Report No:	REP12-09-08				
File No:	R420				
Date:	12 September 2012				
Decision required					

REPORT SUMMARY

Report to: Environment & Planning Committee
Meeting Date: Thursday, 20 September 2012
Report Author Steve Markham, Policy Manager

Subject: Resource Policy Programme Update September 2012

EXECUTIVE SUMMARY

This report updates the content and progress to date in the resource Policy programme of projects.

RECOMMENDATION/S

1. That the draft resolutions be adopted.

DRAFT RESOLUTIONS

- 1. That the Environment & Planning Committee receives the Resource Policy Programme Update February 2012, Report REP12-09-08.
- 2. That the Committee notes the rationalisation of some projects currently in the programme but not commenced concerning Golden Bay settlements.
- 3. That the Committee approve the commencement or continuation of the following projects as per the project outlines attached to the report:
 - i. Tasman District business/commercial centres investigations and TRMP change to define relationships between centres for retail and commercial development (including large format retail) with a focus on Richmond- Waimea centres
 - ii. Tasman District coastal hazard risk assessment (interdept.)
 - iii. TRMP useability review
- 4. That the Committee gives direction on relative priorities across NZCPS policy areas in the implementation programme scope as attached to the report, noting that some work to implement the NZCPS 2010 that is linked to other projects is currently under way.

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1. PURPOSE OF REPORT

1.1 This report provides an updated resource policy programme description and briefing on the current and likely situation with present and programmed projects.

2. BACKGROUND

- 2.1 In February 2012 the Committee last considered the resource policy programme (EP 12/02/05 refers). Since February 2012 the following key achievements have taken place:
 - Notification, hearing and decisions on Change 34 fire protection for rural dwellings
 - Notification, hearing and decisions on Changes 35, 36 Water metering
 - Notification of decisions version, Change 22 Mapua Ruby Bay development (four appeals)
 - Notification, hearing and decisions on some minor changes (32, 33 dwelling wall offset, recreation & open space rezoning)
 - Decisions notified on Change 26 residual (Water body uses & values Schedule 30.A)
 - Community feedback and notification of Change 37 Richmond west and south greenway and Variation 3 to Change 10 Richmond west technical amendments
 - Notification of update amendments and minor change (Change 38) to implement the NES on contaminants in soil
 - Operative commencement of Changes 14, 16, 18, 19, 20, 25, 32, 33
 - Change 10 Richmond west development area final resolution by consent of four appeals (leaving two)
 - Court interim decision on appeals against Changes 12, 13, 23, 24 (Motueka, Moutere water allocation reviews)
 - Reporting on Takaka flood hazard modelling and community feedback
 - Reporting on earthquake faultlines and geotechnical reports and adoption of Change 40
 - Reporting on implementation issues with draft change for Motueka west and central development
 - Reporting on fish farming suitability in Tasman and Golden Bays
 - Reporting on the recreational use of motorbikes code of practice.

In addition to formal milestones with plan amendment projects, the following outline activity with key live projects:

- Golden Bay landscapes (staff and contracted advice to working group on assessment of ONFLs and policy options)
- Assessment of effectiveness of TRMP's rural policy implementation to support development of a land use monitoring framework, and a redefinition of issues and options (departmental team)
- Richmond CBD development plan (interdepartmental team work on structure plan and CB Zone design improvements)
- Brightwater Wakefield strategic development reviews (staff contracting to SKM for flood hazard modelling; liaison with community groups)
- Engineering standards and urban design guidance reviews (interdepartmental team)
- Land disturbance regulation review (scoping work)
- Implementation of NES on contaminated soil (administrative systems)
- Key tasks in .

And work has been undertaken to scope projects listed and discussed below:

- Tasman District business/commercial centres investigations and TRMP change to define relationships between centres for retail and commercial development (including large format retail) with a focus on Richmond-Waimea centres
- Tasman District coastal hazard risk assessment (interdept.)
- TRMP useability review
- NZCPS 2010 implementation programme (interdept.).
- 2.2 The outlook for the remainder of 2012 and beyond is for further progress on several live priority 1 projects. These are shown in the updated resource policy programme appended to this report (Appendix 1). The programme update codes the life-cycle status of all projects (to start, live, paused, ongoing); completed projects are no longer shown.

3. FUTURE PRIORITY PROJECTS

3.1 The standing arrangement for new projects is for the Committee approve the start of any new project only after considering a scoping paper for the project. There are some priority projects for which there is considered to be a business case to start or advance (ie. drivers and benefits). These projects are within the capacity of the Resource Policy team to pursue, as a number of live Plan changes have matured over the past year to become operative changes, and many live projects are subject to hold points for different reasons, enabling the addition of workstreams for some staff. I continue to monitor workload and assign work areas in the overall programme where there is capacity, with some judgement on progress risk.

An outline brief for each of these projects is provided as Appendices 2, 3, 4 and 5 to this report. These are:

- Tasman business centres investigation. This work arises from the appeal issue raised by Richmond CBD retail interests concerning the risk of retail leakage to the Richmond west business park. Further investigations in conjunction with Nelson City's own investigations of its business centres have provided a basis for reviewing the retail and other commercial links between these two Richmond centres, and with other nearby business centres. It is proposed to report on this information in order to clarify options for dealing with business leakage risk where there is an appropriate regulatory solution.
- Tasman District coastal hazard risk assessment is an interdepartmental project that falls within the scope of the natural hazards strategic policy review, listed in the programme as priority 2 but in the 2012 2022 LTP as a significant policy project for the next three years. There are several drivers for this work. These include: the NZCPS policies referring to coastal processes and structures; the need to resolve across the District the relationship between investment by Council in coastal protection works, and development controls over high risk coastal locations including hot spots such as Jacketts Island; and the need to regain some effective control over privately initiated coastal protection structures outside Ruby Bay, as a consequence of Change 22 decisions.
- Review of the useability of the TRMP. The Resource Policy team has scoped several desirable improvements to the structure, format and readability of the TRMP, first set in place 16 years ago. This work is able to be delivered by some changes to be pursued under other projects, but there may be a case for a dedicated Plan change to resolve some structural and presentation issues. A further consideration is the opportunity to develop a completely electronic plan able to be searched and organised online, including text map links. The driver for this project is the community and Council gain in more efficient plan communication and use.

A related internal (management) project is a systems and processes review of the plan amendment project cycle, on which a future briefing report will come to the Committee.

• Implementing the NZ Coastal Policy Statement (NZCPS) is a part of the broader project to implement the current suite of national policy and regulatory instruments (national policy statements and national environmental standards). An initial scope of work was reported on in December 2010. Further definition of priority actions to implement the NZCPS has been done after analysing the gaps between the TRMP and the NZCPS 2010. An outline scope of this implementation work is attached. This is really a menu of areas to be addressed, many of which are linked (eg. Policies 1, 13 and 15 dealing with coastal environment, natural character and natural features and landscapes). The work is an interdepartmental project, to be led from Resource Policy.

However, there is significant uncertainty in the legal and national policy setting for this NPS, as the RMA is under review in relation to matters of national importance, and this could influence how some priority policies are to be dealt

with if the law changes. Implementation guidance from the Department of Conservation is still awaited. Despite this, there is value in having the Committee survey the attached staff advice on priority areas and give directions as to the relative importance of each area, and how the work should be paced.

3.3 Review and combination of the Tasman Regional Policy Statement with TRMP The review of the Tasman Regional Policy Statement (TRPS) and its combining with the Tasman Resource Management Plan, without unnecessary relitigation of settled issues, in the TRMP is a current but not started project, but some preliminary scoping has been done. There are issues with the project. In February 2012 I reported to the Committee on the challenges under current law with this TRPS review and its progressive combination with the TRMP. This planning document is required under the RMA despite our unitary authority status (the significant issues of the region are the same as the significant issues of the district). The TRPS fell due for review in its entirety on 1 July 2011 after ten years without amendment.

The need for a RPS in a unitary situation, and there are difficulties in the law where once due for review, any amendment attracts submissions to the remainder of the current RPS, and there are other legal uncertainties. The Environment and Planning Manager and the Policy Manager have met with officials from MFE recently together with other unitary authority representatives, and it appears unlikely that the RMA phase 2 reform programme can consider these issues for unitary authorities before 2013 and so for any law changes to be useful perhaps by 2014. Our view is that no work should commence on this project until there is greater clarity of the government's intentions regarding simplifying RMA combined planning requirements and processes.

4. **RECOMMENDATIONS**

1. That the draft resolutions be adopted.

5. DRAFT RESOLUTION

- 1. That the Environment & Planning Committee receives the Resource Policy Programme Update February 2012, Report REP12-09-08.
- 2. That the Committee notes the rationalisation of some projects currently in the programme but not commenced concerning Golden Bay settlements.
- 3. That the Committee approve the commencement or continuation of the following projects as per the project outlines attached to the report:
 - i. Tasman District business/commercial centres investigations and TRMP change to define relationships between centres for retail and commercial development (including large format retail) with a focus on Richmond- Waimea centres
 - ii. Tasman District coastal hazard risk assessment (interdept.)

iii. TRMP useability review

4. That the Committee gives direction on relative priorities across NZCPS policy areas in the implementation programme scope as attached to the report, noting that some work to implement the NZCPS 2010 that is linked to other projects is currently under way.

Steve Markham Policy Manager

Appendices:

- 1. 2012 and Beyond Resource Policy Programme as at 12 September 2012
- 2. Outline briefs of:
 - Tasman District business centres investigations and TRMP change to define relationships between centres for retail and other commercial development (including large format retail) with a focus on Richmond- Waimea centres
 - Tasman District coastal hazard risk assessment (interdept.)
 - NZCPS 2010 implementation programme (interdept.)
 - TRMP useability review

	2012 AND BEYOND RESOURCE POLICY PROGRAMME AS AT 12 SEPTEMBER 2012						
Project No	Priority No.	Project Description	Project Status	Process Steps and Current Situation	Staff	Next Steps	
1.	1	Live appeals resolution	Live	Steps Resolution by consent order to EC, hearing by EC or withdrawal, of live appeals (9): Change 10 RWDA (2) Changes 23, 24 water allocation (2) Part IV (1) Change 22 (4)	SM, NJ, MH, SN, DL, MAB, JT	Mediation, Court hearings or agreement on consent memoranda.	
2.	1	Richmond West development plan - Change 10	Live	Steps Planning investigations and structure planning to support plan change; notified variations (now Change 10); Submissions, hearings, decisions and appeals. Situation Since decisions notification in September 2009, resolution of six of the 8 appeals has taken place. One has involved the development of an integrated services & land rollout programme and resolution of minor issues arising from appeals via Variation 3.	SM, MH, DL, NJ, RS, SN	Complete appeals resolution (2).	
3.	1	Richmond central area development/intensification plan: Richmond urban residential density study	Live	Steps Investigations into Nelson-Richmond urban intensification; assessment of options for locations and design; plan changes and infrastructure programming. Situation Since July 2009 the work includes the review of residential intensification regimes. This is the Richmond density study, to advance inquiry into locations and actions (briefing report July 2010).	RB, SM, MH, SL, GC, DL, and others	Documented review of urban design framework and actions for residential intensification.	
4.	1	Richmond CBD development plan (interdept)	Live	Steps Investigations (retail demand and supply), urban design issues and options, design plan, plan change for CBZ, design guidance,	SM, RB, GC, SD, RS, GT, DL, SE	Design plan through collaborative	

5.	1	Mapua-Ruby Bay	Live	services programme. Situation The CBD development plan has commenced as an interdepartmental project with investigations and design issues and options inquiry in early 2011. Steps	RB, DL, JC,	process, design guidance, plan change services programme.
		development		Reporting on situation re services, and scope for rezoning; structure planning; plan changes and infrastructure provision in LTP Situation Change 22 notified 26 February 2011, submissions in April 2011. Hearing 62 November 2011. Decisions notified March 2012; 4 appeals. Court mediations scheduled for October 2012.	EV, RS	resolution (4).
6.	1	Golden Bay settlement strategy: Takaka and south Takaka	Paused	Steps Takaka zoning review to avoid flood risk exposure of further land; and south Takaka (Park Avenue) structure planning to provide for first stage of concept additional township (refer EP07-09-06 for description) Situation Takaka floodplain modelling and risk assessment and community engagement completed 2011. Consideration May 2012 of planning options and decision to not continue; and referral to ESC options for structural or physical mitigation of flood risk.	LM, DL, SN, RS	If recontinued; targeted assessment of urban development options in context of flood risk responses.
7.	2	Golden Bay settlement strategy: Pohara-Tarakohe- Ligar-Tata	To start	Steps Investigations, structure planning and plan change to provide for shape and extent of settlement development in the area integrated with rural land management (refer EP07-09-06 for description). Situation Change 8 setting out settlement pattern principles operative Oct 2010. Project waiting while other priority 1 projects advanced.	LM, MD, DL, SN, RS	Approval to start, investigations, issues and options, draft structure plan; plan change
8.	2	Golden Bay settlement strategy: Rangihaeata - Mangarakau	To start	Steps Investigations and assessment of shape and extent of settlement pattern integrated with rural land management. Situation Project linked with Golden Bay landscapes; yet to start.	SN, LM, MD, DL	Approval to start, investigations.
9.	1	Golden Bay landscape	Live	Steps	SN, NJ	Presentation to

		protection		Strategic issues investigations; Issues and options paper; engagement process leading to TRMP changes. Work is to address landscape management and the protection of outstanding natural features and landscapes (ONFLs) in Golden Bay (Kahurangi Point to Separation Point), integrated with reviews of settlement areas on GB east and west, and rural policy review projects. Situation Project commenced December 2007; investigations and targeted stakeholder engagement in 2008; preparatory to issues and options assessment and community engagement. Work recontinued from July 2010 to achieve comprehensive information base, to use in findings for ONFLs, and planning options assessment, community collaboration through working group and its small group, leading to notified change for whole of GB landscape management supported by collaborative group by end 2012 (refer EP11.01.06 and EP 11.07.04).		community working group of draft ONFL findings, further development of policy options assessment, development of draft plan change and further engagement with stakeholders.
10.	1	Motueka west & central development plan	Live	Steps Update on services; Demand estimates for urban land (business; residential); Structure plan options; Liaison with iwi landowners; Plan change and services programming. Situation Investigations for demand estimations and outline services plan to support concept structure plan. Liaison with iwi landowners. Report on demand and supply information and planning process March 2008; draft structure plan reported November 2008; community consultation February - April 2009. Issues reporting July 2009 with review of draft structure plan. Motueka transportation study commenced May 2009 and finalised February 2010. Draft change commenced September 2010 and to EPC on 16 December 2010. Draft change circulated for community feedback March - April 2011. Draft considered by EPC August 2011, paused for resolution of issue of rollout feasibility (through termination of Maori perpetual leasehold tenure).	RB, DL, JC, GC, RS	Further development of draft change and adopt proposed change.
11.	1	Brightwater strategic development planning	Live	Steps Review of urban development strategy for Brightwater: issues	RB, SN, DL, RS and others	Issues and options

				paper; structure planning; TRMP change process (EP07-12-04, EP12-03-05 for description).		assessed, community engagement, draft change
12.	1	Wakefield strategic development planning	Live	Steps Review of urban development strategy for Wakefield: investigations; issues paper; structure planning; TRMP change process (EP07-12-04, 12-03-05 for description)	RB, SN, DL, RS and others	Issues and options assessed, community engagement, draft change
13.	1	Business centres study	Live	Steps Investigations into demand and capacity of retail centres, and dynamics between them. Assessment of activity relationships; engagement, draft plan change. Situation Project investigations to support appeal responses in Richmond west to hand; review in conjunction with Nelson city under way. Brief for further assessment.	SN, SM, others	Approval to continue the investigations.
14.	1	Earthquake faultlines and geotechnical reports		Steps Review of faultline display and lifecycle of geotechnical reporting for both the Fault Rupture Risk Area and Slope Instability Risk Area, plan change, notification, decisions, approval. Situation Project arises from unresolved issues with Changes 21 and 31 which reviewed these area rules and maps. Draft Change 40 adopted for notification at next update.	NJ	Notifiy plan change 40, decisions, approval.
15.	1	Rural subdivision & land use policy review	Live	Steps Investigations and reporting on priority rural policy issues within rural subdivision and land use; TRMP change processes. Situation Review of issues paused since 2006; project rescoping with updated situation assessment in 2011. Development of rural land use monitoring system. Review of policy effectiveness under way.	MH, MD, MAB, AB, SL, and others	Monitoring system defined; policy effectiveness evaluation, and investigation into issues and options.
16.	1	Land disturbance area - targeted review	Live	Steps Investigation into current issues with sediment and erosion risks in targeted situations eg. urban earthworks; rural earthworks; review of plan provisions;	MAB, LM, AB, LP, DS, WG, TJ, LV, SM	Investigations and assessment of issues and

				plan change. Situation Priority programme of land disturbance management measures derived from workshops on erosion and sediment control in late 2009. Practice guidance for sediment and erosion control in development 2011-12. Project scope of regulatory review and EPC approval to commence May 2012. Project to include issues paused under Change 3 Coastal environment land disturbance.		options, draft change. Engagement with stakeholders.
17.	1	TRMP land use administration issues requiring review	Ongoing	Steps Series of reports on specific issues arising from administration; Plan change processes for priority issues. Situation Reported on issues and priorities February 2007. Various technical amendments notified since (Changes 19, 32, 33) Reporting on recreational / commercial motorcycling activity and COP. Change 42 to be notified at next update.	RB; NJ and team	Further assessment of priority issues.
18.	1	Review of Engineering Standards and Policies (ESP) and network services rules (including Change 4 update) & design guidance consolidation (interdept)	Live	Steps Change 4 notified; review of issues in light of Richmond planning, ESP review and Project Stormwater; further advice; further change. Situation Change 4 notified 2005. Hearing of submissions on Change 4 deferred pending resolution of content in Plan arising from reviewed ESP. Further principles-based research on urban stormwater management in Project Stormwater 2009 - 2011. Review of ESP and design guidance following NZS 4404.	SL, NJ, LM, DL, GC, others	Advice on issues and options; ESP review and plan change.
19.	1	Indigenous biodiversity management and action plan for advocacy (Native Habitats Tasman)	Live	Steps Situation report; SNA investigation. Situation Situation Situation reports to EPC May, June 2007 on biodiversity management and SNA investigation agreement. Reporting to EPC December 2007. Commencement of SNA investigation tasks as agreed. Launch of Tasman Native Habitats project early 2008. Ongoing liaison in priority area of district with reporting and landowner assistance actions. Governance through oversight group.	LV, SM, external stakeholders	Ongoing advocacy with landowners across priority parts of district. Review in 2013 of biodiversity management achievements, risks and responses.

20.	1	Waimea Inlet and catchments integrated management strategy	Live	Steps Stocktake of resource values, issues; review of options; formulation of new actions for integration into informal strategy (refer EP07-12-04; EP09/10/2 for description) Situation Approval to commence project December 2007. Inception meeting July 2008 with key stakeholders. Project management proposal to July, October 2009 meetings. Project jointly with NCC launched late November 2009. Estuary vulnerability assessment April; public symposium May 2010. Draft strategy prepared; final strategy adopted August 2010 by both councils, NMFGC and DOC (NM). Community forum meetings in February 2011; set up internal system for annual check on implementation progress.	NJ, TJ, RS, SM, BW with MW, PS of NCC	Implementation audit process by community and councils required.
21.	1	TRMP Part IV: Rivers and Lakes and consequential changes (Change 39 (Variation 68), Changes 17, 26, 27)	Live	Steps Draft policy paper for consultation; policy decisions; consultation with draft Part IV; TRMP variations notified; submissions; decisions; appeals. Situation Briefings on issues and draft policy options on 19 July and 23 August 2006; further drafting of regulatory means of implementing preferred policy options in paper ongoing through 2007 and into 2008 (EP08/12/12). Reporting on issues EP09/04/13; EP09/06/09. Draft part consultation July - September 2009. Revised draft adopted October 2009. Package of Change 17 and Variations 67 - 69 notified 27 February 2010. Submissions and further submissions in 22 November 2010. Reporting and hearing March 2011. Decisions notified July 2011. Two appeals.	MAB, TJ	Resolution of appeals.
22.	1	Deep Moutere groundwater allocation review and waiting lists - Changes 12 & 23 (Variation 65)	Live	Steps Resource statement and issues and options paper, consult with users; draft variation; notification; submissions; decisions; appeals Situation Reported to EPC on situation following investigations August 2006; reported 12 July 2007 on issues and preferred option; 23 August 2007 draft variation adopted for notification subject to staff management of waiting lists. Further reporting April 2008. Variation 65 (includes Change 12) notified 26 July 2008; hearing of submissions September 2009. Commissioner report and recommendations adopted November 2009. Decisions notified 19	MAB, JT	Appeals resolution.

				December 2009. One appeal. Mediation Sept 2010. Further informal meetings; hearing set down for 27 Feb 2012.		
23.	1	Motueka water allocation review - Changes 13 and 24 (Variation 66)	Live	Steps Review of CPZ allocation limit following modelling results; review of reservation regime; plan variation process. Situation Variation preparation and report to EPC in October 2008. Variation 66/Change 13 notified 13 December 2008; Hearing of submissions September 2009. Commissioner report and recommendations adopted November 2009. Decisions notified 19 December 2009. Three appeals. Mediation Sept 2010. Further informal meetings; hearing set down for 27 Feb 2012.	MAB, JT	Appeals resolution.
24.	1	Water meters	Live	Steps Draft change in response to national regulations on water measuring devices Situation Changes 35, 36 notified March 2012, decisions notified August 2012.	MAB	Awaiting appeals.
25.	1	Urban stormwater management - Project Stormwater (interdept)	Live	Steps Review of across-council stormwater management outcomes; systems and process issues; tasks; and review of planning documents and arrangements and other actions as required. Situation Review of outcomes for stormwater management, systems and processes 2007 - present. Priority workstreams identified; project is progressing as interdepartmental project. Formalisation of key findings and management actions via council protocol under way.	SL, LM, SE, and consents, assets, community services staff	Confirmation of priority workstreams with management and funding via LTP. Adoption of formal findings and implementation of management systems improvements
26.	1	Advice on policy issues raised by central government or other agencies including iwi: legislation, policy statements, management plans, water conservation	Ongoing	Steps Reporting ongoing in response to government or iwi proposals	Policy team, Manager and others	Responses as required.

		order processes				
27.	1	National RMA instruments implementation	Live	Steps Reporting on implementation programme across operative national instruments; staged programmes of investigations and policy reviews to implement as separate projects	SM,NJ, MAB, MH, MD, SN and others	Reporting on programme and priorities
28.	2	Review and combination of Tasman Regional Policy Statement and TRMP	Not started	Review content and consistency of TRMP with TRPS; effectiveness evaluation of TRPS; scoping of combining TRPS with TRMP and process involved; review of essential TRPS content to combine with TRMP (Maori policy issues of significance); process management. Situation Support for Tasman iwi management plan to provide basis for review of Maori policy issues. Support EPC July 2010 for combining TRPS with TRMP. Legal issues pursued with government 2011.	MD, SM and team	Scoped project, process resolved, draft effectiveness reporting on TRPS
29.	2	Riparian land management strategy	Not started	Situation report; possible review of RLMS; plan change.	LV et al.	Situation report.
30.	2	Natural hazards strategic policy review: coastal hazard risk responses (interdept)	Not started	Steps Review of District approach: Specific investigations into floodplain, coastal, ground instability hazard risks; review of policy issues and options; TRMP change processes. Situation An interdepartmental project is redefined to assess coastal hazard risk management as the first priority. The project will integrate protection with regulatory accommodation responses in the face of increasing risk exposures in key locations. Arising from Change 22 decisions, a review of options to control coastal protection structures is under way.	MD, NJ, EV, GS, RS, GC, SM, others	Project approval to start
31.	2	Upper Motueka water allocation development	Not started	Steps Complete investigations; define issues and options; consult with stakeholders; draft variation; notification; submissions; decisions; appeals. Situation Investigations reported 28 August 2006.	MAB, JT	Reporting on resource situation and issues and options.
32.	2	Takaka catchment water management	Not started	Steps Issues and options with resource statement; TRMP change process	MAB, JT, GS	Resource investigations summary and issues &

						options paper.
33.	3	Onsite wastewater management:	Not started	Steps Review of district approach: Risk assessment of settlement pattern re domestic wastewater contamination following CTA wastewater management area. Investigations with policy review; TRMP change process	MAB, DL	Issues and options paper
34.	3	Tasman (village) strategic development review Refer EP07-12-04 for description	Not started	Steps Investigations; issues paper; structure plan for Tasman; TRMP change process		Investigations report and issues paper
35.	3	Tasman Bay landscapes	Not started	Steps Investigations; issues paper, settlement and rural land management issues and options; TRMP change process (refer EP08-04-13 for description). Situation The project is to deliver on contracted commitment to coastal landscape protection review.	SN	Investigations report and issues paper
36.	3	Plan implementation monitoring, evaluation and reporting system development:	Not started	Steps RMA requires five yearly reporting on operative plans: Database and monitoring process development in conjunction with EMRS and website reporting. System setup required.	SM and team	Project scope and process to be defined.

PROJECT NAME: TASMAN CENTRES STUDY

Purpose of the Project:

To review the provisions of the TRMP in relation to the appropriate location of retail activity. This will involve identifying whether sufficient land is zoned for future retail activity; and whether the regulatory framework is adequately supporting business retail decisions.

Brief project description:

The project will consider the role and status of commercial zones as centres of community activity in each of Tasman's 17 settlement areas.

The main focus of a commercial 'activity' centre is to provide retail outlets for the immediate supply needs of a local community. Certain types of retail, supermarkets in particular, act as anchors for a range of other activities – offices, specialty goods, restaurants/cafes, libraries, fitness centres, health related services, entertainment venues. When these activities co-locate, there are additional opportunities for community interaction and efficient (shared or public) transport. In addition, when the physical environment is attractive a synergy occurs, and business thrives. Therefore, encouraging co-location has a spin-off for the economy (more shops more people), the community (more walking more socialising), and the environment (reduce greenhouse gas emissions and petrol dependence).

A successful commercial centre has higher land value. There may also be limited land for some forms of retail requiring large building footprints (eg Mitre 10 Megastore) and / or selling bulky goods such as furniture, carpets, whitegoods, trade supplies. For both these reasons, where there is perceived future demand, retail activity may seek to locate in greenfield rural locations or on cheaper residential land. While this may lead to immediate economic benefit for the businesses concerned, opportunities for community development and sustainability may be missed, infrastructure investment may not be optimised, and the economic viability of existing centres may be undermined.

This project will confirm whether sufficient commercial land is zoned to meet demand, and what regulatory measures are required to support business retail investment in the appropriate zone.

Project leader within Tasman District Council:

Shelagh Noble

Project sponsor:

Steve Markham

Project team members:

tbc

External agencies/stakeholders:

Nelson City Council

Outcomes sought:

Clear direction for the location of retail activity.

Enhanced business opportunity in existing and proposed centres, through a more refined regulatory framework.

Background:

The Richmond West Plan Change 10 resulted in an appeal from owners of land in the Richmond Town Centre, concerned that the Mixed Business Zone would undermine the function of the Central Business Zone.

Council sought a report from Property Economics – Richmond Retail Demand and Capacity Assessment (August 2011). This report focused on the Richmond Centre, and addressed the matter of immediate concern, the potential threat to the CBZ from the release of 'Mixed Business' land and the possible migration of anchor stores to an alternative location:

'The centre mainly 'at risk' from new retail/commercial development in other parts of the region, particularly Nelson, is the Richmond Town Centre and to a smaller degree Motueka Town Centre, as they might not be able to fulfil this title ('town centre') in the future as a result of wider retail market trends that have influenced and substantively changed their position in the retail hierarchy and role in the market.'(p26)

And:

'In respect of LFR (large format retail) activity, the Richmond market can sustain an additional 24,000 sqm GFA (gross floor area) approximately by 2036. Importantly, some of this LFR is better suited and **crucial** to locate in the Richmond Town Centre as they act as 'anchor' tenants and make the town centre more commercially viable and vibrant. These sectors are primarily supermarkets and department stores.'(p24)

While some adjustments to the zone rules might support the role of the CBZ, (eg limiting supermarket location to CBZ and Commercial Zones), any such change would require a further plan change, based on a broader analysis of demand and supply across the entire Nelson / Tasman area. This analysis has been completed for both Tasman and Nelson Councils by Property Economics – the 'Nelson / Tasman Commercial Centre Assessment' (August 2012). The report recommends 'looking after' the existing centres. Further investigations are required on 'how' to do this.

Nelson City Council are preparing a 'Centres Strategy' as a basis for a broader 'Nelson Development Strategy', similar to Tasman's Growth Model, and are

anticipating Plan Changes for the City Centre, City Fringe and Suburban Centre Zones, as a result of this investigation.

Drivers (why is Tasman District Council doing this project?):

- An appeal on the Richmond West Plan Change 10 has illustrated the need for more refined regulatory provisions in relation to retail activity locations.
- An opportunity exists to complement the work being undertaken by Nelson City Council.
- The information on land supply and demand will feed into the next round of the Growth Model review.

Link to Ten Year Plan/Annual Plan: tbc

Methods, outputs and timelines

Outputs/milestones/actions/responsibility/achievement	Timeline
indicators	
Report to E&P Committee to gauge support for the project.	tbc

Systems/tools needed to deliver the project:

The extent of the project is still to be scoped.

Costs/budget/job costing code: tbc

Risk and risk mitigation:

There is a risk of some large format retail activities (particularly supermarkets) locating in zones where they may have the effect of undermining the community role and economic function of existing centres.

PROJECT NAME: COASTAL HAZARD RISK ANALYSIS AND RESPONSE EVALUATION IN TASMAN DISTRICT

Project plan version 3 September 2012

Brief Project Description:

With global climate change processes, sea level is projected to rise at an accelerating rate, and coastal erosion and inundation hazards events are projected to increase in frequency and intensity in Tasman Bay and Golden Bay.

Information from research on the rate of increasing risk exposure is uncertain. There are locations where there are known coastal hazard risks, sometimes from multiple sources¹. Each location needs a coherent analysis of its profile of probability-damage estimates under increasing extreme event estimates.

In addition to climate driven risks, coastal locations are also exposed to tsunami hazard risk sourced from both local and distant seismotectonic activity. Recent research has provided estimates of first order consequences from the various sources (wave height and runup).² In the absence of reliable probability information, responses to tsunami are limited to delineation of evacuation zones.

At some coastal locations coastal protection structures have been established to limit future damage, by either the Council or landowners. The implications of existing and potential structural protection under current RMA policy in the NZCPS 2010 and the Council's plans and the risk profiles at key locations needs a review. Seeking to prevent or limit coastal erosion and sea inundation by structures over the long-term is expensive and the long term cost-effectiveness of likely increasing levels of investment, alongside protecting remaining natural buffers, such as dunes and beach barriers, and potential retreat away from the coastal margin are all responses that are required to be considered in an adaptive way, recognising that with increasing risk, different responses need to be anticipated. This requires appropriate integration of long term coastal land use policy at all key exposed locations with policy for community assets and their prudent management.

Project Leader: Maxine Day

Project Sponsor(s): Rob Smith, Steve Markham, Gary Clark [Dennis Bush-King, Peter Thomson]

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¹ Eg. C22 s 32 report at <a href="http://www.tasman.govt.nz/policy/plans/tasman-resource-management-plan-planning-proposals-and-summaries/resource-management-plan-changes-and-variations/proposed-change-22-mapua-and-ruby-bay-development/?path=/EDMS/Public/Other/Policy/Plans/ResourceManagementPlan/BackgroundSupportingDocuments/ChangeVariations/C22 - Mapua-Ruby Bay/Section32ReportsandSupportingDocumentation

² See P:\Policy\Coastal hazard risk management\Nelson Report draft4.doc

Staff/Council Members Involved:

- Maxine Day
- Eric Verstappen
- Glen Stevens
- Neil Jackson
- Selwyn Steedman
- Ros Squire
- Other Policy staff

- Steve Markham
- Gary Clark
- Beryl Wilkes
- Russell Holden

External Stakeholders Involved:

None until project outputs in draft

Project Purpose/Goal(s):

To improve the understanding of coastal hazard risks (both probabilities and consequences) in exposed locations in the District.

To review and define appropriate long term adaptive policy for coastal hazard risk responses, including location-specific responses.

Project Outcome Sought/Objectives:

- Assemble, analyse and consistently document and display, information on coastal hazard risk profiles at all key exposed locations on the District coastline, including integrating across risks, their sources, magnitudeprobability estimates and projections, community vulnerabilities (such as urban footprints and services) and existing physical and regulatory controls
- Evaluate regionally relevant research and provide a District level assessment of the physical drivers and trajectories for these aggregate hazard risk profile descriptions
- 3. Assemble and analyse information about coastal infrastructure assets both to protect land and to service urban land (including hard protection structures and network assets), controlled by Council or landowners
- 4. In the context of the current policy setting, evaluate options for adaptive responses both in general and for specific locations. The options may range from doing nothing, to protect, accommodate, and manage retreat.
- 5. Make recommendations for:
 - a. adaptive resource and asset policy for the District, including locationspecific no-action, protection, accommodation, managed retreat response policy, accounting for circumstances where one type of response may give way to another;
 - b. Further investigations
 - c. Plan change responses
 - d. CDEM Group Plan amendment

Output:

A draft report and graphics displays to present the key information for senior management team consideration.

Important Terminology:

Hazard risk
Risk profile
Risk evaluation
Response evaluation

Related Projects:

NZCPS 2010 implementation programme TRMP C 10 TRMP C 22 Motueka flood control project Takaka flood risk management

Background:

Several coastal settlement locations in Golden Bay and Tasman Bay are exposed to chronic hazard risk from coastal erosion, and sea flooding in seastorm events. Council has developed general resource policies about coastal hazard risk management (Chapter 13 TRMP) that refer to the interplay between natural coastal processes and protection structures. Changes 10 and 22 for Richmond west and Mapua-Ruby Bay haveimposed development controls. Other locations have not been assessed.

Council also maintains a coastal structures asset portfolio subject to activity management planning responsibilities.

There is increasing concern to understand and respond to an integrated and changing hazard risk outlook in the face of climate change research, national policy requirements and emergency management responsiveness.

This review seeks to refine a balance between managing Council investment in protection structures (and considering future liability for Council should private investment be discontinued), and developing the regulatory framework for managing activity on private coastal land. Active management of shoreline processes and qualities for natural ecosystems and public use are contexts.

Drivers:

Knowledge drivers include post IPCC AR4 climate change research findings about the increasing future likelihood of extreme (hazard) events around New Zealand's coastline, coupled with research into earthquake generated tsunami risk sources and likely consequences.

The NZCPS 2010 has policy requirements for:

identifying and assessing coastal hazard risks (Policy 24); and

 evaluating risk reduction options including those that reduce the need for hard protection structures under changing risk levels, and ensuring that the need and public benefit of the structural option are established (Policy 27).

Council has developed planning responses in two locations (Richmond West and Mapua-Ruby Bay) where there is a remaining need to clarify reliance on protection structures in the context of land use regulation, as response options in the face of increasing risk.

Link to 10-Year Plan/Annual Plan:

Time budgets in GLC 0115, 0211, 4601 for key environment & planning and asset management staff.

Accountabilities and Reporting:

The primary project team through the team leader will report to secondary team members and project sponsors at frequent intervals on progress.

Risk and Risk Mitigation

Methods/Outputs/Milestones/Timelines

Systems/Tools/Inputs/Resources Required to Deliver the Project

Costs/Budget/Job Costing Code

Job codes are:

J 10117 (0211 2001) for tasks under objectives 1 and 2

J [no. needed] (4601 2001) for tasks under objective 3

J 10065 (0115 2001) for tasks under objectives 4 and 5

Issues to Date

Initial project set up mid 2010. Some 2010/11 summer field stocktaking of coastal structures (SS, EV) but no further progress. No project progress reporting known. Need now for reframed project with refreshed drivers, tasks and output specification.

A policy response process for the consent status of coastal protection structures outside Mapua-Ruby Bay is under way as a current workstream, following the decisions version of Change 22.

Following litigation concerning Council's role in erosion on Jackett's Island, a response to the status of further development in that location is urgent.

File and Folder Locations

Hard copy:

Electronic:

Communications Plan

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Timeline (Gantt Chart) and Critical Path

Subsequent Tasks to Complete

NZCPS 2010 - priority tasks for Council

Context

"The purpose of a New Zealand coastal policy statement is to state policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand." (RMA section 56)

Council policy statements and plans must give effect to the NZCPS, and should do so "as soon as practicable". (NZCPS p.7)

Consent and other authorisation processes must have regard to relevant policies of the NZCPS.

The policy statement does not give more explicit directives or timeframes. Councils can choose whether to embark on a work programme specifically to give effect to the NZCPS; or to meet that obligation as and when policy statements and plans are amended through other triggers.

Policy 28 requires an assessment of the effectiveness of the NZCPS within six years of its gazettal. The assessment will be due in November 2016. There is an implied expectation that councils will have taken steps to give effect to the NZCPS by that time.

The statement does not otherwise direct council work programmes or budget decisions.

All plan amendments will need to follow the public process of RMA Schedule 1.

Policy 1 Extent and characteristics of the coastal environment

This policy gives a non-exhaustive explanation of what constitutes the coastal environment. The factors are largely bio-physical, and do not extend far inland from the shoreline. The one factor that exceeds those parameters is: "(f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values". The other eight factors can be taken to suggest that (f) should not be extended far from the domain of those others.

The policy does not specify that the inland boundary of the coastal environment must be mapped. Mapping would aid consistency about where the NZCPS is applied and where it is not, provided that a defensible method of defining the boundary can be applied.

Vicky Froude (Pacific Eco-Logic Ltd) has done preliminary work to assess natural character of the coastline of the District, under an EnviroLink grant. She has provided a proposal to complete that assessment, and the proposal includes defining the inland extent of the coastal environment. The resulting line, and the method by

which it is derived, can be adopted, or used as a basis for refinement if other factors or weighting are considered necessary.

Policy 2 The Treaty of Waitangi, tangata whenua and Maori heritage

This addresses Maori interests in the coastal environment. It largely addresses governance, and how Maori could be involved in management processes. There is an obligation to take into account relevant iwi resource management plans and other planning documents.

Council is currently assisting Tiakina te Taiao to develop a resource management plan. Otherwise implementing Policy 2 is seen as a matter for consideration at whole-of-Council governance level, rather than a unit of work for Policy section.

Policy 3 Precautionary approach

This policy requires adoption of a precautionary approach towards activities with uncertain effects, and to resources vulnerable to climate change.

Existing precautionary policies in the Introduction to Part III of TRMP will need to be revised. They should also be relocated in TRMP so that they apply in the land margin of the coastal environment, not just in the coastal marine area as at present. Options are to place a "whole-of-plan" precautionary policy in Chapter 1, or repeat it in the Introductions to Parts II – VI.

Policy 4 Integration

The policy is about integrated management of resources in the coastal environment. It seeks integration across jurisdictional, agency, and iwi boundaries; and across physical boundaries of land, freshwater, and the coast.

Being a unitary council overcomes some boundary issues. Inter-agency management occurs with NCC, DoC, N-MF&G; less so with MDC, BDC, or WCRC. More can be explored, but fostering further inter-agency integration is wider than a Policy section project.

In my view the main need is for a shoreline strategy within the District that integrates how the shoreline, intertidal area, and landward margin, are managed for purposes including: public and private land use; infrastructure; ecology; and hazard risk, including the prospects of climate change over 100+ years.

TRMP rules need to provide for consideration of effects that cross land, sea, and fresh water boundaries.

Policy 7 Strategic planning

The policy seeks strategic planning for:

- Urban development
- Determining appropriate/inappropriate activities, subdivision, use, development

Managing processes, resources or values under threat

The policy suggests setting thresholds (zones, standards, targets), or acceptable limits to change, to manage adverse cumulative effects.

Policy 7 is related to the shoreline strategy mentioned under Policy 4. Both are related to outcomes from the ONFL work currently underway for Golden Bay (and its eventual extension into Tasman Bay), the proposed natural character assessment, and to coastal hazards investigation. These projects should cover coastal processes, resources and values that most warrant a specific management response.

Policy 10 Reclamation and de-reclamation.

TRMP policies and rules for reclamation are generally in accord with Policy 10. Reclamation has discretionary or non-complying status, so any aspect of Policy 10 can be applied in assessing applications. Amendments could be made to policies or the rules, particularly to refer to climate change over 100+ years.

TRMP currently does not specifically address de-reclamation. This could be incorporated with policy and rule development to facilitate the removal of unauthorised or abandoned structures from the coastal environment; and to facilitate restorative planting and habitat rehabilitation.

Policy 11 Indigenous biological diversity

This policy seeks protection of indigenous biological diversity. Significant areas are under DoC protection: Farewell Spit, Whanganui Inlet, Tonga Marine Reserve, Abel Tasman and Kahurangi national parks.

The Wriggle risk and vulnerability reports signal habitat loss. (Councillors haven't yet seen the District-wide coastal ecological risk assessment report.) Policy 11 provides further reason to proceed with a coastal natural character assessment, particularly with the ecological focus of Vicky Froude's methodology. The Waimea coastal cycleway has highlighted interactions between people's activities and habitat values of the coastal margin.

There is a potential project in reviewing where the threatened taxa and habitats listed in Policy 11 occur in the coastal environment of the District, and whether they have an adequate level of protection. For example, bird roosting and nesting areas. This could be deferred until the natural character work is done, and then any gaps plugged.

Policy 13 Preservation of natural character

The initial requirement is to identify areas of outstanding and high natural character. The purpose of the policy is to preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development.

To achieve that purpose, the policy at (1) (a) requires avoidance of adverse effects where natural character is high. (1) (b) commences with avoiding significant adverse effects elsewhere, then continues with: "avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment".

The potentially draconian outcome from the latter part of (b) must be tempered by assessing what is "inappropriate" from the purpose statement.

Pending the proposed assessment and ranking of natural character, there is a task in considering what criteria to apply in deciding whether activities are appropriate or inappropriate.

While any plan provisions to implement outcomes from the Pacific Eco-Logic assessment of natural character will need consultation, the methodology defines the assessment itself as a science project (which may need peer review), with less need for lay or community input on perceived or shared values than with the ONFL project.

Policy 14 Restoration of natural character

The policy promotes restoration or rehabilitation of the natural character of the coastal environment.

The opportunity to restore natural character exists wherever it has been modified. Priority locations could be nominated for any Council-funded restoration, or for seeking assistance from voluntary community groups. Plan provisions need to be amended to facilitate restoration of natural character, supported by guidance on appropriate methods and species, removing the cost barriers or consent delays that deter community or private restoration initiatives.

The imposition of restoration conditions on resource consents is limited to remedying, mitigating, or off-setting adverse effects of a proposed activity. The condition must relate to the nature, degree, or extent of adverse effects – it is not an opportunity to require restoration of extensive areas unrelated to the effects of the proposed activity. A protocol to look for restoration opportunities when deciding consent applications that have effects in the coastal environment could be appropriate, but needs to be supported by guidance.

Policy 15 Natural features and landscapes

The policy seeks protection of natural features and landscapes of the coastal environment from inappropriate subdivision, use and development. This is wider than the ONFL of RMA s 6(b). Work is currently underway as a 6(b) ONFL investigation for Golden Bay. It may need extension for other (not outstanding) natural landscapes and features, to fulfil policy 15. This needs to be balanced with extending the ONFL project into Tasman Bay and the southern parts of the District to satisfy the matter in s 6(b).

Policy 19 Walking access

Walking access on public open space in the coastal environment is a default expectation. The policy lists limited reasons for restricting walking access. These are broadly covered in the matters for the restricted activity esplanade reserve rule in TRMP. But because it is a restricted activity rule, it would be prudent to amend the matters to explicitly include all of the Policy 19 reasons.

Policy 21 Enhancement of water quality

The policy asks for improvement to coastal water quality where it has deteriorated to the extent of having significant adverse effects on ecosystems, natural habitats, recreation, or on uses such as aquaculture, shellfish gathering, and cultural activities.

The 2012 Wriggle report shows localised areas of poor water quality. Bell's Island effluent discharge makes shellfish gathering in Waimea Inlet inadvisable. Aquaculture harvesting is restricted in periods of high river flow.

Can a review of the significance of these effects, and the practicality of improving water quality, be coordinated with, or included in, work in response to the FW NPS?

Policy 22 Sedimentation

The policy requires sediment levels and impacts to be assessed, and for sediment generated by activities on land to be controlled.

The Wriggle report and Council monitoring give an assessment of received sediment. The Wriggle report indicates proportional input from classes of land use / land cover, from a model.

TRMP land disturbance rules are currently under review? Is this covering subdivision and land use, including forest harvesting? Will sediment in run-off and stormwater be addressed in response to the FW NPS?

Policy 23 Discharge of contaminants

The policy covers sewage, stormwater, and discharges from ports and marine facilities.

For stormwater, it seeks to reduce input loads of contaminants, sediment, and water.

For ports and marine facilities, it seeks to:

- Avoid contamination of the marine environment that is more than minor
- Avoid significant adverse effects from disturbance or relocation of contaminated seabed material
- Require operators to provide for collection of sewage and waste from vessels and vessel maintenance
- Collect sewage and other waste from vessels

For stormwater, post-SITD work is being reactivated.

No project proposed re ports and marine facilities

Policy 24 Identification of coastal hazards

Policy 25 Subdivision, use, and development in areas of coastal hazard risk

Policy 26 Natural defences against coastal hazards

Policy 27 Strategies for protecting significant existing development from coastal hazard risk

This set of policies is dependent on the identification of hazards sought by Policy 24.

The scale of this task, with the "over at least 100 years" timeframe of the policy, could be indefinite. The task needs an inter-departmental scoping exercise to establish what information is needed to form a defensible Council response to the risks from coastal hazards. The scoping exercise should cover:

- What is most vulnerable?
- What is most valued?
- What is the most cost-effective response?

EPMG 21/8/12 acknowledged the task, but with no current capacity to commence.

The task also relates to the shoreline strategy mentioned under Policy 4.

TRMP Useability Review

Project Purpose

To make the Tasman Resource Management Plan (TRMP) and the combined Regional Policy Statement (RPS), more user friendly through improving its accessibility, useability and readability.

Background

In response to on-going feedback about our Plan from its users, we recognise the need for improvements to be made regarding its user friendliness. In its current form it is considered to be bulky, difficult to understand and navigate, and difficult to administer.

This is a consequence of the history of its evolution since decisions on the notified Plan (up to 2001), where a "rolling review" approach has been taken to developing the plan. A long period of resolution of environment court appeals and making second generation variations and changes on a wide range of matters from 2001 to the present day, has added to its complexity.

During this period there have also been changes to the Resource Management Act 1991 (RMA), affecting Plan making procedures and simplifying required content. The amendments present an opportunity to simplify Plan content and reduce its bulk. Additionally, significant changes in information management technology present opportunities for further streamlining the TRMP and improving its searchability, administration functionality and simplicity.

Objectives

- 1. Reduce TRMP text by considering:
 - a. an overhaul of content and structure in terms of the RMA 2003 amendment which only requires objectives, policies and rules for plans;
 - b. minimising duplication or repetition including simplifying repetitive rules;
 - c. rationalising zones and areas, schedules and appendices;
 - d. rationalising RPS and TRMP content (subject to RMA amendments); and.
 - e. removing provisions that are not operative and maintaining them in another form.
- 2. Review and simplify rule hierarchies, and use them consistently.
- 3. Pursue opportunities for improving navigability, including such things as making rules and their origins easy to follow.
- 4. Pursue opportunities to achieve any of the above by electronic display of text and shape content in full integrated search, retrieve and combine functions streamlining content to improve access and administration efficiencies

Stages

Two key stages have been identified. This brief outlines process and output requirements for Stage I only.

Stage I – Definition of scope of the project and a business case (benefits, costs, risks, including leveraging of current projects), with Committee approval. Before significant investment of staff time and resources, EPC approval of a Plan review and restructure project, as recommended by staff, is required.

Stage II – *Draft Plan Changes*. Based on review and restructure investigations, and in accordance with approved project of the first stage, a series of Plan Changes is drafted for consultation.

Stage I Outputs

- i. Summarised assessment of areas for improvement to the plan in a form suitable for an appendix to EPC reporting and/or Section 32 documentation inclusion (November 2012, Core Team)
- ii. Options for scope, scale and extent of a Plan review have been identified and the pros and cons have been clearly set out (November 2012, Core Team)
- iii. EPC staff report with business case for preferred scope of improvements, and project approval (or otherwise) and process recommendations (November EPC, project manager Core Team)
- iv. Stage II Project Brief drafted (Core Team)