Tahimana

Fast-track Substantive Application

Assessment of Environmental Effects and Statutory Analysis

31 August 2026

Contents

1.0 Applicant and Property Details

To:	Environmental Protection Authority
Project Name:	Tahimana
Project Summary:	Subdivide land at Stagecoach Road, Tasman to produce 141 allotments for residential and lifestyle purposes, one reserve allotment, and additional allotments for infrastructure. The Project includes infrastructure upgrades and restoration of wetlands.
Reference number:	FTAA-2512-1162
Site Address:	Stagecoach Road, Tasman
Applicant Name:	Tahimana Limited
Address for Service:	Staig & Smith Ltd, 126 Trafalgar Street, Nelson 7010
Legal Description:	Lot 1 DP 450728, Lot 3 DP 450728, RT 573241 and Section 34 Survey Office Plan 440217, RT 600148
Site area:	70.8 hectares plus Stagecoach Road and Dicker Road upgrades
Development Site Owner:	Tahimana Limited
	Crown – administered by New Zealand Transport Agency (Section 34, SO 440 217), subject to proposed License to Occupy in favour of Tahimana Ltd for Wastewater Disposal Field
Transportation upgrade sites:	Tasman District Council (Stagecoach Road, Dicker Road)
	Crown - administered by administered by New Zealand Transport Agency (various parcels adjacent to Stagecoach Road and Dicker Road)
Plan:	Tasman Resource Management Plan (TRMP)
TRMP Zoning:	Rural 3
TRMP Overlays:	Land Disturbance 1, Wastewater Management Area Overlay

Locality Diagram:	Refer to Sheet 6 of Attachment 3.2
Summary of approvals:	Resource consents for: ▪ Subdivision ▪ Land use ▪ Land disturbance ▪ Wastewater discharge (Communal) ▪ Wastewater discharge (Onsite) ▪ Stormwater diversion and discharge, including to detention dams (constructed outside of waterbodies) and within, or within 100 m setback from natural inland wetlands ▪ Vegetation clearance and earthworks within 10 m of a natural inland wetland and waterway for the purpose of a wetland utility structure

2.0 Executive Summary

2.1 Overview of the Project

Tahimana is 'shovel ready' to deliver a master-planned community representative of a full range of ages and socio-economic groups, with a range of lot sizes and housing types to ensure that there are opportunities not only for those seeking a lifestyle block for a larger home, but also affordable opportunities for housing for first home buyers, families, extended families and older community members to have an option to live outside of urban surroundings.

The vision is a development that fosters a sense of community, preserves open space and wetlands, and includes a village green which connects into a walkway/cycleway through the development and beyond. The project will deliver on the following objectives:

- A variety of lots sizes ranging from residential size allotments through to lifestyle allotments, appealing to a diverse resident population, both in terms of age and socioeconomic groups.
- Provision of all infrastructure (reticulated water, wastewater and transportation) necessary for the development.
- A network of green corridors containing restored ribbon wetlands interspersed with neighbourhood areas that are connected ecologically and, where appropriate, through walkway/cycleway corridors.
- Retaining and enhancing existing waterways and wetlands by avoiding development in the gully areas, focusing development on the spur areas surrounding the gullies, and restoring the margins of the waterways and wetlands with appropriate restoration planting.
- Minimising earthworks and land disturbance to generally maintain the contour of the land and ensure the important ecological corridors are protected.
- Significant roading and walking/cycling upgrades that benefit the development and also provide improved connectivity for other users, by providing good linkages to and from the site for a range of transport modes, with an emphasis on walkways and cycleways connecting with Mapua and Tasman township and their schools.
- Creating landmarks and focal points through the development, ensuring there are opportunities to tell the story of the area, in particular the cultural stories of Te Tauihu iwi.

- Providing a Village Green as a focal point for the Community, as a gathering and recreation area.

2.2 Summary assessment of criteria for decision on approvals

The Project will have significant regional benefits for housing and employment. Benefits of wetland restoration and enhancement are also regionally significant in the context of a region that retains less than 5 percent of the original extent of wetlands on private land. The Project involves extensive upgrades to roads and walkway/cycleways that are likely to provide a regionally significant transportation benefit.

The Project is consistent with national and local planning instruments. The site is within a zone (Rural 3) that has been specifically developed to provide opportunities for innovative residential developments in order to meet demand for residential living in a rural context and reduce pressure for rural residential and residential subdivision in other rural parts of the district with higher productive land, landscape and rural character values.

All potential adverse effects have been assessed and are able to be avoided, remedied or mitigated so that most effects are negligible or less than minor. The Project will result in a change to the visual amenity and character of the site which may be perceived as an adverse effect from some viewpoints, but this will reduce over time as planting becomes established (and a level of change is clearly anticipated by the Rural 3 Zone policy framework). Construction noise effects from roading upgrades may also have a minor (temporary) adverse effect on a small number of residences. Proposed conditions are volunteered to minimise those impacts.

The Project is not inconsistent with Treaty settlement obligations and does not involve any other ineligible activity. The Project will not have any adverse impact that is out of proportion to its significant regional benefits.

Beyond delivering new residential allotments to enable future housing, the Project is a significant, long-term investment in the growth and wellbeing of the wider community. The Project integrates residential land supply, infrastructure, wetland restoration, public open space and active transport connections, while responding to environmental, cultural and community values. The Applicant considers the Project will deliver lasting social, environmental and economic benefits for future residents and generations to come.

3.0 Introduction

3.1 Description of the proposed activity

Tahimana Ltd seeks approvals (being resource consents that would otherwise be applied for under the RMA[1]) to subdivide and develop land for the purpose of establishing a residential and rural lifestyle development on approximately 70 hectares of land off Stagecoach Road, Tasman. The project will include works within the Stagecoach Road and Dicker Road corridors. The project will include:

- subdivision to create approximately 145 allotments, including 141 allotments for housing, a reserve allotment, roading and infrastructure/utility allotments, and to enable construction of 141 residential units across a range of densities
- development of an open space network including a public reserve and walkways, and upgrades to shared pathways
- landscape planting and restoration and enhancement of waterways and wetlands
- associated infrastructure, including for three waters services and transport (including external road upgrade works).

A detailed description of the activity is provided in Section 8.

3.2 The applicant

The landowner and applicant is Tahimana Ltd. As set out in the Developer Statement (Attachment 2), the directors of Tahimana Ltd are Simon Collett and Gary Donaldson. Both have extensive experience in land development and strong connections to the civil construction industry. Tahimana Ltd has the necessary resources and experience required to implement the Project. Tahimana Ltd holds a unique advantage through ownership by the two company directors in:

- A large, locally owned civil construction company that can commence on-site once consent is granted, starting with bulk earthworks, followed by road construction, service reticulation, pump station installation, and building platforms.
- Building companies currently constructing a high volume of homes annually in the Nelson Tasman region, and who are committed to helping Tahimana achieve the proposed development. Several other builders will be considered to join the project once resource consents are granted.

[1] Section 42(4)(a) FTAA

Mr Collett and Mr Donaldson are involved in one of the largest developments seen in the Nelson/Tasman area (Richmond West), which has been instrumental in the region's growth. Together, they offer extensive experience and connections in the land development and building industry across the top of the South Island, providing an exceptionally strong, local foundation for the Project.

The project will be managed by Collett Group Ltd, led by Director Mr Collett and supported by Operations Manager Gina Grimwood. This team has extensive experience in land development, housing, and commercial projects spanning many years. They bring a diverse range of skills and a proven track record of delivering complex projects with a 'make it happen' attitude.

3.3 Referral decision

The Project is a referred project. The Referral Decision is at Attachment 19. It records that the Minister was satisfied that:

- the Project is an infrastructure or development project that would have significant regional or national benefits; and
- referring the project to the fast-track approvals process:
    - would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and
    - is unlikely to materially affect the efficient operation of the fast-track approvals process.

The Minister was satisfied the project is an infrastructure or development project that would have significant regional or national benefits as it:

- will increase the supply of housing by providing approximately 141 residential units
- will deliver significant economic benefits by:
    - providing or enabling approximately 105 direct full-time equivalent (FTE) jobs and 120 indirect FTE jobs over an approximately 8-year delivery period;
    - contributing approximately $37.1 million to GDP (s22(2)(a)(iv)).

The Minister specified that Tahimana Limited is the authorised person to lodge the substantive application.

The only other matters specified by the Minister pursuant to s 27 FTAA was that the Panel must invite comment from Wakatū Inc.

3.4 What this AEE covers

This AEE addresses the information required by the FTAA for a substantive application for resource consents, being:

- An explanation of how the project is consistent with the purpose of the FTAA (s 43(1)(b)(i)) – this is in Section 4.
- Information to demonstrate that the project does not involve any ineligible activities (s 43(1)(c)) - this is in Section 5.
- The information requirements for the approvals sought (s 43(1)(e) and (3)(a), and cls 5 – 8 of Sch 5) – this is in Sections 7 to 14 and the attached technical assessments and draft consent conditions.

It also addresses the criteria for assessment of the substantive application:

- Criteria and other matters for assessment of consent application (cl 17 of Sch 5 FTAA)
- Conditions on resource consent (cl 18 of Sch 5 FTAA)
- The matters that the panel must consider in ss 81 – 85 FTAA.

3.5 Confirmation of substantive application compliance

In accordance with s 46 of the FTAA, this substantive application complies with ss 42 – 44 FTAA, relates solely to a referred project, and does not seek approval for an ineligible activity. Any fees, charges, or levies payable under regulations in respect of the application have been paid.

4.0 How the project is consistent with the purpose of the FTAA

Section 43(1)(b) requires a substantive application to explain how the project to which the application relates is consistent with the purpose of the FTAA. That purpose is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

The project is consistent with the purpose of the FTAA because:

- It will have significant regional housing, employment, economic, transport infrastructure and biodiversity (wetland restoration and protection) benefits as described below.
- Approval under the FTAA will facilitate the delivery of those benefits.

4.1 Significant housing benefits

The Project will contribute 141 new lots to the Tasman housing market. As set out in the Developer Statement (Attachment 2), the family-focussed development will provide a range of lot sizes to promote affordability and attract a diverse community. The aim is to deliver:

- 70% affordable family homes on residential size lots
- 30% mid-range section sizes/house designs on rural lifestyle and rural conservation lots

Tasman is the least affordable region for housing in New Zealand (Nelson Tasman Annual Monitoring Report, December 2025). Across all lot types, dwellings will have an average sale price of $1,140,000, which is notably (21%) lower than the average rural lifestyle dwelling price of approximately $1,445,000. The average price for a dwelling on the residential lots is estimated at $1,080,000 or less, with more modest dwellings of around 150m^2 to 175m^2 enabling house and land packages priced at $880,000 to $960,000.

The rural lifestyle market is distinct within the Tasman District/region, providing housing primarily for middle-higher-income/wealth retiree/semi-retiree and work-from-home households. This market accounts for approximately 15% of the total residential market in Tasman, with demand for an additional 85 dwellings annually. Over the medium term, there is estimated remaining capacity (pipeline developments) in the rural lifestyle areas in the Tasman District/region of 148 dwellings. This equates to approximately 1.7 years of capacity based on an annual demand of 85 dwellings per annum. At 141 dwellings, the proposal represents a 95% increase to the current and pipeline dwelling supply and increases the number of years of remaining capacity to approximately 3.4 years. This demonstrates the scale of the proposal with respect to the rural lifestyle market and the significance of the proposal's contribution to the future function of this distinct market.

The proposal is self-servicing for infrastructure, with wastewater fully managed onsite and only a limited connection to the Council's water network, and with significant transport upgrades funded by the developer. This enables housing delivery with no additional reliance on, or cost to, Tasman District Council and ratepayers.

The site is owned by the developers, who have the necessary resources and experience required to transform this development from bare land to a fully developed subdivision delivering homes within a short period of time.

As set out in the Economics report by Urban Economics (Attachment 4), these are significant net economic benefits to the Tasman District/region.

4.2 Significant economic/employment benefits

Tasman has experienced a series of business closures over the last year, resulting in increased unemployment and many young, skilled workers leaving New Zealand for employment in Australia. As the developers explain (Attachment 2), the Richmond West development is one of the largest in the top of the South Island but is on schedule to conclude in 2026. Tahimana presents a critical opportunity for continuation of employment for tradespeople currently engaged in that development.

Urban Economics predicts that construction of the proposal would directly contribute approximately $39.1 million to Construction sector GDP and support 240 Full-Time Equivalent (FTE) jobs (Attachment 4). In addition, construction would indirectly contribute $37.3 million to national GDP and support approximately 181 FTE jobs. Of this indirect economic impact, the proposal would make a contribution towards the Primary Sector GDP and FTE employment, contributing approximately $2.2 million, which would support an estimated 1 FTE jobs. Once constructed, it is estimated that the expenditure of future residents in the proposal would contribute approximately $3.7 million to GDP and support 30 FTE jobs annually. Urban Economics assesses those outcomes to be significant net benefits to the Tasman district/region.

4.3 Significant wetland benefits

The Project addresses the significant environmental issue of wetland degradation and loss. Freshwater wetlands are one of the most depleted ecosystem types in New Zealand, with 90 percent having been lost nationwide. Wetlands on private land in Tasman have been severely depleted, now covering only about 5 percent of their former area across the region. The majority of remaining wetlands are small, and wetlands are still being lost. There is an urgent need for retention and enhancement of freshwater wetlands, particularly on private land.

The Project involves the protection and restoration of all wetlands on the site. This restoration project is considered by RMA Ecology to provide a significant regional benefit to Tasman's wetlands (Attachment 8).

The wetlands will be protected from stock and planted with native wetland plant species along with a 10 m buffer of native shrubs and trees. This will create a large area of restored native wetland. Removing stock will allow the wetlands to recover from trampling and grazing. The restoration planting will create habitat for aquatic invertebrates as well as terrestrial fauna and will improve habitat quality in the streams for native fish by providing shade and woody debris inputs.

Restoration of the wetlands and streams will also have a significant benefit for the wider catchment, including the large wetland on the adjacent property, by improving the filtering capacity of the wetlands. By improving the filtration of sediments and nutrients,

reducing rates of stormwater flow, and creating shade, restoration of the site's wetlands and streams will contribute to improved water quality in the wider catchment, including in the Moutere Inlet, which has significant ecological value. The Moutere Inlet is recognised as being nationally significant for shore birds and wading birds and as a valuable nursery area for marine and freshwater fish.

The Project goes well beyond merely mitigating environmental impacts. Collectively these restoration measures will protect, restore and enhance a rare and diminishing ecosystem type within the Tasman District, providing environmental benefits that extend well beyond the development site and endure for generations to come.

4.4 Significant transport benefits

The proposed development includes a significant upgrade including sealing of around 3 km of Stagecoach Road. The currently unsealed section will be upgraded to a six-metre-wide sealed carriageway with 500 mm gravel shoulders. This will improve conditions not only for future Tahimana residents but also for the approximately 24 existing properties served by the unsealed section of Stagecoach Road.

It is also proposed to construct/upgrade:

- A separated 2.5-metre-wide walking/cycling shared path along the Stagecoach Road corridor from the Development Site's southern boundary to Chaytor Road (where there is a SH 60 underpass).
- A 2.5-metre-wide gravel path for walking/cycling from the northern end of the Development Site along the Dicker Road corridor (where there is an existing unformed track) through to the formed section of Dicker Road at Tasman Village.

This link will enable cyclists and pedestrians to connect through to Tasman Village. The location of these upgrades is shown on Sheet 8 in Attachment 3.2.

Together these works deliver wider public benefits and improve the viability of further subdivision of Rural 3 land in the area.

5.0 Ineligible activities

Section 43(1)(c) requires the applicant to demonstrate that the project does not involve any ineligible activities. The project does not include any ineligible activities.

The definition of "ineligible activities" includes:

> (j) an activity that—
>
> > (i) would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority; and

(ii) has not been agreed to in writing by the person or persons in whom the reserve is vested:

(k) an activity that—

(i) would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority; and

(ii) has not been agreed to in writing by the person or persons responsible for managing it

Wastewater from 101 allotments will be connected to a communal onsite wastewater treatment system which involves discharging treated effluent to land via a sub-surface dripper irrigation. A portion of the proposed wastewater disposal field is located on Crown land administered the New Zealand Transport Agency (see Scheme Plan at Attachment 1). NZTA has confirmed that it will grant a License to Occupy for the disposal field (Attachment 17).

The NZTA land is not a reserve held under the Reserves Act 1977. It was taken as severance under s 119(1) Public Works Act 1981 and vested as stopped Government Road under s 119(4) on 11 October 2012, upon the publication of Gazette Notice 2012-ln6441.

The Reserves Act 1977 defines "reserve" as "land set apart for any public purpose" but "does not include – (j) any land taken or otherwise acquired or set apart under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for any purpose not specified in paragraph (i)". Paragraph (i) is "any land taken or otherwise acquired or set apart by the Crown under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for the purposes of a reserve, a recreation ground, a pleasure ground, an agricultural showground, or a tourist and health resort". The NZTA land was not taken for one of the purposes specified in (i) and therefore comes within clause (j) and is excluded from the definition of "reserve".

For completeness, the applicant also notes that:

- The NZTA land is subject to a right of first refusal "RFR" under three Settlement Acts (Ngāti Apa ki te Ra To, Ngāti Kuia, and Rangitane o Wairau Claims Settlement Act 2014; Ngāti Toa Rangatira Claims Settlement Act 2014 and Ngāti Koata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-a Maui Claims Settlement Act 2014). This does not bring it within any of the criteria for an ineligible activity. The Treaty settlements are addressed further in Section 14.
- The RFR does not affect NZTA's ability to grant the license to occupy, because the license is not a "disposal" as defined in subpart 4 of Part 3 of those Acts.

- Reliance on the licence to occupy does not result in inconsistency with existing Treaty settlements.

6.0 Summary of approvals required

The project requires the following resource consents:

Subdivision consent

Consent is sought to subdivide the property into allotments for the following purposes:

- 98 residential allotments ranging in size from 590m^2 to 1100m^2 (**Residential Allotments**).
- Three serviced lifestyle allotments having areas of 1780m^2, 2130m^2 and 3200m^2 (**Serviced Lifestyle Allotments**).
- 38 lifestyle allotments ranging in area from 5000m^2 – 2.09ha (**Lifestyle Allotments**).
- Two Rural Conservation Allotments with building sites, being Lot 140 comprising 11.4ha and Lot 141 comprising 5.68ha (**Rural Conservation Allotments**).
- Four network utility allotments. Lot 139 of 2.73ha, Lot 144 of 5.98ha and Lot 156 of 310m^2 will be utilised for the communal wastewater system, providing for primary and reserve disposal fields. Lot 146 is a utility allotment for a water tank for the reticulated water supply.
- Lot 142 of 3,000m^2 is proposed as a Local Purpose Reserve.
- Ten allotments are proposed as road to vest.

Consent is sought to undertake the proposed subdivision in 12 stages as set out below, with the ability to undertake the stages in any order:

- Stage 1 – Lots 1-7.
- Stage 1A -Lot 146.
- Stage 2 – Lots 8-13
- Stage 3 – Lots 14-30, Lots 144-145, 147
- Stage 3A – Lot 141
- Stage 3B – Lot 144 (Wastewater Utility Lot)
- Stage 4 – Lots 31-58, Lot 142 and Lot 148
- Stage 5 – Lot 20, Lots 87-101, Lot 149 and Lot 156 (Wastewater Lot).

- Stage 6 – Lot 102-112 Lot 150 and 155.
- Stage 7 – Lots 113-119, Lots 132-136 and Lot 151
- Stage 8 – Lots 120 – Lot 131, Lot 137, Lot 138 and Lot 152
- Stage 8A – Lot 139 (Utility Lot Wastewater Discharge Reserve Lot)
- Stage 9 – Lots 59-74 and Lot 153
- Stage 10 – Lots 75-86 and Lot 154
- Stage 11 – Lot 140

A lapse period of 10 years is sought.

The information required by Clause 8 of Sch 5 FTAA is provided in Sheets 1 - 76 of the Development Plans in Attachment 3.2.

Land Use Consents – Buildings

Consent is sought to erect dwellings and buildings within the building location area (**BLA**) identified on each of the residential, lifestyle and rural conservation lots, except that consent is sought for up to 20% of any building to extend outside the BLA to accommodate different design scenarios that may not fit with the BLA shape. Buildings related to water and wastewater infrastructure are excluded from the requirement to locate within the BLA.

A further exception from the BLA requirement would apply to Lots 140 and 141 for farm/storage accessory buildings, where one additional rural accessory building is permitted outside the BLA on each of these allotments.

Consent is sought for any dwelling erected on any of the allotments to have the opportunity to be designed in accordance with TRMP Controlled Activity Rule 17.7.3.2(b), enabling a dwelling to contain a subsidiary second housekeeping unit (within the one structure).

Consent is sought to erect dwellings on the 98 Residential Allotments and 3 Serviced Lifestyle Allotments in accordance with the TRMP Residential Zone permitted activity rules for setbacks, except for those allotments that have more than one road frontage, in which case the road boundary setback is only required to be met at the road boundary from which access is taken (the internal boundary setback applying to other road boundaries).

For dwellings on the 38 Lifestyle Allotments and the 2 Rural Conservation Allotments, consent is sought for the setback requirement to be 5m from any road boundary. In respect of all other internal boundaries, the setback requirements under the TRMP Rural 3 Zone would apply.

Consent is sought to erect network utility structures for the communal water and wastewater systems.

A lapse period of 10 years is sought for the Land Use Consent, with the consent to commence on the date of issue of the Certificate of Title for the allotment.

Land Use Consent - Land Disturbance

Consent is sought for land disturbance to undertake recontouring and earthworks for roading, including the upgrade of Stagecoach Road , accessways, walkway/cycleways on Stagecoach and Dicker Road corridors, building platforms, the communal wastewater disposal areas, water infrastructure, stormwater infrastructure including detention basins, and for a wetland utility structure where land disturbance will take place within 10m of a natural inland wetland.

A lapse period of 10 years is sought (to align with the Subdivision Consent).

A 10-year consent term is sought.

Discharge Consent – Stormwater

Consent is sought:

- to discharge stormwater to settlement ponds prior to discharge to land and water during the construction period.
- to discharge and divert stormwater from the subdivision and developed sites to land and water, with a portion of the stormwater being directed to onsite detention basins (constructed outside waterbodies) and within, or within a 100m setback from a natural inland wetland resulting in a change in the water level range in some wetlands.

A lapse period of 10 years is sought, reflecting the staging of the development.

A 35-year consent term is sought.

Discharge Consents – Wastewater

Consent is sought to discharge to land treated wastewater from the communal wastewater system that caters to 101 allotments (being the Residential Allotments and the Serviced Lifestyle Allotments).

A separate consent is sought to discharge treated wastewater from 38 onsite wastewater systems on the Lifestyle Allotments and Rural Conservation Allotments.

A lapse period of 10 years is sought (to align with the Subdivision Consent).

A 35-year consent term is sought for both Wastewater Discharge Consents.

NES Freshwater Consents

Consent is sought under the Resource Management (NES for Freshwater) Regulations 2020 (NES Freshwater) for vegetation and land disturbance for the purpose of a wetland utility structure.

Consent is sought under the Resource Management (NES for Freshwater) Regulations 2020(NES Freshwater) for the damming (constructed outside of waterbodies) diversion and discharge of water into water where there will be a change in water level or hydrological function of a wetland.

A 10 year lapse period is sought (to align with the Subdivision Consent).

A 35 year consent term sought.

7.0 Description and map of the site

The site is located in Tasman, between Richmond and Mapua. The site comprises the Development Site and the Transportation Upgrade Areas, as outlined below.

7.1 Context

The subdivision is to the east of Stagecoach Road, with the primary wastewater disposal field to the west of Stagecoach Road adjoining State Highway 60. The property has approximately 1.5km of frontage to Stagecoach Road as shown in Figure 1 below.

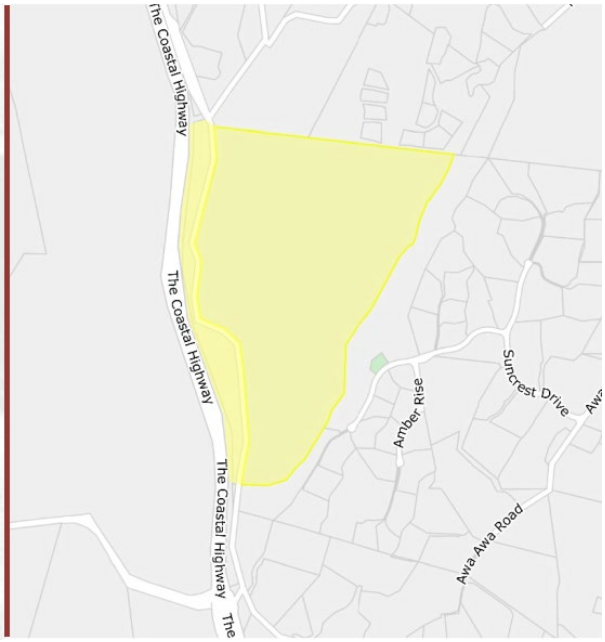

Figure 1: Development Site

A track (unformed or formed to a very basic standard) runs for approximately 3.2 kilometres from the northern end of the Development Site through to the sealed

formation of Dicker Road at the southern end of Tasman Village along the Dicker Road corridor (Dicker Road is the continuation of Stagecoach Road). Dicker Road is extensively used by walkers and cyclists.

Mapua and Ruby Bay settlements are located to the south and east of the site. These areas can be accessed through various cycling and walkway routes, with the road access to Mapua being down Stagecoach Road then Seaton Valley Road. The distance to Mapua via road is approximately 5 kilometres. Figure 1 above and the Context Plan in Sheets 6 and 7 of Attachment 3.2 provide an overview of the site location relative to those townships and roads.

7.2 Development Site

The subdivision and wastewater disposal areas (**Development Site**) comprise three parcels of land, being

- Lot 1 DP450728 being 62.0437 ha to the east of Stagecoach Road.
- Lot 3 DP450728 being 5.9891 ha to the west of Stagecoach Road.
- Section 34 SO440217 being 2.7813ha.

Lots 1 and 3 DP450728 are held in the one Title, being 573241, which is owned by Tahimana Ltd. Section 34 SO440217 is Crown land administered by NZTA which the Applicants propose to occupy for the purpose of a wastewater disposal field under a Licence to Occupy. The Titles and the Licence to Occupy correspondence are in Attachment 17.

Lot 1 DP450728 will be subdivided into allotments for Residential, Serviced Lifestyle, Lifestyle and Rural Conservation purposes. Lot 3 DP450728, together with Section 34 SO440217, Lot 139 and Lot 156 will be utilised for the communal wastewater system primary and reserve disposal fields.

The Development Site is of variable topography, rising from approximately 45 metres above sea level at the northern gully up to 107 metres above sea level at the highest point above the Stagecoach Road ridge. The landform involves a series of moderately sloping ridges, spurs and gullies. The land adjoining Stagecoach Road is the most elevated section of the site. A local ridgeline/spur leading down from Stagecoach Road towards the north divides the Development Site into two main catchments, with the eastern catchment draining to the established wetland on the neighbouring property on the eastern boundary, and the western catchment draining towards the northern boundary into the Horton Road Catchment.

The Development Site is now in pasture, having had a history of pine plantations. The area between Stagecoach Road and State Highway 60 has relatively recently been cleared of pine trees. From the southern to northern ends of the Development Site (shown in pink in Figure 2 below) Stagecoach Road provides frontage for the subdivision, and this section of the road will be progressively upgraded with the subdivision stages.

7.3 Transportation Upgrade Areas

Outside the Development Site, the following transportation upgrades are proposed:

- Upgrading Stagecoach Road from the intersection with Chaytor Road through to the southern point of the Development Site. This upgrade may trigger the need for resource consents under earthworks and noise rules (in relation to some properties there is potential for the construction noise standards to be breached for limited periods of time).
- Upgrading the very basic track formation that traverses the Dicker Road corridor (paper road and adjacent Crown land) for approximately 3km to the outskirts of Tasman Village. Dicker Road is extensively used by walkers and cyclists but has not been developed to a formal cycleway /walkway standard. The Applicant is proposing to upgrade this route to provide a formal cycleway /walkway. Consent may be triggered in relation to earthworks and noise (the construction noise standard may be exceeded outside one property near the Tasman township end of the road).

These areas are shown in red on Sheet 8 in Attachment 3.2, and reproduced in Figure 2 below (**Transportation Upgrade Areas**):

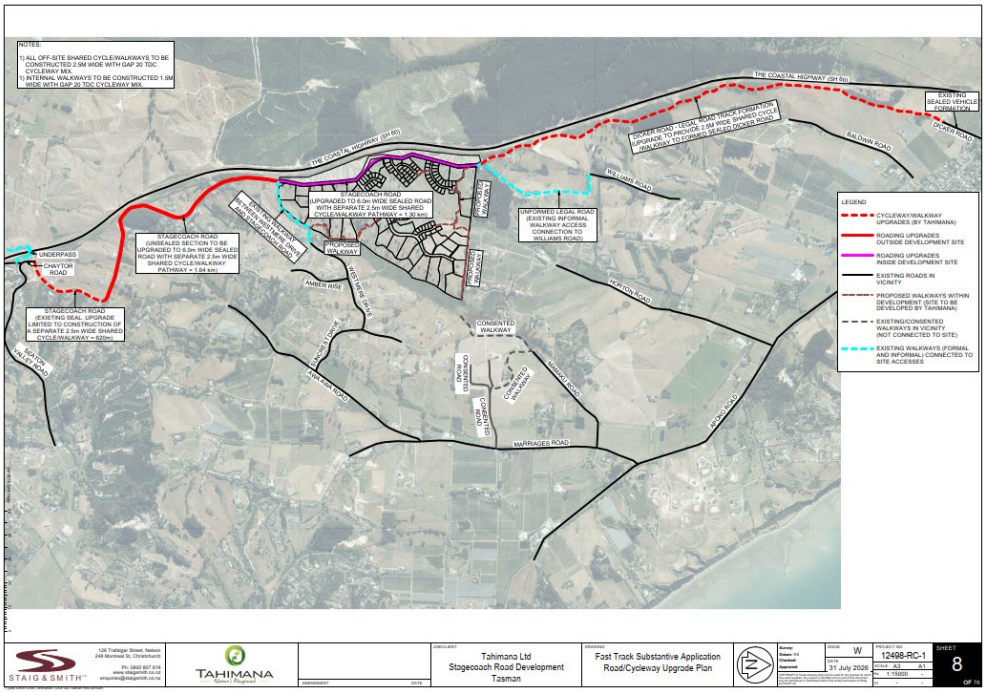

Figure 2: Transportation Upgrade Areas

8.0 Description of the proposed activity and any other activities and approvals

8.1 Subdivision

The subdivision will create 141 allotments that will be utilised for a dwelling. In addition, there will be one Local Purpose Reserve Allotment, three allotments for wastewater disposal services, one allotment for the water tank and a number of allotments for roading purposes. The proposed subdivision layout is shown on the subdivision plans in Attachment 1, which are also part of the full drawing set for the development contained in Attachment 3.2. The subdivision plan is reproduced below in Figure 3.

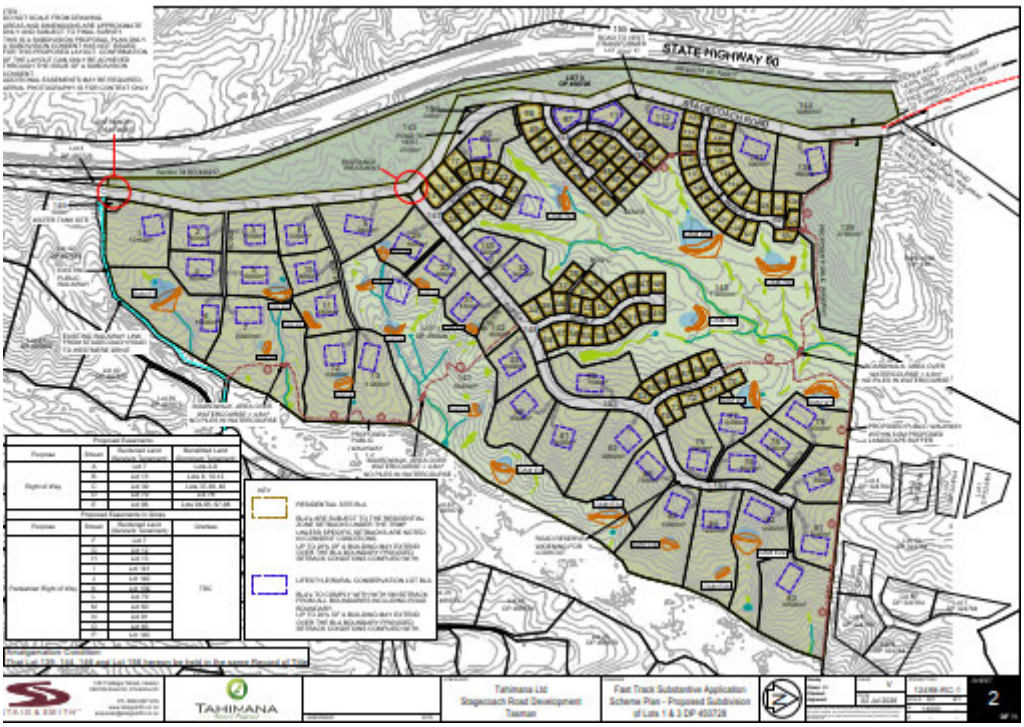

Figure 3: Tahimana Subdivision Plan

The following sets out the nature and scale of the allotments within the development:

- 98 Residential Allotments (proposed Lots 14-19, Lots 21-28, Lots 34-58, Lots 63-74, Lots 88-110 and Lots 113-136). Each allotment will have a dwelling. These residential allotments are contained within five residential clusters on the subdivision plan (see Figure 3 and Attachment 1) and range in size from 590m^2 – 1100m^2. The vast majority of the allotments sit within a range of 600m^2 – 850m^2 with an average of approximately 700m^2. The Residential Allotments will be serviced by the reticulated communal water and wastewater system.

- Three Serviced Lifestyle Allotments (Lot 87 of 1780m^2, Lot 111 of 2130m^2 and Lot 145 of 3200m^2). Each allotment will have a dwelling. These allotments will also be serviced by the reticulated communal water and wastewater system.

- 38 Lifestyle Allotments (Lots 1-13, Lot 20, Lots 29-33, Lots 59-62, Lots 75-86, Lot 112, Lot 137 and Lot 138). Each allotment will have a dwelling. The Lifestyle Allotments will provide for their own onsite wastewater disposal and rainwater collection. Of these allotments, 25 are within a 5000m^2-8000m^2 range, nine allotments are within a 8000m^2-1.2 ha range, and four allotments are within a 1.33 ha – 2.09 ha range. The latter four allotments contain wetlands.

- Two Rural Conservation Allotments (Lot 140 of 11.4 ha and Lot 141 of 5.64 ha). There are extensive waterway and wetland areas within both of these allotments. Each Rural Conservation Allotment has an identified BLA. Wastewater will be

serviced by an onsite wastewater system. Water supply will be via rainwater collection.

- One Local Purpose Reserve (Lot 142 of 3000m^2).
- Three allotments within the subdivision and an area of Crown (NZTA) land will be used for the communal wastewater system and discharge fields. The primary disposal field will be located within Lots 144 and 156, having a combined area of 6.0111 ha and Section 34 SO440217 with an area of 2.78 ha. Lot 139 is proposed as a reserve wastewater disposal field, comprising an area of 2.73 ha. The Residential Allotments and Serviced Lifestyle Allotments will be connected to the communal wastewater system.
- Lot 146 (of 500m^2) is a water utility allotment providing for community water supply to the Residential Allotments and the Serviced Lifestyle Allotments. A water storage tank will be constructed on this site to receive water from the TDC bulk supply (from the TDC water tanks in Stagecoach Road). The water supply from the tank on Lot 146 to allotment will be a private, reticulated water supply system. In addition, the tank will provide a firefighting supply for all allotments in the subdivision.
- There will be one allotment for the power transformer, being Lot 155 (which will vest as road).
- The remaining allotments on the subdivision plan comprise allotments to vest in the Council as roads.

Consent has been sought to stage the subdivision. Sheet 4 of Attachment 3.2, reproduced below in Figure 4, illustrates this staging. The following sets out the staging proposed.

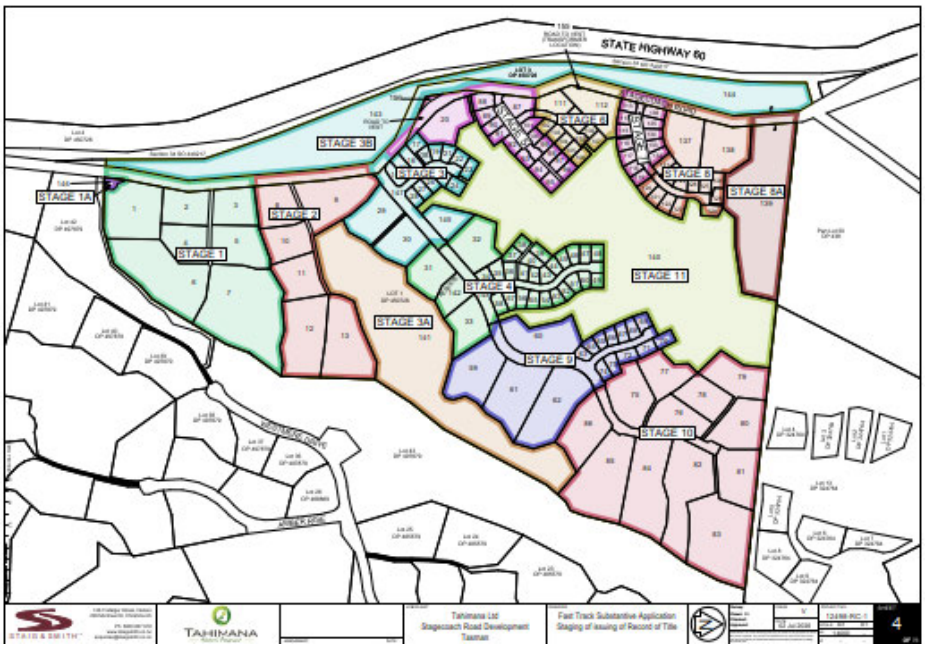

Figure 4: Tahimana Staging Plan

- Stage 1 - Lots 1-7
- Stage1A- Lot 146 (Water Utility Lot)
- Stage 2 – Lots 8-13
- Stage 3 – Lots 14-30, Lots 144-145, Lot 147.
- Stage 3A – Lot 141
- Stage 3B -Lot 144 (Wastewater Utility Lot)
- Stage 4 – Lots 31-58, Lot 142 and Lot 148
- Stage 5 – Lot 20, Lots 87-101, Lot 149and 156(Wastewater Utility Lot)
- Stage 6 – Lot 102-112, Lot 150 and Lot 155.
- Stage 7 – Lots 113-119, Lots 132-136 and Lot 151
- Stage 8 – Lots 120 – 131, Lot 137-138 and Lot 152
- Stage 8A- Lot 139 (Utility Lot - Wastewater Discharge Reserve Lot)
- Stage 9 – Lots 59-74 and Lot 153
- Stage 10 – Lots 75-86 and Lot 154
- Stage 11 – Lot 140.

Consent has been sought to undertake the proposed subdivision in the stages as set out above, with the right to undertake the stages in any order and, should the Applicant elect to, to undertake more than one stage at any one time.

A lapse period for the subdivision of 10 years has been sought. This is double the default RMA period of five years. Given the scale of the project, this is considered reasonable.

The subdivision layout has followed the Coastal Tasman Area Development Design Guide (**Design Guide**) process and guidelines, as outlined in more detail in Section 11.1, while at the same time seeking to achieve the Applicants' objectives for the project summarised in Section 2.1. The objectives are very much aligned with the Rural 3 Zone philosophy of assessing the values of the land (including productive values and open space / conservation values) and ensuring that these are set aside from development, while enabling land outside of these areas to be developed for residential and rural residential purposes. The residential development clusters are focused within the upper spur areas of the western basin, outside a 10 m setback from wetlands, as shown Sheet 2 of Attachment 3.2. The Lifestyle Allotments are largely concentrated over the eastern slopes and the north-eastern corner of the site.

The development avoids development within wetlands and seeks to largely work within the existing landform, with earthworks (discussed in more detail below) limited to those areas necessary for constructing roads, BLAs and wastewater disposal areas.

The subdivision will be serviced by Stagecoach Road. The standard of Stagecoach Road is detailed in the Development Design Report in Attachment 3.1. The Development Design Report and associated plans in Attachment 3.2 detail those parts of Stagecoach Road that will be upgraded and the standard of that upgrade.

The subdivision design proposes new internal roads to vest, including Road A which effectively divides the lifestyle development to the east from the five residential clusters of the western basin. Five cul-de-sac roads will be formed to service each of the residential clusters. The standard of the road formations are set out in Attachments 3.1 and 3.2.

In very early iterations of the concept subdivision layouts explored through the master plan process, road connections were proposed through what is now a Rural Conservation Allotment (Lot 140), as illustrated in Figure 4 below. However, following detailed investigation and wetland mapping by RMA Ecology, road connections within the wetland basin area were removed as they would have involved earthworks through wetlands resulting in partial loss/drainage of many wetlands.

Figure 5: Early (superseded) iteration of the Master Plan

An important aspect of the subdivision design has been the provision of, and connection into, the wider walkway and cycleway network within the locality. An existing walkway to the south-east of the Development Site adjoins proposed Lots 1, 6 and a portion of Lot 7. The subdivision design provides a connection into this walkway through Lot 7 which then proceeds through Lots 12, 13 and 141, terminating within the Local Purpose Reserve (Lot 142). The walkway then connects to Road A and into the western basin area via Road D, through Lot 140 and out to Stagecoach Road via Lot 139.

The walkway/cycleway connection to the northern end of Stagecoach Road will link to the Dicker Road corridor and through to the Tasman Village. A formal cycleway/walkway will be provided by upgrading an existing unformed/poorly formed track in the Dicker Road corridor.

There is also a connection through the legal road linkage to Williams Road. There is no proposal to upgrade this linkage, but it remains available as public land to connect to Williams Road. Both of these connections are important in terms of Tasman Primary School in Tasman Village and the private Tasman Bay Christian School in Williams Road.

Consideration was given to creating a linkage over the legal (paper) road through to Hortons Road. However, assessment of that linkage identified that there would need to be an extensive boardwalk crossing within a wetland area. The extent of wetland involved is quite significant, meaning that either works for the boardwalk would need to be within the wetland or a significant span of bridging would be required to avoid the wetland, the cost of which would have been prohibitive. The conclusion reached was that it was a better investment for the Applicant to upgrade the Dicker Road link as that

takes cyclists and pedestrians direct to Tasman Village (including Tasman School and store).

Provision of the walkway/cycleway through the development and beyond is an important element of the Project. The site sits very centrally within a wide network of on-road and off-road cycle/walkways within the locality, including the Tasman Great Taste Cycle Trail. The site location, and its connection into the various cycle/walkways in the area, is illustrated in Sheets 6 and 7 of Attachment 3.2, reproduced below as Figure 6.

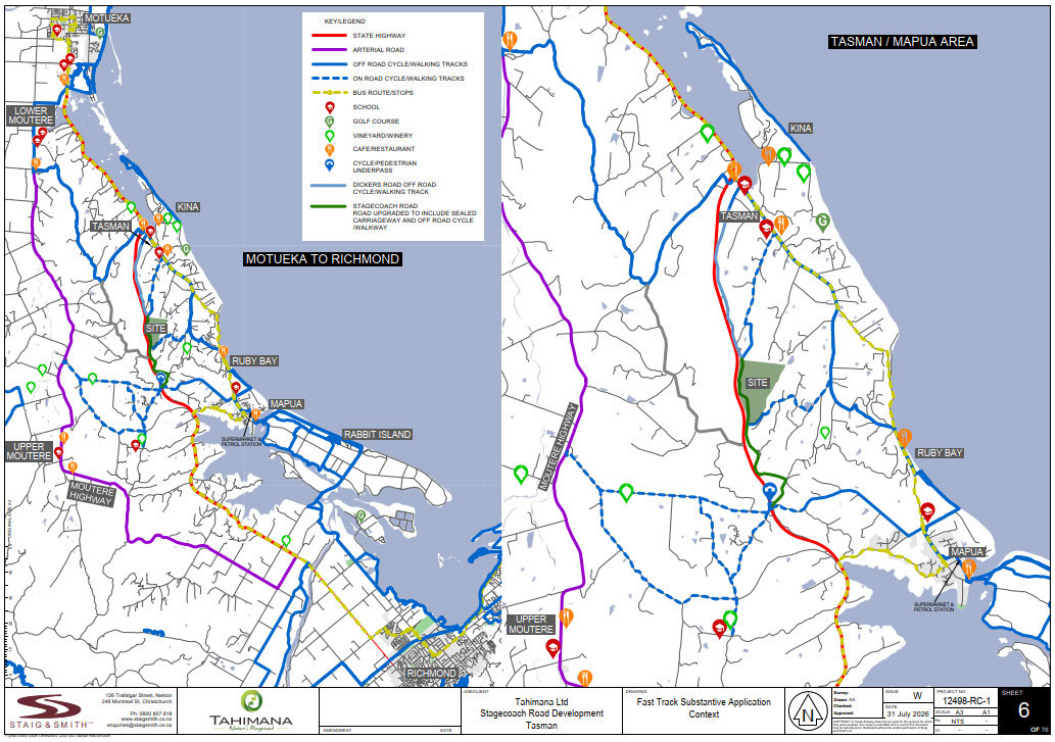

Figure 6: Context Plans

The walkway/cycleway connections are an important mode of transport option in this locality, particularly for recreation, and given the location of the site they are also important linkages into the settlements of Tasman Village, Ruby Bay and Mapua. These linkages provide access to schools (the locations of which are noted on the above Context Plans),and a range of services and facilities.

The walkway/cycleway linkages do not replace reliance on motor vehicle use. However, the linkages enable an alternative mode of transport and add to the wider community's options for cycling. Cycling is a significant recreational pursuit for the Tasman Community as well as for visitors and tourists to the region who are attracted by the Tasman Great Taste Cycle Trail.

The proposed walkway through the development will be public. During previous consultation, TDC officials confirmed that from a reserves perspective they supported a public access easement rather than a vested walkway/cycleway. The proposed walkway provides connection between the Tahimana Reserve to the existing walkway

adjoining the south-eastern boundary, together with extending the walkway towards the north/western boundary through the basin area within Lot 140 and to Stagecoach Road through Lot 139, enabling connection to Dicker Road (which as outlined above is to be upgraded to provide for a formal cycleway/walkway link to Tasman Village).

The walkway route provides connectivity while ensuring that crossings over wetlands are limited (to two crossings over a waterway with riparian wetland areas, and a further crossing over a waterway only). The crossings avoid piles within the wetlands and waterways.

TDC officials requested that the Applicant consider a walkway link along the northern boundary of the subdivision adjacent to the northern boundary. This is shown as walkway easement L-O (over Lots 79-83) on Sheet 2 of Attachment 3.2 and as "proposed walkway" on Sheet 8 of Attachment 3.2. The purpose of this easement is to support a future connection into a walkway being developed within Tasman Estates subdivision (Lot 14 DP324764 and Lot 4 DP2172) to the northeast of, but not directly adjoining, the Development Site. The connection will only be possible if Council secures land, or an easement, for a connection over land between the Development Site and the Tasman Estates subdivision. The location of this proposed walkway relative to the position of Tasman Estates' consented walkway is shown on Sheet 8, a portion of which is reproduced in Figure 7 below.

Figure 7: Illustrates northern boundary walkway (easement L-O) relative to consented walkway at Tasman Estates

The public walkways through the subdivision will be covered by public easement in accordance with Council preference. The Applicant will form the walkway as generally shown on the Attachment 3.2 plan set.

The Applicant proposes that the value of the walkway easement, together with the cost of the formation of the walkway easements, is offset against the Project's Reserve Fund Contribution, and the draft Subdivision Consent conditions in Attachment 16 provide for this outcome.

8.2 Land Use Consent - Buildings

Consent is sought to erect a dwelling on 141 allotments. Each allotment will contain a dwelling and accessory buildings within the BLA identified on the subdivision plans, with some exceptions:

- The two Rural Conservation allotments (Lot 140 and 141) may erect a farm shed outside the BLA. Given the size of the two Rural Conservation Allotments, it is considered reasonable that an accessory building for storage purposes is able to be located outside the BLA.
- Up to 20% of any building may extend outside the BLA in order to accommodate different design scenarios that may not entirely fit within the shape of the BLA.
- Water tanks may be sited outside the BLA provided that they are either partially buried and/or screened (as recommended in the RMM Landscape Architect's Landscape Assessment Report in Attachment 9)
- On Lifestyle Allotments, swimming pools, spa pools and hot tubs are authorised outside the BLA, provided that the recommendations for these pool structures are in accordance with the RMM Landscape Architect's, Landscape Assessment Report recommendations in Attachment 9.

Consent is sought to enable any dwelling to have a subsidiary second housekeeping unit within the one dwelling structure (as provided for in the TRMP as a controlled activity in the Rural 3 Zone). The Applicant has specifically sought this provision to enable opportunities for extended families to occupy dwellings. For example, this means the subsidiary unit could be available for an elderly parent, or for adult children to live with parents while they save for their own home deposit, or other scenarios such as a live-in carer or visitor accommodation.

In respect of the Residential and Serviced Lifestyle Allotments, consent to depart from the Rural 3 Zone setback requirements is sought. Instead, the TRMP Residential Zone setback requirements from roads and internal boundaries are sought, except for those allotments that have more than one road frontage in which case the road boundary Residential Zone setback is only required to be met at the road boundary from which access is taken, with the internal boundary setback requirement applying to other road setbacks. Consent has been sought in respect of the Lifestyle Allotments for the setback requirement from the road boundary to be 5 m instead of 10 m. In respect of all other internal boundaries, the setback requirements for the Rural 3 Zone would apply.

In respect of height, the maximum permitted activity height is 7.5 m in the Rural 3 Zone. The Landscape Assessment undertaken by RMM Landscape Architects recommends a more restrictive maximum height of 5.5m for Lots 1-18, 20-23, 26-36, 56-65, 73-86, 87-92, 100-102, 107-116, 134-138, 140 and 141 (as shown on the Plan on page 54 of RMM Landscape Architects Landscape Design Document in Attachment 9) and this condition has been proposed by the Applicant. In both cases, height is measured from the finished level of the building platform at the completion of each stage of the subdivision. The Applicant proposes that the building platforms will be established at each stage of the subdivision. The Land Use Consent Conditions provide for the RL level of the building platform to be surveyed and recorded. The height restriction is determined as an RL level above the platform.

TDC officials have confirmed that they will provide a potable water supply for the Residential and Serviced lifestyle allotments, excluding swimming pool use. Swimming pools are not authorised on Residential Allotments.

All buildings, including water tanks, must be finished in recessive colours.

The Landscape Assessment Report in Attachment 9 includes recommendations for planting in relation to dwellings, including specific mitigation planting areas on identified allotments. In addition, there is a requirement for a landscape plan to be lodged with each building consent. The Landscape Assessment Report identifies the requirements to be met by the Landscape Plan and sets out the timing for completion of planting and requirements for maintenance.

The Landscape Assessment Report details the fencing conditions that apply to the Lifestyle and Residential allotments. There is also a recommendation in the Landscape Assessment Report regarding retaining walls located outside designated building platforms within allotments.

The matters above have been provided for in Land Use Consent Conditions and/or Consent Notice Conditions in the Subdivision Consent as applicable.

A lapse period of 10 years is sought for the Land Use Consent, to commence from the date of the issue of the Certificate of Title for the allotment.

8.3 Earthworks and Land Disturbance

Earthworks are proposed for road construction, road upgrading for Stagecoach Road, walking/cycling pathways in Stagecoach and Dicker Road corridors, building platforms, services and infrastructure including communal wastewater disposal areas, stormwater detention basins, walkways and boardwalks including a wetland utility structure within 10m of a wetland. Sheets 5 , 30-43 and 63-67 in Attachment 3.2 detail the proposed earthworks.

The earthworks are discussed in the Development Report in Attachment 3.1. The approximate total volume of earthworks to be undertaken over the development is a calculated 225,000m^3 cut and 160,000m^3 fill. A review of the earthworks plans shows that the vast majority of the cut and fill components will range between 0.5 m to 2 m. However, the maximum cut depth and maximum fill depth in isolated areas will be 5 m. The earthworks plans identify a minimum 10 m setback from wetland and watercourse areas. As noted in the Development Report, a construction works buffer of 3 m will be included in the design. The exception to these setbacks relates to 3 locations, involving two wetlands and three streams, to provide for boardwalk/bridge crossings, as shown on Sheet 2 and Sheet 28 of Attachment 3.2. For those wetland and watercourse crossings there will be land disturbance within 10 m of a wetland and watercourse, but there will be no disturbance within the wetland or watercourse as piles will be located outside of these features (but within 10m of them). Works within 10 m of a wetland or watercourse will be supervised by an ecologist and are also covered by iwi monitoring conditions.

Swanney Geotechnical and Civil Engineering has undertaken preliminary site and soil investigations and provided advice on earthworks in their Geotechnical Report in Attachment 6. That advice has guided the preliminary design. All earthworks will be supervised by a geoprofessional with standard consent requirements to provide certification reporting.

Prior to any earthworks progressing on site, a detailed earthworks plan is required to be prepared along with a Construction and Environmental Management Plan (**CEMP**) that includes a Dust, Erosion and Sediment Control Plan (**DESCP**). The Development Design report in Attachment 3.1 details the matters to be included in the CEMP and the DESCP.

Earthworks will be undertaken in phases, which do not necessarily align with the stages of subdivision, in particular where the stormwater infrastructure serving a stage of subdivision is located in an area that is not being developed into a titled allotment until later in the subdivision process (for example the stormwater detention basins in Lot 140, which is proposed to be the last stage for a titled allotment but contains six detention basins which serve a number of earlier stages of subdivision).

To provide the likely phasing of earthworks, taking into account the need for stormwater infrastructure to be up and running prior to allotments being created that rely on this infrastructure , a Phasing of Earthworks Plan has been produced and is provided at Sheet 30 of Attachment 3.2 and reproduced below as Figure 8.

Figure 8: Phasing of bulk earthworks, stormwater soak pits and detention basins

The proposed earthworks include earthworks required for the upgrade of Stagecoach Road. While the majority of earthworks within the Development Site are some distance from neighbouring dwellings, the upgrade of Stagecoach Road is closer to a number of existing dwellings. An acoustic assessment of potential construction noise and vibration effects from the Development Site and Transportation Upgrade Areas prepared by Bladon Bronka Acoustics (BBA) is provided in Attachment 14. The recommendations from that report are included as conditions in the draft Subdivision and Land Disturbance Consent Conditions in Attachment 16.

All disturbed earthworks areas must be stabilised as soon as possible following completion of earthworks. At the completion of each phase of earthworks the Applicant will undertake landscape and restoration planting in the gully, wetland, riparian margins and stormwater basins. This will happen in phases as shown on Sheet 5 of Attachment 3.2 and in accordance with an Ecological Planting Plan required under the draft Subdivision Consent Conditions (which must be generally in accordance with the draft Ecological Planting Plan prepared by RMA Ecology Ltd and provided in Attachment 8.2) and the Vegetation Strategy prepared by RMM Landscape Architects (Attachment 9).

The lapse period sought for the Land Disturbance Consent (10 years) reflects the lapse period for the Subdivision Consent.

The matters above are provided for as conditions of the Land Disturbance Consent in Attachment 16.

8.4 Hydrogeology

The site contains extensive "*finger*" wetlands. Pattle Delamore Partners Ltd (PDP) were engaged to undertake a hydrogeology investigation to assess the impacts of the Project on groundwater and any subsequent changes that may change recharge to wetlands. This is important both internally within the site and externally for the major wetland on the adjoining site on the eastern boundary of the subject land. PDP utilised existing hydrogeological information for the locality together with data they gathered by installing a groundwater monitoring bore and standpipes to measure hydraulic conductivity, assess groundwater flow directions and to measure seasonal groundwater level fluctuations. The Hydrogeology Report is in Attachment 7.

PDP developed a mass water balance model to enable assessment of the impact of the Project on water flows arising from the increase in impervious surfaces. The model assesses the existing pre-development state of the site compared to post development. The modelling indicates that there will be a small decrease in the groundwater recharge component in both the western and eastern catchments due to proposed impervious surfaces, and a subsequent increase in the surface flow contribution from stormwater. Following initial modelling for the western catchment, PDP recommended soak pits to increase groundwater recharge. Modelling indicated there would be a small increase in groundwater recharge with the inclusion of the soak pits, and a subsequent increase in the surface flow contribution from stormwater.

As part of the design, stormwater management in the western basin involves separating roof area stormwater runoff from road and driveway stormwater runoff and ensuring that stormwater generated from roofs is directed to the heads of gullies discharging stormwater to the wetlands, resulting in an increase in surface water flows to those wetlands. This will provide a positive outcome for wetlands.

PDP's modelling confirms there will be a net overall increase in the total water volume through each of the eastern and western catchments post development, with an overall positive hydrological outcome for the wetlands on site. The PDP assessment notes an increased throughflow predicted to the eastern boundary, which is expected to result in a positive outcome for the large, restored wetland to the east of the Tahimana site.

8.5 Wetlands and Waterways

The wetlands and waterways within the site have been surveyed and classified by RMA Ecology Ltd. The Ecological Assessment Report (Attachment 8) details RMA Ecology Ltd's field assessment of waterways and wetlands and provides a summary of the characteristics and condition of the streams and wetlands that have been mapped. The report also assesses fish habitat, vegetation, native lizard habitat and bird habitat and species. It confirms there are no significant natural areas ("SNAs") on the site.

The Ecological Assessment Report notes that the development will involve the removal of stock from the property and extensive restoration planting of native species adjacent to the wetlands and waterways. These areas are concentrated within the Rural Conservation Allotments. Except for the BLA areas on these two sites, the remaining area will be maintained either as undeveloped open green space or revegetated with restoration planting for a 10m width adjacent to and within wetlands and watercourses as shown on the Vegetation Strategy Plan and species list included in RMM Landscape Architects Landscape Design Document on pages 52 and 53 (Attachment 9).

The plantings within 10m of wetlands and riparian margins will be native species occurring naturally within the district. The Project Ecologist and Landscape Architect have collaborated over the vegetation strategy for the wetlands and riparian areas in the Vegetation Plan and planting list (Attachment 9). The detailed design and plant selection of the restoration planting will be in consultation with iwi, as reflected in the draft Subdivision Consent Conditions in Attachment 16.

The Ecological Assessment Report assesses the actual and potential adverse effects of the development on the ecological values, in particular the wetlands and riparian areas, fish habitat, lizard and bird habitat, and makes recommendations to manage effects including 10 m earthworks setbacks. No physical works are proposed within wetlands and waterways. The only works within 10 m of wetlands and waterways are piles (and associated land disturbance and vegetation clearance) to construct boardwalks across:

- Wetland W70 and Stream R5 (which runs through Wetland W70)
- Stream R1
- Wetland W4 and Stream R2.1 (which runs through Wetland W4)

Recommendations also include the requirement for a Dust Erosion and Sediment Control Plan (DESCP). These recommendations form part of the Project design and draft consent conditions.

The Ecological Assessment Report notes the redistribution of surface water and groundwater contributions as modelled by PDP, where there will be an increase in the rate at which surface water reaches the streams and wetland network, which has the potential to cause erosion and sedimentation and potentially a loss of groundwater recharge into the gully head wetlands. To prevent erosion and sedimentation of catchments, the project designers, with input from the Project Ecologist and Hydrogeologist, propose that stormwater is collected from roads and driveways and directed to a series of stormwater detention basins (to be constructed). The basins will be designed to temporarily hold back the flow of stormwater to prevent flooding and erosion downstream by releasing the water slowly over a matter of hours.

The recommendation to address the impacts of a change of groundwater recharge/surface water to wetlands is to split the stormwater flows, with the flows from roads and driveways directed to the stormwater detention basins, and the clean stormwater from house roofs directed to gully heads. Adopting these design recommendations results in an increase in the total flow of water through the wetlands on an annual basis which will have an overall beneficial effect.

The Ecological Assessment notes existing farm ponds will be removed to make way for the construction of stormwater detention basins/dams and notes that the removal of these ponds may result in impacts on fish if present in these ponds. It recommends that a fish salvage operation should be undertaken prior to earthworks if fish are present. The draft conditions require a Native Freshwater Fish Capture and Relocation Plan to address this. This plan is provided in draft (Attachment 8.1).

In relation to fish passage, the Ecological Assessment notes the construction of two of the detention dams/basins (dams E5d and W4) will create a potential fish passage barrier. Fish passage will need to be provided, and this is provided for in the detailed design and is covered by the draft Consent Conditions in Attachment 16.

In relation to impacts on native birds, it has been recommended that tree felling (which relates to pine trees), should occur outside of the bird breeding season. This recommendation is reflected in consent conditions.

The Ecological Assessment Report notes the requirements for the provision of a restoration planting plan for the wetlands and riparian margins, to be in accordance with RMM's Vegetation Strategy. The Ecological Assessment Report recommends preparation and implementation of an Ecological Planting Plan dealing with methods of planting, weed and pest control and associated maintenance and monitoring of plant health. An Ecological Planting Plan is required by consent conditions and a draft plan has been prepared by RMA Ecology and is provided in Attachment 8.3.

The Applicant will initially undertake the recommended restoration and ecological planting and will monitor and maintain the planting for 5 years, at which point the responsibility for the planting will transfer to the new lot owner as provided for in draft Subdivision Consent Conditions including in consent notices (Attachment 16).

The Ecological Assessment Report recommends the provision and implementation of a Wetland Monitoring Plan. The Wetland Monitoring Plan is to provide methods for monitoring to include a baseline survey of the condition of the wetlands pre-development and measure any change in condition occurring during or at the completion of construction and earthworks. The Wetland Monitoring Plan is to include reporting requirements, including recommendations for any remedial action required. A Wetland Monitoring Plan is required by consent conditions and a draft plan has been prepared by RMA Ecology and is provided in Attachment 8.2. The Applicant (consent

holder) will be responsible for the Wetland Monitoring Plan implementation for a period of 5 years.

8.6 Stormwater Management

Assessment and design of stormwater management has been undertaken by Envirolink with inputs from RMA Ecology, PDP and Staig & Smith preparing conceptual design plans and working through catchment models. The Envirolink Assessment Report (Attachment 5) includes an Assessment of Stormwater Management requirements based around the assessment of pre-development catchment areas and post-development catchment areas which are illustrated on Sheets 58 and 59 of Attachment 3.2. The Envirolink Assessment modelled the pre- and post- catchment runoff for the required storm events. Envirolink has recommended detention basins to maintain peak stormwater runoff flows post-development to pre-development levels. The locations of the stormwater basins are detailed on the Catchment Plans and the Subdivision Plans in Attachment 3.2.

The options initially considered for detention within the western catchment included concentrating stormwater flows into one larger stormwater detention basin located at the low point of the gully areas towards the northern boundary. This option was rejected as it was within a wetland and would result in full or partial drainage of the wetland. The approach recommended by Envirolink, with advice from RMA Ecology Ltd and PDP, was to identify six suitable locations within the western catchment for onsite detention basins. These have been located outside wetlands and watercourses.

In the eastern catchment the development drains to a large wetland on the neighbouring eastern boundary via several gullies. Initially six detention dams were designed for the eastern catchment, but this resulted in two dams being in-stream dams, which raised potential issues in terms of natural inland wetlands. There were no sites large enough in the eastern catchment for the relocation of the two instream dams to a location outside of a wetland and stream and therefore a number of smaller detention dams (16) are proposed for the eastern catchment. In this way, locations in a wetland or stream have been avoided.

The Development Report and plans in Attachments 3.1 and 3.2 detail that stormwater within the western basin will be reticulated with a piped stormwater system. A number of the residential allotments will have two stormwater connections, one providing a stormwater outlet for clean roof water that will be collected and directed to the gully heads flowing into wetlands, with the other connection collecting runoff from driveways, road areas and directed to sumps in the road network. The piped networks will discharge downstream of development areas to swales that will provide water quality treatment and conveyance to the detention basins. Appropriate scour protection will be provided in the detailed design.

The Lifestyle Allotments will not be provided with reticulated stormwater systems. Lifestyle Allotment owners are required to collect roof water for potable water use, with overflow directed to natural drainage areas.

The proposals for managing stormwater on site, including the detention basins and soak pits, result in post-development flows leaving the site not exceeding pre-development flows.

Two of the detention dams will be designed to include fish passage as recommended by the Project Ecologist (this is not required for other dams as they do not create a fish passage barrier).

Stormwater treatment will include grass swales along the main site road, and for the cul-de-sac roads proprietary gross pollutant traps will be used. It is proposed to plant the detention basins and areas of the channel upstream of the basins. This work will be undertaken by the Applicant in suitable species recommended by the Project Ecologist and Landscape Architect and will be maintained for a period of 5 years by the Applicant at which time the responsibility will transfer to the new lot owner.

Envirolink have recommended a Stormwater Operations and Maintenance Manual and have prepared a draft Manual (Appendix H to Attachment 5). The draft Stormwater Consent Conditions in Attachment 16 include a requirement for the Operations and Maintenance Manual.

8.7 Water

The Residential Allotments and Serviced Lifestyle Allotments will be provided with a reticulated potable water supply. Water will be supplied by TDC from the Mapua Rural Restricted Scheme via the existing pump station at the Pomona Road Reservoir. Water is pumped from the Pomona Road Pump Station to existing TDC storage tanks in Stagecoach Road approximately 500m south of the Development Site. From there water will be conveyed to a new tank to be installed on proposed Lot 146 (located at the southern boundary of the Development Site). Lot 146 will be created as a utility allotment and will be owned and operated by a proposed Infrastructure Association which will be established to manage the communal water and wastewater systems. The legal framework for the Infrastructure Association is attached as Appendix G to the Envirolink Report in Attachment 5 and is secured by Subdivision Consent conditions in Attachment 16.

The Residential Allotments and Serviced Lifestyle Allotments (101 allotments) will be reticulated from the new tank as detailed on the water reticulation plans (Sheets 44-48 in Attachment 3.2). All Residential and Serviced Lifestyle Allotments will be provided with a restricted flow connection of $1m^3$ per day of water, with each Residential Allotment required to provide additional water storage onsite of $3m^3$ per day. An

allocation of water from the reticulated supply will be provided to the communal wastewater treatment plant site on Lot 144.

The proposed water supply system will be considered a *downstream* supply under the Water Services (Drinking Water Quality Assurance) Rules 2026. The Applicants have taken advice on compliance obligations from Matt Molloy Consulting Ltd, and a technical memorandum outlining those obligations is appended as Appendix J to the Envirolink Report in Attachment 5.

The reticulated water supply will also make provision for fire-fighting water flows and this will be available for all 141 allotments within the development.

For the Lifestyle Allotments and the Rural Conservation Allotments, these will have to collect rainwater for their domestic potable supply in accordance with the TRMP Water Rules. As noted, though, a firefighting supply will be available to all allotments which will mean that no onsite firefighting water supply will be required. This is a significant positive effect, as usually within the rural area (including within Rural 3) a firefighting minimum storage supply per allotment of 48,000 litres is required (unless dwellings have sprinklers). That storage requirement, along with potable water supply requirements, means that within the Rural zones many allotments have a minimum of three tanks per allotment. This adds to the level of built form within the landscape, which is evident on a number of rural and rural lifestyle allotments in the locality. This will not be part of the visual appearance of the allotments within this Project.

8.8 Wastewater

Envirolink has assessed the wastewater requirements for the proposed development (Attachment 5). The proposed Residential Allotments and Serviced Lifestyle Allotments (Lots 87, 111 and 145) will be reticulated to a new communal wastewater system to be installed by the Applicant on proposed Lot 144. The communal wastewater system will be designed to cater for 101 allotments, which covers all of the Residential Allotments and Serviced Lifestyle Allotments. The Lifestyle Allotments and the two Rural Conservation Allotments (Lots 140 and 141) will provide for their own onsite wastewater systems within the boundaries of the allotment.

The communal wastewater system will be a private system, which will be developed, constructed and commissioned by the Applicant. Once operational the ownership and maintenance responsibilities will also transfer to the Infrastructure Association, which will be responsible for the ownership, maintenance, testing and renewal of all communal wastewater and water infrastructure. The legal framework for the Infrastructure Association has been developed and is attached as Appendix G to the Envirolink Report in Attachment 5, and is secured by Wastewater Consent and Subdivision Consent conditions in Attachment 16.

The Envirolink Report details the conceptual design for the communal wastewater system. The proposal involves a proprietary Prelos System, where the primary treatment is undertaken on the individual allotment sites with the provision of a tank for each site, where within the tank, solids would settle to the bottom, with only the liquid component of the wastewater effluent being pumped, via a low pressure reticulated network, through to the communal treatment system and then to a wastewater disposal field. Sheet 60 of Attachment 3.2 schematically shows the proposed reticulation from tanks on each of the sites through to the treatment plant on proposed Lot 144.

Once the wastewater has been through the treatment plant on proposed Lot 144, the treated wastewater would then be applied to land via drip irrigation as detailed in the Envirolink Report in Attachment 5. The wastewater disposal field will be vegetated to provide nutrient uptake.

The primary wastewater disposal area will be located on Lot 144,156 and Section 34 SO440217. In addition to the primary wastewater disposal field, a reserve field (primarily within proposed Lot 139 but also including a portion of Lot 144) is provided.

The Envirolink Assessment Report sets out recommended treatment standards, peak effluent loading, requirements for effluent storage, requirements for an operation and maintenance plan for the system, requirements for a maintenance contractor, requirements specifying the frequency of effluent sampling and what analysis must be undertaken on the samples, requirements for recording of flows into the wastewater plant as well as flows to the disposal field. There are also recommended conditions for the wastewater disposal field. All of these recommendations have been considered by the Applicants and form part of the draft Communal Wastewater Discharge Consent Conditions in Attachment 16.

For the Lifestyle Allotments and the Rural Conservation Allotments, the Envirolink Assessment Report has considered the area available on each allotment that is suitable for disposal together with the area available for a reserve area. This is summarised in Table 5.2 of the Envirolink Report (Attachment 5). The majority of the Lifestyle Allotments have a reserve area of 100%. 12 allotments do not meet the full 100% reserve field and of these, two have 97% reserve field available, with the minimum reserve field available being 64%. The Envirolink Report sets out a range of recommended conditions to be met for onsite wastewater systems. The Applicant has considered these recommendations and included them in the draft Onsite Wastewater Discharge Consent conditions in Attachment 16.

8.9 Transportation

Stagecoach Road

The Development report and accompanying plan set in Attachments 3.1 and 3.2 detail the proposed road upgrade for Stagecoach Road. The first 650m of Stagecoach Road from the intersection with State Highway 60 is already sealed to a 6m wide standard with metalled shoulders. There is an informal cycleway/walkway on the western side of the road. From the existing sealed section of the road to the southern boundary of the Tahimana site, a distance of approximately 1700m, there is a gravel formation of variable standard, and near the site it is no more than a dirt track.

The Applicant proposes to upgrade Stagecoach Road as detailed on Sheets 10-13, 16-19, 27 and 64-76 of the Plan set in Attachment 3.2. This involves upgrading to a 6m wide sealed road with 0.6m metalled shoulders from the end of the existing sealed section along the full length of Stagecoach Road (including Stagecoach Road frontage within the Development Site). A 2.5m wide shared cycle/walkway is also to be provided along the western side of the carriageway from the point opposite the Chaytor Road intersection.

Subdivision roads

Proposed Road A, which delineates the eastern and western catchment areas, will be constructed to a sealed standard together with provision for a 2.5m wide shared pedestrian/cycleway in the road reserve as detailed on the Development Plans and Development Report in Attachment 3.

The remaining roads within the development are the cul-de-sac roads (Roads B-G) which will provide access to each of the residential clusters. These roads will be generally designed to the Residential standard for less than 20 Dwellings under the NTLDM.

The Roading Design has been assessed by Traffic Concepts Ltd. Their assessment is contained in Attachment 12. They have assessed the level of compliance and adequacy in terms of Traffic generation. Also included in Attachment 12.1 are the Traffic Safety Audits for the Stagecoach Road upgrade and the design of the Subdivision Roads.

There are a number of off-road walkways within the development which as described in Section 9.1 of the Application have been designed to connect to the Westmere Road walkway at Lot 7 on the eastern boundary and to Dicker Road at the Northwestern boundary. The construction details for the internal site walkways are shown on Sheet 28 of Attachment 3.2.

Upgraded Dicker Road walkway/cycleway

The Applicant proposes to upgrade the poorly formed walkway/cycleway along the Dicker Road corridor to provide for a formal walkway/cycleway to Tasman Village. The formation will be within legal road and/or adjacent Crown land administered by NZTA.

State Highway 60

The development site adjoins State Highway 60, however there is no access in existence, nor proposed, onto State Highway 60 directly from the development site (except for the emergency purposes access discussed below).

The area of land that immediately adjoins State Highway 60 is Section 34 SO440217, being the Crown land administered by NZTA/ Waka Kotahi which will be subject to a Licence to Occupy. Correspondence confirming this is in Attachment 17. There are no structures to be placed on this land, it will simply be part of the wastewater disposal field and will be vegetated in appropriate plantings for that purpose, with the appropriate setbacks in place from the State Highway 60 legal road corridor.

The transportation assessment in Attachment 12, prepared by Traffic Concepts Ltd, has assessed the existing standard of the State Highway 60 intersection with Stagecoach Road. This intersection is approximately 2.3kms from the southern end of the Development Site. The transportation assessment confirms the standard of this intersection: it is well designed with a wide right hand turn bay with appropriate lead in tapers and with excellent sight lines in all directions. The State Highway intersection was designed to take account of the future increased development expected from the TRMP Zoning in this locality, which includes the Rural 3 Zone and Rural Residential Zoning in the Seaton Valley area that also accesses this intersection, and no doubt some of those within the Residential zoned area within Mapua also access this intersection for some of their travel.

Based on the transportation assessment there is no requirement for any upgrade of the Stagecoach Road State Highway 60 intersection as the existing standard of this intersection is adequate to service the needs of the additional traffic generated by the Project. Consultation with NZTA at the time of the Applicants' RMA resource consent application (to be withdrawn) confirmed no upgrades are required to the intersection. NZTA gave written approval to that consent application.

The proximity of the proposed subdivision to State Highway 60 raises potential reverse sensitivity issues due to the future development being exposed to traffic noise from State Highway 60. To address this issue the Applicant engaged Bladon Bronka Acoustics to undertake an acoustic assessment and provide recommendations in respect of future residential development (Attachment 14.1).

The Acoustic Assessment involved creating a 3D noise model to predict the maximum potential noise levels over the development site at different heights. The Contour Model is shown in Figure 9 below.

Figure 9: Noise contour maps

The area of the property subjected to noise levels above 60dBA is the proposed wastewater disposal system and field. There will be no dwellings contained within this area and as such this area acts as a buffer to the State Highway 60 traffic noise. The Acoustic Assessment identifies the NZTA Standard Consent Conditions which involve habitable rooms being designed to meet an internal noise level, that the internal noise must be achieved based on traffic noise including a +3dBA factor of safety, and that ventilation systems must meet certain design criteria. Those matters can be achieved and are included in the draft Land Use Consent conditions (Attachment 16).

Emergency access was an issue raised by Council in an RFI issued in relation to the previous RMA consent application (to be withdrawn). The Applicant's response, after consulting NZTA on the matter, was:

> The Applicant has considered this situation in the event of Stagecoach Road being blocked in an emergency. At the end of the day this is the case with numerous Rural Roads. However in the event of an emergency blocking part of Stagecoach Road to the south of the Tahimana site, if a fire truck or ambulance , or residents needed emergency access in or out, and couldn't for whatever reason get in or out Stagecoach Road to the South, they could carry on over the gravel access/track area of Dicker Road for approximately 1.5km and then exit onto the State Highway where there is an access formed out onto the highway. Emergency vehicles could also enter on this formed access.
>
> Highlighted below is a photo showing the existing formed access from Dicker Road out onto the State Highway. This is not a Public Access, but in an emergency, could be used.

We approached NZTA by way of correspondence on the 18th of July 2024, and a subsequent phone discussion, regarding the use of the access highlighted in the photo above. The written NZTA response, dated 23rd of July 2024, prior to the follow up phone discussion, set out the following from Lea O'Sullivan at NZTA:

"The access you highlighted is not for public use and is used intermittently for road maintenance purposes. However, I agree that this route from the Tahimana site is the most logical for emergency vehicles (and residents who could be 'trapped') should Stagecoach Rd be closed due to an event such as a fire (or slip or similar) i.e. for emergency use only.

Given the high-speed environment at this point, it's likely that entry and exit to SH60 in this hypothetical emergency situation would need to be controlled under a Traffic Management Plan e.g. reduced speed / signs etc."

The subsequent phone call discussed the issue around the Traffic Management Plan issue, and it was agreed this would be dealt with in a civil emergency situation by separate statutory powers provided to the Nelson Tasman Civil Emergency Management Group who would consult with the relevant Roading Authorities on their requirements.

The other scenario that could arise would perhaps relate to a serious accident blocking Stagecoach Road for some hours. In that scenario it would be over to the Police to look at opening a detour if necessary and the State highway access option highlighted above would provide an option that the police could seek to use.

The above position remains the Applicants stance on the issue of emergency access.

8.10 Landscape

RMM Landscape Architects have undertaken the Landscape Assessment for the project which as outlined started with the development of a preliminary Site Analysis and Master Plan strategy for the site, which was undertaken at a high level, identifying the regional context of the site, pattern of development within the locality, connectivity of the site to adjoining lifestyle and rural neighbours together with connections to the settlement areas within the locality. This initial high-level analysis noted the drainage pattern and wetlands together with the vegetation cover and slope analysis.

This preliminary Site Analysis and Master Plan was the initial guiding document on the broad form of development providing direction for the Project Team for the more detailed investigation of attributes and constraints over the site. Over time the development design was refined as more detail emerged from the extent of the wetlands onsite that fell within the definition of natural inland wetland. This resulted in redesigns which focussed on avoiding any development within the wetlands and managing and protecting the margins of wetlands to enhance and restore them.

Attachment 9 contains the Landscape Assessment Report, supported by the Landscape Design Document (Attachment 9.1), which includes a description of the Design Foundations, a Regional and Local Analysis, Visibility and Site Analysis, the Master Plan, the Village Green Concept and Entry treatments. The Landscape Assessment Report details the methodology adopted to assess the development proposal in terms of its impact on the landscape and visual effects within the environment. As detailed, a number of key avoidance and mitigation recommendations were made. The recommendations to avoid development in certain areas and mitigation requirements have been incorporated into Project design or form part of the Subdivision and Land Use Consent conditions in Attachment 16. The key recommendations deal with maximum heights, landscape plantings, colours, fencing, and screening of tanks and pools.

The Landscape Assessment has considered the visibility of the development from a range of viewpoints within the locality and assesses those viewpoints from a landscape and visual effects perspective. The assessment takes into account the mitigation measures including mitigation planting and the Vegetation Strategy. The Vegetation Strategy is on pages 52 and 53 of Landscape Design Document (Attachment 9.1) and is reproduced below as Figure 10. The Vegetation Strategy includes street tree planting and planting within allotments adjoining Road A and adjoining Stagecoach Road with the planting on the eastern side of that road being street trees with planting on the western side of the road adjacent to the wastewater treatment area, designed to screen the area with boundary plantings.

The Vegetation Strategy has been a collaborative exercise within the Project Team involving the Landscape Architect, Ecologist, Three Waters Engineer and Land Capability advisor (for wastewater and stormwater management inputs).

Figure 10: Vegetation Strategy

The Vegetation Strategy includes:

- Restoration planting adjacent to wetland and waterway areas and detention basin planting.
- A planting list of species that would be appropriate within the different locations within the site.

The intention is that the plants will be locally sourced as far as practicable. The Applicant will look to mana whenua iwi for advice and input into the detailed planting plans around the wetland areas. In selecting species and ensuring as far as practical local sourcing of these species, the Applicant will also be in close consultation with the adjoining neighbour who owns the substantial wetland that has been restored on the eastern boundary, ensuring the restoration planting aligns with the restoration planting in place within that wetland.

The Applicant will be responsible for all identified planting within the Road Reserve areas, communal wastewater disposal areas and stormwater detention basins, together with the restoration planting adjacent to the wetland and waterway areas. Mitigation planting identified within individual allotments will be implemented by allotment owners, as required in the draft Subdivision and Land Use Consent conditions in Attachment 16. The Conditions will be implemented through Consent Notices set out in the draft Subdivision Consent conditions detailing the planting requirements, that planting must be completed within 18 months of the Code of Compliance issuing for the dwelling, and that the plantings must be maintained and replaced if they fail.

Restoration and riparian planting of wetlands and waterways, together with the detention basin planting and wastewater field planting, will be undertaken in stages in accordance with the Landscape and Restoration Planting Phasing Plan (Sheet 5 of Attachment 3.2 and reproduced below as Figure 11).

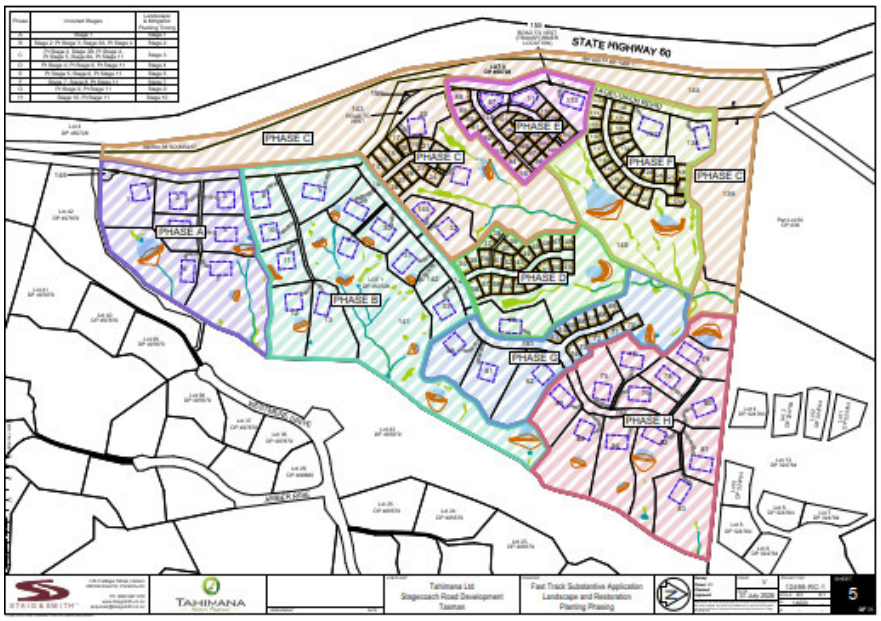

Figure 11: Landscape and Restoration Planting Phasing Plan

As outlined in Section 8.5, a Wetland Planting Plan must be prepared, generally in accordance with the draft Wetland Planting Plan in Attachment 8.3. While the wetland restoration planting and riparian planting for the waterways will be undertaken by the Applicant prior to the completion of the particular stage of development, there will be an ongoing requirement for the purchaser of each allotment to maintain the restoration planting and replace any areas of planting that fail. This requirement will be implemented through Consent Notice Conditions in the draft Subdivision Conditions.

In addition to the above planting, the Applicant will be responsible for landscape mitigation planting in road reserves and ecological planting around wetlands, riparian areas and stormwater basins. The Applicant will also be responsible for planting along the northern boundary adjoining the walkway easements L-O. Once these allotments are sold the responsibility for maintenance will transfer to the lot owners.

The Landscape assessment makes recommendations requiring Landscape Plans for the individual allotments at the time of building consent. This has been required in the draft Subdivision and Land Use Consent conditions in Attachment 16.

8.11 Cultural Values

To ensure mana whenua cultural values are respected, the Project includes conditions requiring cultural induction, adoption of archaeological discovery protocols (**ADP**), iwi monitoring of works within 10 m of wetlands and waterways, opportunities for input into

plant species selection and road name selection, and cultural interpretation material such as story boards. The Applicant's engagement with iwi to understand the cultural values of the site and how mana whenua iwi seek to protect their cultural values is addressed in detail in Section 12.4 below.

8.12 Local Purpose Reserve

From the outset of this project the Applicant has considered the need for a local purpose reserve, to provide for a village green and community meeting space, to be a critical element of the development.

Early iterations of the subdivision design included a proposed reserve of approximately 6000m^2, located generally where the proposed local purpose reserve on Lot 142 is located in current plans. At a pre-application meeting with TDC for the RMA consent application (to be withdrawn), the Applicant shared a Master Plan concept which included a village green concept design on the proposed 6000m^2 allotment. The concept provided for extensive open lawn area, a small basketball/netball court, flying fox, community garden raised beds, community orchard and native revegetation planting. A range of visual images were included supporting the concept design initially put forward. The feedback from Council staff was that while they supported a local purpose reserve vesting and they were generally happy with the location identified, they considered that a reserve of 2,500-3,000m^2 would be sufficient.

Council staff noted the development proposals for the reserve and advised they would like further discussion regarding the amenity and revegetation planting plans and the pathways through the reserve. However, Council staff did not support the rest of the proposed reserve development items and requested that they be removed from any application plans. They noted the usual approach is to work with the future community to determine what facilities are wanted/needed to service the area rather than pre-empting this. The Applicant acknowledges the feedback but notes that the Village Green concept is integral to the development of a community. Tahimana is not just a subdivision with sections available for building. The Applicant wishes to carry out a development which creates a community, by ensuring that the facilities available from the outset enable and foster a sense of community, providing a meeting place for passive and active recreation and leisure. The Applicant also notes examples around the district where reserves are set aside then effectively become '*dead*' unused spaces for extended periods of time.

The nature of the Project is quite different to most existing Rural 3 developments in that the it provides not only for lifestyle allotments but also for five clusters of 98 residential allotments. The Applicant's design actively seeks to attract a full range of age groups and to provide a full range of price points, including for first homeowners, a number of which are hoped to be families. It is a critical part of the vision for the development to

establish the reserve not only with appropriate planting but also as a meeting place where there can be passive and active opportunities for recreation for all ages. Without the actual development of the Village Green, the sense of community and opportunities to meet and connect together will be compromised.

The Applicant accepted the Council's preference over the size of the reserve, given that the reserve will vest in Council. However, the Applicant is putting forward their development concept plans for the proposed reserve, including the Village Green concept, as part of this Application. The Applicant also wishes to develop the walkways/cycleways connecting to the Village Green as an integral part of the development. The Application is made on the basis that the Village Green will vest in the Council, the proposed walkways will be covered by a public easement (which is the Council's preference) and both the walkways and Village Green will be developed generally in accordance with what is shown in the Concept Plans. The Applicant wishes to provide the general range of facilities within the Design Concept, and to collaborate with Council and iwi as to the appropriate plantings and design concepts for the reserve including storytelling educational boards.

9.0 Owners and occupiers of site and adjacent land

How the Applicant has assessed the site and adjacent land

The "site" is primarily the Development Site (being the area to be subdivided, the wastewater disposal field and the section of Stagecoach Road that fronts the subdivision).

The Applicant has assessed all land with a property boundary adjoining the Development Site along with three properties on Horton Road that are separated from the Development Site only by a narrow section of co-owned property (173 Horton Road) as "adjacent".

The Transportation Upgrade Areas (being Stagecoach Road from Chaytor Road to the southern end of the Development Site and the walkway/cycleway formation along the Dicker Road corridor from the northern end of the site to the sealed formation of Dicker Road on the outskirts of Tasman Village) may also be considered part of the "site". These parcels have been identified separately below.

The Applicant has assessed all land with a property boundary adjoining the Transportation Upgrade Areas as "adjacent" (including rear sites with a "leg in" accessway adjoining the site).

The applicant has been guided by the *Bledisloe Wharf* Panel decision, which said:

72 In the absence of the FTAA providing specific direction as to how the "land to which the application relates" and "adjacent land" is to be defined, we determined that those phrases need to be applied in a manner that reflects the specific nature and context of a substantive application, and that an interpretation is taken which is consistent with the purpose of the Act.

...

73 We considered an approach of defining the "land to which the substantive application relates" as being the extent of the Applicant's landholding and the full extent of its coastal occupation permits. We decided against this because it would classify land over 1 km away as "adjacent land", despite such land being well beyond any potential ambit of any possible effect. That outcome would not have been consistent with the purpose of the FTAA.

Development site

The owners and occupiers of the Development Site are:

Name	Legal description	Address
Tahimana Limited	Lot 1, 3 DP 450728	Off Stagecoach Road
Crown (administered by New Zealand Transport Agency)	Sec 34 SO Plan 440217	Stopped Government Road
Tasman District Council	Parcel ID 3664132	Stagecoach Road (legal road)

Transportation Upgrade Areas

Works to upgrade Stagecoach Road and provide a formed walking/cycling path on Stagecoach Road and Dicker Road will be undertaken within the legal road and may extend into adjacent Crown and TDC land – all adjacent land is listed below for the avoidance of doubt. The owners are:

Name	Legal description	Address
Crown (administered by New Zealand Transport Agency)	Section 31, 32, 33, 34 SO 440217	Stopped Government Road (adjacent to Dicker Road)
Crown (administered by New Zealand Transport Agency)	Section 13 SO 440217	Acquired for the functioning indirectly of a road (road maintenance)
Crown (administered by New Zealand Transport Agency)	Parcel ID 7332679	State Highway 60 (adjacent to Stagecoach Road)
Tasman District Council	Section 1 SO 441352, Lot 4 DP 20443, Lot 3 DP 20489 and Parcel IDs 3668813, 7345726, 7335172	Stagecoach Road (legal road)
Tasman District Council	Section 9 SO 440217 parcel IDs 3670258, 7885115, 7345724	Dicker Road (legal road)
Tasman District Council	Section 12 SO 440217	Water Supply Facility (adjacent to Stagecoach Road)

Adjacent owners and occupiers

The owners and occupiers adjacent to the Development Site are:

Name	Legal description	Address
[redacted]	Lot 42 DP 497879 and Lot 4 DP 450728	64 Westmere Drive
	Lot 43 DP 497879	36 Westmere Drive
	Part Lot 50 DP 438	144 Horton Road
	Lot 13 DP 324764	173 Horton Road
	Lot 4 DP 324764	198 Horton Road
	Lot 8 DP 324764	201 Horton Road
	Lot 5 DP 324764	207 Horton Road

The owners and occupiers adjacent to the Transportation Upgrade Areas are:

Name	Legal description	Address
Frontage to unsealed section of Stagecoach Road		
[redacted]	Lot 5 DP 16555	66 Stagecoach Road
	Lot 1 DP 321441	76 Stagecoach Road
	Lot 2 DP 499565	77 Stagecoach Road
	Lot 2 DP 321441	78 Stagecoach Road
	Part Lot 1 DP 13985	90 Stagecoach Road
	Lot 4 DP 424341	99 Stagecoach Road
	Lot 1 DP 16184	100 Stagecoach Road
	Lot 2 DP 16184	106 Stagecoach Road
	Lot 1 DP 16504	Stagecoach Road (no #)

[redacted]	Lot 3 DP 20443	150 Stagecoach Road
	Lot 5 DP 424341	151 Stagecoach Road
	Lot 2 DP 20443	154 Stagecoach Road
	Lot 1 DP 20443	158 Stagecoach Road
	Lot 2 DP 20489	162 Stagecoach Road
	Lot 2 DP 533008	174 Stagecoach Road
	Lot 2 DP 579411	176 Stagecoach Road
	Lot 1 DP 533008	178 Stagecoach Road
	Lot 3 DP 16539	186 Stagecoach Road
	Sec 11 and 12 SO 440217	Stagecoach Road (no #)
	Lot 2 DP 16539	196 Stagecoach Road
	Lot 1 DP 16539	208 Stagecoach Road
	Lot 42 DP 497879 and Lot 4 DP 450728	64 Westmere Drive
	Sec 11 and 12 SO 440217	Stagecoach Road (no #)
Frontage to sealed section of Stagecoach Road		
[redacted]	Sec 23 SO 441504	Stagecoach Road (no #)
	Lot 4 DP 18814	22 Stagecoach Road
	Lot 1 DP 499565	25 Stagecoach Road
	Lot 3 DP 18814	30 Stagecoach Road
	Lot 2 DP 18814	36 Stagecoach Road
	Lot 1 DP 18814	50 Stagecoach Road
	Lot 9 DP 18814	52 Stagecoach Road
	Lot 41 DP 20103	54 Stagecoach Road
	Lot 3 DP 17249	58 Stagecoach Road
	Lot 1 DP 600666	60 Stagecoach Road
	Lot 2 DP 600666	62 Stagecoach Road
Frontage to Dicker Road		
[redacted]	Part Lot 50 DP 438	144 Horton Road
	Lot 3 DP 429318 and Lot 2 DP 607352	192 Williams Road

[redacted]	Lot 3 DP 607352	190 Williams Road
	Deposited Plan 847 and Section 1 Survey Office Plan 525194	191 Williams Road
	Lot 1 DP 766	166 Williams Road
	Lot 38 DP 351	108 Williams Road
	Sec 13, 31, 32 and 33 SO 440217	Dicker Road (no #)
	Sec 13 SO 440217	Dicker Road (no #)
	Lot 2 DP 520340	117 Baldwin Road
	Lot 2 DP 449600	120 Baldwin Road
	Sec 37 SO 440217	Stagecoach Road (no #)
	Section 30 SO 440217	Dicker Road
	Lot 3 DP 4104	66 Baldwin Road
	Section 39 SO 440717	58 Dicker Road
	Lot 2 DP 4104	50 Baldwin Road
	Lot 1 DP 4104	57 Dicker Road

10.0 Approvals Required

10.1 Summary

Approvals are required under the TRMP and the NES-F.

10.2 Tasman Resource Management Plan (TRMP)

Introduction

The site is within the Rural 3 Zone. It is within Land Disturbance Area 1 and is within the Wastewater Management Area that applies to the Coastal Tasman Area including all of the Rural 3 Zone.

The Coastal Tasman Area is delineated into several Landscape Units, shown on Map 169 of the TRMP. The Application site is part of Landscape Unit 6, identified as the Inland Tasman Landscape Unit. The subunit within Landscape Unit 6 that the Application sits within, is Landscape Unit 6B - Beulah Ridge Landscape Unit.

The Application site has frontage to Stagecoach Road. The northern end of this road becomes Dicker Road, which is a road with little formal formation. Prior to Tasman Village, Dicker Rd is a basic track utilised by pedestrians and cyclists. On the outskirts of Tasman Village, Dicker Road has a sealed road formation. Both Stagecoach and Dicker Roads are identified on the TRMP Maps on Roading Hierarchy as Local Roads.

There are no Cultural Heritage Sites identified within the TRMP Planning Maps on the Application site.

The Planning Framework for the Rural 3 Zone is quite different to the Rural 1 and 2 Zones. The Rural 1 Zone contains the districts highly productive landholdings which are suitable for a wide range of soil-based production, with the Rural 2 Zone being land that is less versatile for a range of soil-based production and therefore generally used for more extensive farming.

The Rural 3 Zone is located within the Coastal Tasman area, and was historically used for orcharding, some pastoral activities and significant forestry, interspersed with coastal settlements. This Coastal Tasman area came under significant pressure for more intensive subdivision and development during the late 1990s and into the early 2000s due to the outstanding coastal views, and the available access to the coast and settlements of Mapua, Tasman and Motueka. Coinciding with this demand was the maturing and harvesting of many forest plantations and transitioning of orcharding to the more productive areas of the Waimea, Riwaka and Motueka Plans, where land contour and water supply for irrigation resulted in much higher yields.

TDC's planning response was to introduce the Rural 3 Zone, which provides for a specific framework, including the Coastal Tasman Area Subdivision and Development (**Design Guide**), to enable more intensive subdivision and development in appropriate circumstances. The Rural 3 Zone planning framework acknowledges people's desire to live near the coast or in areas with coastal views. The zoning was created to enable opportunities for residential development while retaining the zone's overall rural amenity values and character, including natural character and ongoing opportunities to utilise land of high productive value. The planning framework seeks to retain cultural values, remnant coastal vegetation, streams and wetlands and other natural features.

The Rural 3 Zone provides for standard Rural Subdivision as a Controlled Activity with a minimum 50 ha allotment, which is the same as the Rural 2 Zone. However, for subdivision utilising the specific zone framework, involving more intensive subdivision and development for an integrated approach guided by the Coastal Tasman Subdivision and Development Design Guide, subdivision is provided for as a Restricted Discretionary Activity. This status changes where land has been the subject of a previous subdivision consent granted after 20 December 2003. The erection of dwellings is, as a minimum, a Controlled Activity in the Rural 3 Zone.

The discharge of wastewater within the Wastewater Management Area is, as a minimum, a Controlled Activity. All of the Rural 3 Zone is within the Wastewater Management Area.

TRMP Rules

Within the comprehensive rule framework for subdivision, regional and district land use activities, discharge of wastewater and stormwater, and rules related to the management of water resources involve a range of controls in order for an activity to be

maintained under a particular status of activity. An assessment of the relevant TRMP rules that apply to the subdivision, land use, discharge and water activities is set out in Table 1 below.

Table 1: Assessment of Tasman Resource Management Plan Rules

Rule	Controls within the Rule	Proposal	Status
16.2.2.1 Vehicle Access	All vehicle access must be laid out and constructed in accordance with the Nelson Tasman Land Development Manual standards for access and vehicle crossings.	The relevant standards are assessed in the Transportation Assessment Report in Appendix 10.	Permitted Activity
16.6.2.1 Network Utilities	Network utilities are a Permitted Activity provided the following relevant conditions are met; - Sites are landscaped and planted for amenity purposes to screen all structures, parking areas and storage areas from roads and public places. - Structure associated with network utilities do not exceed 50m^2 in ground floor area and do not exceed the permitted building height in the zone.	Network utility structures that are proposed for the subdivision include the water tank to store water for the communal reticulated supply and the communal wastewater system. The proposed water storage tank for the development requires a tank of 300m^3 with 50m^3 dedicated to fire fighting. On this basis we assess that a storage requirement of that volume is likely to exceed a 50m^2 ground floor area, though the permitted height of 7.5 metres will not be exceeded by the proposed water storage tank. In respect of the wastewater system, while a specific proprietary brand and model has not been defined it has been schematically shown on the development plans in Attachment 3.2. The ground area that will be occupied by the communal wastewater treatment system will exceed the Permitted Activity Standard.	Discretionary Activity
16.7.3 Rural 3 Zone Subdivision Rules	16.3.7.1 Controlled Activity Subdivision, minimum subdivision 50 hectares. 16.3.7.3 Restricted Discretionary Activity Subdivision (RDA) Subdivisions that do not comply as a Controlled Activity are a RDA if the	The proposed subdivision does not involve minimum allotments of 50 hectares or greater. On the literal wording of Rule 16.3.7.3b) the proposed subdivision does not comply with the RDA Subdivision Rule because the site has been the	Restricted Discretionary Activity/ Discretionary Activity ?

	following relevant Conditions are met: a) every allotment within which any building is intended to be located has a building location area (BLA) shown. b) The subject land has not been subject of a Subdivision Consent granted after 20 December 2003. 16.3.7.4 Discretionary Subdivision Subdivision that does not comply with the RDA Conditions are a Discretionary Activity if: a) either the Subdivision is a relocation or adjustment of allotment boundaries; or b) the subject land is a record of title that is at least 50 hectares in area.	subject of a Subdivision Consent granted after 20 December 2003. The subdivision consents issued include RM 070416 issued to Ruby Bay Developments Ltd, however the Applicant considers this consent can be discounted because the portion of that consent applying to the site has lapsed and as such no subdivision consent still exists in relation to the 2007 consent. There was also a boundary relocation subdivision consent (RM 110853, issued to Boomerang Farms Ltd). This adjusted the boundaries of three titles existing in 2011 to create two titles, which included the subject land held in Lots 1 and 3 DP 450728. The applicant contends that the correct interpretation of Rule 16.3.7.3b) would not treat RM110853 as a Subdivision Consent that breaches b). The intention of condition b) is to restrict the re- subdivision of allotments, particularly open space, created under the specific Rural 3 Zone framework so that there was not ongoing fragmentation. RM 110853 did not fragment Rural 3 land, and was not a subdivision undertaken within the special planning framework of the Rural 3 Zone. The site is not open space reserved under a Rural 3 subdivision. The application is lodged on the basis that the Subdivision Activity should be assessed as an RDA. However, if the panel disagrees with that interpretation of Rule 16.3.7.3b) then the status is Discretionary. The Title being subdivided is greater than 50ha.	
17.7.3.1			

Building Construction			
(b) Dwellings	Any building that is constructed as a Permitted Activity is not a dwelling.	Dwellings are proposed for 141 allotments within the proposed subdivision.	Controlled Activity
(d) Height	The maximum height of a building is 7.5 metres.	The maximum height of any building on the subject development will be 7.5 metres with a number of allotments identified as having a more restrictive building height of 5 metres as recommended by the Landscape Architect.	Permitted Activity
(e) Ridgeline	Any building site on a hill whose ridgeline is identified on a planning map is no higher than the level of the ridgeline.	The subject property does not have a ridgeline identified on the planning maps.	Permitted Activity
(f) Setbacks	Buildings are setback 10 metres from a road boundary and 5 metres from an internal boundary.	The Rural Conservation Allotments and the lifestyle allotments to the east of Road A will comply with the internal setbacks, as will proposed Lots 76, 78-81, Lot 32 & Lot 37. However, consent is sought for the road setback to be 5m. All the Residential Allotments and some of the Lifestyle Allotments in relation to the 10m road setback will not comply with all setbacks. In respect of these allotments consent has been sought to substitute the Residential Zone Standards for setback requirements from one road boundary with all other boundaries to meet residential zone internal boundary setback. The proposed water tank to service a reticulated water supply on proposed Lot 146 and the proposed communal wastewater treatment system to be on proposed Lot 144 will not meet the setback requirement of 10 metres from the road boundary. In addition, the proposed 5 metre setback from internal	Controlled Activity

		boundaries in relation to the water tank allotment, proposed Lot 146 will not be met.	
(j) Building Location Area (BLA)	Where the site was created by a subdivision approved after 20 December 2003, all buildings are located within a BLA approved as part of the subdivision.	A BLA has been nominated on each allotment being subdivided for development. The Application seeks consent for buildings located within the BLA, with consent sought for up to 20% of a building to extend over the delineated BLA.	Controlled Activity
(k) Building Coverage	The total area of all buildings on a site is no greater than 600m^2 for any site with a net area of 4000m^2 or less or either: a) Not greater than 600m^2; or b) 5% of the net site area (but not greater than 2000m^2) for any site with a net area greater than 4000m^2.	The proposal will comply with the building coverage requirements.	Permitted Activity
(l) Building Envelope	Buildings do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres about ground level from all boundaries. The angles calculated according to the elevation calculator in schedule 17.1(A) of the TRMP.	Buildings will comply with the Building Envelope Rule.	Permitted Activity
17.7.3.2 Controlled Activities Building & Use Dwellings	a) There is no more than one dwelling or building used for the purpose of a dwelling onsite, except as provided in (b). b) The dwelling contains no more than two self-contained housekeeping units, provided; i) both are contained within the same building; ii) One is clearly subsidiary; iii) Connecting rooms or passages have a continuous roof; and iv) The walls are fully enclosed.	The proposal is for one dwelling per site within the development however consent has been sought to enable any dwelling erected to have a subsidiary second housekeeping unit within the one building as provided for in this rule.	Controlled Activity
Water			

	(c) Except where any dwelling is connected to a reticulated water supply, incorporating water mains fitted with fire hydrants and the closest fire hydrant being no more than 135 metres from the dwelling, a dwelling is either provided with a home fire sprinkler system fitted with a reliable year round supply or provided with a water supply meeting storage requirements of 45,000 litres. Where not connected to a reticulated supply, then two 23,000 litres of potable water is stored.	All the residential sized allotments and the serviced lifestyle allotments, Lots 87,111 and 145 will be connected to the reticulated water supply, the proposed water supply system. The lifestyle allotments and Rural Conservation allotments will be responsible for providing their own water supply through provision of rainwater collection. However, a firefighting supply will be installed in the road network with every dwelling having access to the fire hydrants.	Controlled Activity
Waste Water Discharge	(e) Any wastewater discharge complies with the Permitted Activity Rules in Chapters 36.1.	The proposal is to connect all residential sized allotments into the communal wastewater system on site as well as the serviced lifestyle Lots 87,111 and 145. The rest of the lifestyle and rural conservation allotments will provide onsite wastewater discharge systems. All onsite wastewater discharge systems require a Discharge Consent as the entire Rural 3 zone sits within the Wastewater Management Area, where no new discharge is a Permitted Activity therefore it is impossible to comply with the Land Use Permitted Activity Rule 17.7.3.2(e). Given it is impossible to comply with Rule 17.7.3.2(e) it is considered that this rule should not be taken into account.	If the Rule is determined to be valid, then status under 17.7.9.2(e) is Innominate - deemed Discretionary (NB: though the status of the discharge under the Discharge Rules, rather than the Land Use Rules, is Non-Complying)
18.5.2.1 Land Disturbance Area 1	Permitted Activities – Land Disturbance/Earthworks are Permitted Activities subject to a range of conditions, where any recontouring of land, including excavation and fill of land is no more than 1 metre in height and depth and is no more than one hectare in area within any 12 month period. If Land Disturbance exceeds the scale outlined, then for recontouring purposes then the activity becomes a Controlled Activity under 18.5.2.3.	Land disturbance and earthworks on the subject site will exceed more than 1 hectare in any one year, notwithstanding there will be some staging of the earthworks in accordance with the staging of the subdivision. Initially there will be bulk earthworks as has been described in Section 3.0 of the Application. These bulk earthworks will be necessary	Restricted Discretionary Activity

	Land Disturbance and Earthworks required for construction of roading, and service lines are permitted where linear disturbance is less than 100 metres per hectare and the predominant slope of the land is less than 35 degrees. Earthworks for the installation of a utility service line as a Permitted Activity is to be no more than 0.6m in width. Land disturbance for roads is a Controlled Activity under 18.5.2.7 that does not meet the length and slope specifications of the Permitted Activity Rule. However, the Controlled Activity Rule 18.5.2.2 does not reference Utility Service Lines, as such where the Permitted Activity Condition for service lines is not met the activity comes under the Restricted Discretionary Activity Rule 18.5.2.5.	for the main road alignments and infrastructure. Following the bulk earthworks, there will be earthworks in each stage of development providing for building platforms and roading and servicing for individual clusters. The majority of earthworks undertaken over the site will fall within the range of 0.5 metres to 2 metres of cut and fill however the maximum cut depth and maximum fill depth over the site will be 5 metres as shown on the Earthworks plans in Attachment 3. 2. The earthworks proposed for roading within the site will not breach the Conditions related to slope of the land. However, the earthworks for the installation of service lines will be wider than 0.6m but a utility service trench will always be wider than 0.6m to meet a wide range of standards including the NTLDM and a range of Health and Safety Standards. Given the length of Stagecoach Road ,the earthworks proposed for the Stagecoach Road upgrade are likely to trigger consent.	
18.8.3/Schedule 16.3B Road Construction	Road Construction Standards are cross referenced to the NTLDM.	Refer to the Development Plans and the Development report in Attachment 3 together with the Transportation Assessment in Attachment 12 for an assessment of the NTLDM and Schedule 16.3B. There is generally compliance, but because effectively a hybrid standard has been adopted for the Residential cul de sacs, located in a Rural Zone, there is non-compliance, and there are other minor non compliances, including some aspects of walkway and cycleway constructions including requirements for a separated shared path.	Discretionary Activity
28.1.3/28.1.5	Structure, culverts and bridges in relation to a river and associated bed	There are three locations where there will be a	Permitted Activity

Structures/Culverts or Bridges in Rivers	disturbance, is a Permitted Activity subject to a range of Conditions, including that the activity is not a River protected by a Water Conservation Order, nor for a river located within Land Disturbance Area 2, if disturbance exceeds 0.5 metres, a range of pre-conditions relating to design in terms of flood events and impeding flows of a river apply.	boardwalk/bridge crossing over a water course and, in two of those cases, the boardwalk/bridge structure is also over a natural inland wetland. The watercourses fit the definition of a river. The crossings will be via a bridge structure, where there will be piles either side of the stream/wetland (but not within the stream/wetland) utilised as the support structure for the boardwalks. The Permitted Activity Conditions under the TRMP for such a structure will be met through the detailed design of these structures. There is a separate assessment where such structures involve consents under the NES-F (Table 2).	
28.1.7 Planting in the Bed, including the banks of a river	It is a Permitted Activity under the TRMP for planting to be undertaken in a river and any associated land disturbance with this provided the general rules are met and that planting is located and maintained so that it does not cause or contribute to erosion or scouring of the bed or banks of the river nor contribute to any increase in flooding of land. There is to be no planting of crack or grey willow.	The proposal involves extensive planting of riparian margins with some of the planting potentially including portions of banks, and there will be planting of the stormwater detention basins. The planting will involve indigenous species suitable to such environments as generally outlined on the planting plans and species list prepared by the Landscape Architect, refer to Attachment 9. Planting is also required to comply with the Ecological Planting Plan, a draft of which is in Attachment 8.3.	Permitted Activity
28.2.2 Dam Structures	Dam structures are permitted in the bed of rivers and any associated disturbance is a Permitted Activity subject to a large number of Conditions including that dams are not within areas of instability, that dams do not impound more than 5,000 cubic metres and should have a surface catchment area of less than 20 hectares, with maximum depth of the impounded water in the dam being less than 3 metres with the impounded water not covering any naturally occurring wetland and the minimum crest width of the dam	The proposal is to install a total of 22 stormwater detention dams/basins, however none of the detention dams/basins will be located within the bed of a watercourse. The proposed detention dams will be designed to meet the Permitted Activity Conditions. All of the stormwater detention basins will have considerably less storage than 5,000 cubic metres as each stormwater detention basin only involves detention of up	Permitted Activity

	being 3 metres. Additionally, there are a range of Conditions to be complied with in respect specified flood events and ensuring that dams are constructed and maintained so as to ensure there is no scour to the spillway structure or down stream bed or banks.	to a few hundred cubic metres and all involve drainage for surface catchment areas considerably less than the Permitted Activity Condition of 20ha. The Applicants are aware of the requirements to provide for fish passage where there is a perennial flow in a stream and are aware of the requirements for setbacks from road boundaries and internal boundaries. The Ecological Assessment report has identified 2 detention dams/basins requiring fish passage being Dams E5d and W4. The detailed design will ensure these Permitted Activity Standards are met. In this regard, scaling from the plans in terms of distances of proposed detention basins from boundaries should not be done as in some cases the schematic depiction of the detention basin indicates that in some circumstances the dam may be located closer than 5 metres to internal boundaries however the Applicant commits to the detailed design ensuring a setback of 5m from internal boundaries.	
31.1.4 Damming of Freshwater	It is a Permitted Activity under Rule 31.1.4.1 to dam freshwater provided that: a) The area of the catchment contributing to the dam is less than 20 hectares. b) For any dam constructed after 28 February 2004, no part of the dam structure or area of impounded water occupies any neighbouring property. c) Either the taking of water on its own or cumulatively with other takes from the dam impoundment, pond or reservoir. i) Does not exceed the quantity specified in Figure 31.1A. or	The damming of water is only proposed in respect of stormwater detention basins, there is no proposal to permanently hold water in a dam and take from that dam for irrigation or other purposes. The stormwater detention basins fit within the definition of a dam, are Permitted Activities under this Rule because the catchment contributing to the dam is less than 20 hectares, all stormwater detention dams are located within the Applicant's property and there is no proposal for water take from the stormwater detention dams.	Permitted Activity

	ii) Is authorised by a Water Permit to take water.		
36.1.2.5/36.1.3.2/36.1.4.2 Discharges of Domestic Wastewater in Wastewater Management Area	The subject land is in the Wastewater Management Area. Under 36.1.2.5 no new discharges are Permitted Activities where a site is within the Wastewater Area. Discharge of wastewater is a Controlled Activity under Rule 36.1.3.2 provided the following key matters are met: - The discharge is from a dwelling on an allotment that is more than 2 hectares in size - The rate of discharge of domestic wastewater does not exceed 2 cubic metres per day. - There is compliance with key standards in relation to design flows and loading. - There is 100% of the area of the design land disposal field available as a Reserve Land Treatment Area. - The disposal field is located more than 20 metres from a surface water body, including the margin of a wetland, 20 metres from a bore supply and potable water, 5 metres from an adjoining property or road boundary and 20 metres from the edge of any other domestic wastewater field. - No discharge onto land where the predominance is over 20 degrees. - Specified quality standards of effluent discharge are met. Discharge of Wastewater in Wastewater Management Area is a Restricted Discretionary Activity under Rule 36.1.4.2if the following key issues are met: - The rate of discharge does not exceed 2m3 per day per household. - The treatment and disposal system is designed to cater for the peak daily load. - No surface ponding or runoff into a waterbody - No increase in the concentration of pathogenic organisms is any groundwater bore used for potable water.	The individual onsite waste water discharges for the lifestyle allotments have been considered under the Rule provisions within the Envirolink Report in Attachment 5, Table 5.2 of that Report. The Envirolink Assessment summarises site slope and extent of Reserve field available, together with identification of setback requirements. The majority of the lifestyle allotments comply with the reserve area component of the Rule, however there are 12 allotments that do not comply, of which 4 provide a reserve area of 90% or more with the smallest reserve area being 64% of the primary field. The setbacks from water bodies and wetlands will be met for all sites. However, the 5m setbacks from property boundaries will not be met upslope of some disposal fields but will be met for all downslope boundaries. The 20m setback between disposal fields will not be met for some disposal fields. Not all site slope requirements would be met, as such there would be some individual allotments that will comply with the Controlled Activity Standard, but a number that will be non complying because the Restricted Discretionary Activity rule repeats the same standard in respect of the reserve field, setbacks and slope for individual household onsite systems. In respect of the Communal Wastewater System, it cannot meet the Controlled Activity rule of a maximum discharge of $2m^3$ per day. However, the	Non Complying Activity

	- Minimum depth of 0.6m of saturated soil below land disposal field - The disposal field is located more than 20m from a surface waterbody, including the margin of a wetland, 20m from a bore supplying potable water, 5m from a property boundary, 20m from another disposal field - No offensive odour beyond the property boundary - Stormwater flows diverted away from disposal field - No discharge over a slope predominantly over 20 degrees - Specified quality standards met - where the disposal system serves a single household there must be 100% of the design land disposal filed area available as a reserve land treatment area - Wastewater is to be distributed evenly at a rate not exceeding 2mm per day except where the soil category is assessed as Class 6.	limit of $2m^3$ per day under the Restricted Discretionary Activity (RDA) rule, is limited to an individual household not exceeding this volume , not the total discharge to a Communal system. The only aspect of the RDA rule not met by the Communal system is the setback from boundaries. The property boundaries involved for the Communal wastewater allotment, Lot 144 and section 34 SO 440217, are road boundaries. The Envirolink Assessment report has adopted a 1.5m setback from boundaries as adequate. The proposed Application rate of treated wastewater will not exceed 2mm per day and over certain slopes the rate drops to 1.6mm. The Envirolink report in Attachment 5 includes a Table confirming the application rate and notes that the interpretation of the application rate condition , which refers to *a rate not exceeding 2mm per day except where the land is classed as class 6*, is to be interpreted without the word *except,* the reason being the rule intent is that it applies to soil classed as Class 6 .This interpretation from Envirolink is based on advice from Council Consent Planners. Based on the above assessment, for some on site systems as detailed in the Envirolink report, individual on site systems will not meet the conditions of the Controlled or RDA rule and therefore will be non complying . For the Communal system the only reason this becomes Non Complying and is not a RDA, is the setback from property boundaries rule.	

10.3 National Environmental Standards

There are two relevant National Environmental Standards (NES) which also need to be assessed to determine the status of various activities. These are the NES for Assessing and Managing Contaminants in Soil to protect human health (**NESCS**) and the NES for Freshwater (**NESF**).

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

An assessment has been carried out by Envirolink. Their Assessment Report is contained in Attachment 15. Envirolink carried out a Preliminary Site Investigation (PSI), which confirmed no hazardous activities have or are likely to have been undertaken that would be categorised as HAIL activities on the subject site. It was identified that sheep yards were constructed post 2011, but there was no sheep dip. From aerial imagery the site had no sheds or dwellings or other buildings as far back as records existed to 1940.

The Envirolink assessment identified that there was one small area within the site that showed possible remnants of orchard trees or horticultural activity in the 1940 aerial imagery, but there was no evidence of such activity by 1958. It was not clear from the imagery whether the trees were orchard trees or whether they were some type of plantation trees and potentially not related to horticulture. In order to support these initial conclusions, Envirolink undertook sampling from the areas identified with some plantings in the 1940 aerials. The analytical results confirmed no hazardous activities were located in those areas as all test results were well below the background concentrations levels. On this basis, it was concluded that is highly unlikely that the subdivision, change of land and use and land disturbance activities would pose a risk to human health.

Based on the findings of this PSI, the site was not considered to be a “piece of land” under Regulation 5(7) of the NESCS. Accordingly, the NESCS does not apply to the proposed activities and resource consent under the NESCS is not required.

National Environmental Standards for Freshwater 2020

A survey of the site undertaken by RMA Ecology Ltd identified all natural inland wetlands and watercourses that engage the NESF. The mapping is shown on the development plans as overlays and is discussed and assessed in detail in the Ecological Assessment Report in Attachment 8. The mapping in that report provides reference numbers for each wetland and watercourse. Table 2 below sets out an assessment of the Application under the NESF.

Table 2 Assessment of the NES Fresh Water Standards

Regulation	Controls within the Regulation	Proposal	Status
38 - Restoration and maintenance of wetlands	It is a Permitted Activity to undertake vegetation clearance and earthworks or land disturbance within, or within a 10m setback from a natural wetland if it is for a purpose of wetland restoration, wetland maintenance or bio security provided the specified Conditions in the Regulation are met. The taking, use, damming, diversion or discharge of water within, or within 100m setback from natural inland wetland is a Permitted Activity if the activity is for the purpose of wetland restoration, wetland maintenance or bio security and there is a hydrological connection between the taking, use, damming, diversion or discharge and the wetland and the taking, use, damming, diversion or discharge will change, or is likely to change, the water range or hydrological function of the wetland and the activity complies with the Conditions within the Regulation. The Conditions include the general Conditions set out in Regulation 55, and that the Activity is vegetation clearance, earthworks or land disturbance where that activity must not occur over more than 500m^2 or 10% of the area of the natural wetland and if the activity is a discharge of water, it must not be a Restricted Discretionary Activity set out in Regulation 39(3A). The limit on the scale of the works within an area of a	Included within the proposal is the removal of exotic vegetation in particular the wilding pines some of which are adjacent to wetlands, there will be removal of weeds and planting of appropriate indigenous species generally in accord with the Planting Plan included in the Landscape Assessment Report and Plans included in Attachment 9 and the Draft Ecological Planting Plan (EPP) included in Attachment 8.3. The restoration planting around the wetlands and waterways is proposed to be undertaken in stages in accordance with Sheet 5, Landscape and Restoration Planting Plan, in the Tahimana Development Design Plan set, in Attachment 3.2. Prior to finalising the EPP, a copy is to be provided to iwi specified in the Draft Subdivision conditions for their input. In addition to the EPP requirement, there is a requirement to prepare a Wetland Monitoring Plan to ensure the construction and earthworks activities are not having an adverse effect on wetlands. A Draft of this Plan has been prepared by RMA Ecology, see Attachment 8.2. The relevant provisions of Regulation 55 will be complied with. It is the Applicant's conclusion that the restoration and wetland maintenance activities in relation to activities within, or within 10m, from a natural inland wetland are a Permitted Activity.	Permitted Activity

	natural inland wetland, does not apply where it is for planting for restoration or wetland purposes or for clearance of exotic vegetation for biosecurity purposes or the vegetation clearance or earthworks of exotic vegetation uses handheld tools, the restoration of wetland maintenance or the vegetation clearance, earthworks land disturbance the clearance of exotic vegetation is undertaken in accordance with a restoration plan or a certified freshwater farm plan.		
42- Construction of Wetland Utility Structures	(1) Vegetation clearance within, or within 10m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing a wetland utility structure.	Boardwalks are defined as a Wetland Utility Structure. There are three Boardwalk structures crossing water features, two of which cross natural inland wetlands, being wetland W4 and wetland W70. Refer to the Ecological Assessment report in Attachment 8 for the location of W4 and W70 and Sheet 2 of Attachment 3.2. The boardwalks will be constructed so that there is no structure in the wetland, but the piles will be within 10m of the wetland. Construction of the boardwalks will result in a very small area of wetland vegetation clearance within and /or within the 10m setback, to enable the construction of the boardwalks, depending on the nature of the vegetation at the time. The wetlands are currently accessed by livestock and there is only very low-lying vegetation present. The Boardwalks will cover an area of approximately 4.8m^2 at each of Wetland W4 and W70. Once the Boardwalk is complete, replacement wetland planting will be undertaken.	Restricted Discretionary Activity
	(2) Earthworks or Land Disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing a wetland utility structure.	There will be Land Disturbance within 10m of a wetland for the boardwalk over W 4 and W70 to construct the piles for the boardwalk.	Restricted Discretionary Activity

	3) The taking, use, damming, or diversion of water within, or within a 100 m set-back from, a natural inland wetland is a restricted discretionary activity if - (a) the activity is for the purpose of constructing a wetland utility structure; and (b) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (c) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland; and (d) the activity complies with the conditions.	For the purposes of constructing the boardwalk there will be no need to take, use, dam or divert water.	Not triggered
	(3A) The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if - (a) the discharge is for the purpose of constructing a wetland utility structure; and (b) there is a hydrological connection between the discharge and the wetland; and (c) the discharge will enter the wetland; and (d) the discharge will change, or is likely to change, the water level range or hydrological function of the wetland; and (e) it complies with the conditions.	The sinking of the piles for the boardwalk crossing should not result in the discharge of water.	Not triggered.
45 – Construction of Specified Infrastructure	Construction of specified infrastructure is a discretionary activity where it involves vegetation clearance and earthworks within or within 10m setback of a natural inland wetland or where earthworks or land	The only infrastructure within the Applicant's proposal that may fall within the definition of Specified Infrastructure is the Water Storage Tank. The Applicant has assessed that stormwater and wastewater infrastructure do not fall within	Not triggered

	disturbance occurs outside of a 10m setback but within a 100m setback. Where it is for the purpose of constructing specified infrastructure and results or is likely to result in the complete or partial drainage of an inland wetland. The taking, use, damming or diversion of water within, or within 100m of a wetland is discretionary where it is for the purpose of constructing or upgrading specified infrastructure and the discharge of water into water within or within 100m setback of a natural wetland is discretionary if it is for the purpose of constructing or upgrading specified infrastructure. Specified Infrastructure is defined under the NPS -FM, it includes Regionally Significant infrastructure , any water storage infrastructure ,any public flood control , flood protection, or drainage works for a Local Authority, Defence facilities operated By NZ Defence Force and ski area infrastructure.	the definition. It is noted that the detention dams temporarily store stormwater, and the question thus arises whether the detention dams come within the definition of water storage. The Applicant's view is that Regulation 45 is not intended to capture temporary stormwater storage infrastructure. Water storage infrastructure is proposed to be provided on proposed Lot 146 where Council will supply water to that tank but the responsibility for the distribution of the water from the tank and maintenance of the tank and reticulation sit with the Infrastructure Association. In addition, this water storage will have storage for firefighting capacity which will relate to all sections. The lifestyle allotments will provide their own onsite water storage infrastructure for water. The location of some of the domestic onsite water storage will be within 100 metres of wetlands. The proposal will not involve any drainage or partial drainage of a wetland area. While there will be water storage infrastructure located within 100m of wetlands and some water storage infrastructure will require vegetation clearance and earthworks within the 100ms setback, given there is no wetland drainage involved, Regulation 45 is not triggered	
52 – Drainage of Natural Inland Wetlands	It is a non-complying activity to undertake earthworks outside but within a 100m setback of a natural wetland as well as to take, use, dam or divert water outside, but within 100m setback from a natural wetland if it - (a)results, or are likely to result, in the complete or partial drainage of a natural inland wetland; and	The proposal will not result in any partial or complete drainage of any of the natural wetlands onsite notwithstanding there will be earthworks within the 100m setback as has been described . There will be the establishment of detention dams (basins) and diversion of water both to those detention basins, and to gullies to ensure an appropriate flow of water is directed to wetlands. Subsection (b) is only triggered	Not triggered

	(b) where there is no other status under the regulations.	where drainage or partial drainage of a wetland is proposed, which is not the case for the subject development, as such this regulation is not triggered.	
54 -Non-Complying – no other status	The following activities are non-complying if they do not have another status: (a)Vegetation Clearance within, or within a 10m setback of a natural inland wetland: (b) Earthworks within, or within a 10m setback of a natural inland wetland: (c)The taking, use, damming, or diversion of water within, or within 100m setback from, a natural inland wetland if – (i) there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and (ii) the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland: (d) The discharge of water into water within, or within 100m setback from, a natural inland wetland if- (i) there is a hydrological connection between the discharge and the wetland; and (ii) the discharge will enter the wetland; and (iii) The discharge will change, or is likely to change, the water level range or hydrological function of the wetland	Vegetation clearance and earthworks for the purpose of restoration planting and removal of exotic species has a permitted activity status as noted earlier in the Table, as such subsections (a) and (b) are not triggered by restoration works. There will be earthworks for the boardwalks within 10m of a natural inland wetland, but consent is triggered for that under Regulation 42, which means this activity has a status and does not trigger Regulation 54. There will be earthworks beyond 10 and within 100m of natural inland wetlands for a range of other activities including creation of the dams for the stormwater detention basins, but Regulation 54 does not seek to control earthworks between 10-100m of inland natural wetlands. A number of stormwater detention dams are within 100m of wetlands and there will be discharge of stormwater into water within 100m of wetlands where there is a hydrological connection between the damming and discharge of stormwater and the wetland. In the case of stormwater this is being collected from impervious surfaces of roading and driveway areas and directed to the stormwater detention basins. The stormwater generated from some building roofs is being collected and directed towards the heads of wetland areas in the gully systems. The proposal results in a redistribution of groundwater and surface water inflows in the western catchment, there will be a small reduction in groundwater inflows , not likely to be measurable as	Non-Complying

		the effect will be within the natural seasonal fluctuation. There will be an increase in surface water recharge. In the eastern catchments, there will be an increase in surface water recharge and a small reduction of groundwater recharge. The PDP Hydrogeology assessment in Attachment 7 has undertaken modelling to confirm the changes in recharge levels. This modelling shows there will be a change in the water level range in the wetlands for both the western catchment and eastern catchment, however both the Hydrogeology assessment and the Ecological assessment undertaken by RMA Ecology (Attachments 7 & 8) note overall there will be a benefit from the increase in surface flows to the wetlands. Notwithstanding this benefit and lack of adverse effect, there is a change in water levels and thus this activity triggers Regulation 54.	
70 – Culverts	It is a Permitted Activity to construct culverts in, over or under the bed of a river provided that a number of pre conditions are met which include that the culvert must provide for fish passage, it must be laid parallel to the slope of the bed, water velocity should be no greater than the adjoining river reaches, requirements related to the width of the culvert, placement of the culvert so that 25% of the culvert diameter is below the level of the bed, controls in relation to the bed substrate and the culvert, together with ensuring the culvert provides for the movement of sediment and debris.	Culverts will be part of the design of the stormwater detention basins, but no stormwater detention basins will be located within streams or wetlands. The Ecological Assessment Report prepared by RMA Ecology Limited (Attachment 8) confirms that two dams may present barriers for fish passage, and has recommended that fish passage be included in the design of Dam E5d and Dam W4. The Applicant accepts the requirement to provide fish passage and will ensure that the detailed design of the culverts within streams meets the Permitted Activity Standards. The project Ecologist will remain involved in the project through the detailed design phase to review the design of fish passage.	Permitted Activity

Activity status

In determining the overall status of the Application, the usual approach is the bundling of at least some of the consents. Depending on the nature of the development proposal and whether the application includes controlled or restricted discretionary activities (which are not to be bundled with discretionary or non-complying activities), there are occasions where there is more than one grouping of consents and therefore more than one *'bundle'*. In the subject case, if there is a bundling of all consents into the one bundle then the status would be non-complying. While this bundling question might have more relevance under the RMA, given that s 104D does not apply under the FTAA there is little to be gained by determining whether the activities should be bundled as non-complying or not. However, the Applicant makes the following observations on the non-complying aspects:

- The wastewater discharge is non-complying due to relatively minor matters, including the setback from property boundaries and setbacks between disposal fields, some slopes of the disposal field and a limited number of lifestyle allotments not having 100% of the primary disposal field provided as a Reserve Field (the minimum reserve area proposed is 64% of the primary field). These matters do not reflect effects-based non-compliances, rather they reflect the fact that the TRMP rules have not been updated to recognise the much reduced environmental impacts of modern wastewater treatment systems involving drip irrigation.
- Under Regulation 54 of the NES-F, damming and diversion of water and discharge of stormwater within 100m of a natural inland wetland is a non-complying activity where (i) there is a hydrological connection between these activities and a wetland and (ii) as a result of the activities the water level range of the wetland will change. As noted in Table 2, the change in water levels is a positive change for the health and functioning of the wetlands.

The only reason the subdivision application itself would fall to be considered as a Discretionary Activity, rather than a Restricted Discretionary Activity, is that there were Consents for Subdivision issued post December 2003, which on a literal interpretation would breach Rule 16.3.7.3b. However, the applicant says that this is not the correct interpretation of Rule 16.3.7.3b. The Subdivision Consent that was implemented post 2003, was not for a Rural 3 style subdivision, within the specific framework of the RDA Rule, and did not fragment Rural 3 land. The current proposal is not subdivision of open space reserved pursuant to a Rural 3 Subdivision Consent. It is not the intention of the rule, based on assessment of the Policy Framework, to cover this type of prior subdivision. For this reason, the Applicant considers that the subdivision is a Restricted Discretionary Activity.

The land use (buildings) activity would be a controlled activity if it were not for the requirement for the wastewater discharge to be a permitted activity. It is impossible, under the structure of the TRMP, for any wastewater discharge in the Rural 3 Zone to be a permitted activity, because all of the Rural 3 Zone is in the Wastewater Management Area and discharge of wastewater in the Wastewater Management Area is as a minimum a controlled activity.

However, the land use activity for 'buildings' includes the utility structures for the communal water supply and communal wastewater system which are discretionary activities. So, taking the 'innominate' status of dwellings, which would be deemed discretionary activity, then land use activities for buildings have an overall status of discretionary.

The following table sets out the grouping and bundling of consents that the Applicant considers applies.

Table 3: Activity Status

Groupings	**Status**
Subdivision Consent Land Disturbance Consents Discharge or diversions to land or water under 36.4.2 TRMP NES-F Construction of Wetland Utility	Restricted Discretionary
Land Use Consent – Buildings/Dwellings Land Use Consent Utility Infrastructure Land Use Consent for Roads.	Discretionary
Discharge Consents for Wastewater for both the on-site discharge systems and the communal wastewater system	Non-Complying
Water Permit – Damming or diversion of water under NES-F Discharge of Water into water NES-F Discharge of Contaminants to Freshwater under TRMP Rules 36.2	Non-Complying

Assessment Criteria for Subdivision in the Rural 3 Zone

As noted above, the Applicant contends that the proposed subdivision should be considered under the Restricted Discretionary Subdivision Rule 16.3.7.3, which contains a list of matters to which the Council has restricted its discretion. Those matters are assessed below. It is noted that the matters are very broad, and in practice there may be little difference if the subdivision is assessed as Discretionary.

(1) The extent to which the proposed subdivision retains and protects land with actual and potential productive values.

The proposed subdivision does not have land of high productive value as has been assessed in the Land Productivity report in Attachment 13.

The Land productivity report assesses the vast majority of the land as Class 4 and Class 6 land, with an area of approximately 3,000m^2 being Class 3 land. At the more detailed paddock scale, mapping using the LUC classification confirms there is no Class 3 land on the property, with the land falling within Class 4 to Class 6.

The Land Productivity report notes the limitations on the land in terms of portions of property being too steep for machinery, and parts of the site being poorly drained, eliminating more intensive forms of productive use. A portion of the property has been identified as having opportunity for moderate productivity, but the depth of topsoil, together with the summer dry conditions and lack of access to an irrigation water supply, mean that the land uses are limited to grazing or potentially forestry, which has been a previous land use on the subject property. The restrictions on continuing and/or intensifying grazing on the subject property not only relate to the issues of steepness, drainage issues and lack of water for irrigation, but also to the fact that the subject land contains extensive wetland areas where stock need to be removed. Given the wetlands are widely distributed narrow finger wetlands, once stock is removed from these areas there is little land left for grazing. While the wetlands are quite degraded, as assessed in the RMA Ecology Assessment Report in Attachment 8, nevertheless they are protected under the NPSFM and NESF.

The previous and current land use activities on the Development Site, including the forestry and to some extent the existing grazing, have contributed to the degradation of the wetlands. Ongoing grazing of land in proximity to the wetlands (i.e. the land in the Rural Conservation Allotments of proposed Lot 140 and 141) would be inconsistent with the regulatory framework for wetlands.

(2) The relationship between the subdivision proposed and the subsequent development, including effects of location and scale of buildings and other structures.

As has been outlined in the description of the Application, and within the Landscape Assessment Report in Attachment 9, there has been extensive consideration of the form of the subdivision and the location of buildings, ensuring that the effects of the location and scale buildings and structures are addressed.

(3) Effects on the rural landscape, on amenity values and on coastal character and values.

The assessment below on criteria (4), the Density Maps in Attachment 18, and the Landscape Report in Attachment 9 and Section 13 of the Application provide a detailed assessment relevant to this criterion.

(4) Consistency with the Coastal Tasman Area Subdivision and Development Design Guide (see Appendix 3 of the TRMP).

The Design Guide sets out a design process that subdivision and development within the Rural 3 Zone should be consistent with. The design guide firstly sets out a design process, followed by a range of broad guidelines in relation to key features, and lastly, location-specific guidelines relevant to specific landscape units.

The design process specified within the Design Guide commences with the usual good practice process for any subdivision and development, which involves the gathering of information and undertaking the necessary research in relation to the following areas:

- Landscape, character, productive land uses and amenity attributes of the site and the surrounding landscape, such as topographic features, coastal features, rural amenity values and vegetation patterns. Include any attributes that are addressed in the location specific guidelines of the Desing Guide (Chapter 4).
- Drainage features of the site and surrounding landscape, including surface water bodies, wetlands, flood risk areas topographical drainage patterns and coastal margins.
- Social-cultural attributes, such as existing buildings, current and historic land uses, wāhi tapu, and archaeological sites.
- Productive land values of the site, such as soil type, land productivity assessment rating, topography, aspect and water.
- Attributes that are relevant to the on-site disposal of wastewater, such as soil permeability, groundwater depths, slope and topography, aspect, and surface water bodies.
- Attributes which are relevant to the provision of infrastructure services, such as roads, accessways, stormwater management features, water supply and public amenities.

Following the information gathering phase there is an assessment and evaluation phase of information to inform the subdivision design and layout that reflects the general guidelines in Chapter 3 and the specific guidelines in Chapter 4 of the Design Guide.

The Applicant's design process was consistent with the Design Guide. It started with the Applicant's vision, set out in Section 2.1 of the Application, and the engagement of RMM Landscape Architects to undertake an initial high level site analysis of the property and provide a preliminary Master Plan. The high-level site analysis provided an analysis of the regional context within which the site was located and considered the pattern of built form within the neighbourhood, the broad visibility of the site within the locality, issues of connectivity to and from the site and broad drainage and wetland patterns.

Using that high-level analysis, a broad Master Plan was developed focusing clusters of residential development within the western catchment of the site, with lower density development on the eastern side slopes. The early Master Plan concept is shown in Figure 4 above.

The Applicant then assembled a project team to take the broad concept and move through the detailed information and investigation phase of the attributes and constraints of the site with this process resulting in a subdivision design that fully reflected the constraints, including statutory constraints, and opportunities the site provided. In addition to RMM Landscape Architects the team included the following specialist areas necessary to bring together a design:

- Planner to co-ordinate and prepare the overall application and co-ordinate the assessment inputs of the specialists.
- Surveyors to provide subdivision design inputs including preliminary civil engineering design for earthworks, stormwater, wastewater and water under the direction of the specialist engineers.
- Engineers to provide specialist three waters advice for the design for wastewater, water, stormwater and geotechnical hazard advice.
- Land Contamination experts to assess the site under the NESCS.
- Ecologists to undertake a survey of the site to assess and map wetlands and water courses on site meeting definitions under the NPSFM and NESF and TRMP. Given the numerous on-site wetland mapping and assessment of the wetlands and water courses was a critical element as to areas of the site required to be excluded from development. The Ecologist also advised on terrestrial and aquatic ecology.
- Hydrogeologist to provide advice, following the mapping of the wetlands and water courses, assessing the development's implications for potential groundwater and surface water interactions and connection between the range of natural inland wetlands within the site and external to the site.
- Early consultation with iwi seeking advice on the cultural values of the site and locality.
- Archaeological assessment as part of considering the Heritage and Cultural Values of the site and locality.
- Traffic engineering to consider transportation issues, including connections to the external roading and walkway/cycling network.

- Acoustic advice to enable early consideration of the roading network, in particular the potential impacts of the State Highway raising issues of reverse sensitivity exposing future development to noise.
- Advice on Land productivity to ensure that any land of high productive value was excluded from development.
- Early legal advice guiding the project initially through the RMA Application, including advice on NPS and NES matters, together with legal advice on structures for the Infrastructure Association for communal wastewater and water systems.

The assembled team have worked through their assessments in accordance with the information gathering requirements of the Design Guide, considered the information in terms of their specific areas of expertise in accordance with Chapter 3 and, where appropriate, Chapter 4 relating to the location-specific guidelines. The project team have worked over some years producing many iterations of the subdivision design as further detailed information became available, particularly arising from the Ecological, Hydrogeological and Three Waters Assessments:

- The wetland constraints of the site meant that a concept that involved a range of roading and walkway connections through and adjacent to the wetlands, together with residential development in close proximity to those wetlands, was not an appropriate option. The fundamental design philosophy developed in the very initial Master Plan concept shown in Figure 4 was to concentrate the residential density of development within the western basin area, with the eastern side slopes being maintained for lifestyle development. This philosophy has been maintained. However, the approach to development within the western basin has meant that the clusters of residential development in the basin have moved further up onto the spurs, above the gully areas where the extensive "*finger*" inland natural wetlands are located. Movement of the clusters of residential development onto the internal spurs within the western basin meant that there was no need for the extent of the roading network initially proposed in Figure 4, as Stagecoach Road and the main subdivision road, Road A, would provide the main connection routes with relatively short cul-de-sacs extending from Stagecoach Road and Road A to service the clusters of residential development.
- The NESF provisions meant that works required to provide roading connections from the end of the cul-de-sacs through the main finger wetland areas would have been prohibited. In any event, these were unnecessary to achieve reasonable connection. The walkway/cycleway network was simplified through the development.

- Through the detailed assessment of land requirements for wastewater for the residential clusters, over time the design reduced the number and scale of the clusters.

The final subdivision design has been through many iterations, following the collaborative design process set out in the Design Guide. The final design reduced the number of allotments from 200 down to 141 as shown in Figure 3 in Section 8.1 (and Attachment 1). The design still maintains the original concept, which are clusters of residential development concentrated within the western basin area, with lower density lifestyle development on the eastern side slopes. The location of the residential clusters protects the wetlands through appropriate setback areas. The individual assessment reports outlined above illustrate how the guidelines in Chapter 3 and Chapter 4 are reflected by the design. Further, the recommendations involving a range of mitigation measures, ongoing management, and maintenance plans, achieves consistency with the Design Guide.

The specific guidelines in Chapter 3 of the Design Guide have been taken into account in the development as detailed below.

Landscape

The Landscape Assessment has considered the Landscape matters listed within the guideline, noting in respect of ridgelines and spurs that the design is generally in keeping, ensuring that development is below spurs and ridgelines within the site and for those areas that are more visible, the range of mitigation measures including limiting the height of buildings, use of recessive colours and required landscaping, reduce dominance in the landscape.

There is a predominance of unbuilt open space within the development that will continue to contribute to the rural character of the site. Evidence of this is the assessment of built form to unbuilt form within the development set out within the Table within Attachment 18, which confirms that over the site the broad ratio of 75% open space/unbuilt space to 25% build/ developed area of open space/unbuilt space is met. While this ratio is not a requirement within an individual site (rather a policy aspiration over the entire Rural 3 Zone), it is reflected in the density of the Tahimana development.

Built development has been clustered in less visually prominent areas when viewed from public roads and places, other than the portion of Stagecoach Road which the development fronts.

Volunteered conditions in the draft Subdivision and Land Use Consents in Attachment 16 ensure that building height is appropriate in the landscape, buildings will be recessive in colour, ensuring that the development merges into the landscape assisted with the extent of proposed mitigation planting and the extensive restoration planting of

the wetlands and riparian areas as shown on the Vegetation Strategy in the Landscape Design (Attachment 9, pages 52 and 53) reproduced in Figure 10.

High Productive Land

There is no highly productive land within the development site, as confirmed by the productive land assessments in Attachment 13.

Freshwater Resources and the Coastline

Freshwater resources, including the waterways and wetlands, are being maintained and significantly enhanced with the margins of the water resources being extensively planted as detailed in the Vegetation Strategy. No modifications are being undertaken to any wetland, and only limited modifications within the 10m setback area, in three locations involving wetlands/ watercourses for the provision of boardwalk structures over these water features. Their piles will be constructed outside wetlands and streams.

Drainage & Stormwater

The natural drainage characteristics of the site are preserved, including the drainage contours, wetlands and streams.

Earthworks and recontouring are focussed on the roads, BLA areas and earthworks required for infrastructure including for the stormwater basins and wastewater disposal fields.

Earthworks and recontouring have been largely avoided within the side slopes and the western basin other than as required for provision for the stormwater detention basins. Use of several small stormwater detention basins rather than one large feature has avoided extensive earthworks and re-contouring.

Low impact stormwater design solutions have been adopted, involving detention and separating out clean stormwater from roofs of dwellings and directing this water into the wetlands to ensure that surface flows are maintained and, in some cases, increased to the benefit of the health of the wetlands.

Access & Transport

The locations of roads and accesses have been designed to complement the existing land contours and minimise significant earthworks by placing the roading largely on the ridgeline and spur areas.

Roads and accessways have been generally designed to meet the NTLDM Standards.

The development has had an emphasis on enabling alternative modes of transport being cycling and pedestrian access. The development has been designed to provide connectivity between existing walkway/cycleway networks to ensure that there is good

connectivity through to the Tasman township, Mapua township and the wider Tasman Great Taste Trail.

The use of street lighting will be minimal and there are controls proposed in the landscape assessment in terms of internal lighting on allotments.

Wastewater

The Envirolink Report in Attachment 5 confirms that the specific guidance in respect of wastewater has been followed.

Water Supply

The Envirolink Assessment confirms that the guidance in respect of water has been followed.

Recreation, Conservation & Open Space

Public access has been provided through the subject site providing connectivity into adjoining cycleway/walkway areas and in particular to the significant wetland area to the east of the site connecting with the existing public access at that location.

The proposed public accessway through the site connects the subject development into existing walkway/cycle networks both for the residents within the development and for those travelling through this location connecting into the Tasman Great Taste Trail and public services and amenities within Tasman Village and Mapua Village and the Coastal Amenities.

The proposed subdivision has included a public reserve area to encourage a sense of community within the development and provide an area for social and recreational interaction. The proposed reserve is integrated with the location of the proposed public access for cycling and walking.

Allotments

The design process has ensured that the location specific guidance has been adopted. The proposed allotment shapes and sizes have been designed to be sensitive to the topography and landscape character as demonstrated through the Landscape assessment.

The density of allotments adjoining the external site boundaries has been considered with a view to minimising potential for adverse cross boundary effects with adjoining properties where there is current productive land use and where there may be changes for future productive land use. All allotments within the proposed development around the external boundaries of the site are larger lifestyle allotments with denser development being internal to the site and well separated from the external boundaries, to avoid cross-boundary effects.

Building Location

The Landscape Assessment in Attachment 9 has addressed the issues set out under the building location areas, demonstrating that the proposal is in keeping with the building location guidelines.

Buildings & Structures

The Landscape Assessment, together with the mitigation measures specified, demonstrates that buildings and structures have adopted the guidelines.

Vegetation

The Landscape Assessment and Landscape Plans, including the Vegetation Strategy Plan (see Figure 10 and Attachment 9) note the required amenity and screen planting, together with extensive restoration planting proposed to enhance the riparian margins of streams and the inland wetland areas. Implementation of the Vegetation Strategy will add to the amenity of the site and will over time help to screen and soften buildings and structures within the landscape.

Location Specific Guidelines

The subject property is located within Landscape Unit 6, which is the Inland Tasman Landscape Unit and is within the Beulah Ridge Landscape Subunit 6B. As assessed in the Landscape Assessment in Attachment 9, the proposal is largely in keeping with the Landscape Unit 6 Guidelines, as the development has been a comprehensively planned proposal optimising both development opportunities alongside conservation values, ensuring that conservation values are recognised, enhanced and protected.

The development proposal pursues the potential for cluster development on the subject site as envisaged for the Beulah Ridge Subunit of the Design Guide, noting particularly the emphasis in the specific guidelines for the potential for rural village concepts, as stand-alone developments or integrated with cluster or similar development concepts. The development has adopted a rural village concept with the cluster developments in the western basin.

In accordance with the guidelines, the development has ensured that the proposal integrates substantial plantings of trees as back drop planting on the higher slopes and significantly vegetates the gully areas containing the wetlands and watercourses.

Under Section 4.5 of the Design Guide, one of the matters (i) identified for maintaining landscape qualities of the Unit is no development fronting or directly accessing Old Coach Road. At the time when the Design Guide was first developed in 2003, the Ruby Bay bypass/ State Highway 60 in its current location did not exist. The State Highway at the time of the preparation of the Design Guide was located near the Coast over what has now become Stafford Drive and Aporo Road. However, at the time of the

preparation of the Design Guide there was a proposal for the Ruby Bay bypass and it was known that portions of the bypass would utilise parts of the Old Coach Road corridor, and other portions, would utilise a corridor of ex-forestry road. It was for this reason that the Design Guide stated no development fronting, or directly accessing, Old Coach Road - to avoid future properties directly fronting the new bypass forming part of State Highway 60. Once the bypass was completed, Old Coach Road, became split into several different roads, with a portion maintained as Old Coach Road, a portion within the new section of State Highway 60, a portion in Tasman View Road and portions in Stagecoach Road. Although the subject property adjoins State Highway 60, no development adjoins the State Highway, as the land adjoining the State Highway has been reserved from development and maintained for the communal wastewater system. As such, it is considered that the intent behind guideline 4.5 (i) is met, ensuring that no new residential or lifestyle allotments fronts or accesses the State Highway.

In respect of the specific Beulah Ridge Landscape Sub-unit 6A criteria, the following assesses the relevant matters:

- *(a) Avoiding visually prominent development on the main ridges and internal spurs*. The proposed development has avoided visually prominent development on the main ridges and internal spurs. This has been achieved through moving development off the main ridgeline and utilising the ridgeline and spur lines for roading, with BLA areas located just off the main ridges where practicable and ensuring that where the development is more visually prominent, that building height restrictions, along with the recessive colours, extensive ridgeline planting and other planting requirements within the allotments, together with the extensive revegetation happening around the waterways and wetlands, soften the development.

- *(b) Utilising local internal terraces and plateaus for cluster like developments*. The development extensively utilises the local internal terrace areas within the western basin for cluster developments, which is fully in keeping with the guideline.

- *(c) Being mindful and sensitive to the development impacts and relationships between adjacent subunits and , in particular, subunit 6B and to a lesser extent sub units 5A and 6A*. The development has been mindful and sensitive to the development impacts and relationships between adjacent sub-units. This has been addressed through ensuring that development around the external boundaries is only for low density Lifestyle or Rural Conservation Allotments.

- *(d) Focusing development opportunities west of the ridge above Awa Awa Road*. The Tahimana site is west of the Awa Awa Road ridge, so is exactly where development is encouraged.

- *(e) Generally keeping development below spurs and ridgelines within the subunit*. This has been addressed within the Landscape Assessment, see Attachment 9. The objective has been to largely keep development below ridgelines and spur lines with the main roading being on the ridgeline and spurs with development generally below those areas and, where not practical, ensuring that there are restrictions on height limits together with the provision of vegetation plantings as detailed in the Landscape Assessment, Master Plan and vegetation Strategy in Attachment 9.

The design of the proposed development is consistent with the Design Guide.

(5) The interim provision of water supply for the land to be subdivided pending the availability of Council provided reticulated services.

TDC has confirmed that Council water supply is available for the Residential and Serviced Lifestyle Allotments and has agreed to supply the water to the Applicant's water storage tank proposed for Lot 146. From there the water will be managed as a downstream supply as detailed in Section 8.7 and the Envirolink Report (Attachment 5). As such there is no need for an interim water supply, as there will be a reticulated water supply to the residential areas of development, with other areas of the development within the lifestyle allotments being via onsite rainwater collection.

(6) The provision for suitable onsite wastewater treatment and disposal services for dwellings likely to be constructed as a result of the subdivision taking into account the provisions of Rules 36.1.3.2 and 36.1.4.2.

The design has made provision for suitable onsite wastewater treatment and disposal for the lifestyle allotments through onsite wastewater systems taking into account those rules (as detailed in the Envirolink Report in Attachment 5). The Residential Allotments and Serviced Lifestyle Allotments are to be serviced by a communal wastewater system. The relevant wastewater rules have been detailed and assessed in Table 1 in Section 10.2.

(7) Provision for and protection of areas of ecological value, landscape value, indigenous vegetation, trees and cultural heritage sites.

There has been provision for and protection of the wetland areas on the site, firstly by mapping all of these areas and excluding the wetland areas from any development. The wetlands areas have been protected through a range of measures that have been assessed in the RMA Ecology Assessment Report in Attachment 8. It is proposed that the wetland areas, together with the waterway areas, will be enhanced through restoration riparian planting as detailed on the Vegetation Strategy, illustrated in Figure 10, and within the Landscape Design Document in Attachment 9. A Wetland Planting Plan (WPP) is required by the draft Subdivision Consent conditions in Attachment 16,

and must be generally in accordance with the draft WPP in Attachment 8.3. The planting will be implemented by the developer and maintained by the developer for 5 years and thereafter maintained by the Lot owners as required by the draft Consent Notice conditions.

A Wetland Monitoring Plan is required (WMP) to be developed under the Draft Subdivision Consent conditions in Attachment 16, this is to be in accordance with the Drat WMP in Attachment 8.2. The Developer is responsible for undertaking the wetland monitoring for the 5-year period recommended in the draft WMP.

The wetland and riparian planting proposed under the Vegetation Strategy and the WPP, together with the WMP requirements ensure protection of areas of ecological value on site.

The Landscape Plan requirements for mitigation planting together with the requirements for Landscape Plans to be prepared and implemented at the time of erection of dwellings ensure that areas of landscape value are appropriately managed with the draft Conditions (Attachment 16) setting out ongoing management responsibilities.

There are no Cultural Heritage Sites recorded on the subject property, as confirmed in the Archaeological Assessment in Attachment 11. It is acknowledged that the wider locality has Cultural heritage value as confirmed through iwi consultation summarised in the consultation record of engagement and the Cultural Impact Assessment (CIA) and Cultural Values Statement (CVS) in Attachment 10. The draft Subdivision Consent conditions in Attachment 16 set out the mechanisms for ensuring ongoing iwi involvement through road naming, story boards detailing cultural history and values in the locality, consultation at the detailed design phase of planting and maintenance plans, requirements for iwi induction monitoring, and provision of ADP.

(8) Long term legal and physical protection of identified developed open space from inappropriate subdivision and development.

The large Rural Conservation Allotments are protected from inappropriate development by making provision for only for one dwelling and one shed building on each of these allotments. Beyond this, no further development opportunities are available. There is long term protection for the wetlands, ensuring their hydrology is maintained and that restoration planting is maintained in perpetuity through the imposition of the Consent Notices.

In respect of inappropriate subdivision, the TRMP itself provides a rule structure that provides legal protection from inappropriate subdivision by requiring any future subdivision of those allotments be considered a non-complying activity to ensure that the undeveloped open space that is provided within these allotments as part of this

integrated Master Plan development, providing a balance between developed and unbuilt spaces, is protected over time.

(9) Management of natural hazards within and beyond the boundaries of the area.

The Assessment Reports include assessment of potential natural hazards of flooding and instability through the Geotechnical Assessment in Attachment 6 and the Stormwater Assessment in Attachment 5.

(10) The ability of the wider landscape to absorb the extent of development proposed without significant loss of Rural Character.

The Landscape Assessment in Attachment 9 and the Assessment of Effects in Section 12 of this AEE assess the ability of the wider landscape to absorb the development without significant loss of rural character, concluding that the wider landscape has the capacity to absorb the development without significant adverse effects.

(11) Effects of likely land contamination, such as by pesticide residues, on future activities of land.

There has been an assessment of land contamination on the site undertaken by Envirolink. Their report is contained in Attachment 15 confirming that there is no contamination on the subject land.

(12) Actual and potential cumulative adverse effects.

Actual and potential effects, including cumulative adverse effects, have been considered within the range of specialist assessment reports and within Section 12 of the Application. The conclusions reached by those specialists are that the adverse actual and potential effects, including the cumulative adverse effects, are in most cases less than minor subject to the imposition of the range of recommendations within each of those specialist reports. The Applicant has accepted all of the recommendations in the specialist reports and these recommendations have been incorporated into the draft Consent Conditions in Attachment 16.

(13) The degree of compliance with any mandatory and good practice matters of the Nelson Tasman Land Development Manual 2019.

The NTLDM 2019 has been superseded by the NTLDM 2020, although they do not differ significantly. The Development Report and Plans in Attachment 3.1 and 3.2, together with the assessment by Envirolink in Attachment 5 and the Transportation Assessment Report in Attachment 12, confirm that there has been consideration of the relevant matters under the NTLDM 2020. Overall, there is a significant degree of compliance. Areas of non-compliance are relatively minor and are not matters that give rise to adverse effects.

(14) The relationship of any new road with existing roads, adjoining land any future roading requirements.

The Development Report in Attachment 3.1 and the Transportation Assessment in Attachment 12 have considered the proposal in terms of the existing road network and detailed the new roads.

(15) Bonds, Covenants and financial contributions in addition to those specified in Standards, and all matters referred to in Section 220 of the Act."

The standard maintenance bond arrangements are expected to apply and there will be financial contributions to be considered in respect of reserve contributions, which are addressed in the draft Subdivision Consent Conditions in Attachment 16. The matters are also discussed in Section 8 of the Application. It is the Applicant's position that the vesting of the reserve, together with the setting aside of the public walkway links through the development, together with the proposed construction required will be valued and offset against the reserve fund contributions.

Significant construction contributions are being made through the upgrades detailed for Stagecoach Road and the formalising and construction of the walkway /cycleway through the Dicker Road corridor.

(16) Any other criteria in Schedule 16.3A relevant to the circumstances of the proposed subdivision.

The Application, including the assessment of effects under Section 12, together with the assessment of effects within the range of specialist assessment reports attached to the Application cover all of the relevant matters identified in Schedule 16.3A.

(17) Actual and potential cross boundary effects, including the potential impact that complaints from new residential activities can have on existing productive activities.

There are limited productive activities in close proximity. These include the olive plantings at Beulah Estate and the woodlot area along the northern boundary. The next closest productive activity is on the opposite side of the State Highway 60 where there are some areas of forestry, though significant harvesting activity has occurred in the last few years. It should be noted in relation to any Carter Holt Harvey (CHH) Limited forestry plantings in the locality, that there is a rural emanations easement already registered on the Applicant's title, ensuring the ongoing right for forestry on CHH land (including their successors in title) without complaint. These rural emanations easement will automatically come down onto the new titles.

In respect of the activities along portions of the northern boundary, the setback requirements are met and there is in relation to the olive grove, an existing shelter belt for a significant proportion of the shared boundary.

(18) Noise exposure to the road network.

This matter has been specifically assessed through an acoustic model prepared by Bladon, Bronka Acoustics, their Acoustic Assessment Report is in Attachment 14. The recommendations of that assessment are included in the draft Subdivision and Land Use Consent conditions.

Summary

Based on the above assessment of the matters to which Council has restricted its discretion for Rural 3 subdivision, the Application accords with the criteria set out in the matters to be assessed.

Assessment Criteria Related to Land Use Consent for Buildings

As noted in the TRMP Rule Table 1 in relation to the erection of dwellings, if it were not for the requirement under the controlled activity rule for any wastewater discharge to be permitted, the erection of dwellings would be a controlled activity (even noting the non-compliance with setback rules). The activity does not cascade to a restricted discretionary activity because the RDA rule repeats the condition requiring that wastewater discharge be permitted. As has been noted, it is impossible to comply with the rule because all of the Rural 3 Zone sits in the Wastewater Management Area, where no new wastewater discharge is a permitted activity.

Notwithstanding the status of the Land Use Consent, setting aside the wastewater matter, the matters over which Council restricts discretion in the controlled activity rule for the purposes of imposing conditions are generally matters that reflect the restricted discretionary activity criteria for subdivision and therefore no additional assessment is required in relation to the erection of dwellings.

The erection of network utilities in this case applies to the communal water tank on Lot 146 and the communal wastewater treatment infrastructure to be installed on Lot 144. These network utility structures will exceed the 50m^2 permitted activity rule requirement and are discretionary activities subject to the assessment criteria in Schedule 16.6A. The following assesses the relevant criteria for network utility structures.

(1) The scale, location and potential adverse effects of the activity

The communal water tank is proposed to be located on Lot 146. Within the Development Design plan set in Attachment 3.2, Sheet 48 provides a conceptual layout of the location and size of the water tank. This confirms the location and broad scale of the structure; the detailed design will confirm the actual water tank and specifications for that tank.

The water tank will not exceed the 7.5m height for the zone. The water tank is to be settled into the landscape through site earthworks to reduce the impact. The water tank will be finished in recessive colours, most likely green.

The water tank will be visible from Stagecoach Road as is to be expected, but it is unlikely that it would be particularly visible from the State Highway. There will be views of the water tank to the immediate neighbour to the south, but others will have a much more distant view. The positioning of the tank, together with the recessive colour and proposed planting around the tank will nestle this into the environment over time.

The effects of the tank are not out of keeping with the expectations for the Rural 3 environment, not only in relation to a communal tank, but in relation to most lifestyle allotments in the Rural Residential Zone or Rural 3 Zone, where most properties have at least 3, if not 4, water tanks providing for domestic supply and firefighting supply. In the Applicant's proposal, the Communal Tank will be visible to some properties, but it does have the advantage of removing the requirement for two water tanks on each of the 38 Lifestyle Allotments (as they will not need to provide onsite firefighting water storage).

While there will be structures involved with the wastewater system which will occupy a reasonable area of land, the structures will not be tall. Sheet 60 of the Development Design Plan set in Attachment 3.2 shows the indicative location. The location is unlikely to be visible outside of the development but will be visible to those traversing Stagecoach Road. There will be vegetation planted along Stagecoach Road as set out on the Vegetation Strategy. As the planting matures, the visibility of the wastewater utility structures will reduce.

(2) The potential to avoid, remedy or mitigate any adverse effects by means such as consideration of alternative locations, appropriate colour scheme design and landscaping

As noted above, mitigation measures are proposed in terms of the colour scheme of these utility structures and landscaping within the allotments and along Stagecoach Road. This will soften the appearance of the utility structures in the environment. In respect of alternative locations, for the communal water tank the location is dictated by the elevation of the land in order to provide a gravity feed from the water tank into the reticulated piped network. Given the elevation of proposed Lot 146, it is the best location for the water tank.

In terms of the wastewater utility structures, these must be located within Lot 144 as this is where the disposal fields are to be located. Alternative locations in theory could have been Lot 140 or 141, however the location of the wetlands ruled out these as options. Lot 144 is the best location.

(3) The effects of structures on visual amenity

Visual amenity is discussed above. In terms of mitigating visual impact, the scale of the structures is not significant in comparison to the dwellings through the site, and in terms of the reduction of the cumulative visual impact firefighting tanks would have had on 38 Lifestyle Allotments, the effects will be less than minor in that context.

(4) The environmental setting of the structure having regard to the general locality, topography, geographical features and adjacent land uses.

There are clear functional requirements for these utility structures' locations. Topography is important for the functioning of the water supply in particular. The utility structures are placed well back from any wetland features or any other natural features on the site.

Comment has been made in relation to adjacent lifestyle land uses and the proximity of the water tank. It should be noted that the water tank will be close to the existing public walkway along the southern boundary of proposed Lot 146. The mitigation measures in terms of sinking the water tank into the landscape, finished colour of the tank and the landscaping proposed, means that the effects of the location have been mitigated.

The water tank is part of the wider utility network for water supply in this location, as the water tank will be supplied from the Council's water tank "*farm*" a few hundred metres down Stagecoach Road which is illustrated on Sheet 45 of in Attachment 3.2. The Council's existing tank farm has 11 water tanks, which are quite visible from Stagecoach Road. Those cycling and walking in the location would pass these tanks before coming to the Applicant's proposed tank.

(5) The effects on natural character, in particular on the life supporting capacity of any vulnerable species, for example the significant indigenous community types.

As noted, the location of the water tank and wastewater infrastructure on Lot 144 are well set back from the wetlands, so there will be no adverse effects on these features.

(7) The risk to health and safety or to property posed by the structure or activity.

There is little potential for impacts on health and safety proposed by the structures.

(9) The extent to which any cultural or heritage values of the site or adjoining sites might be compromised by the facility.

There are no cultural heritage sites recorded on the site. The closest are noted in the Archaeological Report in Attachment 11. In terms of Cultural Values that have been identified through the CVS and CIA in Attachment 10, access to a treated Council water supply for domestic supply, has been highlighted as an important matter. The CVS and

CIA specifically support the Communal Wastewater system, which is a land-based system set well back from any wetland or waterway.

(10) The impacts on areas of high landscape values and, in particular, on any landscape priority area or on any identified ridgeline.

The Landscape Assessment Report in Attachment 9 discusses the landscape values of the site. The subject property does not sit within the landscape priority area, nor does the subject property contain any identified ridgeline under the TRMP.

(11) The cumulative effect of the activity, particularly in respect of visual amenity, relative to other existing facilities in the locality.

The issue of cumulative effect in terms of water tanks within this environment has been addressed above in terms of visual impact. A positive effect of the provision of the community water supply means that the 98 Residential Allotments, and three Serviced Lifestyle Allotments will not be required to have a large water tank onsite for collecting rainwater. Each of those allotments now will only need a small holding tank. Further, all 141 allotments will not need firefighting supply tanks. This is a significant positive effect compared to most Rural 3 and Rural Residential developments, as few such developments have a community water supply incorporating firefighting storage. The provision of the communal water tank and fire hydrants in the roads remove the necessity for any onsite fire-fighting tanks. This represents a significant positive cumulative effect.

The wastewater treatment plant is a modest structure that will be screened with planting and will not have adverse cumulative effects on visual amenity.

(12) The potential for the co-location of facilities.

The two network utility structures for water and wastewater are located within reasonable proximity having regard to their functional requirements. There is a functional requirement for the water tank to be at the high point of the site and for the wastewater utility structure to be co-located with the disposal fields. All of the utility allotments required for the communal water and wastewater systems are to be amalgamated into one Title. The draft Subdivision Consent conditions in Attachment 16 include a condition requiring the amalgamation.

(13) The effects of noise on the locality in which the proposed facility is to be sited and the noise sensitivity of the receiving environment.

The effects of noise would be quite minor arising from the water tank. A person If standing in very close proximity could probably discern some noise of water filling the tank but for general operation there will be no significant noise. Given the proximity of the State Highway to the water tank site, and for that matter the wastewater

infrastructure, the noise from the State Highway traffic would generate considerably greater consistent noise throughout the day, given traffic volumes in the region of 7,000 traffic movements per day.

The water tank is not located where residential density of development is proposed, as the density of development in proximity to the water tank are lifestyle allotments. In respect of the wastewater infrastructure, this is well separated from allotments spatially by Stagecoach Road.

(14) The effects of lighting and glare from the installation.

There will be no need for any type of permanent lighting at the infrastructure facilities. At most there may be provision in the detailed design for some type of security lighting but this, if in fact it was necessary, would only need to be activated by movement in much the same way as such lighting is on some houses.

(15) The extent to which the installation has been designed and will be maintained to prevent, as far as practicable, any pollution or contamination of the ground or water.

The technical reports note the level of groundwater. There will be little potential for the water tank to have any impact in terms of contamination of ground water or water. The Envirolink Report in Attachment 5 covers the assessment in relation to wastewater and the manner in which the infrastructure facility and the disposal fields will be managed to ensure that Water Quality Standards are met. This includes requirements for maintenance of the system and monitoring of the wastewater system to ensure water quality standards are met.

Assessment Criteria in Relation to discharges of sediment, water into water, stormwater and wastewater

Reference to Table 1 confirms that there are a range of Consents triggered in relation to discharges. The relevant assessment criteria in relation to those matters has been covered in the technical reports including the Envirolink Report in Attachment 5 , the Ecological Assessment Report prepared by RMA Ecology Ltd in Attachment 8 and the Hydrogeology Investigation prepared by PDP in Attachment 7. Those reports cover the relevant matters noted in the Assessment Criteria.

10.4 Permitted activities

Permitted activities are identified in Tables 1 and 2 above.

10.5 Other approvals

Wildlife approvals are not required, as discussed in the Ecology Report in Attachment 8. It is unlikely that approval under the Freshwater Fisheries Regulations are required; if required any approvals will be sought separately.

11.0 Assessment against relevant provisions of RMA planning instruments

11.1 Tasman Resource Management Plan

Table 4: Assessment of Chapter 5 Site Amenity Objectives and Policies

Objective/Policy Number	Objective/Policy Wording	Assessment
Objective 5.1.2	Avoidance, remedying or mitigation of adverse effects from the use of land on the use and enjoyment of other land and on the qualities of natural and physical resources.	The design of the development and volunteered conditions avoid, remedy and mitigate adverse effects on adjoining landowners to the east of the development, which contains a substantial wetland. The density of development on the eastern slopes is a similar density to development around Westmere Drive. Wetlands onsite and external to the site are protected through setback of development, control of sediment and water runoff and substantial restoration planting. In relation to the properties to the north, including Beulah Ridge Development, density of development has been maintained at a similar density along this boundary to avoid impacts on the enjoyment of this adjoining land. Appropriate setbacks from the northern boundary have been maintained. All allotments adjoining the northern boundary have restrictions on the building height of dwellings of 5.5m. The dwellings on the adjoining Beulah Ridge development are predominantly 2 storey dwellings.
Policy 5.1.3.1	To ensure that any adverse effects of subdivision and development on site amenity, natural and built heritage and landscape values, and contamination and natural hazard risks are avoided, remedied, or mitigated.	The Application has fully assessed the potential adverse effects of the Subdivision on site amenity, natural and built heritage, landscape values, potential contamination and natural hazards. The adoption of the recommendations of those reports through the draft Consent conditions in Attachment 16 ensures the potential adverse effects will be either avoided or mitigated through the imposition of those Conditions.
Policy 5.1.3.2	To protect the quality of groundwater and surface water from the adverse effects of urban development and rural activities.	The quality of groundwater and surface water has been assessed in both the Hydrogeology Report and the Ecological Report concluding that the effects will be less than minor subject to the implementation of the range of recommendations in these reports and other relevant reports, including the Envirolink Assessment Report. Those recommendations are included in the draft

		Consent conditions in Attachment 16. As such, these features will be protected.
Policy 5.1.3.4	To limit the intensity of development where wastewater reticulation and treatment are not available.	The intensity of development outside of the residential clusters has been limited to an intensity that is appropriate to deal with wastewater through onsite wastewater treatment system. The Residential allotments and serviced Lifestyle allotments will be connected to the communal wastewater system.
Policy 5.1.3.5	To ensure that the characteristics, including size, soil type and topography of each lot of any proposed subdivision or built development are suitable for sustainable on-site treatment of domestic waste in unreticulated areas, particularly in areas where higher risks of adverse effects from on-site disposal of domestic wastewater exist.	The Envirolink Report in Attachment 5 has assessed all these matters, concluding that the size and soil type of each allotment is suitable for onsite wastewater disposal.
Policy 5.1.3.8	Development must ensure that the effects of land use or subdivision activities on stormwater flows and contamination risks are appropriately managed so that the adverse environmental effects are no more than minor.	The effects of subdivision and development in terms of earthworks and stormwater flows has been assessed in the Development report and detailed in the Development Design Plans in Attachment 3.1 and 3.2 together with the assessment in the Envirolink Report in Attachment 5, in respect of stormwater flows. Subject to the implementation of recommendations of those reports, which have been incorporated into the draft Consent Conditions in Attachment 16 the effects on the environment will be no more than minor and, in most cases, less than minor.
Policy 5.1.3.9	To avoid, remedy, or mitigate effects of: (a) noise and vibration; (b) dust and other particulate emissions; (c) contaminant discharges; (d) odour and fumes; (e) glare; (f) electrical interference; (g) vehicles; (h) buildings and structures; (i) temporary activities; beyond the boundaries of the site generating the effect.	These matters have all been fully assessed within the specialist assessment reports in terms of dust, contaminant discharges, vehicle movement, buildings and structures and temporary activities in terms of effects beyond the boundaries of the site, including in relation to the upgrade of Stagecoach Road. There will be effects during the construction phase, but these will be managed as recommended in the specialist assessment reports via the Erosion and Sediment Control Plan and Construction Management Plan. In respect of noise this has been considered by the Acoustic Assessment in Attachment 14.
Policy 5.1.3.11	To avoid, remedy, or mitigate the likelihood and adverse effects of the discharge of any contaminant beyond the property on which it is generated, stored, or used.	There is potential for sediment discharges through the construction phase, this will be mitigated through the use of erosion and sediment control measures, Construction Management Plans, and extensive wetland and waterway restoration planting.

Objective 5.2.2	Maintenance and enhancement of amenity values on site and within communities throughout the District.	The amenity value of the location has been recognised together with the values of the wetlands. The design of the subdivision has sought to maintain and enhance the values of the wetlands both onsite and offsite through extensive revegetation of the wetlands and waterways on site. The Landscape Assessment Report in Attachment 9 has assessed amenity values for external neighbours relating to visual impacts. While there will be some impacts, the setback of development from neighbouring properties together with restrictions on height, requirements for recessive colours to be used and requirements in respect of landscaping address the impacts on amenity.
Policy 5.2.3.1	To maintain privacy in residential properties, and for rural dwelling sites.	Privacy will be maintained for both the residential sized allotments and lifestyle allotments through appropriate setbacks and appropriate fencing requirements.
Policy 5.2.3.2	To ensure adequate daylight and sunlight to residential properties, and rural dwelling sites.	Adequate daylight and sunlight will be maintained for each of the allotment through requirements for compliance with daylight angles.
Policy 5.2.3.3	To promote opportunity for outdoor living on residential properties, including rural dwelling sites.	The size of all allotments will ensure there are adequate opportunities for outdoor living.
Policy 5.2.3.4	To promote amenity through vegetation, landscaping, street and park furniture, and screening.	The design of the subdivision including the extensive revegetation and landscaping proposed, both within allotments and within the road reserve, will promote amenity. Within the street environment there is proposed landscaping. At the viewpoint area and within the proposed reserve, in addition to landscape planting, there are opportunities for furniture such as seating to enjoy the views from key lookout points.
Policy 5.2.3.6	To maintain and enhance natural and heritage features on individual sites.	The natural features onsite, the wetlands and waterway features, are proposed to be maintained and enhanced through revegetation.
Policy 5.2.3.7	To enable a variety of housing types in residential and rural areas.	The Applicant's design provides for a variety of allotment sizes to ensure there are opportunities for a range of housing types and housing density. Consent has been specifically sought to ensure that there is the opportunity for households to include a secondary unit as part of the one building so that there are opportunities for extended family living arrangements.
Policy 5.2.3.8	To avoid, remedy or mitigate the adverse effects of traffic on the amenity of residential, commercial and rural areas.	The design of the subdivision and roading has ensured that potential adverse effects of traffic have been avoided, remedied or mitigated through setback off the development from the State Highway, requirements for acoustic insulation in

		respect of some dwellings within certain noise contours, and setback of dwellings from roads.
Policy 5.2.3.13	To limit lighting of rural and residential subdivisions and development, including rural signs, to that which is necessary for safety and security, including public safety and security.	The proposed design will limit lighting on roads to one flag light at the intersection of Stagecoach Road and Road A. Reference to the Landscape Assessment Report in Attachment 9 confirms that there are recommended Conditions restricting lighting within the allotments to avoid adverse effects on the environment from lighting. These recommendations have been adopted by the Applicant and reflected in the draft Consent conditions in Attachment 16.
Objective 5.3.2	Maintenance and enhancement of the special visual and aesthetic character of localities	The Landscape Assessment in Attachment 9 sets out the visual and aesthetic character of the locality and details the methods adopted, including restrictions on the location of buildings, restrictions on finished colour, restrictions on building height and extensive landscape planting and restoration planting in relation to the wetlands and waterways ensuring that the special visual and aesthetic character of the locality is acknowledged. The development is consistent with the Design Guide for the Coastal Tasman Area.
Policy 5.3.3.2	To maintain the open space value of rural areas.	The design of the proposed subdivision maintains open space values by ensuring that development on the subject property generally accords with the ratio of built development to unbuilt/open space area. For the Rural 3 Zone as a whole, the TRMP seeks to achieve a ratio of 75% unbuilt space to 25% built space. The Table in Attachment 18 confirms that the levels of open space within the subject development align with expectation for the zone.
Policy 5.3.3.3	To avoid, remedy or mitigate the adverse effects of the location, design and appearance of buildings, signs and incompatible land uses in areas of significant natural or scenic, cultural, historic or other special amenity value.	The Landscape Assessment Report has included a range of recommendations which have been accepted by the Applicant to ensure that the adverse effects of the location design and appearance of buildings is addressed through appropriate controls. The wetlands on the subject property contribute to the natural and amenity value of the location and the design of the subdivision has ensured that development avoids this area with no development in the wetlands and appropriate setback from the wetlands.
Policy 5.3.3.5	To maintain and enhance features which contribute to the identity and visual and aesthetic character of localities, including: (a) heritage sites and buildings; (b) vegetation; (c) significant landmarks and views.	The proposed subdivision and development design accords with this policy through adopting the range of recommendations in the Landscape Assessment Report, protecting and extensively revegetating wetlands together with provision for lookout points for public enjoyment. Provision in the

		detailed design for story boards, and other visual methods to share the cultural heritage and values of the wider locality are proposed, as part of the ongoing collaboration with mana whenua iwi.
Policy 5.4.3.1	To enable a variety of housing types, recognising different population growth characteristics, age, family and financial circumstances and the physical mobility of, or care required by, residents.	The Applicant has deliberately set out in the design of their subdivision to provide opportunities for a variety of housing types, ensuring that the development provides opportunities for people and families of different ages and different socio-economic groups, as well as potentially different care requirements, through the opportunity of incorporating within a dwelling two housekeeping units. This will enable generations of families to live together, alternatively within the one dwelling structure there could be a subsidiary unit for a carer to live in.

Nothing in the proposal is contrary in nature to the relevant objectives and policies of Chapter 5 dealing with Site Amenity Effects. The proposed subdivision appropriately addresses and assesses all matters in the relevant objectives and policies and either avoids or mitigates the effects that arise from the issues noted. Overall, the proposed subdivision and resulting development and restoration work proposed in respect to the wetlands accord with the objectives and policy framework of Chapter 5.

Set out below in Table 5, are the relevant Objectives and Policies for the Rural Environment Effects Chapter. The objectives and policies under Section 7.1 focus on land productivity and fragmentation, in particular land of high productive value. The majority of the policies are relevant to the Rural 1 Zone and to a lesser extent the Rural 2 Zone. The only policy of specific relevance under the Section 7.1 for land in Rural 3 is Policy 7.1.3.4, which seeks to avoid remedy or mitigate the potential for reverse sensitivity on plant and animal production in the Rural 1, Rural 2 and Rural 3 Zones. This issue though is identified in Chapter 5 and in other more specific Policies to the Rural 3 Zone, which are assessed.

In Table 5 the relevant objectives and policies under 7.2, dealing with provision for activities other than plant and animal production, are also considered. The specific Coastal Tasman Area Policies are set out under 7.3; this is the key policy framework for the Rural 3 Zone. Consideration is given to the Objective and Policies, to the extent that they are relevant, under 7.4 dealing with Rural Character and Amenity values, though these are general objectives and policies for the whole of the rural area, as opposed to the very specific Coastal Tasman Area policies under 7.3, which are of specific relevance to the subject proposal.

Table 5: Rural Environment Effects Relevant Objectives and Policies

Objective/ Policy Number	Objective/Policy Wording	Assessment
Objective 7.2.2.1	Retention of opportunities to use rural land for activities other than soil-based production, including papakainga, tourist services, rural residential and rural industrial activities in restricted locations, while avoiding the loss of land of high productive value.	The subject land is not land of high productive value and therefore this objective clearly signals that uses other than productive uses should be enabled and identifies Rural Residential activity amongst other activities. The lifestyle allotments within the development fit within this objective.
Objective 7.2.2.2	Retention of opportunities for a range of residential living options within rural locations, including coastal and peri urban areas, in the form of the Rural Residential and Rural 3 Zones.	The proposal provides for residential living options within a rural environment that is zoned Rural 3, so accords with this objective.
Policy 7.2.3.1	To enable activities which are not dependent on soil productivity to be located on land which is not of high productive value.	This Policy reinforces the objective enabling development on land that is not of high productive value.
Policy 7.2.3.2	To identify locations for Rural Residential and Rural 3 Zones for Rural Residential activities in Rural, Coastal and peri urban areas that are appropriate locations for their variety of qualities and features to allow for rural lifestyle living and which will not adversely affect plant and animal production activities, including potential reverse sensitivity effects.	Council has identified the subject location as a Rural 3 Zone. The location of the subject property is appropriate as there is very limited potential for reverse sensitivity effects and the design of the subdivision has ensured that reverse sensitivity effects are no more than minor around the external boundaries of the site through appropriate setbacks from the external boundaries ensuring that the density of development around the external boundaries is of a low density.
Policy 7.2.3.3	To encourage low impact design solutions for subdivision and building development in all rural zones.	A whole catchment-based approach to the management of stormwater has been considered together with ensuring that the methods adopted are low impact methods maintaining as far as practicable drainage patterns and ensuring impacts on groundwater and surface water are appropriately managed.
Policy 7.2.3.6	To minimise the potential for conflict between rural and residential activities by way of setbacks from boundaries and separation from incompatible uses.	As noted above this potential for conflict has been managed through setbacks from boundaries and lower density of development around the external boundaries.
Policy 7.2.3.10	To use a whole-catchment approach to the management of stormwater, and to apply low impact design to address the stormwater effects and changes in drainage patterns arising from rural land development.	The comments for Policy 7.2.3.3 above apply to this policy as well.
Policy 7.2.3.11	To enable the subdivision of land or amalgamation of land parcels for the preservation of: (a) significant natural values, including natural character, features, landscape, habitats and ecosystems; (b) heritage and cultural values; where preservation is assured	The natural values on this land predominantly relate to the wetlands, notwithstanding their very degraded nature. The application has protected those wetlands from development and through the statutory instruments of a Consent Notice will ensure their ongoing management and maintenance, ensuring that

	through some statutory instrument and statutory manager.	they cannot be drained and that the restoration planting to be undertaken by the Applicant is maintained in perpetuity.
Policy 7.2.3.12	To ensure that activities which are not involved or associated with soil-based production does not locate where they may adversely be affected by such activities.	This issue of reverse sensitivity has been addressed above confirming that there are appropriate setbacks on the external boundaries and the density of development is a lower density to ensure that reverse sensitivity issues do not arise.
Policy 7.3.3.1	To identify an area (Rural 3 Zone) within the Coastal Tasman Area within which rural residential and residential development is enabled while avoiding, remedying and mitigating adverse effects on the environment.	The land has been zoned Rural 3. This policy makes it quite clear that it is envisaged within the Rural 3 Zone that Rural Residential and Residential development is enabled, while avoiding, remedying and mitigating adverse effects on the environment. This Policy is particularly pertinent to the subject proposal as it makes it quite clear that the purpose of introducing the Rural 3 Zone was to provide for both Rural Residential and Residential Development, reflecting that the Rural 3 Zone should be enabled to provide for different densities of development which is exactly what the development achieves.
Policy 7.3.3.3	To ensure that the valued qualities of the Coastal Tasman Area, in particular rural and coastal character, rural and coastal landscape, productive land values, and the coastal edge and margins of rivers, streams and wetlands are identified and protected from inappropriate subdivision and development.	The site would not be considered to have coastal character, though there are some outstanding coastal views from the property. The property has very limited productive land values as noted in the expert assessments on productivity. There are water courses and wetlands that have been identified and mapped and will be protected from subdivision and development within the Applicant's proposal.
Policy 7.3.3.4	To define within the land made available for residential and rural residential development within the Coastal Tasman Area, areas in which different rules provide for different types and intensities of subdivision and development.	As noted above, different intensities of subdivision and development are proposed, providing for Rural Conservation Activities for the large allotments that contain the majority of the wetlands, and lifestyle allotments, together with clusters of residential development.
Policy 7.3.3.5	To protect land of higher productive values within the Coastal Tasman Area.	The subject land is not land of high productive value.
Policy 7.3.3.7	To enable residential and rural residential development to take place from December 2003 over at least a 20-year period in the Rural 3 Zone and the Waimea Inlet Rural Residential Zone that generally reflects a ratio of 25 percent developed area to 75 percent open space or unbuilt area across the total area of both zones.	This Policy again confirms the enabling of both residential and rural residential development to take place in the Rural 3 Zone and that over at least a 20-year period, the general ratio for development should reflect a 25% developed area to 75% open space or unbuilt area across the Rural 3 Zone and Rural Residential Zone. Firstly, this is a further enabling policy for residential and rural residential development within the Rural 3 Zone which the subject proposal provides for. The second issue is an emphasis on a ratio of built to unbuilt space. It has been confirmed, through a range of Rural 3 Application decisions, that this Policy relates to a ratio that should be achieved over the zone as

		a whole rather than necessarily seeking to be achieved on a per development basis. Notwithstanding this, an assessment has been undertaken using a conservative approach to assessing-built space as opposed to unbuilt space. That assessment is contained in Attachment 18 where a Table sets out the estimated level of built to unbuilt space within the development confirming that on the subject site the ratio of 25% developed area to 75% open space is achieved.
Policy 7.3.3.8	To avoid, remedy or mitigate adverse effects of development on land, surface and ground water resources, and the coastal marine area.	The effects of the proposed development on surface and ground water resources and the coastal marine area are issues specifically assessed within the Ecological Assessment in Attachment 8 and the Hydrogeology Investigation in Attachment 7. These specialist assessments confirm that the potential effects on groundwater and surface water are being managed to ensure that the effects are less than minor.
Policy 7.3.3.9	To ensure that residential and rural residential development within the Coastal Tasman Area is able to connect to reticulated water supply services provided by the Council within two decades.	There is agreement from Council to supply to the Applicant 103m3 of water per day from the Council's water supply stored at the Stagecoach Road tanks, by conveying the supply to the proposed Communal Water supply tank on Lot 146, which will initially be owned by the Applicant and then transferred to the Infrastructure Association. From the Communal tank the water will be reticulated to the residential and serviced lifestyle lots. In addition, as has been detailed, this supply will provide the firefighting water supply for all allotments in the development. The lifestyle allotments will not be provided with reticulated water. It should be noted that when the Rural 3 Zone was first introduced, the Council did propose to provide a reticulated water service to all of the Rural 3 Zone. This was planned to be provided and financed through development contributions that were put in place specifically for Rural 3 Zone water. Council subsequently made a decision not to provide a reticulated water service to the entire Rural 3 Zone and withdrew those provisions from the Long Term Plan and withdrew the development contributions for that purpose and returned development contributions that had been paid for that purpose. The Policy though has not been amended to reflect this.
Policy 7.3.3.10	To ensure that adverse effects arising from servicing of subdivision and residential development are avoided, whether by way of on-site management, or provision of off-site reticulation.	The Envirolink Report in Attachment 5 has detailed the proposed services for water and wastewater. Water has already been commented on above. In respect of wastewater, the residential and serviced lifestyle allotments will be reticulated to a

		communal wastewater system provided within the development, with the lifestyle allotments and rural conservation allotments dealing with onsite wastewater within their allotment boundaries. The adverse effects of the system have been assessed in the Envirolink Report confirming that, subject to the recommendations set out which the Applicant accepts, the effects on the environment will be less than minor. The recommendations are included in the Draft Wastewater Discharge Consent conditions in Attachment 16.
Policy 7.3.3.11	To improve access and progressively upgrade roads throughout the Coastal Tasman Area in accordance with development, while avoiding or mitigating adverse effects on landscape, natural character and amenity.	The application proposes an improvement to access and a road upgrade in respect of Stagecoach Road. Access will be improved through the extension of public walkway/ cycleway access through the land, linking into a range of walkway and cycleway networks in the locality. Stagecoach Road from the end of the seal, 650m from the State Highway 60 intersection, is proposed to be upgraded as set out on the Plans in Attachment 3.2. These upgrades provide for benefits other than just to the subdivision. The upgrade proposed will not have adverse effects on the landscape, natural character and amenity. The upgrades will result in positive effects for the landscape and amenity and in respect of natural character, the road corridor already exists, therefore it is considered there is little potential to impact natural character through the upgrade of the road. There is potential to significantly improve the amenity for the users of the road both vehicle users and pedestrians and cyclists.
Policy 7.3.3.12	To progressively develop a network of interconnected pedestrian, cycle and equestrian routes, and reserves within the Coastal Tasman Area, including to and along the coast.	As noted above, the subject proposal increases the interconnection of the wider network of pedestrian and cycle routes both through the establishment of new links through the development and through the provision of a public reserve which will connect into the proposed walkway/cycleway route. In addition, the proposed upgrades, formalising a shared cycleway /walkway path along the Stagecoach Road corridor and the Dicker Road corridor enhance the connections in the wider network. Reference to the subdivision design Sheet 2, the Context Plans Sheets 6 and 7 together with Sheet 8 which provides an overview of the upgrades in Attachment 3.2, illustrates alignment with this policy.
Policy 7.3.3.13	To mitigate adverse effects on rural landscape and character by evaluating subdivision, development, and wastewater discharge proposals together, when providing for further residential and rural	The proposed subdivision has been extensively evaluated by a specialist project team, evaluating the subdivision and development in terms of wastewater discharge proposals and in terms of rural landscape and character. Reference to the Envirolink Report in

	residential development in the Coastal Tasman Wastewater Management Area.	Attachment 5 and the Landscape Assessment in Attachment 9, provides the evaluation. The conclusions of both of these assessments is that the adverse effects are mitigated to the extent that they are less than minor in respect of 3 Waters issues. In respect of Landscape Impacts, these are minor, trending towards less than minor over time, as landscape plantings become established.
Policy 7.3.3.14	To take into account and avoid or mitigate potential cumulative adverse effects on rural character, rural landscapes and amenity values, including the potential impact that complaints from new residential activities can have on existing productive activities, arising from adverse cross-boundary effects, when assessing the effects of subdivision and development in the Coastal Tasman Area.	These matters have all been taken into account in the assessment of effects within the Landscape Assessment Report in Attachment 9. The issues of reverse sensitivity in terms of existing productive activities, while limited, have been addressed ensuring that setbacks are appropriate and that density of development on the external boundaries of the development is maintained at a lifestyle density to minimise this risk.
Policy 7.3.3.15	To support proposals to restore, enhance or protect natural features and areas such as wetlands and coastal indigenous vegetation, with weed control and indigenous plantings appropriate to the area, as part of subdivision and development design in the Coastal Tasman Area.	The proposal is specifically in accordance with this policy which supports proposals to restore, enhance and protect wetlands. The development investigation included surveying the wetlands, assessing the values of those wetlands, and developing a Vegetation strategy for restoration planting of wetlands and waterways fully in accordance with this policy. Further, the Application has set out requirements for the EPP, including maintenance and the WMP.
Policy 7.3.3.16	To protect from further subdivision and development, land that has been retained as open space either within any allotment or as an allotment, in an approved subdivision in the Rural 3 Zone, for its productive, rural or coastal character, landscape, amenity, or wastewater discharge management value.	The framework of the TRMP implements this Policy as the Rules provide where there has been a previous Rural 3 subdivision that had land retained as open space allotments, then re-subdivision is not provided for as a restricted discretionary activity, the matter becomes non complying.
Policy 7.3.3.17	To avoid or mitigate exposure of subdivision and development to road noise, including from State Highway 60 and the designated Ruby Bay Bypass.	The design and assessment of the proposal has ensured that the subdivision and development is protected from road noise through setback from the State Highway together with the requirements set out in the Acoustic Report in Attachment 14, in terms of standards to be met by dwellings within the set noise contour areas identified in their acoustic model. The Draft Consent conditions in Attachment 16 include these requirements.
Policy 7.3.3.20	To avoid potential effects of past land contamination on future residential and rural residential activities.	There has been an assessment of potential effects of past land contamination by Envirolink. Their Report in Attachment 15 confirms that there is no evidence of contamination.
Policy 7.3.3.22	To avoid adverse off-site effects, including cumulative effects and water contamination effects, resulting from the	There has been a careful assessment of the potential effects of wastewater disposal on water contamination in the Envirolink Report in

	disposal of domestic wastewater to land arising from inappropriate scale, design, or location of subdivision and development of land for residential purposes in the Wastewater Management Area.	Attachment 5. The scale of both the communal system and onsite system, together with the parameters for the design and location of these facilities on the allotments, confirms that the design is appropriate for the level of discharge including reserve fields of sufficient capacity. The Draft Wastewater Discharge Consent Conditions in Attachment 16 incorporate all the recommendations from the Envirolink report.
Objective 7.4.2	Avoidance, remedying or mitigation of the adverse effects of a wide range of existing and potential future activities, including effects on rural character and amenity values.	The design of the subdivision and the assessment of actual and potential effects in the specialist reports, in particular the Landscape Assessment Report has ensured that the effects on Rural Character and Amenity Values are mitigated.
Policy 7.4.3.3	To provide for the maintenance and enhancement of local rural character, including such attributes as openness, greenness, productive activity, absence of signs, and separation, style and scale of structures.	This Policy in the context of the enabling provisions for the Rural 3 Zone for residential and rural residential development, ensures the level of rural character envisaged for the Zone being a ratio of 75% unbuilt open space to 25% built space is maintained. The enhancement of wetland areas in particular, provides for appropriate maintenance and enhancement. Attributes of openness and green areas are provided for, particularly through the Rural Conservation allotments and some of the larger Lifestyle allotments.
Policy 7.4.3.9	To ensure that adequate physical or spatial buffers or other techniques are applied when allowing new allotments or buildings primarily or exclusively for residential purposes in rural areas, so that productive land use opportunities are not compromised.	This issues of reverse sensitivity have been commented on in respect of other relevant policies, confirming that there are adequate physical and spatial buffers applied to allotments around the external boundaries ensuring that these are of sufficient size to provide for appropriate setbacks.
Policy 7.4.3.11	To enable the subdivision of land for conservation or protection of features or resources that particularly contribute to the rural character of the area.	The proposed subdivision includes two Rural Conservation allotments where the majority of wetlands are located. All wetlands are to be protected and enhanced with restoration planting undertaken by the Applicant with an appropriate management and maintenance plan in place, requiring maintenance by the Applicant for 5 years at which point the maintenance responsibility transfers to the allotment owner. This is to be implemented through consent conditions for Subdivision (Attachment 16).
Policy 7.4.3.12	To avoid, remedy or mitigate servicing effects of rural subdivision and development, including road access, water availability and wastewater disposal.	There has been a full assessment of the required servicing both in terms of 3 Waters and roading. Reference to Attachments 3 , 5 and 12 provides the detail and full assessment of servicing including transportation and the effects of this servicing which will be less than minor subject to the implementation of the recommendations of those reports.
Policy 7.4.3.13	To ensure the maintenance or enhancement of natural drainage features	The design of the subdivision, in particular the methods for dealing with stormwater

	within rural catchments, and to avoid, remedy, or mitigate any adverse effects of stormwater runoff.	discharge, ensure that natural drainage features are maintained as far as practicable and that the effects of stormwater runoff are managed so that there will be no adverse effects on natural drainage features, including waterways and wetlands.

Chapter 7 is the key Chapter for detailing the Planning Framework for the Rural 3 Zone. The above assessment of the Objectives and Policies, in particular the assessment of the specific Rural 3 Policies under 7.3.3 confirms that the subject proposal closely aligns with the Policy framework and rationale for the Rural 3 Zone, which enables provision for both the Residential and Rural Residential development within the Rural 3 Zone, while providing that land of high productive value is maintained and natural features, including wetlands and waterways, are acknowledged and protected.

The proposed development, in accordance with the enabling Policy framework, pursues an innovative residential and lifestyle development closely reflecting the Coastal Tasman Design Guide. The site has outstanding rural and coastal views which are celebrated by the design, producing an integrated development proposal that has been carefully evaluated in relation to effects on landscape, productivity, amenity values, wetlands and waterways, natural and cultural values, together with consideration of the effects of servicing the development with roading, water, stormwater and wastewater, without compromising the specified values within the site and external to the site.

The proposal accords with the relevant Rural Environment Effects, Objectives and Policies, and in particular, aligns with, and is supported by, the specific Rural 3 Zone Policies.

Table 6: Margins of Rivers, Lakes, Wetlands and the Coast

Public Access		
Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 8.1.2	The maintenance and enhancement of public access to and along the margins of lakes, rivers, wetlands and the coast, which are of recreational value to the public.	The design of the subdivision maintains and enhances public access in proximity to wetlands where this is appropriate. Currently a portion of a public walkway access exists adjacent to the significant wetland on the eastern boundary. The Applicant's design provides an extension of this public access network by connecting a walkway from this public access through their development joining up with the proposed public reserve on the site. From there the access continues through the site to exit out at the north-western boundary of the site, which connects into the public access available through Dickers Road , which the Applicant

		proposes to upgrade as outlined, enhancing the recreational values for cyclists and walkers.
Policy 8.1.3.1	To maintain and enhance public access to and along the margins of water bodies and the coast while avoiding, remedying or mitigating adverse effects on other resources or values, including: indigenous vegetation and habitat; public health, safety, security and infrastructure; cultural values; and use of adjoining private land.	As noted, public access will be enhanced along water bodies, in proximity to wetlands to the extent appropriate, ensuring that the values and habitat of the water bodies and wetlands are maintained, while also respecting what will be adjoining private land. Where this public access is provided over water bodies, care has been taken in the design to ensure that no structure is located within the water bodies or in wetlands, ensuring the structure is located outside of the water bodies.
Policy 8.1.3.2	Notwithstanding Policy 8.1.3.1, public access by way of esplanade requirements will not be sought in areas where risks to public health and safety cannot be avoided, remedied or mitigated; or in areas where it is necessary to maintain security, consistent with the purpose of any resource consent, such as operational port areas.	As noted in the above policy, no structures required for public access will be located within water bodies, but a limited number of water bodies will be bridged with a boardwalk structure outside of wetlands and the beds of waterways.
Policy 8.1.3.3	To avoid, remedy, or mitigate the adverse effects on public access caused by structures, buildings, and activities in or adjoining water bodies or the coastal marine area.	The comments on Policy 8.1.2.3. apply also to this policy.
Policy 8.1.3.4	To set aside or create an esplanade reserve, esplanade strip or access strip at the time of subdivision of land adjoining water bodies or the coastal marine area, where there is a priority for public access.	The water bodies do not qualify for Esplanade Reserve, but public access is being provided in appropriate locations through the site, some of which adjoin and traverse water bodies.
Policy 8.1.3.5	To seek public access linkages between reserves and public access adjoining water bodies or the coastal marine area in the vicinity.	Public access linkages have been achieved from existing public access through the subject site and through to the proposed Local Purpose Reserve on the subject site and beyond, connecting linkages with the Westmere drive, Stagecoach Road and Dicker Road.
Policy 8.1.3.6	To retain the public access resource provided by unformed legal roads where there is a need for public access to or along water bodies or the coast, converting those unformed roads to reserves where vehicle access is inappropriate or cannot meet the standards prescribed in the Plan and where agreement is reached with the adjoining land occupier.	The design of the proposed subdivision encourages the ongoing utilisation and increased use of unformed roads adjoining with public access being enhanced through the Stagecoach Road corridor with the upgrade of that corridor and specific provision for a shared pathway within the road corridor together with public access of the walkway/cycleway through the development. In addition is the proposal to upgrade the Dicker Road corridor providing for an upgraded cycleway /walkway through to Tasman Village.
Policy 8.1.3.7	To ensure that adequate public access is available to outstanding natural features and landscapes in the coastal environment or the margins of lakes,	As noted above, adequate public access has been made available through the subject site, with some of that access in proximity to wetlands (where appropriate).

	rivers or wetlands, except where the impact of such access is incompatible with the duty to protect these areas or access across private land cannot be negotiated.	
Natural Character		
Objective 8.2.2	Maintenance and enhancement of the natural character of the margins of lakes, rivers, wetland and the coast, and the protection of that character from adverse effects of the subdivision, use, development or maintenance of land or other resources, including effects on landform, vegetation, habitats, ecosystems and natural processes.	The natural character of the wetlands and waterways is being maintained and enhanced through the proposed subdivision through restoration planting as outlined. Refer to the Ecological Assessment and Landscape Assessment for plans that detail this planting, within Appendix 5.
Policy 8.2.3.1	To maintain and enhance riparian vegetation, particularly indigenous vegetation, as an element of the natural character and functioning of lakes, rivers, the coast and their margins.	There is very little riparian vegetation in existence on the margins of the waterways and wetlands, however the proposed subdivision design proposes extensive riparian restoration adjacent to the wetlands and waterways.
Policy 8.2.3.2	To control the destruction or removal of indigenous vegetation on the margins of lakes, rivers, wetlands and the coast.	Reference to the Ecological Assessment report in Attachment 8 confirms that there is very little indigenous vegetation on the property, but where this exists in riparian areas, the intention is to maintain and enhance that vegetation with the riparian planting as outlined.
Policy 8.2.3.3	To avoid, remedy or mitigate adverse effects of land management practices on the margins of water bodies, including wetlands.	Adverse effects have been avoided, remedied and mitigated in terms of land management practices, in particular earthworks on the margins of the water bodies and wetlands, through appropriate controls for erosion and sediment control and through ensuring that development is kept out of the water courses and wetlands. The only developments in close proximity are boardwalk crossings where a boardwalk will be bridged over two wetlands and three water courses but there will be no structures placed within the water bodies.
Policy 8.2.3.4	To avoid, remedy or mitigate adverse effects of buildings or land disturbance on the natural character, landscape character and amenity values of the margins of lakes, rivers, wetlands or the coast.	There will be no adverse effects of buildings. In respect of land disturbance, this will be controlled to ensure that the natural character, landscape character and amenity values of the margins of the waterways and wetlands is protected.
Policy 8.2.3.5	To set aside or create an esplanade reserve, esplanade strip or access strip at the time of subdivision of land adjoining water bodies or the coastal marine area, where there is a priority to protect the natural character of those margins.	There will be riparian margin enhancement but there will not be setting aside of esplanade reserves or esplanade strips as the waterways do not qualify for this. However as noted there is a public access walkway/cycleway through the development much of which is in proximity of the margins of water ways and wetlands to appreciate these values while not causing adverse effects to those values.
Policy 8.2.3.6	To adopt a cautious approach in decisions affecting the margins of lakes, rivers and wetlands, and the coastal	The comments made on 8.2.3.5 equally apply to this Policy.

	environment, when there is uncertainty about the likely effects of an activity.	
Policy 8.2.3.7	To ensure that the subdivision, use or development of land is managed in a way that avoids where practicable, and otherwise remedies or mitigates any adverse effects, including cumulative effects, on the natural character, landscape character and amenity values of the coastal environment and the margins of lakes, rivers and wetlands.	It is clear from the design of the subdivision that all residential allotments are set well back from wetland areas, and the BLA areas for the lifestyle blocks are well setback from the wetlands. Further the proposal for significant enhancement of the waterway and wetland margins ensures that potential adverse effects on these natural features will be avoided where practicable and otherwise remedied or mitigated.
Policy 8.2.3.15	To limit the potential for the spread of fire in or to areas of natural character in the coastal environment and on the margins of lakes, rivers and wetlands.	The setback of development from the wetlands provides some spatial separation in terms of the spread of fire together with the extensive provision of restoration planting around the water courses and wetlands which will all be native species, with the removal of weeds. Native vegetation is more fire retardant than pine trees and weeds. Further, the provision of the reticulated water supply enables a firefighting water supply with fire hydrants within the roading network. This measure will ensure, in the event of a fire, that the spread of fire will be restricted by access to a reliable water supply for firefighting.
Policy 8.2.3.17	To pursue and encourage restoration and enhancement of coastal and riparian areas where natural character has been degraded by past human activities.	As noted there will be extensive restoration and enhancement planting of riparian areas in relation to water courses and wetlands.
Policy 8.2.3.20	To ensure that where erosion protection works are deemed to be necessary to protect existing settlements or structures that these are designed as much as possible to harmonise with the natural character of the coastline, riverbank or lake shore.	There will be appropriate erosion protection controls in place during works on site. There will be no works in streams or wetlands, so the natural character of wetlands and streams will be maintained and significantly enhanced by the proposed planting

Chapter 8 dealing with Public Access and Natural Character, in relation to waterways and wetlands, is of particular relevance to the subject proposal given the extensive wetland areas within the subject site. These wetland areas are very degraded, as has been assessed in the Ecological Report in Attachment 8, nevertheless the proposed subdivision and development will avoid development in these areas and will undertake extensive restoration and enhancement work through restoration planting.

Public access will be appropriately provided through the development, some of which will be located in proximity of waterways and wetlands. The Application very much aligns with relevant objectives and policies within Chapter 8 in respect of public access and enhancement of waterways and wetlands, which form the main natural character features on the subject site.

Table 7: Landscape

Outstanding Landscapes		
Objectives/ Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 9.1.2	Protection of the District's outstanding landscapes and features from the adverse effects of subdivision, use or development of land and management of other land, especially in the rural area and along the coast to mitigate adverse visual effects.	The property is not identified as an outstanding landscape. The property, as with most properties in the region, sits within the context of the wider outstanding landscapes of Abel Tasman, the Western Ranges and Richmond Ranges. The Landscape Assessment has assessed the impacts of the proposed subdivision on landscape values, both within the immediate area and wider locality. The proposed subdivision does not detract from these wider outstanding landscapes, particularly in the context of the Rural 3 Zone, which has been set up to enable residential and lifestyle development. In the subject case, given the significant setback from the coast, the effects on the coastal environment are not applicable. However, the location of the site, given its elevation, still provides for attractive views to the coast.
Policy 9.1.3.1	To encourage broadscale land uses and land use changes such as plantation forestry and land disturbance to be managed in a way that avoids or mitigates the adverse effects on natural landform, surrounding natural features and on visual amenity values.	Historically there has been significant landscape change on the subject property from original native cover through to plantation forestry in recent times, and now back to a pastoral cover. Some of those historic changes in land use would have had adverse effects, particularly on the natural features of the wetlands. The change in land use now to a Rural 3 style subdivision, which has adopted an integrated and innovative approach to provision of residential and lifestyle development, while maintaining the natural features of the wetland and enhancing these, is an appropriate landscape response. The design has largely retained natural landform, natural features and preserved visual amenity values while enhancing values by opening up the site for the public to also have the opportunity to enjoy and appreciate the visual amenity values and outlook from the site.
Policy 9.1.3.3	To ensure that structures do not adversely affect: (a) visual interfaces such as skylines, ridgelines and the shorelines of lakes, rivers and the sea; (b) unity of landform, vegetation cover and views.	Reference to the Landscape Assessment Report illustrates that this policy has been carefully considered in that assessment, ensuring that adverse effects are minimised in terms of visual impacts from development in proximity of ridgelines and enhanced through generally maintaining

		the natural landform and providing for restoration of vegetation in proximity to the wetlands and landscape vegetation to soften views of the development.
Policy 9.1.3.4	To discourage subdivision developments and activities which would significantly alter the visual character of land in outstanding landscapes (including adjoining Abel Tasman, Nelson Lakes and Kahurangi national parks).	Given the significant separation distance of the outstanding landscapes of Abel Tasman, the proposed subdivision, development and activities, would not significantly alter the visual character of land within Abel Tasman, as assessed within the Landscape Assessment Report.
Policy 9.1.3.5	To promote awareness and protection of landscape (including seascape) values.	As has been noted the proposed development design opens up the site for the enjoyment not only of those within the development but for the wider community so that they can enjoy the landscape and views out to the sea on the subject property. At the same time, the significant landscape values represented by the wetlands will be significantly enhanced by the development. Opportunity will be taken through the detailed design to promote the awareness of the wetlands together promoting and educating those living and visiting the site of the rich cultural heritage history of the locality, through story boards through the development.
Policy 9.1.3.6	To manage activities which may cause adverse visual impacts in the general rural area	Building activities will be managed so that the visual impacts of these activities are appropriate within the Rural 3 Zone. Reference to the Landscape Assessment Report sets out the management methods which include restriction of heights of dwellings, recessive colours and requirements for extensive landscaping.
Rural Landscape Values		
Objective 9.2.2	Retention of the contribution rural landscapes make to the amenity values and rural character of the District, and protection of those values from inappropriate subdivision and development.	The proposed subdivision and development, noting its context which is the Rural 3 Zone, provides for appropriate retention of rural landscapes, amenity value and rural character from inappropriate subdivision and development. The context here is that the Rural 3 Zone is about enabling residential and lifestyle development within the Rural 3 Zone, subject to protection of productive land, conservation values and coastal values. In that context the subject proposal is appropriate.
Policy 9.2.3.3	To retain the rural characteristics of the landscape within rural areas.	The proposed design of the subdivision as assessed by the Landscape Assessment, retains appropriately the rural characteristics of the landscape within the subject locality, noting that this is a Rural 3 Zone where there is a clear expectation that

		there will be residential and rural residential development.
Policy 9.2.3.4	To encourage landscape enhancement and mitigation of changes through landscape analysis, subdivision design, planting proposals, careful siting of structures and other methods, throughout rural areas.	Reference to the Landscape Assessment in Attachment 9 confirms that there has been an appropriate assessment of landscape values through a detailed landscape analysis of the subdivision design together with provision of planting proposals and careful siting of structures together with requirements restricting height of structures, colour of structures and requirements for landscape planting both by the developer and future allotment owners.
Policy 9.2.3.5	To evaluate, and to avoid, remedy or mitigate cumulative adverse effects of development on landscape values within rural areas.	Reference to the Landscape Assessment in Attachment 9 confirms the evaluation of the development on landscape values both in terms of individual viewpoints and collectively, concluding in that assessment that the cumulative adverse effects are addressed through the design and recommended mitigation measures that have been adopted by the Applicant, through the Draft Consent Conditions in Attachment 16..
Views from Key Viewpoints		
Objective 9.3.2	Protection and enhancement of views from public viewpoints.	Currently the key public viewpoints into and over the development are from State Highway 60 and from Stagecoach Road. There are very limited views from the State Highway into the residential clusters and lifestyle allotments. There may well be glimpses of the development, however taking into account the landscape planting that is to be undertaken, those glimpses, over time, will be screened. There will be views over the development from Stagecoach Road as it traverses through the development. It is very much down to the perception and subjective view of the person viewing the development from Stagecoach Road as to whether that person considers their view has been enhanced. Until recently, the view to the west of Stagecoach has been a view over a pine plantation. In more recent times, the view to the east of the site has been over an undulating Rural landscape that has been used for grazing with areas of degraded wetlands within the gullies. The view will change to a view over clusters of residential development and some lifestyle development, with the rest of the western basin area kept free from development. The wetlands areas are to be significantly enhanced with extensive restoration

		planting. There will be opening up of public viewpoints over the site towards the wider rural and coastal views. This will be particularly enhanced with the opening up of public access to Road A of the development. The public will be able to traverse Road A, access the proposed Reserve, together with enjoying the views from the proposed lookout within Road A. This is considered an enhancement of the opportunities to view the outlook from the site. As for the change in land use, some will see this as appropriate in the context of the Rural 3 Zone, others may not, however they may not appreciate the Zoning expectations for development. Regardless, in considering this objective, it must be considered in the context of the Zoning, which is a Rural 3 Zone, which has quite different expectations for development compared to the Rural 1 and Rural 2 Zones.
Policy 9.3.3.1	To protect and enhance significant views from key viewpoints on tourist routes within the District.	As noted there will be enhancement of views out from the subject property towards the coastal environment; a much-valued view by residents and tourists to the area. Views from the State Highway, as noted, will be limited to glimpses of development set back from the State Highway. The proposed landscaping will, over time, ensure little view of the development from the State Highway.

The subject proposal is not contrary in nature to any of the Objectives and Policies in the Landscape Chapter of the TRMP, this is clearly evidenced by the Landscape Assessment and Plans within Attachment 9.

Table 8: Assessment of Relevant Objectives & Policies related to Significant Natural Values & Historic Heritage

Biodiversity & Indigenous Ecosystems		
Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 10.1.2	Protection and enhancement of indigenous biological diversity and integrity of terrestrial, freshwater and coastal ecosystems, communities and species.	Reference to the Ecological Assessment report in Attachment 8, together with the proposed Vegetation Restoration Plan in the Landscape Design Document on page 52 and 53 in Attachment 9, confirms that the Applicant's subdivision design and development appropriately protects biodiversity and indigenous ecosystems and the integrity of terrestrial and
Policy 10.1.3.1	To recognise and protect indigenous vegetation and habitats and individual trees which are of significant scientific, wildlife and botanical value assessed	

	according to criteria in Schedules 10B and 10C.	freshwater ecosystems, communities and species. This has been achieved through the protection and maintenance of water ways and wetlands and the restoration of the margins of these waterways as has been detailed. The protection involves long term protection beyond the development through the provision of management and maintenance plans for the wet-lands and stormwater detention basins within the development as detailed in the Envirolink Report in Attachment 5 and the Ecological Assessment Report, together with the Draft Planting and Management Plans in Attachment 8 , forming part of those assessments.
Policy 10.1.3.2	To safeguard the life-supporting capacity of the District's indigenous ecosystems, including significant natural areas, from the adverse effects of subdivision, use and development of land.	
Policy 10.1.3.3	To foster community responsibility for the protection of the indigenous habitat values of the district.	
Policy 10.1.3.4	To encourage the long-term protection of indigenous ecosystems by assisting in the provision of information to the community, landowners and managers on the location and appropriateness of land management practices.	
Objective 10.2.2	Appropriate protection, management and enhancement of historic heritage, including cultural heritage sites, heritage buildings and structures, and protected trees, for their contribution to the character, identity, wairua, and visual amenity of the District.	There has been an Archaeological Assessment of the property. There are no recorded Archaeological or Cultural Heritage sites on the Application site. Manawhenua iwi have been consulted regarding the proposed development and have not identified cultural heritage sites within the site. However, both the Archaeological Assessment and the Cultural Values Statement (CVS) and CIA within Attachments 10 and 11 , note the possibility that through land disturbance such sites may be uncovered. To recognise this potential, the Applicant has volunteered an Accidental Discovery Protocol in accordance with the relevant policies. While there are no recorded Archaeological or Cultural Heritage Sites, the property sits in a strategic location to overview a number of areas within the district looking towards the Richmond Ranges and Western Ranges together with outlook to the sea where there are sites that are of significant cultural value as set out in the Archaeological and CVS and CIA within Attachment 10.
Policy 10.2.3.2	To reduce the risk of modification, damage or destruction of cultural heritage sites arising from subdivision, use and development activities.	
Policy 10.2.3.6	To foster community responsibility for the cultural heritage values of the District.	
Policy 10.2.3.8	To be responsive and collaborative in the generation, sharing and management of information about cultural heritage sites that have archaeological significance or other cultural heritage value, and accordingly to work with manawhenua iwi, Heritage New Zealand Pouhere Taonga, the New Zealand Archaeological Association, Department of Conservation and landowners in managing cultural heritage site information.	
Policy 10.2.3.9	To work with mana whenua iwi in the sharing and management of information about cultural heritage sites that are of Māori origin, including wāhi tapu.	

Policy 10.2.3.13	To raise community awareness about the values associated with cultural heritage sites and the need to avoid, remedy or mitigate the effects of activities that might result in the modification, damage or destruction of such sites.	In accordance with the policies fostering community responsibility for the cultural heritage values of the district and sharing information on the values of wider cultural heritage sites, the Applicants have committed to collaboration with manawhenua iwi to include in the detailed design, story boards, in appropriate locations, such as in proximity of the entrance, the reserve or lookout areas or through the walkway network. The Applicant's proposal is to foster some of those opportunities in consultation with relevant iwi through the detailed design phase so that the rich cultural heritage values of the wider locality can be shared.
Policy 10.2.3.15	To account for the values of mana whenua iwi by acknowledging the mana whenua iwi as kaitiaki in relation to cultural heritage sites of significance to Māori in the District.	
Policy 10.2.3.17	To support landowners and developers in the management of accidental discovery of archaeological artefacts and the Heritage New Zealand Pouhere Taonga authority process.	

The Cultural Heritage Values of the wider area are detailed in the Cultural Values Statement prepared from the perspective of Ngāti Rārua and the CIA prepared from the perspective of Ngāti Tama , together with the responses to consultation from Ngāti Kuia. The inclusion of those Cultural Heritage Assessment documents, together with the Draft Consent conditions committing to ongoing engagement confirms that the Applicants approach to these values, accords with the Objective and Policy Framework under Chapter 10 of the TRMP.

Table 9: Land Transport Effects Relevant Objectives & Policies

Effects on Transport Safety & Efficiency		
Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 11.1.2	A safe and efficient transport system, where any adverse effects of the subdivision, use or development of land on the transport system are avoided, remedied or mitigated	Reference to the roading aspects of the Development Report in Attachment 3.1 and the Transportation Assessment in Attachment 12 , confirms that the proposed subdivision design and location of development promote a safe and efficient transport system where the effects of the subdivision, use and development on that transport system have been appropriately addressed so that the effects are avoided, remedied or mitigated.
Policy 11.1.3.1	To promote the location and form of built development, particularly in urban areas, that: (a) avoids, remedies or mitigates adverse effects of traffic generation; (b) provides direct and short travel routes by vehicle, cycling and	While this Policy is particularly aimed at urban areas, and the subject location is not urban, there is still some relevance to the rural environment, however, in considering the relevance of this Policy, it must be considered in the context of the Rural 3 Zone that seeks to enable Residential and

	pedestrian modes between living, working, service, and recreational areas; (c) avoids an increase in traffic safety risk; (d) allows opportunities for viable passenger transport services to be realised; (e) provides a clear and distinctive transition between the urban and rural environments; (f) segregates roads and land uses sensitive to effects of traffic.	Lifestyle Development within the Rural 3 Zone. In that context, the proposed subdivision and its design ensures that there are opportunities for utilising alternative modes of transport including cycling and walking through the development, integrating the proposed subdivision into the extensive wider walkway/cycleway networks as shown on the Context Analysis Plans in Attachment 3.2. While the proposed subdivision does not provide a clear distinctive transition between the urban and rural environment, that is because Council has specifically provided the Rural 3 Zone within the Coastal Tasman Area, enabling residential and lifestyle development within the Rural 3 Zone. This policy is considered to be aimed, in part, at ensuring a distinctive transition between urban areas like Richmond and surrounding rural areas.
Policy 11.1.3.2	To ensure that land uses generating significant traffic volume: (a) are located so that the traffic has access to classes of roads that are able to receive the increase in traffic volume without reducing safety or efficiency; (b) are designed so that traffic access and egress points avoid or mitigate adverse effects on the safety and efficiency of the road network.	The proposed subdivision will generate relatively significant traffic volumes, however the classes of road, taking into account the proposed upgrades, have capacity for this level of traffic as confirmed in the Transportation Assessment in Appendix 10. The Transportation assessment confirms the State Highway intersection is constructed to a very high standard and can handle the traffic efficiently without any compromise to safety.
Policy 11.1.3.3	To avoid, remedy or mitigate adverse effects of high traffic-generating land uses on the community cost of the road network resource of the district.	There is a significant public benefit with the proposed upgrades to Stagecoach Road for the wider district, given the significantly upgraded walkway and cycleway networks proposed for those in the wider community accessing Stagecoach Road and Dicker Road.. Stagecoach Road is to a variable standard beyond the current seal from a gravel standard to a dirt track. It is proposed that the Applicant meet the significant cost of the road upgrade on Stagecoach Road, as well as the cost of upgrading and formalising the cycleway/walkway through the Dicker Road corridor
Policy 11.1.3.4	To avoid, remedy or mitigate adverse effects of traffic on amenity values.	The proposed sealing of Stagecoach Road will significantly improve the amenity values relating to adverse effects from traffic causing dust nuisance on the road. The sealing of this road will remove this nuisance.
Policy 11.1.3.5	To ensure that all subdivision design, including the position of site boundaries, has the ability to provide	Reference to the Development Report in Attachment 3.1 and the Development Design Roading Plans in Attachment 3.2,

	each allotment with vehicle access and a vehicle crossing sited to avoid adverse effects on the safety and efficiency of the road network.	together with the Transportation Assessment in Attachment 12 , confirms that the proposed subdivision aligns with this Policy.
Policy 11.1.3.6	To control the design, number, location and use of vehicle accesses to roads; including their proximity to intersections and any need for reversing to or from roads; so that the safety and efficiency of the road network is not adversely affected.	The detailed design will be undertaken in accordance with this Policy.
Policy 11.1.3.7	To ensure that adequate and efficient parking and loading spaces are provided, either on individual sites or collectively, to avoid or mitigate adverse effects on the safety and efficiency of the road network.	This Policy issue is assessed in the Transportation Assessment in Attachment 12, to the extent that it is relevant ,given that the National Policy Standard for Urban Development makes it clear that parking is not a mandatory requirement.
Policy 11.1.3.8	To avoid, remedy or mitigate adverse effects from the location, design and operation of intersections.	Reference to the Transportation Assessment in Attachment 10 confirms compliance with this Policy.
Policy 11.1.3.9	To ensure rural structures and vegetation do not cause or aggravate: (a) restricted visibility at road intersections; or (b) icing on roads.	The location of landscape plantings and vegetation will take into account the required visibility needs in the detailed design.
Policy 11.1.3.10	To avoid or mitigate likely adverse effects on the integrity of the road network arising from sea-level rise, climatic change and natural hazards.	Given the elevation of the land, it is not expected that there would be adverse effects arising from climate change within the roading network. The design of the subdivision makes appropriate provision for stormwater management so that this does not become an adverse impact on the existing or proposed road network.
Policy 11.1.3.11	To ensure that signs do not detract from traffic safety by causing confusion or distraction to or obstructing the views of motorists or pedestrians.	The detailed design will ensure that signage does not cause traffic safety issues for motorists or pedestrians.
Policy 11.1.3.12	To facilitate a regional cycle trail.	The proposed subdivision and development promotes and enhances the provision of walkways and cycleways that connect into the wider regional cycleway facilities as illustrated on the context plans within the Development Design Plan set in Attachment 3.2.
Objective 11.2.2	The avoidance, remedying, or mitigation of adverse effects on the environment from the location, construction, and operation of the land transport system, including effects on: (a) the health and safety of people and communities; (b) the amenity of residential areas, workplaces and recreational opportunities; (c) air and water	The location of dwellings within the subdivision have been set back from the State Highway to avoid adverse effects on health and safety of people and communities as well as adverse impacts on residential amenity. The Acoustic Assessment Report in Attachment 14 provides an acoustic model noting the various insulation and acoustic standards to be met through the design of dwellings

	quality; (d) natural habitats and ecosystems; (e) landscapes and natural features; (f) aggregate and energy resources; (g) the productivity and use of land.	within certain noise contours. Those recommendations are included in the Draft Consent conditions in Attachment 16. The location of new roads within the development has been carefully considered ensuring roading does not have significant impacts on the landscape or important natural features including the watercourses and wetlands. For this reason, the new roading has been concentrated on the ridge and spur line areas.
Policy 11.2.3.2	To regulate the effects of traffic generation and traffic speed on the safety and amenity of places of significant pedestrian activity.	The Assessment Reports in Attachments3.1 and 12 address the effects of traffic generation, together with the design of the road layout. In the detailed design there will be further consideration of these issues ensuring safety and amenity of places of significant pedestrian activity.
Policy 11.2.3.3	To promote transport routes, and approaches and methods of design, construction, and operation which avoid, remedy, or mitigate adverse effects on: (a) the health and safety of people and communities; in particular, cyclists and pedestrians; (b) amenity values of neighbourhoods and areas of special character; (c) air and water quality; (d) natural habitats and ecosystems; (e) landscapes and natural features; (f) aggregate and energy resources; (g) the productivity of land.	These matters are addressed in the comments under Objective 11.2.2.
Policy 11.2.3.5	To protect future road alignments that ensure that roads can be connected where appropriate.	The Applicant is not taking any action that prevents further extension of Stagecoach Road in the future. In respect of the new roads created within the subdivision, these are all cul de sacs which will mean that they will not be able to be connected in the future, the reason for this is that it would be inappropriate to connect these cul de sacs because to do so would mean traversing and destroying wetland areas which is contrary to the NESF.
Policy 11.2.3.6	To promote choice between using roads, walkways or cycleways for walking or biking.	The subdivision design has intentionally promoted modal choice between using roads, walkways or cycleways, through provision of a separated shared pathway through the Stagecoach corridor to and through the site, together with connecting the walkway/cycleway from the eastern boundary of the site, through the site connecting to the proposed reserve and on through the site, exiting out at the western end of the site to connect into the walkway and cycleway routes along Dicker Road (to be upgraded) and Williams Road (existing).

The above assessment of the relevant Transportation objectives and policies, together with the assessments in Attachment 3.1 and 12, confirm that the Application accords with the relevant objectives and policies.

Table 10: Land Disturbance Effects Relevant Objectives & Policies

Objective/Policy Number	Objective/Policy Wording	Assessment
Objective 12.1.3.2	The avoidance, remedying, or mitigation of adverse effects of land disturbance, including: (a) damage to soil; (b) acceleration of the loss of soil; (c) sediment contamination of water and deposition of debris into rivers, streams, lakes, wetlands, karst systems, and the coast; (d) damage to riverbeds, karst features, land, fisheries or wildlife habitats, or structures through deposition, erosion or inundation; (e) adverse visual effects; (f) damage or destruction of indigenous animal, plant, and trout and salmon habitats, including cave habitats, or of sites or areas of cultural heritage significance; (g) adverse effects on indigenous biodiversity or other intrinsic values of ecosystems.	The design of the proposed subdivision has sought to avoid the actual and potential effects from land disturbance on the sensitive waterways and inland natural wetlands. Development has been maintained in the more elevated areas of the site, avoiding these water body areas. The relevant assessment reports, in particular the Development Report dealing with earthworks in Attachment 3.1, the Envirolink Report in Attachment 5 and the Ecological Assessment Report in Attachment 8, highlight the need to mitigate adverse effects of land disturbance arising from earthworks and stormwater management. This will be achieved through location of development, provision and implementation of Construction and Environment Management Plan (CEMP) and Dust Erosion and Sediment Control Plan (DESCP)for the construction phase, extensive planting restoring and revegetating the riparian margin of waterways and wetlands. These measures collectively ensure that the subject proposal accords with the relevant objectives and policies related to land disturbance. The Draft Consent Conditions for the Subdivision, Land Disturbance, and Stormwater Discharge Consent in Attachment 16 incorporate all the relevant conditions from the specialist reports noted above. Imposition and implementation of these Draft Consent conditions ensure alignment with the relevant objectives and Policies for Land disturbance.
Policy 12.1.3.1	To promote land use practices that avoid, remedy, or mitigate the adverse effects of land disturbance on the environment, including avoidance of sediment movement through sinkholes into karst systems.	
Policy 12.1.3.2	To avoid, remedy, or mitigate the actual or potential soil erosion or damage, sedimentation, and other adverse effects of land disturbance activities consistent with their risks on different terrains in the District, including consideration of: (a) natural erosion risk, and erosion risk upon disturbance; (b) scale, type, and likelihood of land disturbance; (c) sensitivity and significance of water bodies and other natural features in relation to sedimentation or movement of debris; (d) Coastal Risk Area.	
Policy 12.1.3.5	To avoid the loss of extent of natural inland wetlands, to protect their values,	The subject proposal will not result in any loss of natural inland wetlands, and their values will be protected and

	and promote their restoration, except where: (a) the loss of extent or values arises from any of the following: (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori; (ii) restoration activities; (iii) scientific research; (iv) the sustainable harvest of sphagnum moss; (v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); (vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020; (vii) natural hazard works (as defined in the Resource Management (National Environ-mental Standards for Freshwater) Regulations 2020); or (b) the regional council is satisfied that: (i) the activity is necessary for the construction or upgrade of specified infrastructure; and (ii) the specified infrastructure will provide significant national or regional benefits; and (iii) there is a functional need for the specified infrastructure in that location; and (iv) the effects of the activity are managed through applying the effects management hierarchy.	significantly enhanced through restoration planting as has been outlined in the Ecological Assessment Report and the Ecological Planting Plan, in Attachment 8 and the Vegetation strategy in the Landscape Design Document in Attachment 9. The relevant matters under the NES-F have been identified in Section 11.3 of the Application. The effects of activities within 100m of the natural inland wetlands have been appropriately addressed as set out in the reports noted above. Land disturbance will occur adjacent to two wetlands for construction of a Wetland Utility Structure - boardwalk, however there will be no disturbance within the wetland as the pile structures are located outside of the wetland.

The above assessment of the relevant objectives and policies, taking account, the specialist assessment reports referred to, together with the Draft Conditions in Attachment 16, confirm that the Application accords with the relevant objectives and policies

Table 11: Reserves & Open Space

Provision of Reserves and Open Space		
Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 14.1.2	Adequate area and distribution of a wide range of reserves and open spaces to maintain and enhance	The proposed subdivision provides for a 3,000m^2 reserve which accords with the Council request, in addition a public

	recreation, conservation, access and amenity values.	access walkways have been designed to connect into adjoining public accessways and the wider road and paper road networks providing for cycle and pedestrian linkages. What is proposed ensures appropriate connections and linkages to townships in proximity, including Tasman township and Mapua township.
Policy 14.1.3.4	To provide for new open space areas that are convenient and accessible for users, including the provision of walking and cycling linkages in and around townships, between townships and between reserves.	
Policy 14.1.3.6	To adjust financial contributions for reserves and community services in lieu of the vesting of land for walkway/cycleway, open space and recreation reserve purposes, unless agreed otherwise.	The reserve that is being vested together with the public accessway easements within the subdivision will result in the financial contributions for reserves and community services to be adjusted accordingly.
Policy 14.1.3.8	To encourage the integration of reserves and open space areas within a whole-catchment and Low Impact Design approach to drainage and the management of stormwater.	The approach to the design of the proposed subdivision, including provision for reserves and open space, is a whole catchment approach adopting low impact design approach for drainage and stormwater management.
Use of Reserves and Open Space		
Objective 14.2.2	Efficient and effective use of open space and reserves to meet community needs for recreation and amenity.	The Application includes a conceptual design for the use of the reserves and the intention is to build the walkways ensuring that the structures do not adversely impact the wetlands. The Applicant's conceptual design focuses on a use of the reserve space to meet the community needs for recreation and amenity within the development but also provides the opportunity for those outside the development to enjoy the facilities.
Policy 14.2.3.1	To maintain and where necessary improve the quality of reserves, open space and public recreational facilities.	
Policy 14.2.3.3	To encourage multiple use of reserves and open space and recreational facilities where practical.	
Policy 14.2.3.4	To identify and protect areas that are important for informal low-key recreation and community activities.	
Policy 14.2.3.7	To consult with the community on the management, development and design of open space and reserves.	As has been identified in the application, the Applicants have a strong view that the reserve is a fundamental component to their development providing a community meeting place for the development. The Application itself can be seen as consultation with the community, in terms of the design of open space. The Council staff preference indicated that the Local Purpose Reserve be vested with some planting undertaken, but that the form of structures and activities should not occur at the subdivision stage, to enable consultation with the wider community. The Applicant's strong preference is to construct the reserve facilities as part of the

		subdivision, as the proposed subdivision is a development of some scale where the provision of the reserve is critical to creating a sense of community. As such, on this issue the Applicants do not wish to delay the construction of the facilities in the reserve until such time as Council has time, amongst numerous priorities, to progress the development of the reserve. To do so would forego a significant opportunity of embedding a sense of community within this development, which is necessary given the scale of the development.
Conservation of Areas of Significant Value		
Objective 14.3.2	The conservation of those areas in the district which have significant natural and scientific values such as landform, ecosystems, natural character and heritage values.	The natural inland wetlands are natural features within the subject site. The natural inland wetlands are being protected from development, as has been described, because of their conservation value. The Draft Conditions in Attachment 16 requiring an Ecological Planting Plan and implementation of that Plan, together with maintenance in perpetuity of the restoration planting ensures protection and maintenance of planting over the long term in accordance with these Policies.
Policy 14.3.3.1	To identify and protect areas of conservation value by incorporating them into land with a protective status.	
Policy 14.3.3.2	To manage the range of activities permitted in areas of specific natural value so that they are of a type that provides for the maintenance and enjoyment of the special natural values with least adverse effect on those values.	
Effects of Activities and Facilities on Reserves and Surrounding Areas		
Objective 14.4.2	The avoidance of significant adverse effects of activities and facilities on open space and recreational areas, and on the amenity values of surrounding areas.	The conceptual design for the reserve space is provided within the Landscape Design Document pages 57-71 which details the Design concept for the Village Green, including the Sketch concept on page 62 in Attachment 9. The Village green is proposed to provide for a range of appropriate activities, of a scale that is appropriate within this environment. The Landscape Assessment Report in Attachment 9 , assesses the effects, it is considered that the development of the reserve generally along the lines of the concept sketch development plan will ensure that the design of the reserve and the recreational area provided, complements the amenity values, including the visual amenity of the surrounding area.
Policy 14.4.3.1	To control the scale, extent and location of buildings and structures to ensure the open space character of reserves is maintained.	
Policy 14.4.3.2	To ensure that activities associated with open space and reserves do not give rise to adverse environmental effects (such as noise, glare, traffic, pesticide discharge) without adequate mitigation.	
Policy 14.4.3.3	To design open space and recreational areas to complement and, where necessary, to improve the visual amenity of the surrounding area.	

The proposed subdivision and development's approach to reserves and open space protection generally accords with the Objective and Policy framework, with the exception of Policy 14.2.3.7, where the Applicants preference is to develop the Reserve as part of the subdivision, meaning opportunities to consult with the community on the management, development and design of open space and reserves is limited. However, the reserve is primarily designed to cater as an open space , community focal point for the Tahimana development.

Table 12: Relevant Objectives & Policies Related to Rivers

Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 27.1.2.1	The maintenance, restoration and enhancement, where appropriate, of aquatic habitats in the beds of rivers and lakes that is sufficient to: (a) preserve their life-supporting capacity (including the mauri of the water); (b) protect their values for native fisheries (including inanga and eels), trout fisheries and wildlife (including indigenous bird species); (c) protect or enhance indigenous biodiversity values.	The subject proposal is in accordance with these objectives and policies as the proposal is to restore and enhance the riparian margins of the waterways, both the streams and wetlands. For three sections of waterway, including two wetlands, there will be boardwalks bridged over the waterways. The structures of these boardwalks/bridges will be located outside of the beds of the streams and wetlands, ensuring that the relevant objectives and policies are met in terms of the provision of these structures over waterways. The issues of fish passage has been addressed in the Ecological Assessment (see Attachment 8) and the Envirolink Report for Stormwater Management(see Attachment 5) , identifying two detention basins (located outside of streams) where fish passage is to be provided as part of the culvert structures. Adoption of the recommendations regarding fish passage ensures that the relevant policies are met. In respect of those policies relevant to bird habitat, especially indigenous species during nesting and rearing, the policy is addressed through the recommendations in the Ecological Report that tree felling should take place outside the bird breeding season or the trees are surveyed by an Ecologist to ensure nesting is not taking place.
Objective 27.1.2.2	Activities in, on, under, or over the beds of rivers and lakes are carried out in a way that avoids, remedies, or mitigates adverse effects on aquatic ecosystems, including in particular: (a) aquatic habitats of: (i) indigenous freshwater fish; (ii) indigenous birds and other wild life, including river bed nesting habitats; (iii) trout; (b) braided and lowland river ecosystems; (c) fish passage.	
Policy 27.1.3.1A	To avoid the loss of river extent and values, unless the Council is satisfied: (a) There is a functional need for the activity in that location; (b) The effects of the activity are managed by applying the effects management hierarchy.	
Policy 27.1.3.1B	The passage of fish is maintained, or is improved, by in stream structures except where it is desirable to prevent a passage of some fish species in order to protect desired fish species, their life stages or their habitats.	
Policy 27.1.3.1	To avoid, remedy or mitigate adverse effects on aquatic ecosystems of structures and activities in, on, under or over river and lake beds, including adverse effects on:	

	(a) fish passage; (b) fish habitat, especially that of indigenous species including giant kokopu, whitebait species, eels and including trout; (c) fish spawning areas; (d) bird habitat, especially indigenous species and during nesting and rearing; (e) fish entrainment or stranding; (f) invertebrate habitat and spawning areas due to smothering by sedimentation; (g) shelter, shade and detrital food source for aquatic life; (h) habitat of indigenous aquatic and terrestrial flora and fauna, (i) riverbed substrate composition, hydraulics and channel morphology.	Within the existing ponds on site, where there is a reasonable connection with streams and wetlands, there are likely to be some native fish species present. The Draft Consent Conditions in Attachment 16 require the preparation of a Native Freshwater Fish Capture and Relocation Plan, generally in accord with the Draft Plan in Attachment 8 .1 and for the relocation of native fish in accordance with the Plan prior to any Land disturbance proceeding. This requirement ensures alignment with these polices.
Policy 27.1.3.2	To promote and encourage best practice drainage maintenance and development activities on productive land that maintain or enhance the health of aquatic ecosystems while providing for efficient land drainage networks.	The design of the development largely maintains existing natural drainage corridors. The design of the subdivision and stormwater management has ensured that stormwater is discharged in a manner which protects and enhances the health of aquatic ecosystems through the provision of onsite stormwater detention alongside the proposal to ensure that the collection of clean stormwater from roofs is collected and discharged directly through to wetlands to maintain and increase surface waterflows to the wetlands which has positive effects in terms of the aquatic ecosystem.
Policy 27.1.3.3	To maintain fish passage by requiring provision for the passage of fish at any new structure in or on the bed of any lake or river, where appropriate, taking into account criteria (a) to (c) in Policy 27.1.3.4.	As noted above, fish passage will be maintained in accordance with the recommendations in the Ecological Assessment Report in Attachment 8.
Policy 27.1.3.4	To assess the need to provide for the passage of fish at existing structures when renewing consents or when setting priorities for remedial or enforcement action, by taking into account: (a) quantity of habitat upstream of the barrier; (b) whether the stream is continuously flowing or ephemeral, and the extent to which the barrier affects fish passage at a range of stream flows; (c) significance and quality of the habitat, including presence of threatened species or effects of predator species on indigenous species; (d) proximity of barrier to the sea; (e) costs associated with any works required to provide fish passage at a site or several sites on the	

	same river and including any likely adverse effects of the retrofit on adjacent landowners and any adverse effects on hydraulic efficiency; (f) proximity and effects of other fish barriers, including natural barriers in the same stream; (g) whether the structure is still used or the time until any programmed replacement; (h) whether there are alternative methods of providing for the passage of fish.	
Policy 27.1.3.6	To promote and encourage the establishment and management of appropriate vegetation in riparian margins and river and lake beds to: (a) protect the bed (including the banks) from erosion and adverse effects of flooding; (b) enhance the aquatic ecosystems and habitat for flora and fauna; (c) enhance indigenous biodiversity; (d) maintain hydrological regime of the river, including its hydraulic power and energy regime; (e) maintain efficiency of river channels; (f) protect structures in the beds; while avoiding, remedying, or mitigating adverse effects of planting and self-sown vegetation in river and lake beds, including effects on: (i) the hydrological regime of the river, including its morphology, hydraulic power and energy regime; (ii) bed and bank stability; (iii) efficiency of river channels; (iv) indigenous biodiversity; (v) ecosystem health and functioning.	This Policy is addressed through the proposed revegetation of riparian margins for the waterways and wetland areas. This is noted in the Envirolink Report in Attachment 5, the Landscape Assessment Report in Attachment 9, which includes the Vegetation Strategy plan, and the Ecological Report in Attachment 8. Also addressed in the Envirolink Report and the Ecological Report are the requirements to protect the bed and outlets in terms of culverting from erosion and effects of flooding. The issues related to maintaining hydrological regimes of the waterways are addressed in the Hydrogeology Report prepared by PDP contained in Attachment 7. Reference to those assessments confirms that the design of the proposal accords with these policies.
Policy 27.1.3.7	To protect river stability, floodway capacity, morphology and ecosystem functioning from the adverse effects of pests, crack willow and grey willow by: (a) replacing willow species in some locations along rivers with more appropriate species; (b) adopting measures to manage pests in and along rivers and lakes in river and pest management strategies and plans; (c) providing for activities in the beds of rivers and lakes to manage adverse effects of pest species.	The vegetation that is to be removed is the pine trees on the property, and weed species, some of which are in proximity of waterways. The removal of the pine trees will be replaced with native vegetation in proximity to the waterways that is appropriate to the riparian environment and will include a range of native plant species as set out on the Vegetation Strategy planting list plan within the Landscape Design Document on page 53 in Attachment 9.
Objective 27.4.2	Maintenance of water quality and enhancement of water quality where existing quality is degraded for natural and human uses and values, including iwi wairua values, through the carrying out of activities in the beds of rivers and lakes.	There will be no works in streams or wetlands .Maintenance and enhancement of water quality onsite is addressed through the range of recommended conditions in the Envirolink Report, in particular requirements for erosion and sediment control through the construction phase

		and requirements for extensive revegetation within the riparian margins to assist with maintaining and enhance water quality. These recommendations have been incorporated into the Draft Consent conditions in Attachment 16.
Objective 27.6.2	The maintenance and, where appropriate, the enhancement of: (a) the natural character, amenity, recreational and cultural values and (b) public access to rivers and lakes; as a result of activities in the beds and on the surface of rivers and lakes.	There will be maintenance, and where appropriate, enhancement of natural character, amenity, recreational and cultural values together with public access in respect of the waterways. This policy is achieved through the extensive riparian planting as outlined together with provision for public access in proximity to and across some of the waterways as detailed on the subdivision plan and landscape plan.
Objective 27.2.2	Increased and improved public knowledge of all uses and values of rivers and lakes and their margins through the development of Council systems to collect, store, evaluate and make available such information.	The Applicant has engaged with iwi, and a CVS assessment has been completed on behalf of Ngāti Rārua and a CIA completed on behalf of Ngāti Tama. In these cultural assessments, emphasis is placed on the significance of the retention and enhancement of the quality and life supporting capacity of the waterways. The proposed revegetation of the waterways, together with the range of mitigation measure to ensure that the waterways are not degraded through construction and development, including the requirements in respect of erosion and sediment controls and the design, which keeps development well back from waterways and wetland areas, ensures that the matters promoted in this objective and supporting policies are addressed. Further the requirements for the Ecological Planting Plan and the Wetland monitoring plan ensure ongoing maintenance over time There are no cultural heritage sites that have been recorded on the subject property. There are structures in the form of a boardwalk over three waterways including two wetlands, but the design has ensured that any structure for the boardwalk has the piles located outside of ta wetland and outside of the bed of a stream. The Draft Consent Conditions in Attachment 16 , provide for iwi monitoring for any works within 10m of a stream or wetland . Monitor for those earthworks, acknowledges the significance of the waterways to iwi.
Policy 27.2.3.1	To avoid, remedy or mitigate adverse affects on the mauri and the wairua of the river or lake arising from the effects of structures and other activities in, on, under or over river and lake beds.	
Policy 27.2.3.2	To ensure activities and structures in, on, under or over the beds of rivers and lakes avoid, remedy or mitigate adverse effects on cultural heritage sites, including wāhi tapu and wāhi taonga.	

The Applicant's design of the development, together with the range of recommended Conditions in respect of restoration planting, fish passage and controls over stormwater management and land disturbance, ensure that the development is consistent with these Objectives and Policies.

Table 13: Relevant Objectives and Policies in Relation to Damming and Diverting Water

Objective/Policy Number	Objective/Policy Wording	Assessment
Objective 30.1.2.1	The maintenance, restoration and enhancement, where necessary, of water flows and levels in water bodies that are sufficient to: (a) preserve their life-supporting capacity (the mauri of the water); (b) protect their natural, intrinsic, cultural and spiritual values, including aquatic ecosystems, natural character, and fishery values, including eel, trout and salmon habitat, and recreational and wildlife values; and (c) maintain their ability to assimilate contaminants.	The assessment the Applicants have undertaken through their specialist team, in particular through the Ecological Assessment and Hydrogeological Assessment, addresses issues related to water body flows and water levels. Reference to these specialist assessments in Attachment 7 and 8 , confirms that water flows will be maintained in the water bodies to preserve their life supporting capacity and the range of values identified within the Ecological Assessment Report. As confirmed in the Assessment Reports, there will be no loss of the extent of waterways nor any loss of wetlands. The values of both waterways and wetlands have been recognised in the Application, notwithstanding the current degraded state of the wetlands. The proposal involves restoration and enhancement through the proposed riparian planting and wetland planting which will maintain and, in some cases enhance, the values of those waterways. In respect of flows to the wetlands these will be increased, as is confirmed in the specialist assessments, and while there will be some minor reduction to groundwater recharge the cumulative effect for the wetlands will be positive. The Application proposal includes requirements toto undertake planting restoration. As noted fish passage will be maintained as outlined.
Objective 30.1.2.2	The maintenance, restoration and enhancement, where possible, of the quality and extent of wetlands in the District.	
Policy 30.1.3.1A	To avoid the loss of river extent and values, unless the Council is satisfied that: (a) there is a functional need for the activity in that location; and (b) the effects of the activity are managed by applying the effects management hierarchy.	
Policy 30.1.3.1	To maintain and enhance the uses and values of rivers, aquifers, wetlands and lakes that may be adversely affected by reduced water flows or levels including: (a) the uses and values of water bodies identified in Schedule 30A, particularly the internationally, nationally and regionally significant uses and values of water bodies; (b) the customary and traditional uses and values of iwi, including wāhi tapu, mahinga kai and other taonga, particularly in relation to sustaining the mauri of the water; (c) the capacity of water bodies to dilute contaminants; by taking into account the management objectives specified for each of the water bodies in Schedule 30A.	
Policy 30.1.3.8A	The passage of fish is maintained, or is improved, by instream structures,	

	except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.	
Policy 30.1.3.26A	The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where: (a) the loss of extent or values arises from any of the following: (i) the customary harvest of food or resources undertaken in accordance with tikanga Māori (ii) restoration activities (iii) scientific research (iv) the sustainable harvest of sphagnum moss (v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); (vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or (b) the regional council is satisfied that: (i) the activity is necessary for the construction or upgrade of specified infrastructure; and (ii) the specified infrastructure will provide significant national or regional benefits; and (iii) there is a functional need for the specified infrastructure in that location; and (iv) the effects of the activity are managed through applying the effects management hierarchy."	There will be no loss of inland natural wetlands. The values of the degraded wetlands will be significantly enhanced through the proposed restoration planting.
Policy 30.1.3.26	To recognise the importance of naturally occurring wetlands and their margins as unique, scarce and vital ecosystems with a range of significant values, including natural character, and to protect and maintain or restore existing naturally occurring wetlands.	The wetlands are being protected and restored through planting and maintained through Consent Notice requirements.
Policy 30.1.3.27	To develop and maintain a database of wetlands which identifies their values and significance and to assign particular significance where any one of the following criteria applies: (a) it is predominantly in its natural state; (b) there is biological diversity or representativeness of aquatic or associated terrestrial species or	The Ecological Assessment in Attachment 8 adds to the body of information that can contribute to a wetland database.

	habitats; (c) it has threatened species' habitat values; (d) it is an area of predominantly indigenous vegetation; (e) it contains indigenous dune vegetation, salt herb fields or coastal shrublands; and to take into account the following criteria in assessing significance: (f) the extent to which it improves or maintains water quality by providing a buffer between adjacent land use activities and any water bodies; (g) the extent to which it contributes to the connectivity of hydrological or biological relationship with associated water bodies, including fish passage, river or lake flows and levels, and flood or drought flows, and its importance as a habitat for migratory species; (h) if it is adjacent to the coastal marine area; (i) the extent to which it has specific cultural or spiritual significance.	
Policy 30.1.3.28	To encourage, promote and support: (a) the protection and maintenance or enhancement of naturally occurring wetlands; (b) the construction of further wetlands; and (c) the enhancement of wetland values in wetland areas that are not naturally occurring, including farm drainage systems, irrigation, stock water and amenity ponds and dams; including the creation of wetlands following gravel extraction.	The wetlands will be restored, protected and maintained as detailed in the Application and Ecological Assessment in Attachment 8.
Policy 30.1.3.29	To encourage, promote and support appropriate management of naturally occurring wetlands to: (a) control animal and plant pests; (b) exclude stock grazing from wetlands; (c) protect wetlands from inappropriate land use, including land drainage and infilling; (d) maintain water levels to protect wetland values.	Stock will be excluded from wetlands; there will be no drainage of wetlands.
Policy 30.1.3.30	To establish and maintain partnerships with landowners that recognise, support and build on existing sustainable management initiatives of naturally occurring wetlands on private property and to prepare wetland management plans, in consultation with each landowner, that: (a) identify wetland values; (b) identify management options for protecting, maintaining and restoring wetland values, having regard to development options of adjacent productive land; and (c) to fund or assist in carrying out	A Wetland Planting Plan together with a Wetland Monitoring Plan are required through the Consent conditions to be prepared and implemented in accordance with the Drafts of these Plans In Attachment 8 .

	works and other activities to protect and restore wetland values.	
Policy 30.1.3.31	To avoid, remedy or mitigate adverse effects on wetlands and their margins, including cumulative adverse effects as a result of taking, damming, diverting or discharging water, including by infilling, when considering resource consent applications for those activities, taking into account its degree of significance assessed under Policy 30.1.3.27.	All these effects have been assessed in the specialist reports , in particular the Ecological Assessment report and the Hydrogeological report , see Attachment 7 and 8.

The Application proposal, design for infrastructure and survey of the wetlands together with the range of enhancement and protection measures accord with the Objective and Policy Framework under Section 30.1.

Table 14: Discharges to Land and Freshwater Relevant Objectives & Policies

Objective/Policy Number	**Objective/Policy Wording**	**Assessment**
Objective 33.1.2.1	The discharge of contaminants in such a way that avoids, remedies or mitigates adverse effects while: (a) maintaining existing water quality; and (b) enhancing water quality where existing quality is degraded for natural and human uses or values.	The specialist assessment reports, in particular the Envirolink Report in Attachment 5, identify potential adverse effects of discharge of contaminants into land and freshwater that may arise through construction, as well as the control of discharge of stormwater following the development of subdivision with additional impervious surfaces. The Development report , the Envirolink Assessment and the Ecological Assessment set out a range of recommendations related to requirements for construction management plans, dust erosion and sediment control plans, stormwater detention basins, as well as collection of clean stormwater from roofs, where practicable, to be separated and directed to wetland areas. These measures, together with the extensive plantings proposed around waterways and wetlands and within the stormwater detention basins, are all designed to accord with the objectives and policies under 33.1 and 33.3 dealing with contaminant discharges and stormwater discharges. The recommendations of both the Envirolink Assessment and the Ecological
Policy 33.1.3.2	To avoid, remedy or mitigate the adverse effects of discharges of contaminants so that both individually and cumulatively with the effects of other contaminant discharges, they enable the relevant water quality classification standards to be complied with.	
Policy 33.1.3.5	To ensure that existing water quality is not degraded after reasonable mixing as a result of any discharge of contaminants into water and to take into account the following criteria when determining what constitutes reasonable mixing: (a) The depth, width and flow characteristics of the receiving water body, including the nature and extent of mixing which may occur and the assimilative capacity of the water. (b) The extent of the mixing zone and the likely adverse effects on aquatic life or ecosystems within the mixing zone. (c) The characteristics of the discharge, including the presence of toxic constituents. (d) The community (public) uses and values of the water or	

	any mixing zone, including those specified in the Plan, any water conservation order or water classification for any water body.	Assessment have been adopted by the Applicants and are included in the Draft Consent conditions in Attachment 16.
Policy 33.1.3.6	To take into account the following factors in determining the significance of actual or likely adverse effects on the receiving water of or from contaminant discharges: (a) Any water classification given in any schedule to Chapter 36 or water conservation order. (b) Existing water quality of the receiving water. (c) The significance or sensitivity of the aquatic life or ecosystem. (d) The extent of the water body adversely affected. (e) The magnitude, time of year, frequency and duration of the adverse effect, including any cumulative effects as a result of the discharge. (f) The range and intensity of uses and values of the water body. (g) The conflicts between uses and values of the water body. (h) The nature of the risks of the adverse effect. (i) Any relevant national or international water quality guidelines or standards, or water conservation order.	
Policy 33.1.3.12	To seek to improve water quality by appropriate riparian and coastal land management.	This is achieved through the riparian plantings proposed and ongoing management of the plantings.
Policy 33.1.3.16	1. When considering any application for a discharge, the consent authority must have regard to the following matters: (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided. NPS FWM 1/7/11 Operative Chapter 33 – Discharges to Land and Fresh Water 15 June 2019 Tasman Resource Management Plan 33/9 2. When considering any application for a discharge, the consent authority must have regards to the following matters: (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with fresh water; and (b) the extent to which it is feasible and	The matters set out in this Policy have all been addressed in the Envirolink Assessment in Attachment 5 and Ecological Assessment in Attachment 8.

	dependable that any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided. NPS FWM 2/8/14 3. This policy applies to the following discharges (including a diffuse discharge by any person or animal): (a) a new discharge; or (b) a change or increase in any discharge – of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.	
Objective 33.2.3.2	Stormwater discharges that avoid, remedy or mitigate the actual and potential adverse effects of downstream stormwater inundation, erosion and water contamination.	The Development design for Stormwater Management, as detailed on the Development Design Plan set Plans in Attachment 3.2 and assessed in the Envirolink Report in Attachment 5, the Ecological Assessment in Attachment 8 , and Hydrogeology Assessment in Attachment 7, address all of these policy matters. The Design and Mitigation measures ensure the adverse effects from stormwater discharges are avoided or mitigated, including issues related to recharge of ground water and surface water to maintain the health of waterways and wetlands have been addressed. This has been achieved through the inclusion of soak pits and requirements to direct clean stormwater from roofs from properties adjacent to gully head wetlands in the western catchment to be collected and directed to discharge to ground around the gully wetlands.
Policy 33.3.1	To require all owners, particularly the Council as stormwater asset manager, of all or part of any stormwater network to avoid, remedy or mitigate adverse effects of stormwater discharges.	
Policy 33.3.2	To advocate works to restore and protect stream or coastal habitats and improve and protect water quality affected by stormwater and drainage water discharges.	
Policy 33.3.3	To manage the adverse effects of stormwater flow, including primary and secondary flow paths, and the potential for flooding and inundation.	
Policy 33.3.4	To avoid, remedy or mitigate the potential for flooding, erosion and	

	sedimentation arising from stormwater run-off.	
Policy 33.3.5	To avoid, remedy or mitigate the adverse effects of stormwater on water quality and the potential for contamination.	
Policy 33.3.6	To maintain or enhance stormwater infiltration to enhance groundwater recharge.	
Policy 33.3.7	To require owners of all or part of any stormwater drainage network to avoid, remedy or mitigate any adverse effects of stormwater discharges.	
Policy 33.3.8	To encourage an integrated whole-catchment approach to the management and discharge of stormwater.	
Policy 33.3.9	To require the use of low impact design in the management of stormwater discharges in any new development, where practicable.	
Policy 33.3.10	To encourage the restoration and rehabilitation of stormwater drainage networks where natural drainage networks have been significantly modified.	The proposed restoration planting and protection of waterways and wetlands maintain and restores drainage channels.
Policy 33.3.11	To take into account the long-term management of stormwater drainage in consideration of land development, including subdivision and land-use changes.	Long term management is addressed with the requirement for a Stormwater Operation and Maintenance Manual to prepared and implemented through Consent Notices. The Envirolink report in Attachment 5 includes a Draft of this in Appendix H to the Envirolink report.
Objective 33.4.2	On-site disposal of domestic wastewater, which avoids, remedies, or mitigates adverse effects on groundwater or surface water quality, habitats, human health and amenity values.	Reference to the Envirolink Report in Attachment 5 confirms that the Objective and Policy Framework for Wastewater Discharge has been followed in the onsite assessment of site conditions including soil type, aspect, ground water tables, slope and proximity to water bodies. The recommendations in respect of the communal wastewater system design parameters, and onsite wastewater system design parameters, confirm alignment with the objectives and policies for onsite disposal of domestic wastewater. These recommendations are all included in the Draft Discharge Consents for Wastewater in Attachment 16.
Policy 33.4.3.1	To ensure householders are aware of the potential adverse effects that may be created by discharges from on-site wastewater disposal systems, and of	In respect of Policy of 33.4.3.1 the individual lifestyle and Rural Conservation Allotment householders will have the Onsite Wastewater

	methods of avoiding, remedying or mitigating them.	Discharge consent transferred to them on purchase .They will be responsible for the ongoing compliance with the Consent Conditions ,a Draft of which is in Attachment 16.
Policy 33.4.3.2	To ensure that the adverse effects, particularly the cumulative adverse effects, of on-site disposal of domestic wastewater on water quality and aquatic habitats, including coastal water, and on human health or amenity in the Wastewater Management Area are avoided, remedied or mitigated by: (a) controlling the use of on-site systems in areas where there are significant limitations to sustainable on-site disposal of domestic wastewater including: (i) low or very low permeability clay soils; (ii) rapidly draining coastal soils; (iii) areas of high groundwater tables; (iv) steeply sloping sites, especially on south-facing slopes; (v) unstable terrain; (vi) proximity to surface water bodies; (vii) high density of existing and new on-site systems and the cumulative impact of such discharges in terrain that has significant limitations to on-site disposal; (b) requiring comprehensive site and soil assessments to identify any site limitations; (c) requiring a high level of performance for design, construction, installation, operation and maintenance for new on-site disposal systems; (d) ensuring adequate buffers between disposal fields, water bodies, and the coast, especially Waimea and Mapua Inlets; (e) reducing the risk to human health arising from pathogens in the wastewater entering into water; (f) ensuring the net nitrogen losses from land in the Wastewater Management Area to be subdivided do not result in adverse effects on aquatic habitats as a result of discharges of domestic wastewater; (g) ensuring stormwater management accounts for potential effects on on-site disposal fields; (h) ensuring that the potential adverse effects, especially cumulative effects of further residential development, are taken into account in considering any application to subdivide land in the Wastewater Management Area.	In respect of the communal wastewater system the Applicants have been deliberate in identifying the type of system to be provided which incorporates a *"Prelos"* system which is an on-property combined septic tank/pump station which will mean that if individual householders dispose of inappropriate waste to the wastewater system, then the adverse effects of that, will be experienced in their pump system onsite, rather than causing issues with the communal system. Householders will be made aware of the nature of the system as part of the information packages provided at the time of sale of the house and land package.
Policy 33.4.3.3	To require regular programmed maintenance of on-site wastewater treatment and disposal systems to	The recommended Conditions to be part of the communal wastewater discharge consent as well as the

	minimise risk of system failure and reduce risk of adverse environmental effects.	individual discharge consents for onsite wastewater disposal will include consent conditions for maintenance of the onsite systems.
Policy 33.4.3.4	To encourage consideration of wastewater treatment systems that service a cluster of households (subject to any site limitations) to: (a) take advantage of opportunities for high technology advanced wastewater treatment solutions at cluster scales; (b) reduce risks of system failure and cumulative adverse effects of single on-site systems; (c) enable Council to develop effective and cost-efficient systems for monitoring on-site wastewater systems.	The policy framework for wastewater discharge specifically encourages under Policy 33.4.3.4 consideration of wastewater treatment systems that services a cluster of households, to take advantage of high technology advance wastewater treatment solutions, which is what is proposed by the communal wastewater system for the residential clusters.
Policy 33.4.3.5	To ensure that legal, practical, financial and enforceable responsibility is established for the operation and maintenance of any on-site wastewater treatment and disposal system, especially where such systems service a cluster of dwellings, taking into account both day-today operation and maintenance of such systems as well as provision for depreciation and replacement of equipment and of systems.	In respect of Policy 33.4.3.5, the Draft discharge consent conditions in Attachment 16 include requirements on the operation and maintenance of the communal treatment and disposal system. The communal wastewater system will be managed by the Infrastructure Association that will be set up for this purpose. The Consent Conditions require maintenance and Asset Management Plans. The Envirolink report Appendices in Attachment 5 include detailed design information from Innoflow in Appendix I, which specifies maintenance requirements. An overview has been provided within Appendix G of the Envirolink report of the Legal framework for the Infrastructure Association that will be responsible for the system, its operation, maintenance and compliance with Consent Conditions.
Policy 33.4.3.6	To avoid, remedy or mitigate the adverse effects of discharges of domestic wastewater, including cumulative effects, particularly those in the Special Domestic Wastewater Disposal Areas.	The Envirolink Report has considered the adverse effects of domestic wastewater discharges both in terms of the community wastewater system and individual onsite systems. The cumulative effects of the systems have been considered together with appropriate provision for reserve disposal fields. The Envirolink Report assesses the requirements for operation and maintenance of the systems. In relation to the communal wastewater system, the framework document for the Residents Association, ensures that the matters noted in this policy are provided for.

Based on the above assessment of the relevant Objectives and Policies in relation to discharges to land and freshwater, there is nothing in the subject proposal that is contrary in nature to the objectives and policies. The Envirolink Assessment in Attachment 5, together with the Ecological Assessment in Attachment 8 , confirm that the framework set out in the Objectives and Policies is reflected in the assessments undertaken and the recommendations in those assessments are reflected in the Draft Consent Conditions in Attachment 16.

Summary Assessment of the Objectives & Policies of the TRMP

The above Tables set out a robust assessment of the comprehensive list of relevant Objectives and Policies relevant to the Tahimana development. The assessment confirms that the proposed development is not contrary in nature to the Objectives and Policies. There are a number of Objectives and Policies that specifically support the design of the subdivision and the range of management and protection measures adopted.

11.2 Tasman Regional Policy Statement (Operative)

A separate detailed assessment of the Tasman Regional Policy Statement (TRPS) has not been undertaken because the TRMP must give effect to the TRPS, the higher order document, with the expectation being that the Objectives and Policies of the TRMP will align with the TRPS.

A broad review of the TRPS has been undertaken to confirm that the to the key resource issues relevant to the Tahimana development project and the Objectives and Policies on those issues, reflect the general tenor of the TRMP Objectives and Policies considered.

The Land Resource issues of relevance focus on;

- Sustaining the potential of high-quality productive land and protecting such land from activities that reduce land available for productive activity. The TRPS objectives and policies on this issue align with the TRMP. The Tahimana property does not include land of high productive value.
- Protection and enhancing indigenous vegetation, significant habitats, outstanding natural features and landscape and features of heritage significance. The TRMP Objectives and Policies cover these resource issues. The Tahimana site has little indigenous vegetation, habitat areas have been considered and protected The Tahimana site has no outstanding natural features or landscapes, though in the wider environment these have been considered in the expert assessments. Heritage and cultural values have been considered.

- Fresh Water resources, including preservation of natural character of wetlands and rivers, are objectives and policies within the TRMP, which are aligned with the TRPS. The Tahimana proposed development has involved extensive assessments of wetlands, ensuring development avoids any drainage of wetlands and provides for significant enhancement of wetland environments and stream environments through extensive restoration planting.
- Contamination and Waste – minimising risks of contamination from the storage, treatment and disposal of waste, ensuring water quality, aquatic habitats, fisheries are maintained through a preference for land-based disposal systems. There is alignment with the TRMP objectives and policies. The Tahimana development proposal involves land-based waste treatment disposal systems, with a range of standards to be met through conditions of consent ensuring maintenance of water quality to sustain habitats including aquatic habitats.
- Environmental Hazards – reducing risks from flooding, erosion and instability. There is alignment of the natural hazard objectives and policies of the TRPS and TRMP. The Tahimana development has assessed, and where necessary mitigated risks from flooding, erosion and instability through a range of conditions in the relevant draft consent conditions.
- Land Transport objectives and policies of the TRPS focus on a safe and efficient land transport system as is the case with the TRMP. The Project has addressed the safety and efficiency of the existing and proposed road, cycleway and walkway network, with proposed conditions covering the standard of the transport modes must meet to ensure safety and efficiency of the network is maintained and enhanced, while acknowledging the temporary effects of construction and setting out methods for minimising those temporary effects.

11.3 Proposed Change 1 TRPS and Plan Change 81

Tasman District Council notified Proposed Change 1 to the Tasman Regional Policy Statement, together with Plan Change 81 (**PC81**) to the TRMP on the 19th of June 2026. A summary of submissions was notified and opened for further Submissions on Tuesday the 18th of August and closes on Monday the 31st of August.

PC81 proposes to make changes to the TRMP to provide for urban growth, development and housing choice, largely based on implementing the Nelson Tasman Future Development Strategy (FDS). PC81 identifies new residential zones for key urban settlements/townships, together with some expansion of business zones in some urban townships. A key component of PC81 is the introduction of a new medium density residential zone.

Proposed Change 1 to the TRPS is interrelated with Plan Change 81 as it sets the RPS-level policy direction with Plan Change 81 implementing that direction. As the first Change to the TRPS, it was also necessary to ensure that the TRPS responded to the higher order planning documents , in particular the National Policy Statement on Urban Development.

The following summary has been taken from the Tasman District Council website providing public advice on the changes and process for public input. This provides a good summary of proposed Change 1 and PC8:

Regional Policy Statement Change 1

This sets the strategic direction for how Tasman grows.

It:

- Responds to national direction, including the National Policy Statement on Urban Development
- Embeds the Future Development Strategy (FDS) into the planning framework.
- Identifies where and how growth should be managed across the region.
- Provides the high-level policies that guide future decisions

Think of the RPS as the big picture plan.

Plan Change 81 (TRMP)

This puts that strategy into action through rules and zoning.

It:

- Rezones land to provide space for housing and business.
- Introduces a new zone (Medium Density Residential Zone)
- Enables more housing choices and intensification in key towns.
- Updates rules to support workers' accommodation, papakāinga, and business growth.
- Aligns development with infrastructure and transport planning.

Think of the TRMP as the on-the-ground delivery of growth.

How they work together

These two changes are designed to be read together:

- RPS Change 1 sets the direction for growth.
- Plan Change 81 implements that direction through specific rules and zoning.

Together, they:

- Provide capacity for housing and business land over the next 10+ years.
- Support well-functioning urban areas and thriving town centres.
- Enable a wider range of housing choices.
- Ensure infrastructure and services keep pace with development.
- Support culturally appropriate development, including papakāinga.

Tahimana Ltd lodged a submission on Change 1 and PC81. In general, Tahimana Ltd supported the proposed changes as they apply to urban settlements. However sought to ensure that there were no unintended consequences for land in the Rural 3 Zone (which is not addressed by the changes) by implication. The relief sought was to ensure the TRPS recognises and supports residential development already anticipated and provided for within the Rural 3 Zone and the Rural Residential Zone under the TRMP.

Given the early stage of Change 1 and PC81 and its contested provisions, minimal weight can be placed on their provisions.

11.4 National policy statements

National Policy Statement for Freshwater Management 2020

The National Policy Statement for Freshwater Management (**NPSFM**) is relevant to activities that may affect wetlands and rivers/streams. The NPSFM "fundamental concept" is Te Mana o te Wai (clause 1.3), and Policy 1 is to manage freshwater in a way that gives effect to Te Mana o te Wai. While clauses 1.3(5) and 2.1 of the NPSFM (which relate to the hierarchy of obligations forming part of Te Mana o te Wai) are disapplied by s 104(2F) RMA, Policy 1 and other parts of clause 1.3 remain relevant.

Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community (Clause 1.3(1)).

The development of the subdivision design for Tahimana embraces the concept of Te Mana o te Wai, recognising the fundamental importance of protecting the health of freshwater, which is inextricably linked to the health and well-being of the wider environment and the community. The recognition of Te Mana o te Wai is reflected in:

- identification of the site's wetlands and waterways, which built development is designed around
- assessment of the values of the wetlands and waterways, and a catchment-based stormwater management approach designed to ensure these values are maintained and enhanced
- avoidance of wetland drainage and reduction in the extent of any waterway, including by building stormwater detention dams outside wetlands and waterways
- proposals to restore and enhance wetlands through extensive planting, to be maintained in the long-term

The Ecological Assessment prepared by RMA Ecology (see Attachment 8) has confirmed that the wetlands and waterways in general are degraded, but notwithstanding that degradation, retain ecological value. The development protects and seeks to restore freshwater values by keeping all development out of wetlands and waterways and ensuring appropriate setbacks of development and earthworks from wetlands and waterways with the minor exceptions being piling for three crossings (outside but within a 10 m setback of wetlands and waterways). Restoration of wetlands will involve removal of weeds and exotic plants, including pine trees, and undertaking restoration and riparian planting of the wetlands and waterways in general accordance with the

Vegetation Strategy in Attachment 9 (see pages 52 and 53 of the Landscape Design Document) and the Ecological Planting Plan in Attachment 8.3. Implementation of these documents as required by the Draft Consent Conditions in Attachment 16. This ensures that catchment-based stormwater changes (impervious surfaces and intercepted groundwater) do not adversely impact wetland hydrology:

- clean rooftop stormwater will be discharged as overland flow upstream of gully head wetlands in the eastern catchment
- reduction in groundwater recharge in the western catchment will be mitigated by installation of 10 soak pits upgradient of wetlands
- with those measures, no adverse effect on wetlands is anticipated, but this will be verified by monitoring in accordance with the Wetland Monitoring Plan, see Draft in Attachment 8.2.

Stormwater detention basins will be located outside the 10 m setback from streams and wetlands. At four dams – Dams E7, W4, W5 and W6 – the maximum level of water detention will extend into wetlands, but this will be temporary (less than 12 hours) and this temporary increase in water level will not be harmful. Construction of Dams E3a and W2 for stormwater basins will result in the removal of four existing farm ponds. These ponds are potential native fish habitat, so any impacts will be mitigated by fish salvage and relocation in accordance with a Fish Salvage Plan, see Draft in Attachment 8.1. Three detention dams are located downstream of wetlands where there may be a connection for tuna (eels) between a stream and the wetland via overland flow during rainfall events, and one dam is located in between sections of stream. Fish passage will be provided for those dams.

Erosion and sedimentation of wetlands and streams will be minimised as far as possible by land disturbance conditions including standards requiring minimising exposed land, setbacks, scour control, controls on stockpiles, rehabilitation planting and a requirement for a Dust, Erosion and Sediment Control Plan.

Te Mana o te Wai encompasses six principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater (clause 1.3(3)). To the extent that these principles are within the power of the Applicant to address, the design of the proposed subdivision, the Applicants' engagement with mana whenua iwi, and the commitments made to continue with engagement in relation to wetland planting reflects these principles:

- *Mana whakahaere* is supported by the Applicant's meaningful engagement with mana whenua iwi, reflecting the obligations of tangata whenua to maintain, protect and sustain the health and wellbeing of, and their relationship with, freshwater.

- The project supports *kaitiakitanga* by enabling mana whenua iwi to provide input into species selection for restoration planting with the objective of restoring taonga species.

- The manner in which the proposed development protects and restores the wetlands and waterways within the subject site will have positive impacts on the downstream networks, particularly noting the degraded state of the onsite wetlands and waterways, which will be enhanced through the extensive restoration planting proposed. This will have benefits for the wider environment and therefore supports the concept of *manaakitanga* for tangata whenua.

- In respect of the principle of *governance*, the design of the subdivision and the priority that the Applicant has placed on protecting the wetlands and waterways on the subject site, together with restoring and enhancing the quality of the wetlands, contributes to an improvement in the health and wellbeing of freshwater now and into the future. Ongoing implementation of wetland maintenance and management plans to be imposed by way of Consent Notice on future owners of allotments within which wetlands are located ensures that future health and well-being of freshwater is provided for. These mechanisms also ensure that the principle of *stewardship* to manage freshwater in a way that ensures it sustains present and future generations is similarly provided for through the requirement for ongoing protection, maintenance and management.

- *Care and respect* for freshwater is the responsibility of all New Zealanders. The Applicant's proposal supports this principle by avoiding detention dams in wetlands or streams, mechanisms that ensure that the wetlands are not drained, and ensuring that the degraded state of these wetlands and waterways are improved through removal of weeds and restoration planting. As noted above, to ensure that this care and respect continue beyond the subdivision completion, the Maintenance and Monitoring Plan obligations, that are imposed on future landowners, will address the principle into the future.

Part 2 of the NPS-FM sets out the Objective and Policies.

Consideration of Objective 2.1 is disallowed.

Policy 1	Freshwater is managed within the proposed development to give effect to Te Mana o te Wai thorugh the extensive design and management approaches set out above.
Policy 2	The Applicant has proactively consulted with mana whenua iwi ensuring their involvement. Assessment of freshwater values has been undertaken from a cultural perspective, ensuring that Māori freshwater values are identified and provided for through the mechanisms for protection, management, monitoring and maintenance. This is evidenced by the assessments contained in Attachment 10 including the CVS and the CIA, together with the Draft COndtions of Consent in Attachment 16.
Policy 3	It is clear from the design of the proposed subdivision, and the specialist assessment reports that freshwater has been managed in an integrated way considering all aspects of the proposed use and development of the land on a whole catchment basis and how

	each element of the proposal impacts on other elements. For the Tahimana site, this has meant prioritisation of wetlands and waterways, careful design of the stormwater system and location and provision for treatment, discharge and management of onsite stormwater systems. Care has also been taken to ensure development earthworks do not interact with groundwater. The multi-disciplinary approach to the development and layering of opportunities and constraints for development of this land, have ensured an integrated approach to considering the effects of the development and impacts on the receiving environment, in particular, downstream wetlands and waterways.
Policy 4	Freshwater is being managed with acknowledgement of climate change. This is demonstrated through the Envirolink Report in Attachment 5: hydraulic neutrality between pre-development and post-development flows is the design standard. This ensures no increased risk of flooding downstream, whilst ensuring that sufficient flows are maintained so the health of the onsite and external wetlands and waterways are maintained. Envirolink assessment models impacts in terms of a range of storm events that take into account climate change.
Policy 5	This policy is primarily focussed on the freshwater planning process, but to the extent it is relevant to assessment of a resource consent application, the RMA Ecology Assessment in Attachment 8 has assessed the existing values of the wetlands and waterways and recommended measures to ensure their health and wellbeing is improved (where degraded) and otherwise maintained, both within the site and downstream.
Policy 6	There will be no loss of the extent of natural inland wetlands, and their values will be protected, and they will be restored.
Policy 7	There will be no loss of river extent and river values will be protected.
Policy 8	The water bodies through the subject property are not outstanding water bodies. The wetland to the east of the site is significant and could be considered an outstanding waterbody. The project is designed to ensure the neighbouring wetland will not be adversely affected by development on the site.
Policy 9	The whole network of wetland and stream habitat on site (excluding constructed farm ponds) is to be protected. Existing habitat values will be protected and enhanced. Farm ponds may contain tuna (eels), which will be salvaged when ponds are removed/altered. Fish passage will be provided where detention dams could become fish barriers. Following the completion of restoration planting, there will be enhancement of habitats for indigenous freshwater species.
Policy 13	While this policy primarily places monitoring obligations on Council to implement through monitoring and plan methods, the project incorporates monitoring of wetland condition as affected by catchment changes and monitoring to ensure the long-term success of planting. Consent Notices on relevant titles will ensure that the restored condition of the freshwater bodies is maintained in the long-term.
Policy 15	The design of the proposed subdivision together with the restoration planting proposals enable the community to provide for their social, economic and cultural well-being in a way that is consistent with the NPS-FM. The provision of a public walkway through the development and through the proposed local purpose reserve enables communities to enjoy and appreciate the wetland and waterway values that will be restored on the site.

The Applicant's proposal fully aligns with the Objective and Policy framework above. As such it is also considered to be consistent with the relevant implementing clauses in Part 3 of the NPS-FM.

Effects Management Hierarchy

Reg 42(7) NES-F (wetland utility structures) states that a resource consent for a restricted discretionary activity under that regulation must not be granted unless the

consent authority has first applied the effects management hierarchy (as defined in cl 3.21 NPS-FM).

The effects management hierarchy has been applied to the boardwalks/ bridge that would be authorised under Reg 42. The piles for the boardwalks will be sunk on the stream banks, away from the stream bed. Small areas of bankside vegetation may be removed to make way for the boardwalk. The boardwalks over the streams /wetlands will be located at the narrowest points of stream channels and wetlands and will have a span of approximately 3 m to ensure piling occurs outside of stream channels and wetlands. Boardwalks will be 1.6 m wide, meaning that the overall coverage of streams and wetlands will be approximately 4.8 m^2. The effects will be minimised by keeping all piling outside of the stream bed, and by employing erosion and sediment control measures. On completion of the works, the riparian area will be restored through planting with native species. RMA Ecology assesses the level of effect on affected waterbodies (Streams R1, R2.1 and R5) as "very low".

To the extent that the effects management hierarchy is relevant to other aspects of the project, it can be seen from the Development Plans in Attachment 3.2, the Envirolink Report in Attachment 5, the Geotechnical Assessment Report in Attachment 6, the Landscape Assessment Report in Attachment 9, the Ecological Assessment Report in Attachment 8, the Hydrogeology Investigation in Attachment 7 and the Cultural Assessments including the CVS from the perspective of Ngāti Rārua and the CIA undertaken from the perspective of Ngāti Tama, contained in Attachment 10 that the design of the proposed subdivision has closely followed the effects management hierarchy. Adverse effects on wetlands have been avoided, and adverse effects on rivers have been avoided where practicable. This has been achieved through ensuring that there is no drainage of any wetland on site and minimising the amount of work necessary in proximity of any wetland and waterway by ensuring that earthworks and resulting buildings are well set back from these waterways. Flows to wetlands have been maintained and enhanced through the design of the stormwater management system. Significant restoration plantings are proposed around all the wetlands and waterway areas, which has been assessed in the RMA Ecology Report as having very positive ecological effects (a net gain for biodiversity).

National Policy Statement on Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity (**NPSIB**) applies to terrestrial indigenous biodiversity, with some exceptions and extensions. Relevantly, the provisions relating to promoting restoration and increasing indigenous vegetation cover apply to natural inland wetlands (Clause 1.3). Other policies do not apply to wetlands, except where they are part of a SNA (Clause 1.3(e)).

As set out in the report by RMA Ecology, the site's biodiversity value is largely limited to finger wetlands, small streams and ponds (there are some small patches of low-quality native vegetation providing habitat for common native species such as fantail, and the site is used by other common bird species like the Australasian harrier and may provide lizard habitat although not within the earthworks footprint). The site does not contain any SNAs.

The NPSIB decision-making principles (Clause 1.5) are concerned with prioritising the mauri, intrinsic value and wellbeing of biodiversity and recognising the importance of biodiversity to māori and the community. The objective is to maintain indigenous biodiversity across New Zealand so that there is at least no overall loss in indigenous biodiversity after the NPSIB commencement date (Clause 2.1). The development is consistent with the decision-making principles and the NPSIB objective, because areas with biodiversity value (wetlands) have been protected through project design, the proposal will provide a net gain for biodiversity and mana whenua biodiversity values have been recognised and provided for.

The only relevant policies and implementing clauses are those that apply to terrestrial indigenous biodiversity outside SNAs in a consenting context (Policy 1, 2, 3, 4, 8, 10 and associated implementing clauses) and those that apply to wetland restoration (Policies 13 and 14 and associated implementing clauses). The development contributes to achievement of those provisions, because it provides for a biodiversity net gain, including through restoration of degraded wetlands.

National Policy Statement for Highly Productive Land 2022

The National Policy Statement for Highly Productive Land (**NPSHPL**) applies only to "highly productive land", which relevantly means land that:

- is zoned general rural or rural production at the commencement date; and
- is Land Use Capability 1, 2 or 3 (**LUC 1, 2 or 3**), excluding LUC 3 land that is subject to a resource consent application for subdivision use or development for any activity other than rural lifestyle

A reference to a zone means a zone as described in the Zone Framework Standard of the National Planning Standards or the nearest equivalent zone (where local authorities have not yet implemented the Zone Framework Standard. The site is zoned Rural 3. The nearest equivalent zone in the National Planning Standards is the "rural lifestyle zone" not the general rural or rural production zone. Therefore, the NPSHPL does not apply.

In terms of LUC class, no part of the site is LUC 2. A very small are (0.3 ha on the north-east boundary) is LUC 3 based on NZLRI mapping. However, site specific mapping indicates this area is LUC 4 and LUC 6 (see Landvision Ltd Assessment Report in

Attachment 12). On that basis, the site also fails to qualify as highly productive land based on its LUC class.

National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development (**NPSUD**) sets out objectives and policies to ensure urban environments in New Zealand are well-functioning, adaptable, and capable of supporting growth. It applies to:

- local authorities that have an urban environment within their district or region, and
- planning decisions (which include resource consent decisions) by any local authority that affect an urban environment.

The extent to which the NPSUD is relevant to the Project is uncertain. The NPSUD defines "urban environment" as:

> **urban environment** means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:
>
> (a) is, or is intended to be, predominantly urban in character; and
>
> (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people

TDC is a local authority that has an urban environment within its district/region, however it is less clear whether this is a planning decision that affects an urban environment. In terms of (a) above, the Project is not itself intended to be "predominantly urban in character": while it includes residential-type density lots, these are clustered together to enable large areas to be retained as open space where ribbon wetlands will be protected and restored. The western catchment encompasses larger lifestyle block-size allotments of 5000m^2 – 2.09 ha and a Rural Conservation lot comprising 5.68ha. In relation to (b), in *Gardon Trust & Ors v Auckland Council* [2025] NZEnvC 58 which concerned a site directly adjacent to the existing Waiku township, the Court considered the definition of "urban environment" in the NPS UD and stated:

> [145] We agree that clearly this site forms part of an existing urban environment and that the urban environment is Waiuku. It already has a population exceeding that prescribed in the NPS-UD Definitions and therefore in itself must provide the well- functioning urban environment envisaged in the policy statement.
>
> [146] To suggest that surrounding rural areas, villages and other areas such as Clarks Beach and Patumahoe form part of this urban environment is patently incorrect. The widespread areas of rural land between these areas make it clear that they do not form part of a well-functioning urban environment as envisaged under the NPS-UD.

The Court's comments above support a conclusion that the urban environment is Richmond (as it has a housing and labour market of at least 10,000 people) and that the

site is not itself part of that urban environment, even if there are interactions between the site (or those living there in future) and the Richmond urban environment.

In case that is wrong, our analysis of NPSUD objectives and policies follows.

Objective 1 is that New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. Objective 5 is that planning decisions relating to urban environments take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Objective 8 is that New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change. Policy 1 is that planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households; and
(ii) enable Māori to express their cultural traditions and norms; and
(iii) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
(iv) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
(v) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
(vi) support reductions in greenhouse gas emissions; and
(vii) are resilient to the likely current and future effects of climate change.

The Project meets needs for different households as set out in the Economic Assessment in Attachment 4. Enabling two household units in one dwelling structure also contributes to that goal. Provision has been made for Māori to express their cultural traditions and norms and to reflect the principles of Te Tiriti o Waitangi. Excellent accessibility to natural spaces and open spaces is incorporated, and accessibility to other settlements including schools and shops (including by active transport modes) is provided by the transportation upgrades. The Applicant acknowledges that residents will still rely on motor vehicles, however the extent to which this results in greenhouse gas emissions is reducing, with electric/hybrid vehicles now driving the new car market in Nelson Tasman. Figures supplied by the Motor Trade Association and reported in the Nelson Mail (17 August 2026) show 67.5 percent of sales in July were of electric vehicles, hybrids, or plug-in hybrids. Lifestyle areas like this Project location are also likely to attract a reasonable proportion of people who work from home. The Applicant has also made significant investment in enabling non-car connectivity. The site is resilient to the likely current and future effects of climate

change: the development is located on elevated land clear of gully bases or stormwater flow paths. The civil design of the roading and building site locations will ensure that the risk of flooding is low. There is no risk of coastal inundation.

Objective 2 is that planning decisions improve housing affordability by supporting competitive land and development markets. The Economic Report demonstrates that Tasman is the least affordable region for housing in New Zealand, Tahimana dwellings will have an average sale price that is notably (21%) lower than the average rural lifestyle dwelling price, there is potential for modest dwellings on residential lots to be significantly more affordable again. There is estimated remaining capacity (pipeline developments) of 1.7 years in Tasman's rural lifestyle areas, and the Project represents a 95% increase in remaining capacity to approximately 3.4 years. This is a net increase rather than a redistribution of supply.

Objective 4 is that New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations. Policy 6 requires decision-makers making decision affecting urban environments to have regard to (a) the planned urban built form anticipated by RMA planning documents that have given effect to the NPSUD, (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area that may detract from amenity values for some people and are not an adverse effect.

The TRMP has not yet given effect to the NPSUD. However, the Rural 3 zone has been specifically identified in the TRMP as an area where a level of change is anticipated, to balance the need for housing with the need to protect the more highly productive land in Rural 1 and Rural 2 zones. The Project is consistent with outcomes anticipated in the Rural 3 zone.

Objective 6 is that local authority decisions on urban development that affect urban environments are (a) integrated with infrastructure planning and funding decisions; and (b) strategic over the medium term and long term; and (c) responsive, particularly in relation to proposals that would supply significant development capacity. Policy 10(b) directs Tier 1, 2 and 3 local authorities to engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning.

The Project integrates development with infrastructure planning and funding by internalising wastewater infrastructure, providing the reticulated component of the potable and fire-fighting water supply, and funding and delivering necessary transport infrastructure along with additional infrastructure for community benefit. "Additional infrastructure" includes public open space: the Project provides a local purpose reserve and significant nature-based walking opportunities throughout the development.

The Project is consistent with the NPSUD.

National Policy Statement for Natural Hazards 2025

The National Policy Statement for Natural Hazards 2025 (**NPSNH**) applies to natural hazards including flooding, land slips, active faults, liquefaction and coastal inundation. It applies to all activities managed under the RMA, except for infrastructure and primary production. The objective is that natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based proportionate approach. Risk assessed as very high must be avoided (Policy 3). Where subdivision, use or development, including any associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk (Policy 4 and Clause 3.3).

The Geotechnical Report (Attachment 6) has assessed the proposed development as having overall "Low" risk under the NPS Risk Matrix. This enables risk to be mitigated rather than avoided. The geotechnical hazard present at this site is potential slope instability. Land instability risks across the gently undulating land on Moutere Hills Gravel are minimal, and with the conservative earthworks design prepared, the risk of instability affecting the proposed development is low. The development is located on elevated land clear of gully bases or stormwater flow paths. The civil design of the roading and building site locations will ensure that the risk of flooding is low. There is no risk of coastal inundation. The proposal is consistent with the NPS-NH.

National Policy Statement for Infrastructure 2025

The purpose of the National Policy Statement for Infrastructure (**NPSI**) is to ensure the benefits of infrastructure are provided for, that infrastructure is enabled to support social, economic and cultural wellbeing and development and change of urban and rural environments, to ensure infrastructure is well functioning, resilient and compatible with other activities, and to ensure it is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure (Objective 2.1 and Policy 1).

Policies 6(1)(a), 7 and 9 are relevant to the Panel's assessment of applications for new infrastructure:

- Decision-makers must recognise and provide for Māori interests including by taking into account the outcome of engagement with tangata whenua on resource consent applications (Policy 6(1)(a)).
- Decision-makers must ensure that the mitigation measures and consent conditions are proportionate to the scale of adverse effects generated by the activity.

- The adverse effects of new infrastructure and major upgrades (where not affecting a s 6 environment or value) must be avoided, remedied or mitigated where practicable (Policy 9(3)).

The project's on-site infrastructure includes the communal and on-site wastewater treatment systems, reticulated potable water infrastructure, stormwater detention basins and roads/rights of way. All infrastructure will be provided by the developer. Managing wastewater within the site will reduce demand on public wastewater infrastructure. The comprehensive quality control and (for communal wastewater) governance provisions will ensure that any adverse effects of wastewater infrastructure are avoided now and in the future. Adverse effects of other on-site infrastructure are negligible.

The project will provide significant new and upgraded transport infrastructure, beyond the needs of the project itself. Sealing and upgrading Stagecoach Road is a key benefit The currently unsealed section will be upgraded to a six-metre-wide sealed carriageway with 500 mm gravel shoulders plus a separate 2.5-metre-wide off-road shared path extending to Chaytor Road. This will improve conditions not only for future residents but also for existing properties served by the unsealed section, and for walkers and cyclists. Upgrading the existing track on the unformed legal section of Dicker Road to Tasman Village (where Tasman School is located) also provides a significant benefit for walkers and cyclists from this subdivision and the wider community. Together these works deliver wider public benefits and improve the viability of further subdivision of Rural 3 land in the area.

The project is consistent with and supports achievement of the NPSI.

11.5 New Zealand Coastal Policy Statement

The site is outside the coastal environment. The design of the development and restoration of wetlands and waterways through revegetation protects and enhances the wetlands and waterways systems that feed into the coastal receiving environment, supporting the achievement of policies under the NZCPS that seek to enhance water quality discharging to the coastal environment.

12.0 Assessment of the activity's effects on the environment

12.1 Introduction

The following sets out an assessment of the project's effects on the environment commensurate with the nature and scale of this development proposal. This

assessment is undertaken within the context of the Rural 3 Zone, where the Policy framework (refer Section 5) enables Residential and Rural Residential Development.

12.2 Positive effects

There will be positive effects for housing supply for the district as the proposed subdivision will add 141 house sites to the housing supply. The housing proposed will cater to a range of demographics and price points, including first home buyers. While in some developments the proposal is simply offering sections to the market, the Applicant intends to provide house and land packages, as one of the owners of Tahimana Ltd is also an owner in Building Companies as set out in Attachment 2.0 of the Application, with the other owner of the Company owning a large civil construction company.

There will be positive effects for choice of housing, not just price point but choice of section size and housing typology, as described in Section 4.1 above and the Economics Report (Attachment 4). There will be 98 Residential Allotments, 3 Serviced Lifestyle Allotments, 38 Lifestyle Allotments and two Rural Conservation Allotments. There will be choice of housing typology, as the Land Use Consent will enable the option of providing for two Household Units within the one dwelling structure with one unit being a smaller subsidiary unit. This will provide the option for intergenerational living, with an elderly parent having the subsidiary unit or perhaps an adult son or daughter living in the unit while saving for their own home, or a live in carer in the separate unit.

Tasman has experienced a series of business closures over the last year, resulting in increased unemployment and many young, skilled workers leaving New Zealand for employment in Australia. A major housing development (Richmond West) is on schedule to conclude in 2026. Tahimana presents a critical opportunity for continuation of employment for tradespeople currently engaged in that development. Urban Economics predicts that construction of the proposal would directly contribute approximately $39.1 million to Construction sector GDP and support 240 Full-Time Equivalent (FTE) jobs (Attachment 4). In addition, construction would indirectly contribute $37.3 million to national GDP and support approximately 181 FTE jobs. Once constructed, it is estimated that the expenditure of future residents in the proposal would contribute approximately $3.7 million to GDP and support 30 FTE jobs annually.

As detailed in the Application the proposal to upgrade and seal Stagecoach Road, together with the provision for a dedicated walkway/cycleway through the Stagecoach Road corridor and site is a positive effect for the users of the Road and for property owners adjacent to the gravel section of Stagecoach Road as the dust nuisance will be removed.

The provision of a public reserve connected into the proposed public walkway through the site will be a positive effect for not only the future Tahimana community but also the

wider community. This provides excellent connections to wider public walkway/ cycleways and other reserves in the locality. Providing greater public access opens opportunities for the wider public to experience the coastal and rural views from the property across the District and Tasman Bay.

In addition to the connections into existing walkways and cycleways, the Applicant proposes to upgrade the informal Cycleway/walkway through the Dicker Road corridor to improve the connection through to Tasman Township where the Tasman School and Tasman shop is located. This will be a positive effect for not only the future residents of the Tahimana Development, but the wider community many of whom utilise the corridor currently for walking and cycling.

Provision of the reticulated potable water supply to all the Residential and serviced lifestyle allotments will be a positive effect as this will include fire hydrants in the roading network within the development which will give a firefighting supply to all section owners within the development. Having a firefighting supply removes the need for individual firefighting storage through the development, meaning a reduction of up to 282 water storage tanks over the site. The Council will supply the treated water through to the proposed new communal water storage tank and from there the developer will reticulate the supply. Once developed the communal water supply will transfer to the Infrastructure Association for ongoing maintenance and management.

The Applicants will fund and develop the communal wastewater system, which will transfer to the Infrastructure Association who will manage and maintain the system through levies to the residents.

The Applicants will fund and construct the stormwater system and put in place a management and maintenance regime that will transfer to the new Lot owners.

The proposals for infrastructure ensure there is no burden to the ratepayer to fund the infrastructure.

A major positive effect of the Project is the significant positive effects for biodiversity arising from the proposals for protection and restoration of the stream and wetland network which will positively impact ecological values, increasing the area and quality of habitat for terrestrial and aquatic organisms. This positive effect extends not only to the subject site, but to the downstream network of wetlands and waterways.

12.3 Archaeological effects

An Archaeological Assessment of the site has been undertaken by Amanda Young and this attached in Attachment 11. The Archaeological Assessment confirms there are no recorded Archaeological sites on the property and no evidence that the property had historic domestic buildings. The Archaeological Assessment Report notes the possibility of finding any physical in-situ archaeological evidence on the property is

reduced by the previous land use and modifications. The Archaeological Assessment states that there are no known historical, rarity, contextual, technological, or historic landscape values. The Archaeological Assessment does not address cultural values, as that is a matter for iwi to address.

While the risk of uncovering physical in-situ archaeological evidence during earthworks is considered low, the Archaeological Assessment recommends adoption of an Accidental Discovery Protocol (**ADP**). This is discussed further below in Section 12.4.

12.4 Effects on cultural values

Early consultation (2022-2024)

The Applicant contacted all Te Tauihu (top of the South) iwi to understand their interest in the site. In that initial consultation, Te Rūnanga o Ngāti Rārua, Ngāti Tama ki te Tauihu and Te Ātiawa o Te Waka-a-Māui expressed interest.

Ngāti Tama prepared a Cultural Impact Assessment (Attachment 10.1). Ngāti Rārua prepared a Cultural Values Statement (Attachment 10.2). Te Ātiawa requested information and attended a site visit and provided a contact for ongoing liaison.

Other Te Tauihu iwi responded as follows:

- A representative of Ngāti Apa ki te Rā Tō responded advising that the land does not fall within the statutory acknowledgements areas of Te Rūnanga o Ngāti Kuia (who they were authorised to represent for resource consent consultation) or Ngāti Apa, or near sites of significance to those iwi, but that they might wish to provide their accidental discovery procedure to incorporate into the Applicant's operational plans.
- Te Rūnanga o Ngāti Koata advised that it did not have the capacity to be involved in the kaupapa.
- Ngāti Toa Rangatira did not seek to engage.
- Te Rūnanga o Ngāti Waewae did not seek to engage.
- Rangitāne o Wairau did not seek to engage.

One iwi representative described Tahimana as holding "the gold star for iwi engagement."

Referral consultation

The Applicant contacted all Te Tauihu iwi again prior to making a referral application.

- The Applicant did not receive any additional feedback from Ngāti Rārua and Ngāti Tama at the referral application stage.

- Te Ātiawa provided an Accidental Discovery Protocol and advised that they would like earthworks in wetlands monitored, to be kept informed of progress, and that Te Ātiawa was satisfied that all elements of the project had been thoroughly investigated to ensure the best environmental outcomes and that due progress had been followed to express ngā iwi statements, assessments and input. Te Ātiawa requested that riparian planting and buffer zones to wetlands be considered where possible, along with opportunities for whānau to attend planting days and participate in environmental and wetland restoration. Green zones through the development to restore biodiversity and natural habitat were requested. Te Ātiawa also asked for the opportunity to participate in street naming within the development, and to engage in discussions with Tahimana Ltd regarding the first right to purchase some allotments.

- Rangitāne o Wairau responded confirming its position that it requires an Accidental Discovery Protocol "(ADP") to be incorporated into the project documentation and advising that while this particular proposal is not currently within a core area of focus for Rangitāne, they do hold enduring interests and whakapapa connections within the wider Tasman area, including sites and associations that predate other iwi. Rangitāne is happy to prepare and provide a cultural narrative for the area should the developer wish to install interpretation boards etc post development. Rangitāne upholds the principle of "nothing about us without us" and therefore expects to be engaged and appropriately resourced for any ongoing consultation and participation required through the Fast Track process. This includes future engagement phases, technical input, and cultural oversight as the project progresses. Rangitāne acknowledges the importance of preserving and balancing the landscape and amenity qualities of the rural zone. Rangitāne considers that maintaining the dark sky values and the broader amenity characteristics of the rural environment is essential, and supports efforts to ensure these values are not diminished through the development proposals.

- Ngāti Waewae responded that the development project area is outside of the takiwā/territory of Ngāti Waewae and consequently no further consultation is required with the rūnanga around this proposal.

- Ngāti Koata responded that in principle Ngāti Koata are comfortable with the application generally, and supportive particularly of the wetland enhancements, subject to the usual requirements regarding ADP.

- Ngāti Toa offered support in relation to any feedback that the applicant had already received from ngā iwi o Te Tauihu and acknowledged that there are other iwi with stronger interests in the project area. At the referral stage, Ngāti Toa did not have any comments to provide but said they would appreciate being kept informed as the application progressed.

- Ngāti Kuia did not provide substantive feedback at the referral stage but noted they might want to provide input at a later stage.
- Ngāti Apa asked for inclusion of an ADP and said it would provide further feedback once it had reviewed the information in more detail. Ngāti Apa provided its Accidental Discovery Protocol.

Post-referral

The Referral Decision included a direction that the panel must invite comments from Wakatū Incorporation (in addition to the persons and groups specified in s 53). Wakatū Inc is an asset-holding entity with approximately 4,000 owners descended from Ngāti Koata, Ngāti Rārua, Ngāti Tama and Te Ātiawa. The applicant contacted Wakatū Inc in May 2026 to ask if it would like to engage prior to the application being lodged. The project scheme plan and location were provided. Wakatū Inc advised that it did not have any comments at that stage.

All Te Tauihu were advised that the project had been referred to the Fast-track and were invited to engage during the substantive application phase:

- No additional feedback was received from Ngāti Koata, Ngāti Toa, Rangitāne, Ngāti Waewae.
- Ngāti Rārua requested the opportunity to review a draft of the substantive application.
- Ngāti Tama requested the opportunity to progress their cultural designs into the landscape.
- Ngāti Kuia requested a face-to-face meeting (which happened on 12 May 2026) and a site visit (which happened on 16 June 2026). In July 2026 Ngāti Kuia provided a formal response acknowledging the engagement to date and expressing a desire to remain actively involved throughout the life of the project, from pre-construction planning through to construction and long-term environmental management. The matters raised by Ngāti Kuia included cultural monitoring during earthworks, ongoing involvement in management of taonga species and ecological restoration initiatives, cultural induction requirements for contractors and personnel working on the site, opportunities for cultural interpretation and recognition of Ngāti Kuia history and values within the development using story boards, wetland protection and enhancement guided by the principles of Te Mana o te Wai and protection of mauri, a cultural health and mauri monitoring programme, operating alongside ecological monitoring, to assess environmental outcomes over time, regular engagement meetings at key project milestones and early notification of procurement, construction staging, and significant project

activities, and consideration of employment, apprenticeship, and contracting opportunities for Ngāti Kuia whānau where practicable.

As part of the Applicant's ongoing discussions with those iwi who requested further information or asked to be kept informed of the Project's progress, the Applicant provided a SharePoint folder containing all draft technical reports (in July 2026) and draft consent conditions (in August 2026).

Recognising that several iwi had provided ADPs which were consistent in core principles (e.g. cessation of works, iwi notification, archaeological assessment, and tikanga processes) but with some differences in how these would be applied, the Applicant contacted Ngāti Tama, Āwera (consultancy), Te Ātiawa and Ngāti Apa and asked those iwi how they would like to proceed. Ngāti Tama and Te Ātiawa responded, both saying they were happy for each other's ADP to be used. The Applicant then updated Ngāti Kuia, advising that the Ngāti Tama ADP would be adopted along with a requirement to notify Ngāti Kuia in the event of an accidental discovery.

A record of engagement is provided in Attachment 10.3.

How the Project responds to matters raised by iwi

In response to the recommendations of the CVA and CIA, the Applicant agreed to ongoing consultation with Ngāti Tama and Ngāti Rarua together with agreement to volunteer conditions responding to matters raised by those iwi. The Applicant also proposes conditions and ongoing engagement to address matters raised by other iwi including Ngāti Kuia.

The Project design has prioritised the protection and restoration of wetlands and streams, consistent with upholding Te Mana o Te Wai and the mauri of waterbodies. This will achieve Net Enduring Restorative Outcomes as sought by Ngā Kanohi Kārearea – the Ngāti Kuia Iwi Environmental Management Plan. The Envirolink Report in Appendix 3 and the Ecological Assessment Report in Attachment 8 detail the mitigation and ongoing monitoring required in respect of stormwater, sediment control, wastewater discharges, planting, fish passage and salvage, and wetland monitoring. These matters are secured through consent conditions and management plans including the DESCP, Wetland Monitoring Plan, Ecological Planting Plan and Fish Salvage Plan. Any effects on cultural values forming part of the environment will be minimised in the Project's development phase and on an ongoing basis through enduring provisions for management of infrastructure and protection of wetlands. This aligns with Te Ao Māori environmental objectives as reflected in the Ngāti Tama ki te Waipounamu Environmental Management Plan and Poipoia te Ao Tūroa - Ngāti Rārua Environmental Management Plan (as detailed within the CVS and CIA).

The Applicant has committed to consent conditions in the Subdivision and Land Disturbance Consent Conditions requiring:

- That Ngāti Rārua, Ngāti Kuia and Ngāti Tama are invited to provide a cultural induction prior to land disturbance commencing.
- Engagement of an iwi monitor approved by Ngāti Rārua, Ngāti Kuia and Ngāti Tama to monitor all earthworks within 10 m of a wetland or waterway.
- Compliance with an ADP - Taonga and ADP - Koiwi. These ADP are attached as Schedule A and B of the draft Land Disturbance Consent in Schedule 16. These ADP were provided by Ngāti Tama and are administered by Āwera (a consultancy engaged by Te Ātiawa and Ngāti Tama) and provide a clear process should any archaeological, cultural or heritage material be discovered during works. The condition also requires that Ngāti Kuia is notified of any accidental discovery. The Applicant understands that the ADPs also reflect the interests of Rangitāne. The Conditions also address the Archaeological recommendation for an ADP.

The Subdivision Consent conditions also require the Consent Holder to:

- Invite the views of those iwi on species selection for restoration planting, with the goal of ensuring taonga species are reintroduced where practicable.
- Invite suggestions from those iwi for road names that reflect tangata whenua connections with the site.
- Invite iwi to make suggestions as to signage including story board locations and content, to provide the opportunity to reflect cultural values of the location and enable cultural education.

On that basis the Applicant considers that the cultural values that have been detailed in the CIA and CVS in Attachment 10 are appropriately acknowledged and addressed. Where additional matters have been raised by iwi through engagement, and those matters are able to be addressed as part of the approvals sought (ie. they relate to consenting matters), the Applicant considers that the proposed conditions provide for potential adverse effects to be appropriately minimised and mitigated and for environmental values and their cultural associations to be enhanced.

Some matters raised by iwi fall outside the consenting process and relate to future relationship, property or employment opportunities. The Applicant is open to exploring those opportunities where practicable, with a view to strengthening relationships with mana whenua iwi.

12.5 Transportation, roading and shared path infrastructure

An outline of the proposed upgrades and the Standards for proposed new roads are set out in the Development Report in Attachment 3.1 and the Development Design Plans in Attachment 3.2. The Development Plans detail the proposed road upgrade for Stagecoach Road, together with the construction standards for the new roads.

The upgrade for Stagecoach Road involves sealing from the existing seal end through to the northern end of the Tahimana property. The upgrade will include the construction of a sealed formation, together with a 2.5m wide shared walk/cycle path.

The Development Report and Plans detail the proposed standards for the internal roads which will all be sealed roads effectively to a hybrid standard between the standards for Rural Lifestyle Roads and Residential Roads for the cul de sacs, B-G, being generally to the NTLDM standard for a Residential Road servicing less than 20 dwellings.

As described, a feature of the site's location, is the proximity of a range of cycle/walkway trails which are detailed on the Context Plans in Attachment 3.2, Sheets 6 & 7. Those Context Plans, illustrate the off-road cycle/walkway connections as well as the on-road cycle/walkway connections. The Application site is central to this network of on road and offroad cycle/walkway connections, Stagecoach Road already experiences significant cycle and pedestrian traffic through the site, connecting into Dicker Road and Williams Road. Sheet 8 of the Development Design Plans provide a good overview of the connections and note the upgrades proposed.

The Project will extend and upgrade the standard of the cycleway/walkway network. By extending the Westmere Drive/Stagecoach Road walkway/cycleway to the south of the property and connecting this into the property through proposed Lot 7, up through the site to the proposed reserve on Lot 142. From there the public accessway would exit onto Road A, through to proposed Road D, across proposed Lot 140 crossing the wetland and out through Lot 139 to Stagecoach Road. Connecting then into the informal walkway/cycleway route, that as outlined the Applicant is proposing to upgrade, through the Dicker Road corridor to Tasman Village.

The proposed development will positively contribute to alternative modes of transport, both for those living within the proposed development and for the wider community by upgrading the link into the subject property and opening up links within the subject property for public use, together with the upgrade to the north of the property through the Dicker Road corridor.

As a result of the proposed subdivision, there will be an increase in traffic movements to and from the subject property. The traffic generation arising from the proposed development is assessed in the Transportation Assessment in Attachment 12. It is acknowledged that traffic generation on Stagecoach Road will significantly increase. The impacts of this increase are assessed in the Transportation Assessment.

The Transportation Assessment confirms that the increase in traffic movements on the Stagecoach Road/State Highway 60 intersection will not be adverse, as the intersection is of a high standard designed to accommodate high flows and has the capacity to cater for the flows from the proposed development without any further work required. The first section of Stagecoach Road is sealed and formed to a standard that can

accommodate the increased flows from the development, the only upgrade to this section is the provision of a formally constructed shared pathway.

Beyond the sealed section of Stagecoach Road, it is clear that without an upgrade the proposed increase in traffic volumes would have adverse effects on the environment and on other users of the road. The Applicant proposes to upgrade Stagecoach Road from the end of the sealed section through to the northern end of the site. The upgrade will address adverse effects arising from the increase in traffic movements. The upgrade will significantly improve the level of service to the existing properties that use this section of Stagecoach Road, which as has been noted includes regular use of the road for cyclists and pedestrians. The positive effects of the road upgrade, in particular the sealing of the road, will not just be for users of the road, but for existing properties adjoining the unsealed section of the road as the dust nuisance will be removed.

The Transportation Assessment addresses transport mode change in relation to the focus of a range of Policy documents promoting transport choices being available which connect to existing networks. The proposed development has had a particular focus on ensuring a positive contribution to the walkway/cycleway network.

The Transportation Assessment addresses the issue of vehicle kilometres travelled, an issue that was raised as part of the early consultation with NZTA/Waka Kotahi (in relation to the RMA application), referencing development outside of urban areas and the impact of this in respect of vehicle kilometres travelled. The issue of vehicle kilometres travelled must be considered in the context of the Rural 3 Zone, which has been set aside to enable further rural residential and residential development within the Coastal Tasman Area. The Rural 3 Zone enables housing development for residential, and lifestyle use subject to the matters set out in Rule 16.3.7.3 addressed in Section 11.2 and the policy framework addressed in Section 12.2. The overall projection of growth for the Rural 3 Zone is 75% of the land area to be kept as open/unbuilt space and 25% for development. As such it is anticipated that the Rural 3 Zone rates of development will increase traffic movements.

The site is well placed for residents to use alternative/active transport modes to reach schools and settlements in Mapua and Tasman, as described in the Transportation Assessment. Beyond site selection, the focus for the Applicant has been to ensure that there is a positive contribution to the traffic environment, upgrading Stagecoach Road and enhancing connections into the existing walkway/cycleway network, so that alternative modes of travel are enabled and facilitated.

The potential reverse sensitivity issue from State Highway 60 in terms of potential exposure to noise from State Highway 60 traffic on the future residents is addressed in the Acoustic Assessment report in Attachment 14. The acoustic modelling details the

extent of noise exposure and sets out the Conditions required for insulation and ventilation to comply with the NZTA/Waka Kotahi Standard Consent Conditions.

In terms of exposure to noise, the location of dwellings within the development is separated from the State Highway by proposed Lot 144 and Stagecoach Road. In addition to the spatial separation, there is protection offered by contour and landscape plantings proposed. The 3D Contour Model produced in the Acoustic Assessment, identifies the likely exposure to different levels of noise depending on the noise contour. The Assessment notes that no building envelope construction upgrades are anticipated to be required, as internal noise criteria can be achieved. The Acoustic assessment includes recommended Conditions to satisfy ventilation requirements; these Conditions are included in the Draft Subdivision Consent conditions in Attachment 16.

Subject to the imposition of those conditions, the potential reverse sensitivity effect from the State Highway will be mitigated to an acceptable level.

The issue of emergency access has been considered in the event that there is a serious crash on the southern section of Stagecoach Road or there is a fire within the locality. The emergency access option is detailed in Section 8.9 above. As described in that section there is a non-public NZTA access which NZTA has agreed can be made available at the request of the relevant emergency response authority (either the Police or Nelson Tasman Civil Emergency Management Group) in the event of emergency.

Adverse transportation effects will accordingly be less than minor, and there will be significant positive connectivity enhancements.

12.6 Natural hazards

Geotechnical hazards are addressed in the Geotechnical Assessment Report in Attachment 6. This confirms that Moutere gravel formation ground conditions are inherently stable with local instability in wetter or steeper areas. As the subject development keeps clear of the base gullies and wetland areas, the Geotechnical Assessment confirms the proposed earthworks are clear of local instability.

The Geotechnical Assessment has identified the three old forestry platforms where there is uncertified fill present, this is noted and development earthworks in these areas will include detailed assessment and remediation, and if necessary, removal of soils. This will be done under the supervision of a Geotechnical Engineer. The Geotechnical Assessment has noted that ground conditions are not particularly prone to erosion, however all earthworks will be subject to erosion and sediment control measures, through implementation of the DESCP.

The Geotechnical Assessment confirms:

- the site is subject to very low liquefaction vulnerability.

- there is no flood hazard, nor are there any active faults in the vicinity of the site.
- subject to adopting the recommendations of the report, the risk to the development from natural hazards is low.

Downstream flood hazard has been assessed by Envirolink in Attachment 5, confirming that post-development peak storm flows, do not exceed to any measurable extent pre-development flows. Provision for stormwater detention, throughout the development, ensures that there will be no downstream flooding hazard.

The Geotechnical Report (Attachment 6) has assessed the proposed development as having overall "Low" risk under the NPS Risk Matrix.

Fire hazard is an ever-present hazard within the wider Tasman District, particularly during drought conditions experienced in some summers. The harvesting of pine trees from Lot 1, DP 450728, has reduced the fire hazard, through the removal of that source of fuel. The most important mitigation/remedial measures for a region that is exposed to fire hazards is the availability of a reliable water supply and controls on plantings used within landscaping, requiring predominantly species of lower flammability, which are native species. In the subject development, unlike most Rural 3 developments, there will be fire hydrants within the road network, accessible for all allotments for firefighting purposes. In respect of planting, it is proposed to undertake extensive restoration planting for the wetlands and water course/gully areas. This restoration planting will be undertaken with native plants. These mitigation measures ensure the fire hazard risk on the site will be less than minor.

Land contamination has been assessed by Envirolink (see Attachment 15) through a Preliminary Site Investigation (PSI), which did not identify any hazardous activities that have, or are likely to have been undertaken, as listed on the HAIL. The PSI undertaken by Envirolink, concluded that it is highly unlikely that the proposed subdivision and associated activities, change of land use and land disturbance, would pose a risk to human health and the NESCS does not apply. The Envirolink assessment confirms that the risk that contaminated material is buried within the land is low and can be managed by implementing an accidental discovery plan during construction. The Envirolink Report in Attachment 15 includes an Accidental Discovery Plan in Appendix F to their Report. Subject to the imposition of a condition requiring the Accidental Discovery Plan for contaminated land, the effects on the environment and on human health from potentially contaminated soils is less than minor.

12.7 Productive land

The subject land is not land of high productive value, as is confirmed by the LandVision Assessment report in Attachment 13. The productive land values are generally limited to grazing and forestry, because of the slope of the land, soils and lack of water for

irrigation purposes, which places major limitations on potential productivity for more intensive activities such as horticulture.

The land to the east of Stagecoach Road is currently utilised for sheep grazing. The development of the proposed subdivision will largely remove the opportunity from the majority of the property for grazing because of the size of the proposed allotments. The larger allotments, including Lots 140 and 141, together with some of the larger lifestyle allotments, are of sufficient size for grazing to continue, but given the presence of the mapped wetlands, maintaining stock onsite would adversely impact the wetland values.

Recognising the policy framework for the Rural 3 Zone, the effects that are to be avoided, remedied or mitigated, in terms of productive values, are the effects on land of high productive value. The subject land is not land of high productive value and therefore there are no effects arising from the subject development on land of high productive value. There will be some loss of grazing value on the property, but in the context of the Rural 3 Zone, that is not an effect that the Rural 3 Zone seeks to avoid.

Consideration of productive values is not confined to the effects on productive values of the subject land but extends to adjoining land and the potential reverse sensitivity effects development on productive land adjoining. The land uses surrounding the property, have been noted. To the east of the development is a large wetland, care has been taken in the design of Development, the management and monitoring proposals, to address potential impacts of the wetland along the eastern boundary. On the land to the east, there are no productive land activities along this boundary.

To the north, the Beulah Ridge Development is a combination of residential development and a productive olive grove. The design of the subdivision has deliberately located the residential clusters of development away from the northern boundary. The adjoining allotments along the northern boundary with the olive grove include the Rural Conservation Allotment (Lot 140). There will be no adverse impacts on the olive grove from the activities on Lot 140.

There are 4 lifestyle allotments being Lots 79, 80, 81 and 83 adjoining Beulah Ridge. These are all large lifestyle allotments, larger than the lifestyle allotments within Beulah Ridge. The BLA's on proposed Lots 79 and 83 are setback approximately 50m from the boundary, and there is little potential for reverse sensitivity effects arising from development on those allotments. The BLA's on proposed Lots 80 and 81 are closer to the northern boundary, but with setbacks of approximately 20m, when the Rural 3 Zone setback Rule requires 5m.

There is an existing shelterbelt along the majority of the northern boundary with Beulah Ridge. There is also a proposed public walkway easement, easement L-O , to be established along the boundary shared with Beulah Ridge , this walkway will be set

within a 5 m wide mitigation landscaped buffer recommended by RMM Landscape Architects. This landscaping will be undertaken by the developer and required through Consent Notice conditions to be maintained by the lot owners. This 5 m wide landscaped area will provide for a further buffer for the olive grove on Beulah Ridge.

There is little potential for reverse sensitivity effects with the forestry woodlot along the northern boundary, or in the wider environment. The allotment adjoining the forestry activity is Lot 139, which is set aside as a reserve wastewater disposal allotment. There is no building site on this allotment, the closest BLA is approximately 120m from this forestry activity. As such there is little potential for adverse effects.

The potential effects on land productivity from the proposed development are less than minor.

12.8 Hydrogeology

The Applicant engaged PDP to assess the hydrological impacts of the proposed development. Their assessment report is contained in Attachment 7. Section 9 of this AEE and the PDP report detail the monitoring measures, including the monitoring bore and standpipes set up to collect groundwater data for the site and details the mass water balance model developed by PDP. The PDP modelling indicates that there will be a decrease in the groundwater component for both the western and eastern catchments due to the creation of additional impervious surfaces and a subsequent increase in surface flows from stormwater. This will be greater within the western catchment as this is where the residential clusters of development are located. To address these decreases in the western catchment, 10 soak pits were introduced into the design to ensure as much discharge of stormwater generated on impervious surfaces within the residential parts of the western catchment development as possible. The soak pits will allow the direct discharge of stormwater to ground to encourage groundwater recharge /interflow to wetlands located downgradient.

The PDP mass water balance modelling indicates that for the western catchment there will be a small increase in groundwater recharge as a result of the inclusion of the soak pits in the design, and an increase in the surface water flows. The eastern catchment will have a small decrease in groundwater recharge but an increase in surface flows. The modelling indicates that there will be an overall increase in the volume of water through both the western and eastern catchment systems which is expected to have a positive outcome for the wetlands on the site. The PDP assessment also notes that the increase in through flows predicted for the eastern catchment, is expected to result in a positive outcome for the large wetland on the eastern boundary of the site.

The PDP Report also notes that while it is not expected, it is recommended that provision for encountering groundwater during excavations should be made. This scenario is not uncommon for construction projects. When groundwater is

encountered, provision is made for sub soil drains to deal with groundwater, this is a normal part of construction practice, that would be discussed as a matter of course between the Contractor and Supervising Engineer.

Based on the PDP Hydrogeology Investigation and Assessment, the effects arising in respect of hydrology and the volume of water through the eastern and western catchment systems will be positive. In addition, PDP conclude that the increase in throughflow predicted for the Eastern Catchment is expected to be positive for the adjoining restored wetland on the southeastern boundary.

12.9 Wetlands, waterways and indigenous biodiversity

The Ecological Effects Assessment Report undertaken by RMA Ecology Ltd (Attachment 8) provides a detailed assessment of the wetland and waterway values confirming that they are in poor condition but nevertheless provide some habitat for a limited number of native species. The Ecology Report assesses the actual and potential adverse effects on the values of the wetlands and waterways and identifies a range of measures, including avoiding development within wetlands and within 10m of wetlands, with the exception of the three boardwalk crossings.

The provision of public access will result in boardwalks over Stream R5 wetland W70 at its narrowest point, Stream R1 and wetland W4, and Stream 2.1 in the eastern catchment. The boardwalk crossing locations are identified on Sheet 2 in Attachment 3.2. The typical detail is shown on Sheet 28 in Attachment 3.2, reproduced below as Figure 12.

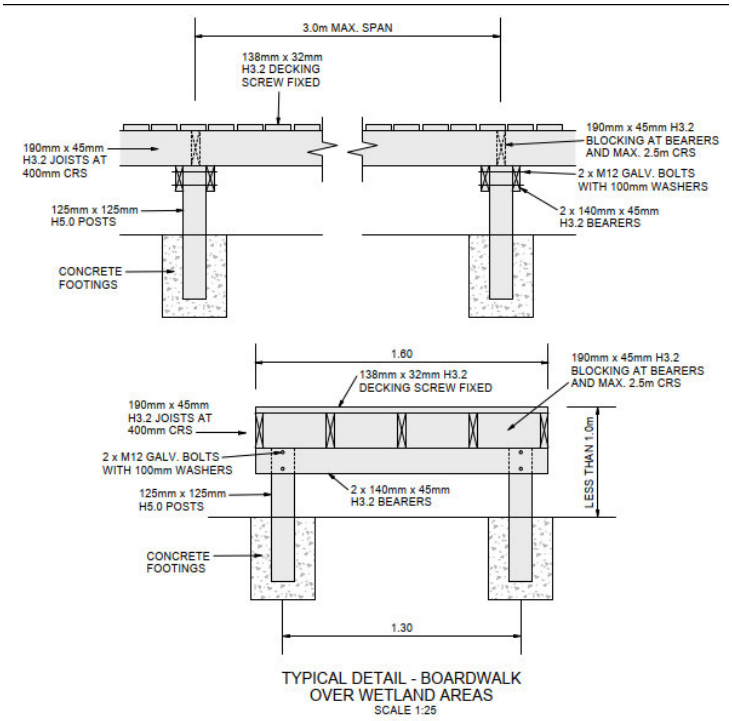

Figure 12: Typical detail of Boardwalk crossing over Wetland /Streams

The crossings will have negligible impact given there are no piles to be constructed within the wetland or within stream beds, and erosion and sediment controls will be in place as part of the management of earthworks. Earthworks for the piles within these sensitive waterway areas, will be carefully managed and monitored under the supervision of the Project Ecologist together with a requirement for an iwi monitor. The draft Conditions in Attachment 16 detail these requirements.

Prior to any earthworks proceeding on site, including in proximity of the wetland and streams , the Draft Land Disturbance Consent Conditions in Attachment 16 require the preparation and implementation of a CEMP including a DESCP. With these management plans in place, together with the supervision and monitoring requirements, the level of effects from earthworks on the wetlands will be negligible.

The RMA Ecological Assessment (see Attachment 8) on the effects of the increase of impervious surfaces and discharge of stormwater, concludes that the effects on wetlands and streams will be negligible, noting the proposals for stormwater to be collected from roofs and directed to gully heads to ensure that there is an increase in surface waterflows to wetlands, which will be a positive effect.

The RMA Ecology assessment considers the impact on fish and fish passage. The recommendations note that if fish are found to be present, to minimise impact on fish there would need to be fish salvage operation prior to earthworks. A draft Native Freshwater Fish Capture and Relocation Plan has been prepared (see attachment 8.1) and is required by the draft Consent conditions in Attachment 16, to be prepared and implemented. The existing farm ponds provide potential habitat for native fish; the ponds are likely to be removed because they will be affected by the construction of the stormwater detention dams. The implementation of the required Native Freshwater Fish Capture and Relocation Plan will ensure the impact on native fish is minimised.

The Ecological Assessment Report identifies requirements in respect of fish passage for Dam E5d and Dam W4. The Ecological Assessment report notes the culvert design for fish passage will need to meet the permitted activity criteria for culverts under Regulation 70 of the NES-F and provides examples of suitable culvert design. The draft conditions in Attachment 16 require relevant NESF criteria under Regulation 70 to be met. The Ecological assessment confirms that provided the design requirements outlined for fish passage are met, the effect on fish passage will be very low.

The Ecology Report identifies that the proposed restoration planting and protection of the wetlands represent a significant enhancement to the ecological values onsite.

The Ecology Report notes that the existing native vegetation is quite limited over the site and generally lies outside the extent of proposed earthworks. There is one small area of native vegetation identified, which will be removed for the construction of Dam E5d and the associated detention basin. The Ecological Assessment confirms that this small

area of vegetation comprises common native shrubs, there are no plants within this small area that are classified as at risk or threatened. The land area involved is only 495m2 out of an application site area in excess of 70ha. The effect of the removal of this small area is very low. This small area of native vegetation removal is more than compensated for through the extensive proposed wetland restoration and stream planting to be undertaken over the site. The extensive restoration planting will create habitat, generate shade and lower water temperatures, as well as providing an additional degree of protection in respect of erosion during storm events.

The Ecology Report identifies that the proposed restoration planting and protection of the wetlands represents a significant enhancement to the ecological values onsite.

The overall conclusion of the Ecology Report on the wetland values, waterway values and terrestrial ecology values is that adverse effects will be nil to negligible and the proposed restoration planting results in a net gain for biodiversity.

The key recommendations within the Ecological Assessment Report are as follows:

- Development and implementation of DESCP in accordance with the Council's guidelines. This recommendation is included as a draft Land Disturbance Consent condition in Attachment 16.
- Provision of a Native Freshwater Fish Capture and Relocation Plan. This has been provided in draft form in Attachment 8.1 and is included as a requirement in the draft conditions in Attachment 16.
- Provision of fish passage in the detailed design for detention structures for Dams E5d and W4. This recommendation is accepted and included in the draft Consent Conditions in Attachment 16.
- An Ecological Planting Plan is to be developed to guide planting and restoration of the wetlands. This plan will be based on the Landscape Architects' Vegetation Strategy and planting list. A Draft Ecological Planting Plan has been developed and is contained in Attachment 8.3. This plan is required by the draft Subdivision Consent conditions to be produced and implemented by the developer, with requirements for maintenance by the developer for 5 years, after which the responsibility for plant maintenance transfers to the Lot owner.
- Provision of a wetland monitoring plan to monitor that the restoration planting achieves 80% of canopy cover and provides assurance that no effects on the wetlands from earthworks and stormwater discharges occur. A draft Wetland Monitoring Plan is included in Attachment 8.2 and is a requirement of the Draft Consent conditions in Attachment 16.

- Provision of a Stormwater Detention Maintenance and Management Plan to ensure the ongoing correct functioning of the detention basins. This has been prepared in draft form by Envirolink and is an appendix to Attachment 5. It is also a requirement under the draft Consent Conditions in Attachment 16.

Based on the Ecology assessment of effects in Attachment 8, together with the implementation of the recommendations noted above, the adverse impacts on ecological values, including wetland and waterway values, and on habitat values for native species, will be negligible.

There will be a significant positive effect for the ecological values of the site arising from the significant increase in the area, and quality of, habitat for terrestrial and aquatic organisms from the restoration planting. The proposed development represents a net gain for biodiversity.

12.10 Effects Arising from Stormwater Management

The proposed stormwater management system is detailed in the Development Report and Development Design Plans in Attachments 3.1 and 3.2. The Plans detail the existing catchments predevelopment and post development. The Envirolink Assessment Report in Attachment 5 assesses the effects of stormwater and sets out a range of mitigation measures to manage stormwater to ensure that effects are less than minor.

The proposal for managing stormwater flows to pre-development levels is through a number of smaller dams/detention basins within both the western and eastern catchment as described, to ensure there are no adverse effects on wetlands, both the internal site wetlands and the external wetland along the eastern boundary, as well as ensuring that post development runoff from the Tahimana site does not contribute to downstream flooding.

The Project design has evolved to avoid and minimise effects from stormwater management:

- A range of alternative designs for stormwater management for the western catchment were considered, which involved one large onsite detention dam and basin along the northern boundary. Following the engagement of RMA Ecology to survey and map the wetlands onsite, and advise on the implications of works being undertaken in proximity of, or within, the wetlands, it was concluded that one larger detention structure, in proximity of the northern boundary was not feasible as it would have involved at least partial drainage of wetlands.
- In an earlier iteration of the stormwater design there were three detention dams/basins proposed to be located instream, however for the reasons detailed in section 9.5 of the Application these were removed. For the eastern catchment

that resulted in a change in approach from 6 larger detention basins to 16 small basins, all located outside of streams and wetlands.

The Envirolink Report and Development Report detail the stormwater treatment proposals, which include a mix of grass treatment swales, proprietary pollutant traps and plantings within the detention basins together with the restoration planting adjoining waterways and the wetlands. Together these measures address stormwater quality.

The Envirolink Report notes the requirements for stormwater infrastructure maintenance, where once the development is complete and the subdivision maintenance period has passed, there will be a requirement for a Stormwater operations and maintenance plan to be in place, imposed by way of Consent Notice on the relevant allotments containing the Stormwater basins. The plan will detail the requirements for inspections to be undertaken by landowners and maintenance works including removing loose vegetation, remediating minor defects such as minor scour and exposed geotextile and ensuring planting Is maintained. Attached as Appendix H to the Envirolink report in Attachment 5, is a draft Stormwater Basin Operation and Maintenance Manual. The draft Consent conditions in Attachment 16 require the preparation and implementation of this plan.

The Envirolink report sets out the rainfall events that detention has been designed to cater for, including the design events set out in the NTLDM. The assessment confirms detention will effectively mitigate peak flows during storm events. While there may be a slight elevation in water levels downstream once the storm has passed, the capacity of the channels downstream are adequate, ensuring effects will be insignificant.

As is outlined in the Envirolink Report and the Ecological Report (Attachment 8) the design for stormwater has provided for clean stormwater from roofs of dwellings in identified residential clusters to be collected and discharged to the heads of gullies ensuring appropriate surface flows continue through the wetlands. Water from roads and driveways, will be directed to the detention basins. The alternative of directing all stormwater into the stormwater detention basins, would have reduced consistent flow to wetlands, and therefore had a potential detrimental effect on, gully head wetlands.

The conclusion of the Envirolink Stormwater Assessment, the relevant sections of the Ecological Assessment and the Hydrogeological Assessment, is that the adverse effects from stormwater flows in the downstream network and on wetlands will be less than minor, subject to implementation of an appropriate DESCP, stormwater treatment methods being adopted as outlined, together with the restoration planting plans. These matters are required by the draft Consent conditions, in particular the Subdivision, Land Disturbance and Discharge of Stormwater Consents in Attachment 16.

As has been noted, the design of the detention structures will require fish passage to be accommodated in the design and construction of the outlet structures for Dam E5d and Dam W4. The detailed design of the structures will involve the project Ecologist who will supervise the construction and installation of fish passage. This is required in the Draft Conditions in Attachment 16.

Subject to the imposition of the recommendations outlined, the effects on the environment arising from stormwater management will be less than minor.

12.11 Effects from land disturbance and earthworks

The Development Report and Plans outline the extent of earthworks (Attachments 3.1 and 3.2). There will be no earthworks within the wetland or watercourse areas, nor within 10m of those areas, except for the three crossings discussed previously.

Through the earthwork's phases of the development, there is potential for adverse effects arising from generation of sediment and dust. These potential adverse effects will be managed and mitigated through a requirement for a CEMP that must include a DESCP prior to construction proceeding, ensuring that sediment is controlled through appropriate measures such as settling ponds and barriers, and that dust is minimised during any construction period, and staging earthworks over the site.

During earthworks construction within the Development Site and with the Transportation Upgrade Areas along Stagecoach Road and Dicker Road corridors, there is potential for noise generation. The Acoustic Assessment assesses construction noise and vibration (in (Attachment 14). It considers potentially affected receivers and sets out recommendations regarding:

- hours of operation
- notice of construction to potentially affected receivers
- requirements for the NZS6803:1999 Acoustics -Construction Noise to be met with the exception of specified properties where it is predicted that noise standards maybe exceeded for limited periods of the construction phase
- vibration monitoring
- preparation of a Noise and Vibration Management Plan

Earthworks and construction activity for the Stagecoach Road upgrade will be proximate to a number of dwellings along that corridor, and residents will experience noise and vibration. For some properties, as identified in the Acoustic Assessment report in Attachment 14, the standards specified in NZS6803:1999 Acoustics - Construction Noise, may be breached for temporary periods. The predictions as noted in the Acoustic Assessment are a worst-case scenario, and will only occur for limited

durations. All of the recommendations of the Acoustic Assessment for Construction Noise and Vibration in Attachment 14 have been incorporated into the draft Consent Conditions in Attachment 16. Noise effects will be acceptably minimised and mitigated, given the nature and limited duration of construction works.

Within the Development Site, earthworks will be undertaken for proposed new roads, the building platforms, stormwater basins and the communal wastewater disposal areas. Earthworks areas are well set back from neighbouring properties, providing spatial buffers between active earthworks areas on site and proximity of adjoining dwellings.

A Geotechnical investigation has been undertaken by Swanney Geotechnical and Civil Engineering (Attachment 6). Their Report has confirmed that the Moutere gravel soils provide a competent stable base on which to carry out earthworks. They have set out the requirements for compliance with relevant NZ Standards for structural fills and recommendations for the design of cut associated with road and building platform construction, with maximum batter heights. The Geotechnical assessment report notes historic forestry cut fill platforms identified on the site, which include uncertified fill. These will be required to be removed and replaced with certified fill.

The Geotechnical recommendations require that earthworks areas are stabilised via top soiling, grassing or running coat gravel as works progress. The development needs to be undertaken in stages, with requirements for worked areas to be stabilised and grassed down together with the provision of running gravel areas which will minimise adverse effects from earthworked areas. The Plan set in Attachment 3.2 includes a phasing plan for bulk earthworks (Sheet 30) and a phasing plan for landscape and restoration planting (Sheet 5). Phasing the earthworks and planting as shown on these sheets will ensure the geotechnical recommendations for stabilising and revegetation are met. All geotechnical recommendations have been included in the draft Consent Conditions in Attachment 16.

While it is accepted that the earthwork phases of the development have potential to generate temporary adverse effects on the environment, these will be minimised through the adoption and implementation of the DESCP, together with the adoption of the measures outlined in the geotechnical report. The spatial separation from dwellings external to the site is sufficient to ensure that adverse effects of earthworks activity and noise will not be significant and will be temporary in nature.

The landscaping/visual impacts of earthworks are assessed under landscape effects.

12.12 Wastewater

The proposals for wastewater management are outlined in the Envirolink Report in Attachment 5 and the Design Plans and Development Report (Attachments 3.1 and 3.2).

On-site wastewater disposal

The Lifestyle Allotments and Rural Conservation Allotments will manage wastewater onsite. The Envirolink Report has specified that secondary treatment systems should be utilised for onsite wastewater. This will meet, and in some cases exceed, the effluent quality standards specified within the TRMP. The recommendations are for land application disposal rates of 2mm per day, a 20m setback from water bodies and wetlands, a 10m setback from dry gullies, a minimum of 5m from property boundaries which are down slope of a disposal field, a 2m setback from boundaries which are up slope of disposal fields, and disposal fields being a minimum of 4m apart.

Envirolink notes that the 2m setback from boundaries from up slope disposal fields, and the 4m setback from adjacent disposal fields, do not comply with the TRMP rules. However, the effects of the non-compliance are assessed as low in terms of cross-boundary effects, as a result of secondary treatment of effluent. Setback non-compliance up-slope of disposal fields is unlikely to have any effect. Envirolink has assessed the available area for disposal fields, together with reserve disposal fields. These have been mapped and included within the Plans in Attachment 3.2 (Sheet 61). Table 5.2 of the Envirolink Report summarises the disposal area available, site slope involved and the reserve area available. All of the allotments have sufficient area for a reserve field. There are 12 lots that do not have a 100% reserve field however of these, two have 97% reserve area, with the minimum reserve area on any of the allotments being 64%. Based on that assessment, combined with the requirements for secondary treatment systems, with dripline application at a very low rate, the potential for adverse effects is low, subject to the imposition of the recommended conditions set out in the Envirolink Report. Those recommendations are included in the draft Discharge Consent conditions for on-site wastewater disposal in Attachment 16.

Additionally, standard Discharge Consent conditions for maintenance and monitoring are proposed, requiring samples of treated wastewater to be collected 6, 12 and 24 months following the commissioning of the onsite wastewater system testing to ensure TRMP Standards are met. The draft Condition require each Consent Holder to enter into and maintain a written maintenance and monitoring contract with an experienced wastewater treatment system operator, who will be required to inspect and service the system once a year, with a copy of the service provider's maintenance report provided to Council.

Effects on the environment of on-site wastewater disposal in accordance with those consent conditions will be less than minor.

Communal wastewater disposal

The communal wastewater system to cater for wastewater from the 98 Residential Allotments and three Serviced Lifestyle Allotments is outlined in Section 8.8 above, and

is further described in the Envirolink report in Attachment 5 and the Development Report and Plans in Attachments 3.1 and 3.2.

Envirolink has assessed the requirements for the communal wastewater system. Effluent will be conveyed through a reticulated wastewater pipe system, through to a communal wastewater treatment system to be located on Lot 144. Each of the 101 allotments identified as part of the communal wastewater system will be required to have an onsite '*Prelos'* system, which is a combined onsite tank/pump station. The system involves a fully sealed tank unit where the solids settle. Fluids are pumped into the reticulated pipe network and conveyed to the communal wastewater system. The advantage of a *Prelos* system is that it has a dual role, being both a septic tank offering primary treatment at source, and a pump station. This means that effluent storage at the treatment plant can be reduced. A further advantage of the system and a means of managing potential adverse effects is that, should inappropriate waste be disposed of down the system (such as flushing wet wipes, which can cause blockages in the system) any adverse effects are experienced at the origin of the discharge, as an impact on the onsite pump station. This makes it an issue for the individual allotment owner to address, rather than causing wider issues to the communal network. Individual lot owners would be subject to obligations to provide access for monitoring and maintenance and to repair or replace wastewater treatment system components within their property, with the Infrastructure Association (discussed below) able to undertake those works if the owner fails to do so.

The Envirolink Report details the quality standards to be met, which have been included in the draft Discharge Consent conditions for the communal wastewater system in Attachment 16. The assessment sets out the design basis and parameters for the treatment plant to be achieved. The recommendation includes a detailed engineering design of the proposed system forming part of the Engineering Plan approval process.

The communal system is to have provision for odour treatment, and there is to be a detailed operation and maintenance plan provided with maintenance by an authorised contractor to be undertaken at specified intervals. As with any wastewater system, samples must be taken and analysed to ensure that standards are continually met.

The assessment of the communal wastewater system, in particular requirements for the system design and management and maintenance of the system, has benefitted from advice from Innoflow who manufacture, install and maintain these systems. Innoflow has produced a specification report, which is attached to the Envirolink report as Appendix I. Innoflow has also provided advice on asset management and funding.

Sheet 61 of the Plan set in Attachment 3.2 identifies the primary disposal field area, together with a reserve field area of a minimum of 50% for the communal wastewater system. Envirolink advises that a reserve field of this scale is adequate because the

probability of failure rendering the entire field unsuitable for future effluent disposal is extremely low, given:

- the low application rates using the drip irrigation system to the disposal field
- the communal disposal area will be divided into multiple disposal zones, each approximately 10-20% of the total field area.

This approach allows field areas to be rested or isolated from the system if ever required for maintenance rather than the entire primary disposal field becoming unavailable. The field area can be remediated by isolating the failed area of field and providing a relatively small extension into the reserve field.

Based on the Envirolink Assessment of both onsite wastewater and the communal wastewater system, it is considered that actual and potential effects on the environment are less than minor, subject to the imposition of the conditions recommended within the Envirolink Report.

In respect of ongoing management of the communal wastewater system, once the system has been constructed and is operational, it will be transferred to the Infrastructure Association. Appendix G of the Envirolink Assessment report in Attachment 5 is a legal framework for the Infrastructure Association which will manage the communal wastewater system (and also the reticulated water system). The framework document sets out the responsibilities of the Infrastructure Association in terms of operation and maintenance of the system in accordance with the Operations and Maintenance Plan, funding capital repairs and replacement in accordance with an Asset Management Plan, and ensuring compliance with all resource consent conditions. Aspects of that legal framework that are relevant to consenting have been incorporated into the draft Communal Wastewater Discharge Consent conditions (Attachment 16). Membership of the Infrastructure Association will be a Consent Notice requirement recorded on the Title for all relevant allotments, as provided for in the draft Subdivision Consent conditions.

With the provision of the Infrastructure Association, and the documentation for that Association being prepared in accordance with the legal framework as required by the draft Communal Wastewater Discharge Consent conditions, the effects on the environment arising from the ongoing operation, management and maintenance of the communal wastewater system will be less than minor.

12.13 Water supply

A description of the proposed water supply, together with the conceptual design for the reticulated water supply system, is set out in the Development Report and Development Plan set in Attachments 3.1 and 3.2 (Sheets 44-48). The Envirolink Assessment in Attachment 5 has undertaken an analysis of data from Council to

confirm the flows that can be obtained from the existing Council water supply. Council has agreed to provide this bulk supply (Appendix D of Attachment 5).

As outlined in Section 8.7 the proposal is to reticulate a communal water supply to the 98 Residential allotments, the three Serviced Lifestyle Allotments and to allocate a unit to the communal wastewater plant. Water for the communal supply will come from the existing Council tanks in Stagecoach Road through to the proposed community storage tank on Lot 146 on the Development Site. The water supply from the tank on Lot 146 to dwellings will be a private community supply.

The reticulated water supply is to be restricted to the 101 Residential and Serviced Lifestyle Allotments. One cubic meter per day will be supplied to each of these allotments, with one additional water connection to be provided to the wastewater plant. Each Residential Allotment is required to have a 3000-litre storage tank on-site.

The community supply tank will provide 300m^3 of storage on proposed Lot 146. An important part of the water supply system is the provision of a firefighting supply, as detailed in the Envirolink Report and Development Report. The water reticulation network will provide for fire hydrants located throughout the development in accordance with the relevant NZ Fire Service Fire Fighting Water Supplies Code of Practice. The conceptual design of the system has been consulted on with the NZ Fire Service, who have confirmed the conceptual design is acceptable.

In light of the newly introduced requirements of the Water Services (Drinking Water Quality Assurance) Rules 2026, the Applicants sought advice on the water supply standards to be met from Matt Molloy Consultants Ltd. Matt Molloy has over 30 years' public health experience and has specialised in drinking water compliance for the last 15 years. His advice on requirements to comply with the water supply rules is in Appendix J to the Envirolink Report (Attachment 5). The Project can comply with those rules, and conditions requiring compliance have been included in the draft Subdivision Conditions in Attachment 16. Compliance is the responsibility of the Infrastructure Association (once established), as provided for in the draft Subdivision Conditions.

The Lifestyle and Rural Conservation allotments will provide for their own on-site potable water supply needs. This will be achieved through rainwater storage, in accordance with TRMP rules.

A significant benefit of the reticulated water system is that it will include a firefighting supply to all allotments within the development, not just the residential allotments. This is a significant positive effect of the development, as without the reticulated supply in place the lifestyle allotments would need to provide for their own firefighting supply on site, which (depending on whether or not they provide for a sprinkler system within their houses) could result in up to 46,000l of dedicated firefighting water supply storage per allotment . This represents a significant investment in infrastructure, together with a

visual impact on the environment, from another two water storage tanks per lifestyle allotment. A further positive benefit of having a reticulated water supply is the provision of a connection to the wastewater treatment plant, providing security of supply to the treatment plant.

The proposals for water supply will have less than minor effect on the environment. As noted there will be positive effects for the area through providing a firefighting water supply, as noted in the assessment of hazards in section 12.6.

12.14 Landscape and Visual

The Landscape Assessment Report is in Attachment 9 and the associated the Landscape Design Document, including a Site and Visibility Analysis Landscape Master Plan, Vegetation Strategy and Village Green Concept design is in Attachment 9.1.

The Landscape Assessment sets out a range of avoidance and mitigation recommendations including identification of BLAs, identification of allotments where building height restrictions will apply, recessive colour requirements, lighting requirements, fencing requirements, and landscape planting requirements (both structural planting in key areas together with the proposed revegetation and restoration planting to be undertaken within the wetland and watercourse areas). Post-subdivision development, planting is secured by Consent Notice requirements relating to individual Landscape Plans to be prepared and implemented by allotment owners within 18 months of completion of dwellings. The recommendations set out in the Landscape Assessment have been incorporated into the draft Subdivision and Land Use Consent Conditions in Attachment 16.

The Landscape Assessment identifies 12 viewpoints, describing the view and the distance from the site that the view is taken from, and assesses the visibility from those viewpoints (based on modelling) and associated effects on visual amenity. Effects on visual amenity are assessed as ranging from very low to low-moderate. For those viewpoints where the visual amenity is identified as low-moderate, effects will lessen as mitigation planting establishes. The assessment notes the need to consider the positive effect of the revegetation planting that will occur within the gully and wetland areas that will be seen from a number of vantage points, providing future visual interest.

The Landscape Assessment identifies potential landscape effects based on physical values, perceptual values, associative values and cumulative effects.

- The Assessment acknowledges that earthworks will detract to some extent from the naturalness of landform and the addition of built form, including buildings and infrastructure, will also impact on the naturalness of the site. Earthworks and built form on or near the ridgeline are likely to result in adverse effects on the physical values of the site to a moderate degree. At the same time though,

the physical effects on the gullies and wetlands, which are to be protected from development and enhanced through revegetation planting, will contribute to improved biodiversity. This will result in positive effects to physical values of the site to a high degree.

- In terms of effects on perceptual values, the Landscape Assessment notes this includes effects on scenic and aesthetic qualities, site openness and complexity of the topography and simplicity of pastoral land cover. The Assessment draws attention to the need to consider the historic uses of the site and the impacts that had in terms of exotic forestry, which reduced the appreciation of landform and a sense of open space. The proposal changes the simplicity of the current pastoral land cover, but land uses on this property, and within the locality, represent a continuing transition of change from the original native bush and wetlands, through to farming and forestry interchanging on the land, with consequential effects to the natural landform, wetlands and waterways. Transitioning to provide for the proposed subdivision represents change, but a change is not necessarily an adverse effect. Here it is a change anticipated through the Rural 3 Zone framework which seeks to enable a level of residential and lifestyle development, with the level of development anticipated with the Rural 3 Zone being 75% unbuilt space to 25% built space. The Landscape Assessment considers the effects on perceptual values to be low to moderate but again notes the highly positive effects on perceptual values of the protection and revegetation of the gully and wetland network, significantly enhancing the perceptual values of those elements within the site.
- In respect of Associative values, the Landscape Assessment refers to the Cultural Values Statement and the CIA contained in Attachment 10. Reference to those Cultural assessments notes the support for a number of elements of the development proposal, in particular the restoration of wetlands, which contributes to enhancement of native habitats and biodiversity across the site. The Landscape Assessment also notes that though rural character remains, it is changed. Rural character is considered further under the next subheading.

The Landscape Assessment's conclusion is that the Project responds appropriately to the site's attributes, sensitivity and the surrounding environment. The Assessment notes that although areas of the site will be considerably changed the overall effect is largely mitigated through clustering of built form in less sensitive areas together with the range of measures and controls on built form and landscaping. The proposed development will change the existing landscape character, but that character has changed numerous times as land uses have changed, and the change is anticipated by the Rural 3 Zone and associated policy framework which directs change to the places that can absorb change.

Based on the Landscape Assessment it is considered that the effects will at most be minor (low-moderate) on visual amenity from certain viewpoints, and over time as mitigation planting in key areas matures, together with planting on individual allotments, the effects will lessen. These effects must be considered alongside the highly significant positive effects arising from the revegetation and restoration planting to be undertaken over the site.

12.15 Character and amenity

Character

Rural character has been considered in the Landscape Assessment in Attachment 9 together with assessment in Section 11.1 above of assessment criteria and relevant objectives and policies dealing with rural character. As noted in the Landscape Assessment in Attachment 9, there will be a change to rural character, but in the context of the Rural 3 Zone, there will still be rural character.

An assessment of impacts on rural character is not undertaken in a vacuum, it is undertaken in the context of the Rural 3 zoning and the anticipated rural character for the zone, taking into account the Rural 3 zone framework which seeks to enable development at an overall zone ratio of 75% unbuilt to 25% built development. The assessment of rural character is not whether the proposed subdivision will change the character of the site - quite clearly it will - but whether that change is adverse in terms of the anticipated character of the Rural 3 zone.

Since the implementation of the Rural 3 zone there has been significant change in character of land within the zone. In many areas within the Rural 3 zone, the pattern of development has changed as areas of orcharding were removed and large forest estates were harvested and not replanted. The introduction of the Rural 3 Zone acknowledged the significant pressure on the Coastal Tasman area for lifestyle and residential development, given the outstanding coastal views afforded from the area, together with the close proximity to a range of coastal settlements and the coastal area for recreation. More recently, the growth of walkway/cycleways has led to significant increase in cycling with the development of numerous cycleway/walkways with the most prominent of these being the Tasman Great Taste Trail.

The Rural 3 Zone was not just a response to the significant demand to live in the Coastal Tasman Area but was an acknowledgement of changes in land use activities. Orcharding on the plains is significantly more productive in terms of yields due to contour, soils, drainage, and access to water. Relocating orcharding from the Moutere Hills on Moutere clay soils, to the Waimea Plains, Motueka Plains and Riwaka Plains, resulted in significant increases in production. Because of the proximity of the Rural 1 zone, to the major urban areas of Richmond and Motueka there had been continuing pressure on those areas for lifestyle development, despite the Waimea and Motueka

and Riwaka Plains being the highest productive land in the district. Setting up the Rural 3 zone as an area where further lifestyle and residential development is enabled was part of the strategy to discourage lifestyle development on land of high productivity such as the Waimea Plains.

At the time when the Rural 3 Zone was being considered, a significant proportion of the zone was in forestry. Given the desirable coastal views, it was understood that once forestry was harvested it was highly unlikely the land would be replanted in forestry. The Rural 3 Zone, set up a framework for transitioning such land to be developed for residential and lifestyle purposes.

The effect of the Rural 3 zone objectives, policies and rules together with the adjoining Coastal Tasman Rural Residential zones, was a change in the pattern of development, which is illustrated in the pattern and density of titles within the Rural 3 zone shown on the maps in Attachment 18. These maps illustrate that there have been numerous properties subdivided within the Rural 3 Zone and adjoining Rural Residential Zones, most of these are reflected in the orange and terracotta colour on those plans, and to a lesser extent the yellow areas.

Sheet 2 of the Density Plans in Attachment 18 details some of the consented developments in proximity that are yet to be implemented, including the further stages of the consented Harakeke development to the north and northeast of the subject site, concentrated around Horton Road and Mamaku Road. Sheet 2 also identifies the Harley Road subdivision, known as the Tiro Kina development. A number of stages of development have been completed at Tiro Kina. The Plans in Attachment 18 highlight a currently proposed area of development, a proposed 60 lot subdivision application that is still being processed.

The context of the existing pattern of development, as well as the consented development and proposed development, reinforces the expectation for development within the Rural 3 zone and the expectation that such development will change the rural character of the area without removing rural character altogether. The level of change expected in the Rural 3 Zone is expressed in Policy 7.3.3.7, which seeks to enable residential and rural residential development that generally reflects a ratio of 25% built area to 75% open space/unbuilt, across the total area of the Rural 3 Zone and Rural Residential Zones within the Coastal Tasman area. This broadly defines the '*absorption*' capacity for the Rural 3 Zone, subject to a site-by-site assessment for Rural 3 subdivision, as has been undertaken for Tahimana by RMM Landscape Architects for the Tahimana development in Attachment 9.

In order to assess how the subject development contributes cumulatively to the overall ratio for the Rural 3 Zone of 25% built to 75% unbuilt, an assessment of the relative levels of built space to unbuilt space has been undertaken for the Project. The results

of that assessment are summarised in table format in Attachment 18. The table confirms that the ratio achieved on the Development Site is consistent with the 25%:75% anticipated ratio for the zone (noting though that the ratio is not intended to be a requirement per site, rather the outcome anticipated over the whole Rural 3 zone).

The pattern of development within the locality of the site very much reflects the Rural 3 Zone pattern. There is significant Rural Residential/Lifestyle Development to the south, east and north of the subject site, interspersed, towards the north, with some rural pastoral and productive land on the easier contour land closer to the coast. The development to the south and east of the site reflects the pattern of development proposed for the eastern slopes of the subject development. Figure 13 below illustrates the pattern of development (see Attachment 18 for full size Plans).

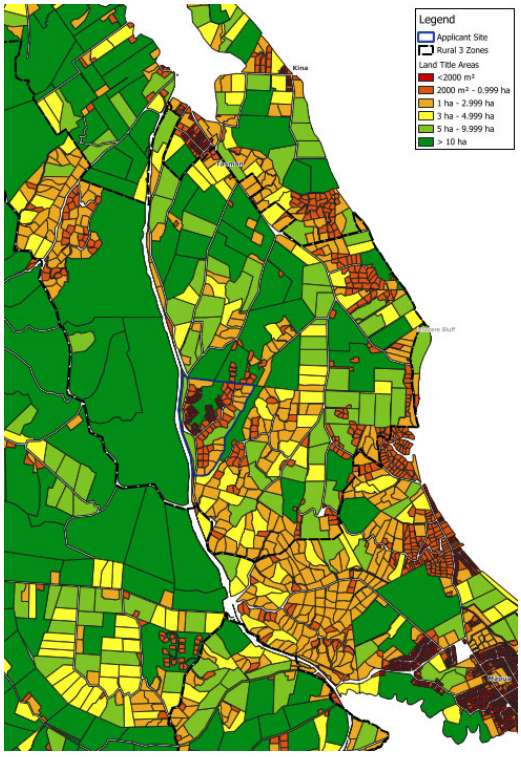

Figure 13: Rural 3 Zone Pattern of Development (density of titles)

Residential clusters are not a form of development currently found within the pattern of development in the Rural 3 zone. However, a residential-style density of development is anticipated by the Rural 3 Zone policy framework, as evidenced by numerous references to "*Residential Development*" (in addition to *"Rural Residential Development"*) within the policies highlighted in Section 11.1, in particular in Table 5 and under the Principal Reasons and Explanations for the Rural 3 zone. These references include 7.2.20.1(v), 7.2.30 Principal Reasons and Explanations, Policy 7.3.3.1, 7.3.3.4, 7.3.3.7, 7.3.3.9, 7.3.3.10, 7.3.3.14 and 7.4.20, Methods of Implementation, particularly 7.4.20.1(iii). In the Principal Reason and Explanation (7.4.30) the following statement regarding Rural Character is made:

> "As a result of Zoning and decision making on specific Applications, all parts of both the Rural 1 and Rural 2 Zones are expected to largely retain their current Rural Character and amenity landscape values, while the character and landscapes of the Rural 3 zone is expected to undergo a degree of transformation as a result of increased residential use and development, but no net loss of values."

"Cluster like developments" are specifically anticipated by clause (b) of the Beulah Ridge Landscape Sub-unit 6A criteria in the Design Guide (*"Utilising local internal terraces and plateaus for cluster like developments"*). While it is acknowledged that the residential clusters of development do not feature within the current pattern and existing character of development (as existing clusters of development are generally of lifestyle allotments), residential density within clusters of development is clearly an anticipated change to the Rural 3 Zone.

Amenity

It is acknowledged that for some within the local environment, there will be views over portions of the development. For those in close proximity, there is potential for impacts on their amenity, particularly in the short term through the construction period, where there will be an increase in construction traffic, and level of noise through earthworks and building construction. Those construction effects on amenity will be temporary and occur with any development. The major earthwork areas within the site are well set back from external neighbours. For the areas of the site with the greatest proposed density of development, the residential clusters, these are well within the site nd away from all external neighbours. Upgrading Stagecoach Road and to a lesser extent the shared walkway/cycleway through the Dicker Road corridor will have adverse temporary impacts arising from the noise and vibration of these construction works. These works will be managed in accordance with the Acoustic Assessment recommendations, together with requirements for the CEMP and DESCP.

In respect of privacy, the potential for impacts is quite limited given the setbacks of dwellings from external neighbours. Those with dwellings within the Beulah Ridge Development, in close proximity of the Applicant's northern boundary, will have development adjoining, but the density of the development adjoining will be low density Lifestyle Allotments, not exceeding the density of the Beulah Ridge Development allotments, along the shared boundary. It is accepted that there will be changes to amenity and character for property owners adjoining, however those changes are within the expectation for the Rural 3 Zone. Effects on privacy are very limited given the setbacks of development from external boundaries, together with height restrictions and landscape planting proposed.

The Development Site had a previous resource consent for Rural 3 development granted in 2007. This consent lapsed in 2017 and is not part of the consented "environment"

but is noted because it underscores that for people already living in the Rural 3 Zone there would have been an expectation of further development.

There will be positive effects on character and amenity arising from the significant enhancement of wetlands and waterways within the site, through the revegetation and restoration planting proposed. Other elements of the proposal will enhance amenity, including the extension of walkways/cycleways and the sealing of Stagecoach Road removing the existing dust nuisance.

Based on the above assessment, together with the assessment in the Landscape Report, the effects on rural character and amenity values are within the expectations for the Zone and therefore are not considered to be more than minor in the short term. Over time any impacts will reduce to less than minor as landscaping matures.

12.16 Management plans and manuals

The management plans and manuals required by the draft consent conditions have been referenced throughout the above assessment, and are summarised below:

Plan	Required by (conditions)	Status
Construction and Environmental Management Plan (incorporates Construction Traffic Management Plan, Construction Noise and Vibration Management Plan and Dust, Erosion and Sediment Control Plan and Emergency Spill and Contingency Plan)	Land Disturbance Consent Wetland Utility Structure Consent Stormwater Discharge and Diversion Consent Subdivision Consent	Draft not provided as requires detailed design / construction drawings and specification of construction vehicles. Subdivision, Land Disturbance and Land Use Consents specify requirements for CEMP and subordinate plans.
Stormwater Operations and Maintenance Manual	Subdivision Consent Stormwater Discharge and Diversion Consent	Draft provided as Appendix H of Attachment 5
Wastewater Operations and Management Plan	Communal Wastewater Discharge Consent	Draft not provided as this will reflect the final system design, however Appendix I of Attachment 5 (under 8.0 Operations and Maintenance) outlines the requirements and this is required by the Communal Wastewater Discharge Consent
Asset Management Plan	Communal Wastewater Discharge Consent	Draft not provided however Appendix I of Attachment 5 sets out indicative costs for asset maintenance and replacement planning
Native Fish Capture and Relocation Plan	Land Disturbance Consent Stormwater Discharge and Diversion Consent	Draft provided as Attachment 8.1
Wetland Monitoring Plan	Subdivision Consent	Draft provided as Attachment 8.2
Ecological Planting Plan	Land Disturbance Consent Land Use Consent	Draft provided as Attachment 8.3

	Stormwater Discharge and Diversion Consent Wetland Utility Structure Consent Subdivision Consent	
Landscape Plans (for planting on Lifestyle Lots, Serviced Lifestyle Lots and Rural Conservation Lots)	Land Use Consent Subdivision Consent	Draft not provided as will be site-specific and dependent on built structure designs, but will accord with Vegetation Strategy and Consent Conditions
Landscape Plans (for Residential Lots)	Land Use Consent Subdivision Consent	Draft not provided as will be site-specific and dependent on built structure designs, but will accord with Vegetation Strategy and Consent Conditions

13.0 Effects on people and views of persons consulted

13.1 Affected persons

Introduction

As discussed below, most affected persons are also adjacent owners and occupiers and as such have been identified in Section 9 above. The only category of potentially affected persons not already identified are those who will experience a minor visual amenity effect.

Visual amenity effects

The Landscape Assessment (Attachment 9) includes an assessment of visual amenity effects from relevant viewpoints. The Assessment found that there would be low to moderate effects, and in one case moderate effects, from Viewpoints 3, 8, 9 and 10. The dwellings located near these viewpoints, which share the same view for Viewpoints 3, 8 and 9, would experience a minor visual amenity effect:

- 207 Horton Road (in relation to Viewpoint 3).
- 36 Westmere Drive, 43 Westmere Drive and 4 Amber Rise (in relation to Viewpoint 8).
- 64 Westmere Drive (in relation to Viewpoint 9).

The Assessment noted that over time some of the effects from those viewpoints will soften and lessen overtime as the mitigation planting matures. For Viewpoint 10, the effect would initially be more than minor and lessen over time. However, this Viewpoint is not experienced by any existing dwelling.

Transportation upgrade construction effects

Construction works to upgrade the gravel portion of Stagecoach Road are expected to have minor to more than minor adverse effects on occupiers of properties adjoining that section of the road for a temporary period. Those persons and properties have already been identified as "adjacent owners and occupiers" in Section 9 above.

Name	Legal description	Address
Frontage to unsealed section of Stagecoach Road		
[redacted]	Lot 5 DP 16555	66 Stagecoach Road
	Lot 1 DP 321441	76 Stagecoach Road
	Lot 2 DP 499565	77 Stagecoach Road
	Lot 2 DP 321441	78 Stagecoach Road
	Part Lot 1 DP 13985	90 Stagecoach Road
	Lot 4 DP 424341	99 Stagecoach Road
	Lot 1 DP 16184	100 Stagecoach Road
	Lot 2 DP 16184	106 Stagecoach Road
	Lot 1 DP 16504	Stagecoach Road (no #)
	Lot 3 DP 20443	150 Stagecoach Road
	Lot 5 DP 424341	151 Stagecoach Road
	Lot 2 DP 20443	154 Stagecoach Road
	Lot 1 DP 20443	158 Stagecoach Road
	Lot 2 DP 20489	162 Stagecoach Road
	Lot 2 DP 533008	174 Stagecoach Road
	Lot 2 DP 579411	176 Stagecoach Road
	Lot 1 DP 533008	178 Stagecoach Road
	Lot 3 DP 16539	186 Stagecoach Road
	Sec 11 and 12 SO 440217	Stagecoach Road (no #)
	Lot 2 DP 16539	196 Stagecoach Road
	Lot 1 DP 16539	208 Stagecoach Road
	Lot 42 DP 497879 and Lot 4 DP 450728	64 Westmere Drive
	Sec 11 and 12 SO 440217	Stagecoach Road (no #)

One property, 200 Stagecoach Road, has two sheds, fencing and planting occupying the legal road. The effects on this property are different and additional to the temporary effects noted, as the Stagecoach Road upgrades will require the removal of the sheds and some fencing and planting.

As set out in the Acoustic Assessment Report in Attachment 14, works to upgrade or create walking/cycling paths are generally expected to comply with NZS6803:1999 Acoustics – construction noise and not to adversely affect people, with some minor and temporary exceptions. These construction works may exceed the construction noise Standard and cause temporary adverse effects at 78, 100, 158 and 208 Stagecoach Road and 58 Dicker Road. These persons have also been identified as "adjacent owners and occupiers" in section 9.

Transportation effects on Stagecoach Road

The Project will lead to an increase in vehicle movements on Stagecoach Road, but the increase will be well within the design capacity of the upgraded road and is not considered to result in an adverse effect on any person. This is addressed in the Transportation Report (Attachment 12).

13.2 Views of persons consulted

Tasman District Council

The Applicant has engaged with TDC in relation to the Project since 2021. It initially lodged an application with TDC under the RMA (which will be withdrawn in accordance with s 94 FTAA). The RMA application is currently suspended, with no decision on notification having been made yet. During processing of the RMA application, the Applicant received and responded to a number of requests for information, which have informed its approach to this application. As discussed elsewhere in this document, the Council's views on reserves, walkways, stormwater detention structures in waterways and other matters have been considered and changes made to the Project design to address those views.

The Applicant met with TDC officials on 8 June 2026 to discuss this application under the FTAA. The meeting notes are provided in Attachment 20. TDC advised that the topics requiring discussion were wastewater, water supply, roading and lighting. In summary, the meeting was successful in resolving a number of issues either by the Applicant explaining matters that had been unclear to TDC or by the Applicant agreeing to address additional matters in its technical reports and draft consent conditions. The Applicant understands that with those matters having been addressed, the issues that remain in contention are:

- Lighting. The Applicant wishes to minimise street lighting to that recommended for traffic safety, in accordance with landscape advice and iwi

recommendations. The Applicant is proposing a single flag light at the Road A / Stagecoach Road intersection. TDC would prefer additional lighting.

- The location of the subdivision in relation to urban areas.

The Applicant has provided final drafts of all of its technical reports and draft consent conditions to TDC. At the time of lodging this application, no feedback has been received, however the Applicant remains open to ongoing engagement with and feedback from TDC as the application progresses.

Mana Whenua Iwi

The Applicant sought feedback on the Project from all mana whenua iwi of Te Tauihu. The views of those iwi are provided in Section 12.4 above. The Cultural Impact Assessment prepared by Ngāti Tama and the Cultural Values Statement prepared by Ngāti Rārua are provided in Attachment 10.1and Attachment 10.2 respectively. A record of engagement is provided in Attachment 10.3.

Wakatū Inc

Wakatū Inc is an entity established by owners of the remnants of the Nelson Tenths. Its current owners (descendants of the original owners) whakapapa to Ngāti Koata, Ngāti Rārua, Ngāti Tama and Te Ātiawa. The Referral Decision identified Wakatū Incorporation as a person or group from whom a panel must invite comments in addition to any specified section 53 persons or groups.[2] The applicant consequently contacted Wakatū Inc on 4 May 2026 to ask whether Wakatū Inc would like to engage further on this proposal, and if so, how it would prefer to proceed. A draft scheme showing the project layout was subsequently requested and provided. No further feedback has been received.

Other persons

NZTA Waka Kotahi

NZTA were initially consulted in 2022, given the site's proximity to State Highway 60. The focus of consultation was reverse sensitivity effects of the development being exposed to State Highway noise, and the option of a licence to occupy an area of land not required for roading for a portion of the wastewater discharge field. The Applicant provided their acoustic assessment to NZTA and volunteered consent conditions to meet NZTA standards. Those conditions have been agreed and incorporated into the draft Subdivision Conditions.

NZTA also confirmed that they will enter into a Licence to Occupy for the wastewater disposal field (Attachment 17).

[2] Under s 27(3)(b)(iii) FTAA

There was subsequent consultation with NZTA on emergency access provision and the Stagecoach Road walking/cycling path upgrade, with the Applicant noting that the pathway may be constructed partly on Crown land administered by NZTA adjacent to the legal road (depending on detailed design). NZTA confirmed that in principle they are comfortable with the adjacent land being used as part of this transport corridor provided there is a Licence to Occupy or that it is covered by the NZTA/TDC maintenance boundary agreement. The same situation applies to the walking/cycling path upgrade in the Dicker Road corridor.

Tasman Area Community Association (TACA)

The Applicant has engaged with TACA since 2021 in relation to its restoration project, Te Mamaku Native Corridor. Over time TACA is seeking to convert the eastern side of the State Highway between Tasman and Mapua into a green biodiversity corridor, to increase habitat and attract birdlife back. Since 2022, TACA and has undertaken extensive planting over more than 39,000 trees.

Photo credit: https://www.tasmancommunity.org.nz/te-mamaku-project

TACA is interested in the nature of planting proposed by Tahimana through the site, with a particular focus on the species to be used within and adjacent to the wastewater disposal field, which forms part of the proposed corridor. The Applicant will seek to ensure this planting complements the corridor planting undertaken by TACA, while recognising that there are also operational requirements (nutrient uptake, ease of maintenance) that this planting needs to meet.

[redacted] own the property to the east of the Development Site (36 Westmere Drive). The property contains a large, regionally significant wetland that they have extensively restored. The Applicant has been in consultation with these neighbours since around 2022 to discuss their project and the Applicant's assessment of wetlands on Tahimana land. The Applicant discussed its plans for restoration planting of the Tahimana property wetlands, and proposals for stormwater management and earthworks to ensure that the development on the subject land does not adversely impact this important wetland. There have been regular updates between the Applicant and these neighbours. Mr [redacted] and Ms [redacted] primary interest has been in ensuring that the proposed development does not adversely affect the restored wetland on their property, with particular regard to earthworks, stormwater management and long-term environmental outcomes.

[redacted]

[redacted] and [redacted] own 64 Westmere Drive, to the south and east of the Development Site. The Applicant has previously met with [redacted] to outline the Application and provide Application documentation. These neighbours immediately adjoin the Development Site and have part of an existing public walkway through their land (provided for by way of a public easement). These neighbours are identified as adjacent owners and as having a minor visual amenity effect. This remains a matter of interest to these owners.

[redacted]

[redacted] own 200 Stagecoach Road and currently have two sheds, landscaping and fencing occupying the legal road reserve. The Applicant has discussed the Stagecoach Road upgrade with the [redacted] The upgrade is likely to require removal of the sheds and some fencing and planting. The Applicant identified a design option that would enable retention of the sheds occupying legal road, and engaged with Mr and Mrs [redacted] regarding options to retain the existing sheds, fencing and landscaping affected by the proposed road alignment, including investigating and costing a retaining wall solution. This would involve significant, expensive retaining works. Despite efforts by the Applicant to identify a mutually acceptable solution, no agreement has been reached and the Applicant intends to proceed with development within the legal road reserve.

14.0 Treaty Settlement information

14.1 Treaty Settlements

Three Settlement Acts covering eight Treaty settlements are relevant to the Project area:

- The Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014 implements the Ngāti Kōata Deed of Settlement; the Ngāti Rārua Deed of Settlement; the Ngāti Tama ki Te Tau Ihu Deed of Settlement; and the Te Ātiawa o Te Waka-a-Māui deed of settlement.
- The Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014 implements the Ngāti Apa ki te Rā Tō Deed of Settlement; the Ngāti Kuia Deed of Settlement; and the Rangitāne o Wairau Deed of Settlement.
- The Ngāti Toa Rangatira Claims Settlement Act 2014 implements the Ngāti Toa Rangatira Deed of Settlement.

14.2 Relevant provisions

The Treaty Settlements listed above contain a series of acknowledgements by the Crown where its actions have breached the Treaty of Waitangi and its principles, and record the matters required to give effect to a settlement of all the historical claims. The settlements provided redress in the form of land, money, the right of first refusal of certain Crown lands, and matters such as facilitation of ongoing relationships with government agencies, imposition of overlay classifications and statutory acknowledgements placed over land sites, statements of association, place name changes, an agreed historical account and an apology from the Crown. The settlements also provide for the promotion of relationships between the relevant iwi and local authorities. TDC (amongst others) is encouraged to enter into a memorandum of understanding with the relevant iwi. Conservation, fisheries, taonga tūturu and mineral protocols must be issued by the responsible Minister to encourage good working relationships on matters of cultural importance. Provision is made for a rivers and freshwater advisory committee:

- Councils must provide a written invitation to the advisory committee before they make any decisions on the review of a policy statement or plan under s 79 RMA, or start to prepare or change a policy statement or plan, or notifies a proposed policy statement or plan.
- The advisory committee may provide written advice in reply to that invitation, in relation to the management of rivers and freshwater within the region.
- If the committee and the council have agreed in writing, the committee may provide written advice to the council on any other matter in relation to the RMA.

- The councils must have regard to the advice of the advisory committee to the extent that it relates to the management of rivers and fresh water under the RMA.

14.3 Summary of redress that affects natural and physical resources relevant to the project or project area

The site is not within or adjacent to a Statutory Acknowledgement Area.

There are statutory acknowledgements over Te Tau Ihu Coastal Marine Area (approximately 2 km to the east) and Moutere River (approximately 1 km to the west). Consideration has been given to the Te Tau Ihu Coastal Marine Area statutory acknowledgement, acknowledging that the coastal environment is the ultimate receiving environment for stormwater emanating from the site. With respect to this the following is noted that:

- Appropriate provision will be made for the management of stormwater quality and flow.
- Earthworks will be managed to address erosion and sediment generation and accord with current best practise techniques.
- The project includes the protection and enhancement of wetlands which contribute to water quality and ecosystem values downstream.

There is no private land involved in the settlements. That part of the Development Site that the license to occupy will apply to is subject to rights of first refusal under the Settlement Acts. The right of first refusal does not affect NZTA's ability to grant a license to occupy, and the license to occupy does not affect the right of first refusal.

The advisory committee's role relates to Council planning decisions and any other matter agreed between the Council and the advisory committee in writing. As such it does not apply to this application.

The application site is therefore unaffected by the Treaty Settlements. The Project is consistent with the Treaty Settlements.

15.0 Assessment of the Proposal under the FTAA decision-making framework

15.1 Introduction

Under s 81, when deciding whether to grant the approval and set any conditions (or decline the approval) the Panel:

- Must consider the Minister's stated reasons for accepting the referral application.
- Must consider the substantive application and any advice, report, comment, or other information received by the panel.
- Must apply the applicable clauses, which for a resource consent are cls 17 and 18 of Sch 5.
- Must comply with s 82 FTAA (which requires that where a Settlement Act provides for consideration of a document, the panel must give the document the same or equivalent effect through the panel's decision making as it would have under the RMA).
- Must comply with s 83 FTAA (which requires that conditions are not more onerous than necessary to address the reason for which it is set in accordance with the provision of the FTAA that confers the discretion).
- May impose conditions under s 84.
- May decline the approval only in accordance with s 85.

15.2 Minister stated reasons for referral

The Minister's stated reasons for referral were:

- the Project is an infrastructure or development project that would have significant regional or national benefits
- referring the project to the fast-track approvals process:
    - would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and
    - is unlikely to materially affect the efficient operation of the fast-track approvals process.
- the project is an infrastructure or development project that would have significant regional or national benefits as it:
    - will increase the supply of housing by providing approximately 141 residential units
    - will deliver significant economic benefits by providing or enabling approximately 105 direct full-time equivalent (FTE) jobs and 120 indirect FTE jobs over an approximately 8-year delivery period and contributing approximately $37.1 million to GDP.

15.3 Applicable clauses (cls 17 and 18 of Sch 5 FTAA)

Clause 17 of Sch 5 FTAA

Clause 17 of Sch 5 of the FTAA states that for the purposes of s 81 FTAA, when considering a consent application, including conditions in accordance with clauses 18 and 19, the panel must take into account, giving the greatest weight to paragraph (a):

(a) the purpose of the FTAA; and

(b) the provisions of Parts 2, 3, 6, and 8 to 10 of the RMA that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and

(c) the relevant provisions of any other legislation that directs decision making under the RMA.

A reference to Part 2 RMA must be read as a reference to ss 5, 6, and 7 RMA.

Where a RMA provision would require a decision maker to decline an application for a resource consent, the panel must take into account that the provision referred to in subclause (3) would normally require an application to be declined but must not treat the provision as requiring the panel to decline the application the panel is considering.

Clause (a) - the purpose of the FTAA - is assessed in Section 4 above. This Section addresses clauses (b) and (c).

Section 104 RMA

All matters relevant to s 104(1)(a), (ab), and (b) have been addressed above:

- The activity's effects on the environment, and any positive effects to offset or compensate for adverse effects, are assessed in Section 12
- Relevant provisions of planning instruments are assessed in Section 11 above.

Section 104(1)(c) is "any other matter the consent authority considers relevant and reasonably necessary to determine the application". Matters that the Panel may consider relevant and reasonably necessary to determine the application may include:

- The pattern of development within the Coastal Tasman Area. The Application has addressed these issues in Section 10.3 (in relation to consistency with the Coastal Tasman Area Subdivision and Development Design Guide), with reference to the Plans in Attachment 18.
- Iwi Environmental Management Plans. These are assessed in the CIA and CVS in Attachment 10. In addition, the Ngāti Kuia Iwi Environment Plan is discussed in Section 12.4.

Section 104G RMA

Section 104G RMA requires consideration of effects of consent applications on registered drinking water supplies and drinking water supply sources that are identified in a source water risk management plan prepared under the Water Services Act 2021. There are no registered supplies in the vicinity of the site, and the Applicant is not aware of any supplies that are identified in a source water risk management plan.

Section 105 RMA

Section 105 RMA is relevant to the discharge consents sought:

> If an application is for a discharge permit or coastal permit to do something that would contravene section 15 or section 15B, the consent authority must, in addition to the matters in section 104(1), have regard to—
>
> (a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
>
> (b) the applicant's reasons for the proposed choice; and
>
> (c) any possible alternative methods of discharge, including discharge into any other receiving environment.

The nature of the discharges are treated wastewater and stormwater. Wastewater is proposed to be discharged to land and not water, as the wetlands and waterways are part of a sensitive receiving environment both within and external to the site. The location of the communal wastewater fields are well separated by distance and Stagecoach Road (for the primary field) from the waterways and wetlands within and external to the site. The onsite wastewater fields are also well setback from wetlands and waterways as detailed in the Envirolink Report in Attachment 5 and on Sheet 61 in Attachment 3.2.

Alternatives considered for the onsite wastewater systems included primary (only) treatment systems, which were rejected given the sensitivities of the environment. The Envirolink assessment recommends secondary treatment of effluent.

Alternative configurations for the communal wastewater system were considered including communal pump stations. This option was rejected by Envirolink because it was a further communal responsibility for maintenance but more importantly there are higher operational risks to the overall system with communal pump stations as compared to the recommended-on site Prelos system. The Prelos system ensures responsibility for damage to pumps caused by inappropriate material being discharged, such as wet wipes, sits at the origin of the discharge.

There was extensive consideration of alternative options for stormwater management, as described in Sections 8.5 and 12.10. The Envirolink Assessment in Attachment 5, the PDP Assessment in Attachment 7 and the RMA Ecology Assessment in Attachment 8 all

assessed stormwater management, considered the sensitivity of the receiving environment, and noted the reasons for the choice of the final concept design, which ensured:

- post-development peak stormwater flows did not exceed pre-development peak stormwater flows
- that the method of stormwater management maintained, and in some cases enhanced, water flows to the wetlands
- adequate protection was provided to avoid or mitigate sediment flows and erosion arising from stormwater discharges

An alternative to the six detention dams/basins in the western catchment was initially considered which involved one large detention dam/basin near the northern boundary. This was rejected as this option involved the drainage of wetlands.

The initial concept design included six detention dams in the eastern catchment, two of which were instream dams. TDC expressed concerns regarding instream dams, based on reservations as to whether there was a functional need for these structures. While not agreeing with that interpretation, the Applicant redesigned the stormwater detention infrastructure to replace the six dams with a series of small detention dams located outside waterways (and wetlands).

Sections 106 and 106A RMA

Sections 106 and 106A are addressed in the Geotechnical Assessment in Attachment 6. The only geotechnical natural hazard risk on this site is potential slope instability, as there is minor shallow instability present on the Development Site. The risk to the proposed works from instability are to be mitigated by avoiding potentially unstable areas, specific geotechnical design and monitoring of earthworks and providing specific development conditions for the building sites. While minor instability following development is possible, it would be unlikely to adversely affect buildings or infrastructure and is assessed in the Geotechnical Assessment to be of negligible consequence. The geotechnical aspects of the development are unlikely to accelerate, worsen, or result in material damage from instability, or result in adverse effects on the health or safety of people, and the risk to the development from natural hazards is low.

Conditions have been proposed to address any risks from natural hazards, and there is no basis to refuse to grant the Subdivision or Land Use consents due to natural hazard risks.

Sufficient provision has been made for legal and physical access to each allotment as shown in the Plan set in Attachment 3.2.

Section 107 RMA

The relevant aspects of Section 107 are considered in the Envirolink Report in Attachment 5. The imposition of the recommended conditions into the draft Subdivision, Stormwater and Wastewater Discharge Consent conditions (Attachment 16) sure that the effects listed in s 107 will not arise.

Section 6 RMA

Section 6 of the RMA identifies matters of national importance that are required to be recognised and provided for. Relevant s 6 matters are assessed below.

Section 6(a) seeks to preserve the natural character of the coastal environment, wetlands, lakes and rivers and their margins and the protection of them from inappropriate subdivision, use and development. The subject proposal will have no impact on the natural character of the coastal environment as the property is not within the coastal environment. There are numerous "finger" wetlands and some water courses through the subject development, which have been assessed as detailed above and in the Ecological Assessment Report in Attachment 8.

The Project fully implements s 6(a) by protecting and restoring wetlands through weed removal and restoration planting of the margins of both wetlands and waterways. The subdivision and development are "appropriate" as they avoid works within wetlands and waterways, and in close proximity to waterbodies (other than the very limited works involved in boardwalk crossings. Cross-boundary effects will be managed to ensure there are no adverse effects on the adjacent significant wetland on 36 Westmere Drive.

Section 6(b) seeks to protect outstanding natural features and landscapes from inappropriate subdivision, use and development. The property is not identified as being within an outstanding natural landscape and there are no outstanding natural features on the property. There are no identified ridgelines on the property or any other natural features that would fall within the category of being outstanding. Notwithstanding this, the values of the landscape on the subject site, and the impacts of development on the subject site within the wider landscape, have been fully assessed through the landscape assessment in Attachment 9. Based on the Landscape and Ecological Assessments, the proposed subdivision, use and development proposed by Tahimana is appropriate in this environment.

In respect of 6(c) which seeks to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna, the Ecological Assessment in Attachment 8 confirms that there are no areas of significant or threatened indigenous vegetation on the property, nor significant habitats of indigenous fauna. As set out above, the significant wetland on 36 Westmere Drive will be protected.

Section 6(d) seeks to maintain and enhance public access to and along the coastal marine area, lakes and rivers. The site is not adjacent to the coast. There are waterways through the Development Site, many of which have intermittent flows and would not be described as significant rivers or rivers/streams that qualify under the TRMP for esplanade reserves. Notwithstanding this, public access through and across the Development Site has been provided for. This will provide the public the opportunity to access and appreciate waterway values across the site.

Section 6(e) provides for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga. From the outset of the project, the Applicants have engaged with mana whenua iwi to understand cultural values and provide for input into the Project. The Application is informed by the site's cultural values. Conditions and management plans are proposed to ensure that the relationship of Māori with the matters set out in 6(e) is recognised and provided for. The Cultural Values Statement from Ngāti Rārua and the Cultural Impact Assessment from Ngāti Tama confirm that the relationship of these iwi and their culture with this locality has been recognised and provided for.

Section 6(h) requires the management of significant risks from natural hazards. Natural hazards have been assessed in Section 12.6 above and in the Geotechnical Report in Attachment 6, confirming there are no significant hazards within the site.

Section 7 RMA

Section 7 sets out other matters that decision-makers must have particular regard to. Relevant matters include kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and the quality of the environment, the intrinsic values of ecosystems, the finite characteristics of natural and physical resources and the effects of climate change. All of these matters have been considered in the Assessment Reports and in Sections 12 and 13 above. The Assessments confirm that the Applicants have had appropriate regard to all of the matters of relevance in Section 7 of the Act.

Section 5 RMA

Section 5 sets the purpose of the RMA, which is the sustainable management of natural and physical resources. Sustainable management is defined as managing the use, development, and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while sustaining the potential of resources for the reasonable needs of future generations, safe guarding the life supporting capacity of air, water, soil, and ecosystems and avoiding, remedying or mitigating any adverse effects of the activities on the environment.

The Project's design, together with the range of protection measures, restoration proposals and mitigation measures proposed, result in a development which promotes the sustainable management of natural and physical resources on this site. Sustainable management has been achieved, while ensuring resources are reasonably sustained for future generations, ensuring that the life supporting capacity of air, water, soil and ecosystems are safeguarded and the effects of the proposed development have either been avoided, remedied or mitigated, as has been detailed in the Assessment of Effects under Section 12 and within the Specialist Assessment Reports attached to the Application.

Clause 18 of Sch 5 FTAA

When setting conditions on a consent, the provisions of Parts 6, 9, and 10 of the RMA that are relevant to setting conditions on a resource consent apply to the panel, subject to all necessary modifications, including the following:

(a) a reference to a consent authority must be read as a reference to a panel; and

(b) a reference to services or works must be read as a reference to any activities that are the subject of the consent application.

The relevant RMA provisions are ss 106, 106A, 108 and 108AA. Sections 106 and 106A (in relation to conditions to address natural hazard risks) are addressed in Section 15.3 above. The draft Condition sets in Attachment 16 are appropriate in terms of the parameters of ss 108 and 108AA RMA.

15.4 Sections 83, 84 and 84A FTAA

When exercising a discretion to set a condition under this Act, the panel must not set a condition that is more onerous than necessary to address the reason for which it is set in accordance with the provision of this Act that confers the discretion (s 83).

For the purposes of section 7, the panel may set conditions to recognise or protect a relevant Treaty settlement (s 83).

The panel may set conditions to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support the project (s 84A). Section 84A was amended in 2025. It previously referred to infrastructure which "will be made" adequate (only), but was broadened to include infrastructure which "can be made" adequate. In the *Pound Road Industrial Development* decision, the FTAA Panel considered that this change broadened the circumstances in which approvals could be granted, in that infrastructure adequacy could depend on actions yet to occur, upgrades need not be guaranteed, funded or imminent when approval is granted, and conditions could regulate timing or staging until infrastructure became available. The *Pound Road* panel nonetheless considered

that the infrastructure needed to be "realistically capable of being delivered" and the Panel had to be satisfied that a "credible infrastructure solution" was available.

In the context of this Project, all necessary infrastructure is or can be made available, and this is secured by consent conditions:

- Potable water (for Residential and Serviced Lifestyle Allotments) and fire-fighting water (all allotments) is available from the Council bulk supply (Appendix D to Attachment 5) and Subdivision Consent conditions provide for storage and reticulation to households. The conditions provide for the ongoing funding and management of this downstream supply by an Infrastructure Association. Potable water for Lifestyle and Rural Conservation Allotments is secured by consent conditions requiring on-site capture and storage.
- The conditions provide for all necessary stormwater infrastructure to be installed by the Applicant and maintained long-term by future residents (except in roads to vest where future maintenance will become TDC responsibility)
- All necessary communal wastewater infrastructure will be installed by the Applicant and its long-term funding and maintenance is provided for by conditions. On-site wastewater infrastructure for Lifestyle and Rural Conservation Allotments will be installed and maintained by lot owners.
- Transportation infrastructure within the Development Site and in the Stagecoach Road and Dicker Road corridors will be provided by the Applicant. This not only makes all necessary infrastructure available, it also provides significant infrastructure upgrades that go beyond the needs of this Project. The wider transport network has capacity for the Project's traffic movements so no additional infrastructure needs to be made available further afield.

On that basis, the Applicant considers that its draft Condition sets in Attachment 16 are consistent with ss 83 and 84A.

The Project incorporates conditions to avoid adverse cultural impacts and restore environmental features that have cultural associations. No conditions are necessary to recognise or protect a relevant Treaty settlement under s 84, as there are no redress mechanisms that the Project would otherwise be inconsistent with.

15.5 Section 82

Where a Settlement Act provides for consideration of a document, the panel must give the document the same or equivalent effect through the panel's decision making as it would have under the RMA. The relevant Settlement Acts are addressed in Section 14. They do not require consideration of any document in a manner that the panel would need to give the same or equivalent effect to.

15.6 Situations where the Panel must or may decline an approval

None of the matters in s 85(1) apply to the Project.

Under s 85(3) the panel may decline an approval if, in complying with s 81(2) of the FTAA, the panel forms the view that there are there are one or more adverse impacts in relation to the approval sought; and those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits. If that threshold is reached, the panel has a discretion to decline the approval. "Adverse impact" is broadly defined in subs (5) as any matter considered by the panel in complying with section 81(2) that weighs against granting the approval. However, under subs (4), a panel may not form the view that an adverse impact meets the threshold solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document.

The Project's impacts are assessed in Sections 11, 12 and 13. The Project will not have any significant adverse impacts.

The Project's regionally significant benefits are assessed in Section 4. No impacts are sufficiently significant to be out of proportion to the Project's regional benefits.

16.0 Attachments

1. Scheme Plan
2. Developer Statement
3. Development Documents:
   - 3.1. Development Report
   - 3.2. Development Design Plan Set
4. Economics report
5. Envirolink Three Waters Report including Appendix A: Bore Logs
   - 5.1. Appendix B: Modelling Parameters
   - 5.2. Appendix C: FENZ Correspondence
   - 5.3. Appendix D: Tahimana Water Allocation Correspondence
   - 5.4. Appendix E: License to Occupy Correspondence
   - 5.5. Appendix F: LandVision Review Effluent Loadings
   - 5.6. Appendix G: Water and Wastewater Management Structure
   - 5.7. Appendix H: Draft Operations and Maintenance Manual
   - 5.8. Appendix I: Innoflow:
     - 5.8.1. WWTP Design Report
     - 5.8.2. Tahimana Drawing Set
     - 5.8.3. NPV
     - 5.8.4. Step Tank Sinking Fund
     - 5.8.5. WWTP Sinking Fund
   - 5.9. Appendix J: Molloy Report - Water Supply Monitoring

6. Geotechnical Report

7. Hydrogeology Report

8. Ecology Report
   - 8.1. Draft Native Fish Capture and Relocation Plan
   - 8.2. Draft Wetland Monitoring Plan
   - 8.3. Draft Ecological Planting Plan

9. Landscape Assessment Report
   - 9.1. Landscape Design Document

10. Cultural:
    - 10.1. Cultural Impact Assessment
    - 10.2. Cultural Values Assessment
    - 10.3. Record of engagement

11. Archaeology Report

12. Transportation Report
    - 12.1. Traffic Safety Audits

13. Land Productivity Report

14. Acoustic Report (construction noise)
    - 14.1. SH 1 Reverse Sensitivity report

15. Land Contamination Report

16. Consent conditions:
    - 16.1. Draft Land Disturbance Conditions
    - 16.2. Schedule A (Archaeological Discovery Protocol – Taonga) and Schedule B (Archaeological Discovery Protocol – Koiwi) to Land Disturbance Conditions and Subdivision Conditions
    - 16.3. Draft Stormwater Discharge and Diversion Conditions
    - 16.4. Draft Wetland Utility Structure Conditions
    - 16.5. Draft Communal Wastewater Discharge Conditions
    - 16.6. Draft Onsite Wastewater Discharge Conditions
    - 16.7. Draft Land Use Conditions
    - 16.8. Draft Subdivision Conditions

17. Titles and License to Occupy correspondence

18. Rural 3 Zone density
    - 18.1. Ratio of Development Table
    - 18.2. Rural 3 Density Plans

19. Referral Decision

20. Notes of meeting with TDC on 8 June 2026

21. Section 30 letter