BEFORE THE INDEPENDENT HEARINGS PANEL

IN THE MATTER	**of The Resource Management Act 1991**
AND	
IN THE MATTER	**of a streamlined planning process under s 80B of 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.**

EVIDENCE OF PHILLIP PERCY (PLANNING) FOR ANDREW TALLEY AND SUSAN TALLEY (HEARING STREAM 2) TRPS-PC1

DATE: 27 OCTOBER 2026

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EXECUTIVE SUMMARY

1. I have prepared this statement of planning evidence on behalf of Andrew and Susan Talley regarding Proposed Tasman Regional Policy Statement (RPS) Change 1. My evidence evaluates whether the proposed Change 1 provisions give effect to higher-order national policy direction under the Resource Management Act 1991 (RMA) and recommends changes to the proposed provisions to achieve a directive, evidence-based, integrated urban growth framework for the Tasman District.

2. My evidence focuses on the key issues in contention: housing and business land capacity; infrastructure integration; highly productive land (HPL) protection; the approach to private plan changes; and providing direction on constraints, including natural hazards and climate change resilience.

3. In my view, the Council's current approach enables urban growth to give effect to the NPS-UD without adequately giving effect to other relevant NPS. For example, failing to address urban growth constraints and hazard management provisions does not give effect to overlapping national policy statements as required by the RMA. Local authorities must give effect to national direction as soon as practicable, rather than deferring critical constraint considerations to unscheduled future plan changes. Managing plan changes, including unanticipated or out-of-sequence proposals under the NPS-UD Policy 8, requires directive policy criteria or "drafting gates" in the RPS to ensure that growth does not compromise explicit national policy direction on natural hazard risk avoidance, freshwater protection, protection of highly productive land, or infrastructure capacity. Enabling growth ahead of funded infrastructure creates significant fiscal risks and planning complexities.

4. Regarding housing bottom lines, I consider that relying on the historic 2024 Housing and Business Assessment (HBA) modelling, which is accepted as out of date, creates planning inefficiencies, especially given recent 2026 monitoring data and the Council's likely infrastructure investment deferrals. While NPS-UD Clause 3.6 requires bottom lines to be based on HBA information, it does not prevent the Council from utilising the best available, up-to-date monitoring data to accurately reflect expected demand.

5. To address these issues within the scope of Change 1, I recommend specific amendments to the Chapter 5 provisions in Appendix 1, including strengthening Policy 5.1 to generally avoid urban rezoning on Highly Productive Land, refining Policy 5.1A as active evaluation criteria for well-functioning urban environments, embedding a 100-year climate change horizon and risk avoidance in Issue 5.2 and Objective 5.1A, and establishing clear drafting gates in Policy 5.1BA for unanticipated plan change proposals.

QUALIFICATIONS AND EXPERIENCE

6. My name is Phillip Percy, I hold a Bachelor of Resource and Environmental Planning with Honours from Massey University, specialising in physical geography. I hold a current Making Good Decisions certificate.

7. I have been practising as a planner since 1998 (approximately 26 years). This has included working as a Resource Advisor (Policy) for Greater Wellington Regional Council, a Senior Planner for Eliot Sinclair and Partners in Christchurch and as a Senior Planner for Beca in Wellington. I have also previously worked as a Planner in the United Kingdom, including in consent processing, enforcement and monitoring roles.

8. I am currently a Director of Kāhu Environmental Limited, a resource management and planning consultancy established in 2007 and which employs 19 professional and support staff.

9. I have been involved in a professional capacity in a wide range of planning matters, including applications for large-scale subdivision consents, land use consents for dwellings, commercial buildings, earthworks and infrastructure projects, including in the Palmerston North, Kapiti Coast, Wellington and Christchurch areas. I have experience in assessing proposals against both regional and district planning provisions, as well as in both urban and rural environments. I have also been involved in resource consent applications for discharges to land, water and air, and water take applications, including municipal wastewater discharges, winery waste discharges, and discharges of stormwater.

10. I have experience in the development of RMA planning documents, both at regional and district level. This includes involvement in the development of, hearings and appeals on the Horizon Regional Council's One Plan, the Proposed Greater Wellington Natural Resources Plan, and various plan changes to the Palmerston North City District Plan (including in relation to urban growth, natural hazards, and airport plan changes). I provided overview support to Central Hawke's Bay District Council for the post-notification phase of their Proposed District Plan and have been part of consultant teams undertaking planning and analysis for large urban growth extensions.

Previous involvement in Tasman District planning processes

11. I have provided planning advice to Mr and Mrs Talley on Tasman District planning processes since 2022. This has included advice on the draft Māpua Masterplan, Plan Change 79 (deferred zones), draft Plan Change 85 (natural hazards), and the Council's consultation on developing visions and values for the Waimea Freshwater Management Unit and the Coastal Strategy. I have also provided advice to Mr and Mrs Talley on several land use and subdivision activities proposed or undertaken by others in the Māpua area. Regarding Change 1 to the RPS and Plan Change 81 to the TRMP, I advised Mr and Mrs Talley during the Council's initial consultation on those plan changes, and my advice informed their submission and further submissions lodged in the current process. This previous involvement has given me a good appreciation of the issues involved in Change 1 and Plan Change 81.

Expert Witness Code of Conduct

12. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note dated 1 January 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving oral evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of evidence

13. I have reviewed the Officer's Report and note that the reporting planners have recommended accepting many of Mr and Mrs Talley's submission points. The reporting planners have recommended a number of amendments to the Change 1 provisions. I generally agree with the majority of the recommended changes. Where I consider further or alternative amendments are more appropriate, I discuss those in my evidence below and have provided a set of tracked changes provisions in **Appendix 1**.

14. My remaining evidence focuses on the key matters raised in Mr and Mrs Talley's submission that remain in contention. The reporting planners have set out a list of key issues in contention. Of those, my evidence predominantly addresses the following six issues:

    a. The provision of sufficient housing and business land capacity, including the appropriateness of housing bottom lines, growth projects and development capacity assumptions.

    b. The role of the FDS in directing urban growth, including the extent to which growth should be consolidated within the identified urban areas or accommodated through unanticipated or out-of-sequence development proposals.

    c. The integration of urban growth with infrastructure and additional infrastructure, including the provision of schools, community facilities and transport networks

    d. The protection of HPL and the balance between urban expansion, intensification and environmental outcomes.

    e. The role of private plan changes in responding to future growth demands and contributing to well-functioning urban environments.

    f. The extent to which natural hazards, climate change resilience and environmental constraints should be addressed through Change 1.

15. In preparing the evidence, I have read the following documents and reports associated with Change 1:

    a. The Change 1 notified material, including the Council's s32 Report and appended reports.

    b. The Plan Change 81 notified material.

    c. The Hearing 2 material uploaded on the Council's website, including the S42A Report on Change 1 to the Tasman Regional Policy Statement, its appendices, and the evidence of Sue McLean and Jacqui Deans.

    d. Minutes 1 to 3 issues from the Hearing Panel.

    e. The evidence of Derek Foy for Hearing 2 on behalf of Andrew and Susan Talley.

STATUTORY AND NATIONAL POLICY CONTEXT

16. The Council's Section 32 Report and the s42A Report for Hearing 2 summarise the statutory and national policy context relevant to Change 1. I generally agree with the high-level overview of the relevant national policy documents in the s42A Report, but I highlight the following matters as particularly relevant to the issues covered in my evidence.

Resource Management Act 1991

17. In relation to implementing national policy statements:

    a. Section 55(2B) - the Council must make amendments to the RPS (and its plans) that are required to give effect to any provision in a national policy statement that affects the RPS (or plan).

    b. Section 61((1)(da) - the Council must prepare and change its RPS in accordance with a national policy statement, a New Zealand coastal policy statement, and a national planning standard.

    c. Section 62(3) – A RPS must give effect to a national policy statement, a New Zealand coastal policy statement, or a national planning standard.

National policy statements

18. I have set out below the relevant Objectives and Policies of the relevant National Policy Statements:

National Policy Statement for Urban Development 2020 (NPS-UD)

19. The NPS-UD is the primary instrument directing urban growth and emphasises achieving "well-functioning urban environments."

    a. **Objective 1:** Requires well-functioning urban environments that support the social, economic, cultural, and environmental wellbeing of communities.

    b. **Objective 3** directs regional policy statements and district plans t o enable more people to live and work in areas that are near employment opportunities, well-serviced by existing or planned public transport, or experiencing high demand.

    c. **Objective 6** requires that local authority decisions on urban development be integrated with infrastructure planning and funding, strategic in nature, and responsive to proposals that provide significant development capacity.

    d. **Policy 2 & Clauses 3.2-3.4:** Mandates the provision of "sufficient" development capacity—defined as plan-enabled, infrastructure-ready, and feasible—to meet demand over short, medium, and long-term horizons.

    e. **Clauses 3.2 and 3.3** require tier 1, 2, and 3 local authorities to provide sufficient plan-enabled and infrastructure-ready development capacity to meet expected housing and business demand in the short, medium, and long term.

National Policy Statement for Natural Hazards 2025 (NPS-NH)

    a. **Policy 1, 2, & 3**: Require a risk-based, proportionate approach to managing natural hazards; development in areas of "very high" risk must be avoided.

b. **Policy 6**: Requires consideration of climate change impacts for at least 100 years.

National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

a. The objective of this National Policy Statement is to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and lists a set of 4 outcomes to achieve this.

National Policy Statement for Highly Productive Land 2022 (NPS-HPL)

a. **Policy 5 & Clause 3.6(1) – (3)**: restricts the urban rezoning of highly productive land to cases where it is required to provide sufficient development capacity under the NPS-UD, no other reasonably practicable options exist (including through intensification), and the benefits outweigh the costs of losing productive land.

b. **Clause 3.6(5)**: territorial authorities must take measures to ensure that the spatial extent of any urban zone covering highly productive land is the minimum necessary to provide the required development capacity while achieving a well-functioning urban environment; note that clauses 3.6(1)–(4) do not apply to LUC 3 land, however clause 3.6(5) continues to apply.

c. **Clause 3.13**: requires the management of reverse sensitivity effects to protect ongoing primary production.

National Policy Statement for Freshwater Management 2020 (NPS-FM)

a. Fundamental Concept – Te Mana o te Wai (Clause 1.3 & Policy 1)

b. **Policy 1 -** district and regional plans must ensure freshwater management gives effect to Te Mana o te Wai.

c. **Clause 3.5 & Policy 3** - Integrated management and coordination and sequencing of regional or urban growth.

d. ***Ki Uta Ki Tai*** **(Mountains to the Sea):** Local authorities must manage land use, freshwater, and receiving environments

(including estuaries and coastal marine areas) in an integrated, whole-of-catchment way to avoid, remedy, or mitigate adverse and cumulative effects.

e. **Mandatory Alignment for Territorial Authorities:** Clause 3.5(4) directs district plans to include objectives, policies, and methods to address the adverse effects of urban development on the health and well-being of water bodies, freshwater ecosystems and receiving environments.

f. **Policy 6** directs that there is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.

g. **Clause 3.22** - the loss of extent or values of natural inland wetlands must be avoided. Activities within or near wetlands must apply the effects management hierarchy (avoid, minimise, remedy, offset, or compensate).

h. **Policy 7** requires that the loss of river extent and values is avoided to the extent practicable.

i. **Clause 3.24** prohibits the loss of river extent (including intermittent and modified watercourses) unless the council is satisfied there is a demonstrated functional need for the activity in that specific location, and all steps of the effects management hierarchy are applied.

j. **Policy 9** mandates the protection of habitats of indigenous freshwater species.

k. **Clause 3.26** requires councils to include rules in regional plans ensuring that instream structures (such as stormwater culverts, bridges, or detention dams required for urban infrastructure) maintain or enhance fish passage for indigenous species.

l. Councils must set limits and methods to avoid degradation of water quality caused by urban land development, including sediment generation from earthworks and urban stormwater contaminant loads (e.g., heavy metals and nutrients).

National Policy Statement for Infrastructure (NPS-I)

a. The National Policy Statement for Infrastructure (NPS-I 2025) sets national direction under the RMA to ensure infrastructure is planned, enabled, protected, and delivered in a timely and integrated manner to support urban environments and population growth.

b. The provisions particularly relevant to managing urban environments and urban growth include:

c. **Objective 2.1** directs decision-makers to enable infrastructure to support the development and changing needs of urban environments, ensuring infrastructure is well-functioning, resilient, and delivered efficiently.

d. **Policy 1** directs that decision-makers recognise the national, regional, and local benefits of infrastructure, specifically highlighting its role in creating well-functioning urban environments, supporting sufficient housing and business land development capacity, and providing essential services for district growth.

e. **Policy 3** requires decision-makers to consider spatial planning to achieve integrated land use and infrastructure delivery. The NPS-I links infrastructure planning directly to statutory and non-statutory growth documents.

f. **Policy 2** requires recognition that infrastructure has operational or functional needs to locate where services are required to meet community demand.

g. **Policy 4** directs decision-makers to enable the efficient and timely delivery of infrastructure, facilitate the maximum use of existing networks, and enable upgrades to maintain or increase levels of service to meet expanding urban demand.

h. **Policy 10** requires plan-makers to manage the interface between existing or planned infrastructure and surrounding urban activities

(such as residential intensification) to ensure they are compatible and that infrastructure operations are not compromised.

i. **Policy 11(1)(c)** establishes that the primary responsibility for managing adverse effects at the interface generally lies with the new encroaching activity or development.

j. In addition to traditional "development infrastructure" (water supply, wastewater, stormwater, and land transport), the NPS-I explicitly incorporates "additional infrastructure" essential for well-functioning urban areas, including schools, healthcare facilities, emergency service facilities, stormwater networks, and public flood control works.

New Zealand Coastal Policy Statement (NZCPS)

a. **Policy 6(1)(c)**: Directs local authorities to encourage the consolidation of existing coastal settlements and urban areas where this contributes to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth.

b. **Policy 6(1)(b):** Requires consideration of the rate at which built development and associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment.

c. **Policy 7(1)(a):** Directs regional policy statements and plans to consider where, how, and when to provide for future residential, rural residential, settlement, urban development, and other activities at regional and district levels.

d. **Policy 7(1)(b)**: Requires identifying areas of the coastal environment where particular forms of subdivision, use, and development are inappropriate (or inappropriate without resource consent assessment) and providing protection through objectives, policies, and rules.

e. **Policy 7(2):** Directs the inclusion of plan provisions and thresholds (or acceptable limits to change) to manage coastal processes or values that are under threat from cumulative effects.

f. **Policy 24(1):** Directs local authorities to identify areas in the coastal environment potentially affected by coastal hazards (including tsunami), assessing risks over at least 100 years.

g. **Policy 24(1)(a)–(h):** Requires assessments to account for sea level rise, short- and long-term natural dynamic fluctuations of erosion and accretion, inundation pathways and overland extent, and the cumulative effects of sea level rise, storm surge, and wave height under climate change.

h. **Policy 25(a):** Directs the avoidance of increasing the risk of social, environmental, and economic harm from coastal hazards in areas potentially affected over at least the next 100 years.

i. **Policy 25(b)**: **Directs** local authorities to avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards.

j. **Policy 25(c):** Encourages redevelopment or changes in land use that reduce coastal hazard risk, including managed retreat by relocating or removing structures, or designing for relocatability or recoverability.

k. **Policy 25(d), (e):** Encourages locating infrastructure away from hazard risk areas where practicable, discourages hard protection structures, and promotes the use of natural defences (such as beaches, dunes, and wetlands).

l. **Policy 3**: Mandates a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, particularly regarding coastal resources vulnerable to climate change.

m. **Policies 22(2), 23(4):** Requires that subdivision, use, or development will not result in a significant increase in sedimentation. Directs local authorities to avoid adverse effects of

stormwater discharges on a catchment-by-catchment basis through source contaminant control, integrated catchment management, and flow-reduction design options.

n. **Policies 11, 13, 15**: Direct local authorities to avoid adverse effects on threatened/at-risk indigenous species, outstanding natural character, and outstanding natural features/landscapes, while avoiding significant adverse effects on other areas of natural character, indigenous vegetation, and landscapes.

20. The provisions set out above are relevant when considering how the RPS provides for housing and business growth in Change 1.

PLANNING ANALYSIS

Overview of submission

21. The submission from Andrew and Susan Talley (OS13) asks for the proposed planning framework to be better aligned with the National Policy Statement on Urban Development (NPS-UD) and other relevant national policy instruments, listed above. This includes ensuring that the amount of growth that the RPS directs to be provided (through specified housing bottom lines) accurately represents what is needed to meet current housing demand predictions.

22. Mr and Mrs Talley ask for the provisions to be refined to provide a more coherent policy framework for managing growth. This includes ensuring the policies clearly distinguish between anticipated growth within the spatial strategy and unanticipated or out-of-sequence proposals, while ensuring that all development outcomes contribute to "well-functioning urban environments."

23. The key themes raised in Mr and Mrs Talleys' submission include:

a. **Strategic Alignment and Directive Policy:** A request to amend objectives and policies to give direct effect to the NPS-UD and other national policy direction, particularly in terms of the precision with which the RPS gives effect to relevant national policy. The

age of the RPS means a significant number of its provisions that guide urban growth do not align well with, and in some cases conflict with, current national policy.

b. **Evidence-Based Planning:** The housing and business land bottom **lines** that directly influence provision for growth in the RPS and the TRMP need to be underpinned by robust, up-to-date housing assessment data. The RPS shouldn't drive excessive housing supply or extensive use of deferred zones, particularly where constraints such as natural hazards and integrated stormwater solutions are uncertain or increase risk.

c. **Management of Constraints and Infrastructure:** The requirement for clearer recognition of environmental and infrastructure constraints, and a stronger directive that growth must be sequenced to align with the provision of infrastructure.

d. **Legislative and Section 32 Adequacy:** Challenges regarding the sufficiency of the Section 32 evaluation, specifically whether it adequately demonstrates how the proposed provisions and the Future Development Strategy (FDS) give effect to national policy direction.

Analysis

24. Under this topic, my evidence focuses on:

a. Addressing the incomplete **implementation of national policy statements** in the RPS objectives and policies. The RPS provisions are generally enabling of urban growth, and the constraints and limitations of development that NPS's require to be considered are not well expressed. Is the policy framework sufficiently directive to manage growth in areas with significant infrastructure deficits, hazard risk, ecological values, and productive soil classifications in a manner that gives effect to national policy, including the NPS-NH, NPS-HPL, NPS-IB, NPS-FM, NPS-I and the NZCPS.

b. How the RPS directs urban growth decisions and plan-making when environmental **and infrastructure constraints** are present,

and how plan-enabled growth is sequenced with infrastructure provision.

c. Addressing **housing demand and supply analysis** that informs the housing bottom lines proposed to be inserted in the RPS, and the way in which the objectives and policies 'drive' zoning and housing supply in response. The RPS sets the direction of travel and guiding framework for housing and business supply that the TRMP must implement.

Implementation of national policy statements

25. Mr and Mrs Talleys' submission notes that the FDS was completed before several current national policy statements were amended or came into effect, and asks for evidence and analysis demonstrating that the FDS gives effect to national policy direction (OS13.26). The reporting planners agree that the s32 Report overstates the position that the FDS "gives effect to higher-order national direction and therefore does not require separate assessment under Part 2 of the RMA". The reporting planners consider the relevant question is whether Change 1 gives effect to national direction.[1] I consider the question is more properly framed as 'does the RPS, as changed by Change 1, give effect to national direction?' Change 1 integrates with and relies on existing provisions in the RPS; it is not a standalone section of the RPS. This integration means that if operative provisions that Change 1 relies on do not give effect to (or conflict with) national policy, the Change 1 provisions can't be said to give effect. A siloed approach does not work for land development for growth because it is an area where many different NPS overlap.

26. I provide some examples in **Appendix 2** of RPS provisions associated with the Change 1 provisions that do not, in my view, give effect to national policy.

27. The Council's position appears to be that future planning processes will update the RPS to give effect to national direction. An example, set out in the s42A report, is Plan Change 85, which has not progressed beyond consultation on an issues and options report. My understanding is that

[1] Para 85, S42A Report

PC85 is intended to make comprehensive updates to the Council's planning documents to align them with national direction on natural hazards, including the NPS-NH.

28. The planning issue the Council's siloed NPS implementation approach creates is that plan changes like Change 1 (and PC81) enable significant growth, and a change in the way growth is to be managed, without applying scrutiny as to whether that approach is consistent with the relevant national policy statements. It is not sufficient to assume that current RPS provisions (and TRMP provisions) can be relied on to manage, for example, natural hazard effects, when those provisions have not been tested or updated to give effect to national direction on natural hazard management. The NPS-NH has strong direction around not increasing risk to others as a result of development (and associated hazard mitigations), as well as planning for response and adaptation to the effects of sea-level rise on existing development.

29. Additionally, there appears to be no confirmed timeframe or pathway to advance the separate plan changes to the RPS that would be necessary to give effect to national policy. I accept that the imminent transition to the new resource management regime established by the Planning Act 2026 and the Natural Environment Act 2026 will involve developing new planning documents over the coming years. However, where the current RPS and TRMP changes pre-empt those processes to enable substantial urban growth in a local environment with significant natural hazard and infrastructure issues, I consider it is appropriate to update the RPS and TRMP to comprehensively manage those issues where relevant to housing growth.

30. Managing urban growth, particularly where it focuses on enabling more land for housing and business, needs to take an evidence-based approach that requires precise direction and a clear appreciation of constraints. Failure to do so risks exacerbating the planning issues that national policy statements are typically created to avoid or resolve.

31. National policy statements generally contain an expectation that councils give effect to them as soon as practicable, with 'backstop' timeframes in some cases. For example, Part 4 of the NPS-UD says that every tier 1, 2

and 3 local authority must amend its regional policy statement or district plan to give effect to the provisions of the NPS as soon as practicable. Similarly, Part 4 of the NPS-NH says that decision-makers must give effect to the NPS 'on and from the commencement date'. It states that local authorities are not required to initiate changes to planning documents within a specified timeframe 'for the sole purpose of giving effect to this National Policy Statement', which I interpret as saying that councils must give effect to the NPS-NH 'as they go.' Deferring implementation of an NPS, particularly where a plan change manages activities to which an NPS applies, is not, in my view, consistent with the requirement to give effect to national policy statements.

32. The reporting planners' view is that the Minister's direction in relation to considering national policy statements as they apply to Change 1 does not require the Council to rewrite the operative natural hazards framework in the RPS through Change 1[2]. I agree.

33. But I do not interpret the Minister's direction[3] as indicating that, if the operative framework is not fit for purpose in respect of giving effect to national policy statements, the Council shouldn't include provisions in Change 1 to fill the gaps as they apply to the elements of the environment that the Change 1 provisions apply to. The Minister's direction, at clause 2, instructed the Council to update the proposed planning instruments and s32 report as required to include an assessment of how changes to national direction, including the NPS-NH and NPS-HPL, have been considered and any consequential amendments required.

34. In my view, changes to the way the RPS directs the management of natural and physical resources need to be consistent with national policy statements. That should be achieved either through amending provisions that apply national policy direction to the matters covered by the plan change (i.e. ensuring provisions within scope of the plan change give effect), or by broadening the scope of the plan change (i.e. to encompass other provisions in the RPS that require amendment).

[2] Para 93, s42A Report

[3] Resource Management (Direction to Tasman District Council to Enter the Streamlined Planning Process for Plan Change 81 to the Tasman Resource Management Plan and Change 1 to the Tasman Regional Policy Statement) Notice 2026

35. In the case of Change 1, either approach could have been adopted by the Council prior to notification. At this stage in the process, the first option (making changes to the provisions subject to Change 1) is probably the most viable approach to remain within the current scope of the proposal. I consider that there is scope to do that within the relief sought by Mr and Mrs Talley. The reporting planners recommend changes to Policies 5.1, 5.1A, 5.1BA, Issue 5.2, Objective 5.2 and Policy 5.2 to respond to national policy direction within the urban growth context. Despite those recommendations, there are still several requirements of national policy statements that are not given effect. I have provided examples of those in Appendix 2. In my view, much could be achieved through drafting changes to those provisions in Chapter 5 of the RPS to better align Change 1 with national policy direction. I have recommended changes to the Hearings Version of the provisions attached as **Appendix 1**.

Managing environmental and infrastructure constraints

36. Constraints, such as natural hazards, the presence of freshwater bodies, areas of significant indigenous biodiversity, highly productive soils, and limited infrastructure availability, are critical management issues that the RPS should address, not least because they are subject to national policy direction.

37. Other national policy statements and the NZCPS work alongside NPS-UD to spatially and temporally direct and control urban environments. NPS's often establish constraints, for example requiring avoidance of very high natural hazard risk, so they need to be read alongside the NPS-UD and collectively interpreted into the RPS to be relevant for Tasman circumstances. Falling back to assessments against NPSs for individual TRMP plan changes and consenting, rather than applying a local expression of those national policies in the Tasman planning documents, is likely to be less efficient and does not reflect the intended NPS-RPS-Plan hierarchy.

38. Mr and Mrs Talleys' submission requests that the RPS provisions relating to managing growth, including unanticipated and out-of-sequence proposals, be amended to provide more specific direction on addressing development constraints and achieving a well-functioning urban

environment, and to provide a stronger policy stance to avoid inappropriate growth[4]. The reasons for the requested changes include concerns that the RPS provisions do not provide adequate direction for managing urban growth in a way that properly accounts for the constraints present in the Tasman region, including natural hazards, freshwater, ecology, infrastructure delivery, and drinking water supply.

39. The reporting planners consider that criterion (i) of Policy 5.1B (now Policy 5.1BA(2)(a) in the Hearings Version) addresses Mr and Mrs Talleys' concerns, and that altering the policy direction to avoid unanticipated or out-of-sequence development that does not address constraints would reverse the responsive approach of Policy 9 of the NPS-UD.[5]

40. Policy 8 of the NPS-UD requires local authority decisions affecting urban environments to be responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is unanticipated by RMA planning documents, or out-of-sequence with planned land release.

41. I read 'responsive' in Policy 9 to mean that the Council must have an open mind to plan change proposals that both add significantly to development capacity and contribute to well-functioning urban environments. The policy is positively framed, but the emphasis is on whether development does contribute to a well-functioning urban environment or not; the relief sought by Mr and Mrs Talley seeks to add local flavour to provide further guidance to decision-makers in doing so[6].

42. Policy 9 has a somewhat narrow focus in its reference to a well-functioning urban environment. A 'well-functioning urban environment' is defined in Policy 1 of the NPS-UD. But it does not explicitly reference several other elements that are also potentially important to well-functioning urban environments, including outcomes identified in other national policy statements. The policy allows consideration of additional elements beyond those listed characteristics of a 'well-functioning urban environment' by preceding the listed matters with 'as a minimum'; it does

[4] See for example OS13.10, OS13.12, OS13.34 and OS13.36
[5] Para 106, s42A Report
[6] The purpose of the regional policy statement, set out in s59, is to be focussed on the issues of the region.

not provide an exhaustive list of criteria that define a well-functioning urban environment.

43. For example, the definition in Policy 1 of the NPS-UD does not refer, directly or indirectly, to the effects of natural hazards, notwithstanding strong policy direction in the NPS-NH to avoid very high natural hazard risk associated with subdivision, use or development[7], and to avoid or mitigate significant natural hazard risk on other sites that will be created or increased by subdivision, use or development (including associated mitigation measures).[8]

44. Adopting an approach that simply enables unanticipated or out-of-sequence development as long as it satisfies the limited list of matters in Policy 1, would misinterpret what Policy 9 provides for. In my view, managing plan changes, including unanticipated or out-of-sequence proposals, requires a comprehensive policy framework in the RPS (relevant to the region's challenges) to address all of the relevant matters in the local context that are required for a well-functioning urban environment, including avoiding or mitigating important issues affecting peoples' well-being. The Council requires a strong policy position that it can rely on to not approve inappropriate plan changes if those outcomes are not achieved.

45. My view is that being 'responsive' to plan changes is primarily achieved by the RPS including a clear framework that acts as a drafting gate for plan change proposals; allowing appropriate plan changes through and avoiding plan changes that do not meet clear criteria. The reporting planners' recommended amendments to Policies 5.1A, 5.1B and 5.1BA go some way to improving the framework. However, several gaps remain regarding constraints, and the policies could be written more instructively. I have included recommended changes to those provisions in **Appendix 1** and provide brief commentary on key provisions below.

Infrastructure sequencing constraints

46. A key constraint that strongly influences the location, timing and form of urban development is the availability and future provision of infrastructure

[7] Policy 3, NPS-NH
[8] Policy 4, NPS-NH

to service development. Sue McLean's evidence (paras 40 to 48) succinctly describes the challenges the Council faces in coordinating, funding, delivering, and maintaining infrastructure to support urban land use, highlighting the importance of the Council's ability to manage urban growth through planning decisions. Ms McLean's points reinforce the importance of planning documents, such as the RPS and TRMP, having clear, strong provisions that help the Council and community navigate these challenges in difficult fiscal environments.

47. In my view, the RPS provisions that guide consideration of urban growth plan changes, particularly unanticipated and out-of-sequence re-zoning proposals, should be responsive but also directive. They should be clear that when the appropriate standards and criteria are not met, the Council is expected to decline plan change applications. The Council needs the ability to manage the extent of growth the region provides through plans because, as Mr Foy explains in his evidence[9], enabling excessive growth has fiscal implications for the community, including through infrastructure expenditure.

48. The most recent analysis of housing supply identifies a medium-term shortfall, driven primarily by Council decisions on infrastructure capital expenditure rather than supply not being plan-enabled[10]. If plan-enabled development outpaces the ability to service it, the mismatch could have significant consequences for achieving and maintaining well-functioning urban environments and meeting other resource management obligations. Māpua is an example where the TRMP Change 81 proposes a substantial amount of rezoning for urban use (plus additional re-zoning requested through submissions) which, if adopted, would provide plan-enabled capacity that exceeds the capacity of the infrastructure required to service it (including the required Seaton Valley Detention and Wetland facility, which is not designed, consented or, as I understand, fully funded)[11]. That potentially creates planning complexity, requiring the Council to control development roll-out using complex planning mechanisms like deferred zones (as proposed through PC 79 and PC81)

[9] From para 38, Evidence of Derek Foy
[10] Evidence of Jacqui Deans
[11] As set out in the evidence of Jacqui Deans, the Council is considering changes to its infrastructure investment programme that would mean infrastructure to service proposed growth areas in Māpua will not be funded for at least 10 years.

and decisions on individual consent applications. This approach increases the complexity and difficulty of achieving integrated management.

The deferred zoning approach is problematic where infrastructure delivery is many years out (and demand or need may not exist for all the areas PC81 proposes to provide, or for additional rezoning requests). This risks sending incorrect market signals, locking in the planning framework ahead of future infrastructure investment decisions, and potentially incentivising ad hoc, developer-led infrastructure delivery. The policy framework in RPS should constrain and clearly guide these sorts of planning approaches.

49. Several opportunities exist to strengthen the Change 1 provisions to improve the certainty and precision of the provisions that guide the Council's response to urban growth plan change applications. I have provided my recommended changes **in Appendix 1**.

Housing demand and supply analysis

50. Change 1 is underpinned by the Council's previous work required by the NPS-UD to provide sufficient urban land to meet housing and business demand. This work has been summarised in the s42A Report and the accompanying evidence of Jacqui Deans and Sue McLean.

51. Change 1 proposes updates to the housing bottom line requirements. Given district plans (and in the case of Tasman, the TRMP) must give effect to an RPS, directions relating to delivering sufficient land to meet the bottom lines in the RPS flow through into future plan changes, including Plan Change 81. They also must be had regard to when the Council considers resource consent applications, including for out-of-zone urban scale development.

52. The direction set in the RPS has a strong influence on the amount of urban-zoned land that must be delivered through the TRMP. It also strongly influences the timing of plan changes and rezonings, with urgent short- and medium-term supply expectations driving prompt plan changes to zone sufficient urban land to meet bottom lines. The RPS should

essentially say what the scale of the problem is and what needs to be done to fix it.

53. Mr and Mrs Talley raised questions about the basis for the housing bottom lines proposed for inclusion in the RPS, pointing out errors and the age of the data relied on. Their submission asked the Council to review and amend the proposed bottom lines, particularly for Māpua/Ruby Bay, based on more recent information.[12]

54. Long-term supply does not need to be met immediately through district plan zoning – it is sufficient that long-term urban growth areas are identified in strategic documents such as the FDS.[13]

55. At least the short- and medium-term baselines require reasonable accuracy to minimise the potential for under-delivering or significantly over-delivering urban zoned land for housing and business use.

56. Given long-term supply is to address demand forecast for 11 years or more into the future, actively zoning land in district plans is less critical because there is sufficient time for plan changes to be put forward as the level of certainty about actual likely demand increases (the closer the council gets to the time when supply is required, the more likely it is to have better information regarding market behaviour, demand characteristics, development constraints, etc). This aligns with Objective 7 and Clause 3.11 of the NPS-UD, which require decision-makers to use evidence to inform decision-making. It also aligns with Clause 3.5, which directs the Council to be satisfied that the additional infrastructure to service the development capacity is likely to be available.

57. As Mr Foy explains in his evidence, future demand for residential housing is always subject to some uncertainty, and demand projections will change over time[14].

58. A good example of changing information affecting housing supply is set out in the evidence of Jacqui Deans. The Council has recently been

[12] Including OS13.12 and OS13.25
[13] Clause 3.4(1)(c) "Development capacity is plan-enabled for housing or for business land if: ... (c) in relation to the long term, either paragraph (b) applies [zoned for housing or for business use in an operative or proposed district plan], or it is on land identified by the local authority for future urban use or urban intensification in an FDS..."
[14] Para 22, Evidence of Derek Foy for RPS Change 1

considering changes to its infrastructure investment strategy to reflect financial circumstances, with consequential implications for infrastructure delivery to service growth in several parts of the District[15]. Ms Deans explains that "the changes to the draft CAPEX prioritisation mean that infrastructure programmes for some PC81 sites are now beyond the 10-year timeframe of LTP 2027-2037 […]. These sites include: (a) Māpua – all PC81 sites (residential and one business). […]".

59. I will provide evidence in relation to proposed zoning in the Māpua area for Hearings 3 and 4. However, the example of changing information affecting certainty in both housing supply and demand is relevant to the housing bottom-line figures inserted into the RPS at this time.

60. Relying on historic modelling and predictions that the Council knows and accepts as out of date (see the evidence of Jacqui Deans) and embedding them in the RPS, knowing they are significantly out of step with current expectations, is likely to have economic implications for the Council and community. Mr Foy explains that those housing demand predictions underpin decisions on the timing and scale of investment, and how and where to direct growth efficiently[16].

Reliance on HBA Bottom Lines

61. Notwithstanding recent capacity and demand analysis (2026) indicating significant change in housing demand, Ms Deans is of the view that the Council is obliged to use the baseline housing and business supply figures from the HBA 2024[17]. She refers to Clause 3.6 of the NPS-UD, which requires housing bottom lines to be based on information in the most recent publicly available HBA for the urban environment.

62. I do not read Clause 3.6 as requiring the housing bottom lines set out in the most recent HBA to be those that are automatically inserted into the RPS. Clause 3.6 requires that the bottom lines be 'based on information' in the HBA. The purpose of HBAs is set out in Clause 3.20 and includes:

[15] Para 65, Evidence of Jacqui Deans
[16] Para 31, Evidence of Derek Foy for RPS Change 1
[17] Paras 80-82, Evidence of Jacqui Deans

a. to provide information on the demand and supply of housing and on the impact of planning and infrastructure decisions of the relevant local authority on that demand and supply

b. to inform RMA planning documents

c. quantify the development capacity that is sufficient to meet expected demand for housing in the short, medium and long term. This has to be expressed as a range of projections and must identify which projections are expected to be most likely in the short, medium and long term.

63. While the primary source of information for setting bottom lines will logically be an HBA when it has been recently completed, over time the HBA information will likely become less accurate. Hence the obligation for the Council to monitor and report on housing supply in the intervening years of the HBA development cycle, so that it furnishes itself with the best information available.

64. My reading of the NPS-UD is that the Council's obligations under Policy 2 and Clause 3.2 of the NPS-UD are the primary drivers for setting bottom lines. Policy 2 says that 'at all times' the Council has to provide at least sufficient capacity to meet expected demand for housing.

65. Using out-of-date information that the Council has accepted as being materially different and that it is not using for its LTP when setting bottom lines in an RPS seems to conflict with that direction. Testing that presumption, if the information the Council has recently gathered indicated that there is a significant shortfall in housing supply such that locking in the current bottom lines in the RPS would substantially understate the actual circumstances, it would seem to be inconsistent with the intent of the NPS-UD to lock in the inaccurate bottom lines, as that would drive a planning response in the TRMP that would under-deliver on demand.

66. At para 35 of his evidence, Mr Foy provides examples of other local authorities that have updated demand and capacity information in their RMA plans using figures based on interim demand analysis rather than waiting for new HBAs to be completed (or relying on old HBA data).

67. In my opinion, Clause 3.6 of the NPS-UD does not prevent the Council from adjusting the RPS bottom lines to reflect the best information currently available to it, nor does it oblige it to base bottom lines only on information in the HBA 2024. Further, the government's directive that the 2027 HBA does not need to be prepared until the specified transition date[18] gives further reason to base the RPS bottom lines on available information, as no more up-to-date HBA is coming.

68. Regarding the accuracy of the bottom-line numbers, Mr Foy confirms that projected housing demand, based on recent Infometrics projections, is significantly less than what the HBA 2024 indicates is required for the bottom lines. Mr Foy's opinion is that the housing bottom lines in Objective 5.1A of the RPS should be considered alongside the Council's updated 2026 demand projections, and that it is important plan-making processes are based on the best and most up-to-date information available[19].

69. Neither Mr Foy nor Ms Deans have included updated bottom lines for Table 5.1A. If the Hearing Panel is minded to adjust the bottom lines, my understanding is that Ms Deans and Mr Foy could establish a set of revised figures.

COMMENTARY ON SPECIFIC PROVISIONS

70. The following section provides a brief commentary on changes I recommend to key Change 1 provisions. See also Appendix 2 of my evidence, which provides brief analysis of the degree to which several of the RPS Change 1 provisions contribute to giving effect to national policy direction.

71. I generally agree with the amendments recommended by the s42A reporting planners. Where I do not comment on provisions, I generally support the recommended wording.

[18] New s77SA added to the RMA by Schedule 12 of the Planning Act 2026 exempts tier 1 and tier 2 local authorities from specific NPS-UD requirements, including assessing demand and development capacity under an HBA, preparation or review of a FDS, compliance with ongoing requirements for Future Development Strategy implementation plans and preparing a HBA.
[19] Para 61, Evidence of Derek Foy for RPS Change 1

Issue 5.1

72. Amendments are proposed to improve consistency with NPS-HPL. The notified drafting refers to 'not rapidly diminishing the supply of horticultural land…'; however, this phrasing doesn't reflect the strong avoidance direction in the NPS-HPL. I recommend strengthening the statement by adding in reference to avoiding re-zoning highly productive land for urban use to better align with the direction in the NPS-HPL.

Issue 5.1A

73. The heading of this section is 'Urban growth, Infrastructure and Additional Infrastructure' – but the issue almost exclusively addresses urban growth and the spatial distribution of that growth. Only one sentence actually addresses infrastructure, which is generic and high-level only. The issue does not address several matters that are covered in the NPS-I. Therefore, the high-level issue statement should be expanded to actually address the issue.

74. An exhaustive catalogue of constraints is not necessary in an issue statement; however, the issue would benefit from acknowledging the key issues. These issues are set out in paragraphs 40–48 of Sue McLean's evidence for the Council, e.g., "A low-density pattern of development means infrastructure networks are extensive and costly to maintain and review." "Addressing infrastructure deficits and providing for growth is a significant challenge as Council has limited means to raise revenue to fund investment, compounded by a small population and a large geographical extent." Similarly, I have recommended inserting a reference to matters addressed in the NPS-I, including the relationship between infrastructure and natural hazards.

Issue 5.2

75. The existing natural hazards framework in Chapter 11 of the RPS does not give effect to NPS-NH in several respects in relation to urban growth and land use.

76. The issue should recognise the likely current and future effects of climate change and how these interact with natural hazards – these effects are

not just limited to sea level rise. Policy 6 of the NPS-UD says that when making decisions that affect urban environments, decision makers must have regard to "the likely current and future effects of climate change". Policy 1 states that environments resilient to the likely current and future effects of climate change are a minimum requirement for a well-functioning urban environment. This is currently not recognised in any of the issue statements under 'Urban Development Issues'. Therefore, the plan change is not giving effect to the NPS-UD.

77. The NPS-NH states that "Local authorities are not required to initiate changes to regional policy statements, regional plans or district plans within a specific timeframe for the sole purpose of giving effect to this National Policy Statement."[20] This is not the same as saying "implementation does not need to be immediate". In fact, the NPS-H says that decision-makers must give effect to this National Policy Statement on and from the commencement date. The plan change is being promoted to give effect to the NPS-UD, however, the NPS-UD does not apply in isolation from the other national policy statements. Change 1 needs to give effect to the NPS-NH (and other national direction) at the same time.

Objective 5.1A

78. The s42A officers' amendment to apply a risk-based approach that identifies and responds to natural hazards partially reflects the NPS-NH. However, the objective still does not reflect the NPS-NH policy direction on a 'proportionate' response or the need to factor in long-term climate change effects. I have recommended changes to incorporate those elements.

79. As discussed above, the evidence from the Council's experts and Mr Foy shows that the housing bottom lines as notified in Change 1 are out of date and do not reflect predicted demand. I have therefore included placeholder text in my recommended changes, with the expectation that the Council will complete a process to update the numbers in Table 5.1A.

Objective 5.1B

[20] Part 4: Timing, NPS-NH

80. This objective is intended to respond specifically to Issue 5.1B (as the reporting officer states), however, it does not refer to 'small, attached dwellings', or address the need for accessible dwellings for ageing populations, or address affordability, which are referred to in the NPS-UD. I have recommended adding those references to the objective and updating the reasons.

Objective 5.1C

81. To better align this objective with the NPS-UD and the NPS-I, I recommend including reference to infrastructure being resilient.

82. The objective provides for unanticipated and out-of-sequence plan change proposals but only refers to one leg of the required elements prescribed in Policy 8 of the NPS-UD. I recommend adding 'and contribute to well-functioning urban environments'.

Objective 5.5

83. Wording in the reasons does not reflect what Policy 6 of the NPS-UD actually says.

Policy 5.1

84. Policy covers a range of issues other than highly productive land, including matters now addressed by Policy 5.1A and 5.1BA. As those matters are covered by other policies, I have recommended deleting them from this policy so the policy primarily deals with the interaction between urban growth and protection of highly productive land.

85. The policy does not give effect to the NPS-HPL and, in particular, it does not reflect the strong direction in clauses 3.6 – 3.10. The direction in the NPS-HPL is not "have regard to"; it is "allow only if", with limited exceptions where urban development is acceptable. As notified, the policy potentially contradicts the NPS-HPL by enabling urban development where this would conflict with the NPS-HPL's policy direction.

86. I have recommended separating the 'tests' in the policy to reflect that the entirety of clause 3.6 of the NPS-HPL does not apply to LUC 3 land (only clause 3.6(5) applies).

87. Policy 5.1B and the new Policy 5.1BA, with my recommended amendments, work with Policy 5.1 to help determine what a well-functioning urban environment comprises.

Policy 5.1A

88. The drafting changes, both notified and as recommended by the s42A reporting planners, make this policy read as an objective. However, I understand that the s42A reporting planners intend the policy to be active, which I support, and to function as a set of criteria for defining a well-functioning urban environment. I have recommended changes, including to the chapeau, to make the policy's role more explicit and to capture all rezoning (including unanticipated and out-of-sequence) so proposals are tested against the listed outcomes. I have also recommended changes and additions to the criteria to better align them with national policy direction.

Policy 5.1B

89. The policy has now been split into separate policies for strategic growth and unanticipated/out-of-sequence proposals, which I support.

90. I have recommended some changes to the policy structure to improve readability and interpretation. I have also suggested amendments to clause (2) to include a reference to infrastructure delivery, rather than only funding and planning.

Policy 5.1BA

91. I generally support the amendments to the policy recommended by the s42A planners. I have suggested additional changes to better reflect infrastructure-provision requirements and to cross-reference Policy 5.1, which more explicitly addresses requirements relating to highly productive land.

92. I have recommended amendments at the bottom of the policy to address NPS-FM requirements and better reflect the direction of NPS-NH on natural hazard risk management.



Phillip Percy
27 October 2026

APPENDIX 1 – RECOMMENDED CHANGES TO PROVISIONS

NOTE:

- Red underlined text denotes proposed new text inserted or amended at notification.
- Blue text ~~strikethrough~~ denotes text proposed to be deleted at notification.
- Red text highlighted and underlined text like this denotes text recommended to be inserted or amended through the submission and hearing process.
- Blue text ~~highlighted~~ ~~strikethrough~~ ~~text like this~~ denotes text recommended to be deleted through the submission and hearing process
- Reinstated operative text removed in the notified version of Change 1, shown in *black underlined italics* with yellow highlight.

Grey wash shows my changes

Provision	Amendments as per Hearing Version	Recommended changes
2.0 Interpretation of terms		
Urban Environment	**Urban Environment** - is defined in the National Policy Statement on Urban Development and 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	**Urban Environment** - is defined in the National Policy Statement on Urban Development 2020 (May 2022), and 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
Well-functioning urban environment	**Well-Functioning Urban Environment** - is defined in the National Policy Statement on Urban Development, as urban environments that as a minimum: (a) have or enable a variety of homes	**Well-Functioning Urban Environment** - is defined in the National Policy Statement on Urban Development 2020 (May 2022), as urban environments that as a minimum: (a) have or enable a variety of homes….

Provision	Amendments as per Hearing Version	Recommended changes
Issue 5.1	Urban expansion onto adjacent areas of highly productive soils in some parts of the District has resulted in their irreversible loss. Horticulture is a significant economic activity in Tasman District and areas of highly versatile land for horticultural or other high value uses are limited. These areas are adjacent to the significant urban centres of Richmond, Motueka and Takaka. Where there is continuing urban growth, especially in centres adjoining areas of high quality soils, a means of sustaining the potential of the land resource to meet the needs of future urban dwellers and horticulturalists has to be found. This may require a slowing of growth on the urban fringe by encouraging more medium density development in the core of the major centres, or by containing peripheral growth. Continued peripheral growth may divert public funds needed to upgrade existing infrastructure. ~~The principal benefit of containment of urban boundaries in Richmond, Motueka and other centres is that existing investment in horticulture can continue and the supply of limited horticultural land is not diminished. Also, extension of service infrastructure to fringe areas is not required. Containment could itself encourage the more efficient use of present urban space such as through multi-unit housing in some settlements where there is un-met demand. But if no additional land is provided on the fringe there will be more demand for resubdivision of existing lots and there are likely to be costs in upgrading existing services to cope with the increased demand. The cost of new sections is also likely to rise through~~	Urban expansion onto adjacent areas of highly productive soils in some parts of the District has resulted in their irreversible loss. Horticulture is a significant economic activity in Tasman District and areas of highly versatile land for horticultural or other high value uses are limited. These areas are adjacent to the significant urban centres of Richmond, Motueka and Takaka. Where there is continuing urban growth, especially in centres adjoining areas of high quality soils, a means of sustaining the potential of the land resource to meet the needs of future urban dwellers and horticulturalists has to be found. This may require a slowing of growth on the urban fringe by encouraging more medium density development in the core of the major centres, or by containing peripheral growth. Continued peripheral growth may divert public funds needed to upgrade existing infrastructure. ~~The principal benefit of containment of urban boundaries in Richmond, Motueka and other centres is that existing investment in horticulture can continue and the supply of limited horticultural land is not diminished. Also, extension of service infrastructure to fringe areas is not required. Containment could itself encourage the more efficient use of present urban space such as through multi-unit housing in some settlements where there is un-met demand. But if no additional land is provided on the fringe there will be more demand for resubdivision of existing lots and there are likely to be costs in upgrading existing services to cope with the increased demand. The cost of new sections is also likely to rise through scarcity of sections. Resubdivision, if not carefully managed, can cause a loss of amenity values such as large sections with trees and older dwellings. However, some people may perceive a loss of lifestyle choice if a continued supply of suburban sections is not provided.~~ ~~Managed urban expansion of the main centres must ensure that greenhouse gas emissions from transport can be reduced and there is improved access to jobs, services and amenities.~~ Urban expansion must ~~also~~ be managed to ensure that existing investment in horticulture can continue, and the supply of horticultural land is not rapidly diminished by generally avoiding re-zoning Highly Productive Land for urban use. A focus on both intensification and medium-density housing around the existing main centres will both encourage the more efficient use of land and meet demand for different types of housing, preventing affordability from further deteriorating. ~~New urban development needs to provide for~~

Provision	Amendments as per Hearing Version	Recommended changes
	~~scarcity of sections. Resubdivision, if not carefully managed, can cause a loss of amenity values such as large sections with trees and older dwellings. However, some people may perceive a loss of lifestyle choice if a continued supply of suburban sections is not provided.~~ ~~Managed urban expansion of the main centres must ensure that greenhouse gas emissions from transport can be reduced and there is improved access to jobs, services and amenities.~~ Urban expansion must ~~also~~ be managed to ensure that existing investment in horticulture can continue, and the supply of horticultural land is not rapidly diminished. A focus on both intensification and medium-density housing around the existing main centres will both encourage the more efficient use of land and meet demand for different types of housing, preventing affordability from further deteriorating. ~~New urban development needs to provide for quality urban design, while recognising and allowing for amenity values of the urban and built form, in areas planned for intensification, to develop and change over time in response to diverse and changing needs of people, communities and future generations.~~	~~quality urban design, while recognising and allowing for amenity values of the urban and built form, in areas planned for intensification, to develop and change over time in response to diverse and changing needs of people, communities and future generations.~~
Issue 5.1A	There is a need to provide for urban growth ~~and,~~ infrastructure and additional infrastructure that meets the social, cultural and economic needs of a diverse population, while at the same time ensuring that important environmental and cultural values are protected. Managed urban expansion of the main centres must ensure that greenhouse gas emissions from transport can be reduced and	There is a need to provide for urban growth ~~and,~~ infrastructure and additional infrastructure that meets the social, cultural and economic needs of a diverse population, while at the same time ensuring that important environmental and cultural values are protected. Addressing existing infrastructure deficits alongside providing for growth is a significant challenge as Council has limited means to raise revenue to fund investment. This is compounded by a small population, the current low density pattern of development, the large geographical extent of the District. Managed urban expansion of the main centres must ensure that

Provision	Amendments as per Hearing Version	Recommended changes
	there is improved access to jobs, services and amenities.	greenhouse gas emissions from transport can be reduced and there is improved access to jobs, services and amenities. Urban growth must be managed to reduce the risks to infrastructure from natural hazards and climate change, and to improve the resilience of infrastructure.
Issue 5.2	Continued urban development brings pressure to develop less physically suitable land, especially if there is also a pressure to protect high quality soils. The District is especially susceptible to the natural hazards of flooding, land instability, coastal erosion, coastal inundation, tsunami, liquefaction, active faults and earthquake shaking. Urban development should be discouraged from such areas. Global sea level rise will exacerbate existing problems of coastal erosion and coastal inundation in the District. There is a need to identify areas at risk from ~~flooding, instability, erosion and earthquake shaking~~ natural hazards. The issue is then the levels of risk reduction that should be imposed on urban development, by avoiding or restricting development in such areas. High levels of reduced risk would mean community expenditure in structural protection or in restricting urban development of hazard-prone areas. Alternatively, lower levels of risk reduction would allow individuals to develop in areas at risk but with mitigation measures being required where practicable.	Continued urban development brings pressure to develop less physically suitable land, especially if there is also a pressure to protect high quality soils. The District is especially susceptible to the natural hazards of flooding, land instability, coastal erosion, coastal inundation, tsunami, liquefaction, active faults and earthquake shaking. ~~Urban development should be discouraged from such areas.~~ Global sea level rise will exacerbate existing problems of coastal erosion and coastal inundation in the District. There is a need to identify and manage areas at risk from ~~flooding, instability, erosion and earthquake shaking~~ natural hazards using an approach which is proportionate to the level of natural hazard risk. Where urban development is assessed as having very high natural hazard risk, that risk must be avoided. Where urban development, including any associated mitigation measures will create or increase significant natural hazard risk on other sites, that risk must also be avoided or mitigated using a proportionate approach to the level of natural hazard risk. Assessment and decision-making should be based on the best available information and take into consideration the potential long term impacts of climate change (at least 100 years into the future). Coastal hazard risks, taking account of climate change, should be managed by locating new development away from areas prone to such risks and by considering responses, including managed retreat, for existing development subject to these risks ~~The issue is then the levels of risk reduction that should be imposed on urban development, by avoiding or restricting development in such areas. High levels of reduced risk would mean community expenditure in structural protection or in restricting urban development of hazard-prone areas. Alternatively, lower levels of risk reduction would allow individuals to develop in areas at risk but with mitigation measures being required where practicable.~~
Objective 5.1A	(1) Sufficient housing and business land capacity is available in ~~the urban environment~~	(1) Sufficient housing and business land capacity is available in ~~the~~ ~~urban environment~~ Tasman's Urban Environment to meet demand while:

Provision	Amendments as per Hearing Version	Recommended changes
	Tasman's Urban Environment to meet demand while protecting important environmental and cultural values applying a risk-based approach that identifies and responds to natural hazards. (2) For the period 2024 to 2054, the minimum sufficient development capacities for housing - the housing bottom line ~~in the Tasman portion of the Nelson-Tasman Tier 2 Urban Environment~~ Tasman's Urban Environment, including the competitiveness margin, are provided, as set out in Table 5.1A.: ... REASONS Council has a statutory obligation to provide for growth in its urban environment. The housing bottom lines in Table 5.1A are derived from the 2024 Housing and Business Assessment. Strategic planning is undertaken regularly to ensure that opportunities and constraints to growth are evaluated, important cultural values are recognised and provided for, ~~and~~ impacts on the natural environment are minimised, and natural hazards are identified and managed via a risk-based approach.	(i) protecting important environmental and cultural values; and (ii) adopting ~~applying~~ a risk-based proportionate approach that identifies and responds to natural hazards, avoids increasing risks to others and takes into account the long term (at least 100 year) potential impacts of climate change; and (iii) ensuring the land is serviced by well-functioning, resilient infrastructure in a timely and efficient manner. (2) For the period 2024 to 2054, the minimum sufficient development capacities for housing - the housing bottom lines for ~~in the Tasman portion of the Nelson-Tasman Tier 2 Urban Environment~~ Tasman's Urban Environment, including the competitiveness margin, are provided, as set out in Table 5.1A.: ~~Note: The minimum sufficient development capacities to meet housing demand, including the competitiveness margin, over a 30-year period are:~~ Table 5.1A: Housing bottom lines for Tasman's Urban Envirinment (number of dwellings) [Tables to be updated with revised bottom lines based on latest data and projections] REASONS Council has a statutory obligation to provide for growth in its urban environment. The housing bottom lines in Table 5.1A are derived from the 2024 Housing and Business Assessment. Strategic planning is undertaken regularly to ensure that opportunities and constraints to growth are evaluated, important cultural values are recognised and provided for, ~~and~~ impacts on the natural environment are minimised, and natural hazards are identified and managed via a risk-based proportionate approach based on the best available information, that takes into consideration the long term impacts of climate change (at least 100 years into the future). Infrastructure to support the development and change of urban environments must be well-functioning, resilient and delivered in a timely and efficient manner.
Objective 5.1B	Objective 5.1B	Objective 5.1B

Provision	Amendments as per Hearing Version	Recommended changes
	Towns have a diverse range of housing types, including medium-density housing and papakāinga, that achieve quality urban design outcomes. REASONS Quality medium density residential development can improve housing choice and have a number of environmental benefits including reduced greenhouse gas emissions from transport by reducing urban expansion, improved access to jobs, services and amenities and enabling the retention of highly productive land for horticulture. Council's housing and business assessments have indicated that its Māori population continues to grow and is projected to further increase, but that the proportion of applicants on the Ministry of Social Development's public housing register is significantly higher than the proportion of Tasman's population identifying as Māori. It is important for Tasman to have housing options that meet the needs of Māori residents.	Towns have a diverse range of housing types, including small dwellings, medium-density housing and papakāinga, that provide for greater housing choice, including more affordable and accessible dwellings suitable for all life stages, and high ~~that achieve~~ quality urban design ~~outcomes.~~ REASONS Providing for a range of high quality housing types, including small, attached dwellings, ~~quality~~ medium density housing and accessible dwellings that meet the needs of all life stages, ~~residential development~~ can improve housing choice and affordability and have a number of environmental benefits including reduced greenhouse gas emissions from transport by reducing urban expansion, improved access to jobs, services and amenities and enabling the retention of highly productive land for horticulture. Council's housing and business assessments have indicated that its Māori population continues to grow and is projected to further increase, but that the proportion of applicants on the Ministry of Social Development's public housing register is significantly higher than the proportion of Tasman's population identifying as Māori. It is important for Tasman to have housing options that meet the needs of Māori residents.
Objective 5.1C	Tasman's ~~u~~Urban Environments ~~centres~~ grow and develop in accordance with a planned built urban form that is well-functioning, supported by efficient and effective infrastructure services, additional infrastructure and a well-connected transport network, while remaining responsive to unanticipated or out of sequence plan change proposals, where those proposals would supply significant development capacity.	Tasman's ~~u~~Urban Environments ~~centres~~ grow and develop in accordance with a planned built urban form that is well-functioning, supported by resilient, efficient and effective infrastructure services, additional infrastructure and a well-connected transport network, while remaining responsive to unanticipated or out of sequence plan change proposals, where those proposals would supply significant development capacity and contribute to well-functioning urban environments.
Policy 5.1	Except where necessary to achieve Policies 5.1A, and 5.1B and 5.1BA, Council will avoid the loss of land of high productive value in	~~Except where necessary to achieve Policies 5.1A, and 5.1B and 5.1BA,~~ Council will avoid the rezoning ~~loss~~ of ~~land of~~ highly productive land ~~value in allowing~~ for ~~further~~ urban development except where~~, while having regard to~~:

Provision	Amendments as per Hearing Version	Recommended changes
	allowing for further urban development, while having regard to: (i) the efficient use of resources including land, infrastructure, and energy; (ii) the quality of the urban environment including: (a) access to services; (b) water and air quality; and (c) amenity values, while recognising amenity values of the urban and built form, in areas planned for intensification, develop and change over time. (iii) The need to provide sufficient urban development capacity to meet expected demand within the urban environment, including a range of housing choices and there are no other reasonably practicable and feasible options.	(a) The spatial extent of any urban zone to cover highly productive land is the minimum necessary to provide sufficient development capacity to meet demand for business land or the housing bottom lines for Tasman's Urban Environment in Table 5.1A while achieving a well-functioning urban environment; and (b) In the case of LUC 1 and LUC 2 land; (i) the urban rezoning is required to provide sufficient development capacity to meet demand for business land or the housing bottom lines for Tasman's Urban Environment in Table 5.1A; and (ii) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and (iii) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production. ~~(iv) the efficient use of resources including land, infrastructure, and energy;~~ ~~(ii) the quality of the urban environment including:~~ ~~(a) access to services;~~ ~~(b) water and air quality; and~~ ~~(c) amenity values, while recognising amenity values of the urban and built form, in areas planned for intensification, develop and change over time.~~ ~~(iii) The need to provide sufficient urban development capacity to meet expected demand within the urban environment, including a range of housing choices and there are no other reasonably practicable and feasible options.~~
Policy 5.1A	~~Council will zone sufficient residential and business land capacity to meet expected~~	~~Council will zone sufficient residential and business land capacity to meet expected demand in its urban environment.~~ When zoning land and

Provision	Amendments as per Hearing Version	Recommended changes
	~~demand in its urban environment,~~ When zoning land and when preparing or reviewing the Future Development Strategy, outline spatial plans, and masterplans, the Council will ~~using spatial planning tools that~~ seek ~~to achieve the following overall~~: (i) An urban form that supports reductions in greenhouse gas emissions ~~by integrating land use and transport~~; (ii) ~~Consolidation and intensification of~~ Eexisting main commercial centres are consolidated and intensified, and supported by a network of smaller centres; ~~(iii) Main commercial centres are supported by a network of smaller centres;~~ (iv) New housing is focused in areas where people have good access to jobs, services and amenities including by public and active transport and in locations where people want to live; (v) Enable a variety of homes ~~A range of housing choices are provided~~ that meet different needs of the community, including papakāinga and smaller, more affordable options; (vi) Urban development that is integrated with infrastructure planning and funding,~~New infrastructure is planned, funded and delivered efficiently to integrate with growth~~ and existing infrastructure is used efficiently; (vii) Sufficient public open space, reserves and other community facilities are provided; (viii) Impacts on the natural environment are minimised and opportunities for restoration are realised;	making decisions on plan changes and proposals for development of land for urban use, ~~when preparing or reviewing the Future Development Strategy, outline spatial plans, and masterplans,~~ the Council will ~~using spatial planning tools that seek to achieve the following overall~~: consider and apply the following criteria for achieving a well-functioning urban environment: (i) An urban form that supports reductions in greenhouse gas emissions by integrating land use and transport; (ii) ~~Consolidation and intensification of~~ Eexisting main commercial centres are consolidated and intensified, and supported by a network of smaller centres; ~~(iii) Main commercial centres are supported by a network of smaller centres;~~ (iv) New housing is focused in areas where people have good access to jobs, services and amenities including by public and active transport and in locations where people want to live; (v) ~~Enable a variety of homes~~ A diverse range of housing types ~~choices are provided~~ that meet different needs of the community are provided including papakāinga and smaller, more affordable and accessible dwellings suitable for all life stages ~~options~~, (vi) ~~Urban development that is integrated with infrastructure planning and funding,~~New infrastructure is planned, funded and delivered to integrate with urban development in a timely and efficient manner while managing adverse effects from or on infrastructure ~~growth~~ and existing infrastructure is used efficiently; (vii) Sufficient public open space, reserves and other community facilities are provided; (viii) Impacts on the natural environment are minimised and opportunities for restoration are realised; The effects of urban development on freshwater are considered and managed on an integrated, whole-of-catchment basis; avoid the loss of extent or values of natural inland wetlands, or of rivers to the extent practicable; (ix) Tasman's Urban Environment is resilient to ~~and can adapt to~~ the likely current and future effects of climate change;

Provision	Amendments as per Hearing Version	Recommended changes
	(ix) Tasman's Urban Environment is resilient to ~~and can adapt to~~ the likely current and future effects of climate change; (x) Tasman's Urban Environment is resilient to the risk of natural hazards by applying a risk-based proportionate approach; (xi) Highly productive land is prioritised for primary production; ~~and~~ (xii) ~~Revive and enhance~~ tThe mauri of te Taiao is revived and enhanced; (xiii) New housing areas are planned and located to avoid, remedy or mitigate reverse sensitivity and incompatibility effects with existing business activities; and (xiv) The efficient provision of aggregate resources necessary to support urban development and infrastructure is recognised and provided for. EXPLANATION AND REASONS: Council has a statutory obligation to provide for growth within its urban environment, but it plans to do this while ensuring that important environmental and cultural values are protected. ~~The objectives of policy 5.1 were developed during preparation of the Future Development Strategy, consulting~~ Much of Policy 5.1A is developed from the objectives of the Future Development Strategy, which was prepared in consultation with the community, iwi, stakeholders and the elected members. They reflect how Council wants to provide for	(x) Natural hazard risks to Tasman's Urban Environment ~~is resilient to the risk of natural hazards~~ are assessed and managed using ~~by applying~~ a risk-based proportionate approach based on the best available information, which avoids very high natural hazard risk, takes into consideration the long term (at least 100 year) potential impacts of climate change and avoids or mitigates significant natural hazard risks which may arise on other land as a result; (xi) Highly productive land is prioritised for primary production; ~~and~~ (xii) ~~Revive and enhance~~ tThe mauri of te Taiao is revived and enhanced; (xiii) New housing areas are planned and located to avoid, remedy or mitigate reverse sensitivity and incompatibility effects with existing business activities and infrastructure; and (xiv) The efficient provision of aggregate resources necessary to support urban development and infrastructure is recognised and provided for. EXPLANATION AND REASONS: Council has a statutory obligation to provide for growth within its urban environment, but it plans to do this while ensuring that important environmental and cultural values are protected. ~~The objectives of policy 5.1 were developed during preparation of the Future Development Strategy, consulting~~ Much of Policy 5.1A is developed from the objectives of the Future Development Strategy, which was prepared in consultation with the community, iwi, stakeholders and the elected members. They reflect how Council wants to provide for growth in the urban environment, taking into account relevant directions in national policy documents. ~~The outcomes are to be achieved as a whole.~~ The criteria are to be considered together. ~~No outcome takes priority over another, and~~ Nnot every criteria ~~outcome~~ will be achieved to the same degree in every location. How they are balanced in a particular case is determined through the Future Development Strategy, structure plans, masterplans and changes to the Tasman Resource Management Plan.

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	growth in the urban environment, taking into account relevant directions in national policy documents. The outcomes are to be achieved as a whole. No outcome takes priority over another, and not every outcome will be achieved to the same degree in every location. How they are balanced in a particular case is determined through the Future Development Strategy, structure plans, masterplans and changes to the Tasman Resource Management Plan.	
Policy 5.1B	(1) Within ~~the Tasman part of the Nelson Tasman Tier 2 urban environment (Richmond, Brightwater, Wakefield, Māpua, Motueka),~~Tasman's Urban Environment, the scale and location of new urban development shall be consistent with already zoned land, ~~or~~ the Future Development Strategy, or adopted masterplans or structure plans. (2) New residential and business development shall be managed by Council in accordance with the sequencing set out in the latest Future Development Strategy annual implementation plan, integrated with infrastructure planning and funding decisions.	(1) Within ~~the Tasman part of the Nelson Tasman Tier 2 urban environment (Richmond, Brightwater, Wakefield, Māpua, Motueka),~~Tasman's Urban Environment, new urban development will be: (i) Of a ~~the~~ scale and location that is ~~of new urban development will be shall be~~ consistent with ~~already zoned land,~~ ~~or~~ the Future Development Strategy, adopted masterplans or structure plans; or (ii) on land that is already zoned for urban development. (2) New residential and business development shall be ~~managed by Council~~ in accordance with the sequencing set out in the latest Future Development Strategy annual implementation plan, and integrated with infrastructure planning, ~~and~~ funding ~~decisions~~ and delivery.
Policy 5.1BA	(1) Where a plan change proposes unanticipated or out of sequence urban development ~~is proposed~~ in ~~the Tasman urban environment via a plan change~~ Tasman's Urban Environment, Council will have particular regard to whether the proposed development would add significantly to development capacity ~~where the following unranked criteria are met and therefore the urban development proposal may be considered 'significant'~~: .	(1) Where a plan change proposes unanticipated or out of sequence urban development ~~is proposed~~ in ~~the Tasman urban environment via a plan change~~ Tasman's Urban Environment, Council will have particular regard to whether the proposed development would add significantly to development capacity ~~where the following unranked criteria are met and therefore the urban development proposal may be considered 'significant'~~: . (2) A plan change adds significantly to development capacity where: ~~(i)~~(a) ~~The extent to which t~~The scale and location of the proposed development would contribute to a well-functioning urban environment and the efficient use of land; and

Provision	Amendments as per Hearing Version	Recommended changes
	(2) A plan change adds significantly to development capacity where: ~~(i)~~(a) ~~The extent to which t~~The scale and location of the proposed development would contribute to a well-functioning urban environment and the efficient use of land; and ~~(ii) Whether the proposals contain highly productive land, unless it is required to provide sufficient development capacity to meet expected demand, there are no other reasonably practicable and feasible options and the environmental, social, cultural and economic benefits outweigh the long term environmental, social, cultural and economic costs; and~~ ~~(iii)~~(b) The proposal is well-connected along a range of transport mode corridors, or would be large enough to support a range of transport modes in the future; and ~~(iv) Whether the development provides quality urban design outcomes and~~ ~~(v)~~(c) Adequate new infrastructure is planned and funded by the developer and delivered to integrate with committed infrastructure investments by local or central government (including crown entities and agencies); and ~~(vi)~~(d) The scale of the development is large enough to make a significant contribution to identified demand ~~and/~~or a shortfall of the type of housing or business floorspace identified in Council's latest Housing and Business Assessment or NPS UD annual monitoring report~~; the proposal~~; and (e) The proposal would not lead to a capacity shortfall in another urban land use ~~as a consequence; as such the proposal may be~~	~~(ii) Whether the proposals contain highly productive land, unless it is required to provide sufficient development capacity to meet expected demand, there are no other reasonably practicable and feasible options and the environmental, social, cultural and economic benefits outweigh the long term environmental, social, cultural and economic costs; and~~ ~~(iii)~~(b) The proposal is well-connected along a range of transport mode corridors, or would be large enough to support a range of transport modes in the future; and ~~(iv) Whether the development provides quality urban design outcomes and~~ ~~(v)~~(c) Adequate new infrastructure is planned and funded by the developer and delivered to integrate with committed infrastructure investments by local or central government (including crown entities and agencies) in a timely and efficient manner, while managing adverse effects from or on infrastructure; and ~~(vi)~~(d) The scale of the development is large enough to make a significant contribution to identified demand ~~and/~~or a shortfall of the type of housing or business floorspace identified in Council's latest Housing and Business Assessment or NPS UD annual monitoring report~~; the proposal~~; and (e) The proposal would not lead to a capacity shortfall in another urban land use ~~as a consequence; as such the proposal may be considered to significantly add to development capacity; and~~. (3) In addition, the plan change must demonstrate that: (a) The proposal does not contain highly productive land, unless it is satisfies the requirements of Policy 5.1 ~~required to provide sufficient development capacity to meet expected demand, there are no other reasonably practicable and feasible options and the environmental, social, cultural and economic benefits outweigh the long term environmental, social, cultural and economic costs;~~ and (b) The development provides quality urban design outcomes; and ~~(vii)~~(c) The consolidation of t~~T~~he commercial centre of Richmond ~~is consolidated and~~ supported by a network of smaller towns and villages, is not undermined; and ~~(viii)~~(d) Adverse effects on the natural environment are minimised and opportunities for restoration are realised; and

Provision	Amendments as per Hearing Version	Recommended changes
	~~considered to significantly add to development capacity; and~~. (3) In addition, the plan change must demonstrate that: (a) The proposal does not contain highly productive land, unless it is required to provide sufficient development capacity to meet expected demand, there are no other reasonably practicable and feasible options and the environmental, social, cultural and economic benefits outweigh the long term environmental, social, cultural and economic costs; and (b) The development provides quality urban design outcomes; and ~~(vii)~~(c) The consolidation of t~~T~~he commercial centre of Richmond ~~is consolidated and~~ supported by a network of smaller towns and villages, is not undermined; and ~~(viii)~~(d) Adverse effects on the natural environment are minimised and opportunities for restoration are realised; and ~~(xi)~~(e) the natural character of the coastal environment is preserved, maintained and enhanced and that natural character is protected from adverse effects of inappropriate subdivision, use, and development; and ~~(x)~~(f) The proposal does not adversely affect freshwater bodies including groundwater recharge and riparian function; and ~~(xi)~~(g) The proposed development is resilient to natural hazards and likely current and future effects of climate change; and ~~(xii)~~(h) Early engagement with Ngā Iwi demonstrates that the development does not adversely affect places of cultural heritage	~~(xi)~~(e) the natural character of the coastal environment is preserved, maintained and enhanced and that natural character is protected from adverse effects of inappropriate subdivision, use, and development; and ~~(x)~~(f) The proposal ~~does not adversely affect~~ avoids the loss of extent or values of natural inland wetlands, or of rivers to the extent practicable and considers and manages the effects of development on freshwater bodies including groundwater recharge and riparian function in an integrated manner; and ~~(xi)~~(g) The proposed development adopts a proportionate, risk-based approach to managing natural hazard risks based on the best available information, which avoids very high natural hazard risk, takes into consideration the long term (at least 100 year) potential impacts of climate change, avoids or mitigates any significant natural hazard risks which may arise on other land as a result; ~~is resilient to natural hazards and likely current and future effects of climate change~~; and ~~(xii)~~(h) Early engagement with Ngā Iwi demonstrates that the development does not adversely affect places of cultural heritage significance to Māori and preserves the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Provision	Amendments as per Hearing Version	Recommended changes
	significance to Māori and preserves the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.	

APPENDIX 2 – EXAMPLES OF PROVISIONS THAT DO NOT GIVE EFFECT TO NATIONAL POLICY STATEMENTS

93. This is not an exhaustive assessment of the consistency of provisions associated with Change 1 with national policy statements. It provides some examples only.

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
National Policy Statement for Natural Hazards December 2025	Objective 5.1A, Policy 5.1A, Policy 5.1BA, Objective 5.2	The s42A officer's amendments go some way to reflecting the policy direction in the NPS-NH to assess and manage natural hazard risk using a proportionate approach. However inconsistent wording is adopted across the provisions – Policy 5.1A recognises the need for a proportionate approach, but Objective 5.1A and Policy 5.1BA don't. The provisions do not reflect the policy direction in the NPS-NH to: - Where urban development is assessed as having very high natural hazard risk, avoid that risk - Avoid or mitigate risk generated on other sites, where urban development creates or increases significant natural risk on other sites, using a proportionate approach; - Make decisions based on the best available information, even when that information is uncertain or incomplete - Consider the potential long term climate change effects.	**Policy 2:** Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk. **Policy 3:** Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided. **Policy 4:** 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 5:** Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete. **Policy 6:** The potential impacts of climate change to at least 100 years into the future must be considered.

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
National Policy Statement for Freshwater Management 2020, amended December 2025	Objective 5.1A, Policy 5.1A, Policy 5.1BA, Objective 5.2	The provisions do not give effect to the direction in the NPS-FM to regional councils to change their RPS to the extent needed to provide for integrated management of the effects of use and development of land on freshwater, including the effects on receiving environments. The provisions fail to give effect to Policy 6 and 7 regarding the need to avoid the loss of natural inland wetlands and rivers.	**Policy 3:** Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments. **Policy 6:** There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted. **Policy 7:** The loss of river extent and values is avoided to the extent practicable. **3.5 Integrated management** (1) Adopting an integrated approach, ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must: (a) recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to hāpua (lagoons), wahapū (estuaries) and to the sea; and (b) recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments; and (c) manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments; and (d) encourage the co-ordination and sequencing of regional or urban growth.

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
			(2) Every regional council must make or change its regional policy statement to the extent needed to provide for the integrated management of the effects of: (a) the use and development of land on freshwater; and (b) the use and development of land and freshwater on receiving environments.
New Zealand Coastal Policy Statement 2010, amended December 2025	Objective 5.1A, Objective 5.2, Policy 5.1A, Policy 5.1BA	The provisions do not give effect to the policy direction in the NZCPS to: - Safeguard the integrity, form, functioning and resilience of the coastal environment (Objective 1) - Manage coastal hazard risks by locating new development away from areas prone to such risks - Encourage the consolidation of existing coastal settlements and urban areas (Policy 6) - Avoid increasing the risk of social, environmental and economic harm from coastal hazards; - Avoid change in land use that would increase the risk of adverse effects from coastal hazards; - In preparing the RPS, considering where, how and when urban development should be provided for in the coastal environment, and where it may be inappropriate.	**Objective 5** To ensure that coastal hazard risks taking account of climate change, are managed by: • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and • protecting or restoring natural defences to coastal hazards. **Policy 7 Strategic planning** (1) In preparing regional policy statements, and plans: (a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level; and (b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development: (i) are inappropriate; and (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process;

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
			and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules. (2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided. **Policy 24 Identification of coastal hazards** (1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to: (a) physical drivers and processes that cause coastal change including sea level rise; (b) short-term and long-term natural dynamic fluctuations of erosion and accretion; (c) geomorphological character; (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent; (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions; (f) influences that humans have had or are having on the coast; (g) the extent and permanence of built development; and

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
			(h) the effects of climate change on: (i) matters (a) to (g) above; (ii) storm frequency, intensity and surges; and (iii) coastal sediment dynamics; taking into account national guidance and the best available information on the likely effects of climate change on the region or district. **Policy 25 Subdivision, use, and development in areas of coastal hazard risk** In areas potentially affected by coastal hazards over at least the next 100 years: (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards; (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards; (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events; (d) encourage the location of infrastructure away from areas of hazard risk where practicable; (e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and (f) consider the potential effects of tsunami and how to avoid or mitigate them.

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
National Policy Statement for Infrastructure 2025	Objective 5.1C, Policy 5.1A, Policy 5.1BA	To give effect to the NPS-I, the provisions must: - enable infrastructure to support urban growth and development, - ensure that infrastructure is well-functioning and resilient, and compatible, as far as practicable, with other activities, - delivered in a timely and efficient manner, while managing adverse effects from or on infrastructure. While the provisions largely address these matters, there are some gaps with respect to resilience, timeliness, compatibility with other activities, and managing adverse effects from or on infrastructure.	**Objective** (1) The objective of this National Policy Statement is to: (a) ensure the national, regional and local benefits of infrastructure are provided for; (b) enable infrastructure to support the social, economic and cultural wellbeing of people and communities and their health and safety; (c) enable infrastructure to support the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations; (d) ensure infrastructure is well-functioning, resilient and compatible, as far as practicable, with other activities; and (e) ensure infrastructure is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure.
National Policy Statement for Highly Productive Land 2022, amended December 2025	Policy 5.1	Policy 5.1 does not give effect to the NPS-HPL, in particular, it does not reflect the strong avoidance direction in clauses 3.6 – 3.10. The direction in the NPS-HPL is not “have regard to”, it is “allow only if”, with limited exceptions where urban development is acceptable. - It therefore potentially enables urban development where this would conflict with the policy direction in the NPS-HPL. - There are inconsistent references to the NPS-HPL in policy 5.1 and new policy 5.1BA – so unclear how these policies are supposed to be read together. - Clause iii is not consistent with clause 3.6 (a), (b) and (c) of the NPS-HPL.	**Objective:** Highly productive land is protected for use in land-based primary production, both now and for future generations. **Policy 1:** Highly productive land is recognised as a resource with finite characteristics and longterm values for land-based primary production. Policy 2: The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development. **Policy 4:** The use of highly productive land for land-based primary production is prioritised and supported. Policy 5: The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.

National instrument	Provision (Hearings Version)	Commentary on consistency with national policy	Relevant national policy provision (text)
			3.6 Restricting urban rezoning of highly productive land (1) Tier 1 and 2 territorial authorities may allow urban rezoning of highly productive land only if: (a) the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and (b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and (c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values. (2) In order to meet the requirements of subclause (1)(b), the territorial authority must consider a range of reasonably practicable options for providing the required development capacity, including: (a) greater intensification in existing urban areas; and (b) rezoning of land that is not highly productive land as urban; and (c) rezoning different highly productive land that has a relatively lower productive capacity.