BEFORE INDEPENDENT HEARING COMMISSIONERS

APPOINTED BY TASMAN DISTRICT COUNCIL

IN THE MATTER OF	The Resource Management Act 1991
AND	Urban Growth Plan Change 81, TRMP
AND	Submissions and Further Submissions on Plan Change 81
FOR	Tākaka Aero Heights Limited

STATEMENT OF EVIDENCE OF JANE RUSHTON BAYLEY

PLANNING

Hearing 1

Dated: 19th October 2026

INTRODUCTION AND BACKGROUND

1. My name is Jane Rushton Bayley. I am employed by Staig & Smith Limited. I have a Masters of Regional and Resource Planning from Otago University and have 26 years of planning experience.

2. I have been engaged by Tākaka Aero Heights Limited (hereafter TAHL) in relation to Submission OS114 on Plan Change 81 (hereafter PC81). TAHL seeks to rezone 262 Tākaka-Collingwood Highway, being Lot 2 DP 537101, from Rural 2 Zone to Rural Residential Zone. This evidence relates to whether that relief is "on" PC81.

CODE OF CONDUCT

3. I have read the Environment Court Code of Conduct for Expert Witnesses 2023 and agree to comply with it. My evidence is within my area of expertise except where I state that I rely on the evidence of others. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE AND STRUCTURE OF EVIDENCE

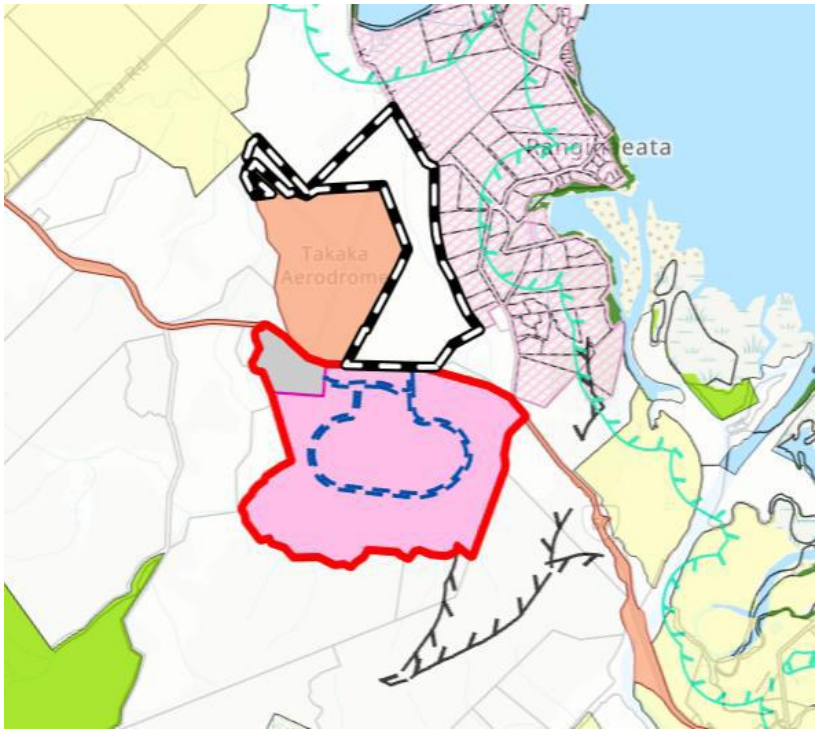
4. As relevant to the question of whether the rezoning is "on" PC81, my evidence addresses: Zone Boundaries and Settlement Form, Strategic Planning Context, the matter of Scope and Relief Sought.

5. The purpose of this evidence is not to provide a detailed legal analysis of jurisdiction. That is appropriately addressed by legal counsel.

BACKGROUND

6. The subject site, located at 262 Tākaka-Collingwood Highway (Lot 2 DP 537101), comprises approximately 39.3 hectares of land currently zoned Rural 2 under the TRMP.

7. The subject site occupies a strategic position within an area that is transitioning from a predominantly rural production environment to a mix of rural residential and proposed light industrial land uses. In particular:
   - The eastern boundary adjoins existing Rangihaeata Rural Residential Closed Zone which consists of multiple 1ha-2ha lifestyle blocks.
   - Land directly opposite the highway is proposed to be rezoned Rural Residential through PC81 (T-140a Little Ōnahau), with minimum 2ha allotment.
   - Land in close proximity is proposed to be rezoned Light Industrial through PC81 (T-182a).
   - Tākaka Aerodrome is located immediately west of the site. This site has a designation for the purpose of the Aerodrome.



8. The subject site is mapped under NZLRI as LUC Class 4 soils, and is not highly productive land. The site is therefore not restricted from development under the National Policy Statement for Highly Productive Lands.

9. The subject site is therefore uniquely positioned to form part of a coordinated and logical expansion of the Rural Residential Zone.

ASSESSMENT AND DISCUSSION

10. PC81 was notified to implement growth planning outcomes and increase development capacity.

11. PC81 intends to give effect to the National Policy Statement for Urban Development (hereafter NPS-UD) and the Tasman Regional Policy Statement (TRPS), while having regard to TRPS Change 1 (hereafter TRPS C1), the Future Development Strategy (hereafter FDS) and Tasman Regional Management Plan (hereafter TRMP).

12. PC81 is not limited to the lands specifically identified through the FDS. For example, the following sites were not identified for development through the FDS but have nevertheless been included in PC81.
    - Richmond: T-223, T-232;
    - Golden Bay: T-227, T-228, T-229, T-230;
    - Redwood Valley: T-226;
    - Māpua: T-33b, T-240b.

13. This demonstrates that Council has appropriately assessed additional land on its planning merits where opportunities exist to support growth objectives and improve development capacity and where rezoning would be consistent with the objectives and policies of the TRPS, NPS-UD and the broader strategic growth framework.

14. The s 32 evaluation prepared for PC81, identified a future housing shortfall, as outlined in the FDS (s9.1), which noted the following in relation to Tākaka:

    "Tākaka is projected to grow modestly over the next 30 years, with demand for about an extra 100 houses and less than one hectare of business land. However, according to Stats NZ population estimates (June 2021) the Golden Bay ward grew by 230 people in the 12 months prior, which is relatively high population growth. Several growth areas are therefore provided for in case this trend continues. There are limited options for expansion immediately around the existing town given highly productive land, flood risk and coastal inundation constraints. Working within that, options for growth are identified at the eastern urban edge. Options for rural residential expansion and light industrial land are also located close to the Tākaka Airport and in the south near the Golden Bay recreation park centre."

15. TAHL's proposed rezoning represents a logical extension of T-140a as it is a gap-filling opportunity between the existing Rangihaeata Rural Residential Closed and PC81's T-140a and would create one continuous Rural Residential zone rather than two spot zones separated by Rural 2 zoning. The gap filling can contribute additional development capacity and housing choice within the Golden Bay area, contributing toward reducing future housing supply shortfall identified in the s 32 report.

16. The FDS identifies opportunities for future growth in the vicinity of Tākaka Aerodrome, including rural residential development. The subject site is located immediately adjacent to those growth areas and shares the same attributes that support their inclusion, including:
    - proximity to Tākaka township;
    - access to the state highway network;
    - the subject site is not highly productive land resources;
    - proximity to existing rural residential development; and
    - location within an area where future growth is anticipated.

17. Inclusion of the subject site in PC81 is a realistic and feasible development opportunity capable of contributing toward future housing supply in Golden Bay. Rezoning the subject site to Rural Residential is therefore consistent with the requirement to maintain sufficient development capacity for housing over the short, medium and long term as it would increase plan-enabled capacity and provide greater flexibility in responding to future growth demands.

18. In my professional opinion, the proposal promotes efficient land use, establishes logical zoning boundaries, avoids impacts on highly productive land, and supports an integrated pattern of settlement growth between existing and proposed Rural Residential zones.

RESPONSE TO SECTION 42A REPORT / OTHER EVIDENCE

19. Tasman District Council's s42A report notes the following (paragraph 116) in relation to the subject site:

    "PC81 proposes Rural Residential growth in this locality, including the rezoning of T-140a immediately opposite the submitter's land. The site also adjoins existing Rural Residential zoning. The relief therefore has a direct spatial and planning connection with the changes advanced through PC81 and seeks an expansion of the same zoning framework proposed through the notified plan change. While the site was not identified for growth through the FDS or PC81, its proximity to both existing and proposed Rural Residential land provides a sufficient connection to the notified proposal. I therefore consider Limb 1 is satisfied."

20. I agree with the s 42A author's assessment regarding scope in relation to Limb 1.

21. In relation to Limb 2, the s 42A report said:

    "The submitter's land was not identified for Rural Residential growth through either the FDS or PC81. While the proximity of the site to existing and proposed Rural Residential land provides some indication that growth issues in this locality may be debated through submissions, PC81 did not signal that this substantial additional area could also be rezoned. The scale of the requested rezoning, together with potentially affected interests associated with the adjoining aerodrome, State Highway 60 and the surrounding rural environment, means affected persons could not reasonably have anticipated this outcome through the notified proposal. I therefore consider Limb 2 is not satisfied."

22. I consider that the s 42A report has approached Limb 2 too narrowly.

23. The s 42 author in Para 57, noted in relation to the submission by Orange Family Trust and Orange Building Group Limited #162, that as White Road T-038 was included within the FDS, it gave sufficient notice that rezoning was the kind of relief that could be sought. It concluded in that instance, that Limb 2 had been met. This approach was also taken for the submissions by Kathryn Hanna #121, Joshua Rutledge #154 and Jamie Eggers #155 for T-039 at Para 63 of the s 42A report, even though T-039 is over 600m from the notified Plan Change area T-122 and the Submitters properties are over 1km from T-122.

24. The s 42 author has noted that other sites not identified within the FDS would not be reasonably have anticipated to be raised in submission and therefore do not meet Limb 2.

25. PC81 is titled “Urban Growth”. A person reading even the front page of PC81 would expect it to provide for urban growth, and would anticipate that the exact locations where urban growth is provided for might change through the planning process.

26. A person who read the strategic direction of PC81 as summarised in the s 42A report (p 1) would note that it has five aspects, which include implementing (in part) the FDS, AND increasing the variety of homes available within towns and urban centres, AND locating residential and business growth in appropriate urban locations. A reasonable member of the public reading PC81 would likely conclude that it has a relationship to the FDS, but is not entirely based on it, and so would not expect the only rezoning to be on sites identified in the FDS.

27. Spot zoning is not a favoured planning practice, and where the spot zones are so closely located, separation of a different zone with greater reverse sensitivity setbacks causes the efficient use of the spot zones to be limited.

28. Whilst the TAHL land is not within the FDS, the area of T-140a to be rezoned for rural-residential development was identified in the FDS and is only one allotment away from the Rangihaeata Rural-Residential Zone.

29. In this instance, a submission seeking relief in kind, is something that I consider the general public, and in particular residents of Rangihaeata, would anticipate.

30. Furthermore, where there are rural-residential zones separated by one rural property, that rural property sits within an area that enables rural-residential living patterns. In practice, this can make that rural property appear more favourably positioned for future subdivision or rezoning requests, as it is no longer functioning as part of a broad, contiguous rural environment, but instead as an isolated rural pocket between rural-residential zones, and Council may view its eventual transition as consistent with the adjacent zones.

31. At the same time, rural activities occurring on the remaining rural property—such as noise, odour, traffic from machinery, or animal husbandry—can be perceived as adversely affecting the amenity expectations of the adjoining rural-residential zone. Over time, this dynamic can create pressure for the rural land to “align” with its neighbours, resulting in what is often described as rezoning by stealth; not through a deliberate strategic planning decision, but through incremental encroachment of residential expectations into rural land.

32. In my opinion, this is another reason why people would not be surprised by the owner of the property in between the two spot zones seeking to have the same zoning applied.

33. Golden Bay has a reputation for being highly attentive to anything that might change the status quo. With a strong sense of place, many locals keep a close eye on council agendas, publicly notified resource consents and plan changes.

34. As such, I would expect that the Golden Bay public would look at Council's website at the 'Summary of Submissions by Topic – Erratum Version Full Record' on PC81 and would make a further submission on TAHL's original submission if they did not support the extension to the Rural Residential Zone.

35. An interested person could search by topic on 'Puramahoi' and would have found the submission by TAHL, along with the submissions by Predator Free Rangihaeata, Lisa Lewis, Sally Gaffney, Philip Gaffney and Anthea Ellison.

36. The relief by TAHL was accurately summarised in the Summary of Submissions, so it gave fair notice that the rezoning was sought. I have included a screenshot of the submission summary as an attachment to my evidence.

37. I would therefore consider that the public have had the opportunity to review the submission in relation to Limb 2, and that there was opportunity to make further submissions.

RELIEF SOUGHT AND CONCLUSIONS

38. For the reasons set out in my evidence and in legal submissions, I consider that the submission by Tākaka Aero Heights Limited is "on" PC81 and should proceed to a substantive hearing in the Stage 4 Hearing Round, when the Submitter may present technical evidence.

Jane Bayley
19 October 2026

Attachment – screenshot of Submission Summary

	#	Plan Section	Point Address	Support Oppose	Submission Summary
+	114.1	Zone Maps > 58 - Proposed PC81 - Zone - Tākaka, Puramāhoi	262 Takaka-Collingwood Highway, Rangihaeata, Takaka (Lot 2 DP 537101)	Amend	Seek rezoning of 262 Tākaka-Collingwood Highway (Lot 2 DP 537101), comprising approximately 39.3 hectares, from Rural 2 Zone to Rural Residential Zone. The submitter considers the site forms a logical extension of existing and proposed Rural Residential development near Tākaka Aerodrome and should be included within PC81 to provide additional housing capacity and housing choice in Golden Bay. The submitter considers the site is well located in relation to Tākaka township, adjoins existing Rural Residential development, is opposite land proposed for Rural Residential rezoning through PC81, is near proposed Light Industrial land, and sits within an area already experiencing land use change and development pressure. The submitter considers retaining Rural 2 zoning would create an inefficient and fragmented planning outcome by leaving a large area of land surrounded by existing and proposed development opportunities while limiting its contribution to future growth.

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1 - 1 of 1 items