

Aorere ki uta Aorere ki tai - Tasman Environment Plan

Issues and Options Report

Rural Environment

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Contents

1	Executive Summary	4
1.1	Introduction.....	4
1.2	Purpose and Scope	4
1.3	Issue(s).....	5
1.4	Outcome(s) Sought.....	6
1.5	Option(s).....	6
1.6	Summary of Analysis	6
1.7	Recommendations.....	6
2	Principles Underpinning the Development of the TEP	8
2.1	Guiding Principles.....	8
2.2	Te Mana O Te Taiao.....	8
3	Background Context	9
3.1	Issue(s) we are seeking to Address	9
3.2	How Issues relate to Iwi Interests and Values.....	11
3.3	Statutory, Policy Context and Scope	11
3.4	Methods Considered	12
4	Issue 1 – Workers’ Accommodation	14
4.1	Outcome(s) Sought.....	14
4.2	Scale and Significance.....	15
4.3	Options to address the Issue	15
4.4	How does this Issue Relate to Iwi Interests and Values?	19
4.5	Evaluation of all Options	19
4.6	How does this Issue relate to other Topics?	19
4.7	Issue 1: Recommended Option	20
5	Issue 2 – Rural Residential Supply	21
5.1	Outcome(s) Sought.....	21
5.2	Scale and Significance.....	22
5.3	Options to Address the Issue.....	23
5.4	How does this Issue Relate to Iwi Interests and Values?	28
5.5	Evaluation of all Options	29
5.6	How does this Issue relate to other Topics?	29
5.7	Issue 2: Recommended Option	29
6	Issue 3: Regulation Structure for Quarries	31
6.1	Outcome(s) Sought.....	33
6.2	Scale and Significance.....	33
6.3	Options to address the Issue	33
6.4	How does this Issue Relate to Iwi Interests and Values?	35
6.5	Evaluation of all Options	35

6.6	How does this Issue relate to other Topics?	35
6.7	Issue 3: Recommended Option	36
7	Issue 4: Reuse of Rural Buildings for Commercial Activities	37
7.1	Outcome(s) Sought.....	37
7.2	Scale and Significance.....	37
7.3	Options to address the Issue	38
7.4	Evaluation of all Options	39
7.5	Issue 4: Recommended Option	39
8	Updates on Other Rural Issues	41
8.1	Productive Land Classification.....	41
8.2	Minimum Lot Sizes	41
9	Summary.....	42
10	Appendix 1 - Waahi Maps	44
11	Appendix 2: Draft Outcomes (from draft Natural and Built Environments Act)	45

1 Executive Summary

1.1 Introduction

The rural portfolio encompasses the Rural 1, Rural 2, Rural 3 and Rural Residential Zones. Clearly this is a very broad and extensive area of land within Tasman. (NB The Rural 3 Zone, while part of the overall rural portfolio, will be dealt with through a separate issues and options report to be presented at a separate workshop.)

The recent Rural Land Use and Subdivision (RLUS) review culminated in Plan Change 60 (PC60) which was made operative in June 2019. PC60 comprehensively revised the policy settings and rules for rural areas. PC60 confirmed that we continue to protect our highest quality land for productive use and avoid urban development on highly productive land where other feasible options exist for locating urban growth. PC60 also confirmed that we continue protection for rural character and rural landscapes. It is too soon to evaluate the outcomes of the PC60 provisions.

Over recent years quite a lot of work has been done on the rural zones. Generally, the planning framework for the rural environment is working well. Plan Change 60 was a very substantial piece of work that had a wide breadth and led to substantial changes to the objectives, policies and rules of the Tasman Resource Management Plan (TRMP).

Concerns have been raised from Environmental Policy staff about the breaking up of some of our larger farms, particularly in the Rural 2 Zone. Plan Change 60 made it clear that the more extensive Rural 2 zone was not to be regarded as unproductive, but that it had value for more expansive forms of farming. With the increase in costs (rates, environmental regulation) and the reduced net income from farming activities, many landowners are looking to break up farms by selling separate titles.

This may be considered a problem and will reduce the versatility and potential productivity of the land. However, Plan Change 60 introduced subdivision rules that effectively dealt with this issue in the long term, but they allow all titles that existed prior to 2016 to undertake a 50 hectares subdivision, and for newer titles there is no controlled activity subdivision. Therefore, we consider that the tools that are in the plan are suitable and sufficient, and that there are other drivers that are causing the breakup of farms which are not able to be readily addressed by planning policy. As such, this matter is not discussed further as an “Issue” but is raised here for Councillors’ consideration and information.

Because of Plan Change 60 further substantial changes to the rural zone are not as being necessary. Instead, the scope of this portfolio has been to focus on some of the key issues that have been identified through the S35 review, raised by staff, councillors, or through submissions from the public.

1.2 Purpose and Scope

The purpose of this report is to outline specific issues in the rural environment, investigate potential options and define the recommended option(s) to address the issue. The feedback and direction received on the recommended option(s) will inform development of the Draft Aorere ki uta Aorere ki tai - Tasman Environment Plan (TEP).

Any draft recommended option(s) defined in this report will be tested with iwi, Council, and community and may evolve during the course of the plan development process.

1.3 Issue(s)

Issue 1 – Worker’s Accommodation

The definition, policies and rules relating to workers’ accommodation are dated and overly constrain the provision of workers accommodation.

This issue has been identified by landowners and primary producers broadly across Tasman. The difficulties of providing workers’ accommodation in a timely and low-cost manner have been repeatedly communicated to the Council.

Issue 2 – Rural Residential Growth

There is a tension between, on one hand, the capacity to supply and meet the demand for rural residential allotments, and on the other, the increased carbon emissions that would result from additional development.

There is demand for additional rural residential allotments, and there is the means to supply additional allotments through reducing minimum lot sizes in appropriate locations. However, additional rural residential allotments will increase carbon emissions arising from vehicle use.

Our housing preferences survey tells us that there is ongoing demand for rural residential living opportunities. And, on the other side of the coin, existing landowners often state that the lifestyle blocks they purchased are too big and are an inefficient use of land. They would like the opportunity to subdivide them.

However, rural residential development results in high carbon emissions per household through Vehicle Kilometres Travelled (VKT). Depending on their location rural residential lots may be used as work-from-home locations, commuters, holiday homes, or self-employed. As a result, it is very difficult to forecast the use and the VKT impacts it might have, but overall it does seem clear that rural residential development makes a large contribution to Tasman’s VKT.

Issue 3 - Quarries

Quarries are subject to a generic planning regime that is not responsive to the varying circumstances of each quarry.

Quarries are widely varying with respect to location, effects, and operation. However, there is a generic planning regime that is not tailored to each quarry. This results in over-the-top restrictions in some locations and inadequate restrictions in other locations.

Issue 4 – Reuse of Rural Buildings

The TRMP does not provide strong support for the reuse of rural buildings. There is an opportunity to provide a more efficient use of rural resources by promoting the utilisation of existing structures for commercial purposes, where appropriate.

Additional Matters

In addition to identifying key issues, this report will also give an update on several other considerations and work streams that are taking place in the rural environment.

1.4 Outcome(s) Sought

Outcomes for the rural environment were explored and provided for through the RLUS and implemented through Plan Change 60.

The broad outcome sought for the rural environment is to generally reduce regulation where it is possible. An aim of the TEP is to allow low environmental risk activities to take place with a minimum of interference and rules – to develop an enabling plan framework. Primary production remains an important aspect of the rural environment, and a policy approach to support and enable this is important.

Activities such as quarries and the production of raw materials in the rural environment is important. A review of the rules and other planning mechanisms is important to ensure there is no unnecessary regulation.

1.5 Option(s)

For all issues a status quo (do nothing) option is available. This would mean continuing to utilise an approach that is more or less similar to that currently in the TRMP.

For the issue of workers' accommodation, the status quo is not recommended and there are some relatively simple improvements that can be made

For the issue of increasing, decreasing or retaining approximately similar levels of yield for Tasman's rural residential zone locations, there are several possible options with that each have pros and cons. It is not easy to arrive at a clear preferred option so this will need to be considered in light of the Council and community's broader priorities (for example, Future Development Strategy (FDS) outcomes, carbon emission reductions, varied living opportunities).

In relation to quarries, no change is recommended due to the complexity and risk of doing so.

In relation to reuse of rural structures, a more liberal policy framework is supported.

1.6 Summary of Analysis

Key data was obtained from the Section 35 analysis that was previously undertaken. In addition, analysis was taken from the work done for Plan Change 60 which comprehensively covered land use and subdivision in the rural environment.

Valuable input was provided by consents and compliance staff members who have ongoing coal-face interaction with the rules and policy regime.

1.7 Recommendations

To address the issues, the following options are recommended:

Planning Issue	Recommended Option
Issue 1: Workers' accommodation	Option 4: a hybrid approach involving new rules, policies and definitions

Issue 2: Rural residential supply	Option 3: reduce rural residential supply in order to stem growth in VKT and reduce Greenhouse Gas (GHG) emissions over time.
Issue 3: Quarry rules	Option 1: Status quo
Issue 4: Reuse of Rural buildings	Option 2: Enable greater reuse of rural buildings

2 Principles Underpinning the Development of the TEP

2.1 Guiding Principles

The Council will use guiding principles in the development of the TEP. These principles are the philosophy and values that will underlie the approach and content of the TEP, but will not in themselves have specific objectives, policies or methods. The anticipated outcomes of the TEP should achieve these principles.

The principles are:

1. To recognise the interconnectedness of the environment and people, ki uta ki tai / mountains to the sea.
2. To enable healthy and resilient communities by achieving healthy and resilient environments (Te Mana O Te Taiao).
3. To meet the present and future needs of our communities, Council and iwi by working in partnership.
4. To enable community development within environmental limits.
5. To support and enable the restoration of environments.
6. To recognise and provide for the wellbeing of individuals, where this is not at the expense of the public good.
7. To take a precautionary or responsive management approach, dependent on the nature and extent of the risk, and where there is uncertainty or a lack of information.
8. To ensure the TEP provides strategic leadership for Council's key planning documents.

These principles will be implemented through evaluation of options in this report and in future Section 32 assessment, drafting and decisions.

2.2 Te Mana O Te Taiao

Te Mana O Te Taiao is the mana¹ of the natural world. People are a part of nature – and we can only thrive when nature thrives.

The TEP process and document provides a key mechanism to achieve our desired outcomes for our relationship with Te Taiao (the natural world), including the community outcomes defined in the Long Term Plan², and the vision of the Te Tauihu Intergenerational Strategy (Wakatū, 2020):

“We are the people of Te Tauihu. Together, we care for the health and wellbeing of our people and our places. We will leave our taonga in a better state than when it was placed in our care, for our children and the generations to come.”

The use of Te Mana O Te Taiao in this report utilises a similar approach and hierarchy to that defined for Te Mana O Te Wai in the National Policy Statement for Freshwater Management 2020

¹ Mana is defined in the online Maori dictionary as: prestige, authority, control, power, influence, status, spiritual power, charisma - mana is a supernatural force in a person, place or object. Mana goes hand in hand with tapu, one affecting the other. The more prestigious the event, person or object, the more it is surrounded by tapu and mana. source: <https://maoridictionary.co.nz>

² The outcomes are available in the Long Term Plan on the Council's website

(MfE,2020. NPS-FM), and extends this fundamental concept to other domains: Te Tai (sea), Te Āngi (air) and Te Whenua (land).

The objective of this approach is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of the natural environment and ecosystems
- (b) second, the health needs of people
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Climate change and carbon emissions are a key consideration for Issue 2 that is considered in this report. There is a tension between outcomes which involve restricting the further growth of emissions, versus the provision of further rural residential locations for people to live. The concept of Te Mana O Te Taiao would clearly direct that choice towards limiting the growth of carbon emissions.

3 Background Context

The rural portfolio encompasses the Rural 1, Rural 2, Rural 3 and Rural Residential Zones. Clearly this is a very broad and extensive area of land within Tasman. (NB The Rural 3 Zone, while part of the overall rural portfolio, will be dealt with through a separate issues and options report to be presented at a separate workshop.)

Over recent years quite a lot of work has been done on the rural zones. The section 35 evaluation work that was undertaken earlier than the TEP process indicated that the planning framework for the rural environment is generally working well. This is primarily because of the attention that the rural zones have received of late. The key piece of work was the rural review (Plan Change 60) which became operative in December 2016. That plan change was a very substantial piece of work involving several environmental policy staff. It had an extremely wide breadth and lead to substantial changes to the objectives, policies, and rules of the TRMP.

Because Plan Change 60 has only recently been promulgated it is difficult at this time to evaluate the effectiveness and efficiency of the provisions and the changes that were made to the TRMP. Also because of the recent changes introduced through Plan Change 60 further substantial changes to the rural zone are not appropriate. Instead, the scope of this portfolio has been to focus on some of the key tricky aspects that have been raised by staff, councillors, or through submissions from the public.

The rural portfolio has a broad and varied overlap with a significant number of other TEP portfolios. Issues such as water quality, land disturbance, soil conservation, natural hazards, ecological outcomes, urban-rural boundary are all relevant, but are dealt with under other portfolios.

3.1 Issue(s) we are seeking to Address

Issue 1 – Worker’s Accommodation

The definition, policies and rules relating to workers’ accommodation is dated and overly constraining on applicants.

This issue has been identified by landowners and primary producers broadly across Tasman. The difficulties of providing workers’ accommodation in a timely and low-cost manner have been repeatedly communicated to the Council.

Issue 2 – Rural Residential Growth

Our housing preferences survey tells us that there is ongoing demand for rural residential living opportunities. And many landowners often state that the lifestyle blocks they purchased are too big and are an inefficient use of land. They would like the opportunity to subdivide them.

However, rural residential development results in high carbon emissions per household through Vehicle Kilometres Travelled (VKT). Depending on their location rural residential lots may be used as work-from-home locations, commuters, holiday homes, or self-employed. As a result, it is very difficult to forecast the use and the VKT impacts it might have, but overall, it does seem clear that rural residential development makes a large contribution to Tasman's VKT.

Issue 3 - Quarries

Quarries are widely varying with respect to location, effects, and operation. However, there is a generic planning regime that is not tailored to each quarry. This results in over-the-top restrictions in some locations and inadequate restrictions in other locations.

Issue 4 – Reuse of Rural Buildings

The TRMP does not provide strong support for the reuse of rural buildings. There is an opportunity to provide a more efficient use of rural resources by promoting the utilisation of existing structures for commercial purposes, where appropriate.

In addition, we provide a brief update on several issues that relate to the rural zones, but which don't require specific directional feedback from councillors. These matters are:

1. The revision of the Productive Land Classification model and the redrawing of the Rural 1 and Rural 2 zone boundaries
2. The minimum lot sizes for Rural 1 and Rural 2 Zones (12 hectares and 50 hectares, respectively) are out of date and do not reflect current economic conditions or other drivers such as the need to reduce carbon emissions.

3.1.1 Why Change is Needed (or Not)

To comply with the National Planning Standards (NPStds) all of Tasman, TRMP zones will need to be replaced. While the zones contained within the NPStds are similar to the Rural 1, Rural 2 and Rural Residential that we are familiar with, there are some key differences in emphasis.

In addition, the impending release of the National Policy Statement on High Productive Land will also require some policy adjustments.

However, in general, there is no need for wholesale change in the planning regime for the rural environment. It is an area that requires "tweaks" mainly.

3.1.2 Issue(s): Waahi-Specific or Whole of District?

Council must implement integrated management of natural resources. This will be supported by the ki uta ki tai guiding principle, where everything is connected – from the mountains to the sea. To achieve this, the TEP process will consider natural resource use, protection, and enhancement spatially across Tasman in seven waahi (places). The waahi are based on groupings of catchments where there are communities with shared values and interests (see Appendix 1) that are likely to affect natural resources in those catchments. Consideration of issues and options across all the resource management functions within each waahi will allow for identification of conflicts or

overlaps between different issues, as well as synergistic options that provide for multiple outcomes sought within the waahi.

Waahi planning is at its core a means to:

- Coordinate management of interconnected elements/resources (natural, cultural, social, economic, physical).
- Take into account the impacts of management of one element/resource on the values of another, or the environment.
- Ensure resource management approaches across administrative boundaries are consistent and complementary.
- Ensure strategic outcomes are identified for each waahi, promoting healthy ecosystems and ecosystem services, and associated objectives, policies and methods that negate the risk of exceeding environmental bottom limits.
- Ensure principles of Te Tiriti O Waitangi are taken into account.

3.2 How Issues relate to Iwi Interests and Values

The TEP plays an important a role to support the expression of kaitiakitanga and rāngatiratanga. Iwi resource management priorities and leadership may be realised through provisions of the TEP. An innovative plan will support aspirations for managing ancestral whenua and taonga in the Tasman District and across Te Tau Ihu. To achieve Te Mana O Te Taiao, Te Mana O Te Wai and Te Mana O Te Tangata, this report has considered the following strategic outcomes:

- Respectful partnerships and governance structures supporting Council and iwi collaboration, in the Tasman District and across Te Tau Ihu are established and strengthened.
- Te Tiriti O Waitangi principles and customary rights inform a resource management framework to support iwi resource management values and priorities within the TEP.
- Iwi connections and access to cultural landscapes, sites of significance and heritage are protected and restored.
- Economic and cultural development is enabled through access to and the use of cultural redress resources, Te Tiriti O Waitangi settlement land and taonga, including the coastal environment, in accordance with Settlement Acts and Statutory Acknowledgments.
- Environmental limits and targets are set to achieve meaningful cultural, environmental and economic outcomes, enhancing the mauri of Te Taiao.
- Integrated management is supported by a ki uta ki tai philosophy enabling the application of tikanga and Mātauranga Māori to TEP provisions.

For each issue identified in this report the relationship to the above outcomes will be identified.

3.3 Statutory, Policy Context and Scope

3.3.1 Resource Management Act

RMA is to be replaced by three new Acts:

- Proposed Natural and Built Environments Act (NBA) is intended to be the primary piece of legislation to replace the RMA. Like the RMA, the NBA will be an integrated statute for land

use and environmental protection. It will work in tandem with the proposed Strategic Planning Act (SPA).

- Strategic Planning Act (SPA) will provide a strategic and long-term approach to how we plan for using land and the coastal marine area. Long-term spatial strategies in each region will be developed to identify areas that will enable more efficient land and development markets to improve housing supply, affordability and choice, and climate change mitigation and adaptation.
- Climate Adaptation Act (CCA) will support New Zealand's response to the effects of climate change. It will address the complex legal and technical issues associated with managed retreat and funding and financing adaptation.

3.3.2 Climate Change Response Act 2002

The government has recently released New Zealand first Emissions Reduction Plan. The plan states *"The climate crisis is the greatest challenge of our time. The science tells us that limiting global warming to 1.5°C above pre-industrial levels gives us the best chance of avoiding the worst effects. Therefore, the purpose of the strategy, also required under the Climate Change Response Act 2002, is for Aotearoa to contribute to the global effort to limit temperature rise to 1.5°C"*

The Emissions Reduction Plan will play some significant obligations and requirements on Tasman District Council. A number of these will need to be implemented through the TEP.

3.3.3 The National Planning Standards (NPStds.) 2019

Compliance with the planning standards means that new, next generations plan (such as the TEP) must comply with a certain format, including a standard menu of zones. There is no equivalent zone for the Rural 3 in the NPStds.

3.4 Methods Considered

Consideration of options to address identified issues and achieve desired outcomes fall into six main categories that are within the functions of Council:

- Regulation (through the Tasman Environment Plan)
- Investigation and Monitoring
- Education, Advice and Advocacy
- Works and Services provided by Council
- Financial assistance
- Community Partnerships

Other methods may also be undertaken by iwi, industry or community groups, which play an important role in achieving the outcomes sought in the Tasman district, however these aspects fall outside the scope of the options considered in this report, except indirectly where they may be supported by a Council function or service (for example financial subsidy or technical assistance for a community group project).

3.4.1 Implementation Plans

Any regulation options identified will be implemented through the development of the TEP. Any other non-regulatory methods identified will be actioned through a separate Implementation Plan that is released for community feedback alongside the Draft TEP.

The intent of the Implementation Plan will be to outline and cost the non-regulatory methods for inclusion in other Council processes including funding through the Long Term Plan process and implementation through the Activity Management Plans.

4 Issue 1 – Workers’ Accommodation

The definition, policies and rules relating to workers’ accommodation are dated and overly constraining on applicants.

The current definition of workers’ accommodation in the TRMP is:

Workers’ accommodation – means a collection of buildings that:

- (a) provides the functional requirements of one or more self-contained housekeeping units; and
- (b) locates in separate buildings, sleeping facilities from sanitary and eating facilities; and
- (c) is used for the residential accommodation of persons employed.

This definition dates back to the original TRMP drafting and pre-dates many developments such as the Recognised Seasonal Employer (RSE) scheme and the ongoing demand for workers for primary production activities. The definition locks in a certain model of accommodation. Any other model (e.g., a self-contained dwelling) does not qualify as workers accommodation and therefore falls outside of the rule framework. In addition, Ministry of Business, Innovation and Employment (MBIE) have published building requirements for RSE accommodation that conflicts with the TRMP definition and rules.

If workers’ accommodation does meet the definition then it can be considered as a controlled activity if all buildings are relocatable, and the site of the workers’ accommodation has a minimum area of 12 hectares (in a Rural 1 Zone) or 50 hectares (on Rural 2 Zone). Where these conditions cannot be met, all the accommodation does not qualify as workers’ accommodation under the definition, then it falls to be considered as a restricted discretionary activity.

As a result of the specific definition many “workers’ accommodation” proposals fall to be considered as second dwellings and are typically Restricted Discretionary Activities.

The key concerns around workers’ accommodation are typically around noise, character, vehicle movements and access, natural hazards, and the risk of future subdivision and fragmentation of rural land.

4.1 Outcome(s) Sought

It is suggested that an appropriate outcome is to be more enabling of workers’ accommodation. That is, to make the application process easier without undue regulation.

However, it is also important that potential adverse effects can be avoided or mitigated.

A key concern is that additional dwellings could result in future subdivision applications. This can be dealt with through a policy approach that strongly discourages subdivision where the subdivision is enabled by a previous consent for workers’ accommodation.

The second key concern is that with a more permissive consenting regime, workers’ accommodations may be able to be established where they may have more than minor effects on neighbouring residential properties or residential activities. A balance needs to be found that will enable workers’ accommodation to be constructed but control is retained over the location and scale so that it is in keeping for a given property.

4.2 Scale and Significance

Workers' accommodation is an issue that is relevant across all the rural areas of Tasman, including both highly productive land on the Rural 1 zone and more extensive less productive areas in the Rural 2 zone.

It is an issue that has implications for maximising the potential productivity of the land. With skills shortages being a constant and likely to continue it is important that Tasman can attract and house workers to support the rural productive sector.

Feedback from primary producers is that the lack of ability to readily house workers is a significant issue. If workers are unavailable due to accommodation constraints, then the productivity of the land is not achieved or realised.

Table 2: Scale and significance table:

	Comments	Assessment
Degree of change from the Status Quo	Depends on the option taken Probably can be small, just some small tweaks to policies and rules	Low-moderate
Effects on matters of national importance (s6 RMA)	NA	
Scale of effects – geographically (local, district wide, regional, national)	District wide	Moderate
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	Will affect many landowners involved in primary industries, plus also tourism and similar businesses	Moderate
Scale of effects on those with particular interests, e.g., Tangata Whenua		Moderate
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	There is a risk of unforeseen outcomes such as enabling fragmentation of productive land, and effects on neighbouring landowners when worker accommodations are established	Low-moderate
Likelihood of increased costs or restrictions on individuals, businesses or communities.	Should reduce costs	Low

4.3 Options to address the Issue

The main options to manage workers' accommodation are summarised in Table 3:

Options identified (recommended option is in bold)

Option number	Option Name	Description of Option
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Option 1	Status quo	The current approach doesn't work well due to an outdated definition and overly restrictive rule framework
Option 2	The Marlborough Approach	This option uses a mapped area of the district where workers' accommodation is allowed as a permitted activity. There is also a policy to support RSE workers' accommodation in urban areas.
Option 3	The Auckland Council approach	This option is very restrictive with a restricted discretionary rule.
Option 4	A Balanced approach	Utilise an improved policy framework, and controlled activity rule to enable workers' accommodation.

These options are described in turn below, followed by an assessment of their strengths and weaknesses.

4.3.1 Option 1 – Status Quo

4.3.1.1 Current approach

The status quo option involves a relatively tight and detailed definition of workers' accommodation. To be considered workers' accommodation there must be a collection of buildings which are separated into sleeping, sanitary and kitchen facilities. If this definition is not met, then the workers' accommodation cannot be considered as such and does not benefit from the current rule framework.

With a controlled activity rule in place, the TRMP has a permissive approach to workers' accommodation. However the tight definition and conditions within the controlled activity rule mean that very few workers' accommodation applications get to be considered as a controlled activity.

The status quo option could be considered alongside the use of a more flexible and wide-ranging definition of workers' accommodation.

4.3.1.2 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> • avoids the potential problem of second dwellings being constructed on productive land, for which there may later be pressure for subdivision. • Enables checking of workers' accommodation applications where they are on rural sites that are below minimum lot size.
Weaknesses	<ul style="list-style-type: none"> • the relatively permissive planning framework is undermined by the tight definition, which means that few applications can be considered as workers' accommodation. • The definition and rule framework has not kept up with the trends in worker accommodation layout (viz. to build purpose-built accommodation buildings or relocated dwellings). • properties that are less than the minimum lot size (sometimes only just less than) are penalised and do not benefit from the permissive rule framework.

4.3.2 Option 2 – The Marlborough Approach: define a permitted area

Marlborough District Council’s approach to workers’ accommodation was researched as it is recognised as a significant issue there. Marlborough has a large RSE worker population for the wine industry, and under its old Wairau Plains Resource Management Plan some difficult and expensive resource consent applications were experienced.

The new Marlborough Environment Plan now contains a regime which begins with a policy framework that is:

- a. supportive of workers’ accommodation in and around urban areas to ensure that they have access to shops and services; and
- b. discouraging of subdivision of workers’ accommodation buildings

The rules then enable workers’ accommodation to be constructed as a permitted activity where that accommodation is within the “Workers’ Accommodation Area”. This Area is shown in the planning maps. The Workers’ Accommodation Area essentially covers all productive land areas but excludes the major towns such as Blenheim. This conflicts with the policy direction above, but the two approaches cover different scenarios. Any off-site worker accommodation falls to be considered as a Discretionary Activity.

As a result, workers’ accommodation can be constructed as of right and rural areas that becomes an activity in urban areas and the margins around urban areas.

4.3.2.1 Assessment of Strengths and Weaknesses

<p>Strengths</p>	<ul style="list-style-type: none"> • The approach is very simple and is easily understood. • It is very definitive where workers’ accommodation can occur as a permitted activity, and where it cannot and must be considered as a non-complying activity. • That is extremely enabling in rural areas and allows workers’ accommodation to be constructed without any planning permission required.
<p>Weaknesses</p>	<ul style="list-style-type: none"> • There is no ability to impose conditions on workers’ accommodation, and the accommodation can be up to any size. • Workers’ accommodation is effectively pushed out of urban areas we are the workers’ that are accommodated have little access to shops and services and will therefore be heavily vehicle dependent. • where workers’ accommodation closer into urban areas may be appropriate it faces a high planning hurdle to be allowed.

4.3.3 Option 3 – The Auckland Approach: A tough planning regime

Auckland Council’s approach to workers’ accommodation was researched as it includes the highly productive Pukekohe area.

The new Unitary Plan contains a policy framework which, like Marlborough, is:

- a. supportive of workers’ accommodation; and
- b. discouraging of subdivision of workers’ accommodation buildings

There is no permitted or controlled activity rule status for workers’ accommodation. Applications jumped straight to being restricted discretionary activities subject to there only being one building, bulk and location requirements, the floor area not exceeding 120 square meters, a site area size of between 5 and 40 hectares, and only a single kitchen.

if these requirements cannot be met then the application forms to be considered as a non-complying activity.

4.3.3.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> • Council retains a high level of discretion to address adverse effects and imposed conditions
Weaknesses	<ul style="list-style-type: none"> • There's a high regulatory hurdle in place for applicants to gain consent for workers’ accommodation. Discourages landowners from pursuing workers’ accommodation and reduce the potential productivity of the productive land sector. • There may be a significant load on Council resources to process substantial numbers of worker accommodation applications.

4.3.4 Option 4 – A Balanced Approach

There seems to be an optimum balance between controlling the potential effects of workers’ accommodation, but also allowing enough flexibility so that workers can be accommodated with enough certainty and to give primary producers flexibility.

The elements of this suggested option are:

1. A less prescriptive definition that allows for dwellings (not just separate buildings)
2. A policy to avoid subdivision of buildings and structures that were established for the purpose of workers’ accommodation.

Rules

3. No permitted activity rule
4. A Controlled Activity (CA) rule that applies subject to
 - a. Minimum site area (to enable flexibility in site layout and mitigation of potential effects)
 - b. Provision of water supply

- c. Building bulk and location requirements
 - d. Visual screening
5. A restricted discretionary rule if the CA is not met.

It is considered necessary to have the minimum consent status as a Controlled Activity, so that conditions over landscaping and access can be imposed if necessary.

4.3.4.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> • Provides a more permissive consent status so that an applicant can have confidence that they can establish workers’ accommodation on sites that are of a minimum size in a rural zone
Weaknesses	<ul style="list-style-type: none"> • Risk of establishing second dwellings on rural sites that may end up being used for other purposes, potentially subdivision and fragmentation • Lower level of control for Council. Applicants may not be declined, but conditions can be imposed.

4.4 How does this Issue Relate to Iwi Interests and Values?

Providing a more effective planning regime for workers’ accommodation will benefit workers, and employers. This will include iwi, with organisations such as Kono involved in orcharding. Other iwi owned companies may be in need of the provision of workers’ accommodation.

4.5 Evaluation of all Options

Table 5 summarises the extent to which each option meets or achieves a number of key considerations.

Evaluation of Options

Options to address Issue	RMA purpose	National Direction	TEP Principles	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
Option 1	NA	NA	Low	Low	Low	Low	High
Option 2	NA	NA	Moderate	Moderate	Moderate	Moderate	High
Option 3	NA	NA	Moderate	Low	Low	Low	Moderate
Option 4	NA	NA	High	Moderate	Moderate	High	Low

4.6 How does this Issue relate to other Topics?

If not serviced, then workers’ accommodation typically requires on-site wastewater servicing. Water supply is also sometimes not provided and needs to be included.

Considerations of rural character are relevant. Workers’ accommodation can introduce an intensive residential activity into an urban or rural environment.

4.7 Issue 1: Recommended Option

4.7.1 Recommended Option

Option 4 is recommended

4.7.2 Assessment and Reasons

Option 4 achieves the appropriate balance between regulatory control on effects, whilst allowing for primary producers to be nimble and provide for the accommodation needs of their staff.

Workers' accommodation comes in a wide variety of forms now and a regime that can accommodate these forms and arrangements is appropriate. A controlled activity consent status is appropriate to allow conditions to be imposed that must be complied with on an ongoing basis.

A permitted activity rule is considered too permissive given the effects that can arise from workers' accommodation.

A policy approach to supporting workers' accommodation, but opposing subdivision is appropriate and in-line with the approach taken through Plan Change 60 previously.

5 Issue 2 – Rural Residential Supply

There are 36 Rural Residential Zone locations that are currently available for subdivision. These are locations where rural productivity and productive activities are not prioritised. Rather, they are used as locations where people can enjoy a rural lifestyle in a rural location. nine of these locations are fully serviced.

In addition, there are 12 rural residential closed zones. These are locations which have previously been identified as rural residential, but which have previously been identified as not being appropriate for any further subdivision. With the passage of time there are some of these which may be appropriate to be reopened to allow for greater residential use of these locations. Two in particular are notable (Cropp Place and Rangihaeata) because the reasons for which they were originally closed are now dated and/or have been resolved. In the case of the latter (Rangihaeata) there is currently a policy in the TRMP promoting greater development.

In appendix 1 a full report of all the rural residential zone locations is provided. The report also identifies three different types of rural residential living that are common.

in the TRMP there is a table (Figure 16.3C) which identifies the minimum lot sizes for each of the rural residential zone locations. Subdivision is allowed as a controlled activity down to these minimum lot sizes. In addition, there are also policies (which were introduced to the TRMP via plan change 60) which support additional subdivision below the minimum lot size where it is appropriate.

Our housing preferences survey tells us that there is ongoing demand for rural residential living opportunities. And, on the other side of the coin, existing landowners often state that the lifestyle blocks they purchased are too big and are an inefficient use of land. They would like the opportunity to subdivide them.

However, rural residential development results in high carbon emissions per household through Vehicle Kilometres Travelled (VKT). Depending on their location rural residential lots may be used as work-from-home locations, commuters, holiday homes, or self-employed. As a result, it is very difficult to forecast the use and the VKT impacts it might have, but overall, it does seem clear that rural residential development makes a large contribution to Tasman’s VKT.

By the end of 2022 Tasman District Council, as a Tier 2 authority, will need to set VKT reduction targets. The Council will also need to develop VKT reduction programmes in partnership with central government, Māori, and the community. The overall national target is to reduce total kilometres travelled by the light vehicle fleet by 20%. Tasman will need to play its part in achieving this goal.

The section looks at what locations may be appropriate for further subdivision. This would be achieved by reducing the minimum lot size for individual locations.

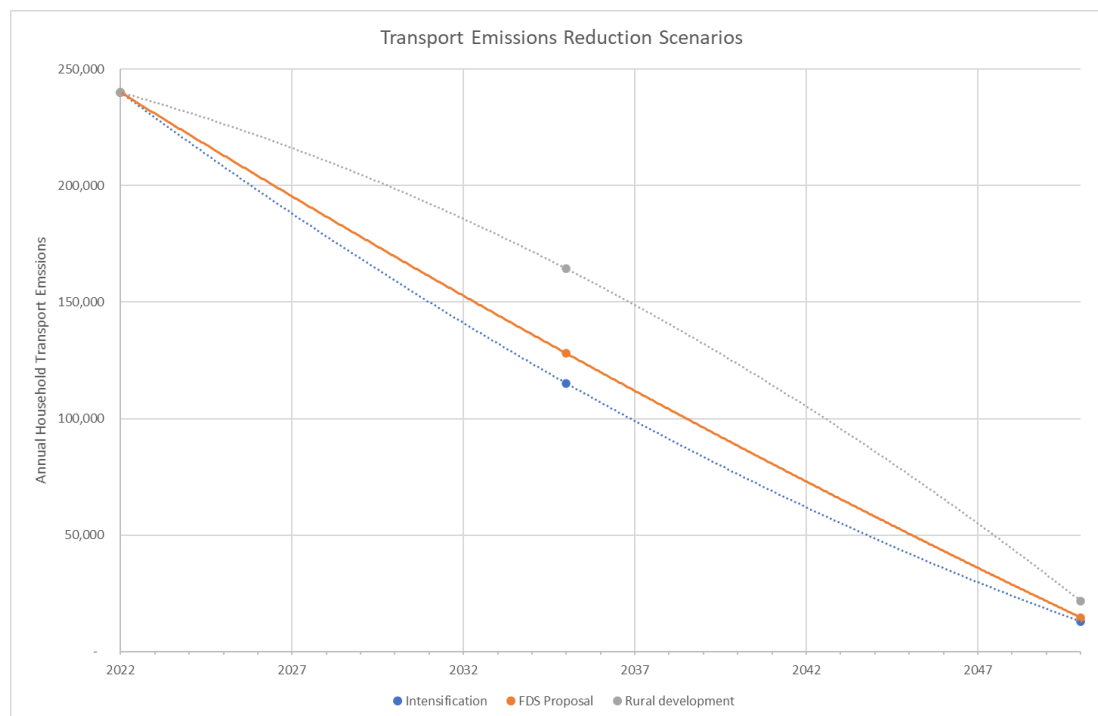
5.1 Outcome(s) Sought

The key issue here is to seek direction from councillors about if and where further rural residential opportunities should be created by the intensification of existing rural residential zones.

There are several existing rural residential zones that are under-capacity, and which do have scope for intensification by reducing the minimum lot sizes. This would enable landowners to undertake subdivision.

A high-level analysis has been undertaken and the sites that could be considered for intensification are identified in the next section.

However, we know that further rural residential development will make a substantial contribution to the growth of VKT at a time when we need to be significantly reducing VKT. Rural residential houses make a disproportionately high contribution to VKT.



As set out above, the concept of Te Mana O Te Taiao would suggest that avoiding any increase in carbon emissions should be the first and foremost consideration in this matter. The needs of people in rural residential locations would be regarded as secondary.

5.2 Scale and Significance

The scale is limited to the individuals' own locations which are considered for intensification. The significance within those zone locations is high.

Scale and significance table:

	Comments	Assessment
Degree of change from the Status Quo	Various depending on zone location	Low-high
Effects on matters of national importance (s6 RMA)	NA	
Scale of effects – geographically (local, district wide, regional, national)	District wide, but primarily limited to rural residential zone locations	Low-moderate
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	Small number of landowners in particular locations. But also people who may want to easier access to rural living opportunities	Moderate

Scale of effects on those with particular interests, e.g., Tangata Whenua		Moderate
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	Needs to be consistent with other documents, particularly New Zealand Coastal Policy Statement (NZCPS). Moderate risk of being seen to go against government direction on carbon emissions	Moderate
Likelihood of increased costs or restrictions on individuals, businesses or communities.	May result in additional pressure for Council infrastructure	Low

5.3 Options to Address the Issue

Options identified (recommended option is in bold)

Option number	Option Name	Description of Option
Option 1	Status quo	No significant change to the rural residential zone locations (except for rationalising boundaries) Minimum lot sizes are left unchanged
Option 2	Increase rural residential density	In appropriate locations, minimum lot sizes are reduced so that landowners have additional opportunities to subdivide and create additional allotments (beyond what is currently available)
Option 3	Close off rural residential development	Take a more restrictive approach to rural residential by increasing minimum lot sizes or closing rural residential zones to prevent further subdivision.

These options are described in turn below, followed by an assessment of their strengths and weaknesses.

5.3.1 Option 1 – Status Quo

5.3.1.1 Current approach

There are several corrections and tidy ups that need to be done to the rural residential zones. But putting these aside, the status quo option is essentially to leave existing rural residential zones untouched, and to not make any changes to the minimum lot sizes for these zones.

This option would result in a gradual further uptake where there are properties that exceed the minimum lot size and can be subdivided. But this option would not see any new opportunities for rural residential capacity developed. (NB It is acknowledged that the FDS provides for a small amount of additional rural residential capacity but rezoning of the land is yet to be confirmed.)

Policies that were introduced to the TRMP through plan change 60 enable greater uptake of rural residential land through supporting subdivisions below the minimum lot size. These policies must also be taken into account when considering the status quo option

5.3.1.2 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> Rural residential allotments are provided for at the current rate
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	<ul style="list-style-type: none"> rural residential allotments are valued by many in the community rural residential development also often comes with environmental improvements. Where landowners have smaller areas of land, they are often quite environmentally conscious, and have the ability to control weeds, replant, and control pests. Pressure is taken off more productive areas of land and taken of the often-scarce zoned land in urban areas
Weaknesses	<ul style="list-style-type: none"> On a per household basis rural residential growth results in very high VKTs. Ongoing development of rural residential areas will contribute greenhouse gas emissions and make the achievement of Council's targets increasingly more difficult. High infrastructure costs on Council

5.3.2 Option 2 – Open up more Rural Residential opportunities

An assessment has been undertaken as to which rural residential areas could be enabled for further development. The existing open and closed rural residential zone locations are summarised in the table below. The development potential that could be achieved by reducing the minimum lot size is identified for each. When reading the table, it is important to consider the existing minimum lot size in column 2.

The rural residential zone locations where a reduction in minimum lot size is proposed are indicated by figures being entered in the final two columns. feedback on these locations as sought from councillors.

Zone Location	Current Controlled Activity Minimum	Approx. Uptake	Theoretical number of lots available	Assessment of Future Development Potential Summary of Reasons	Possible reduction in minimum lot size?
Alpine Meadows	5000sqm	60%	98	<u>Low</u> Zone boundary needs to be refined Low demand	No
Bay Vista	5000sqm	35%	24	<u>Low</u> Geotechnical constraints servicing constraints	No
Central Takaka	2500sqm	0%	58	<u>Low</u> Location may be inappropriate Flooding constraints	No
Collingwood	2500sqm	75%	50	<u>Low</u> Geotechnical constraints coastal ecological values low demand	No
Craigieburn Road	2ha	60%	130	<u>Low</u> Isolated location plenty of capacity remaining	No
Eighty-eight Valley Road	5000sqm	80%	683	<u>Low</u> Topographical constraints plenty of capacity remaining	No
Eliot Creek	4ha	45%	50	<u>Low</u> Isolated location distant from nearest town Unsealed roads plenty of capacity remaining	No
George Kidd Street	2000sqm	100%	7	<u>Low</u>	No

				Urban location with very little scope for growth	
Haycock Road	5000sqm	90%	44	Low Significant stormwater and geotechnical constraints Roading upgrades required	No
Hill Street North	2000sqm	90%		Low Geotechnical constraints servicing constraints Low scope for additional houses	No
Hill Street South	2000sqm	80%	29	Low geotechnical constraints	No
Kina	2ha	70%	10	Low / moderate Coastal locations are inconsistent with NZCPS Maybe additional locations close to Tasman village	Yes, in some locations particularly within walking distance of Tasman. Additional areas could also be zoned
Kina Triangle	5000sqm	70%	13	None Limited by on site wastewater	No
Korepo Road	2500sqm	85%	13	Low Access and servicing limitations	No
Ligar Bay North	2ha	50%	9	Moderate Geotechnical constraint desirable location and currently a large minimum lot size	Yes, subject to more detailed geotechnical assessment
Ligar Bay South	2500sqm	50%	62	Low geotechnical constraints	No
Mackay Pass Road	4ha	45%	77	Low Remote location plenty of existing scope	No
Mapua	2ha	85%	33	Good Limited by on site wastewater good location for further development	Yes, subject to WW constraints
Milnethorpe	3000sqm	25%	0	None coastal location fully built recommend closing the zone	No
Motueka	3000sqm (serviced)	90%	24	None Exposed to coastal hazards and sea level rise recommend closing the zone	No
Onekaka	5000sqm	65%	144	Low Constrained by limited access Road (New Zealand Transport Agency (NZTA)). Need to negotiate with NZTA to release existing capacity	No
Pangatotara	5000sqm**	60%	98	Low Plenty of existing capacity	No
Parapara Valley	2ha	60%	3	Moderate Sealing and widening may be required. bridge upgrade required. FDS recommends additional area	Yes, perhaps 1 hectare
Patons Rock	2ha	80%	2	Low Coastal location	Unknown
Permin Road	1ha	45%	23	Moderate Limited by on site wastewater capacity	Yes, subject to WW constraints
Permin Road Spot Zone	5000sqm	60%	3	Low limited by on site wastewater capacity	No
Pine Hill Heights	2500sqm	85%	7	Low Already a low minimum lot size	No
Pohara Valley Road	2500sqm	50%	16	Low	No

				already a low minimum lot size	
Puponga	4ha	60%	23	Moderate moderately distant from Collingwood potentially desirable location	Yes, perhaps 1 hectare
Redwood Valley	2ha	95%	7	Moderate Limited by onsite wastewater capacity	Yes, subject to WW constraints
Richmond East	2000sqm	80%	89	Low already a low minimum lot size	No
Rocklands Road North	2ha	63%	24	Low Significant geotechnical constraints	No
Tata Headland North	2ha	90%	2	Low Inconsistent with NZCPS Close zone	No
Tukurua/ Parapara	4ha	90%	4	Moderate Private road accesses could become a problem	Yes, dependent on a range of constraints
Upper Haile Lane	2ha	45%	22	Moderate ??? Geotechnical constraints	Yes, dependent on Geotech and WW constraints
Upper Ligar Bay	1ha	13%	18	Low Geotechnical constraints appropriate minimum lot size	No
Upper Moutere	4ha	100%	5	Moderate road access is poor. May require sealing	Yes, subject to WW constraints
Waimea Inlet	2ha	80%	30	Moderate High coastal landscape values limited by on site wastewater capacity	Yes, subject to WW constraints
Riwaka	5000sqm		33	Low Significant cultural values present	No
Closed Zones					
AWAROA			N/A	None Coastal hazards and sea level rise	No
BOUNDARY BAY			N/A	None high coastal landscape values	No
CROPP PLACE			N/A	Moderate geotechnical constraints (Faultline). But current closed status is inconsistent with surrounding area	Yes, as location of Faultline much better known now
GORGE CREEK			N/A	Low Steep land. Poor location	No
MARLBOROUGH CRESCENT			N/A	Further investigation required	Unknown
MOTUEKA QUAY			N/A	None coastal hazard and sea level rise	No
RANGIHAEATA			N/A	High constraints on on-site wastewater servicing	Yes, subject to WW constraints
ROCKLANDS ROAD SOUTH			N/A	Low Geotechnical constraints Rocklands Rd north is a better location	No
TATA HEADLAND SOUTH			N/A	None high coastal landscape values	No
TATA HEIGHTS			N/A	None high coastal landscape values	No
TOKO NGAWA			N/A	None high coastal landscape values wildfire risk cultural values	No
TOPHOUSE ROAD			N/A	None No further intensification feasible	No

WHANGANUI INLET			N/A	<u>None</u> high natural and coastal landscape values	
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The key growth opportunities in the rural residential zone locations are:

1. Review the boundaries of the **Kina** rural residential zone to remove opportunities from the end of the peninsula, and provide greater opportunities at the base of the peninsula
2. Enable further development at the **Liger Bay north** rural residential site, subject to further geotechnical assessment
3. Consider reducing the minimum lot size at the **Mapua** rural residential location subject to further wastewater assessment.
4. Engage with NZTA to attempt to negotiate better access to the **Onekaka** rural residential location to enable further development of that zone
5. Enable development in the **Parapara valley** location with a reduced minimum lot size of 1 hectare. (Currently the minimum lot size for this location is 2 hectares.)
6. Further research the **Patons Rock** rural residential location and seek feedback from councillors.
7. Enable development in the **Permin Road** subject to further wastewater assessment
8. Enable development in the **Puponga** location with the possibility of a 1-hectare minimum lot size
9. Enable development in the **Redwood Valley** location subject to further wastewater assessment.
10. Enable development in the **Tukurua/Parapara** location subject to further wastewater assessment and access assessment
11. Enable development in the **Upper Haile Lane** location subject to further geotechnical assessment
12. Enable development in the **Upper Moutere** location subject to further wastewater assessment
13. Enable development in the **Waimea Inlet** location subject to further wastewater assessment
14. Further research the **Marlborough Crescent** closed rural residential location and seek feedback from Councillors.
15. Enable development in the **Rangihaeata** location subject to further wastewater assessment

However, in some rural residential locations it is also necessary to close the zones to any further development. The key locations where this is the case are: where they are in locations that are inconsistent with the NZCPS, or where they are subject to future coastal hazard and sea level rise.

5.3.2.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> • would provide for additional rural residential living opportunities • would enable landowners with large tracts of land to divest and reduce their
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	responsibilities, and potentially look after the remaining land better
Weaknesses	<ul style="list-style-type: none"> would contribute to an increase in VKT council would incur greater costs for demand for rural infrastructure

5.3.3 Option 3 – Restrict and reduce the rural residential living opportunities

With rural residential living opportunities making a large contribution to VKT, and the Council now being required to produce a light vehicle emissions reduction target by the end of 2022, and to publish a plan by 2024, and then to contribute to a reduction in emissions of 20% by 2035, there is a strong argument for beginning to shut down the opportunities for rural residential living.

The severity of this option could take on several forms:

1. sites that are prone to sea level rise or otherwise unsuitable could be closed to any further subdivision development.
2. rural residential zone locations that are a significant distance from existing centres and towns, and which are likely to function as a commuter location, could be closed meaning that no further subdivision is allowed in these locations.
3. Rural residential subdivision could be suspended entirely, and only restarted once a large percentage of a vehicle fleet is zero emissions. This would be achieved by closing most or all rural residential zone locations to any further subdivision.

If this option is taken up, in the next stage of work would be to decide upon which rural residential zones should be progressively closed to minimise the exacerbation of the VKT problem.

Strengths	<ul style="list-style-type: none"> would not exacerbate greenhouse gas emissions from the light vehicle fleet and VKT would avoid Council expenditure on rural infrastructure
Weaknesses	<ul style="list-style-type: none"> could face landowner backlash from those who own land in rural residential locations and were intending to subdivide would mean that there is a relative scarcity of rural living opportunities for those that want them. Will reduce the support and strength of rural communities (schooling, public facilities, community interactions and connections) Often positive biodiversity outcomes are achieved through rural subdivisions where more people are able to undertake conservation actions

5.4 How does this Issue Relate to Iwi Interests and Values?

In many cases the development of rural residential living opportunities in rural locations can result in an improvement stewardship of the land, including planting of native vegetation on marginal land, pest control, and restoration of waterbodies. These are all outcomes that are generally supported by iwi.

Any subdivision consequential earthworks can also have an impact on archaeological and cultural heritage sites.

However, under the approach of Te Mana o te Taiao, the first duty to the environment would likely support the avoidance of emissions.

5.5 Evaluation of all Options

Table 5 summarises the extent to which each option meets or achieves a number of key considerations.

Evaluation of Options

Options to address Issue	RMA purpose	National Direction	TEP Principles	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
Option 1	Moderate	Moderate	Low-Medium	Moderate	Low	No major change required Provides a balance between Rural Residential (RR) living and VKT	Doesn't provide for more RR living Will continue VKT increase
Option 2	Moderate	Low	Low	Moderate	Low	Provides for more RR living	Will result in increase in VKT and increase challenge for council
Option 3	Low	High	High	Moderate	Low	Will avoid contribution to VKT and support GHG goals	Will not provide for RR living opportunities

5.6 How does this Issue relate to other Topics?

This issue has a strong relationship to the broader national direction around GHG emissions targets and the need for all local authorities to reduce emissions.

There is also a strong cross over with the transportation portfolio as rural residential development also makes a strong contribution to road usage and congestion in towns and urban centres. Natural hazards (particularly sea level rise and coastal erosion) are a consideration in many locations.

5.7 Issue 2: Recommended Option

5.7.1 Recommended Option

Option 3 is recommended. However, each Rural Residential Zone location should be considered on its merits.

Where locations are likely to make a significant contribution to GHG then they should be considered for closing. Where sites are for holiday homes primarily, or are very close to existing settlements then they could be intensified.

5.7.2 Assessment and Reasons

This issue is one of two clearly contrasting and mutually exclusive outcomes. There is a clear desire for more rural residential living opportunities in many locations, but there is also strong national direction push towards reducing carbon emissions. There is very strong evidence that rural residential development contributes to carbon emissions, and the ongoing regulatory support for this form of development is inconsistent with that national direction.

The Council will have to address the matter of VKT and, under the latest emissions reduction plan, will need to set targets for GHG emission reductions, and then work towards those targets.

Rural residential development can provide strong outcomes for rural communities. Modest population growth can support community interactions, school rolls, and the rural way of life in New Zealand generally. Smaller rural residential lots are also more manageable for weed control and pest control.

Overall, it is considered that the ongoing responsibilities to limit VKT growth, and then attempt to reduce VKT and GHG emissions require that rural residential living in many locations be reduced until such time as the national fleet is substantially electrified

6 Issue 3: Regulation Structure for Quarries

Quarries are a complex and multi-faceted activity in the rural environment. They pose many challenges when trying to create a regulatory and planning regime. Some of the key challenges are set out below:

Existing Use Rights

Many quarries have existed for a long time and the owners consider that they have “Existing Use Rights”. This means that they started operation before the RMA and TRMP rules came into effect, and that they are entitled to carry on operating as long as the effects of their activity do not change significantly.

There are several problems with this. First, it is the nature of a quarry that the active face will often move overtime as the quarry is excavated. This means that the effects on surrounding land, dwellings and activities is also likely to change over time. Second, it is also the nature of quarries that the yield may go up and down over the years in response to changing demands for rock and aggregate.

The legal basis of the existing use rights that some quarries supposedly have has not been thoroughly tested, and it may be that these existing use rights do not stack up as being legal. If a resource constraint could be put in place that would guide the future development of the quarry, and other relevant effects on neighbouring dwellings, then this would create more certainty as to the ongoing management of the quarry.

Quarry Area

The quarry area is an overlay in the TRMP that identifies locations of Hard Rock resources. The area provides recognition and protection for these resources, and alongside the residential activity restriction area, restricts the proximity of dwellings to the potential quarry resource.

Currently the quarry area is only identified on the planning maps in the Wairoa Gorge, and in the South branch of the Riuwaka river. Potentially, the quarry area overlay could be further utilised to identify and protect other Hard Rock resources, including those where there is currently an active quarry.

Working Quarry Site

The TRMP maps also contains symbology that identifies working quarry sites. As stated above these sites may either be authorised by resource consent, or by existing use rights.

To add or remove a working quarry site from the term would require a plan change, and there are currently no criteria existing which would dictate whether a new consented quarry should or should not be included in the planning maps. Equally quarries which may have expired or being discontinued and they use should also be removed from the planning maps.



The existence of the working quarry site symbology there's typically a key flag for consent planners when they are looking at sites and the surrounding area to see whether a 500-metre setback for a habitable building or dwelling may be necessary.

Crushing and screening

Rock or gravel crushing, and screening is a common activity that coexists with quarries. It has the potential to create noise and dust which can reduce rural amenity values.

Dwelling set back

When constructing a new dwelling or habitable building, there is currently a 500-metre set back requirement from the "boundary of a quarry site". This wording can be quite problematic as it relates to a legal cadastral boundary which can often be some distance from the actual quarry working site.

Furthermore, 500 meters maybe too much in some circumstances, but in other cases may be too little when activities such as blasting are taking place. Research into background documents suggests that 500 metres was seen as a compromise between some quarries which could justify a greater setback, and other quarries which did not require even 500 meters.

Finally, the plan is silent on whether the 500-metre dwelling restriction distance should apply to temporary quarries that in some cases may only be carried out for a year or two.

Conclusion

What can be concluded from the above is that quarries are very individual and unique in terms of their circumstances. At each different quarry there are we are different range of activities taking place and for a different duration. Different quarries will be bound by different types of authorisation (resource consents vs existing use rights).

Quarries are subject to a generic planning regime that is not responsive to the varying circumstances of each quarry.

Quarries provide an essential resource for the development and maintenance of the built environment (including infrastructure) in both Tasman and Nelson. Quarries also produce limestone and dolomite which are important for food production and primary industries. But their regulatory management is inconsistent and generic.

6.1 Outcome(s) Sought

An appropriate level of regulation for quarries, that recognises that:

1. They provide an essential resource and can only be undertaken in certain locations due to the physical presence of the resource that they exploit.
2. They are highly variable with respect to location, operation and off-site effects

6.2 Scale and Significance

Scale and significance table:

	Comments	Assessment
Degree of change from the Status Quo	No wholesale change from the status quo as proposed, however there may be opportunities for refinement	Low
Effects on matters of national importance (s6 RMA)		Low
Scale of effects – geographically (local, district wide, regional, national)	Regional, but concentrated in key locations	Low-Medium
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)	Depending on the option taken, a change in planning regime could affect a substantial number of people and properties	Medium
Scale of effects on those with particular interests, e.g. Tangata Whenua		Low-Medium
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	The quarry industry has taken a significant interest in previous planning processes (e.g. Plan Change 60) and is likely to become significantly involved in any changes to the regulatory planning regime	Medium
Likelihood of increased costs or restrictions on individuals, businesses or communities.		Low-Medium

6.3 Options to address the Issue

There are two key options. Either stick with the status quo or commit resources to developing a substantially better planning regime that will deal with quarries on a more bespoke and case by case basis.

Options identified (preferred option in bold)

Option number	Option Name	Description of Option
1	Status quo	Essentially keep the existing approach, but with some corrections and key updates to the planning maps

2	A tailored planning response for each quarry	develop a schedule of quarries to be inserted into the TEP and provide a bespoke planning regime for each one.
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These options are described in turn below, followed by an assessment of their strengths and weaknesses.

6.3.1 Option 1 – Status Quo

6.3.1.1 Current approach

The current approach as described above, but can be summarized as follows:

1. Hard Rock resources are covered by a quarry area overlay; however, this overlay is incomplete and does not cover many Hard Rock resources that are either currently or may in the future be exploited
2. All quarries result in a 500-metre radius set-back for the construction of new habitable buildings and dwellings. In other words, it is very difficult, and consent is required, to construct a habitable building or a dwelling within this 500-metre radius of the quarry
3. The location that the 500-metre set back is taken from is problematic
4. Some quarries are authorised by resource consent, while others are authorized by existing use rights
5. Some quarries are perpetual, while others might have quite short-term durations.

6.3.1.2 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> • Existing structure can be rolled over to TEP with minimum cost and effort • There is a simplicity to having a standard setback for dwellings
Weaknesses	<ul style="list-style-type: none"> • The setback tool is coarse and may be applying setbacks that are too great in some instances, and applying setbacks that are inadequate and other situations • There is inconsistent use of Quarry Areas and Working Quarry Site symbology. • The current approach does not differentiate between short term and long-term quarry activities and does not provide any criteria for their identification in the plan.

6.3.2 Option 2 – A tailored planning response for each quarry

The suggested approach here is to create a schedule of quarry sites that would provide additional details and Planning regulation particular to each quarry.

Key information about each quarry could be contained within the plan, and this would include a plan showing the extent of the actual quarry area. From this quarry area an appropriate setback for new habitable buildings and dwellings can be identified.

The setback would be bespoke and specific for each quarry depending on the topography and the nature of use. This option would allow the planning regime to be more responsive to the characteristics of each quarry. It would also provide greater certainty as to the actual location of the quarry and the activities that may be carried out on site.

However, it must be noted that this is a significant task. The Council holds considerable information about the quarries that we have in the district. This has been compiled over the years by staff and students. However, a substantial update of this information would be required. Following that update of basic information, undertaking a full investigation into the specifics of each quarry would be a process that takes a considerable amount of time, engagement with the industry and operators,

engagement with landowners. It is likely that considerable litigation may arise from any changes that are made to the regulatory regime.

6.3.2.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> Establishing a different setback appropriate for each quarry will allow landowners to get on and build a dwelling in locations where they are not affected by the impact of the quarry, or else will appropriately restrict dwellings and locations where the impact of the quarry are likely to be felt. Both industry and landowners can have greater confidence in the setback requirements of the plan Overall, the planning framework will be more accurate and only address the effects of quarries where necessary.
Weaknesses	<ul style="list-style-type: none"> There will be a significant time and money investment in undertaking a full investigation into Tasman’s quarries and identifying appropriate regulation to go with each. Such an investigation may result in complex legal situations and litigation involving existing use rights, which I recognised as being a particularly complex area of resource management law.

6.4 How does this Issue Relate to Iwi Interests and Values?

Iwi may have land resources that have been subject to crown mining licences or permits. This has yet to be determined.

Maori development opportunities in the commercial and residential sector will also rely on quarried aggregate. Ongoing primary production opportunities are also dependent on lime and dolomite produced by quarries.

6.5 Evaluation of all Options

Table 5 summarises the extent to which each option meets or achieves a number of key considerations.

Evaluation of Options

Options to address Issue	RMA purpose	National Direction	TEP Principles	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
Option 1	NA	NA	Low	High	Moderate	Moderate	Moderate
Option 2	NA	NA	Moderate	Moderate	Moderate	Moderate	Moderate

6.6 How does this Issue relate to other Topics?

This issue has a strong crossover with the land disturbance portfolio. Quarries by their nature have issues that relate to discharge to land and water, noise, land use activities, discharge of dust.

Quarries are also a significant component of the forestry industry. This portfolio is being undertaken by Pauline Webby. She will investigate this in more detail.

The supply of material from quarries is critical in the development of housing and infrastructure. There's currently a severe shortage of gravel and aggregate available for the construction industry. However, there may be opportunities (or the necessity) for the construction industry to move away from the use of aggregate (e.g. for concrete floor slabs) in order to reduce demand.

6.7 Issue 3: Recommended Option

6.7.1 Recommended Option

Option 1, with improvements, is recommended

6.7.2 Assessment and Reasons

It is considered that the time, cost, and policy risk arising from developing a bespoke planning framework for each of the region's major quarries is unlikely to be a high priority. An attempt to establish setbacks that are appropriate for each individual quarry would require significant evidence regarding noise and dust impacts.

While the current 500-metre set back is a blunt tool, it remains a roughly appropriate distance to both the nearby landowners some freedom to build, and to protect the activities being undertaken on the quarries. The resource consent process remains open to landowners where particular circumstances apply that will reduce the exposure to the quarry.

There are some important tidy ups that need to be made, including better delineating quarry locations and more use of the Quarry Area overlay. Developing a set of criteria and tools to enable new quarries to be added to the TEP and expired or disused quarries to be removed from the plan would also be valuable.

7 Issue 4: Reuse of Rural Buildings for Commercial Activities

The TRMP seeks to retain the most productive land, and retain rural character and amenity. However, the TRMP also seeks to allow for a wide variety of land uses, where those outcomes above are maintained.

Plan Change 60 introduced policy 7.1.3.12:

- 7.1.3.12** To accommodate rural living, commercial and rural industrial activities in the Rural 1 Zone where the activity is wholly undertaken within existing buildings and the effects on plant and animal production are avoided.

This policy supports alternative uses for existing rural buildings. However, there could be greater support given by:

1. Amending the objectives in Section 7.2 to include commercial activities; and
2. Creating a Restricted Discretionary Rule that enables such activities where they are taking place within existing buildings.

There is an issue that the plan currently does not allow for the efficient reuse of buildings in the rural environment. There appears to be a demand for space for commercial activity to be undertaken in rural areas. Existing disused rural buildings may be able to be repurposed to accommodate such commercial, residential and industrial activities. In other words, the policy and rule framework could be taken a step further than was taken for Plan Change 60 to further enable these activities.

In overseas locations, notably the United Kingdom, significant weight is put on the heritage values of existing structures and buildings. The approach is that the internals of a building can be repurposed and reused if the external style and character of the building remains unchanged. This approach can mean that old buildings can be repurposed and saved, which can have a positive effect on rural amenity as well as providing for the efficient use of a resource.

However, a key implication of this approach would be commercial activities may become more noticeable in rural areas.

7.1 Outcome(s) Sought

That existing farm and rural buildings can be repurposed and therefore maintained in good condition to contribute to rural amenity and character.

That commercial activities can be carried out in the rural area which may be closer to homes and reduce the pressure on transportation systems by centralising all commercial activities and towns and centres.

7.2 Scale and Significance

Scale and significance table:

	Comments	Assessment
Degree of change from the Status Quo		Low

Effects on matters of national importance (s6 RMA)		Low
Scale of effects – geographically (local, district wide, regional, national)		Regional
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)		Low
Scale of effects on those with particular interests, e.g., Tangata Whenua		Moderate
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		Low
Likelihood of increased costs or restrictions on individuals, businesses or communities.		Low

7.3 Options to address the Issue

Options identified

Option number	Option Name	Description of Option
1	Status quo	Do not provide any specific support for commercial activities in the rural environment. (Only support residential and rural industrial activities in the rural environment.)
2	provide for appropriate commercial activities in the rural environment	Policy support and a RDS rule can be provided for commercial activities that are of low impact to establish in the rural environment where they are reusing existing buildings, and rural character is retained.

These options are described in turn below, followed by an assessment of their strengths and weaknesses.

7.3.1 Option 1 – Status Quo

7.3.1.1 Current approach

The current approach taken by the TRMP is to retain opportunities to use rural land for activities such as

1. rural living,
2. rural residential,
3. rural industrial,
4. tourist services, and
5. papakainga activities in restricted locations.

Only policy 7.1.3.12 supports commercial activities, without additional support in the form of a rule or objective level support.

7.3.1.2 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> The lack of support for commercial activities in the rural environment keeps the policy planning regime simple and understandable. A strong emphasis is placed on the protection of productive activities, and enabling residential activities where appropriate
Weaknesses	<ul style="list-style-type: none"> Rural buildings are not valued and not maintained once they serve no value for the purpose for which they were constructed They can be a loss of rural character and an inefficient use of resources, through the decay or demolition of rural buildings Commercial activities must be centred in towns and urban centres.

7.3.2 Option 2 – Provide for appropriate commercial activities in the rural environment

Further enable a range of activities through objective support in Section 7.2 (other activities in the rural environment), and through a specific Restricted Discretionary rule.

Such commercial activities could include professional offices, health services, and small businesses that do not result in many vehicle movements or a high visible impact.

7.3.2.1 Assessment of Strengths and Weaknesses

Strengths	<ul style="list-style-type: none"> Rural buildings are valued and may be given a second life A diversity of activities in the rural environment
Weaknesses	<ul style="list-style-type: none"> Less certainty about what activities can be undertaken in the rural environment

7.4 Evaluation of all Options

Table 5 summarises the extent to which each option meets or achieves several key considerations.

Evaluation of Options

Options to address Issue	RMA purpose	National Direction	TEP Principles	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
Option 1	Moderate	Moderate	Moderate	Low	Low	Low	Moderate
Option 2	Moderate	Moderate	High	Moderate	Moderate	Moderate	low

7.5 Issue 4: Recommended Option

7.5.1 Recommended Option

Option 2 is recommended

7.5.2 Assessment and Reasons

Option 2 contains considerable potential for the efficient use of existing buildings, accessways, parking areas and other facilities that already exist in the rural environment. The rural environment is becoming a more diverse place, with expectations and a desire to work from rural locations. Enabling low impact commercial activities to establish in existing buildings and locations in the rural environment appears to be an appropriate step, and a step that can be consulted on with the public of Tasmania to ensure that they are comfortable with the idea.

Relatively few changes would need to be made to the rule framework. The change would be particularly focused on the policy framework, so that potential applicants would still need to apply for a resource consent but would have the support of a policy and the plan.

Option two would have the added benefit of facilitating the input of capital into existing buildings and the rural environment and would reduce the pressure on the commercial areas within the towns and centres. Essentially business owners would have another avenue for establishing a commercial activity within a rural area, where that commercial activity is appropriate for the environment.

The status quo option (Option 1) would result in the above benefits continuing to be missed.

8 Updates on Other Rural Issues

8.1 Productive Land Classification

As councillors will be aware the Environmental Information (EI) team are currently working on a replacement Productive Land Classification (PLC) for Tasman land. This model is yet to be finalised.

Once it is finalised, it is the Environmental Policy team's intention to review the boundaries of the Rural 1 and Rural 2 zones (although these will need to be renamed as the "Rural Production Zone" and the "General Rural Zone" to comply with the National Planning Standards).

The original Rural 1 and Rural 2 zone boundaries in the TRMP have caused some difficulties due to relatively coarse mapping. Some sites of relatively low productivity were mapped as being highly productive, and vice versa. It will be necessary to realign the boundaries between the rural one and rural 2 zones to reflect the more up-to-date modelling.

There are several consequences of this. Some landowners will have their properties rezoned from "less productive" to "more productive" and they may dispute the accuracy of this. Where land changes from Rural 2 to Rural 1 zone, Landowners' opportunities for subdivision will increase as the land will then be subject to a 12-hectare minimum lot size instead of the previous 50 hectare.

The opposite is also true: where land changes from Rural 1 zone to Rural 2 zone, landowners will see subdivision opportunities removed. At that time there will be the risk of the "gold rush" effect occurring where landowners may lodge subdivision consent applications to take advantage of the current rules before they change.

There is not a great deal that can be done about this, and the vast majority of land will remain with its current zoning and current rules. However, it is certainly likely that around the margins and at the boundaries of our two rural zones such issues may arise.

8.2 Minimum Lot Sizes

During the process of Council's recent rural review (Plan Change 60), the matter of the appropriateness of the current Rural minimum lot sizes was raised. The advice put to the Council was that the 12-hectare minimum lot size was based on historic conditions and is arguably no longer appropriate. Instead, the advice from the Council's land productivity officer at the time was that the minimum lot size for Rural 1 land should be around 20 hectares. However, a decision was made by the Council not to progress with the review of the 12- and 50-hectare minimum lot sizes.

Environmental Policy staff have been considering afresh the need for a review and we have been considering what an appropriate methodology might look like.

However, we are expecting the National Policy Statement – High Productive Land to be released by the Government in August 2022. We have been advised that guidance documentation will be released by the Ministry of Primary Industries and the Ministry for the Environment late in 2022. Officials have advised that that document will include guidance on how minimum lot sizes for High Productive Land should be calculated. Therefore, our advice now is that we should wait until we receive that advice.

However, it is important to flag that it is staff's view that these minimum lot sizes should be reviewed and likely increased. This is a matter that will need consideration later in the TEP drafting process (2023).

As a final thought, if the decision is taken to significantly pull back on the availability of rural residential development (in specific Rural Residential zones), then there is high risk that demand for

this product may transfer to existing titles in the Rural 1 and Rural 2 zones. Landowners may be encouraged to break up land holdings to sell existing titles or to create new titles that comply with minimum lot sizes. It may be necessary to consider removing the controlled activity subdivision rule on these two zones, and transitioning to a discretionary regime.

9 Summary

Table 6: Summary of Issues and Options

Issue	Recommended Option	Outcome Sought	Assumptions, Uncertainties, Further work, Information Gaps
The definition, policies and rules relating to workers' accommodation is dated and overly constraining on applicants.	Option 4 - Utilise an improved policy framework, and controlled activity rule to enable workers' accommodation	A more permissive and flexible policy and rule framework for workers' accommodation	
There is a tension between, on one hand, the capacity to supply and meet the demand for rural residential allotments, and on the other, the increased carbon emissions that would result from additional development.	Option 3 – Reduce Rural Residential living opportunities	The outcome is unclear. Rural residential demand for lots is present, and supply can be achieved through reducing minimum lot sizes. But not exacerbating VKT is a clear outcome that is also sought.	The requirement to limit VKT in the rural environment is not certain as it may be able to be achieved in other ways. But the targets are very challenging and addressing rural VKT is likely Depending on the option followed, additional work on the rural residential sites will be needed
Quarries are subject to a generic planning regime that is not responsive to the varying circumstances of each quarry.	Option 1 – Status quo (with improvements)	Appropriate management of quarries that is efficient, but also protects from reverse sensitivities	Further research into locations and usage of quarries
The TRMP does not provide strong support for the reuse of rural buildings. There is an opportunity to provide a more efficient use of rural resources by promoting the utilisation of existing structures for	Option 2 - provide for appropriate commercial activities in the rural environment	Enable the use of existing buildings and facilities for commercial activities in the rural environment	

commercial purposes, where appropriate.			
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10 Appendix 1 - Waahi Maps

11 Appendix 2: Draft Outcomes (from draft Natural and Built Environments Act)

Section 8: Environmental Outcomes

To assist in achieving the purpose of the Act, the national planning framework and all plans must promote the following environmental outcomes:

- (a) the quality of air, freshwater, coastal waters, estuaries, and soils is protected, restored, or improved:
- (b) ecological integrity is protected, restored, or improved:
- (c) outstanding natural features and landscapes are protected, restored, or improved:
- (d) areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected, restored, or improved:
- (e) in respect of the coast, lakes, rivers, wetlands, and their margins, — (i) public access to and along them is protected or enhanced; and (ii) their natural character is preserved:
- (f) the relationship of iwi and hapū, and their tikanga and traditions, with their ancestral lands, water, sites, wāhi tapu, and other taonga is restored and protected:
- (g) the mana and mauri of the natural environment are protected and restored:
- (h) cultural heritage, including cultural landscapes, is identified, protected, and sustained through active management that is proportionate to its cultural values:
- (i) protected customary rights are recognised:
- (j) greenhouse gas emissions are reduced and there is an increase in the removal of those gases from the atmosphere:
- (k) urban areas that are well-functioning and responsive to growth and other changes, including by— (i) enabling a range of economic, social, and cultural activities; and (ii) ensuring a resilient urban form with good transport links within and beyond the urban area:
- (l) a housing supply is developed to— (i) provide choice to consumers; and (ii) contribute to the affordability of housing; and (iii) meet the diverse and changing needs of people and communities; and (iv) support Māori housing aims:
- (m) in relation to rural areas, development is pursued that— (i) enables a range of economic, social, and cultural activities; and (ii) contributes to the development of adaptable and economically resilient communities; and (iii) promotes the protection of highly productive land from inappropriate subdivision, use, and development:
- (n) the protection and sustainable use of the marine environment:
- (o) the ongoing provision of infrastructure services to support the well-being of people and communities, including by supporting— (i) the use of land for economic, social, and cultural activities: (ii) an increase in the generation, storage, transmission, and use of renewable energy:
- (p) in relation to natural hazards and climate change,— (i) the significant risks of both are reduced; and (ii) the resilience of the environment to natural hazards and the effects of climate change is improved.

September 2021