

The Section 32 report that accompanied Variation 32 assessed, side-by-side, the two options of having a single undifferentiated Rural 3 zone, versus having two separate zones (Rural 3 and Rural 3A). The report warned that the single zone option providing “*undifferentiated development opportunities within the area*” would:

“Not be efficient or effective in protecting productive land values, and that the ability of ‘first in first served’ developers to use up all the development rights would also reduce the efficiency and effectiveness in terms of the Plan’s objectives on rural character, landscape and amenity values.

And

“Costs of this option relate to uncertainty and risks for developers, and costs to the local community through involvement in opposing applications. Further costs would arise in the likely loss of a higher proportion of productive land over time, with development more likely to focus on the Rural 1 areas with easier topography which are more straight forward to develop.”

Servicing remained a very strong theme. Given that residential (not just rural-residential) growth was anticipated, some form of reticulation was clearly necessary. Provision of full wastewater servicing was a key consideration in all planning and s32 documentation. There was a clear intention

that areas would be fully serviced, and any development ahead of time would require transitional servicing arrangements until Council servicing was provided:

“The studies undertaken for wastewater services indicate that a reticulated service can be provided and due to soil conditions throughout most of the area, the absence of a reticulated service would limit the ability of the area to be developed to reasonably intensive residential levels without significant environmental risks ...”

3.1.4 The Decisions

Following submissions and further submissions, Staff Assessment Reports (SARs) were provided by Council’s Policy Planner and Policy Manager, with assistance from Council’s wastewater consents specialist. SAR79 provided a summary of submissions, options and alternatives, and finally recommendations.

SAR79 identified four alternatives for how to progress the variation:

- Alternative 1: Retain Variation 32 (including separate R3 and R3A Zones)
- Alternative 2: Withdraw Variation 32 (and reinstate the previous R1 and R2 Zones)
- Alternative 3: Reduce the area of Variation 32 and set up a test area; and
- Alternative 4: Apply the Rural 3 Zone to the whole area (replace the R3A zone with R3)

SAR79 also identified three servicing alternatives:

- A: Full CTA wastewater and water supply reticulation
- B: No wastewater reticulation (use on-site or cluster systems), but retain water reticulation
- C: No wastewater reticulation (use on-site or cluster systems) or water reticulation

The SAR79 provided a matrix of these options against one another. Of the 12 theoretical combinations, only 5 were considered realistic, feasible options for the Council’s consideration: 1A, 1B, 2C, 3B or 4A.

And of these 5 options, Alternatives 3B and 1B were recommended by Staff.

Ultimately the decision taken by the Council on Variation 32 was Alternative 4B: to delete the Rural 3A zone, provide no wastewater reticulation, but retain water supply reticulation⁴.

Notably, Alternative 4B was one of the options that was discounted SAR79⁵ as being “not a realistic alternative”. The contrasts between options are examined below in more detail.

The decision taken resulted in:

- 1 A single Rural 3 zone covering the entire Rural 3 study area; and
- 2 A discretionary rule regime; and
- 3 Uniform regulatory opportunity, with no further geographical information provided; and
- 4 A requirement for on-site or cluster-based wastewater servicing.

The reasons given included:

- The residential development opportunity should be the same across the coastal Tasman area;
- The Plan currently provides a regime of protection of productive land;

⁴ At a later date the decision was also made not to continue with the water pipeline to the CTA and Māpua, and so the decision effectively became to implement Alternative 4C

⁵ Neither was Alternative 4C

- The transferable development opportunity in the Rural 3A zone poses significant administrative difficulties over time for landowners and Council;
- Anomalies with the boundary between Rural 3 and Rural 3A;
- The development result anticipated for Rural 3 of 75% open or productive space to 25% developed space is appropriate to apply to the Rural 3A zone and will provide for rural landscape, open space and productive values
- The scale of the Rural 3A zone is not appropriate
- A single zone over the coastal Tasman area is fairer to all in the area.
- The financial risk to Council from a committed reticulated wastewater service is unacceptable to Council;
- Onsite management does not preclude the opportunity for developments to propose alternative offsite wastewater management solutions;
- In a rural area, it is expected that advancing technology will provide increasingly effective wastewater management solutions
- Onsite wastewater management will assist water conservation on site through encouraging onsite reuse of water.

The decision to delete the Rural 3A zone was explored with Mayor Richard Kempthorne and Deputy Mayor, Councillor Tim King as part of this evaluation. Both Councillor King and Mayor Kempthorne had been part of the committee that made the decisions on Variation 32. An interview was held with the Mayor and Councillor on 31 July 2019⁶.

With the benefit of hindsight, they described the Rural 3 concept as hugely ambitious and optimistic. They said that it was driven by a booming housing market and a seemingly insatiable demand for rural lifestyle blocks and rural living. Developers were asking politicians to supply more land, and that they could sell anything regardless of the price. This is evidenced by the land values of the day which showed very significant rises in the 2002 to 2005 period (Table 2) and by the GDP of Tasman at the time (Figure 2).

Table 2: Land value changes over time in Tasman.

| | 2017 | 2014 | 2011 | 2008 | 2005 |
|-------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| | % LV change 2014 to 2017 | % LV Change 2011 to 2014 | % LV Change 2008 to 2011 | % LV Change 2005 to 2008 | % LV Change 2002 to 2005 |
| Residential | 24.8% | 6.0% | -1.8% | 4.0% | 151.0% |
| Lifestyle | 13.7% | 0.0% | -8.9% | 9.0% | 122.0% |
| Rural | 19.5% | 0.2% | -5.0% | 32.0% | 199.0% |
| Business | 14.6% | 0.9% | 4.0% | 22.0% | 198.0% |
| Other | 12.9% | 1.1% | -6.5% | 10.0% | 143.0% |

⁶ Notes are provided in Appendix 4

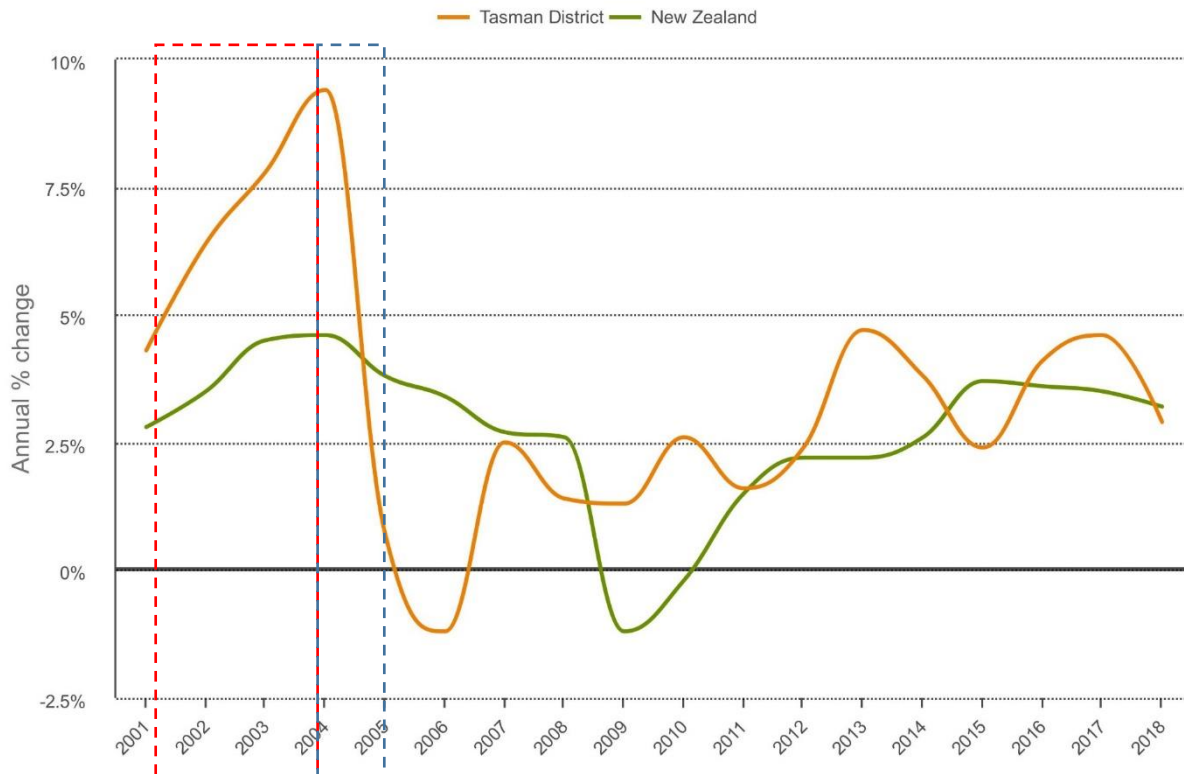


Figure 2: GDP for Tasman and New Zealand

[The red dashed area shows the period of time when the CTA and Rural 3 Zone were being investigated and planned. The blue area shows the period of time when formal submissions, and decision making period occurred.]

The Mayor and Councillor stated that their decision to remove the Rural 3A zone was a deliberate decision to enable a greater level of development over the ex Rural 1 land. They stated that the Moutere soils were inferior, and even the easy topography land of this area which had been used for apple orchards was substantially less versatile than the more productive alluvial plains at Waimea and Motueka. Their intention in removing the Rural 3A zone was that productive land should be diminished in importance from what Variation 32, as notified, originally proposed.

They considered that land productivity should not hold any pre-eminence as matter of discretion in resource consent decisions. At the time the apple industry had crashed and the trend was, instead of growing 100 year old apple trees, to replace trees regularly and be much more flexible with the varieties of fruit that are grown. The lower versatility of Moutere soils in the proposed R3 location is not well suited to the flexible type of growing. Therefore, the committee of the day was comfortable with expanding the development opportunity and allowing for a significant level of development, including potential villages and community facilities, in the CTA and particularly in the expanded Rural 3 zone.

If anything, the Mayor and Councillor considered that retaining a high level of rural character would be a more important outcome. They recognised that groves of olives and vineyards (as set out in the design guide) would not be productive and would be there to maintain the rural character and visual amenity.

The CTA was seen as an excellent location for further lifestyle and dwelling growth allowing development pressure to be alleviated from the Rural 1 and Rural 2 zoned land, and the Mayor and Councillor stated that at the time they wanted to maximise that opportunity.

That maximisation was particularly necessary because, at the time, the intention was to fully reticulate the CTA for wastewater and water supply, as well as a massive Council upgrade of the roads. A high level of development would be required to pay for this infrastructure.

Returning to the SAR79 alternatives, it is interesting to compare and contrast (Table 3) some key alternatives that were considered.

Table 3: Key Alternatives Recommended and Not Recommended by Staff

| Alternative | R3/R3A Zone configuration | Servicing | Recommendation and Reasoning |
|-------------|---|---|---|
| 1B | Rural 3 and 3A Zones as notified | No wastewater reticulation (on-site and cluster only) | Recommended by staff <i>“This alternative can work to manage key risks; and in both there are opportunities for developer-led onsite or reticulation management of wastewater at appropriate scales and locations.”</i> |
| 3B | Rural 3 zone reduced to test area | No wastewater reticulation (on-site and cluster only) | Recommended by staff <i>“This alternative can work to manage key risks; and in both there are opportunities for developer-led onsite or reticulation management of wastewater at appropriate scales and locations.”</i> |
| 4A | Rural 3 applied to whole area (R3A deleted) | Full wastewater reticulation | Considered but not recommended by staff <i>“It is considered that in the context of the District, the formal planning objectives [7.1.2 and 7.2.2] currently in the TRMP for the CTA and their current priority of rural landscape character and productive opportunity over residential opportunity should continue. This flows from the significance of the resource values and risks to those values, represented by the first two objectives. For this reason, alternative 4A is not recommended”.</i> In other words, extending the Rural 3 zone over the Rural 3A zone would tip the balance too far away from protecting productive land and towards residential development. |
| 4B | Rural 3 applied to whole area (R3A deleted) | No wastewater reticulation (on-site and cluster only) | Not considered by staff <i>“This is not a realistic package alternative. Lower dwelling numbers implicated by the absence of reticulation would not meet the end result sought by these submitters seeking ‘more development’.”</i> In other words, without wastewater reticulation the any intention to allow for more development on the expanded R3 Zone could not be met. |

It is interesting to note in the assessment that staff considered that by extending the Rural 3 Zone over the 3A zone, and by providing full servicing (Alternative 4A), the balance between objectives 7.1.2 (protecting productive land) and 7.2.2 (allowing other activities) would be tipped too far in the direction of development.

Another interesting observation is that staff recommended a Rural 3 Zone that was to be restricted to the less productive, inland, hillier areas and utilised only on-site (and potentially cluster) wastewater systems (i.e. Alternative 1B). It was clearly considered that this could be a successful regime. However, when staff looked at a physically larger Rural 3 Zone (including not only the hillier inland areas, but also the gentler more coastal land earmarked for the Rural 3A zone) that was also to be serviced by on-site wastewater systems (i.e. Alternative 4B) they concluded that it was not worth considering further because the lack of reticulated wastewater servicing meant that the option would not provide the end result of 'more development'. As a result the SAR contains no detailed assessment of Alternative 4B.

This appears to be a curious and somewhat flawed argument. If the intention was to use the same model of development as was recommended in the hillier areas, but also extend it to the flatter areas using the same servicing (i.e. on-site wastewater systems) in order to allow for more development, then it seems illogical to conclude that the 'more development' sought by submitters would not be achieved. It appears that during the course of the decision making process this flaw was recognised and ultimately the decision was made to progress Alternative 4B.

3.1.5 Final Rural 3 Zone Provisions

Following the release of decisions there were five appeals to the Environment Court. These were resolved through mediation.

Following Variation 32 the TRMP now contains 22 policies that specifically apply to the CTA. There are no objectives, but according to previous Councils staff, the objectives were considered to be inherent in the policies and in the explanatory material that sits within Chapter 7. The issue statement that heads the policies states:

"There is a desire in the community for residential development opportunities within a rural part of the District, used productively and having some existing rural residential development. Managing the pressure for and cumulative effects of residential development in the Coastal Tasman Area which is a rural area close to the coast, to the District's main urban centres, and to major transport routes, while protecting the productive value of the rural land resource, coastal and rural character, and amenity values."

The policies are provided in Appendix 6.

Also in the TRMP is the Coastal Tasman Area Subdivision and Development Design Guide. This document is described in Section 3.1.7 below.

Subdivision and Land Use rules were inserted into Chapters 16 and 17, respectively. The easiest status for a Rural 3 "development" subdivision⁷ is restricted discretionary. This differs from the Rural Residential Zone where minimum lot sizes are specified and a controlled activity status is provided which allows for certainty of outcome. The Council limited its discretion to 18 matters

⁷ Excludes Rural 50 hectare minimum lot and network utility or public works subdivisions

which were broad and included the following examples which are of particular relevance in this report:

- The extent to which the proposed subdivision retains and protects land with actual and potential productive values;
- Effects on the rural landscape, on amenity values and on coastal character and values;
- Consistency with the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3);
- The ability of the wider landscape to absorb the extent of development proposed without significant loss of rural character;
- Actual and potential cumulative adverse effects;
- Actual and potential cross-boundary effects, including the potential impact that complaints from new residential activities can have on existing productive activities;
- The provision, design and routes of cycleways, walkways and bridle-paths, including linkages between any site and local retail areas, schools, reserves, bus routes and arterial roads⁸.

There was no limitation on public or limited notification.

The Rural 3 subdivision rules also implemented a “do-it-once-and-do-it-right” approach by allowing the first subdivision as a restricted discretionary activity, but then requiring every subsequent subdivision to be considered as a non-complying activity. This rule structure was an attempt to disallow an iterative subdivision approach. This approach was considered to be both a carrot and a stick and to:

- (a) support innovative and comprehensively designed subdivisions, but discourage relitigation of these subdivisions by subsequent subdivision; and
- (b) to discourage the gradual chipping away of productive rural land by numerous iterative subdivisions.

Land use consents were also required for dwellings so as to control the location, look, feel and design of dwellings in the Rural 3 Zone.

3.1.6 Summary

Table 4 summarises the overall vision and intent of Rural 3, both in the context of Variation 32 as it was notified, and also in the context of the final decision. This summary is informed by the documentation reviewed and interviews with staff and decision-makers.

As can be seen from the table, the balance of development against the protection of productive land differed considerably. As Variation 32 progressed, the expectation of development over the whole Rural 3 (and previously 3A) area widened. The importance of productive land as a preeminent consideration was reduced.

The environmental outcomes sought remained essentially the same. A key point was that it was the rural **character** that was very important. The architects of the policy and the committee wanted to ensure that the area still looked and functioned as an environment with rural characteristics in terms of the amenity attributes and values it contributed to the new zone and developments.

⁸ This matter is actually in Schedule 16.3A: Assessment Criteria for Subdivision. There is a general linkage to this schedule in the matters of discretion.

Finally, the infrastructural outcomes clearly differed considerably with plans to provide full water and wastewater servicing, as well as a large roading upgrade, being discarded.

Table 4: Prioritisation of outcomes ● - High priority outcome ● - Desirable outcome ● - Undesirable outcome or not supported

| | Variation 32 As notified | Variation 32 Committee Decision |
|--|-----------------------------|------------------------------------|
| Type of Development | | |
| Development of inland areas of the CTA | ● | ● |
| Provide for development of coastal areas of CTA | ● | ● |
| Protect the land of higher productive value – strongly weighted to the coastal areas | ● | ● |
| Outcomes | | |
| Protection of the rural character | ● | ● |
| Protection of the coastal character | ● | ● |
| Protection of the rural and coastal landscape | ● | ● |
| Protection of the coastal edge and margins of rivers, streams and wetlands | ● | ● |
| Development of a network of pedestrian, cycle and equestrian routes | ● | ● |
| The restoration, enhancement and protection of wetlands, rivers and coastal vegetation | ● | ● |
| Infrastructure | | |
| Provision of reticulated wastewater servicing | ● | ● |
| Provision of reticulated water supply | ● | ●* |
| Upgrade of road network | ● | ●* |

*Decisions to not provide these services taken later

Throughout research and discussions with relevant people who were involved at the time, it is fairly evident that the Rural 3 concept had three principle objectives – three outcomes that it was trying to achieve:

1. The provision of more rural living opportunities;
2. The retention of the best land of high productive value, and opportunities for its use; and
3. The retention of rural character, rural amenities, and rural landscapes, as well as the progressive development of natural character and ecological outcomes to balance the rural values.

NB. These objectives must be inferred from the issues statements, explanatory material and methods information in the TRMP. There are no objectives that are explicitly stated for the CTA or Rural 3 zone(s).

The original proposal featured the differentiation of Rural 3 and Rural 3A zones by rural lifestyle and on land productivity, respectively. This is shown diagrammatically in Figure 3.

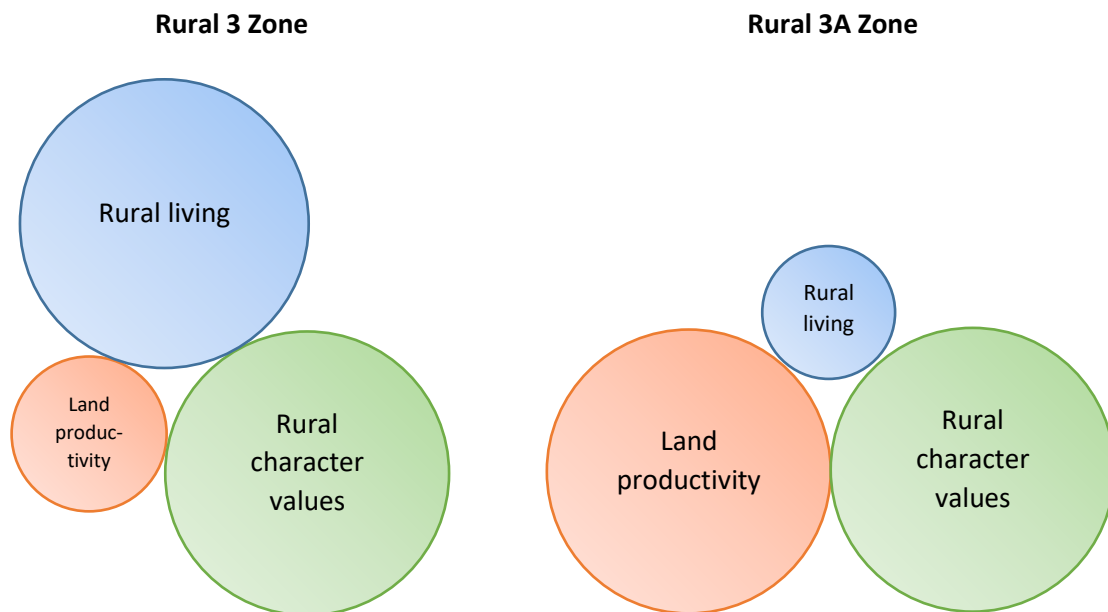


Figure 3: Balance of outcomes for original Rural 3 and Rural 3A Zones

Following the deletion of the Rural 3A Zone and the amendments to the CTA policies in Section 7.3, the final TRMP provisions have minimal guidance as to the relative weighting of these objectives. They can be best represented as shown in Figure 4. As stated previously, the Rural 3 zone contains a very high level of discretion and so, without any explicit objectives written in black and white, and without any weighting or hierarchy built into the provisions, the relative weighting of each has become a subject of significant debate and contention. As a result, somewhat of a policy vacuum exists and implementation has become influenced by personal perspectives, philosophies and priorities.

Rural 3 Zone (Final)

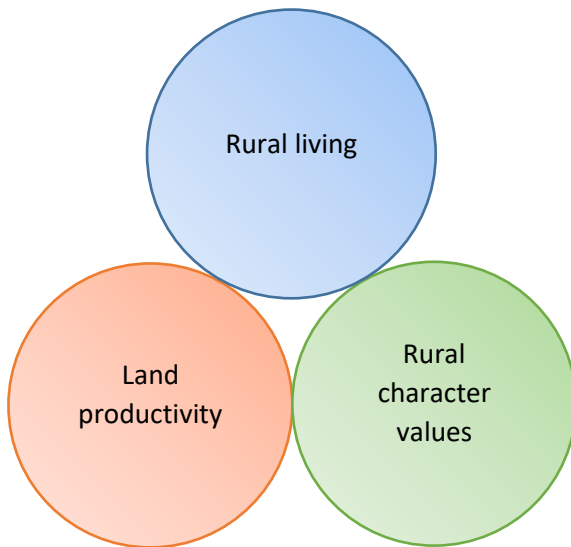


Figure 4: Balance of outcomes for Rural 3 Zone

This ambiguity and contention is evident from an interview held with planning staff who were responsible for the formulation and reporting on Variation 32. Those staff maintain that the intention was that the policy should protect the ex Rural 1 land (i.e. land of higher productive value relative to the ex Rural 2 land) from development even though the Rural 3A zone was to be scrapped. It was their opinion that the policy in the TRMP was sufficiently nuanced to provide this outcome. Although in hindsight they accepted that perhaps there was an unhelpful level of ambiguity.

A target of 1,330 dwellings was set for the Rural 3 and Rural 3A, Māpua and Waimea Inlet Rural Residential Zones at a ratio of 25% development to 75% open space for the Rural 3 and the Rural Residential Zones, and a ratio of 10% to 90% for the Rural 3A Zone. When calculated out, that number of lots over the given proportions of development area would result in lots having an average size of approximately 5700 square metres.

No projections for the expanded Rural 3 zone have been found. But extrapolating the average lot size above out to 25% of the larger Rural 3 zone (3,629 hectares) yields a total of 1,851 lots. This lot yield would have been needed to fund the infrastructure that was proposed at the time.

3.1.7 The Coastal Tasman Area Design Guide

Working in parallel to Variation 32, the Council identified the need for a design guide to provide for the necessary landscape, rural character and visual amenity outcomes for the CTA. The Coastal Tasman Area Subdivision and Development Design Guide (“CTADG”) was included as an Appendix in the TRMP via Variation 55 which was notified in July 2007.

Although the CTADG is broadly applicable to the entire CTA, it is most clearly associated with outcomes in the Rural 3 Zone. The TRMP is explicit that it should be considered in design and decision-making for subdivision and development in the Rural 3 zone. In all other zones in the CTA its purpose is to encourage good design.

The CTADG contains three sections:

- A. Process – setting out a course of action to achieve good design outcomes;

- B. Guidelines – guidance for methods and solutions to achieve the policies and objectives of the TRMP; and
- C. Location-Specific Guidelines – guidance for specific landscape outcomes and appropriate landscape sensitive design.

The process outlined in Section A of the CTADG is one of information gathering, layering up of constraints and opportunities in order to yield possible development and design opportunities. In comparison to development in other zones the process is relatively time consuming and expensive for prospective applicants. A very high level of information is required to address all of the considerations that go into CTA decision making. Consequently, there is also a high time and information commitment required by Council staff. This time is also chargeable to the applicant.

The general guidelines are under the following headings:

1. Landscape
2. High Productive Land
3. Freshwater Resources and the Coastline
4. Drainage and Stormwater
5. Access and Transport
6. Wastewater
7. Water Supply
8. Recreation, Conservation and Open Space
9. Allotments
10. Building Location Areas
11. Buildings and Structures
12. Vegetation
13. Long-term Management

Very broadly, the guidelines envisage clusters of dwellings and the overall retention of rural character, protection of land of high productive value, enhancement of rivers and the coast, passive low impact treatment and disposal of stormwater and wastewater, water conservation and storage, development of cycle paths, walkways and bridleways, a range allotment sizes, providing dwelling privacy and outlooks, an uncluttered and low visibility of dwellings from the coast, complementary styles within clusters, use of vegetation, and comprehensive long term management and funding for maintenance.

Several illustrations are provided in the CTADG to illustrate desirable lot layouts. These promote the clustering residential lots with the balance of productive land.

The location-specific guidelines cover 10 Landscape Units from the northern edge of the Appleby Plains (Redwood Valley) northwards through to Mariri. Each unit is broken into a series of subunits. The guidance provided ranges from areas where development is discouraged (e.g. on ridgelines, and visually sensitive areas) through to areas where there is considerable scope for development, potentially on a catchment-wide basis, and with potential for village-like developments.

The CTADG was intended to interplay with the landscape policies in Chapter 9 TRMP⁹.

⁹ Pers. Comm Sonya Leusink-Sladen

3.1.8 Significant Transportation Changes

Since the promulgation of Variation 32 and the CTADG, there have been two substantial transport initiatives that have changed the context of the CTA – particularly the northern section of the CTA.

The rerouting of State Highway 60 away from the coast and through the more inland parts of the CTA was a significant change that altered the status of the old State Highway (now Aporo Road). To date, no policy changes to the CTA have been made to reflect this transportation shift.

Secondly, the Tasman Great Taste Trail (TGTT) is now being rolled out and the section through the CTA has been completed. The TGTT enters the CTA at Māpua and winds its way through key areas such as Ruby Bay, Marriages Road, Aporo Road, Tasman Village, Harley Road, and Tasman View Road, eventually exiting near Riverside Community in the Moutere Valley. Again, the TGTT represents a significant investment in tourism and recreation. No policy analysis has been undertaken to determine how the TGTT and the activities that go with it can best be accommodated.

3.2 Māpua and Waimea Inlet Rural Residential Zone Locations

Moving on from the Rural 3 Zone, with the CTA taking in a range of rural and urban zones it is also appropriate to describe the history and purpose of other zones. Next, the Rural Residential Zone locations shown in Figure 5.

The Rural Residential Zone locations that are within the CTA predate the Rural 3 zone. They were introduced at various times through the 1980s and 1990s¹⁰. The previous Environmental Policy Manager (Steve Markham) described them as resulting from an unsuccessful ‘Rural E’ concept which tried to find rural lifestyle locations around urban centres. He considered that many of the current locations are poor and resulted from poor processes and decisions.

Variation 32 proposed modification to the development policy and rules, mainly for the Māpua and Waimea Inlet Rural Residential Zones. Variation 32 introduced commentary stating:

“The Rural Residential Zone covers a wide range of types of rural areas. The provision of these zones has largely been demand-driven over many years and the range of Rural Residential Zone locations incorporated in the Plan meets many lifestyle needs. The specific rules for each zoned area take into account rural character and amenity, availability of servicing, landscaping, access, potential visual and ecological impacts of development, development history and other matters that may be particularly relevant to particular parts of the zone.

The specific rules for each zoned area take into account rural character and amenity, availability of servicing and effects on the road network, landscaping, access, potential visual and ecological impacts of development, development history and other matters that may be particularly relevant to particular parts of the zone.”

Some specific comments follow on the changes to the Rural Residential Zone locations implemented through Variation 32.

The Variation identified that more development could be enabled in the zone to accommodate demand for rural residential living.

¹⁰ For more detail see Coastal Tasman Area Strategic Development Review – Update and Review Paper Encompassing Section 32 Considerations (October 2002)

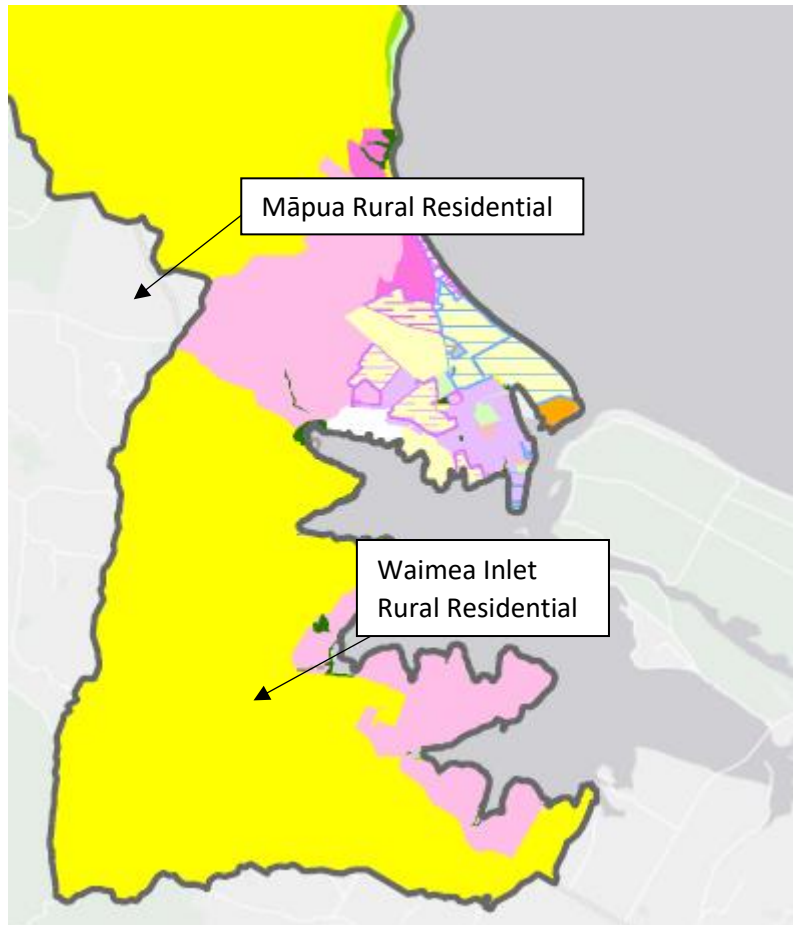


Figure 5: Rural Residential Zone locations

The Variation sought policy changes to enable more intensive development in the Māpua Rural Residential Zone, and to recognise the coastal character of the Waimea Inlet Rural Residential Zone.

Policy 7.3.3.18 was introduced which was:

*“To enable **additional development** in the Mapua [sic] Rural Residential Zone, subject to servicing requirements, and evaluation of the effects of specific proposals in accordance with the ‘Coastal Tasman Area Subdivision and Development Design Guide’” (emphasis added)*

And Policy 7.3.3.19 was introduced which was:

*“To allow for **limited development** beyond that provided for as a controlled activity within the Waimea Inlet Rural Residential Zone, subject to availability of services and evaluation of the effects of specific proposals, in accordance with the ‘Coastal Tasman Area Subdivision and Development Design Guide’” (emphasis added)*

The policies clearly supported a greater level of development in the Māpua Rural Residential Zone than in the Waimea Inlet Rural Residential Zone.

Variation 32, as notified, brought in the Services Contribution Area and a requirement for connection to the servicing that was to be provided. But the variation did not alter the minimum lot size of 2 hectares for these zone locations. Instead it sought to introduce a Discretionary subdivision

rule for the two zone locations. This was in keeping with the philosophy of open discretion and the onus on developers to design proposals consistent with the design guide.

In the end, the decision on these Rural Residential zone locations when the wastewater servicing was removed (and thus the potential for obtaining significantly greater density was also removed) was to provide a Restricted Discretionary rule.

Regardless, the zone locations are currently subject to a 2 hectare minimum lot size in order to comply with the Controlled Activity rule. The policies (above) set the differential development opportunities between the two zone locations.

3.3 Rural 1 and Rural 2 Zones (the North-West Extension Area)

The area along the Mariri coast between Harley Road and Robinson Road is made up of a mixture of Rural 1 and Rural 2 zones. In fact, virtually the only remnants of the Rural 1 and Rural 2 Zones within the CTA occur along this section of coast. Small fragments of Rural 1 and 2 Zones are also on Kina Peninsula (discussed below).

During the planning of Variation 32 the north-west extension area was considered to be an optional add-on area that could be used to extend the Rural 3 zone in the event that it was wildly successful and further space was needed.

The area is relatively productive and well utilised for orchards. From the Council's recent work on a Future Development Strategy, staff are also aware that there is a very strong history of pre-European habitation and local Iwi are opposed to development of this area.

A seminal decision which declined subdivision consent to Burnaby Orchards Ltd in late 2003 near Moana Loop, established a strong Council position against subdivision in this area. After Variation 32 progressed and the north-west extension area was not included in the Rural 3 framework, no further notable subdivision proposals have come forward.

3.4 Kina Peninsula and Permin Road

Documents show that during the formulation of Variation 32, Kina Peninsula was somewhat of a problem. It was stated that a decision was needed as to whether this area is within or outside the Rural 3A zone, and that the current zoning pattern is unnecessarily complex and "requires eventual revision"¹¹.

Ultimately, the peninsula was not included in the Rural 3 zone, and the zones have not been revised (See Figure 6). The 2003 comments about the complexity and need for revision remain true today.

The Permin Road Rural Residential zone also pre-existed before Variation 32.

¹¹ Rural 3 Concept, Sylvia Allan MWH, September 2003

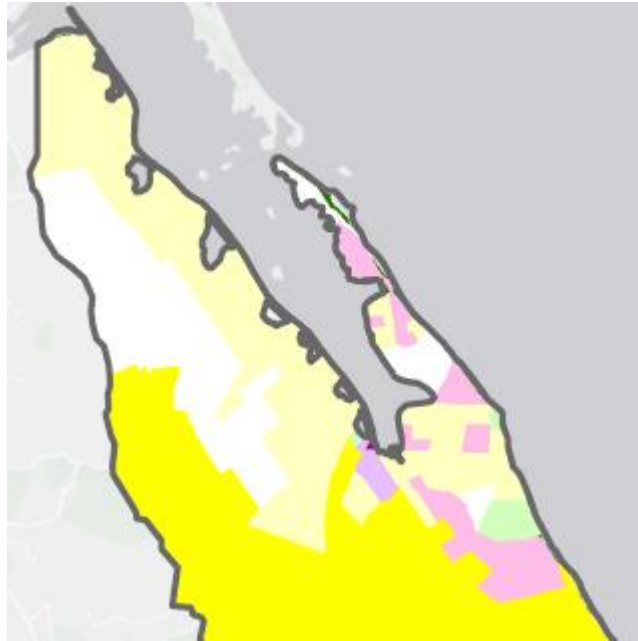


Figure 6: Kina Peninsula zones

The only additional policy was 7.3.3.21 which was to provide for servicing of the Rural Residential Zone locations in the vicinity of Permin Road in the longer (post 15-year) term.

The TDC Planning Manager at the time (Steve Markham) described the patchwork of zones from Kina Peninsula to Permin Road as legacy zones without any particular strategic basis, and with issues that have never been properly resolved.

3.5 Māpua Settlement

Māpua (Figure 7) is a prominent settlement in the Tasman District with a population of 2,238 in 2018 and an important tourism and lifestyle function between Richmond and Motueka. It is a locality of high amenity and recreation value with a village feel, high amenity shops, restaurants and bars. A medical centre, small supermarket, and community hall.

Māpua has a somewhat incongruous presence in the CTA. While not explicitly excluded from the CTADG, and technically still subject to it, in practice the CTADG is not given any weight in subdivision or development applications as the content is simply not relevant. Māpua, and most of the Māpua/Ruby Bay Rural Residential Zone location are also not assigned a Location Specific Landscape Unit meaning that no site-specific guidance is given for these areas.

The north-eastern side of the town, as well as the residential areas in coastal Ruby Bay, are vulnerable to coastal hazard and inundation. Council has promulgated Plan Change 22 in order to limit development in those areas.

There has been rapid residential and rural residential growth in Māpua since 2001. The north-west precinct of Māpua continues to develop, with residential development in Māpua Drive and Higgs Road. Areas of deferred residential zones continue to provide a source of future residential capacity. However, in recent years a moratorium on additional water supply, and some limitations on wastewater capacity, have limited the potential residential growth in the area. It is anticipated that the rate of growth in and around Māpua will rise sharply as the Council delivers some significant infrastructural upgrade works in the near future. Council is currently replacing the main wastewater

trunk to accommodate greater flows, and the construction of the Waimea Community Dam will enable more water to be provided to the area, thereby allowing the moratorium to be lifted.

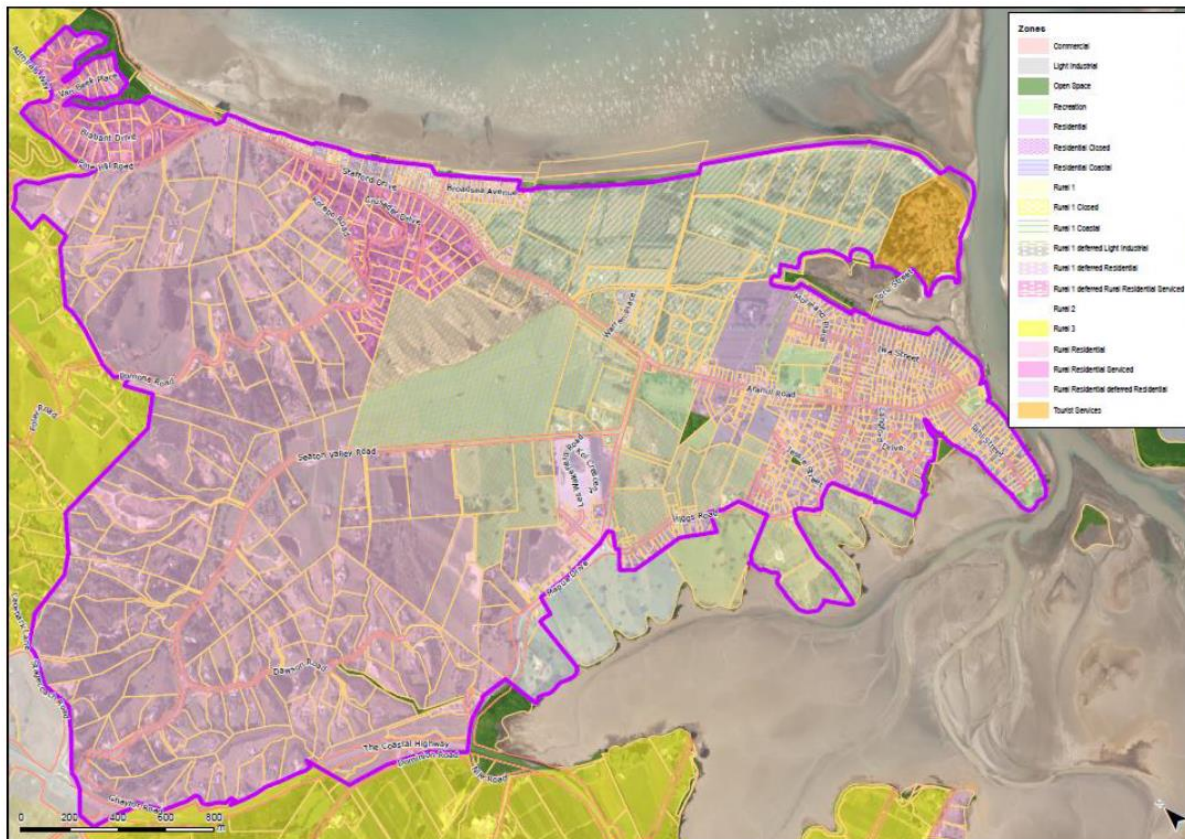


Figure 7: Māpua Village and Māpua Rural Residential Area

The population of Māpua and Te Mamaku/Ruby Bay is projected to increase to 2,539 in 2028 and then to 2,783 by 2048. The proportion of the population aged 65 years and over is projected to increase from 24% in 2018, to 42% by 2043. The average household size is projected to decrease from 2.3 people per household in 2018 to 2.0 people per household by 2043¹². However, the Future Development Strategy, adopted by the Council in 2019, identified the southern slopes and upper flats of Seaton Valley as locations for which further development at a residential scale might be appropriate. Currently these areas are zoned Rural Residential, being part of the Māpua/Ruby Bay Rural Residential Zone location. Therefore, previous projections of population growth may eventually be on the low side.

Increasing growth and a movement towards denser forms of development would seem to make the area’s presence in the CTA (and hence the CTADG) increasingly incongruous.

3.6 Cultural Heritage Values

Much of the CTA has a long history of Māori occupation. Numerous important sites have been identified, including at important places such as Mariri, Māpua and Kina Peninsula.

Surprisingly, there is no mention of cultural activities or sites within Section 7.3. The matter is identified elsewhere in Chapter 7 but only in a cursory fashion and not in a way that is particularly

¹² Council’s LTP Māpua Ruby Bay Settlement Area Report 2018

relevant to development in the CTA. Similarly in the CTADG there is only one mention of cultural values, and even then it is only information that is to be gathered as part of the research and evaluation phase. As a result there are no policies or guidelines that are specific to the CTA that deal with cultural heritage matters.

While this appears to be a significant gap at the time of Variation 32, Plan Change 16 has since been promulgated¹³ which has included a much stronger policy and rule framework into the TRMP.

3.7 The Wastewater Management Area

Because of the decision of council not to provide wastewater servicing for the CTA, there was a need to better regulate on-site systems. Variation 46¹⁴ introduced the Wastewater Management Area (“WMA”) to the TRMP along with a rule that every discharge of domestic wastewater in that area must obtain a resource consent. The rules also require at least secondary level treatment and the application of wastewater to land at a rate of no more than 2mm per day (2 litres per square metre).

The location of the WMA is shown in Figure 8. The WMA overlays the Rural 3 Zone and the Māpua and Waimea Inlet Rural Residential Zone locations. Clearly it does not cover Kina Peninsula or the Rural 1 and 2 Zone locations along the Mariri coast.

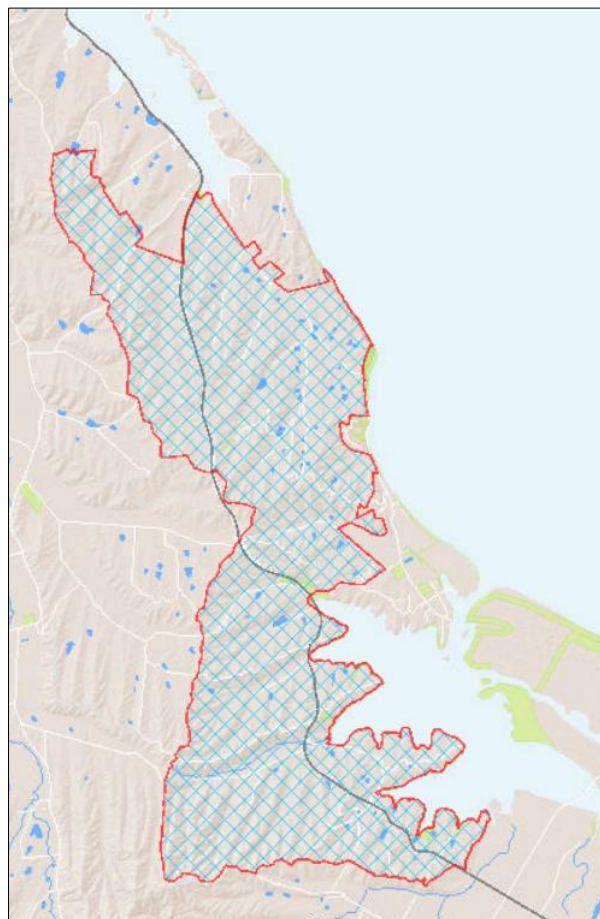


Figure 8: The Wastewater Management Area

¹³ Notified September 2009 and operative August 2012

¹⁴ Notified 3 December 2005 with immediate effect

4. Outcomes

After identifying the history and current physical and regulatory environment for the CTA, it is now necessary to identify the outcomes that have been observed in the CTA. The analysis that follows is broad, but paints a picture of what the trends have been over time.

4.1 Methodology

4.1.1 Evaluation Process

Broadly, the methodology of this evaluation follows the Plan Outcomes Evaluation process. Plan Outcome Evaluation involves:

1. An examination of the outcomes being sought – what are the objectives trying to achieve?
2. Tracking how the plan has been designed to affect the outcomes – do the intentions in the objectives get carried through to the rules and methods? Are the provisions efficient?
3. Assessing if the provisions have been implemented – what evidence is there that the provisions are being applied to relevant activities?
4. Assessing relevant environmental trends and ‘on the ground’ data to conclude if the Plan has been successful in achieving its intentions. This includes consideration of the external factor influences such as legislative changes, national policy statements, case law, significant economic changes, demographics etc.

Throughout the evaluation, there is an emphasis on attributing the activities enabled or controlled by the TRMP on observed outcomes. However, attributing outcomes to the TRMP must always be viewed in the wider context of changes. These are noted where known, but it is beyond the scope of this evaluation to capture all of the changes and influences that affect outcomes in our communities and environment.

Limitations with the Plan outcome evaluation approach also arise where environmental outcome data is poor, or where there a multiple factors driving outcomes. Time, resourcing and quality of data also affects the comprehensiveness of the evaluation.

To address some of these limitations, the evaluation process has included a ‘rapid assessment’ technique. The technique draws on the combined knowledge and expertise of local TDC staff, residents, community leaders, and topic experts to create an understanding of plan implementation, efficiency and outcomes. The rapid assessment outputs are supplemented with:

- environmental data or expert reports where available
- Council data (e.g. property and asset information, consenting and compliance database information, models)
- mapping and imagery (e.g. GIS, aerial imagery, LiDAR)
- information or reports prepared during plan change processes (e.g. s.32 Reports, Issues and Options papers, technical reports, submissions, community meetings)

The evaluation may also draw on the results of the TRMP Use-ability Survey (TDC, 2013), where relevant.

For this topic the following data sources were used:

| Data source/s: | Details and Notes |
|----------------|-------------------|
|----------------|-------------------|

| | |
|--|--|
| Tasman GIS | Spatial assessments Historical and current Certificate of Title data |
| Rapid Assessment | Pauline Webby Dugald Ley Paul Gibson Mary Honey Carl Cheeseman Wayne Horner Bernard Simmonds Katrina Lee An interview was held with Steve Markham who was the Policy Planning Manager at the time and who oversaw the development and implementation of Rural 3, and with Sonya Leusink-Sladen who was the Policy Planner involved in addressing the submissions and reporting. Sonya was also involved in the redrafting and implementation of the CTADG. |
| Councillor input | An interview was held with Mayor Richard Kempthorne and Deputy Mayor Tim King. Both were on the Council and planning committee during the investigation, hearings and decisions for Rural 3. |
| Council reports | Sissons (2012) <i>"An assessment of the effect of consented development on rural character in the Coastal Tasman Area and in Rural 1 and Rural 2 zones outside the Coastal Tasman Area"</i> |
| Council records (MagicBR/NCS/databases) | Records of resource consents: - subdivision consents - land use consents - wastewater discharge permits |
| MoT/NZTA resources | |

4.1.2 Certificates of Title

Title size data was obtained for six time steps (1997, 2001, 2006, 2011, 2017 and 2019) using the following methodology:

- Use existing dissolved Title data, created in 2012, for January 1997, November 2001, December 2006 and December 2011
- Create dissolved Titles data for January 2017 and July 2019
- Spatially join current Zones data to the six datasets
- Export joined attributes to respective spreadsheet for analysis

It is important to note that the title sizes have been linked to zones **as they exist now**. With wholesale changes to the extent of zones occurring in 2003, calculating title sizes on the spatial zone extents of the day would have been misleading, as large changes would have been seen as a result of rezoning. Therefore, title sizes have been analysed on the spatial land area that is **currently** in Rural 3, and **currently** in Rural 1, and so on. This provides a more accurate representation of the changes in title area that have occurred as a result of TRMP policy.

4.1.3 Subdivision Consents

The Council has records of 177 subdivision consents in the CTA applied for since December 2003 until the present day (Table 5). These exclude boundary adjustments and changes or cancellations of conditions.

Table 5: Subdivision Consents in the CTA

| Row Labels | 1 into 2 Lots | More than 2 Lots | Grand Total |
|---|---------------|------------------|-------------|
| Commercial | 1 | | 1 |
| Granted under Delegated Authority | 1 | | 1 |
| Residential | 13 | 19 | 32 |
| Granted by Independent Commissioner | 1 | | 1 |
| Granted under Delegated Authority | 12 | 19 | 31 |
| Rural 1 | 16 | 6 | 22 |
| Granted by Committee | 4 | 2 | 6 |
| Granted under Delegated Authority | 12 | 3 | 15 |
| Inactive - not granted | | 1 | 1 |
| Rural 2 | | 2 | 2 |
| Declined Environment Court | | 1 | 1 |
| Granted under Delegated Authority | | 1 | 1 |
| Rural 3 | 23 | 42 | 65 |
| Declined by Committee | 1 | | 1 |
| Granted by Committee | 1 | 13 | 14 |
| Granted by Mixed Panel | | 1 | 1 |
| Granted by Requiring Authority | 1 | | 1 |
| Granted under Delegated Authority | 18 | 25 | 43 |
| In process | 2 | 3 | 5 |
| Rural Residential - Kina | 4 | | 4 |
| Granted under Delegated Authority | 4 | | 4 |
| Rural Residential - Māpua | 21 | 12 | 33 |
| Granted by Committee | | 1 | 1 |
| Granted under Delegated Authority | 18 | 11 | 29 |
| In process | 3 | | 3 |
| Rural Residential - Permin Road | 2 | 1 | 3 |
| Granted under Delegated Authority | 2 | 1 | 3 |
| Rural Residential - Waimea Inlet | 10 | 5 | 15 |
| Granted by Committee | | 3 | 3 |
| Granted under Delegated Authority | 10 | 2 | 12 |
| Grand Total | 90 | 87 | 177 |

4.2 Rural Lifestyle Living

There are several matters to be considered when it comes to determining the outcomes of rural lifestyle development. Here we look at the numbers of new lots created (quantitative), and broadly how consistent subdivision layouts have been with aspects of the CTADG.

4.2.1 Numbers of Lots

As stated previously, a key objective of the CTA and particularly the Rural 3 Zone was to provide an opportunity for rural lifestyle living in a coastal area where sea views and, in some cases, coastal access could be enabled.

Certificate of Title data is useful to show the number of titles in the various size classes over time. Table 6 and Figure 9 below show the same data in two different ways. Together the graphs show prior to 2003 when the Rural 3 zone came into being little difference in title numbers or sizes between 1997 and 2001. After the implementation of Rural 3 there has been a steady growth in the numbers of residential and lifestyle titles between 250 square metres through to 6 hectares (60,000 square metres). The greatest magnitude of increase has been in the 2000-20,000 square metre segment which has increased from 77 before the implementation of Rural 3 to 430 in 2019.

Residential sized lots have also increased from 9 to 44 respectively. These have generally occurred in the subdivisions which have provided private reticulated wastewater systems and have therefore been serviced and not required their own on-site systems.

Table 6: Frequency of Rural 3 Certificates of Title (CTs) by size groupings and over time

| | 250 - 2000 sqm | 0.2 - 2 hectares | 2 - 6 hectares | 6 - 12 hectares | 12 to 50 hectares | 50+ hectares |
|------|----------------|------------------|-----------------------|-----------------|-------------------|--------------|
| | Residential | Rural Lifestyle | Large Rural Lifestyle | Small Rural | Rural | Rural |
| 1997 | 9 | 64 | 80 | 52 | 38 | 3 |
| 2001 | 9 | 77 | 93 | 54 | 49 | 3 |
| 2006 | 17 | 126 | 137 | 67 | 45 | 7 |
| 2011 | 25 | 229 | 146 | 73 | 45 | 12 |
| 2017 | 32 | 346 | 171 | 71 | 46 | 10 |
| 2019 | 44 | 430 | 179 | 71 | 43 | 10 |

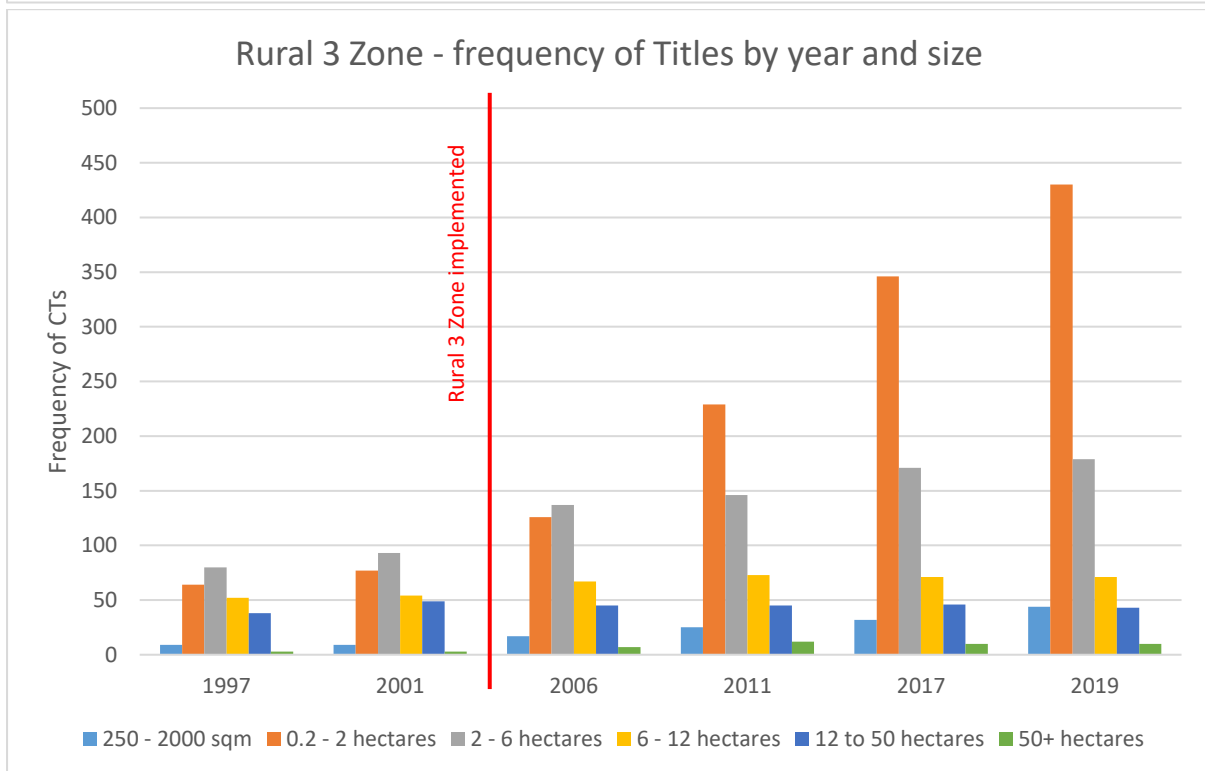
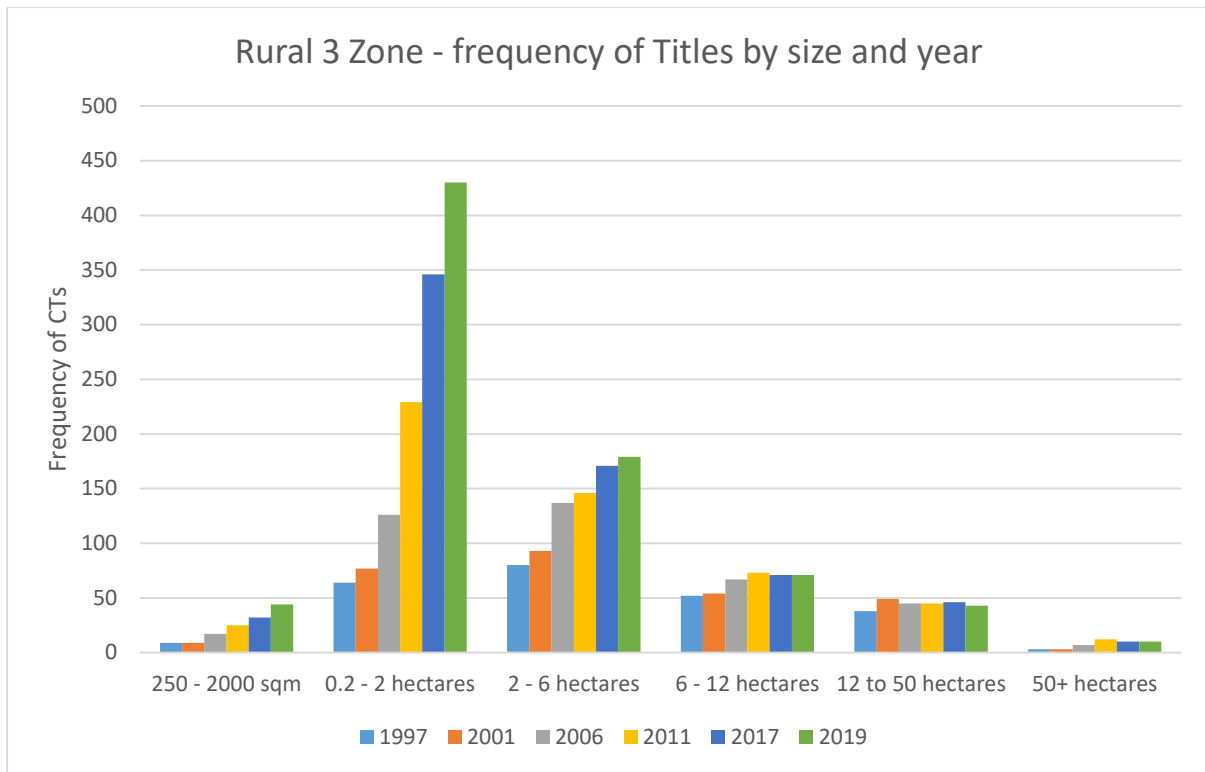


Figure 9: Frequency of Certificates of Title (CTs) in different size classes and at varying time steps.

NB: These numbers are absolute Title numbers, not cumulative or year-on-year

According to the numbers above, since the implementation of the Rural 3 Zone, there have been an additional 474 lots that are smaller than 6 hectares. After 16 of the 20 years identified in the policy, this is one third of the projected yield for the original inland ex Rural 2 land.

Rural Residential zones were also investigated and showed a similar trend of growth in the rural lifestyle block-sized titles, although more subdued than in the Rural 3 Zone. Table 7 and Figure 10 show growth of residential sized lots (up to 2000 square metres) has been very slight. Larger lots have not generally grown, and have generally declined.

The Māpua Rural Residential Zone – which has a more permissive growth policy has experienced a slightly stronger rate of growth with rural lifestyle blocks (2000-20,000 square metres) increasing from 10 to 126, compared with the Waimea Inlet zone where the policy is more restrained and which increased from 28 to 104. Altogether this is approximately 700 more rural lifestyle lots which is approximately half of the yield that was projected for the Rural 3 and Rural Residential areas over the 20 year planning horizon.

Table 7: Frequency of Rural Residential Certificates of Title by size groupings and over time

| | | 250 - 2000 m ² | 0.2 - 2 ha | 2 - 6 ha | 6 - 12 ha | 12 to 50 ha | 50+ ha |
|---------------------------|------|---------------------------|------------|----------|-----------|-------------|--------|
| Rural Res. – all | 1997 | 15 | 39 | 43 | 20 | 4 | 0 |
| | 2001 | 15 | 108 | 76 | 25 | 6 | 0 |
| | 2006 | 11 | 229 | 97 | 19 | 3 | 0 |
| | 2011 | 12 | 259 | 105 | 15 | 3 | 0 |
| | 2017 | 14 | 279 | 109 | 13 | 2 | 0 |
| | 2019 | 18 | 300 | 109 | 13 | 2 | 0 |
| Rural Res. – Māpua | 1997 | 3 | 10 | 26 | 5 | 0 | 0 |
| | 2001 | 4 | 65 | 44 | 9 | 2 | 0 |
| | 2006 | 1 | 104 | 56 | 5 | 2 | 0 |
| | 2011 | 1 | 110 | 57 | 4 | 2 | 0 |
| | 2017 | 3 | 116 | 58 | 3 | 2 | 0 |
| | 2019 | 4 | 126 | 58 | 3 | 2 | 0 |
| Rural Res. – Waimea Inlet | 1997 | 5 | 28 | 8 | 11 | 2 | 0 |
| | 2001 | 4 | 34 | 22 | 11 | 2 | 0 |
| | 2006 | 3 | 67 | 27 | 10 | 1 | 0 |
| | 2011 | 4 | 83 | 33 | 7 | 1 | 0 |
| | 2017 | 4 | 93 | 36 | 6 | 0 | 0 |
| | 2019 | 7 | 104 | 35 | 6 | 0 | 0 |

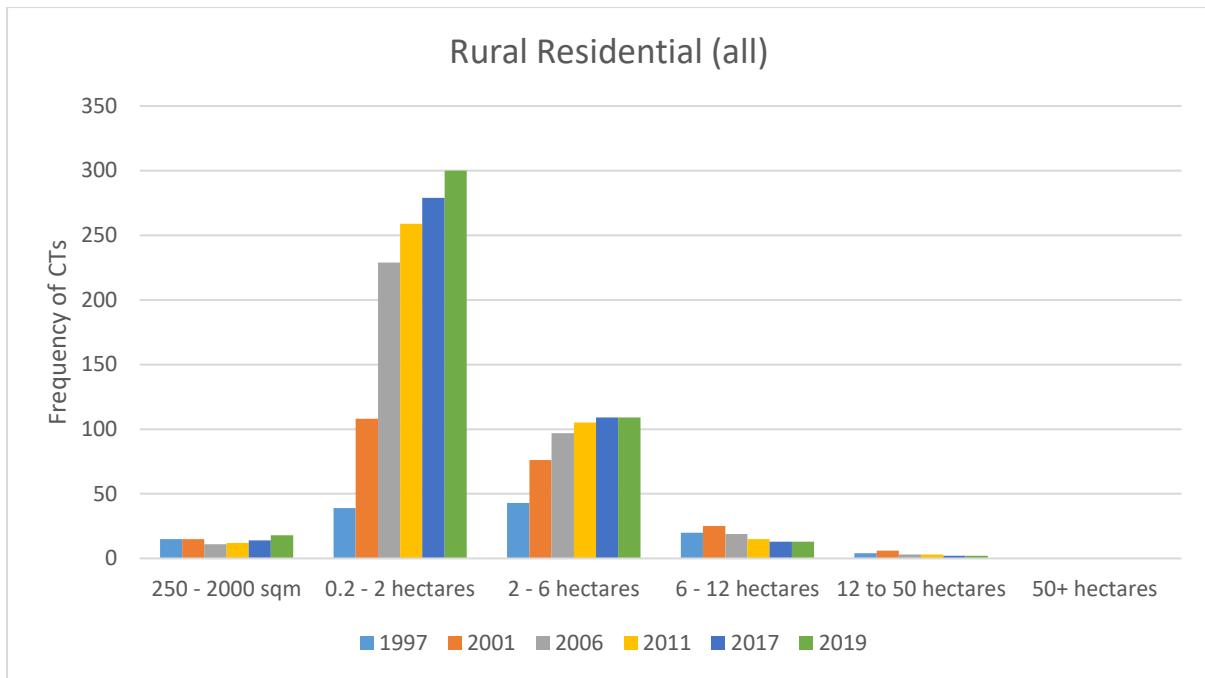


Figure 10: Frequency of Rural Residential Certificates of Title (CTs) by size groupings and over time

4.2.2 Qualities and Characteristics of Rural Lifestyle Lots

The Coastal Tasman lifestyle living properties that have been created are very high quality and provide an exceptional standard of living to residents. The views are typically terrific, the climate is benign and the ground conditions for building and gardening are favourable. As a result, the Coastal Tasman Area plan since 2003 has yield some excellent quality-of-life outcomes.

Mainly, the pattern of development in the Rural 3 Zone has been to create rural residential style lots. The cluster developments with residential sized lots (as were originally promoted) have only really occurred in two developments (Appleby Hills and Galeo). The remainder have been characterised by larger rural-residential sized lots. Inevitably, these trend reflects the lack of wastewater servicing and the expansive area requirements of on-site wastewater systems on this substrate.

The rural-residential pattern of development and absence of servicing has also meant a proliferation of on-site wastewater treatment and discharge systems. These are expensive to install and to maintain, and come with real environmental risks if neglected.

The sites have very low exposure to climatic, coastal or geotechnical hazards. They are resilient although may be prone to isolation if transport corridors are severed or disrupted.

4.2.3 Costs of Lots

It is almost a certainty that any additional costs that are experienced by developers in bringing rural lifestyle lots to the market will be passed on to purchasers. Therefore any inefficiencies and additional costs experienced through the consents process will result in a lower level of affordability.

However, predicting and comparing the costs of sections is very difficult. Larger blocks of land that are zoned Rural Residential may be more expensive for developers as there is a greater level of certainty as to the development opportunities, but equally their input costs may be lower for the same reason. Rural 3 blocks may be cheaper upfront due to the uncertainty but higher input costs may result in an inflation of the eventual costs to purchasers.

4.3 Plant and Animal Production

One difficulty with attempting to quantify how successful the policy to “*protect land of higher productive values within the [CTA]*”¹⁵ has been is that it is unclear exactly what was intended. This is discussed in more detail later. Plan Change 60 introduced a new parlance of retaining opportunities for plant and animal production, which widens the concept to include all aspects of the usability of the land.

The land within the Rural 3 Zone is entirely divided into either Class B or Class E. These productive land classifications clearly have some limitations, but they provide a basic but useful representation of the values and potential versatility of the land resource.

Class B land in the Rural 3 zone is expected to support a relatively versatile range of horticultural crops, market gardening and other cropping, intensive and extensive pastoral, and production forestry. In general, Class B land in the rural 3 zone is confined to flat to very gentle slopes (less than 15 degrees), or to gentle slopes with a sunny aspect. The mean annual soil temperatures at 30cm depth exceed 14.5 degrees C, and soil should be readily drained to enhance its land use flexibility.

Class E land is markedly less versatile than Class B, and is expected to support dairy and other intensive pastoral activities, and extensive pastoral and production forestry. Class E soils are often shallow, particularly for hill soils. Topography is the main constraint to land use flexibility in the rural 3 zone, and distinguishes Class B from Class E land in most areas. Steeper slopes (15 to 35 degrees) or gentler slopes that are south-facing tend to be Class E.

A map of the new titles that have been authorised by Rural 3 subdivisions (i.e. under the Rural 3 rules) is provided as Appendix 7. The new lots shown are, as close as possible, the new lots that have been created for rural lifestyle living purposes. Also included are some larger lots that are integral to the design of the subdivision. But large balance lots that were intended to remain in production and/or not obviously connected to the subdivision are not shown. Resource consent scheme plans which have been issued consent, but for which titles have not yet been issued have been included also in order to have the information represented as up-to-date as possible. Subdivisions that are boundary adjustments or not “characteristically Rural 3” have also been excluded.

Overall it is clear that most of the residential scale and rural-residential scale lots have been consented and titled on the Class E land. For the most part, the new lots created on the Class B land are part of smaller subdivisions producing fewer new allotments. The major exception however, is the subdivision known as Tasman Bay Estates (formerly known as the Harakeke subdivision). This development is wholly on Class B land.

More small lots in rural environments typically constrain productive activities by putting constraints and limitations on the operations of productive landholdings. This is further described below.

Finally, development opportunities in the Rural 3 Zone have significantly increased land values within the zone. Indirectly, this places increased pressure on primary producers by increasing rates, and making it more difficult to buy and combine land into more economically sized blocks.

¹⁵ Policy 7.3.3.5 prior to Plan Change 60

While not shown on the map in Appendix 7, data shows that there have been virtually no subdivisions that reduce the potential plant and animal production in the Rural 1 or 2 Zones along the Mariri Hills. The policies and approach has been successful in that regard.

4.4 Amenity and Cross Boundary Effects

An axiom of the Rural 3 Zone is to enable more people to obtain rural lifestyle living in a rural environment. Inevitably such a transition must result in an increased potential for cross-boundary effects and, in some cases the reduction in amenity, and potentially conflict. Such effects can include noise of equipment, horticultural spraying, outdoor burning, stock complaints, dust, and odour.

This is particularly true when pure residential, rural residential or commercial activities are introduced into the working rural environment, and where there is no direct connection to soil-based productive activities. Typically these may be people who have not lived in a working rural environment and/or do not have “buy-in” to the activities that typically occur. It is a valid generalisation that these people may often be more sensitive.

In 2013 Council staff undertook an evaluation of Tasman’s rural environments¹⁶. The review investigated complaints data, both soil-based and non-soil-based in the rural environments. The review was clear that it is the **proximity** of incompatible activities that is the primary driver of adverse effects and on complaints occurring. The review concluded that by far the most effective way to reduce cross-boundary effects is to increase the separation distances. Typically it is the habitable buildings and the residential activities that occur in and around them that are most sensitive. Ultimately Plan Change 60 did not include the Rural 3 Zone within its scope.

Rural 3 is in a difficult place with regard to cross-boundary effects. Whereas the Rural 1 and Rural 2 zones prioritise soil-based productive activities, and the Rural Residential Zone prioritises rural lifestyle living, the Rural 3 Zone is a deliberate attempt to meld the two.

From the Rural Review in 2013, the data showed that

“the highest proportional levels of management, and consideration of cross-boundary effects are given to Rural 3 zone development. This result indicates that the effects of inserting rural residential-style activities into the working environment of Rural 3 are being carefully considered.”

Nevertheless, it is clear from staff experience and previous evidence given by rural primary producers that the presence of rural lifestyle lots in close proximity to intensive use productive blocks creates a tension that can reduce amenity for the residents of the former, and have a “chilling” and constraining effect on the productive activities of the latter. This conflict is commonly around times that spraying and tractor use can occur. An accumulation of residential and rural-residential activities over time progressively ratchets up the constraints and pressure on primary producers; as well as driving up values of productive land, meaning that rates and costs for primary producers increase.

¹⁶ Policy Review – Rural Land Use and Subdivision – Evaluation report on the Effectiveness of the TRMP Policies relating to Rural Land Use and Subdivision, 2013

4.5 Rural Character and Visual Amenity

The third significant objective of the Coastal Tasman Area is to maintain rural character.

It is clear that the type of development that has been experienced under the objectives, policies and rules have considerably changed the visual appearance of a number of areas within the CTA. New dwelling sites have increased. These bring the driveways, garden and curtilage, and rights to sleepouts and other habitable buildings. With potable and fire-fighting requirements there is also the need for significant water storage. The cheapest option is above-ground plastic tanks and these have proliferated with sometimes six or so tanks on a property. Through experience staff are aware that these water tanks are thoroughly disliked for the adverse visual effect that they have.

In November 2012 the Council engaged David Sissons (Landscape Architect) to provide an assessment¹⁷ of the effect of consented development on rural character in the Coastal Tasman Area¹⁸.

For the Rural 3 zone, Mr Sissons assessed three subdivisions¹⁹ that had been (or were being) developed at the time. It should be noted that the conclusions were provisional and required further assessment after completion of the developments. Also, there have been additional developments and extensions to existing developments since the completion of the Sissons Report.

Mr Sissons identified the most important guideline (Guideline 3.1(b)) that is relevant for achieving the retention of rural character:

Retain the rural character of the site, including but not limited to a predominance of unbuilt open space and built features associated with rural productive activities.

The provisional conclusion was that the Coastal Tasman Area Subdivision and Development Design Guide is not succeeding in protecting the rural character of the Rural 3 zone in the face of increased residential use.

The study also found that, in relation to Rural Residential zone locations, it is not possible to achieve a predominance of rural productive activities on land primarily used for residential purposes, where rural activity is ancillary.

Based on the methodology and assessment by Mr Sissons, it is anticipated his assessment of the three subdivisions remains valid. Several further subdivisions have been viewed and considered using the same methodology as that described by Mr Sissons. These include Boomerang Farms Ltd (Awa Awa Road), Tasman Ltd (Stringer Road), Tasman Bay Estates (Aporo Road), Mahana Ridge (Old Coach Road) and others. Although it was not an expert assessment, the newer developments appear to exhibit the similar pattern of development and landscaping which results in a reduction of rural character as it was defined by Mr Sissons.

Mr Sissons did find that the Rural 1 and Rural 2 zones within the CTA are retaining their rural character.

¹⁷ Sissons, D (2012) "An assessment of the effect of consented development on rural character in the Coastal Tasman Area and in Rural 1 and Rural 2 zones outside the Coastal Tasman Area"

¹⁸ The scope of work also included an assessment of rural character in Rural 1 and Rural 2 zones outside the Coastal Tasman Area which is beyond the scope of this report.

¹⁹ Appleby Hills, Galeo Estate and Westenbroek

4.6 Recreational Linkages

Council staff have been effective in creating walkway, cycleway and bridleway corridors within subdivision sites, and connecting these corridors to key linkages such as esplanade areas, legal roads, indicative walkways and reserves. The process of negotiating walking and cycling linkages is crucial in achieving the outcomes sought by Policy 7.3.3.12 in the TRMP²⁰. Developments such as Appleby Hills have excellent walking opportunities. Tasman Bay Estates provides a new access point to the coast in a key location.

However, beyond subdivision applications, Council staff have advised that there has been little effort or progress made by Council on securing other important linkages. The approach is to wait for subdivision opportunities when such linkages can be required and over time valuable connectivity outcomes will result.

Since linkages are obtained through subdivisions, the securing of linkages will be roughly proportional to the number and extent of subdivisions completed. With a lesser number of subdivisions undertaken than projected it may be that the provision of linkages is less than what could be expected. Nevertheless, staff are comfortable that good results have been achieved to date.

The routing of the TGTT through the northern part of the Rural 3 Zone is an additional benefit for walking, cycling and horse riding through the area that was not foreseen as part of the Rural 3 process. The TGTT is now a highly important and strategic linkage to which other corridors are now able to link.

4.7 Natural Character and Biodiversity

Natural character is another, arguably less central, but nonetheless important matters to assess in the Coastal Tasman Area. Policies in Section 7.3 and the CTADG support the enhancement and restoration of ecological values and natural character.

Mr Sissons states that he does not consider natural character to be a component of rural character as they can exist independent of one another. He does not consider natural character specifically, but states that the significant planting that accompanies the subdivisions that he observed – and which we observed on more recent subdivisions – will *“to some extent ... grow to mitigate the loss of natural character resulting from the associated residential development. ... parts of the new landscape may show a net gain in natural character as compared to the previous rural landscape.”*²¹

The numerous valleys and poor substrate drainage make the CTA an ideal location for wetlands, and naturally many of the valleys would have naturally contained extensive wetland systems. These wetlands have been drained and turned into pasture through its history of agricultural and horticultural use (pers comm. Trevor James, TDC). Figure 11 shows an example of an excerpt of Rural 3 land where there are some identified wetlands, but where wetlands would naturally have filled many of the other valleys.

²⁰ 7.3.3.12 – *“To progressively develop a network of interconnected pedestrian, cycle and equestrian routes, and reserves within the Coastal Tasman Area, including to and along the coast.”*

²¹ Sissons report, p26

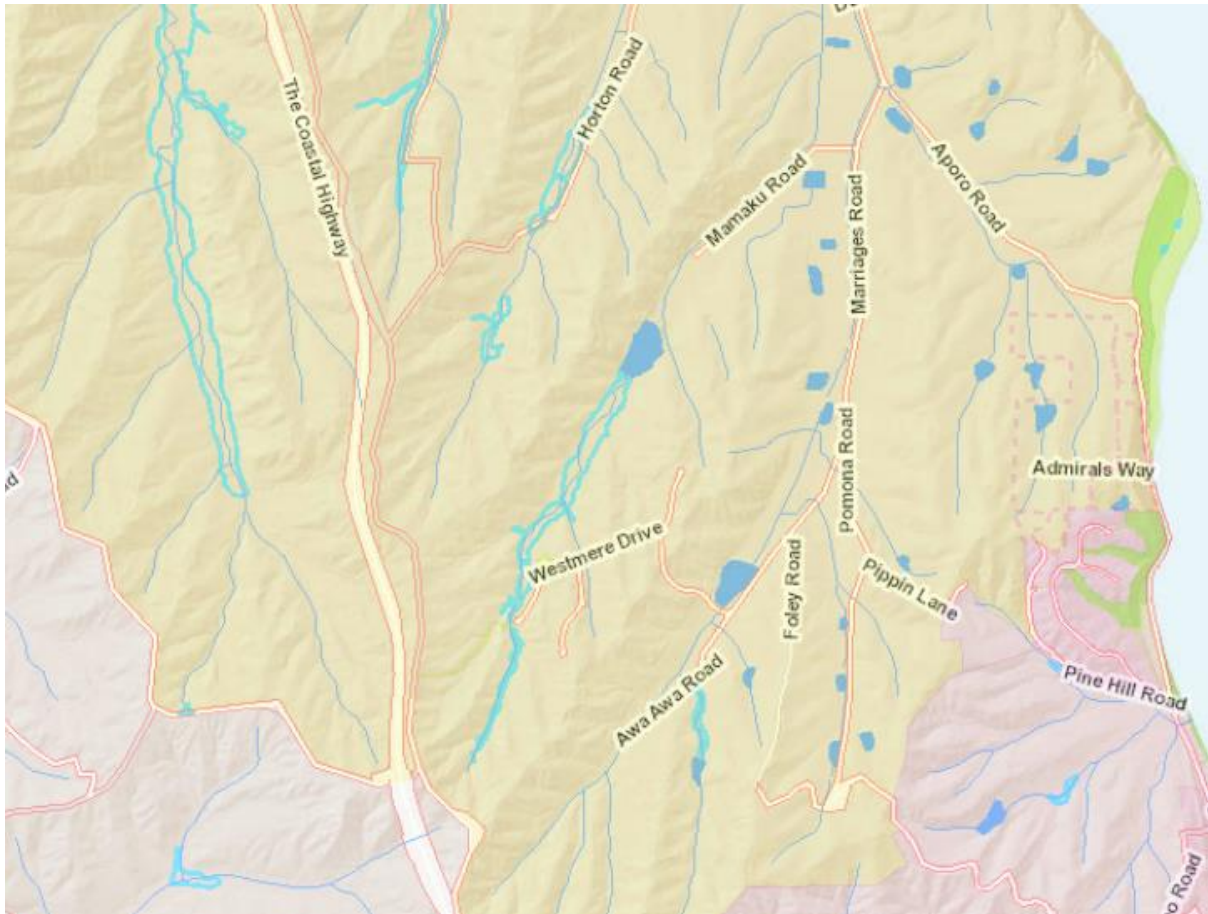


Figure 11: The streams (dark blue lines, lakes (dark blue blobs) and wetlands (light blue polygons) of an excerpt of the CTA.

Ecological planting of gullies and planting of wetland species on the flat valley floors has been a key feature of many of the more comprehensive subdivisions that have taken in such landforms. For example see Figure 12.



Figure 12: Gully plantings and ecological connects undertaken as part of Rural 3 subdivisions (left) and gully with restoration potential if subdivision was undertaken

Overall, the natural character appears to be enhanced by developments in the CTA, and particularly the Rural 3 Zone. Generally speaking Rural 3 developments appear to be a trigger for on-site environmental, natural and biodiversity enhancements. However, a lesser number of developments than expected reduces the extent of these natural character improvements. Therefore, a paucity of

Rural 3 developments is likely to have resulted in a lower uptake of restoration projects than might otherwise have been the case.

4.8 Cultural Heritage Outcomes

Some subdivision applications have considered cultural heritage considerations. In the case of the Tasman Bay Estates Ltd (ex-Harakeke Ltd) subdivision, a Pā site was identified and is to be vested to Manawhenua Iwi. A commitment was also made to involve local Iwi in the erection of a pou and plant species choice. Cultural heritage considerations have also been identified or acknowledged in other subdivisions such as Stephens (RM090634).

In the case of an application for subdivision consent near the end of the Kina Peninsula, cultural evidence was an important component in the decline of the consent, both by the Council and by the Environment Court.

Increasingly over time, Te Taihū Iwi are requiring cultural monitors to be on-site during earthworks or, at the very least, accidental discovery protocols to be in place.

4.9 Water Quality Outcomes

4.9.1 Nutrients and Pathogens

With the decision by the Council not to provide servicing, the development of Rural 3 and Rural Residential Zone locations in the CTA has depended on home-owners purchasing and installing on-site wastewater treatment and discharge systems.

As a result, in some catchments there may be many tens of on-site systems. Once the Boomerang Farm Ltd development at the head of Stringer Valley is completed there could be approaching 200 on-site wastewater systems in the catchment. Similarly there are a large and increasing number of on-site systems (including some old failing systems) in the Aporo Stream catchment.

Under the rules of the WMA treatment must be to a high standard and the treated wastewater applied only thinly to the land as the soils are hard clays which have poor soakage.

Research and evaluation is being undertaken into the success or otherwise of the new wastewater systems that have been built and used since 2005. However, Council staff are aware of numerous instances where maintenance has not been sustained and adverse environmental effects may result.

4.9.2 Sediment

Sediment erosion has been a significant concern in the CTA with virtually all catchments exiting to either the Moutere Inlet or the Waimea Inlet. Excessive fine sediment adversely effects rivers, estuaries and the coast. Deposition of sediment sourced from erosion in the catchment of the Waimea and Moutere Rivers is a major problem. Fine sediment smothers habitat within the bed that would otherwise be home to many invertebrates and fish. It also reduces water clarity, interferes with feeding of filter feeding bivalves and crustacea and may smother benthic communities within estuaries.²²

²² Gibbs and Woodward (2018) *“Waimea and Moutere Sediment Sources by Land Use”*

The clearance of forestry through the 1990s and 2000s has contributed significant quantities of sediment to waterbodies and the coastal inlets²³, as shown in the recently cleared forestry land in Figure 12(a). However, most of the forestry areas have already been cleared from within the CTA.

Ongoing earthworks resulting from residential development (e.g. cutting of dwelling platforms and driveways) is also likely to make an ongoing contribution to sediment erosion, mobilisation and deposition in the inlets. Figure 13(b) also shows large runnels that were taken in the Boomerang Farm Ltd development at the head of the Stringer Valley catchment. The sediment eroded will ultimately end up in the base of the Stringer stream, and then in the Waimea Inlet.



Figure 13: Sediment runoff from (a) site of cleared forestry/recontouring, and (b) Boomerang Farm subdivision

Experience has shown that fine sediment can be controlled to an acceptable level, but sediment control measures have to be sophisticated, very well constructed, and very well maintained. This frequently does not always occur, and even then, heavy downpours can create significant erosion.

Overall, it is not clear how much ongoing rural residential development may be contributing to the degradation of rivers and estuaries, but there will inevitably be a contribution. However, normal rural farming activities can also make strong contributions through bank erosion²⁴.

4.10 Summary of Outcomes

Since 2003 the Rural 3 Zone has achieved a range of positive outcomes, but also has not satisfactorily achieved some of the outcomes that were intended.

The anticipated development of residential, rural residential and lifestyle development has not eventuated in the Rural 3 zone. This is evident in two ways:

²³ ibid

²⁴ ibid

1. The number of lots created has been significantly less than what was forecast; and
2. The pattern of development has been significantly different with a preponderance of rural residential lots 2,000 to 20,000 square metres, and an under representation of clusters of smaller residential-scale lots.

However, while the level of development has not been as successful as was projected, nor as it could have been, the Rural 3 Zone has certainly resulted in an increased supply of high-quality rural lifestyle living opportunities. The properties are highly desirable and no-doubt provide excellent quality of living. But it is expected that the provision of these lots has been at considerable expense for both developers and purchasers due to the increased costs of Rural 3 development. Rural residential development has continued and provides a useful product, but without necessarily retaining a strong rural character.

Good progress has been made on achieving a network of walking, cycling and horse-riding connections in the CTA. These are only realistically achievable through land subdivision.

Productive land has largely been retained, in part due to the lack of development, but also with most large developments being located on the lower productivity and less versatile land.

Rural character remains high, but is reduced in locations where subdivision development has occurred.

Natural character is expected to be enhanced over time in discrete locations. However more Rural 3 development would have resulted in more wetland, gully and stream restoration efforts, which could have significantly enhanced natural character and biodiversity outcomes. Ongoing development is also likely to contribute to sediment erosion and habitat damage in rivers and estuaries.

5. Discussion of Key Issues

In this section we explore some of the reasons for the observed outcomes. The CTA, and the Rural 3 Zone in particular, were ambitious, novel and relatively sophisticated. There are great challenges in the task of trying to meld such a range of outcomes into a vision and planning framework.

What follows here is a discussion of key difficulties that have contributed to the less successful outcomes. Some strong positive outcomes are acknowledged and should not be lost sight of.

5.1 The Planning Framework

5.1.1 The Policies of Chapter 7

The policy for the Coastal Tasman Area, and particularly for the Rural 3 Zone, has always been a complex part of the TRMP. A key difficulty is the lack of explicit objective(s). During notification of Variation 32, some submitters sought an objective (e.g. along the lines of the current policy 7.3.3.1). In Staff Assessment Report 66, staff stated:

The scheme of the Plan in Chapter 7 is that the rural environment objectives are applicable across the District, but in some locations as different rural zones, they may be balanced differently through the application of the policies. Before Variation 32, this was achieved by policies that were potentially applicable within any part the rural area. The present variation has for the first time established some policies for one area, the CTA, that seek to create a priority balance between the rural environment objectives for that area. The CTA has multiple resource values, and so the balance has to be struck on a case by case basis, using the CTA policies as an aid to that process. A single planning objective for the CTA ignores this fact of multiple values, and the present scheme of the chapter.

The objective sought ... would set up an inconsistency with the present District objectives and with CTA policies that refer to all the various community values for this rural area. Present policy 7.2A.1 [now 7.3.3.1] is one specific outcome for the CTA and is the basis for establishing the Rural 3 (and 3A) zone. This does not mean that this policy is the only outcome for the zone, however. A unitary objective, however worded, is not appropriate for one rural area of the District. It is not a clear or efficient way of balancing competing values in the CTA, and these requests are not supported. The variation did not intend to focus on residential development as the main outcome for the CTA; why else would the Council have continued with rural zoning for the area? Rather the variation sought to more clearly state the circumstances under which market demand for this particular use would be enabled to be provided for in a continuing rural environment. Some reference in the issue statement for the community desire for residential living opportunities in the CTA is supported. But to labour beneficial effects of this land use, while ignoring these effects of current rural uses in the same area, is not appropriate. (emphasis added)

This commentary and justification for not including an objective is clear: the Rural 3 Zone is deliberately a rural zone, and the two general objectives 7.1.2 and 7.2.2 speak for all rural zones and should speak for the CTA also. But the above justification – particularly the underlined passage – seems to rather miss the point. It is perhaps unfortunate that the objective promoted by a submitter was a “development friendly” objective. The justification followed that that particular objective would inappropriately elevate residential and rural residential development over other

outcomes. It is considered that this was a missed opportunity as a lack of one or more clear objectives for the CTA, and particularly the R3 Zone, would have helped immensely in spelling out the vision more clearly. Even if an objective had replicated parts of the other two objectives in chapter 7, but with a strong CTA flavour of what was intended, this would have made policy assessments in the CTA less ambiguous.

However, it is also observed that the philosophy of the TRMP at the time was largely not to write zone-based objectives and policies²⁵.

While the unwritten objectives can be gleaned from the explanatory material and from the policies themselves, there is no hierarchy. One or more objectives would give greater substance to the zone and better describe what is trying to be achieved. Without objectives, the policies are competing against one another and there is no certainty as to which should have priority when balanced.

The rules and the policy for the Rural 3 zone provide for wide ranging discretion including:

- Promotion of rural lifestyle opportunities
- Innovative propositions to enable development up to 25%
- Preserving land productivity
- Enhancing natural values
- Protecting rural and coastal character
- Providing for improved access and roads
- Developing pedestrian, cycle and equestrian routes
- Supporting proposals to restore, enhance, or protect natural features and areas

There is little spatial guidance as to the suitability of different forms of development over the very extensive and variable CTA landscape. The CTADG provides some geographic guidance, but only from a landscape point of view.

When comprehensive applications are placed before the consent authority there are often a combination of many or all of the above to consider to varying degrees. Crucially, the policy framework in Chapter 7 does not provide any guidance in weighting these factors. Therefore, it is our observation that this agglomeration of sliding scales of benefits and drawbacks, and with minimal spatial guidance (e.g. overlays) results in very challenging decision making framework.

To remedy this, practitioners have typically focussed on key factors (e.g. productivity) in order to simplify the task. It is arguable whether this is reflective of the policy intent which established broad discretion. In achieving greater decision making direction, both for applicants and practitioners, either further spatial guidance or a hierarchy of policy outcomes should be considered.

Another aspect of the ambiguous policy is the lack of specificity in the policies. The policies were developed with a view to them applying to two Rural 3 zones (R3 and R3A), but were ultimately applied to only one larger zone. The two-zone structure would have provided much more clarity as to how the policies were to be interpreted. For example, a policy such as 7.3.3.5 which states “*To protect land of higher productive value within the Coastal Tasman Area*”²⁶ makes sense in the

²⁵ This is explicitly stated in the Variation 32 documentation.

²⁶ Plan Change 60 has since changed this to read “To protect land of **high** productive value ...”. However, that is a relatively recent change, and as the intention of this report is to evaluate the implementation of the TRMP to date, it is more appropriate to consider the policy as it has been for most of the duration of the Rural 3.

context of two zones: one with rules that encourage considerable development (25%) and the other with more productive value and significantly less development opportunity (10%). When the same policy is considered over a large single zone without any geographic differentiation it is unclear how the same policy should be applied.

The uncertainties around the assessment of productive land have been a perennial problem in Rural 3 subdivision applications. The practice amongst staff has been to strongly oppose development of the more productive Rural 3 land and to retain such land in unfragmented landholdings. However, there is always a degree of uncertainty within the policy that was the source of contention between planning practitioners and between applicants and Council staff.

The definition of land of high productive value, as it was before Plan Change 60, set a very high bar²⁷, one which the Class B soils of the CTA could not achieve. Also the term “land of **higher** productive value” was used. What did that mean in relation to the definition? Since arguably no land in the CTA could achieve the standard, was the assessment a relative one or an absolute one? Was the land to be compared to the rest of the CTA or the rest of the District? All of these issues cast significant uncertainty over the process, not only for staff, but also for developers who were expected to provide very high levels of design, necessarily requiring the expense of significant amounts of money.

There are other ambiguities and contradictions in the policies also. Policy 7.3.3.3 sought to ensure that the rural character of the CTA was protected from inappropriate subdivision and development. In our assessment it is unclear to what extent rural character is intended to be preserved, but the approach of practitioners has been that the zone should remain rural in character – more rural than the rural residential zone – and that the retention of rural character is a key objective. Mr Sissons has concluded that this is not really achievable due to incompatibility of rural lifestyle development with the definition of rural character in the TRMP. Moreover, the withdrawing of wastewater servicing for the zone, has resulted in a much lower density of development as the Moutere soil characteristics have specific constraints for onsite wastewater discharges. The original vision was for tighter clusters of housing with rural land uses surrounding and retaining the rural character. With the shift to on-site wastewater discharges, this became unfeasible and the resultant low density subdivision pattern has resulted in parts of the Rural 3 zone becoming de-facto rural-residential. This shift to lower density was foreseen by the authors of Staff Assessment Report 71 before decisions were made.

5.1.2 Inconsistency between Chapter 7 Policies and the CTA Design Guide

The CTADG has been problematic in several ways because it:

1. mandates a rigorous and expensive design process;
2. is inconsistent with Chapter 7, and in particular the policies in Section 7.3;
3. contains internal inconsistencies;
4. is idealistic and seeks a form of development that is not economically realistic;
5. is inconsistent with the pattern of development necessary with the removal of wastewater servicing.

The rigorous and complex design process that is required by the CTADG is not, in itself, problematic, but when placed alongside the significant uncertainty of outcome and very high level of discretion it

²⁷ Plan Change 60 has since changed the definition and lowered the standard of what can be considered to be land of high productive value.

becomes a significant risk to developers. Outlaying often hundreds of thousands of dollars to complete the design exercise is often too risky when the certainty of outcome is so low. It is clear that this uncertainty was not considered a problem when the CTA was introduced to the plan, as the culture was one of buoyancy and that money was no object²⁸. There is an irony here that the intention was to be more enabling of development in the Rural 3 Zone to reduce the pressure for development in the Rural 1 and 2 Zones. Greater information requirements and uncertainty may mean that this outcome is not achieved. The process for seeking consent in those other rural zones is much more straightforward.

The CTADG was intended to be a guide to **landscape** outcomes, and to identify how the CTA, particularly the Rural 3 Zone, should look. However, in doing so the CTADG included substantial content on the forms and types of development that may be appropriate. Much of this design guidance was either marginally or directly contradictory to the policies in Section 7.3. For example:

- a) Sub-units on relatively gentle land close to the coast, where the more productive land is, are identified as being appropriate for considerable levels of development.
- b) “Rural village concepts” and “Compact village-like developments” were supported in the CTADG without any definition in Chapter 2 TRMP or support for commercial activities in Chapter 7, and without any connection to other Council documents (e.g. LTP, Reserves Strategy etc).
- c) The CTADG suggests that developments on a “catchment basis” or sub-unit basis” may be appropriate, where Section 7.3 policies support the retention of rural character.

Despite the CTADG promoting “village-like developments” there is no support in the policies for commercial activities. Mr Markham does not consider that commercial activities were anticipated for the Rural 3 Zone. However, Mayor Kempthorne and Councillor King did support small-scale activities to make communities more attractive and self-sufficient. A lack of policy clarity is evident here.

The landscape outcomes in the CTADG read as being much more enabling of development than the policies. They provided considerable scope for ambitious and innovative developments. However, such development was not backed up and supported by the Section 7.3 policies and this casted significant doubt on what developers should aim for, and resulted in very extensive and very expensive discussions and arguments throughout the duration of the consenting process.

Much of the content of the CTADG was provided by Frank Boffa who was a prominent landscape architect. Based on the comments of Mr Markham and Ms Leusink-Sladen, cross checking between the CTADG and Section 7.3 TRMP was absent or inadequate. Council staff have advised that, in the face of the complexity and uncertainty, applicants are tending to “go straight” to the site specific guidance in the CTADG and put undue weight on that guidance in applications as a reason for arguing for a grant of consent.

5.1.3 Internal consistency within the CTADG

The development expectations that are modelled in the CTADG are very expensive. Development costs can often be extremely high and a profit margin is often made on just the last one or last few allotments. The CTADG pictorially promotes development patterns that reduce lot yields and lot values (smaller lots) whilst still retaining very high input costs. For example, Figure 9 from the CTADG (reproduced in Figure 14 below) supports a cluster of residential scale lots served by a very

²⁸ Interview with Mayor Kempthorne and Councillor King.

long road that under the Council’s Engineering Standards and Policies would likely be unable to be afforded by the number and value of the lots created. Also, with the removal of the wastewater servicing, the residential scale lots would not be feasible and a much lower density layout would be necessary, further reducing the economic viability of the development.

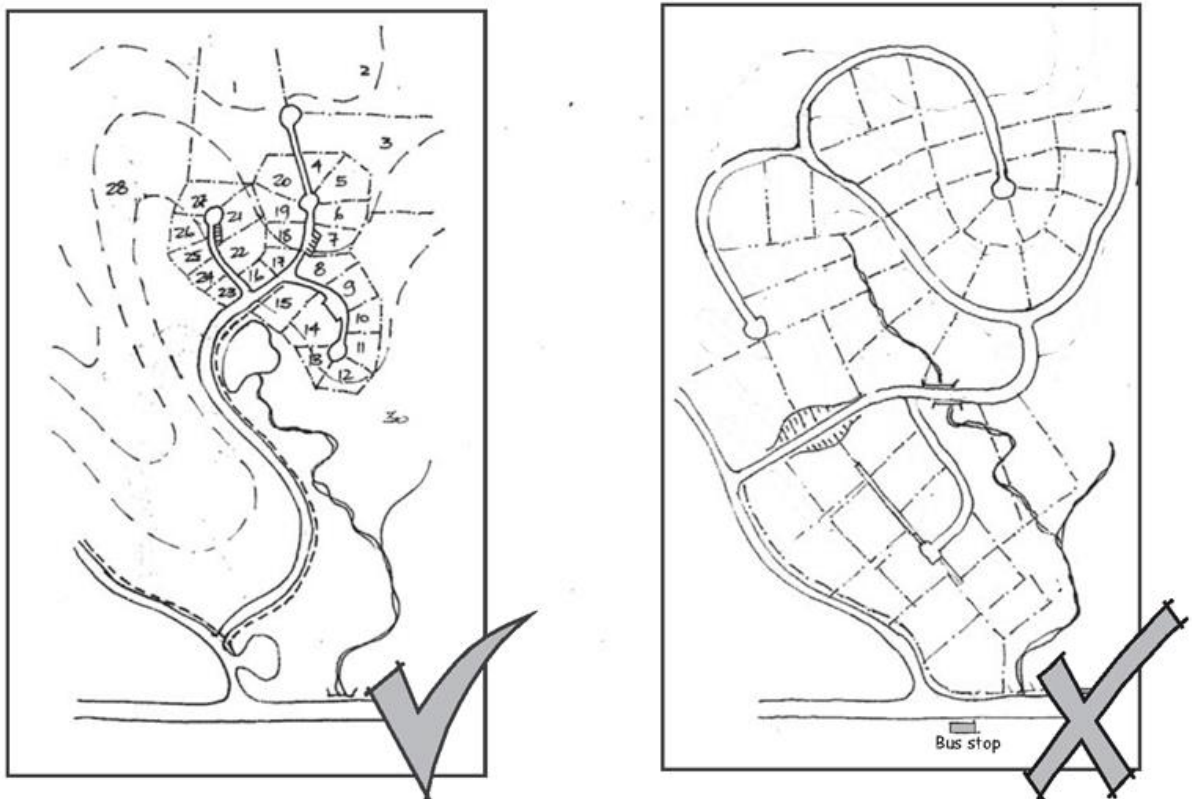


Figure 14: Reproduction of Figure 9 from the CTADG

Further, the clustering vision shown in Figures 6 and 9 of the CTADG is undermined by the expectation to “Provide a wastewater management system for the treatment and disposal of domestic wastewater from each dwelling”²⁹. Compare the two illustrations in Figure 15, both of which are supported. The two are inconsistent and incompatible.

²⁹ Guideline 3.6(a)



Figure 15: Two illustrations from the CTADG, both of which are supported but are inconsistent with one another

The above illustrations of desirably dense clustering then conflict with building location area guidelines in 3.10 of the CTADG which seek to “develop an uncluttered pattern of building location areas on the landscape”³⁰. Compare the two supported images in Figure 16 below.

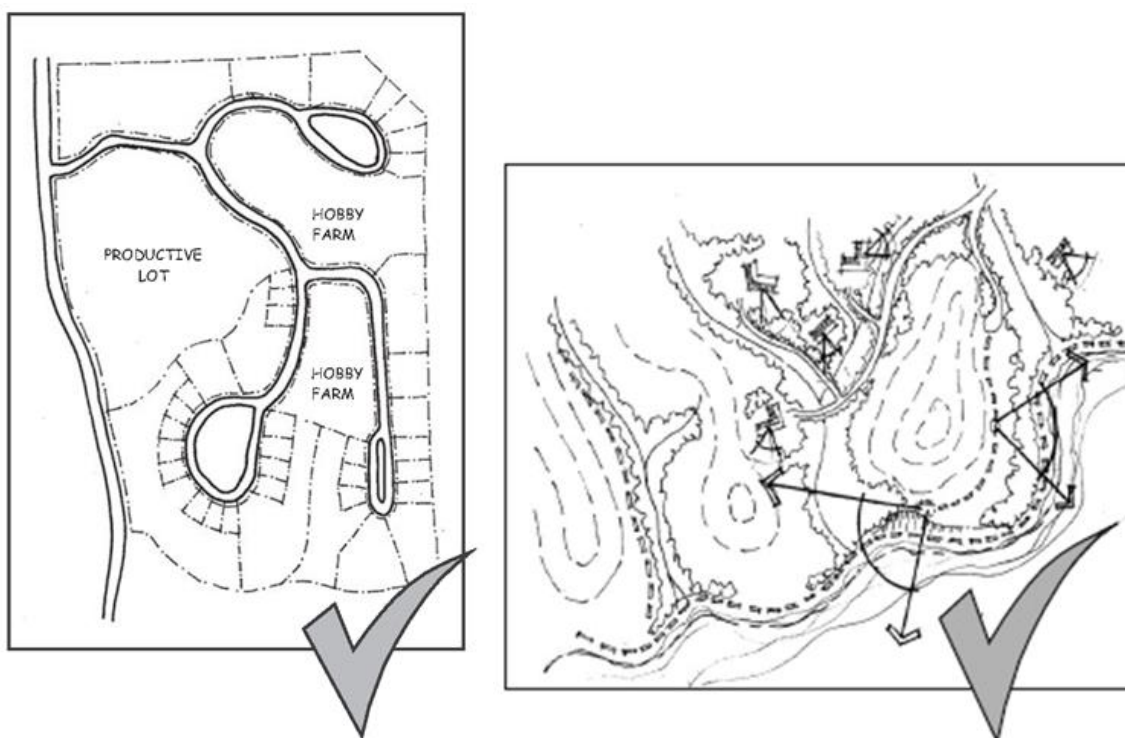


Figure 16: Two illustrations from the CTADG that contradict one another in relation to clustering and separation of dwellings.

³⁰ CTADG Guideline 3.10(c)

Finally, the clustering of residential sized lots that is promoted by the design guide without wastewater reticulation is unachievable. It is noted that the CTADG was reviewed and notified in 2007 when the decision not to provide for wastewater reticulation was made several years earlier as part of Variation 32. It is unclear whether consideration was given to the likelihood of achieving the layouts promoted by the CTADG in light of the need for onsite wastewater disposal.

A further difficulty with the CTADG, and particularly with the site-specific guidelines for the Landscape Units is that they do not deal well with cumulative effect. Applicant's and planners find it difficult to know whether development in a certain sub-unit has already progressed to, or beyond, the levels described in the CTADG. The site-specific guidance provided a snap-shot in time which is now well over a decade old. It is therefore difficult to know how relevant and appropriate the guidance still is.

The Rule Cascade – Restricted Discretionary to Non-Complying

The easiest status for a Rural 3 “development” subdivision³¹ is restricted discretionary, and 18 matters of discretion are identified in the rule.

The absence of a minimum lot size and the restricted discretionary status is consistent with the intent of the Rural 3 Zone to require innovative proposals and a mix of densities, theoretically down to clustered residential scale. Although, as is discussed below, residential scale development became extremely problematic once the decision was made not to provide wastewater reticulation for the zone. The restricted discretionary status, and the potential for a consent application to be declined is certainly likely to constrain potential development, but this is not necessarily inappropriate.

A factor that adds another considerable layer of uncertainty is the non-complying activity status. As described previously, any subdivision application that involves land that has already been the subject of a Rural 3 subdivision consent after 20 December 2013 must be considered as a non-complying activity. The reasons for this were discussed in Section 3.1.5, but the unintended consequence is that any boundary adjustment, minor boundary relocation, or any one of a number of other technical subdivision matters may therefore result in the land being subject to a non-complying subdivision status thereafter.

What has also emerged over time is that land owners who are not interested in doing a “developer-style” comprehensive Rural 3 subdivision but need to rationalise their properties or create a single new title for a family member. This then places a new layer of constraint, both perceived and actual, on what can be done with the land in the future.

Resource consents data shows a high proportion of subdivision applications in the Rural 3 Zone fall to be considered as non-complying activities. See Table 8. Most other zones do not have any non-complying subdivisions.

³¹ Excludes Rural 50 hectare minimum lot and network utility or public works subdivisions

Table 8: Statuses of subdivision applications in the Rural 3 Zone

| Rural 3 | 60 |
|---|----|
| Activity Status: Controlled | 1 |
| Activity Status: Restricted Discretionary | 29 |
| Activity Status: Discretionary | 16 |
| Activity Status: Non-Complying | 14 |

Probably the clearest example is the application lodged by Harakeke Ltd which sought around 130 residential and rural residential lots and various other facets over more than 150 hectares of land became a non-complying activity because of one minor boundary adjustment with a neighbour that created no new titles and involved only 1000 square metres of land.

It is recognised amongst planning practitioners (both in private practice and in Council) that significant unintended outcomes have arising from this rule structure. An unofficial approach has emerged amongst practitioners which looks at the spirit and intent of the rule structure and adjusts the nature of assessment accordingly. In other words, if it appears that an application site **has** been subject to a “comprehensive Rural 3 style subdivision” then they will apply the non-complying status. However, if the non-complying status has resulted from a minor subdivision consent then the restricted discretionary rule may be unofficially applied.

However, there are three problems with this approach:

1. Planning advisors and resource management consultants must still inform potential applicants of the technical non-complying status, and cannot provide any guarantee or clarity around whether or not decision-makers will be lenient or not;
2. It provides submitters with an opportunity to oppose applications based on a technical status when they may not have an appreciation for the background and intent of the rule structure; and
3. If an application is elevated to the Environment Court or beyond, there can be no guarantee that a pragmatic approach will be taken to the status of the application.

5.2 Challenges from New and Existing Residents

There has been a perception that the more rural lifestyle development that occurs in the Rural 3 Zone, the harder it gets due to new residents, whose sites were enabled through Rural 3 subdivision, questioning and/or opposing further subdivision.

While an analysis of the effect of submitters on new subdivisions, who themselves bought a Rural 3 subdivision allotment, has not been undertaken, staff are aware of several prominent examples where new residents have caused substantial cost increases, and time delays by opposing applications.

5.3 Reduced Viability for Developments

Ms Leusink-Sladen identifies the single most significant torpedo to the success of the Rural 3 zone as being the removal of the wastewater servicing. (Ms Leusink-Sladen does not suggest that the removal of this servicing was necessarily incorrect; just that the ambition and intent of the Rural 3 depended on the servicing.)

The removal of the servicing had a number of effects. These are shown graphically in Figure 17. Either the developer and residents would need to fund very expensive communal systems, or individual on-site wastewater systems would need to be installed. Communal systems were not supported by Council staff as they feared poor management would necessitate an eventual hand-over to the Council.

On-site treatment and disposal systems require substantial areas of land since only 2mm (2 litres per square metre) can be soaked into the Moutere clays. Generally, the requirement for on-site treatment and discharge, as well as 10 metre boundary setbacks, will add a requirement of an additional 1000 square metres to a lot. This land cannot be used for any construction or grazing of animals. And planting of productive horticulture is difficult. The resulting low density pattern is both inconsistent with the pattern of development sought for the Rural 3 Zone, and financially difficult.

The key implication of the removal of the wastewater servicing is that it created a large disconnect between what could realistically be achieved “on the ground” and what the policy regime and CTADG still sought as outcomes. This disconnect further exacerbated the uncertainty around what could, and what should, be achieved in the Rural 3 Zone.

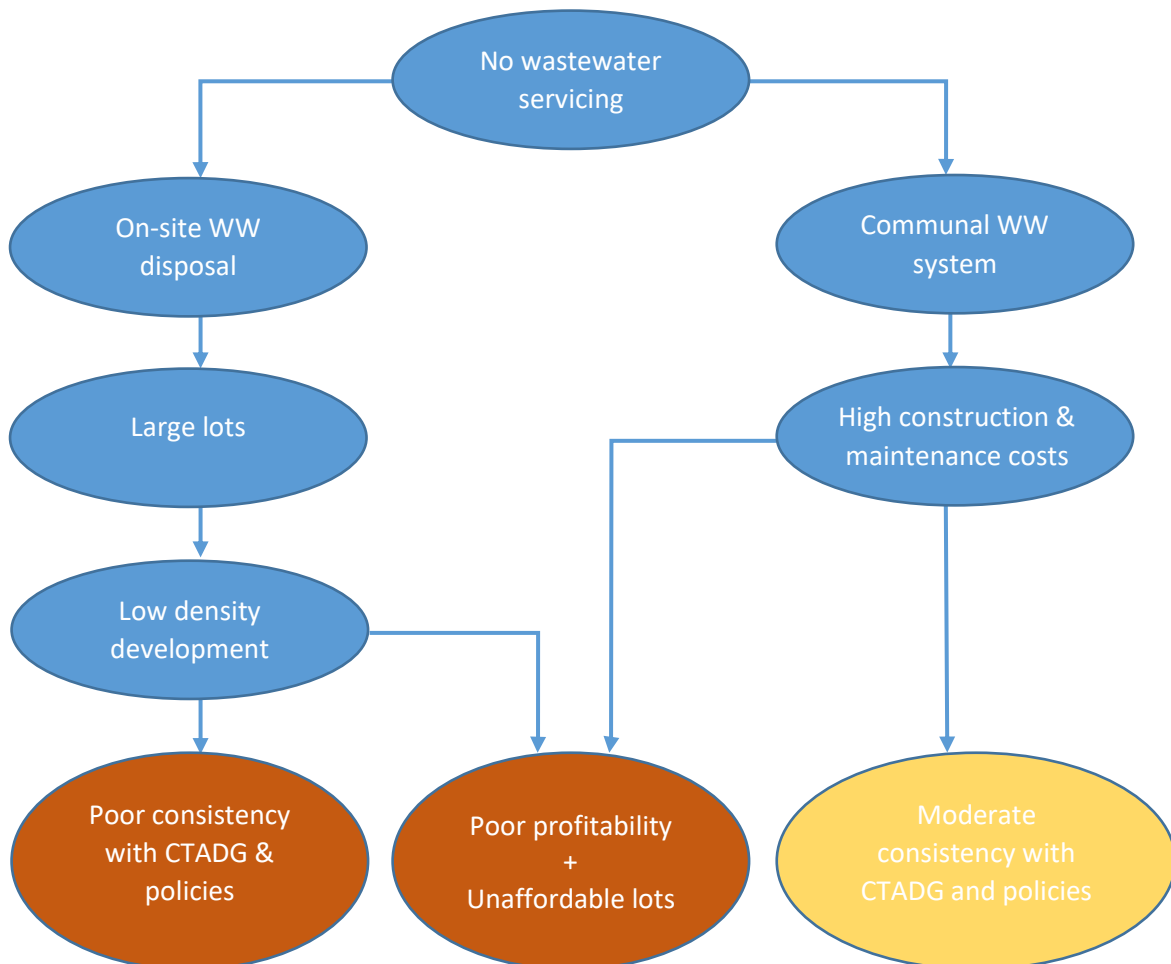


Figure 17: Flow on effects of withdrawal of wastewater servicing

The combination of cost, risk and uncertainty has placed a strong handbrake on potential development.

A further source of increased cost arises from the cost of road upgrades that are often required. Typically, the CTADG and the location of less productive land (Class E) has provided more support for rural lifestyle development in the upper areas of the CTA valleys. These areas are usually accessed by narrow, metal-surfaced, rural roads. As a Rural 3 development concept in the upper part of the valley will result in an increase in traffic, the Council has typically required an upgrade of the road and often with a requirement for sealing. This has created a first-cab-off-the-rank problem where even a small initial subdivision is required to fund a road upgrade, and then subsequent developments in the same road catchment do not require a contribution. This has created a 'cooling' effect where prospective developers abandon developments due to the cost, and nobody wants to be the first to develop and wear the cost of the road upgrade. A good example is Tasman View Road which is very long, provides access to a large area of Rural 3 land, but which is highly degraded and not serviceable. There would be a significant cost in order to upgrade this road to enable development south of Harley Road.

The Financial Contributions system is in place to deal with this problem, but would need to be better utilised in order to do so if that was a Council priority.

In summary, the Rural 3 process has tended towards high development costs and a high uncertainty of outcome. Figure 18 attempts to show this trade-off in graphical form. High costs, but with a correspondingly high level of certainty of outcome is likely to be more attractive. Equally, low costs but with greater level of uncertainty also likely to be acceptable as the financial risks will be less. However, currently, the CTA imposes both high costs and high uncertainty. This is likely to result in little take up, as has been observed.

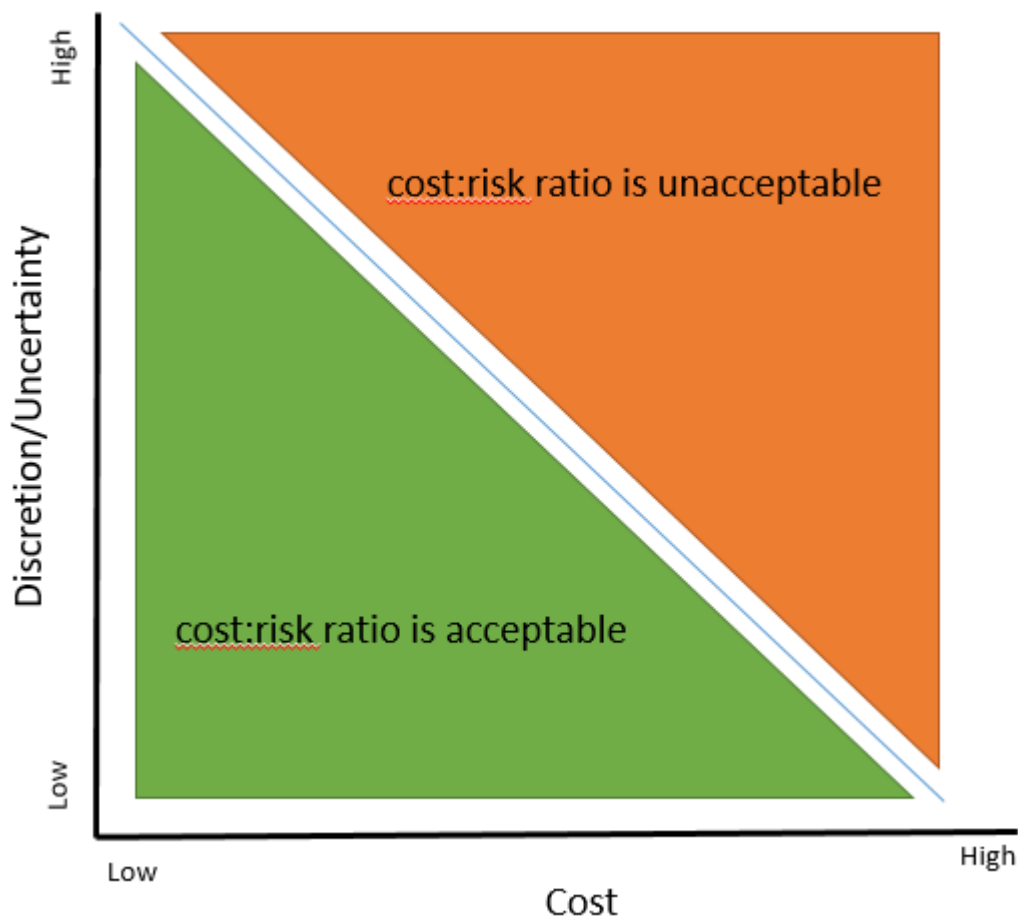


Figure 18: Hypothetical comparison of cost versus uncertainty (risk).

5.4 Suitability of the Rural 3 Product

5.4.1 Costs, Affordability and Complexity

It is almost a certainty that any additional costs that are experienced by developers in bringing rural lifestyle lots to the market will be passed on to purchasers. Therefore any inefficiencies and additional costs experienced through the consents process will result in a lower level of affordability.

The extra costs borne by developers – which are clear and evident – will be passed on to purchasers, thus making rural lifestyle properties in the Rural 3 zone more expensive and less affordable than they otherwise might have been.

The guidelines in Section 3.13 of the CTADG suggest a raft of responsibilities and legal structures are necessary for the management of the communal land, maintenance of public walkways and identifying funding, risk mitigation, infrastructure systems, discharge consent responsibilities etc. Identification of this level of detail at the application stage was found by many developers to be onerous and problematic. The level of financial and practical responsibility to be taken on by residents is a strong disincentive. Several of the developments (e.g. CBH and Galeo Estate) have run into significant problems with their community wastewater systems and residents' associations. Cluster wastewater treatment systems have posed a risk to Council as failure or refusal by residents

or body corporate entities to maintain the systems, which could result in very significant environmental effects, may result in the Council having to step in and take over the system at considerable expense.

5.4.2 Community Consolidation, Cohesion and Commerciality

In recent years, criticisms have been directed at the Rural 3 model that it promotes developments that have little or no social cohesion; that it leads to people living in far-flung locations where they are entirely dependent on car transport for most aspects of their lives beyond the home; and that the rules do not provide a heart or a meeting place around which a community can form. This criticism has intensified as the pressures of climate change and the importance of settlement planning and design in limiting personal carbon emissions has come to the fore in social discourse. There are two elements captured here:

First is the impact on infrastructure and carbon emissions from the need for vehicle based travel for employment, entertainment, sport, and socialising. This is a somewhat inevitable part of the Rural 3 model and no ready solution seems obvious. Essentially it is a decision that will need to be faced: is this a model of development that is desirable and should continue to be carried forward?

Second, is the emerging recognition that for a strong and resilient community to develop it should have a “heart”. The current policy guidance in Section 7.3 does not currently promote or provide for commercial activities, although given the intention that the objectives in 7.2.2 (provision for activities other than plant and animal production) there may be tenuous case for such activities. Nor do the current policies direct or support developments that may be close to existing settlements, or build upon previous Rural 3 subdivisions.

There is merit in providing for an appropriate level of commerciality within the larger Rural 3 and Rural Residential communities in the CTA. These could take the form of a small shop (dairy), café, art gallery, but could also potentially include professional offices such as a rural medical centre, physio, architect or similar. Clearly there is the issue of viability, but with sufficient population growth then this may be possible.

It is suggested that the planning framework should provide a stronger focus on building upon existing population concentrations (e.g. Tasman Village, Mahana, cluster R3 subdivisions) in order to consolidate future Rural 3 development around existing village hubs where such facilities are already present. However, these are not widespread over the CTA.

Despite the CTADG promoting “village-like developments” there is no support in the policies for commercial activities. In any event, small-scale commercial activities (e.g. cafes) that might have made more residential style developments more appealing have been entirely absent from the Rural 3 Zone³². This has resulted in communities that are almost entirely car-dependent for employment and recreation.

The two matters are inter-related in a small way. A commercial heart (probably including a café if there is critical mass within the community) may reduce the need for travel out of the community for café-based socialising. Ongoing development of walking and cycling connectivity will also support recreation in, and between communities, ideally with nodes of the commercial activity as described above.

³² They have been included in several applications (e.g. Tasman Ltd, Harakeke Ltd) but to date none have been constructed.

5.4.3 Cross-Boundary Effects

The analysis undertaken for the Rural Review (PC60) clearly showed that cross-boundary effects caused (A) a significant impact on residential amenity, and (B) cumulatively, caused a significant effect on productive activities.

The Section 32 report for PC60 stated:

“Despite the Plan’s objectives and policies, the Plan rules relating to setbacks between incompatible activities both within and between rural zones (Rural 1, 2, 3, Rural Residential and Rural Industrial zones) are inconsistent. As all zones have significant numbers of small lots, the inconsistencies increase the risk of cross-boundary and reverse-sensitivity effects occurring between incompatible activities. Also, currently there is the potential for new residential activities in rural areas to pressurise existing rural productive activities to limit their impacts. This may constrain the practicality or viability of some rural productive activities.” (p51)

Ultimately the Rural 3 Zone was excluded from the scope of the Rural Review, and so the issues of cross-boundary effects between residential and productive activities remain. The setback rule for habitable buildings is 5 metres from the boundary, whereas for other rural zones (post PC60) it is now 30 metres, except where adjoining a site of 2,500 square metres or less. The setback increase from 5 to 30 metres was a key PC60 outcome and has proved successful.

Since the Rural 3 Zone is intended to remain a bona fide working and productive rural environment it would seem appropriate that a similar approach be considered there.

6. Summary

The CTA regime, and particularly the Rural 3 Zone, has been challenging for all participants to the planning process. Since 2003 there has been a steady increase in the number of rural lifestyle opportunities in the Rural 3 Zone. These have provided a valuable addition to the housing stock in Tasman and has provided a pleasant and attractive lifestyle option for many. However, the numbers have been substantially less than predicted, and it is very likely that the costs have been substantially higher for developers (and therefore for purchasers) than they otherwise would have been.

The challenges, summarised in Figure 19, have arisen from an uncertain, unclear and at times contradictory planning framework that has made outcomes difficult to predict and attributed a very high level of risk to prospective developments. The decision of the Council not to provide full wastewater servicing was another key matter that changed the pattern of development that was possible and, as a consequence, affected the viability and success of developments.

The key impacts of the inconsistencies, policy contradictions and reduced development density has been on certainty and costs. First, developers, planning practitioners and the public have been uncertain as to what outcomes are expected and whether a development is appropriate or not. This is a disincentive to pursuing development proposals. Second, the uncertainty has driven higher costs through multiple design iterations, extended consent processing, contention between applicants and Council, contention between experts, and challenge from affected parties.

As a result, there has been a high level of waste in Rural 3 processes to date. This waste includes financial waste for developers and purchasers, wasted opportunities, wasted time, and less tangible wasted emotional energy by many in being involved with planning processes that involved significant levels of uncertainty.

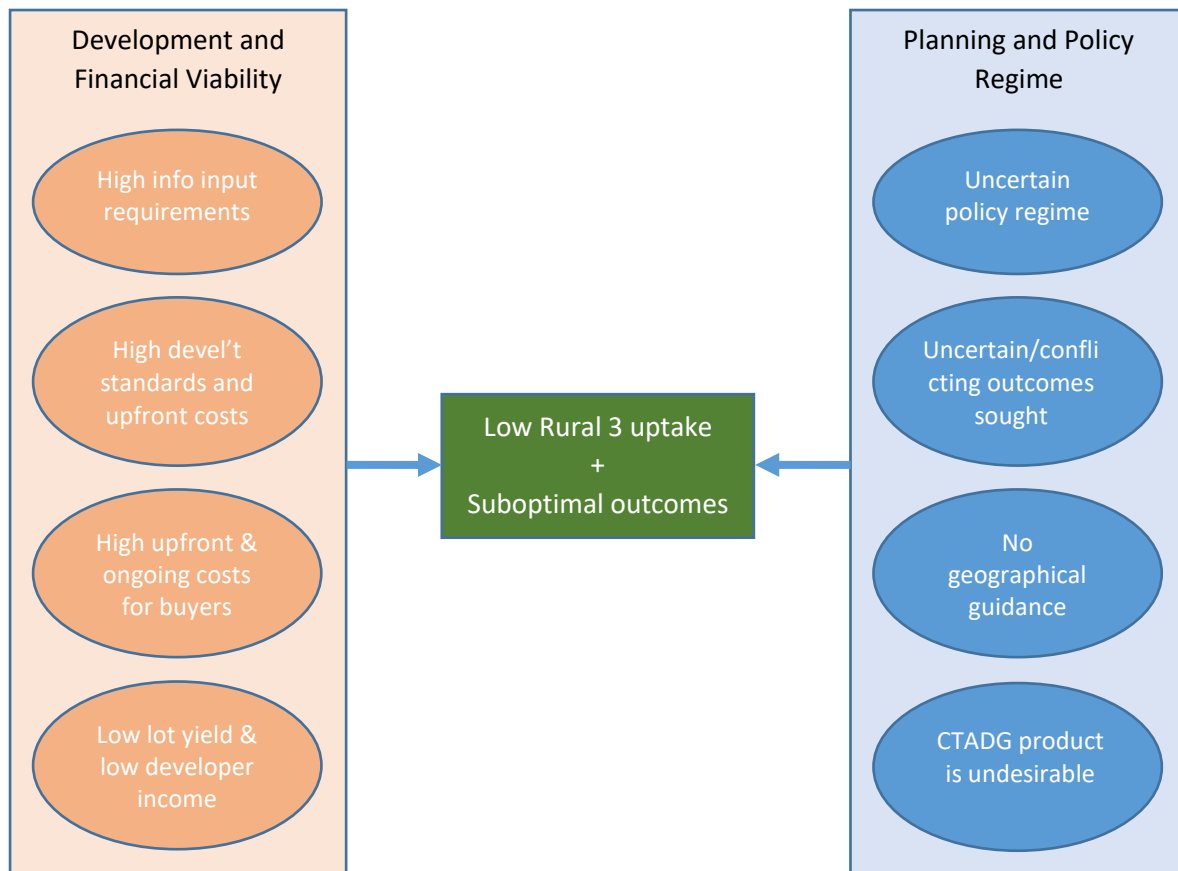


Figure 19: Key impacts on Rural 3 development outcomes

Rural character in the Rural 3 zone overall remains high, but evidence suggests that observed Rural 3 style development will erode that character. Similarly, natural character enhancements have also improved in certain locations, but are often linked to comprehensive developments. Had greater uptake or profit margins been available then the potential enhancement of natural character and biodiversity may have been greater.

Excellent progress has been achieved in providing recreational linkages between rural residential areas and between key transport linkages. Further outcomes in this area will further enhance the recreation opportunities of the area.

There remain relevant questions over the appropriateness of the Rural 3 model of development. Is it at all feasible to provide the kind of product that was envisaged prior to Variation 32? Are there too many competing demands and that all of the outcomes that appear desirable are simply too hard to balance in the real world? Is the distributed model of development still appropriate? If not, how else would the demand for rural lifestyle living be satisfied?

In the event that the CTA and the Rural 3 Zone remain a part of the planning landscape in Tasman, it is likely that there will need to be changes to enable it to function more effectively and efficiently. Changes will also be required to better reflect the cultural and archaeological values of the area, and to recognise and provide for the regional asset that is the Tasman Great Taste Trail.

On-going challenges exist in the area of environmental impact on water-bodies and on the estuaries that they streams flow into. These impacts result from the erosion of sediment and cumulative discharge of wastewater to land.

The Coastal Tasman Area remains a distinct geographic area within Tasman that exhibits wide scope for the type of innovative and high quality developments that were originally intended. It is apparent that a refresh of the policy and rules guiding development would be worthwhile to reinvigorate and add confidence to Rural 3 development opportunities.

7. Appendices

- 7.1 Appendix 1 – CTA zone comparison maps and land areas
- 7.2 Appendix 2 – Planning maps progression
- 7.3 Appendix 3 – Policy diagram
- 7.4 Appendix 4 – Interview notes – Mayor Kempthorne and Councillor King
- 7.5 Appendix 5 – Interview notes – Steve Markham and Sonya Leusink-Sladen
- 7.6 Appendix 6 – CTA policies – Section 7.3 TRMP
- 7.7 Appendix 7 – Map of Productive Land Classifications versus Rural 3 Development
- 7.8 Appendix 8 – Key Data

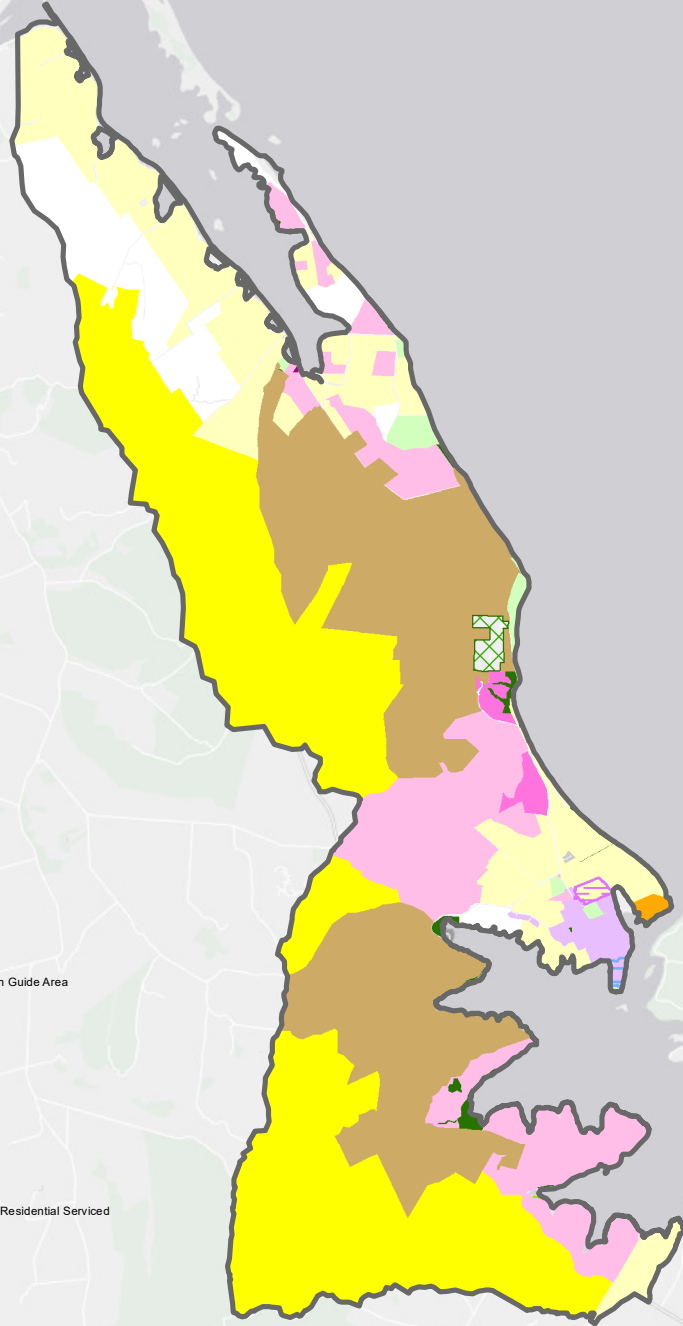
Coastal Tasman Area Subdivisions

P:\Policy\TRPS &TRMP Plan Review\TRMP Review 1\s35 Assessments and Data\Chapter Evaluations\Section 7.3 Coastal Tasman Area\data\CTA subdivisions

CTA Titles – combined yearly data

<P:\Policy\TRPS &TRMP Plan Review\TRMP Review 1\s35 Assessments and Data\Chapter Evaluations\Section 7.3 Coastal Tasman Area\data\13 Aug 2019 - combined yearly CT data - JB.xlsx>

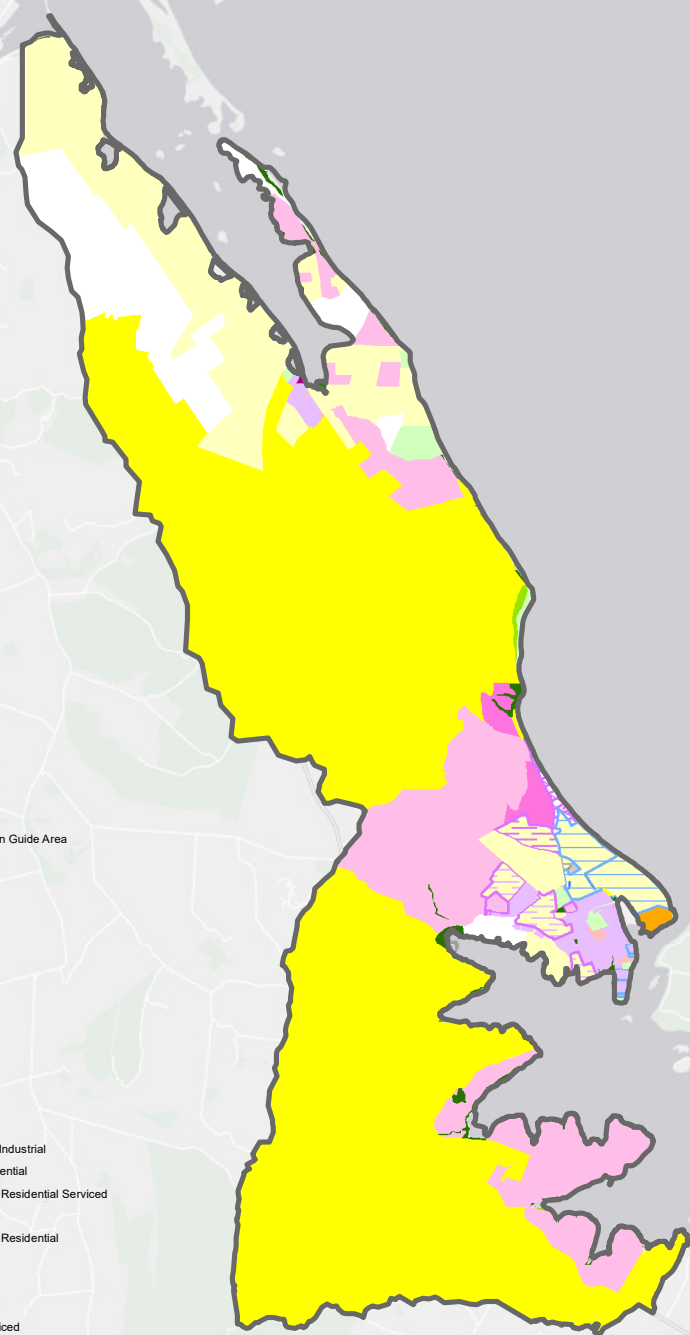
Coastal Tasman TRMP Zones - December 2003



- Legend**
- Coastal Tasman Design Guide Area
 - ZONES**
 - Commercial
 - Conservation
 - Light Industrial
 - Open Space
 - Recreation
 - Residential
 - Residential Coastal
 - Rural 1
 - Rural 1 deferred Rural Residential Serviced
 - Rural 2
 - Rural 3
 - Rural 3A
 - Rural 3A Closed
 - Rural Industrial
 - Rural Residential
 - Rural Residential Serviced
 - Tourist Services



Coastal Tasman TRMP Zones - July 2019

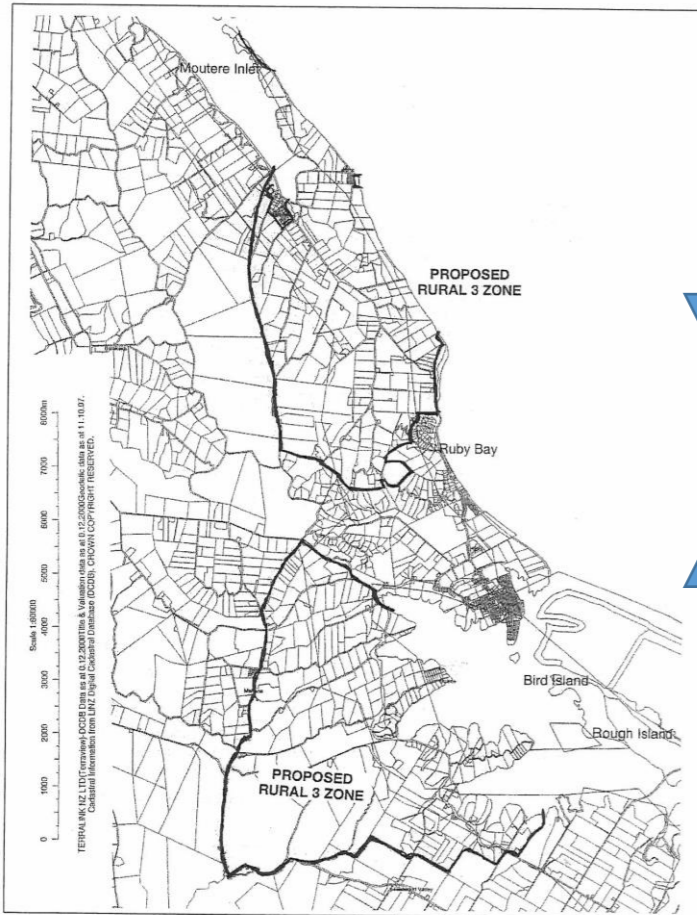


- Legend**
- Coastal Tasman Design Guide Area
 - ZONES**
 - Commercial
 - Conservation
 - Lake
 - Light Industrial
 - Open Space
 - Recreation
 - Residential
 - Residential Closed
 - Residential Coastal
 - Rural 1
 - Rural 1 Closed
 - Rural 1 Coastal
 - Rural 1 deferred Light Industrial
 - Rural 1 deferred Residential
 - Rural 1 deferred Rural Residential Serviced
 - Rural 2
 - Rural 2 deferred Rural Residential
 - Rural 3
 - Rural Industrial
 - Rural Residential
 - Rural Residential Serviced
 - Rural Residential deferred Residential
 - Sea
 - Tourist Services



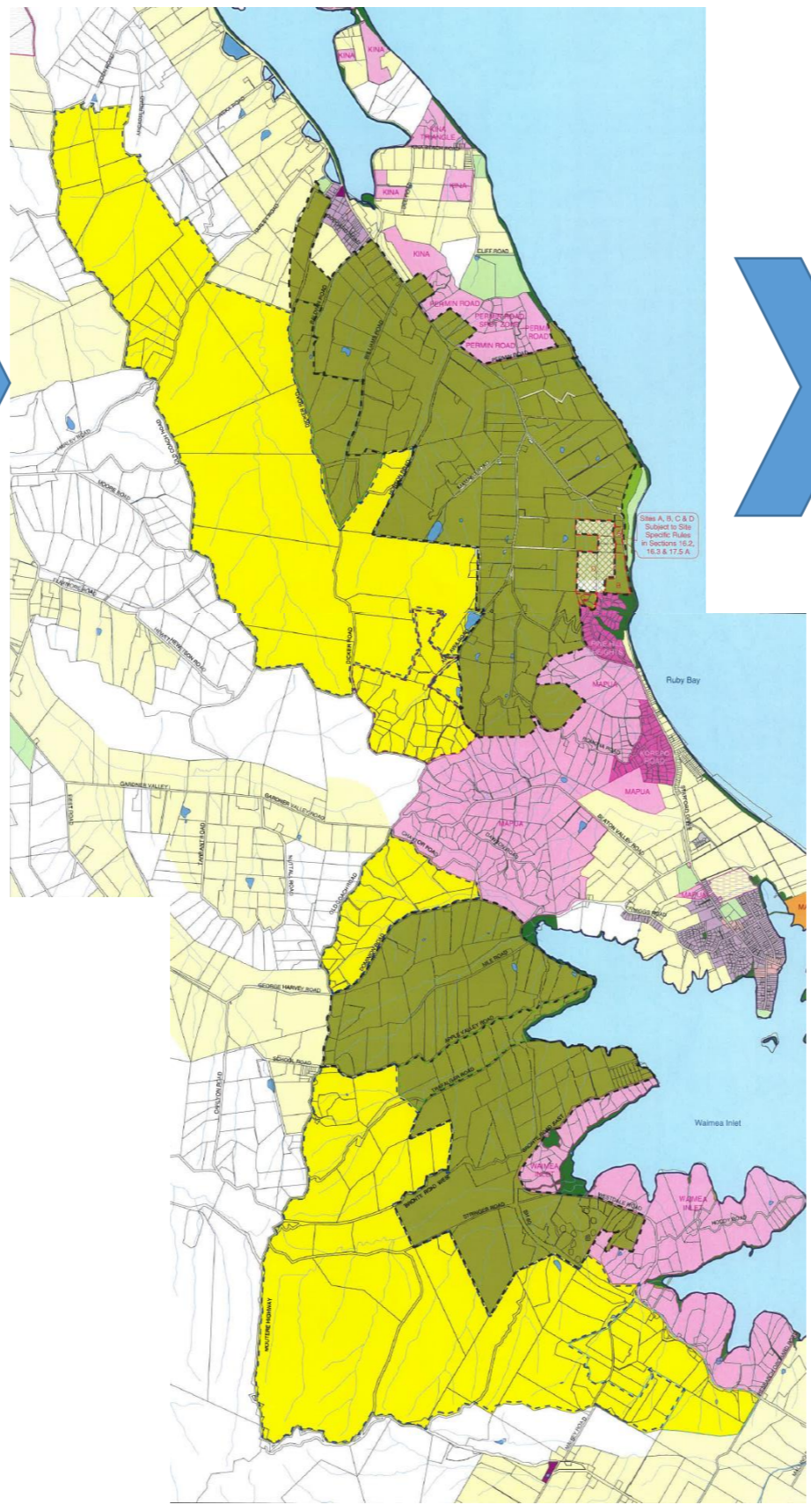
Early scoping recommendation

Recommendation also for geographically-based information overlays to complement Rural 3 zone.



Variation 32 – As Notified

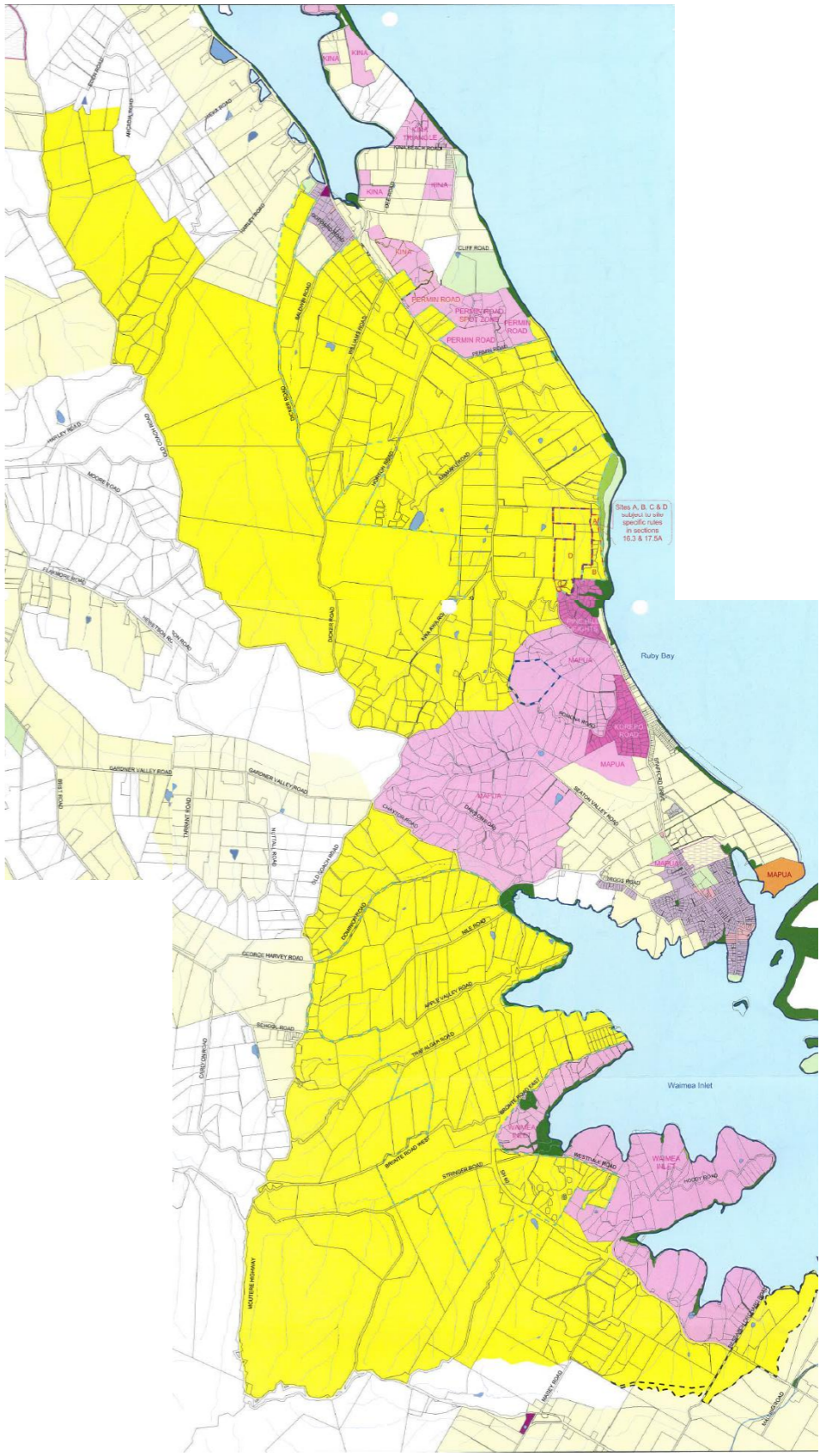
Rural 3 zone in light yellow. Rural 3A zone in dark olive



Variation 32 – Decision

Rural 3 zone in light yellow.

No additional geographically-based information overlays



Coastal Tasman Area

| Policy | Rural 1 | Rural 2 | Rural 3 | Rural Residential | | |
|---|---|---------|--|---|-------------------------------|---------------------------------|
| | | | | Waimea Inlet | Mapua | Others |
| Policy 7.3.3.1 Policy 7.3.3.2 | Discourage Residential or RRes | | - Encourage innovative Res & RR development | Provide for Rural Residential Development | | |
| Policy 7.3.3.3 Policy 7.3.3.6 | Protect <ul style="list-style-type: none"> - Landscape and natural character - productive land - amenity values | | Protect valued qualities: <ul style="list-style-type: none"> - Rural and coastal character - Rural and coastal landscape - productive values of land - Coastal edge and margins of waterbodies | | | |
| Policy 7.3.3.5 | Protect land of higher productive value (now "high productive value") | | | | | |
| Policy 7.3.3.7 | | | Enable Res and RRes development over 20 yrs to 25% (75% open space) | | | |
| Policy 7.3.3.9 | Provide water supply to Residential and Rural Residential areas within 20 years | | | | | |
| Policy 7.3.3.19 Policy 7.3.3.18 Policy 7.3.3.21 | | | | Limited developmnt beyond CA | Enable additional development | Servicing Permin Road in 15 yrs |
| Policy 7.3.3.8 Policy 7.3.3.11 Policy 7.3.3.12 Policy 7.3.3.15 | <ul style="list-style-type: none"> - Avoid, remedy mitigate adverse effects on land, water and CMA <ul style="list-style-type: none"> - Improve access and roads - Develop network of pedestrian, cycle, and equestrian routes - Support proposals to restore, enhance, or protect natural features and areas (coastal, wetlands, weed control, plantings) | | | | | |

Notes from Discussion with Richard Kempthorne and Tim King

Stated reasons from Decision in ***bold italics***

Questions in black text

Responses in blue text

“The residential development opportunity should be the same across the coastal Tasman area (Rural 3);”

“The Plan currently provides a regime of protection of productive land;”

“A single zone over the coastal Tasman area is fairer to all in the area.”

“The development result anticipated for Rural 3 of 75% open or productive space to 25% developed space is appropriate to apply to the Rural 3A zone and will provide for rural landscape, open space and productive values”

Was the decision to remove Rural 3A:

1. To enable more development? i.e. to include the ex Rural 1 areas so that they could potentially be more developed than what the planners were suggesting.
OR
2. Because the Committee thought that there were sufficient protections in place with the policy and a more hands-off approach with open discretion would still achieve the outcomes that the planners were seeking?

Number 1 is correct. Councillors anticipated that more land across the rural 3 would be developed and included the ex rural 1 land because the productivity was not that high comparatively with other soils - not as versatile

Drivers for this change- political - developers pushing, no limits on costs, submissions identified the huge growth demand for lifestyle living. Pressure to protect productive land and amenity rural character across R1 and R2, to reduce the huge pressure on other rural land at that time to encourage growth development where it was anticipated there could be waste and water servicing with the potential for growth to be sufficient to service and fund the servicing infrastructure.

The area had high amenity values and coastal outlooks for high quality rural residential cluster living, had connectivity to the local villages, Tasman, Mapua, Mahana

Highly optimistic scheme - clusters were seen to be more likely on the easier R3 land

Amount of roading upgrades programmed for this growth area was extremely large with the growth that was expected

At the time the apple orchard and markets were in a depressed state/ financial collapse with the industry changing from using trees that had been in the ground for a long period of time up to 100 years. Then with a shift a type of production that focused on a high turnover of tree/ apple varieties the moutere soils were not suited to this change, one land owner had purchased a large area of this land.

Wastewater council expected a high rate of development in a short time that would finance the reticulated wastewater servicing, this never eventuated with the 2008 global financial collapse and now with hindsight not putting in the pipe has saved the council and ratepayers from a significant risky financial outlay that would not have covered its cost given the demand was never realised.

They had moved on from trying to protect the ex rural 1 land (proposed 3A) and that there would be similar development across this area. Productive values not a main driver just one in the mix and it was expected to be developed in some innovative form

They always considered in the discussions and debates that there was potential for onsite wastewater servicing and community schemes. They expected a more uniform development over both 3 and 3a

The financial downturn in 2008 had a big impact on the rural 3 drivers

The last reason above (75:25%) suggests that it was more about allowing for a wider scope of development, including on the flatter ex Rural 1 land.

Do you think that it was anticipated that more productive land would be developed if the Rural 3A zone was replaced with Rural 3?

Yes, more development in the more coastal areas (R3A) to take the pressure of R1 and R2. It was anticipated that there would be more development.

Coastal views, lower productivity despite the fact that it was Rural 1, more developable and easier land to take pressure of R1.

Had submitters in the Rural 3A area who came along and said that they wanted to do "X" and it seemed to stack up pretty well with what the Council was trying to achieve.

Also if it was going to be serviced, which was the plan, which means that it is more efficient to have connectivity not wide areas with no development.

Has this approach that you've described (allowing considerably more development in ex-R3A area) been implemented or never embraced by Planners etc?

No the decisions made have not really been properly implemented. The more liberal use of the more coastal ex-3A areas has not been embraced.

Was it to encourage more development, or to achieve positive landscape and environmental and access outcomes that might be achieved through development?

Was to encourage development, and to support open space and amenity and rural character than production. The focus on productive values has been given more weight than it should have been.

RK: more weight should have been on the rural feel, character, and amenity.

Intensive parts of Harakeke was best bit of that development, and the development was possibly the closest to what was envisaged. Not necessarily a bad thing that it didn't succeed, but that it was probably the closest to original decision maker intentions.

Was a very broad level of discretion seen as a good thing?

Councillors expected the Discretionary approach in the rural 3 would allow for an innovative approach and they used the words: Pragmatic - flexible design with interesting outcomes

They expected the design guide to enable these opportunities

They anticipated community opportunity for diversity eg village meaning a range of community facilities and opportunities for interaction

They also felt that the rural 3A intent remained in the staff minds and how, since then we have managed the R3 process was not what councillors had intended or indeed expected.

The high level of discretion was meant to enable developers to come up with a range of positive lateral thinking designs for development, they didn't anticipate the internal interpretation and lack of use of broad discretion.

Councillors were expecting a pragmatic approach, a flexible approach, and a helpful approach. "And that's why we give everyone so much discretion". It was expected that the wide discretion be utilised and to be helpful and to really encourage development. Productive value was to only be one of a large number of equal considerations. Not pre-eminent.

Unfortunately it's been misinterpreted and narrowed back down again. So when you give people discretion it can be very hard. There is a strong tendency and attraction to narrowing down the level of discretion to one or two key matters. Nice and easy to focus on productivity and to make it a "yes or no" consideration. Wide range of productive values, from steep hills inland to gentle on the coast.

Developments probably wouldn't look the same, but there is scope on both. Maybe on the hillier original R3 they would have been more Rural residential style. On the more coastal ex-R3A ex-R1 land then looking more at clustering and more open space and productive character.

But the wide discretion should be utilised. Even if there are higher productive values and versatility (relative to other mouere hills areas) if there are significant positives then this could be a supported development.

Was there any consideration given to developers' costs?

The developers were pushing and saying costs weren't an issue what they didn't expect was the staff conservative approach which has largely undermined their intentions to free up land for development

At the time the developers said, cost doesn't matter, we can sell anything etc etc. The high level of discretion wasn't seen as a problem.

Was there any concern that this could stymie development?

Not at that time

Climate change and lifestyle living comments:

Climate change wasn't even really on the table at the time, but now the original decision of more development in this area had even more merit as hazard free, plus having people in places where they don't have to commute and leave, but with services and drive other places is increasingly valuable.

Either with some self-sufficiency and/or with a community where people have to travel less and not commute for everything. Design Guide should include opportunities for community, shops etc. Collection of services.

"The transferable development opportunity in the Rural 3A zone poses significant administrative difficulties over time for landowners and Council;"

Context:

Can we transfer development rights from the productive flats to the rubbishy hills? Other places have gone with average lot sizes rather than minimum lot sizes. Decapitalise the smaller bits and put the capital into the larger cohesive block.

How significant were the administrative and logistical concerns in reaching the decision?

This was an internal staff concern mainly with concerns on how manageable it was. General staff advice, but can't remember.

Now gone with average lot sizing. Have had discussions about just building a family home on a smaller block. Sell off sections to fund apple growing operations. Have to make fundamental choice to make X sections and then protect the rest. Much better than splitting into 12 hectare blocks.

Want to protect productive capacity on the Class A Waimea plains, but on the mouere hills that is where the development should happen where the productivity is so much less.

"Anomalies with the boundary between Rural 3 and Rural 3A;"

How significant was this issue?

Could this have been resolved with further work

Acknowledged that some issues with the mapping and scale. Difficult to differentiate between the two. Potential for swapping development rights between the two areas.

"The scale of the Rural 3A zone is not appropriate"

What does this mean? Please explain the rationale more:

As above discussion driver was to sacrifice ex rural 1 (3A) and save the other rural land from the pressure. R3A was a big chunk and by having R3A we were massively limiting the potential development outcomes.

Let's keep a larger more flexible development opportunity.

“The financial risk to Council from a committed reticulated wastewater service is unacceptable to Council;”

“Onsite management does not preclude the opportunity for developments to propose alternative offsite wastewater management solutions;”

Not having any reticulated pipeline was a lucky break for Council. Amazing that it was even contemplated at the time.

The Rural 3 Plan Change focussed on both rural residential, and residential development on the hillier inland areas.

Did the Committee consider that residential scale development might not be able to occur without wastewater servicing?

What was the attitude at the time to privately owned community wastewater systems? Was there any advice against this? Was there support that they could take the place of TDC servicing?

Yes, anticipated on-site servicing for more rural-residential style development, and cluster systems for cluster developments.

They were open to package systems at the time. Although advice was that have to be really careful around package systems.

“In a rural area, it is expected that advancing technology will provide increasingly effective wastewater management solutions”

Yes it was expected that there would be better treatment.

“Onsite wastewater management will assist water conservation on site through encouraging onsite reuse of water.”

In hindsight do you think it was seen as a bit of a silver bullet which would mean that Council wouldn't have to provide very expensive WW servicing? Was there much discussion of this?

Yes, the link between water supply and the new need for on-site treatment and discharge was well recognised. If you are responsible for all of the parts of your system, then more careful with resources etc.

Where there any details given? Any other context?

Pan charge is very significant. Shifting Bell Island will mean large increase in rate for WW. On-site system might seem not so bad.

Concluding:

Growth to be accommodated across R3 including R3A area. Could have 75:25 across. Productivity was only one matter across raft of assessment criteria and have tended to give it too much weight.

Village and commercial was intended. Whole village approach

Looking for ways to promote future clarity. Try to build on the FDS process. Intensify where we can. One can be an optimistic view of what discretion enables, but others have a view of what discretion disables. All depends on view.

Design guide, not to be used as set of rules and constraints. It's a guide but doesn't have as much weight. Tasman Village is an example of what could be achieved.

Vision and Drivers

In your opinion what were the social, economic and environmental drivers for the CTA etc?

Depressing experience with Rural E concept. An attempt to find rural lifestyle living in and around the urban centres. Huge demand from submitters for rural lifestyle incl on R1 and R2. Lifestyle demand hadn't been dealt with in Gen1 TRMP process by Rural E concept which only resulted in land behind Wakefield.

Pepper potted demands leading to poor locational decisions e.g. Waimea Inlet Bronte Hodder Rural Res. Already fragmented. Poor locations. People climbed in to get favourite locations RR. Thereafter those locations were left as RR in contrast to deliberative design of Rural 3 zone right next door.

So, nothing strategic about the RR zones in the CTA. Imperfect process. Not rolled back by V32. Just incorporated, resulting in strange layout now seen.

New term Council in 1998 John Hurley, Tim K. Richard three years later. Look at drivers of lifestyle demand.

CTA Strategic Development Review (CTA SDR). Long term issues paper for Richmond. CTA seen as potential location to satisfy lifestyle demand. Broad paint brush approach. Take pressure off Plains, even though there is a quite fine mosaic of activities. Also diversity inland of R3. Coastal outlook.

Huge influx of migrants. Wanted land. Zwart and Johnston were cases on the plains. Some declines on large blocks of R1 land. That line had been drawn. Pressure where there was existence of dwellings. What are effects?

Can you describe the original vision for the CTA, and also the R3 and R3A zones

Coastal development for lifestyle demand. Stem the flow of lifestyle living on Plains.

CTASDR said high demand locations for urban. And opportunity for Rural lifestyle location to be developed or created. Analysis in paper. Good feedback in submissions. Mapped broad blob. 2001-2003 to explore options to refine.

The vision was location had capacity to support significant lifestyle subdivision and development whilst retaining to certain standard a couple of other values: productive opportunity, rural character, amenity, landscape.

Three objectives that sat together. Could provide for lifestyle if carefully designed. Design was paramount to retain the other two environmental values. Might be worded as policies but they define zone objectives. Imbedded in issues statements. Can impute an objective for the zone from the methods and issues.

Introduction of new value: lifestyle living. Coexisting with other two values. Sylvia thought there should be objectives. SM said no objectives as preference was for it to be a rural zone and be subject to 7.1.2, 7.2.2 and 7.4.2 objectives.

Two consultation rounds.

Deletion of 3A

What was your position on the suitability of 3A, pros and cons?

SLS didn't support R3A, but only with the value of hindsight. Admit to feeling it was unnecessary. Because productivity of land had enough science to be able to establish without a separate zone.

SM agrees: in hindsight that was a mistake. Rural 3A was designed. Design was complicated and quite stringent. If you want to do large lot subdivision, won't get on R3A.

Then created problem that ex R2 land very poor. Dissected. Visually obvious. Can't easily situate buildings on it. Expectation that you could introduce lifestyle buildings and lots and devel in quite a variable and dissected landscape. Except ex R1 not much flat or level land without major earthworks. R3 in exR2 as naive inappropriate idea. Council have its cake and eat too. Naive to put development up into the hills.

R3 should have just been exR2 land. So SLS said why not just get rid of 3A.

Deletion of 3A also a mistake (in addition to WW retic)

The reasons from the Council's decision stated:

The residential development opportunity should be the same across the coastal Tasman area (Rural 3);

The Plan currently provides a regime of protection of productive land;

A single zone over the coastal Tasman area is fairer to all in the area.

The development result anticipated for Rural 3 of 75% open or productive space to 25% developed space is appropriate to apply to the Rural 3A zone and will provide for rural landscape, open space and productive values

From your understanding what was the logic and reasoning behind the decision to remove Rural 3A?

What level of development do you think the plan anticipated across the R3 area including the ex 3A(R1)?

Then how did you think this was going to be achieved by the final policy?

Still to retain ex-R1 land. Philosophy was not changing. Three drivers still applied. Logic was that the Prod would not allow development on exR1 land. Council staunch that much more stringent for exR1 than R2.

How did you see the 75:25 vision being applied? Did you see that application as changing at all after the deletion of the R3A zone?

Do you think that it was anticipated that more productive land would be developed if the Rural 3A zone was replaced with Rural 3?

If no, why not? If yes, why?

Was it to encourage more development, or to achieve positive landscape and environmental and access outcomes that might be achieved through development?

Ratio was used early on to guide for each site (not overall). Early mistakes and used inappropriately in early applications. Misreading. But that is a consequence of weakness of framework. Grasping for signals. Opportunist stuff.

Monitoring never got carried out by EI team.

75:25 spoke over the exR1. No guidance as to whether this is appropriate or not.

Do you think that the transferable development opportunity planned for the Rural 3A zone would have worked? Or would have it posed administrative and practical difficulties over time for landowners and Council;

People didn't like the transferable development regime. SA thought it was worth a go. Trendy approach at the time. Work in market fashion to aggregate land.

Submissions were being reported and heard. "This R3A. Why do we need it?" But abandoning R3A to become same as R3 wasn't sufficient, with benefit of hindsight. But R3A would have been a dog to administer. Threw baby out with bathwater. Didn't do a recheck of the policies ... needed to retune the policy settings to accommodate changed zoning framework. Not given political space to rethink.

Very contentious, Richmond South was going on. Divided community. Very busy and hard work.

The Rural 3 Plan Change (as notified) focussed on both rural residential, and residential development on the hillier inland areas.

To what extent did the removal of WW servicing affect that intention? What is your opinion of that decision not to provide that servicing?

Were centralised private WW systems seen as a solution?

Biggest flaw.

WW reticulation was pushed very strongly by MWH. Motives?? Didn't make sense to notify a plan change that didn't have Council buy-in. MWH trying to talk council into it.

Didn't make sense to notify PC and then abandon WW.

SM: An own goal. Would have been a goal.

Very risky.

Further risk of providing reticulation water supply with no reticulation WW. If no WW reticulation then need to take responsibility for own water supply.

With the removal of 3A were there any new dwelling numbers projected?

Post v32 implementation

What would you say the most notable pros and cons are of the Rural 3 instrument?

Some of the zoning mosaic in CTA was unresolved and just left. Kina and Permins road etc. it's a shemozzle. Careful surgical reassessment of legacy zones to resolve. Legacy zones. Some cant be resolved. But some areas cry out for rationalisation. CTA areas are good candidates.

To what extend do you think that the policy regime in the plan, as a whole and particularly Section 7.3, is appropriate, suitable sufficient, successful?

Where do you think the issue of land productivity sits relative to other considerations?

In the intentions, in the plan, and in practice?

Info on productive value was reworking of 1970s land use capability units in 1994 by John B. as productive value classification. No additional data collection.

R1 through 3A has its limitations. The relativity of policy is at question. But the policy speaks to the district. Information not good. "Protecting highest productive land" was intended to be relative to the district, not just to the CTA.

They compete for value because more than just soil. Relatively high than in other areas due to factors.

Have to completely review the patterning of zoning spatially over entire district. High Prod Value now is slightly more liberal. More land will qualify now.

Land prod values are important but are competing with other outcomes. Clinically re-evaluation of productivity in R3. Found significant differences in their remapping based on characteristics.

R3 allows significant discretion but with little geographic or spatial guidance. How do you view this? Positively? Negatively? Pros/cons?

Without a retuning there is so much discretion. Discretion meant huge uncertainty. Therefore to respond to uncertainty a lot of money in the subdivision process and in the consultancy community (who were learning).

At the time of conception and at v32 decision:

Was there any consideration given to developers' costs?

Was there any concern that this could stymie development?

Why? Why not?

The Design Guide

How consistent or compatible do you feel the CTADG is with the Section 7.3 policies? Do they work together well or are there difficulties with how they relate?

- commercial activities
- productive land versus the landscape subunits

Was an attempt to set out the landscape expectations. Restructured.

Ratios were original devised based on productivity. But lost was that landscape overlays were to guide that outcome also.

No-one knew the relationship of landscape to the policies. The alignment of landscape versus productivity was not done at a high level before the regime was written. Frank was just Mr landscape. DG = landscape. Productivity was looked at but not aligned.

Significant misalignment now between CTADG (landscape) and matters such as productivity.

Commercial...

SM: "village" was Frank waxing lyrical.

SLS: some value in assessment to look into commerciality. Maybe village concept was misleading. But need to look at commerciality. Social connection value.

SM Mapua Ruby bay at risk of losing urban centre. Commercial spot concept failed. But now in FDS.

SM alongside classification of development forms (rural-urban) have to apply same set of values. Business zoning. Would you be prescriptive? Or generic? E.g. mixed business in Rich West. Spectrum of business development forms. Could be floating zone.

SLS need policy directive in relation to business. Private sector caters for business demand. Need policy framework to manage it. E.g new supermarket through private plan change. Council doesn't need to lead location for commercial. Just provide conceptual framework.

SM but have to live with risk that any feasible optimal location will be sequestered by another end use. Need to be stronger in signalling. Market will be less inclined to move for a business end-use than for a residential end-use. Opportunity for business not taken up due to more valuable land uses.

Has to be signalled, but if too loosely then not taken up. Signalled too tightly then will be opposed.

SM: so example of too much uncertainty.

JB: intentional to provide for innovative development

SM: but the market didn't come up to speed soon enough or at all. Generation of developer advisors who were very conservative. (JB but too uncertain)

How successful?

Not a particularly internally coherent framework between the policies, DG and rules.

Mixed signals.

Undermined by removal of WW reticulation. Cannot achieve pattern.

Outcomes

What do you think the successes / failures have been on the ground?

Two critical things have undermined R3. First is loss of wastewater reticulation (and lesser WW). Major significance for layout. V46 WMA added to constraint. Original subdivision compromised

What's the legacy? SM: plenty of opportunity to upgrade.

Which development do you think has been closest to the vision? Why?

Suggestions

Any suggestions/recommendations as to where R3 might go in the future?

What, if anything, needs to change?

SLS: has view that best and most certain way forward would be to choose locations where prepared to compromise and create essentially RR zones and write off prod values to return to clarity. Return to old school RR or lifestyle zones for clarity and also for servicing and economic efficiency. Pick winners and write off soils value actually achieve more because could ww reticulation and cluster more densely. Chose pieces of land, but expect higher protection elsewhere and higher yield.

SM qualified agreement: don't need to abandon productive opportunity and rural amenity entirely. Design and location of RR has been crap. Physiographic limitations and opportunities that need more nuances and careful approach in locations. Locational assessment. Structure plan almost (broadly). Protect productive land at large scale. Write off the size for economic. But maintain physical protection of soil.

SM also has risks of effort and complexity to produce appropriate result on ground. R3 was high level of uncertainty on subd by subd basis. Defining a spatial structure on disbursed basis on variable terrain etc requires effort and will be complex. That is the response to the uncertainty of the R3. Fine conceptually but not out of the woods without a fair bit of effort.

Whats needed is a broad viability overlay. 4-5 criteria. Council to do broad blob level sieving process to identify more certainty of appropriateness. Picking winners at blob scale. Strong agreement on

Pitch to committee is to say that the regime didn't clearly define the relationship between the values to be sustained. Didn't do sufficient spatial assessment to assist the market (developers) to be comfortable with working within broad spatial framework. High relative expense of R3 = boomer age elites who can buy.

R3 = loaded term now.

Everything can be challenged. Residents will challenge future development.

WW. servicing is important. Will Council be interested in private small scale systems? More viable and resilient. Viable if to Council standards. NTLDM may need another iteration along with enquiry required into onsite package WW.

Never going to get density without servicing. Spatial constraints built into WMA. Engineer onside with critical strategic knowledge. Private systems variable and failure prone. Council agree to build package systems?

Settlement pattern: Urban (serviced), Urban (unserved), lifestyle (serviced), lifestyle (unserved).
Classifications of development form. PC60 outcome was to densify what is already developed rather than introduce new areas. But densification in urban needs to be considered in relation to rural. Principle requires retro design.

LDM is primarily urban. Needs to be expanded to address onsite and rural lifestyle WW options, potentially including decentralised servicing.

Pick winners. One criteria might be to build on existing developed areas. And will allow critical mass for WW development. R3 has yielded some development. Future evaluation of rural lifestyle should use this as one of the assessment lenses as there are servicing and community benefits in building on existing developments.

More certainty with blobs may incentivise landowners to work together. But uneven opportunities.

Started off well. Seen some of the problems with hindsight. But R3 still good location for innovative development etc. SM: drivers for CTA blobs haven't changed. Drivers are proximity to labour and settlements, and high amenity.

Because mosaic of legacy development has got high stakes, and looking at expansion in same areas. Review will therefore be highly contested. Committee must appreciate that will go to court.

SLS: can identify filters and criteria now. What principles can we agree on? Servicing efficiency. Protecting productive opportunities. Character, and landscape.

7.3 RURAL RESIDENTIAL DEVELOPMENT IN COASTAL TASMAN AREA

7.3.1 Issues

There is a desire in the community for residential development opportunities within a rural part of the District, used productively and having some existing rural residential development. Managing the pressure for and cumulative effects of residential development in the Coastal Tasman Area which is a rural area close to the coast, to the District's main urban centres, and to major transport routes, while protecting the productive value of the rural land resource, coastal and rural character, and amenity values.

7.3.3 Policies

*Refer to Policy sets 5.1 – 5.5, 6.4, 7.1, 7.2, 7.4, 8.1, 8.2, 9.1, 9.2, 9.3, 11.1, 11.2, 13.1, 14.1 – 14.4.
Refer to Rule sections 16.2, 16.3, 16.4, 17.5 – 17.12, 18.1 – 18.13.*

- 7.3.3.1** To identify an area (Rural 3 Zone) within the Coastal Tasman Area within which rural residential and residential development is enabled while avoiding, remedying and mitigating adverse effects on the environment.
- 7.3.3.2** To identify areas (Rural 1 locations) within the Coastal Tasman Area where the potential adverse effects of further subdivision and development for residential or rural residential purposes are of such significance that further development is discouraged.

- 7.3.3.3** To ensure that the valued qualities of the Coastal Tasman Area, in particular rural and coastal character, rural and coastal landscape, productive value of the land, and the coastal edge and margins of rivers, streams and wetlands are identified and protected from inappropriate subdivision and development. **C60 1/16 Op 6/19**
- 7.3.3.4** To define within the land made available for residential and rural residential development within the Coastal Tasman Area, areas in which different rules provide for different types and intensities of subdivision and development.
- 7.3.3.5** To protect land of high productive value within the Coastal Tasman Area. **C60 1/16 Op 6/19**
- 7.3.3.6** To protect rural and coastal character, including landscape and natural character, and productive land and amenity values from development pressures in parts of the Coastal Tasman Area outside the areas where development is specifically provided for, including Kina Peninsula and the land to the west of the Moutere Inlet.
- 7.3.3.7** To enable residential and rural residential development to take place from December 2003 over at least a 20-year period in the Rural 3 Zone and the Waimea Inlet Rural Residential Zone that generally reflects a ratio of 25 percent developed area to 75 percent open space or unbuilt area across the total area of both zones.
- 7.3.3.8** To avoid, remedy or mitigate adverse effects of development on land, surface and ground water resources, and the coastal marine area.
- 7.3.3.9** To ensure that residential and rural residential development within the Coastal Tasman Area is able to connect to reticulated water supply services provided by the Council within two decades.
- 7.3.3.10** To ensure that adverse effects arising from servicing of subdivision and residential development are avoided, whether by way of on-site management, or provision of off-site reticulation.
- 7.3.3.11** To improve access and progressively upgrade the road network throughout the Coastal Tasman Area in accordance with development, while avoiding or mitigating adverse effects on landscape, natural character and amenity. **C60 1/16 Op 6/19**
- 7.3.3.12** To progressively develop a network of interconnected pedestrian, cycle and equestrian routes, and reserves within the Coastal Tasman Area, including to and along the coast.
- 7.3.3.13** To mitigate adverse effects on rural landscape and character by evaluating subdivision, development and wastewater discharge proposals together, when providing for further residential and rural residential development in the Coastal Tasman Wastewater Management Area.
- 7.3.3.14** To take into account, and avoid or mitigate potential cumulative adverse effects on rural character, rural landscapes and amenity values, including the potential impact that complaints from new residential activities can have on existing plant and animal production activities, arising from adverse cross-boundary effects, when assessing the effects of subdivision and development in the Coastal Tasman Area. **C60 1/16 Op 6/19**
- 7.3.3.15** To support proposals to restore, enhance or protect natural features and areas such as wetlands and coastal indigenous vegetation, with weed control and indigenous plantings appropriate to the area, as part of subdivision and development design in the Coastal Tasman Area.
- 7.3.3.16** To protect from further subdivision and development, land that has been retained as open space either within any allotment or as an allotment, in an approved subdivision in the Rural 3 Zone, for its productive, rural or coastal character, landscape, amenity, or wastewater discharge management value.

| | | |
|----------|--|---------------------|
| 7.3.3.17 | To avoid or mitigate exposure of subdivision and development to road noise, including from State Highway 60 and the designated Ruby Bay Bypass. | |
| 7.3.3.18 | To enable additional development in the Mapua Rural Residential Zone, subject to servicing requirements, and evaluation of the effects of specific proposals in accordance with the 'Coastal Tasman Area Subdivision and Development Design Guide'. | C6 7/07 Op 10/10 |
| 7.3.3.19 | To allow for limited development beyond that provided for as a controlled activity within the Waimea Inlet Rural Residential Zone, subject to availability of services and evaluation of the effects of specific proposals, in accordance with the 'Coastal Tasman Area Subdivision and Development Design Guide' | C6 7/07 Op 10/10 |
| 7.3.3.20 | To avoid potential effects of past land contamination on future residential and rural residential activities. | |
| 7.3.3.21 | To provide for the servicing of the Rural Residential Zone locations in the vicinity of Permin Road in the longer (post 15-year) term. | C60 1/16 Op 6/19 |
| 7.3.3.22 | To avoid adverse off-site effects, including cumulative effects and water contamination effects, resulting from the disposal of domestic wastewater to land arising from inappropriate scale, design, or location of subdivision and development of land for residential purposes in the Wastewater Management Area. | |

7.3.20 Methods of Implementation

7.3.20.1 Regulatory

- (a) Zones that are delineated on the basis of appropriateness for the uptake of development opportunities defined by rules and through consent processes including zones where little or no future development is anticipated.

The zone framework within the Coastal Tasman Area applies as follows:

- (i) The Rural 1 and Rural 2 zones are as described under 7.1.20.1(a).
 - (ii) The Rural 3 Zone is an area where development is expected to take place within the years 2004 to 2024.
 - (iii) A range of Rural Residential Zones as described under 7.2.20.1(a), where opportunities for more intensive development in a small number of specified zones will be assessed through the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). C6 7/07
Op 10/10
- (b) Rules, including rules that:
- allow or limit activities;
 - provide opportunities for development;
 - require subdivision and development to be considered together;
 - address effects on the environment through a range of requirements;
 - require payment of a financial contribution for the provision of reticulated services, roading and reserves and community services.
- (c) A list of matters which decision-makers will take into account when considering resource consent applications.
- (d) Consideration of consistency of applications with the 'Coastal Tasman Area Subdivision and Development Design Guide' (Part II, Appendix 3). C6 7/07
Op 10/10

7.3.20.2 Education and Advocacy

- (a) Promoting design and location of development that is appropriate to its rural and coastal location within the District.
- (b) Encouraging early liaison between Council staff and developers on innovative and appropriate subdivision and development within zones where design guides apply.
- (c) Promoting self-management of on-site effects, and consultation, as means of avoiding, remedying and mitigating cross-boundary effects associated with rural activities.
- (d) Providing advisory information with resource consents and land information memoranda, and for public information generally, about the potential cross-boundary effects from plant and animal production activities likely to be experienced in the rural area, and means of avoiding or mitigating exposure to such effects, in addition to existing activities' ongoing compliance with Plan rules or consent conditions.

C60 1/16
Op 6/19

7.3.20.3 Works and Services

- (a) Provision of reticulated water supply and wastewater systems by the Council to a specific timetable to be set out in the Long Term Plan.
- (b) Progressive upgrading of the roading system within parts of the area, to a specific timetable to be set out in the Long Term Plan.
- (c) Provision of reserves, including esplanade reserve and strips, and a walkway, cycleway and equestrian network, over time, within the area.

7.3.30 Principal Reasons and Explanation

The Coastal Tasman Area lies between the Moutere River and the northern edge of the Waimea Plain. It includes Kina Peninsula and all the land inland to the upper boundary of the coastal catchments draining to the sea. The whole of the area is within the coastal environment and has strong rural and coastal characteristics. These characteristics include natural areas such as small areas of remnant coastal vegetation, streams and wetlands, natural features and landscape values. Much of the area has high productive value. Inland areas in particular have less productive value. Where the productive value is high, the land is quite fragmented, whereas the land with less productive value is generally in larger lots, much of which is, or has recently been, in pine plantation.

C60 1/16
Op 6/19

Settlement patterns within the Coastal Tasman Area are varied. The urban settlements of Mapua/Ruby Bay and Tasman are within the Coastal Tasman Area, but are the subject of separate settlement policies in Chapter 6. A number of Rural Residential Zone locations were created within the area in the 1990s and these have been largely developed to the lot size standards set out in the Plan.

The proximity of the Coastal Tasman Area to Nelson, Richmond and Motueka, and completed state highway improvements have resulted in pressure for further residential and rural residential development in this area.

The area was subject to detailed planning and infrastructure studies between 2001 and 2003, and extensive community consultation as to its future.

A long term planning framework for the Coastal Tasman Area is provided by the policies for the area, within the broader framework of objectives and policies in the Plan. A range of methods, including zones, areas, rules and other provisions in the Plan, a works and service programme, along with the 'Coastal Tasman Area Subdivision and Development Design Guide', for the parts of the area where additional development is enabled, will be used to implement the policies.

C6 7/07
Op 10/10

Together these provisions are intended to provide for a significant number of new dwellings in the area (in addition to further development in Mapua and Tasman); to guide development to the areas where it is able to be accommodated with limited adverse effects on the environment; and to encourage forms of low impact subdivision and development through design objectives and guidelines set out in the 'Coastal Tasman Area Subdivision and Development Design Guide'. It is expected that there will be little change in those areas in the Coastal Tasman Area that retain Rural 1, Rural 2 and Rural Residential zonings.

C6 7/07
Op 10/10

An important element of development in the area is provision of a reticulated, restricted, community water supply service and a programme of road upgrading by the Council. Council is requiring development to provide permanent on-site wastewater and stormwater services. Council is open to receiving proposals concerning off-site wastewater disposal. These services will assist in avoiding potential adverse effects in the area. In the period prior to reticulated services being available, applications for subdivision and development will be thoroughly assessed in terms of the adequacy of their transitional servicing provisions.

The Council recognises that there are risks associated with the on-site disposal of domestic wastewater in the Wastewater Management Area that applies to the Rural 3 and adjacent Rural Residential zones. This is because of the low permeability and shallow nature of the soils, steep slopes, high groundwater tables in some areas, and proximity to sensitive water bodies, including the Moutere, Mapua and Waimea Inlets.

C60 1/16
Op 6/19

The Council also recognises a relationship between landscape and amenity effects from subdivision and development and associated wastewater service provision. However, the Council considers that on-site wastewater disposal can be appropriately and sustainably managed, provided a well-managed and integrated approach to development takes into account the potential adverse effects, including cumulative effects.

7.3.40 Performance Monitoring Indicators

- 7.3.40.1** Numbers of allotments subdivided for residential and rural residential purposes in all zones within the Coastal Tasman Area.
- 7.3.40.2** Extent of land retained as unbuilt or green space in the Rural and Rural Residential zones in the Coastal Tasman Area.
- 7.3.40.3** Quality of subdivision design and development within all areas to which design guide provisions apply, and consistency with design guide objectives.
- 7.3.40.4** Provision of services to development in the Rural 3 Zone.

