BEFORE THE HEARING PANEL

APPOINTED BY THE TASMAN DISTRICT COUNCIL

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER	of the First Schedule to the Act
AND	
IN THE MATTER	of Proposed Change 1 to the Tasman Regional Policy Statement and Proposed Plan Change 81 to the Tasman Resource Management Plan

Submitter	Mt Hope Holdings Ltd (Original Submitter 6, Further Submitter 39 Change 1) (**Mt Hope**); and Appleby 88 Ltd (Further Submitter 40 Change 1) (**Appleby 88).** (together **Submitters**)

EVIDENCE OF HAYDEN TAYLOR

(PLANNING)

HEARING STAGE 2

MAY IT PLEASE THE PANEL

Credentials and Experience

Current Position

1 My full name is Hayden Craig Taylor.

2 I am a Resource Management Consultant at, and a Director of, Planscapes (NZ) Ltd, a surveying and resource management consultancy based in Nelson.

Qualifications and Experience

3 I hold a Bachelor of Science with Honours (Geography) degree from University of Otago, and I am an associate member of the New Zealand Planning Institute.

4 I have 18 years' experience in resource management and planning practice. I have been employed by Planscapes as a Resource Management Consultant since May 2018 and became a Director in 2022. Prior to my employment with Planscapes I worked in Auckland as a Resource Management Consultant for two years, and before that for Auckland Council in various resource consenting roles including Senior Planner and Resource Consents Team Leader. Prior to that I worked as a Planner for a London Borough Council for a period of three years.

5 I have prepared evidence and appeared, both for private clients and local authorities, as an expert witness at Council and Environment Court hearings, and have also participated in Environment Court mediation proceedings.

6 For the past eight years, most of my work has been in the Nelson/Tasman region. This has included preparing numerous applications for resource consent under the Tasman Resource Management Plan (TRMP), including for the development of the first stage of the Mt Hope land at Māpua. I have also prepared submissions on Council plan changes and attended Council plan change hearings.

Environment Court Practice Note

7 I acknowledge that I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023, and agree to comply with it.

8 Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Submissions and Relief Sought

9 I prepared an original submission on Tasman Regional Policy Statement Change 1 ('Change 1') on behalf of Mt Hope (**OS 6**). The submission supported Change 1 in its entirety.

10 Appleby 88 did not make an original submission on Change 1.

11 I prepared further submissions on the original submission of Submitter 13 (Andrew and Susan Talley — "Talley") on Change 1 on behalf of Mt Hope (FS 39) and Appleby 88 (FS 40). The submissions opposed Talley submission points OS13.2, OS13.10, OS13.14, OS13.20, OS13.29, OS13.30, OS13.32, OS13.33, OS13.35 and OS13.36. In summary, the reasons common to both Submitters for opposing these original submission points are:

11.1 It is unclear whether the proposed changes sought in the Talley submission would extend "unanticipated or out-of-sequence development" provisions beyond plan changes to deferred zone or resource consent development. Such an extension could undermine the TRMP's existing framework for enabling appropriately managed development ahead of programmed infrastructure.

11.2 Several requests involved broad redrafting, and their implications cannot be properly assessed until the proposed wording is available.

11.3 Stronger prioritisation of intensification over greenfield development is not supported because intensification is not the only means of achieving a well-functioning urban environment.

Council's s42A Officers' Report

12 With regard to the specific submission points in contention, the Council's Reporting Officer supports those aspects of the Talley submission that seek clearer drafting and separating planned growth from the responsive-development pathway, but does not support stronger provisions that would effectively prevent qualifying unanticipated or out-of-sequence development required to be considered, as this would be inconsistent with the responsiveness requirements of the NPS-UD. The Reporting Officer also clarifies what provisions relating to unanticipated or out-of-sequence development are intended to address – being plan changes.

13 The s42A report therefore recommends that submission points OS13.10, OS13.14, OS13.32, OS13.33 and OS13.35 be rejected; that OS13.20 and OS13.30 be accepted in part; and that OS13.29 and OS13.36 be noted.

14 The further submissions of the Submitters noted that it was unclear whether Talley original submission point OS13.2 had been superseded by other submission points in the erratum

version released by Council. The s42A report appears to confirm, through omission of any mention of this submission point, that OS13.2 was superseded.

Discussion

15 The Talley submission raises issue with “unanticipated or out-of-sequence” development, particularly within the Māpua area. It appears that their concern extends beyond the plan change process, although it is not clear to what extent - for example, to development within deferred zones or development proposed by way of resource consent.

16 The Talley submission requests that that Policy 5.1B be split into separate policies dealing with strategic growth and with unanticipated or out of sequence proposals and that the direction on growth sequencing, infrastructure readiness and implementation of national direction be strengthened.

17 The s42A report clarifies that the first limb of Policy 5.1B as notified sets the planned position for all urban growth in Tasman's Urban Environment, and that the second limb applies only when a plan change proposes development outside that position. The Reporting Officer recommends that these limbs are separated into two policies – 5.1B and 5.1BA. Policy 5.1B guides Council re-zoning of land (where in line with existing strategic documents), and Policy 5.1BA relates to plan change proposals to rezone land that is out of sequence or unanticipated with reference to these strategic documents.

18 Neither of these policies are relevant to the Submitters, based on the clarification provided in the s42A report: Their landholdings have operative deferred urban zonings and there is no need for the TRPS to address development of land that is already zoned for urban development, whether deferred or otherwise.

19 To the extent that the Talley submission may address ‘unanticipated or out of sequence development’ other than via a land rezoning/ plan change process, it is relevant to note that the Submitters have an interest in ensuring that there is a pathway available to bring forward planned infrastructure or to provide temporary or alternative infrastructure. Such a pathway already exists through TRMP provisions that enable this by way of resource consent, and in my opinion, this is entirely appropriate as it is in some cases necessary for developers to pursue this pathway in order to provide for the urban growth anticipated by operative urban zoning in a timely and efficient manner. The resource consent process enables such proposals to be assessed on their merits. Whilst there appears to be little direct discussion of this matter in the s42A report, it appears to me that Change 1 is not intended to undermine this pathway, and in my opinion, it would be inappropriate for it to. This appears to me to be a matter more relevant to PC81 than Change 1.

20 I do not consider it appropriate to amend the provisions, as sought in the Talley submission, to provide stronger direction prioritising intensification over greenfield expansion and unanticipated or out-of-sequence development. The Reporting Officer rejects stronger direction prioritising intensification over greenfield growth because the FDS adopts a balanced approach to intensification and managed expansion, Policy 5.1A already supports intensification, and the NPS-UD does not require intensification to take priority over greenfield growth. I agree with that position. In any event, the Reporting Officer's clarification that the provisions relating to unanticipated or out-of-sequence development apply only to plan change proposals means that the proposed prioritisation has little relevance to the Submitters.

21 The Talley submission seeks the redrafting of various provisions. Until the nature of that redrafting is confirmed, its appropriateness in relation to the matters discussed above and other resource management considerations remains unknown. I consider several amendments made by the Reporting Officer to be useful: separating planned growth into Policy 5.1B and the responsive pathway into new Policy 5.1BA; using the defined term "Tasman's Urban Environment"; and amending the explanation and reasons supporting Policies 5.1B and 5.1BA to clarify their application to operatively zoned land. I would be willing to participate in any expert caucusing required in relation to further redrafting.

Hayden Taylor

27 October 2026