BEFORE INDEPENDENT HEARING COMMISSIONERS

APPOINTED BY TASMAN DISTRICT COUNCIL

IN THE MATTER OF	The Resource Management Act 1991
AND	Tasman Regional Policy Statement Change 2 Hearing
AND	Submissions and Further Submissions on Tasman Regional Policy Statement Change 1 Hearing
FOR	Richmond Pohara Holdings Ltd (Submission 28)

PLANNING EVIDENCE OF JACQUELINE MARY MCNAE

ON TASMAN REGIONAL POLICY STATEMENT CHANGE 1

HEARING STAGE 2

Dated: 27th of October 2026

INTRODUCTION AND BACKGROUND

1. My name is Jacqueline Mary McNae. I hold the qualification of a Bachelor of Regional Planning (Hons) from Massey University.

2. I have over 40 years' experience as a Planner and Resource Management Consultant. This experience includes as a Council Planner with the Waimea County Council, and then the amalgamated authority Tasman District Council (TDC) from 1984 through to mid-1990, when I moved into private practice. I am employed as the Planning Manager at Staig & Smith Ltd, which is a Surveying, Land Development and Planning Consultancy based in Nelson.

3. I have been engaged by Richmond Pohara Holdings Ltd (RPHL) in relation to its submission on Change 1 to the Tasman Regional Policy Statement (TRPS) and Plan Change 81 (PC81) to the Tasman Resource Management Plan (TRMP). RPHL is Submitter 184 on PC81 and Submitter 28 on Change 1.

4. This statement relates to the Stage 2 hearing, dealing with Change 1 to the TRPS.

CODE OF CONDUCT

5. 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

6. The purpose of my evidence is to address Change 1 to the TRPS and the potential impact of the Change on a coherent planning framework for housing development and planning for growth of settlements defined as outside of Tasman's urban environment, in particular planning for growth of Pōhara.

7. The Change 1 Submission is not a standalone issue for RPHL as the whole of the RPHL Submission to Change 1 to the TRPS and Plan Change 81 seeks consideration of provision for growth in Pōhara within the statutory planning documents of the TRPS and the TRMP.

8. My evidence focusses therefore on the proposed changes to Chapter 5 of the TRPS which seek to delete reference to population increases in the smaller settlements in Waimea and Golden Bay and to focus exclusively on provision of land capacity to

meet demand of the urban environment. In my opinion these changes undermine the coherence of the existing support and provision for growth of settlements outside of the defined Urban Environment. I recommend changes to address RPHL's concern that Change 1 introduces uncertainty over whether growth in settlements outside the Urban Environment is anticipated.

9. My evidence is structured as follows:
   a. Background to the submission and relevant planning history;
   b. Overview of Change 1 to the TRPS and Relationship to PC81
   c. Reasons for RPHL Submission
   d. Response to the Section 42A report
   e. Conclusions and relief sought.

BACKGROUND TO THE SUBMISSION AND PLANNING HISTORY

10. RPHL owns approximately 30.77 hectares of land at Pōhara. Part of that land is presently zoned Residential and is subject to an existing subdivision approval being developed in stages. The balance of the land remains zoned Rural 2.

11. RPHL lodged a Submission on Plan Change 81 seeking to rezone a portion of their land Residential and a portion of their land Open Space as detailed on the Staig and Smith Rezoning Plan that was attached to the Submission lodged. The Submission raised issues related to the Section 32 analysis as to the effectiveness of Plan Change 81 for implementing the existing urban growth objectives and policies for Eastern Golden Bay. The Submission also covered Change 1 to the TRPS, the subject of this Stage 2 hearing.

12. The Submission on Change 1 to the TRPS is concerned with the narrow focus of the Change to those townships that have been defined as part of the Urban Environment. The submission raises in particular the removal of reference in Issue 5.1 to growth of smaller settlements in Waimea and Golden Bay. This has introduced uncertainty for growth in the smaller settlements, as it has taken an issue statement that related to all settlements in the Tasman District and their growth to more narrowly focussing on those towns that are now defined as the urban environment being Richmond, Motueka, Wakefield, Brightwater and Mapua.

13. In the Stage 1 hearing my evidence provided a summary of the planning history in relation to RPHL land at Pōhara. Given the process for hearing the submissions has been divided into Topics for hearing, I have included below the same summary of

the planning history as it is relevant to this hearing as well, as it provides some context to the submission of Change 1 to the TRPS.

14. RPHL's submission as lodged detailed the long planning history relating to the growth of Pōhara and Eastern Golden Bay. In particular, the submission referred to:
    a. The Eastern Golden Bay growth study and subsequent Variation 57 /Change 8 which introduced policies for future growth opportunities within Pōhara, noting in the reasons for the policies that Pōhara / Ligar Bay will continue to be a growth centre for Golden Bay;
    b. The structure planning undertaken for the subject land by RPHL which was produced by RPHL as part of the public process of hearing Variation 57/Plan Change 8, ensuring that this was in the public arena, so it was clear what the future development vision of RPHL for the subject land was;
    c. Plan Change 74 which rezoned part of the RPHL land Residential, noting that RPHL sought, unsuccessfully, that the rezoning should cover all of their land.
    d. RPHL Submission to the FDS that their land (noted as T162) should be included in the FDS.
    e. Ongoing engagement between RPHL and Council regarding future urban growth opportunities within Pōhara. Noting the initial judicial review proceedings on the FDS which were withdrawn, following liaison with Council staff which confirmed that just because RPHL land was not listed in the FDS does not mean that it will not be considered for growth as at that time the Council had a work stream to make changes to the policies and methods relating to growth of a range of settlements including Pōhara.

OVERVIEW of CHANGE 1 TO THE TRPS STATEMENT AND RELATIONSHIP WITH PLAN CHANGE 81

15. The Section 42A report states under paragraph 11 that *Change 1 updates the TRPS framework for urban development and growth management within Tasman District. It provides strategic direction for how growth, housing and business development capacity, urban form, infrastructure integration and responsiveness to significant urban development proposals are to be managed at the regional policy statement level.*

16. The Section 42A report goes on to state at paragraph 12 that the major drivers of Change 1 are to give effect to the NPS-UD, to have regard to the FDS, and to provide an updated strategic framework for urban development in the TRPS. Importantly at paragraph 14 it is confirmed that the Change is not a comprehensive review of the TRPS.

17. I have no issue with the overview provided in the Section 42A report on Change 1 to TRPS, the issue relates to why ensuring that the TRPS gives effect to the NPS-UD and to have regard to the FDS, requires deletion of references to growth in the smaller settlements, including in Golden Bay.

18. Operative Section 5.1 of the TRPS provides a statement that encompasses urban development in the whole district, covering both the towns and the small urban settlements, as is appropriate for a Regional Policy Statement. With proposed Change 1, the focus is on growth of the defined Urban Environments, leaving uncertainty as to the TRPS's application to growth in the other settlements in the district.

REASONS FOR RPHL SUBMISSION

19. The underlying concern for RPHL is that Change 1 introduces uncertainty over the Planning framework for growth of settlements that sit outside the defined Urban Environment.

20. The TRPS is a higher order planning document which the TRMP must give effect to, and as such there should be a clear connection between the two planning documents. I acknowledge that one of the key drivers of Change 1 to the TRPS is giving effect to the NPS-UD, however as noted giving effect to the NPS-UD does not require removal of references to growth of settlements outside of the defined Urban Environment townships.

21. There are clear growth policies for Pōhara in the TRMP. Plan Change 81 has not deleted these growth Policies for Pōhara but proposes to relocate some of the policies so that they are all contained under 6.11. There has been some change though, relating to introducing a hierarchy of commercial /business centres, defining Takaka as a Town Centre with Collingwood and Pōhara as local centres.

22. The policies under 6.11 deal with expansion and growth opportunities for Takaka - Eastern Golden Bay. Policy 6.11.3.2 (c) specifically seeks to provide for some more development opportunity in Pōhara. The reasons for the Policy are set out under 6.11.30, which states the following;

Promotion of urban development in a defined area at Pohara/Tarakohe/Ligar Bay is an alternative to development elsewhere where adverse effects on the natural character of the coastal environment are regarded as inappropriate and unacceptable. Pohara/Ligar Bay has been and will continue to be a growth centre in Golden Bay. It is an attractive area for future development as it has good recreational facilities and is close to extensive, safe and sandy beaches and a deep-water port. It is proposed that future development should consolidate around the existing settlement and provide for some commercial or

tourist activities, with compatible industrial activities at Tarakohe. Some essential services such as water supply and roading need upgrading.

23. Under the operative TRPS there is a relatively coherent connection between the growth policies of the TRMP and the TRPS, as issue 5.1 discusses the growth of the main urban centres and the smaller settlements in Waimea and Golden Bay. The reference to the smaller settlements is being removed with the focus being Richmond in the Introduction Statement under 5.1 and then the addition of 5.1(i) is solely on urban environment, that now has a definition, which excludes the smaller settlements.

24. As the TRPS stands 5.0 Urban Development and the Introduction statement under 5.1 applies to all settlements. However, Change 1 with the proposed deletion of the reference to the smaller Golden Bay settlements, together with the introduction of 5.1(i) which confines providing sufficient housing and business land capacity to meet demand of the urban environment, introduces uncertainty of how the TRPS connects to the planning framework of the TRMP which provides for growth policies for Takaka-Eastern Golden Bay including Pōhara.

25. To use the Council staff terminology used in the Planning documentation supporting the Changes, Appendix 20, there is a disconnect in the *Wiring* between the TRPS and TRMP when it comes to growth of the smaller settlements. This disconnect does not exist with the operative TRPS, it is introduced by Change 1.

RESPONSE TO SECTION 42A REPORT AND RELATED EVIDENCE

26. The Section 42A report in relation to commentary on RPHL's submission at 4.5.2 restates the purpose of Change 1. As I have noted earlier in my evidence, I do not take issue with the purpose of Change 1, I take issue with the necessity to remove the reference to growth of smaller settlements. This is particularly a concern when following on from the introduction statement of 5.1 is the new provision 5.1 (i), which is a statement confined to the urban environment, now defined to exclude smaller settlements.

27. The Section 42A staff report under paragraph 109 says that Change 1 does not review how the TRPS manages growth in settlements outside the urban environment and does not introduce any provision that directs or limits growth in those settlements, stating that they can continue to be managed under the operative TRPS and TRMP. However, it is now proposed to be stated that the Urban Development section of the TRPS deals with providing sufficient land capacity for the Urban Environment. At

best therefore the TRPS is silent on providing land development capacity for smaller settlements, or at worst that the TRPS can be interpreted as, by default, intimating that there is sufficient development capacity available for the smaller settlements.

28. Paragraph 110 of the Section 42A report accepts that a reader looking for direction on growth in Pōhara will not find it and says that is because of the scope of the Plan Change. The main concern though of the Submission is that the changes introduce uncertainty and may be interpreted as seeking to foreclose opportunity for growth of smaller settlements on the basis that growth and demand are only anticipated in urban environments. Change 1 to Section 5.1 can be reworded to avoid such a consequence given the Section 42 A report is clear that there is no intention through Change 1 to limit growth outside of defined urban environment settlements.

29. Rewording of the changes to 5.1 can be done without changing the scope of Change 1. The Section 42A report acknowledges growth is occurring throughout Tasman District (paragraph 213) but is concerned that the relief sought would reduce accuracy (paragraph 215) by suggesting growth pressures in Golden Bay are of a similar scale to those experienced in Richmond. This is not suggested in the RPHL submission. Rewording as follows would remove the concern raised by RPHL while at the same time address the issues noted in paragraphs 213 and 215 of the Section 42A report.

"5.1 Introduction

The District contains over twenty urban and rural centres, most in a rural setting - only two towns, Motueka and Richmond, have populations of over 8000. The physical locations and urban development issues are quite varied. Most settlements are coastal, and many have historic heritage features. Urban Centre populations are increasing at a significant rate, in particular in Richmond, while many smaller settlements in the Waimea area and in Golden Bay are also experiencing growth. This section deals with the following urban development issues:

(i) Providing sufficient housing and business land capacity to meet demand of the urban environment, while also enabling growth where appropriate to meet demand in rural settlements across the District."

RELIEF SOUGHT AND CONCLUSIONS

30. The relief sought in the Submission as lodged, sought to reinstate the reference to Golden Bay in the Introduction Statement to 5.1. Further the Submission sought clear provision providing for housing development in other settlements outside of the Urban Environment. The relief specified in the Submission would be met by the following reworded statement.

"5.1 Introduction

The District contains over twenty urban and rural centres, most in a rural setting - only two towns, Motueka and Richmond, have populations of over 8000. The physical locations and urban development issues are quite varied. Most settlements are coastal, and many have historic heritage features. Urban Centre populations are increasing at a significant rate, in particular in Richmond, while many smaller settlements in the Waimea area and in Golden Bay are also experiencing growth. This section deals with the following urban development issues:

(i) Providing sufficient housing and business land capacity to meet demand of the urban environment, while also enabling growth where appropriate to meet demand in rural settlements across the District."

31. Rewording the Introduction statement, together with the amendment to 5.1(i), does not change the scope of Change 1, but it would address the concern of RPHL as to the uncertainty over whether Change 1 is seeking to foreclose or limit growth in settlements outside of the Urban Environment settlements.

32. The relief sought, would maintain a connection /wiring, between the TRPS and the settlement policies in the TRMP, including the Takaka -Eastern Golden Bay policies relevant to Pōhara.