

NELSON CITY COUNCIL

**Nelson Resource Management Plan**

Proposed Plan Change 17

Enner Glynn and Upper Brook Re-Zoning and Structure  
Plan

**Section 32 Report**

25 September 2010



## **1.0 Introduction**

### **1.1 Purpose of Report**

Section 32 of the Resource Management Act 1991 (RMA) requires Council to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule or method in the District Plan (Nelson Resource Management Plan, NRMP). Before publicly notifying a proposed plan change, the Council is required to prepare a Section 32 report summarising these considerations.

The purpose of this report is to fulfil these Section 32 requirements for proposed Plan Change 17, (Enner Glynn and Upper Brook Re-Zoning and Structure Plan).

### **1.2 Steps followed in undertaking the Section 32 evaluations**

The 7 broad steps which this section 32 evaluation follows are:

1. identifying the resource management issue;
2. evaluating the extent to which any objective is the most appropriate way to achieve the purpose of the RMA;
3. identifying alternative policies and methods of achieving the objective;
4. assessing the effectiveness of alternative policies and methods;
5. assessing the benefits and costs of the proposed and alternative policies, rules, or other methods;
6. examining the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods;
7. deciding which method or methods are the most appropriate given their likely effectiveness and their likely cost, relative to the benefit that would likely deliver.

Further clarification on how this is undertaken in this report is outlined in section 1.2.1-1.2.3 below.

#### **1.2.1 Resource management issue being addressed**

An issue is an existing or potential problem that must be resolved to promote the purpose of the RMA. The RMA does not require the identification or analysis of issues within Section 32 evaluations. Notwithstanding this, issues are being included in this report because it will be helpful to users to understand the basis and origin of these in providing a context for the evaluations of the objectives and policies that follow.

The principle issue giving rise to Plan Change 17 is the need for planned and integrated management of resources in providing for residential land use, rural and rural small holdings in the Enner Glynn and Upper Brook Valleys, having regard to the capacity of land and infrastructure, natural and landscape values, natural hazards, connectivity, and compatibility with existing activities. This issue underlying the rezoning of land within the structure plan area is addressed in 2.1 and 2.2 below.

#### **1.2.2 Evaluation of the objective(s) – the environmental outcome to be achieved**

Section 32 requires an evaluation of the extent to which the objective is the most appropriate to achieve the purpose of the Act. Appropriateness is not defined in the Act. In undertaking the evaluation it has generally been helpful to consider alternative forms of the objective and test them in terms of how well they met the environmental, social/cultural, and economic outcomes in Section 5, plus achieving other Part 2 matters. Often these assessments require value judgements because they are not readily quantified. Usually the objective is also tested against how well it addresses the elements of the issue.

The appropriateness of proposed amendments to the objectives and policies in the Nelson Resource Management Plan, and associated explanation to those, in achieving the purpose of the Act, is contained in Section 5.1.3 to this report.

### **1.2.3 Evaluation of alternative policies and methods (including rules) – what is Council going to do to achieve the objective**

The evaluation of appropriateness assesses the alternative policy options under the headings of effectiveness, efficiency, benefits, costs, the risk of acting and the risk of not acting. A range of criteria/matters have been used to assist in undertaking the evaluations:

- (a) efficiency - the ratio of inputs to outputs. Efficiency is high where a small effort/cost is likely to produce a proportionately larger return. Includes the ease of administration/administrative costs e.g. if the cost of processing a grant or collecting a fee exceeds the value of the grant or fee, that is not very efficient;
- (b) effectiveness - how well it achieves the objective or implements the policy relative to other alternatives. The likelihood of uptake of a method;
- (c) benefits - social, economic, environmental - as both monetary and non monetary cost/benefits;
- (d) costs - social, economic, environmental - as both monetary and non monetary cost/benefits; and
- (e) the risk of acting or not acting - the risk of taking action and not taking action in say the next 10 years because of imperfect information e.g. the cause/effect relationships are not fully understood.

The report concludes with a summary of the analysis undertaken and outlines which option best meets the requirements of Section 32 of the RMA.

## **2.0 Resource Management issue**

### **2.1 Background to Issue**

The Enner Glynn and Upper Brook Valleys adjoin existing residential development at Enner Glynn, Bishopdale and the Brook. They are currently rural in character, containing a low density of settlement and with a pattern of land use reflecting what has predominantly a rural zoning under the Nelson Resource Management Plan.

The Nelson Urban Growth Strategy 2006 (NUGS) considered areas of Nelson which could be suitable for accommodating future residential growth. The Stoke foothills, of which Enner Glynn, the Upper Brook Valley, and the saddles and plateaus in between are part, were recognised as being suitable for some level of development as they can be serviced, and they are close to existing infrastructure and communities.

In recent years the Council has dealt with a number of privately-initiated plan change requests to rezone land in the Stoke foothills in accordance with the development vision anticipated in NUGS. This has occurred in a piecemeal manner, from Ngawhatu Valley, Marsden Plateau and most recently Marsden Valley, but typically under common ownership or development vision by the proponents of those plan change requests. A private plan change application was lodged by J & W McLaughlin, Ashley Trust, B G McLaughlin, G & L Gillard and Echo Holdings Trust to rezone 124 ha of Marsden Valley land to allow for a higher level of residential development and a village centre. In adopting that plan change the Council had intended that Plan Change 13 – Marsden Valley include land in Enner Glynn and the Upper Brook to allow a holistic approach to zoning, connections and servicing in the area. Geotechnical, landscape, infrastructure and access investigations proceeded on that basis, however Plan Change 13 – Marsden Valley (notified 19 September 2009) was subsequently limited to land in Marsden Valley only. Plan Change 17 includes remaining parcels of land in Marsden Valley which did not form part of the scope of Plan Change 13 – Marsden Valley.

This is to ensure no individual parcels of land are left with a zoning pattern not in keeping with the surrounding area.

The Enner Glynn and Upper Brook Valleys contain the last remaining land fringed by the urban area and Jenkins Hill north of Marsden Valley. This land has a more disjointed ownership pattern than Marsden or Ngawhatu Valley's. Plan Change 17 is intended to complete the investigation of, and planned provision for, growth options and strategic access linkages in this area. It has adopted a structure plan approach to ensure consistency with planning for the wider area, and recognising some of the longer term objectives for future road and walkway / cycleway linkages between the Upper Brook and Enner Glynn and Bishopdale areas.

## **2.2 Identification of Issue(s)**

The principle issue giving rise to Plan Change 17 is the need for sustainable, planned and integrated management of resources in providing for increased residential and rural small holdings land use in the Enner Glynn and Upper Brook Valleys. This raises issues relating to:

- landscape, natural and rural amenity values;
- natural hazards;
- efficient use of land;
- servicing;
- road, walkway, cycleway and biodiversity connections;
- cross-boundary effects; and
- cultural and heritage values.

### Landscape, natural and rural amenity values

The landscape values of Enner Glynn and the Upper Brook were assessed by Kidson Landscape Consulting (Marsden Valley to Brook Structure Plan - Landscape Assessment, 2009). This considered the absorption capacity of land with regard to its sensitivity to development.

The mid slopes and valley floors were not readily visible from existing urban areas and any landscape effects would be localised. However the Enner Glynn Valley has a degree of rural amenity which is sensitive to change. It is narrow and steep-sided, creating an enclosed environment close to but visually isolated from the urban area. It opens up at its head to the base of Jenkins Hill, with a pleasant rural amenity across a rural landscape. As a result of consultation, it is apparent that these characteristics are also valued by residents and landowners within Enner Glynn Valley. Retaining a rural zoning to the valley, but with potential for small holdings preferably clustered and separated by areas of open space and natural character, is considered to address protection of those values. It is intended that any increase in development potential be offset by the provision of open space, biodiversity and riparian corridors.

The broad ridge tops above the Enner Glynn Valley mouth, above Panorama Drive and Bishopdale, are sensitive to skyline development as viewed from Wakatu Drive, Stoke, the airport area, and/or the coast. If development is to be provided for in those areas, inclusion of that land within the Landscape Overlay is consistent with the existing NRMP provisions. The Landscape Overlay affords an appropriate response in managing the landscape and visual impacts of subdivision, buildings and earthworks, while still providing for development in these areas.

The Landscape Overlay has also been extended along the visually prominent slopes at the head of Enner Glynn Valley below Jenkins Hill.

The Riparian Overlay in the NRMP has been retained in its current location, with exception of the section on the Kelly land running from Jenkins Stream to the native bush block. This was always intended to provide for future public access to the bush block, rather than for strictly water related riparian management purposes under the RMA. Through the Plan Change

consultation process it has been determined that using provisions of the Nelson Resource Management Plan to gain this access is not appropriate. No walkway will be shown on the proposed NRMP maps and any future desire to gain public access will be addressed through negotiation or purchase between the Council (or other groups) and the land owner.

#### Natural hazards

The area has been assessed by Geotechnical Engineers for its level of risk to land instability, erosion and sedimentation, which has in turn formed the basis of extensions to the Land Management Overlay and amendment to the Fault Hazard Overlay. These risks, and the topography of the area, have also influenced zoning outcomes.

Natural hazards are an identified risk for the Enner Glynn and Upper Brook Valleys due to a combination of slope, geology, soil conditions and fault lines. Land instability (and with accompanying erosion and sedimentation issues) and fault lines are generally indicated by the Land Management and Fault Hazard Overlays in the Nelson Resource Management Plan.

The level of risk is not of a significance which would prevent further development in the Enner Glynn or Upper Brook Valleys. Development is possible within those areas of risk identified through the overlays, however further geotechnical investigation of those risks and appropriate mitigation measures will be required at the time of subdivision and development. In the meantime, taking into account the potential for natural hazards and the need for earthworks in forming access and building platforms within these areas, a rural small holdings rather than a residential zoning better reflects the development potential of that land. This also assumes the integration of open space and vegetation where this may assist in land stability, as well as other amenity and natural character objectives. Pockets of residentially zoned land are shown in areas which naturally extend from existing or proposed Residential Zones outside of the structure plan area.

#### Efficient use of land

NUGS, independent analysis by landowners, developers and others, and internal Council investigation, confirms that residential land supply in the Nelson district is a finite resource. Census figures and predictions show that Nelson's population is expected to continue to grow while the number of people per household is expected to decline. Both these factors increase the pressure on the residential land supply. Ensuring that any existing or proposed residential and peri-urban land is used efficiently and effectively, within its capacity to accommodate growth, is important to Council. The efficient use of what is a limited land resource reduces the need for additional zoning, is more efficient in the provision of infrastructure, supports existing and proposed neighbourhood coherence, amenities and services, provides for a variety of living styles, and can create a more varied and diverse community.

Most of the flat and more easily developed land in Nelson is already used for urban purposes. Expansion at the urban fringe is increasingly involving valleys and foothills inland of the existing urban area. The efficient use of land in these catchments is likely to be determined in a large part by the physical and servicing constraints to development.

There are several smaller properties in Marsden Valley that were not included in the physical scope of Plan Change 13 – Marsden Valley. To ensure the integrated and efficient development of that land, in keeping with the wider Marsden Valley neighbourhood, those areas are proposed to be rezoned Residential (with the exception of the Council owned Open Space Zoned property) and brought into Schedule I, being the structure plan for Marsden Valley.

The Nelson Resource Management Plan provides for an existing operative Residential Zone in the Upper Brook, west of the Brook motor camp. This land has yet to be developed, however given its relative ease of access and topography, and the relationship to existing residential subdivision and services, its residential zoning is still considered appropriate. The structure plan provides for road, walkway / cycleway and biodiversity connections through this zone, to ensure a planned development of linkages that will achieve a quality urban environment within any future subdivision while also being of a wider strategic value to the community.

Small extensions to the Residential Zone have been provided for at the top of Panorama Drive, at the mouth of Enner Glynn Valley and above the Marsden - Enner Glynn Saddle. This land is considered suitable for residential scale subdivision, accessed and/or serviced in conjunction with adjoining or, in the case of Marsden Valley, planned residential development.

With a narrow valley floor dominated by road access and riparian values, the rural amenity values of the lower Enner Glynn have taken precedence over its limited potential for residential zoning.

A higher density of rural small holdings, potentially with reticulated services, on the north to north-west facing hill slopes in Enner Glynn will allow for the efficient utilisation of land, most likely through clustering of future housing. This zoning will provide a degree of flexibility in development at the urban fringe, maintaining a sense of rural character while also contributing to the availability of small rural holdings as an alternative living opportunity for Nelson residents.

#### Servicing

There is no current proposal for Council to provide reticulated services to the Rural Small Holdings Area. It is expected, in accordance with current practice, that services will be provided on-site subject to case by case engineering investigation and dependant on the small holdings property being of a suitable size to allow for on site servicing. Alternatively, for the Higher Density Rural Small Holdings Area and if economically feasible, servicing could be provided through privately funded extension of Council infrastructure; alternatively the landowner/developer can lodge a submission to the Long Term Council Community Plan (LTCCP) for consideration for funding. Community schemes are also a possibility for consideration, particularly for a cluster of housing. The solutions adopted will affect the density and configuration of sections, and will be dependant on further investigation at the time of subdivision or development design.

The proposed extensions to the existing Residential Zone can be serviced off Council infrastructure. The land in Marsden Valley proposed to be included in Schedule I can be serviced from extensions to, or existing capacity of, sewer and water trunk mains infrastructure in Marsden Valley.

The Services Overlay has been extended to cover the Residential Zone, consistent with current rules in the Nelson Resource Management Plan, and the Rural Zone - Higher Density Small Holdings Area consistent with Plan Change 13 – Marsden Valley. This will ensure that all servicing constraints are adequately addressed as part of any subdivision proposal and prior to development proceeding.

Existing service connections and easements (ie the city water supply pipeline in the Upper Brook Valley) have been taken into account in aligning future road connections, to co-ordinate the location of public infrastructure and minimise future encumbrances on private land.

#### Road, walkway, cycleway and biodiversity connections

The southern foothills to Nelson City generally comprise a series of valleys, each extending from the existing residential area of Stoke and, at its northern end, the Brook Valley. Existing connections between the valleys, and to the existing urban area, are limited. As land is also under differing ownership, the structure plan approach ensures that road, walkway, cycleway and biodiversity connections are progressively incorporated with planned development in these valley catchments, linking urban neighbourhoods to one another and, where appropriate, their rural hinterland.

The purpose of these connections is to:

- integrate land use and transport outcomes so as to provide choice and efficiencies in transport linkages, and enhance contact between communities and key commercial services and community facilities;
- promote recreational opportunity, in a manner that minimises conflict between pedestrian, cyclist and motor vehicles;

- provide for natural values, open space, riparian and low impact stormwater management, landscape and amenity objectives within development design.

The structure plan process as it relates to this area has longer term objectives, to prevent ad hoc or unplanned subdivision, use and development of land that may compromise the attainment of connections. In the Rural Zone, in the Enner Glynn, Upper Brook and York Valley subject of this Plan Change, the timing for setting aside of land upon subdivision to form connections and the subsequent construction and management of those connections is important in avoiding cross boundary effects with adjoining land use activities.

Road connections have been shown to the boundary of the area subject to Plan Change 13 – Marsden Valley, to enhance travel options from Marsden Valley to Enner Glynn Valley and Panorama Drive. Extension of those connections within Enner Glynn Valley and to Panorama Drive will complete practical road links, benefiting the community in a more direct route from Marsden Valley to Nelson City and in access to amenities and services planned for Marsden Valley. The design and location of the Panorama Drive connection will be considered through the subdivision process and take into account such matters as geotechnical constraints, the presence of transmissions lines, the access needs of the subdivision, and the appropriate level of services of the connection. Any funding split with Council can be considered through the LTCCP process. It is anticipated that these road connections will be largely dependent on the progress of subdivision in these valleys.

The Upper Brook Valley to Bishopdale road connection is considered of strategic importance to the wider city network, affording a more direct route to residents of Brook Valley heading south and for the wider population accessing recreational and conservation resources in the Brook area. This takes pressure off the city centre and surrounding streets by ensuring people have another route choice to reach their destination.

The importance of walking and cycling as key physical activities is recognised in the 2009 Parks and Reserves Activities Management Plan, in its commitment to provide a connected network of paths and tracks that are accessible and visible and mountain bike tracks that cater for a range of riding abilities. That network is currently deficient in its linkage between the Upper Brook and Enner Glynn Valleys, and from the Brook Saddle to Bishopdale. The Council's Community Services Division supports these as strategic recreational connections. As far as practical, these will be provided for within Council-owned land.

Biodiversity connections provide pathways for plants and animals by linking together existing and potential areas of predominantly native vegetation, between catchments and taking into account the proximity of the Brook Waimarama Sanctuary. In some cases these are aligned to existing Riparian Overlays or walkway connections. By enhancing these linkages through a planned approach the overall capacity for biodiversity is increased and communities are better able to connect with natural features.

#### Cross-boundary effects

Consideration has been given to a pattern of zoning and associated development potential that will reasonably avoid cross-boundary effects.

The two main resources at risk of reverse sensitivity or cross-boundary conflicts are in York Valley – the city landfill (designated in the Nelson Resource Management Plan) and the York Quarry (a activity subject to a schedule in the NRMP). Both of these operations are of regional importance, permitted spatially over much larger areas than currently occupied and therefore likely to have a long term presence in this location.

Residential activity would be sensitive to the landfill and quarry operations. Residential and rural small holdings zones have been restricted in their orientation to York Valley, both from the Upper Brook and the northern ridgeline to Enner Glynn, so as to promote the sustainable management of those resources.

As a result of consultation several land owners have expressed concern about the impacts of public use of walkways and cycleways on adjoining land, particularly while under continued

farming use. Matters of trespass and privacy in rural areas are of concern. Where practical these connections will be provided across Council-owned land. In the Rural Zone the resource consent process will provide discretion in the timing of land set aside and constructed for such purposes. Unless with the agreement of the landowners, it is anticipated that the Council will not open such links for public use until inter-connection can be achieved and management regimes are in place to minimise cross-boundary impacts.

The location of existing electricity transmission lines through this area, and associated rules in the NRMP, are unchanged as a result of this proposal.

#### Cultural and heritage values

The underlying geology of the Enner Glynn and Upper Brook valleys includes coal seams that have in the past been mined. Two disused mines have been noted in the area for their historical value, with intent that they may be recognised in future development of land and/or public recreational connections, but are not accompanied by any greater regulatory control.

### **3.0 APPROACH TO PLAN CHANGE**

The basis for this Plan Change, in relation to NUGS, its location at the urban fringe, and the opportunities for residential growth and connections that has progressively occurred for those valleys south of Enner Glynn, has been outlined in 2.1 above.

The Plan Change was preceded by a detailed opportunities and constraints investigation and mapping exercise, which included land within Marsden Valley. This, along with landowner consultation, has influenced the zoning and overlay pattern, and the location of connections that have subsequently been reflected in Plan Change 17.

A structure plan approach has been undertaken to ensure that zoning patterns and connections are consistently and appropriately applied throughout the area. This is consistent with the planning approach adopted in other valley catchments of Stoke foothills, including for Marsden Valley (as part of Plan Change 13 – Marsden Valley), and will help to resolve the issues identified in Section 2.2 above.

While spatially Plan Change 17 is limited to the Enner Glynn and Upper Brook valleys, and portions of Marsden Valley not included in the scope of Plan Change 13 – Marsden Valley, it does include some provisions which will ultimately have effect district wide. For example the inclusion of 'biodiversity corridors' is a new concept in the NRMP, and it is anticipated that where appropriate this may be applied to other areas within and adjoining the urban area when land is rezoned using a structure plan process. Plan Change 17 includes related policies and rule requirements to include biodiversity corridors on land subject to this proposal. A section relating to the use of structure plans and related connections is also proposed to be included in the NRMP. Although a planning concept already used in the NRMP, this will enhance the understanding and implications of structure planning as a regulatory method. As these concepts have already been introduced through Plan Change 13 – Marsden Valley, Plan Change 17 for the most part replicates those earlier notified provisions.

All relevant NRMP zoning, overlays and connections are included in this Plan Change to the extent of spatially defining their location in the area concerned. The relevant zones are Residential, Rural and Rural Zone – Lower and Higher Density Small Holdings Areas. The relevant overlays are Riparian, Services, Fault Hazard, Land Management, Landscape and the Transmission Line Route.

The structure plan as proposed will be incorporated through a Schedule within the Rural section of the NRMP, cross-referenced and applicable also to the Residential Zone. It incorporates items such as the indicative locations of roads, walkways/cycleways, and biodiversity corridors. The schedule itself will include rules specific to this site.



## 4.0 CONSULTATION

Consultation on this Plan Change has been carried out in accordance with the Resource Management Act 1991, First Schedule, Clause 3 (1). This involved notifying the Ministry for the Environment, neighbouring councils and Iwi. Iwi were consulted through Tiakina te Taiao (representing Ngati Rarua, Ngati Tama, Te Atiawa and Ngati Koata), as well as Ngati Toa and Ngati Kuia. No significant issues were raised.

Landowners and stakeholders in the Structure Plan area were first made aware of the planning process being embarked on by the Council in November 2008. Several land owners took up the invitation to meet with Council Consultants and Staff in the course of site visits to guide the initial opportunity and constraints investigation and mapping exercise.

As a group, the landowners have been kept up to date about the Structure Plan process through a series of Council newsletters. They have been forwarded copies of the draft and amended draft rezoning, overlay and structure planning maps, and were invited to a public meeting at Enner Glynn.

Several property owners and families in Enner Glynn and Upper Brook Valleys have entered into direct consultation with Council Staff, on occasion accompanied by a site visit and/or meeting(s), to address issues arising from the Structure Plan and accompanying amendments to the NRMP specific to their own land.

As a result of this consultation, the draft proposal has been progressively revised. The most significant spatial zoning change has been a reduction in the Residential Zone on the valley floor and southern slopes of the Enner Glynn Valley, and its replacement with Rural Zone - Higher Density Small Holdings Area. This was the result of more detailed yield analysis by the Higgins family, and an express desire by landowners to ensure future development is sensitive to the rural amenity character of the valley. The Landscape Overlay has been reduced, and the Riparian Overlay has been replaced by a Biodiversity Corridor along the Jenkins Creek tributary, on the Kelly land. The location of the biodiversity corridors has been modified slightly to ensure these align to Riparian Overlays where relevant, and achieve connection of green space and vegetation between the valley catchments and to the Jenkins Hill slopes. The location of walkway/cycleway connections have been repositioned so they are contained within Council land where ever practicable, and the bottom portion of the Upper Brook to Bishopdale road realigned to the water pipeline easement through the Simpson property. Further independent opinion on the practicality of the Panorama Drive to Marsden road connection through the Higgins land was obtained, to confirm the feasibility of that route. In response to concerns from farming interests about the potential cross-boundary effects of public walkway / cycleway access, amendments have been made to the NRMP text to recognise this issue and its potential for mitigation to allow continued farming use of adjoining land.

More recently the owners of several properties in Marsden Valley not included in the scope of Plan Change 13 – Marsden Valley were consulted individually to gain an understanding of their interests in the rezoning and structure plan process.

## **5.0 APPROPRIATENESS IN ACHIEVING THE PURPOSE OF THE RMA**

### **5.1.1 Introduction**

Section 32(3) of the Resource Management Act 1991 requires that, in achieving the purpose of the Act, a local authority must before any Plan Change is publicly notified carry out an evaluation of –

- (a) The extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- (b) Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.*

Section 32(4) requires that such evaluation must take into account –

- (a) The benefits and costs of policies, rules or other methods; and*
- (b) The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

The Plan Change seeks to achieve, in accordance with Part 2 of the Resource Management Act 1991, sustainable and efficient urban and peri-urban growth in the Enner Glynn and Upper Brook Valleys. In provided for contained and controlled spatial expansion of the urban boundary and more intense rural small holdings in the Enner Glynn Valley, the Plan Change seeks a high standard of development design, effective connectivity in service provision, transport routes and walkways, and integration of land use patterns and built and natural environments.

### **5.1.2 Appropriateness of alternative options**

Prior to going into detail on the objectives, policies and rules of the proposed plan change, it is appropriate to consider the overall options for facilitating the plan change. This section considers the appropriateness and the potential benefits and costs of the plan change and compares it to alternative planning methods.

The general options available in addressing settlement growth at the urban fringe in this area are:

- Status quo – do nothing (do not proceed with the Plan Change);
- Proceed with Plan Change – zoning, structure plan, area overlays, or a combination of these.

These options are evaluated on Table 1 below:

**Table 1: Different Methods of Providing for and Managing the Effects of Settlement Growth in the Enner Glynn and Upper Brook Valleys**

Methods	Option 1: Status Quo/Do Nothing <sup>1</sup>	Option 2: Zoning of Land <sup>2</sup>	Option 3: Structure Plan <sup>3</sup>	Option 4: Area Overlays <sup>4</sup>
<b>Environmental, Social, Implementation, and Compliance Costs</b>	<p><i>If development proceeds in accordance with current zoning and rules:</i></p> <p>Other than for existing Residential Zone land at the end of Brook Street, development of land may proceed under a less intensive regime and hindering the potential for efficient use of resources at some later time.</p> <p>Inefficient use of existing service infrastructure where readily available to land.</p> <p>Population growth in Nelson will continue to create pressure for infill development elsewhere within the city boundary.</p> <p>Costs have already been incurred in Council's opportunity and constraints investigation and mapping, and consultation with landowners, although some of the resulting material may assist in concept designs for future resource consent applications.</p> <p><i>If resource consent applications are pursued to use rural land for residential and/or small holdings purposes:</i></p> <p>High compliance costs and lack of certainty as to consent outcomes for landowners and the local</p>	<p>Implementation costs associated with Plan Change process to amend existing zonings.</p> <p>Loss of rural character in parts of the Enner Glynn and Upper Brook Valleys where land is physically capable of development, but retaining on balance a rural amenity to the wider area.</p> <p>For residents who value the rural amenity, particularly of the Enner Glynn Valley, rezoning for any form of more intense development, and associated road and walkway / cycleway connections, will be a environmental cost.</p> <p>Costs of extending service infrastructure to and within the valleys to accommodate growth, and upgrading the capacity of downstream services such as the road network, may be required.</p> <p>There is potential for parties to plan and share the costs of complying with Council's Engineering Standards for service and roading provision.</p> <p>No ability to plan for connections (roads, walkways, cycleways and biodiversity) with certainty through the NRMP.</p>	<p>Implementation costs in developing a structure plan for inclusion in the NRMP.</p> <p>Costs in developing flexibility in NRMP provisions with regards to the final location and, through rural areas, the formation of connections and linkages.</p>	<p>As an existing method (with associated rules) within the NRMP, implementation costs are low beyond review of the spatial extent of the overlays.</p> <p>Most overlays assume additional investigation, reporting, and design considerations, and with that more stringent resource consent status, as a cost on land developers.</p> <p>In situations where resource constraints are severe or most significant, future development options may for individual landowners be restricted through zoning patterns.</p> <p>No ability to plan for connections (roads, walkways, cycleways and biodiversity) with certainty through the NRMP.</p>

<sup>1</sup> **Status Quo / Do Nothing:** Current zoning pattern is retained (Rural, Residential and Rural Small Holdings), with resource consents required for more intensive urban and small holdings development than anticipated under current rules.

<sup>2</sup> **Zoning of Land for Urban and Small Holdings Growth:** The potential combination of zonings is to be assessed later in this section, but assumes some residential and small holdings opportunity.

<sup>3</sup> **Structure Plan:** is a mapped framework to guide the development or redevelopment of a particular area by defining future development and land use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features for managing the effects of development, often across multiple land ownership.

<sup>4</sup> **Area Overlays:** A spatial method of showing which areas are subject to various specified attributes such as fault hazards, land management requirements, or landscape value, shown on planning maps. The existing area overlays in the NRMP pre-date Council's consideration of urban growth in these valleys, and accordingly must be updated to achieve the level of environmental management anticipated in use of this method.

Methods	Option 1: Status Quo/Do Nothing <sup>1</sup>	Option 2: Zoning of Land <sup>2</sup>	Option 3: Structure Plan <sup>3</sup>	Option 4: Area Overlays <sup>4</sup>
	<p>community, and administrative costs for Council.</p> <p>Development outcomes more likely to be piecemeal and without an overall vision for the wider valley and Nelson communities, and also potentially at the expense of quality and integrated development design.</p> <p>Costs to the community in submitting on a number of development proposals by different developers.</p> <p>Standard of Enner Glynn Road will remain a significant constraint even to rural development.</p> <p>Less certainty and co-ordination in funding infrastructure expansion through development contributions or privately by developers, with inequitable results.</p> <p>Less ability to consider the cumulative effects of individual developments</p> <p>Inconsistency in development outcomes, and potential compromise of connectivity objectives, for land omitted from Schedule I in Marsden Valley, under Plan Change 13.</p>			
<p><b>Environmental, Economic, Social, Implementation, and Compliance Benefits</b></p>	<p>Existing zonings provide for protection of the rural ambience of Enner Glynn and Brook Saddle areas, and minimise the potential for reverse sensitivity effects between residential use and the landfill and quarry operations.</p> <p>Limited residential expansion is already provided for adjoining the urban boundary and motor camp in the Brook Valley.</p> <p>In the absence of reticulated services to Enner Glynn, its rural qualities are likely to prevail even in any low</p>	<p>Provision for new urban and small holdings land over the next 10-20 years is recognised, and in doing so achieves the outcomes anticipated under NUGS.</p> <p>Zoning reflects opportunities and constraints of land to provide for urban and small holdings growth, and thus achieves a higher degree of certainty for landowners and the wider community.</p> <p>A mix of land use activities, and densities of development, can be reflected in zoning</p>	<p>Recognises longer-term urban growth and connectivity objectives across a larger land area that is held in multiple ownership.</p> <p>Connectivity facilitated in roading, walkways, open space or biodiversity corridors, and services between adjoining parcels of land, and between the Marsden, Enner Glynn and Brook Valleys, from the Valleys to the Stoke foothills, and to Bishopdale, as appropriate.</p>	<p>Specific resource management issues and constraints affecting an area are recognised on the planning maps (with associated management through rules in the NRMP) and will thus be addressed in any development initiative.</p> <p>Development required to be sensitive to special natural or amenity values (eg Landscape values) of a site, and as such these values are more likely to be integrated within development proposals, and</p>

Methods	Option 1: Status Quo/Do Nothing <sup>1</sup>	Option 2: Zoning of Land <sup>2</sup>	Option 3: Structure Plan <sup>3</sup>	Option 4: Area Overlays <sup>4</sup>
	<p>scale subdivision that could occur.</p> <p>If landowners seek more intensive or alternative development outcomes than the existing rules provide for, consent processes and proposed urban design policy changes to the NRMP will retain an element of control over environmental outcomes and the quality of any particular development.</p> <p>Implementation costs would be negligible as no amendments are required to rules in the NRMP.</p> <p>Certainty for current land owners.</p>	<p>patterns.</p> <p>Council can plan for growth through its LTCCP with greater certainty, and with developers contributing to the expansion of infrastructure on a fair and equitable basis.</p> <p>Opportunity for more efficient use and orderly development of land, roads and infrastructural resources.</p> <p>Once land is appropriately zoned, the resource consent costs for developers and the community in general will be lower.</p> <p>Higher level of certainty, and therefore attainment of, the environmental outcomes provided for and anticipated in the valleys.</p> <p>Wider range of living choices for Nelson residents, spatially and in property qualities.</p> <p>Potential for Enner Glynn Valley community to develop in a manner compatible with growth anticipated of Marsden Valley.</p>	<p>Will promote the co-ordinated management and development of natural and physical resources, and with that better facilitate good urban design practices.</p> <p>Provides a higher level of certainty, to developers, Council, and the public, regarding the layout, character and costs of development, and promotes a better understanding of how various issues relate.</p> <p>Allows future planning for Council infrastructure to be undertaken with more certainty ie roads, services, and walkway/cycleways.</p> <p>Compliance costs to landowners should be reduced in providing certainty and direction as to linkages.</p>	<p>contribute long-term to the quality of the urban and peri-urban environment and its relationship to adjoining rural and recreational resources and ecosystems.</p> <p>The risks of natural hazards will be avoided, remedied or mitigated through earthworks and subdivision design.</p>
<b>Overall effectiveness and efficiency</b>	<p>Retention of the current zoning and rules would be ineffective and inefficient in providing for, and managing, the effects of urban and small holdings growth in appropriate locations in the Enner Glynn and Upper Brook Valleys, as anticipated through NUGS and with a degree of co-ordination with the planning approach and outcomes provided for under Plan Change 13 – Marsden Valley. It will result in inefficiencies in consent processes and with greater risk of ineffective urban design and connection outcomes.</p>	<p>Efficient in providing for and managing the effects of urban growth in a transparent and consistent manner. Its effectiveness will be best achieved in conjunction with other methods (Options 3 and 4).</p>	<p>Greater efficiency and effectiveness in achieving integrated planning, interconnectivity and service provision across property boundaries and between the valleys within, north, south and west of the study area.</p> <p>Best results achieved in combinations with Options 2 and 4, to ensure connections and final structure occurs in a co-ordinated manner. Once in the NRMP, this provides certainty on connections, zoning and overlay requirements, and consistency with the planning approach</p>	<p>Consistency with existing methods in the NRMP will promote efficiency. This method is also efficient and effective in managing, responding to and mitigating the effects of specific resource issues of a site. Its effectiveness will be best achieved in conjunction with other methods (Options 2 and 3).</p>

Methods	Option 1: Status Quo/Do Nothing <sup>1</sup>	Option 2: Zoning of Land <sup>2</sup>	Option 3: Structure Plan <sup>3</sup>	Option 4: Area Overlays <sup>4</sup>
			adopted for urban and small holdings growth elsewhere along the Stoke foothills.	
<b>Appropriateness</b>	This option is inappropriate, and is inconsistent with regulatory methods already adopted or proposed by Council for land in the Stoke foothills south of Enner Glynn.	This option is appropriate and is therefore recommended.	This option is appropriate given the area and ownership pattern of land in the Study Area, and the desire for inter-valley connections of strategic and longer-term importance to the city, and is therefore recommended.	This option is appropriate where issues warrant regulatory control in future development proposals in order to avoid, remedy or mitigate the adverse effects of land development on landscape values, riparian margins, land stability, the health and safety of the community, and urban service extension and capacity. This option is recommended.
<b>Risk of Acting</b>	Risk in not allowing for development opportunities signalled for and potentially sustainable within this area.  Lack of integration with connections will compromise attainment of district wide Council objectives for access and recreation, as factors contributing to sustainable urban communities	Limited risk of acting as existing strategies have identified parts of this area as suitable for residential and small holdings growth.	Limited risk of acting as there is flexibility within the structure plan and resource consent processes for development styles and connections to eventuate.	If not sufficiently researched, an area of land can be unintentionally included in overlays. Reasonably detailed investigations have accompanied this Plan Change. Additional requirements will need to be addressed by Applicants through the consent process.
<b>Risk of Not Acting</b>	Not applicable	Strategically unplanned private development could hinder the ability to create connections, provide services, retain and encourage biodiversity.	Development patterns, connections and biodiversity outcomes do not evolve in a strategic way, if at all	Relevant issues or risks in a particular area may be overlooked during the consent process. Planning for those issues or risks may not occur early in the rezoning or development design. Council negligent if known issue not is appropriately highlighted.

### 5.1.3 Objectives and Policies

Table 2 below discusses each changed or new objective and policy to show the extent to which it is the most appropriate way to achieve the purpose of the Act.

**Table 2: Objectives and Policies for Managing the Effects of Settlement Growth in the Enner Glynn and Upper Brook Valleys**

Plan Reference	Objective or Policy	Extent to which it is the most appropriate way to achieve the purpose of the RMA
DO5.1.i	Addition to the reasons for Objective DO5.1 Natural Values <i>'An environment within which natural values are preserved and enhanced and comprise an integral part of the natural setting'</i> . The addition to state <i>'In relation to urban area this means promoting an urban form that respects and works in harmony with the natural environmental features and patterns of an area. Good urban practice can preserve natural areas and values by appropriate ecological design, and at the same time potentially increase usable green space within urban developments.'</i>	This addition to the reasoning for the objective strengthens the objective and helps users of the NRMP understand the intent. It does not change the actual meaning of the objective as it exists in the Operative NRMP.
DO5.1.2.i-v DO5.1.2 x-xi (methods)	Further explanation covering biodiversity corridors added to policy DO5.1.2 Linkages and Corridors <i>'Promotion of linkages and corridors between areas of native vegetation'</i> .	Biodiversity corridors are proposed to be included in this land area as a method of achieving this existing policy. This is appropriate as it supports an existing policy and achieves the purpose of this.
DO10.1.3.viii	Addition to the methods to achieve Policy DO10.1.3 Expansion of the Road Network: <i>Provision for indicative roads on Structure Plans or within the Planning Maps, as a matter for assessment and response through subdivision applications.</i>	Indicative roads have been included in the NRMP as a method to achieve the logical and integrated expansion of the road network necessary for quality urban environments. Addition of this method will ensure that this is taken into account when development occurs and accords with the intent of the policy.
DO10.1.7.vii-viii	Addition to the methods to achieve Policy 10.1.7 Pedestrian and Bicycle Traffic: <i>Provision of indicative walkways (which may in appropriate circumstances also perform a cycleways function) on Structure Plans or within the Planning Maps, as a matter for assessment and response through subdivision applications. Within the rural area in particular, recognise and promote management practices and construction of public walkways and cycleways that minimise the potential for cross-boundary effects, in liaison with adjoining land owners.</i>	Indicative walkways/cycleways have been included in the NRMP as a method to achieve the logical and integrated expansion of such connections necessary for quality urban environments. In the Rural Zone there is a need to ensure that this occurs at a time and in a manner that minimises cross-boundary effects for adjoining land. Addition of these methods will ensure that these outcomes will be taken into account when development occurs and accords with the intent of the policy.
DO14.3.1	Amendment to Policy DO14.3.1 Roads and Traffic by reference to indicative roads and connectivity in the road network, and by addition of the following: <i>Providing for, or avoiding impediment, to future road, walkway and cycleway linkages where these are shown indicatively on Structure Plans or within the Planning Maps.</i>	This amendment to policy directs that development will generally accord with the Structure Plan developed for the area. This is appropriate as the Structure Plan has been developed to ensure that a logical network of connections is established.
RU1.3	Addition of a new policy RU1.3 (Management of Effects of Connections on Structure Plans) for the Rural Zone: <i>the provision for and development of road, walkway and cycleway linkages within rural areas where these have been identified on</i>	This policy acknowledges the capacity and use of existing natural and physical resources in the Rural Zone and the intent, while meeting the need for connection between communities, to minimise reverse sensitivity effects in the achievement of those connections through the

	<i>Structure Plans, at a time and in a manner that does not result in unreasonable reverse sensitivity effects with adjoining land use activities, and associated explanation and methods</i>	rural environment at the urban fringe.
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#### 5.1.4 Alternative Methods

Tables 3-7 below assess the alternative options for zoning land and managing specific resource management issues and effects in achieving the objectives and policies above, and overall intent of this Plan Change, in accordance with the requirements of Section 32 of the Act:

- Table 3: zoning frameworks, with specific reference to Residential and Rural Zones
- Tables 4-7: alternative methods to manage specific resource issues and effects, namely:
  - Landscape, natural values and vegetation
  - Land stability and natural hazards
  - Access and services
  - Cross-boundary effects.

**Table 3: Residential and Rural Opportunity**

Methods	Option 1: Residential Zone	Option 2: Rural Zone - Higher and Lower Density Small Holdings Area	Status Quo
<p><b>Environmental, Economic, Social, Implementation, and Compliance Costs</b></p>	<p>Loss of rural character on areas of land in the Enner Glynn and Marsden Valleys where land is presently zoned and used for rural purposes but abutting the existing or proposed Residential Zone.</p> <p>Implementation costs associated with the Plan Change process to amend existing zonings. Some land in Upper Brook Valley already zoned Residential, so currently available to meet this need but without regard to road, walkway and biodiversity connections.</p> <p>Cost of extending service infrastructure to accommodate residential growth in these areas, although there may ultimately also be a need to upgrade the capacity of downstream services such as the road network. However, associated with this, promotion of orderly and comprehensive development enhances the potential that parties may collectively plan and share the costs of complying with Council's Land Development Manual for service and roading provision.</p> <p>May be rating implications</p>	<p>Some change in rural character and landscapes anticipated under this option, although in part those areas proposed to be zoned relate to land already zoned Small Holdings (although Lower Density) on the southern slopes of Enner Glynn Valley.</p> <p>Rural land is assigned a zoning based on the opportunities and constraints that it exhibits. From this, there will be implementation costs associated with the Plan Change process to amend existing zonings.</p> <p>Servicing costs on Rural land often fall entirely to private landowners and will generally not be a community cost, although this can be considered through the LTCCP process.</p> <p>Areas zoned are often more distant from road linkages provided through the Structure Plan, but with private and community costs in meeting biodiversity and walkway connectivity. Walkway provision may need to be a community</p>	<p>Inconsistency in planning approaches to land in Marsden valley, with regards those properties subject of this Plan Change.</p> <p>Does not allow for a level of development envisaged by the NUGS.</p> <p>Does not allow for integrated planning of urban and peri-urban growth opportunities and important connections across multiple properties.</p> <p>Relocates growth pressures to other areas of the city, notwithstanding that parts of this land are physically suitable for residential or small holdings use.</p> <p>Possibility of ad hoc development occurring between different land owners.</p> <p>Inability to establish a planned connection and servicing pattern in the area.</p> <p>Resource consent applications may be pursued to change the</p>



Methods	Option 1: Residential Zone	Option 2: Rural Zone - Higher and Lower Density Small Holdings Area	Status Quo
	<p>for landowners arising from re-zoning, and in some cases without immediate benefit in terms of development potential i.e. where availability of services or access is delayed.</p>	<p>cost if timely and practical linkages are to be achieved through these zones.</p> <p>Much of this land is subject also to overlays under the operative NRMP and this proposed Plan Change, and will have associated resource consent costs.</p>	<p>expected zoning pattern and vary the NRMP expectation for the area.</p> <p>Cost to applicants requiring resource consents to vary NRMP standards.</p>
<p><b>Environmental, Economic, Social, Implementation, and Compliance Benefits</b></p>	<p>Increased clarity in the NRMP as to where residential development and growth is appropriate having undertaken an opportunity / constraints analysis, in Enner Glynn Valley, and over a 10-20 year period as anticipated by NUGS and consistent with growth options for Marsden Valley</p> <p>Greater certainty for developers and landowners, the community and affected public about where growth will occur.</p> <p>Contributes to the range of living opportunities for the Nelson community, spatially and in terms of the aesthetic qualities of a valley location.</p> <p>Opportunity for more efficient use of land and, accompanied by the Structure Plan, roading and infrastructural resources, than provided for through the existing Rural and Residential Zone rules.</p> <p>In conjunction with Option 2 and Plan Change 13 – Marsden Valley, greater residential coherence and a sense of community in the Enner Glynn Valley.</p> <p>Environmental outcomes achieved through existing and revised Residential Zone subdivision and development standards in the NRMP.</p> <p>Council can plan for growth through its LTCCP with greater certainty, and with developers contributing to the expansion of infrastructure on a fair and equitable basis.</p>	<p>Opportunity for more efficient use of land where physically and spatially suited to small holdings.</p> <p>The varying densities of subdivision and development permitted through Rural Zone - Higher Density Small Holdings Area allows for clustering of residential units in an open space context which can help avoid visual intrusion while still allowing for development opportunities.</p> <p>The type of land within the Small Holdings Zone favours cluster development proposals with significant retention of open space. Rural, or open space, character will be preserved in parts of the valleys, particularly on more prominent slopes or land more physically sensitive to development.</p> <p>Provides for a land use transition between the urban boundary and the Barnicoat Range.</p> <p>Rural Small Holdings Zones will contribute to the available lifestyle property land bank adjoining the City.</p> <p>Rural Small Holdings Zone will contribute to the variety of living opportunities in the Enner Glynn Valley and close to the city, whether land is zoned for lower or higher density small holdings development.</p> <p>Increased clarity in the NRMP as to where small holdings should be sited, and to what density, while still managing the effects</p>	<p>Existing NRMP structure already established so no resources required to change this.</p> <p>Certainty for land owners and the public there would be no changes in NRMP zoning provisions in Enner Glynn Valley and the Upper Brook Valley.</p> <p>Existing rural character and open space values would be less effected, but still recognising that further development can occur in the area under the current zoning.</p>

Methods	Option 1: Residential Zone	Option 2: Rural Zone - Higher and Lower Density Small Holdings Area	Status Quo
		of peripheral urban growth.	
<b>Overall Efficiency and Effectiveness</b>	Identifying areas generally suitable for residential development, and as a result rationalising the urban boundary, is efficient and effective in providing for and managing the effects of residential growth in a transparent manner and consistent with methods in the NRMP. Efficient resource use and flexibility in development opportunity within the valleys will be promoted on land to which the Residential Zone policies and rules apply.	This option would enhance Option 1, and is effective and efficient in identifying land in the NRMP generally suitable for rural small holdings and to which the Rural Zone and Rural Small Holdings NRMP provisions will apply. As a method, efficiencies are achieved in use of a zoning framework already inherent to the NRMP and providing for the effective management of land use activities and environmental effects at the urban–rural fringe.	While this option requires no additional work and retains the current NRMP zoning it does not address the future residential and small holdings growth opportunities in the area or plan strategically how that and future connections and biodiversity objectives might be provided for.
<b>Appropriateness</b>	This option is appropriate, and is recommended to the extent that small areas of land in the Enner Glynn and Marsden Valleys are suitable for residential growth. (Note the Residential Zone in the Brook Valley exists in the operative NRMP)	This option is appropriate in conjunction with Option 1 providing specific resource issues are given adequate protection through other methods in the NRMP, and is recommended.	This option is inappropriate and is not recommended. The likelihood is development would proceed in an ad hoc manner potentially compromising wider goals for the area.
<b>Risk of Acting</b>	Little risk in acting due to identification of areas suitable for residential development, and with use of the structure plan approach to provide for essential connections, services and features.	Provides for a higher level of development than standard for the rural area, but needs controls to ensure rural, or open space values specific to the area are not significantly compromised	Not applicable to this option
<b>Risk of Not Acting</b>	Rural Zoning pattern does not indicate where residential scale development is considered appropriate, therefore ad hoc resource consent application could occur with no strategic direction.	Does not allow for rural small holdings development intensity to be realised, and at the cost of an overall zoning and development framework for the area.	Does not establish a development framework for the area and therefore risk of ad hoc consent applications being received with no strategic overview.

**Table 4: Landscape, Natural Values and Vegetation**

	Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values	Option 2: Zoning <sup>5</sup>	Option 3: Landscape Overlay and Riparian Overlay	Option 4: Structure Plan – Biodiversity Corridors
<b>Environmental, Economic, Social, Implementation, and Compliance Costs</b>	Significant environmental costs in terms of the special character of the valley, and the quality	Future development options of land may be unreasonably constrained and flexibility reduced	Rules already exist in the NRMP so additional implementation costs are minimal.	Implementation costs in developing a structure plan for inclusion in the NRMP.

<sup>5</sup> **Zoning:** In Enner Glynn and Upper Brook Valleys, those areas of higher natural and/or landscape significance would not be zoned for residential or lower or higher density small holdings development but would retain a rural zoning, or alternatively Conservation or Open Space and Recreation Zoning as a method of protection.

	<b>Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values</b>	<b>Option 2: Zoning<sup>5</sup></b>	<b>Option 3: Landscape Overlay and Riparian Overlay</b>	<b>Option 4: Structure Plan – Biodiversity Corridors</b>
	<p>of urban growth and integration of built and natural environments.</p> <p>Would be contrary to good urban design initiatives.</p> <p>Would undermine the Council's review of the Residential Subdivision standards.</p> <p>Specific identified concerns relating to a particular issue (eg landscape) would not be brought to the attention of applicant's, Council staff or residents, therefore risk of issues not being addressed.</p>	<p>when these values may in fact be able to be managed and provided for within development.</p>	<p>Compliance costs for developers in providing landscape assessment as a requirement of their resource consent application.</p> <p>Costs to developers in meeting esplanade reserve requirements through the Riparian Overlay and associated rules.</p>	<p>Need for flexibility to be built into the rules with regards to the final location and form of these corridors.</p>
<b>Environmental, Economic, Social, Implementation, and Compliance Benefits</b>	<p>Would allow developers to maximise use of their land for residential purposes with minimal Council control.</p>	<p>Those landscape and natural values of greatest significance, or most vulnerable to change, are afforded a reasonable degree of protection through existing rules for the Rural Zone.</p> <p>Can also assist in biodiversity objectives ie Jenkins foothills between Marsden and Upper Brook Valleys.</p>	<p>Clearly identifies landscape resources or values and riparian areas of significance in the valleys, by reference on planning maps.</p> <p>Recognises and affords protection to special landscapes, landscape values, and riparian margins within the study area.</p> <p>Promotes integration of landscape, open space, riparian management etc within any development proposal.</p> <p>Appendix 7 NRMP requires consideration of subdivision patterns, subsequent building development and placement, the visual impacts of roading and earthworks, and planting within landscape assessments.</p> <p>Protection and enhancement of</p>	<p>Clearly identifies areas with potential biodiversity values in the NRMP by inclusion in the structure plan.</p> <p>Clarity for developers that biodiversity corridors are to be integrated and provided for within subdivision design.</p> <p>Can add to the quality of the urban and peri-urban environment (ie open space, walkways, visual and recreational amenity) while meeting biodiversity, riparian access and management, and landscape objectives across the wider catchment.</p> <p>Will ensure connectivity between properties and catchments, to enhance the functionality of the corridors.</p> <p>Improved habitat and travel paths for plants and animals.</p>

	<b>Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values</b>	<b>Option 2: Zoning<sup>5</sup></b>	<b>Option 3: Landscape Overlay and Riparian Overlay</b>	<b>Option 4: Structure Plan – Biodiversity Corridors</b>
			riparian habitat values and public access to and along such areas.	
<b>Overall Efficiency and Effectiveness</b>	Ineffective and inefficient in achieving the NRMP objectives and policies in respect of areas of significant natural or landscape character.	Used alone, will not directly address the issue of landscape and natural character protection, relying instead on some degree of good practice through land management and consent processes, and does not recognise that some development could be possible through appropriate mitigation.	Ensuring the Landscape Overlay covers areas of landscape importance which are consistent with the existing Landscape Overlay provisions of the NRMP, and will provide for consistency of approach (and protection) in the district.  Individually identifying riparian areas will ensure that these also receive protection anticipated in the NRMP.	Greater efficiency and effectiveness in achieving integrated planning for, and interconnectivity in, biodiversity corridors across property boundaries, between the valleys, and to the Barnicoat Range.
<b>Appropriateness</b>	This option is inappropriate.	The zoning of land Conservation or Open Space is inappropriate and unnecessary within this study area, and is therefore not recommended.  These values may in some cases be better managed through a Rural zoning, but only in conjunction with Options 3 and 4.	This option is appropriate, and is recommended.	This option is appropriate, and is recommended.
<b>Risk of Acting</b>	Areas of landscape importance are not highlighted to applicants or consent processing staff.  Landscape values compromised by development not providing mitigation in sensitive areas.	Indirect method of protecting landscape values so application for development may not be adequately assessed or prepared with landscape issues in mind.	Limited risk of acting as protection would remain or increase for identified features.	Limited risk of acting in combination with options to protect other items such as landscape.  Biodiversity corridors are a new method in the NRMP and therefore may have some initial implementation concerns.
<b>Risk of Not Acting</b>	Limited risk as existing controls would remain.	Limited risk as existing controls would remain.	Protection would not be placed on features or areas which are identified as meeting the criteria for protection triggers.	A strategic approach to protection and establishing connections is not realised.

**Table 5: Land Stability, Erosion, Sedimentation and Natural Hazards**

	<b>Option 1: Zoning<sup>6</sup></b>	<b>Option 2: Land Management and Fault Hazard Overlays</b>	<b>Option 3: Status Quo</b>
<b>Environmental, Economic, Social, Implementation, and Compliance Costs</b>	<p>Future development options of land may be constrained and flexibility reduced.</p> <p>This option may afford unrealistic expectations in terms of development yields physically capable of being achieved.</p> <p>If no overlays used (as per Option 2) Council assumes some responsibility for ensuring that development is not allowed through zoning in an area subject to natural hazards and instability.</p> <p>No overlay to act as a trigger for more careful consideration of any particular item of concern.</p>	<p>Resource consents required to satisfy the Council that these risks will be adequately managed in use of this land. Compliance costs to developers in reporting, design and mitigation.</p> <p>Not all land in the Residential or Rural Zone - small holdings area of the site will be able to be developed for residential purposes. This may pose uncertainty for landowners, and for Council in planning for the funding of infrastructure and services to the valleys.</p>	<p>Since the NRMP was first notified there is a better understanding of some of the hazard overlays and their placement, and to not update the overlay boundaries to reflect this would with-hold information that would otherwise assist in good planning and design. Costs already incurred by the Council in investigating and refining the appropriate location of these overlays.</p> <p>The proposed change in land use patterns (from rural to residential and higher and lower density small holdings) effects how hazards and stability features are assessed and can affect how they are shown.</p>
<b>Environmental, Economic, Social, Implementation, and Compliance Benefits</b>	<p>That land at greatest / very high risk of natural hazards is by way of its rural zoning afforded a reasonable degree of protection from development likely to be at risk from land instability and fault movement or to accentuate such risks.</p> <p>The NRMP would identify through zoning patterns land that may be suitable for development, having taken into account the risk of land instability and hazards. Will provide flexibility for those landowners to investigate and plan for residential growth on suitable land.</p> <p>Assists in managing the risk to human life, infrastructure and property from natural hazards.</p>	<p>As a method, and with associated rules, this is already incorporated in the NRMP.</p> <p>The NRMP shows land generally susceptible to these constraints. More recent investigation and knowledge of hazard risks in these areas has allowed for these Overlay boundaries to be amended to better reflect potential risks.</p> <p>Urban or small holdings development that proceeds in these areas will be on land that is suitable and/or certified for such use, avoiding the risks to property and human life arising from natural hazards.</p> <p>May indirectly promote greater integration of urban and small holdings cluster development with open space areas, providing a transition to adjoining rural areas.</p>	<p>Regardless of the accuracy of boundaries, as a method, and with associated rules, these overlays are already incorporated in the NRMP, and therefore some degree of risk management will still prevail.</p>
<b>Overall Efficiency and Effectiveness</b>	<p>Effective and efficient in achieving the NRMP objectives and policies in</p>	<p>Consistent with current methods in the NRMP. Effective and efficient in</p>	<p>This option is inefficient as it does not represent best practice and</p>

<sup>6</sup> **Zoning:** Using zoning patterns (Rural or Residential) to steer development away from certain areas which have been assessed as being potentially at risk from a hazard or land instability.

	<b>Option 1: Zoning<sup>6</sup></b>	<b>Option 2: Land Management and Fault Hazard Overlays</b>	<b>Option 3: Status Quo</b>
	respect of areas at risk of natural hazards, but only if accompanied by the overlays in Option 2 for land with Residential and higher density rural small holdings zones.	managing land stability and natural hazards within urban boundaries, while acknowledging they cannot offer a definitive spatial extent of those risks without further investigation.	knowledge and can led to risk of development occurring in locations it should not.
<b>Appropriateness</b>	This option is appropriate to the extent it relates to land at very high risk of slope instability, and is therefore recommended in conjunction with Option 2.	This option is appropriate and is recommended in conjunction with Option 1.	This option is inappropriate and is not recommended.
<b>Risk of Acting</b>	Overall limited risk of acting as this is an existing method in the NRMP. Main risk is if locations of risk areas are not properly researched.	Overall limited risk of acting as this is an existing method in the NRMP. Main risk is if locations of risk areas are not properly researched.	Not applicable to this option.
<b>Risk of Not Acting</b>	Expectations of development potential in risk areas raised. Zoning pattern does not take into account known hazard areas.	Council negligent in not highlighting areas of known risk.	Council negligent in not highlighting areas of known risk.

**Table 6: Services<sup>7</sup> and Access**

	<b>Option 1: No Services Overlay</b>	<b>Option 2: Services Overlay<sup>8</sup></b>	<b>Option 3: Structure Plan – Indicative Roads and Walkways / Cycleways</b>
<b>Environmental, Economic, Social, Implementation, and Compliance Costs</b>	<p>The NRMP would fail to inform developers and landowners of the possible servicing constraints of the area, with associated economic risks to urban growth projects.</p> <p>Less transparency in the need to develop and extend services to the area in a comprehensive manner, in conjunction with Council and potentially other property owners.</p>	<p>Subdivision is a discretionary activity in the Services Overlay. Resource consent costs may be higher.</p> <p>Servicing of the area is beyond the immediate scope of the Long Term Council Community Plan. Until such a time as the Council proposes to provide the affected services, the developer may be required to fund work fully to enable work to proceed.</p>	<p>See Table 1, Option 3</p> <p>Possible additional costs to the developer in engineering design and construction of internal road networks through their land, unless project is scheduled through the LTCCP, appropriateness of cost sharing can also be considered through this process. May need to be flexibility in design to reflect geotechnical issues, level of service etc.</p> <p>Timing for the road link to Bishopdale beyond the Upper Brook Residential Zone will have to be considered in light of existing industry (the landfill and quarry) adjoining this route, so as not to compromise those activities. Costs are likely to fall to Council within the Scheduled areas of the Quarry and Landfill. Outside of this, cost would be met by landowners as development proceeds, or consideration for cost sharing through LTCCP process.</p> <p>Costs of forming walkway/cycleway linkages from Enner Glynn through to the Brook and Bishopdale would need to be negotiated at time of development with private landowners as often they do not pass through land zoned with sufficient development potential to justify creation of those linkages primarily for the benefit of its residents. Opportunities may have to be negotiated in the short to medium term to achieve those outcomes.</p> <p>Need to ensure avoidance of cross-boundary effects with legitimate rural</p>

<sup>7</sup> These options need to be considered in light of outcomes to be achieved through the revised NCC Engineering Standards (the draft Land Development Manual 2010), as those also will assist in sustainable urban growth.

<sup>8</sup> **Services Overlay:** Applies to all un-developed land within the Residential Zone and in Rural Zone - Higher Density Small Holdings Area as part of Plan Change 17.

	<b>Option 1: No Services Overlay</b>	<b>Option 2: Services Overlay<sup>8</sup></b>	<b>Option 3: Structure Plan – Indicative Roads and Walkways / Cycleways</b>
			activities where such routes pass through rural areas.
<b>Environmental, Economic, Social, Implementation, and Compliance Benefits</b>	There is no benefit to this option as services still need to be provided, just the initial up front flag is not provided.	Is a means to identifying areas where extension of services is required to develop land, to serve other land, and contribute to the wider network.  Service provision to accord with the new revised Engineering Standards, and design outcomes required in terms of low impact stormwater design, and roading standards.	See Table 1, Option 3  Promotes the most efficient road and walkway/cycleway connections of local and/or city wide importance, having regard to such matters as land stability, the access needs of adjoining land parcels, and integration with existing road networks. Improves interaction between communities, more efficient service vehicle movement, improved public transport routes, increased route choice, and improved recreational options and meets Council's urban design goals.  Allows those connections to be planned for and/or constructed in tandem with growth and, where achievement is a longer-term objective, avoiding activities that may, in the interim, compromise that.  The indicative walkway/cycleway network will not be open to public use until it has some connectivity benefit, reducing impacts on adjoining land owners.
<b>Overall Efficiency and Effectiveness</b>	This is inefficient as the services still need to be provided but the up front flag for this is not highlighted. It is therefore difficult for developers and council staff to be aware there is an issue without additional work to understand servicing requirements.	Efficient and effective in identifying where services are currently deficient, and ensuring a response that will meet NRMP policy.  Ineffective once services have been provided on subdivision or to an area, as overlay remains and potentially has consent implications for future development. Plan Change required to remove the overlay.	Greater efficiency and effectiveness in achieving integrated planning, interconnectivity and service provision across property boundaries and between the valleys.  Once in the NRMP provides certainty on connections in conjunction with land use and development opportunities.
<b>Appropriateness</b>	This option is inappropriate, and is not recommended.	This option is appropriate, and is recommended.	This option is appropriate, and is recommended.
<b>Risk of Acting</b>	This is effectively a no action option, with risk that the lack of servicing is not highlighted early in the planning process.	Limited risk of acting as it is only an information flag that there are still servicing requirements for this land.	Roading and walkway /cycleway locations are not shown in correct locations (rectified by indicative nature).



	<b>Option 1: No Services Overlay</b>	<b>Option 2: Services Overlay<sup>8</sup></b>	<b>Option 3: Structure Plan – Indicative Roads and Walkways / Cycleways</b>
<b>Risk of Not Acting</b>	Not applicable to this option.	Known information about lack of servicing is not indicated up front, can lead to additional uncertainty and/or work for all parties.	Lost opportunity to provide for a strategic approach to establishing connections in the area.

**Table 7: Managing Cross-Boundary Effects to Quarries and Landfill<sup>9</sup>**

	<b>Option 1: Manage through Resource Consents Future Activities in Proximity to Certain Land Uses of Significance to the Region</b>	<b>Option 2: Zoning as a Buffering Tool<sup>10</sup></b>
<b>Environmental, Social, and Compliance Costs</b>	<p>May afford unreasonable development expectations to adjoining landowners who view the zoning of their land as certainty to use.</p> <p>Resource consent costs to fall on both individual landowners and, through submissions, industry or landfill interests.</p> <p>Potential costs also to Council (in addition to the parties above) in litigation, in monitoring compliance of activities, and complaints.</p> <p>Potential for lowering of residential amenity standards in future neighbourhoods.</p>	Future development options of land may be constrained and flexibility reduced.
<b>Environmental, Social, and Compliance Benefits</b>	Greater flexibility for landowners to realise development potential if appropriate mitigation measures can be adopted.	<p>Provides a transparent and appropriate level of protection for these significant regional resources.</p> <p>Minimises the potential for cross boundary or reverse sensitivity effects, and the impacts of that both on the economic viability of these existing activities and the amenity values afforded future residents.</p>
<b>Overall Efficiency and Effectiveness</b>	This option would be both inefficient and ineffective in achieving sustainable urban growth and avoiding the effects of incompatible land development. It has a higher risk of cross boundary	Efficient and effective in achieving sustainable urban growth that avoids the adverse effects of incompatible land development.

<sup>9</sup> **Cross Boundary Effects:** Given existing and potential land use activities within and adjoining the study area, the York and Marsden Quarries and York Valley Landfill are considered most significant and are of importance to the Nelson-Tasman area. The cross-boundary effects between potential connections shown on the structure plan and adjoining land uses, has been addressed in Table 6 above.

<sup>10</sup> **Zoning as a Buffering Tool:** This has been provided for in the zoning of land (ie rural overlooking the York Quarry, or Open Space and Recreation nearest the Marsden Quarry) and the location of zone boundaries (ie below the ridgeline adjoining the landfill site).

	<b>Option 1: Manage through Resource Consents Future Activities in Proximity to Certain Land Uses of Significance to the Region</b>	<b>Option 2: Zoning as a Buffering Tool<sup>10</sup></b>
	or reverse sensitivity effects than Option 2, and fails to recognise the existing use, resource consents, and NRMP provisions (ie designations for the landfill, and scheduled site for York and Marsden Quarry) allowing for not only continued operation but potential expansion of these activities.	
<b>Appropriateness</b>	This option is inappropriate, and is not recommended.	This option is appropriate, and is recommended.
<b>Risk of Acting</b>	Does not provide an appropriate level of protection to regionally important, and existing, land uses.	Could restrict valid land uses which would be possible with mitigation (resource consent process can address this).
<b>Risk of Not Acting</b>	Need to use suitable alternative method of achieving protection of regionally important land uses.	Does not provide an appropriate level of protection to regionally important, and existing, land uses.

## 6.0 CONCLUSION

The Enner Glynn and Upper Brook Valleys are located on the urban fringe of Nelson, between the existing and planned residential communities of Enner Glynn/Wakatu, Bishopdale, Brook Valley and Marsden Valley and the rural foothills to the Barnicoat Range.

The area has retained its inherent rural character and landscape values. In addition to farming and rural lifestyle use, it borders significant rural-based activities (the landfill and quarry) in York Valley and (for those properties in Marsden Valley) is near the Quarry in upper Marsden Valley.

In recent years the Council has signalled, both through the Nelson Urban Growth Strategy 2006 (NUGS) and the Council's recreational strategies, that the area has potential values for other than solely rural use. This Plan Change is the culmination of considerable investigation and consultation into the options for peripheral urban and rural small holdings growth, and future road, walkway/cycleway and access connections between the valleys within, and residential communities adjoining, this area.

The main issues in developing this proposed Plan Change revolved around zoning patterns to provide for sustainable growth in a manner that recognises the landscape importance of particular areas, the geotechnical constraints to increased development, the potential for connections between neighbouring valleys and from existing residential areas, the preservation and integration of areas of vegetation and native habitat, the presence and significance of legitimate rural uses, and the landowner concerns and desires. The outcomes sought and methods that are proposed to be achieved through the Nelson Resource Management Plan should also be compatible with planned development of neighbouring land in Marsden Valley and the Stoke foothills generally.

Overall it is considered the proposed Plan Change 17 provides a zoning pattern and NRMP provisions which achieves the purpose of the RMA and allows for peripheral urban

development that responds to the opportunities and constraints of the environment in which it is situated.

This report summarises the evaluation undertaken by the Council of proposed Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan – in terms of Section 32 of the Resource Management Act.

The main conclusions are that:

- The objectives are the most appropriate way to achieve the purpose of the Act as set out in section 5, 6, 7 and 8 of the Act.
- Overall, the environmental, social and economic benefits of having the proposed objectives, policies and rules within the NRMP outweighs costs which may result. Therefore these methods are the most effective and efficient method of addressing the issues within this land unit and consequently are the most appropriate method of achieving the objectives.
- The proposed objectives, policies and rules will allow council to carry out its functions under section 31, 72 and 74(1) of the Act.

Therefore it is appropriate to incorporate these objectives, policies and rules within the reviewed sections of the Nelson Resource Management Plan.