

NELSON CITY COUNCIL

Nelson Resource Management Plan

Proposed Plan Change 17

Enner Glynn and Upper Brook Valley Re-zoning and
Structure Plan

Proposed Plan Amendments

Notification Date

25 September 2010

Submissions Close

5pm Friday 3 December 2010



Introduction (not part of the Plan Change)

1.1 Background and Development of Plan Change

The original proposal to rezone land in the northern Stoke Foothills came from a private plan change application for Marsden Valley, adopted by Council on 31 July 2008. A further resolution by the Environment Committee (28 October 2008) broadened the scope of that plan change and structure plan process to include Enner Glynn and the Upper Brook Valley. An integrated investigation and planning approach proceeded on that basis.

The majority of Marsden Valley formed Plan Change 13 that was notified 19 September 2009 while the remainder of the structure plan area (Enner Glynn, the Upper Brook Valley, and four individual parcels of land in Marsden Valley) proceeds as Plan Change 17.

Consultation has occurred with land owners and stakeholders in the area in the form of newsletters with discussion plans showing the proposed zoning, overlay and structure plan layout, a public meeting, and individual consultation meetings.

Consultation required by the First Schedule of the Resource Management Act has also been carried out. This involves 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.

The maps and plan change provisions that make up Plan Change 17 have been revised in response to this consultation.

1.2 Description of the proposed Plan Change

Planning Maps

Zones affected are:

- Residential Zone
- Rural Zone – Higher Density Small Holdings Area
- Rural Zone – Lower Density Small Holdings Area
- Rural Zone

Overlays affected are:

- Landscape Overlay
- Land Management Overlay
- Fault Hazard Overlay
- Services Overlay
- Riparian Overlay
- Heritage and Landscape Trees and Woodlands

Structure Plan Items are:

- Biodiversity Corridors

- Indicative Walkways
- Indicative Roads

Text

Proposed changes to Plan text involves new definitions to aid interpretation of items added to the Plan, these are for 'Biodiversity Corridors', 'Eco-sourced', 'Generally accord' and 'Structure plan'.

A new section is provided in Chapter 3 Administration to explain the purpose and function of structure plans.

Policy DO5.1.2 (Linkages and Corridors) in Chapter 5 District Wide Objectives and Policies has new explanations and methods added to incorporate and explain the use of Biodiversity Corridors.

Various other Policies have additions to incorporate the use of structure plans and the connections shown within them.

Changes are made to vegetation clearance rules of the Rural and Residential Zones to ensure Biodiversity Corridors are appropriately provided for.

A new rule is added to the Residential and Rural Zones to ensure the schedule and structure plan are incorporated in the table of rules. Changes are also proposed in the subdivision rules to ensure that structure plans are considered at subdivision stage.

A new Policy RU1.3: 'Management of Effects of Connections on Structure Plans' is added under Objective RU1 (Protect Resources and Capacities) with associated explanation, reasons and methods to recognise that items such as walkways can have a negative effect on traditional Rural activities.

Schedule W is proposed to be added to the Plan to ensure that items which are specific to the area of this plan change have the appropriate regulatory weight or explanation.

Section 2.1 of this document contains all proposed Plan Change text and should be referred to understand the full scope of the Plan Change.

1.3 FORMAT OF PLAN CHANGE PROVISIONS

For the ease of the reader the full text of provisions to be changed have been used in this document.

The reader should be aware that operative provisions that are not proposed to be changed are unable to be submitted upon.

Within this Plan Change:

- 'Normal' text applies to operative provisions which are to remain unchanged
- 'Underline' text applies to proposed new provisions
- '~~Strikethrough~~' text applies to operative provisions proposed to be deleted or amended as described
- '*Italic*' text applies to instructions (therefore are non statutory)

2.0 Proposed Plan Change 17: Proposed Amendments to the Nelson Resource Management Plan (Statutory Provisions)

2.1 Amendments to Text

VOLUME 1

Add to Chapter 2 (Meanings of Words):

‘Biodiversity Corridor’ means a vegetated pathway of a minimum width of 20m that allows natural flows of organisms and biological resources along the corridor, and allows for biological processes within the corridor and connectivity between areas of ecological value.

‘Eco-sourced’ means plants which are grown from seeds or propagules collected from naturally-occurring vegetation in a locality close to where they are replanted.

‘Generally Accord’. For the purpose of interpretation of any rules relating to Structure Plans, the term “generally accord” shall mean that items shown on these plans must be provided for in the general locations shown within the development area and with linkages to each other or adjoining areas as shown in the Structure Plan. It is not intended that the positions are exact or can be identified by scaling from the Structure Plan; it is intended that any connections between points are achieved or provided for with no restrictions. The final location will depend upon detailed analysis of the physical suitability of an alignment (including the presence of existing natural features and ecological sensitive habitats such as streams where providing for Biodiversity Corridors), other servicing implications, appropriate location in respect of final residential development layout and amenity, and costing considerations. The key proviso is that the items on the Structure Plan must be provided for, and that any connections must occur or be able to occur in the future.

‘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 ownership. See AD11.4A ‘Structure Plans’ for further information.

Replace the term ‘Outline Development Plan’ throughout the Nelson Resource Management Plan with the term ‘Structure Plan’. The term ‘Outline Development Plan’ is used in following locations in the Plan.

Plan Chapter	Page number	Provision Reference	Notes
3	3-11	AD8.3 cc)	First bullet point
3	3-11	AD8.3.cc)	Second bullet point
3	3-12	AD8.3 dd)	First bullet point
5	5-58	DO14.3.1 c)	
5	5-59	DO14.3.1.iv	
7	7-14A	RE5.iii	
7	7-14B	RE5.2	
7	7-14B	RE5.2.i	
7	7-94	REr.107.2 l)	
7	7-94	REr.107.2 m)	
7	7-95A	REr.107.2 xiii)	
7	7-154	Sch.E E1	
7	7-154	Sch.E E2 ii)	
7	7-154	Sch.E E2 iii)	Four occurrences
7	7-155	Sch.E E.4 a)	
7	7-155	Sch.E E.4 c)	
7	7-155	Sch.E E.5	Four occurrences
7	7-156	Sch.E Map	Map Title
7	7-184	Sch.V V.1	
7	7-184	Sch.V V.2 ii)	
7	7-184	Sch.V V.2 note:	Three occurrences
7	7-184	Sch.V V.4 a)	
7	7-185	Sch.V V.4 c)	
7	7-185	Sch.V V.5	Four occurrences
7	7-186	Sch.V Map	Map title - change from ‘Development Plan’ to ‘Structure Plan’
11	11-11A	OSs.5	* at end of table

Add new AD11.4A, to Chapter 3 (Administration) of the NRMP, in relation to Structure Plans and associated linkages:

AD11.4A Structure Plans

AD11.4A.i: Structure Plans are used to achieve the integrated management of the effects of developing larger areas of land, often held in multiple ownership, particularly in an urban or urban fringe context. A Structure Plan provides an overall plan to guide integration of those elements that will achieve a quality urban environment (ie streets, walkway/cycleway connections, open space and natural values, character and activities). These elements may also exist in areas of Rural zoning where they link more urban neighbourhoods or are adjacent to urban areas.

By requiring that development proceed in general accordance with the Structure Plan will ensure that individual landowners incrementally work in a co-ordinated and orderly way towards a planned and sustainable urban environment.

AD11.4A.ii: The Structure Plans are located either within Scheduled Sites for various locations and zones throughout the district, for example in the Residential and Rural Zone rules (Chapters 7 and 12), and/or in the planning maps contained in Volume 4 of the Plan. Structure Plans incorporated in the Nelson Resource Management Plan have the effect of a rule and must be complied with to the extent specified in the relevant rule.

AD11.4A.iii: A number of the specific resource management issues that may affect any future development area are covered by overlays on the planning maps, and to avoid duplication of spatial information these are not shown on the Structure Plans. Rules relevant to those overlays are located in the rule table in the relevant zone. The zone and area maps, overlays, zone rules and Structure Plans, and schedules if relevant, need to be read together in determining the status of activities and issues that may impact on the pattern and intensity of development.

AD 11.4A.iv: The Structure Plans may include zones where the pattern and intensity of development that exists or is anticipated for an area and/or adjoining areas may assist in explaining the location, linkage and scale of transportation, service and other linkages across parcels of land within the Structure Plan area.

AD11.4A.v: Other information that may be shown on the Structure Plans includes the items below. Sections AD11.4A.v – AD11.4A.ix provide the definition and intent of these items:

- a) Indicative Roads: The purpose of indicative roads on Structure Plans is to achieve good integration between land use and transport outcomes, having regard to the intensity of development and providing a choice in transport routes where appropriate. They are also used to ensure road linkage between different physical areas or catchments (ie valleys) which will enhance transportation outcomes, contact between communities, access to key commercial services, amenities and community facilities, and the quality of the urban environment. They do not show the full roading network required to service any future development of the area. The indicative roads may potentially arise in a wider context than merely the Structure Plan area.
- b) Walkways: The purpose of walkways on Structure Plans (these can also be cycleways where the terrain is suitable) is to promote recreational opportunity through off-road linkages within and surrounding the urban area, to provide for choice in transport modes, and to promote the safe and efficient movement of people and vehicles by resolving potential tensions between pedestrians, cyclists and motor vehicles.

- c) Biodiversity Corridors: The purpose of Biodiversity Corridors is to contribute to natural values within, through, and beyond the urban environment, and assist where appropriate in meeting the open space, recreational, riparian, low impact storm water management, landscape setting and amenity objectives of quality urban design. Where these objectives can be met in proximity to a water way identified in the Plan, the Biodiversity Corridor will as far as practical be aligned to any existing Riparian Overlay. “Biodiversity Corridor” is defined in Chapter 2 of the Plan.

AD11.4A.vi: Subdivision applications are to show how they provide for items on a structure plan including those listed in AD11.4A.v a)-c). In relation to location these items are generally shown “indicatively” on the Structure Plan as they show an intent rather than precise location for those features. These then form a matter of control which the Council will exercise as part of any subdivision consent process. It is intended that this provides an element of design flexibility to meet both the objectives of the Council and the developer, but while still achieving the overall objective of integrated and sustainable urban resource management and development.

AD11.4A.vii: The Council acknowledges that the indicative connections may not directly serve or enhance a particular subdivision, for example where shown within a balance area. This, along with the formation and management of public use of certain connections, may also be at odds with farming practices on adjoining land. The Council will in those cases work with the land owners in determining the appropriate time and method to provide the items described in AD11.4A.v or to set aside land upon subdivision for those purposes. In the interim, the objective will be to avoid activities and structures on the land which would compromise the future attainment of those connections or corridors. Any walkways/cycleways through the Rural Zone shown on a Structure Plan will only be opened by the Council for public use when network connection has been secured to other walkways, cycleways or roads, or when otherwise agreed by the adjacent landowners. The Council must at that time, where requested and in consultation with adjacent land owners, set in place a management regime to minimise any adverse effects on adjoining land.

AD11.4A.viii: For the purpose of interpretation of any rules relating to Structure Plans, the term “generally accord” shall mean that items shown on these plans must be provided for in the general locations shown, within the development area and linking to adjoining areas if required. It is not intended that the positions are exact or can be identified by scaling from the Structure Plan. It is intended that connections between points are achieved or provided for, and are not restricted by interim land use activities and structures. The final location will depend upon detailed analysis of the physical suitability of an alignment (including the presence of existing natural features and ecological sensitive habitats such as streams where providing for Biodiversity Corridors), other servicing implications, appropriate location in respect of final residential development layout and amenity, and costing considerations. The key proviso is the final location must be logical, and efficiently serve the catchments and destinations.

AD11.4A.ix: The primary objective of indicative roads, walkways/cycleways or Biodiversity Corridors is connectivity. Compliance with the rules requires that connection is planned for, or provided, within each stage of development, and to adjoining property boundaries at the appropriate stage, and is not restricted or prevented through the use of “spite strips” or other methods which could lead to adjoining land becoming landlocked or connectivity being compromised.

Add to the end of DO5.1.i in the Reasons for Objective DO5.1 (Natural Values) in Chapter 5 District Wide Objectives and Policies:

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 design practice can preserve natural areas and values by appropriate ecological design, and at the same time potentially increase usable green space within and adjoining urban developments.

Add to the Explanations and Reasons for Policy DO5.1.2 (Linkages and Corridors) in Chapter 5 District Wide Objectives and Policies:

DO5.1.2.i ~~Small pockets~~ Areas of indigenous vegetation are often too small to support viable populations of animal and plant species. Linking pockets together, or providing new links from larger areas of habitat, can provide significant improvements to the ~~more than double the native birds~~ biodiversity in either any of the two individual areas. This can also result in greater interaction between people and the environment. The maintenance of such connections is crucial to natural system sustainability and will enhance the Plan’s ability to protect indigenous ~~wildlife and fauna~~ biodiversity. Rivers (and potentially wetlands) provide opportunity for continuous ~~habitat~~ Biodiversity Corridors.

DO5.1.2.ii Biodiversity Corridors are shown on various Structure Plans in association with areas identified for future urban growth or more intense development of Rural Zones. These have three primary functions:

- protection, enhancement or restoration of natural values and the capacity or natural functioning of ecosystems and their processes to support a range of life;
- protection, enhancement or restoration of the capacity for natural ecosystem processes (such as the migration of animals or dispersal of plants) to function between different parts of the environment ie connectivity between ecological areas;
- to increase the interaction between humans and the natural environment.

By improving biodiversity features in urban design, working with the natural characteristics of a site, and enhancing or emphasising natural features such as riparian areas and mature vegetation, Biodiversity Corridors may also have a positive impact on the quality of the urban and peri-urban environment by:

- integrating built development within its landscape setting;
- encouraging people to connect with and interact with their local natural environment;

- shaping community identity or a sense of place;
- providing amenity to neighbourhoods;
- protecting water bodies from the undesirable effects of land development ie earthworks and sedimentation
- assisting in the management of stormwater discharges through retention and low-impact stormwater treatment;
- inclusion of passive public use and access;
- enhancing open space values.

DO5.1.2.iii Biodiversity Corridors are intended to preserve habitat that has functional connections with other existing natural communities. By showing Biodiversity Corridors on the planning maps / structure plans, there is potential to co-ordinate habitat preservation between properties and with regard to the wider ecosystem values. These corridors primarily recognise the presence of existing features of likely ecological value such as waterways and riparian margins, gullies, and existing trees or habitats, and the preservation, enhancement or restoration of inter-connectivity of these.

DO5.1.2.iv Biodiversity values can be integrated in urban and peri-urban environments at the three development phases of design, construction and post-construction. The Plan seeks that this is addressed as part of any application for subdivision consent, particularly for greenfield development. This requires an understanding of the site in terms of such matters as its water catchments, ecosystems type, and proximity to other existing and potential open space and conservation networks. Corridors and linkages should incorporate vulnerable areas such as waterways and reflect natural landscape connections where established, supported where possible and appropriate by human-made connections. Often streams and gullies will form natural boundaries within the landscape and therefore provide opportunity for restoration and access without unreasonably compromising development potential elsewhere. Areas must be large enough to maintain ecological processes for the health and integrity of the ecosystem and to buffer conflicting uses. The width of corridors will vary for this reason; a minimum width of 20m is required.

DO5.1.2.v Consideration also needs to be given to their long-term management. There are a variety of management methods available to achieve the Council's objectives for natural values and biodiversity within urban and peri-urban subdivision design; for example consent notices, conservation or private covenants, esplanade and other reserves under the ownership and maintenance of the Council or other statutory body, or alternative design initiatives such as cluster development accompanied by preservation of natural open space or extension of tree planting into private property or the street network.

Add to the Methods to Policy DO5.1.2 (Linkages and Corridors) in Chapter 5 District Wide Objectives and Policies:

DO5.1.2.x Provision of Biodiversity Corridors on Structure Plans or within the Planning maps, as a matter for assessment and response through subdivision applications.

DO5.1.2.xi Flexibility in development outcomes or design initiatives for land where accompanied by the protection, restoration or enhancement of Biodiversity Corridors or natural open space linkages.

Add to the Methods to Policy DO10.1.3 (Expansion of the Road Network):

DO10.1.7vii: Provision of indicative roads on Structure Plans or within the Planning Maps, as a matter for assessment and response through subdivision applications.

Add to the Methods to Policy DO10.1.7 (Pedestrian and Bicycle Traffic):

DO10.1.7vii: 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.

DO10.1.7.viii: Within the Rural Zone 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.

Amend Policy DO14.3.1 (Roads and Traffic) under DO14.3 (Services):

Subdivision and development should provide for:

- a) the integration of subdivision roads with the existing and indicative road network in an efficient and timely manner, which reflects expected traffic levels, connectivity in the road network where appropriate, and the safe and convenient management of vehicles, cyclists and pedestrians, and
- b)
- f) 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.

Chapter 7: Residential Zone

Add to REr.59.1

REr.59.1 g) there is no clearance of indigenous forest, and

h) there is no clearance of vegetation within a Biodiversity Corridor unless it is a exotic species, or a species with a pest designation in the current Tasman-Nelson Regional Pest Management Strategy, and providing an exception for vegetation clearance required for:

- i) the maintenance of State Highways, or
- ii) the installation and maintenance of utility service lines which cross (more or less at right angles) a Biodiversity Corridor including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, provided the

clearance is no more than required to permit the activity and vegetation is reinstated after the activity has been completed, or

iii) the formation or maintenance of roads and private vehicle access ways which cross (more or less at right angles) a Biodiversity Corridor to land where there is no viable alternative route available, or

iv) the formation or maintenance of walkways or cycleways adjacent to, or crossing (more or less at right angles) a Biodiversity Corridor.

Amend REr.59.3 Vegetation clearance that contravenes a controlled standard is a restricted discretionary activity.

Add REr.59.3 xviii) the matters in Appendix 4 (marine ASCV overlay), and
 xix) effects on the values and function of any Biodiversity Corridor.

Add to REr.59.5 Vegetation is specifically protected in Biodiversity Corridors to ensure their function as a corridor is not compromised through clearance.

Add to the Contents page for the Residential Zone:

REr.106C Enner Glynn and Upper Brook Valley Structure Plan (Schedule W) – refer to Rural Zone Chapter 12

Add a new rule REr.106C

<u>REr.106C Enner Glynn and Upper Brook Structure Plan (Schedule W)</u>	<u>REr.106C.1 Schedule W applies</u>	<u>REr.106C.2 Schedule W applies</u>	<u>REr.106C.3 Schedule W applies</u>	<u>REr.106C.4 Schedule W applies</u>	<u>REr.106C.5 Schedule W applies. This schedule is found in Chapter 12 Rural Zone</u>
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Add to REr.107.2: Subdivision

o) in respect of any site located within an area covered by any Schedule, its associated subdivision layout and design generally accords with the Structure Plan or as otherwise specified by the Schedule.

xvii) For areas subject to a Structure Plan, the matters contained on those including:

- the provision of adequate road, walkway and cycleway linkages, ‘greenspace’ and Biodiversity Corridors with appropriate connections within the subdivision and to adjacent land, as defined by the indicative routes shown in the Structure Plan or within the Planning Maps;
- any specific rules, schedules or other notations shown on the Structure Plan as applying to that land.

Add to REr.107.4

kk) the matters contained in any schedules or shown on the Structure Plan as applying to that land.

VOLUME 2

Chapter 12: Rural Zone

Amend RUD.6 to read:

... A Higher Density Small Holdings areas ~~has~~ have been provided to the rear of the Residential ~~z~~Zone at Ngawhatu, Marsden and Enner Glynn Valleys, ~~and~~ adjoining the Rural farmland on the southern boundary of the land at Ngawhatu ~~and near the entry to Marsden Valley.~~ This zoning recognises the limited productive potential of these areas due to their topography and small size, and in the case of the Higher Density Small Holdings zone in upper Marsden Valley, the maintenance of the open character of this visible slope. The zoning also allows for clustering of housing to mitigate visual amenity effects, and enables a transition from Residential to Rural Zoning. The Small Holdings Area in Enner Glynn Valley will enable a level of development that is compatible with the rural amenity values of the valley, and does not impact on the important regional resources (the landfill site and quarry) in York Valley.

Add a new Policy RU1.3: ‘Management of Effects of Connections on Structure Plans’ to Objective RU1 (Protect Resources and Capacities) with associated explanation, reasons and methods

Policy RU1.3: Management of Effects of Connections on Structure Plans

The provision for, and development of, road, walkway and cycleway linkages within Rural Zones where these have been identified on Structure Plans, at a time and in a manner that does not result in unreasonable reverse sensitivity effects with adjoining land use activities.

Explanation and Reasons

RU1.3.i: Indicative roads and walkways/cycleways have been identified on Structure Plans where these have been determined to be important in achieving enhanced transportation and recreational outcomes, both within rural areas and/or between urban neighbourhoods. It is not the intention that these unreasonably impact on farming, rural industry or other legitimate rural land use practices. The Council will work closely with land owners and developers to ensure the timely setting aside of land and/or construction of such linkages. Conversely, it is anticipated that land owners will not undertake works, activities or place structures within these potential corridors of a nature or in a manner that will compromise the attainment of those future connections.

Methods:

RU1.3.ii: Exercise discretion when considering the timing of land to be set aside and/or constructed for road, walkway or cycleway purposes within those indicative alignments shown on a Structure Plan.

RU1.3.iii: Rules to avoid subdivision layout, structures or activities that may compromise the achievement of those indicative road, walkway or cycleway connections shown on a Structure Plan.

RU1.3.iii: For additional methods, refer Policy DO10.1.7.

Amend RU2.ii(b) to read:

~~...Parts of the Marsden and Enner GlynnValley area have also been identified as a Rural Zone – Higher Density Small Holdings Area, because of the limited productive potential of these areas due to their topography and small size, and in the case of upper Marsden Valley, the ability to cluster development to mitigate visual amenity effects in relation to the open rural character of the visible slopes. –Given its immediate proximity to the residential area of Stoke. This includes a combination of Lower, Medium and Higher Density Small holdings opportunity. – The Medium Density Small Holdings Area has been defined in part of the valley shown on the Planning Maps in Schedule T. This area was granted a resource consent in 1996 pursuant to the transitional District Plan for allotments of 1 hectare minimum with an average size of 2 hectares. The area was also subject to a reference on the proposed Plan with respect of the zoning of the land in the Plan. The scheduling of the area is the outcome of those appeals. It is a compromise that allows for reasonable development opportunities in the valley, while ensuring minimal impact on the rural and landscape character of Marsden Valley (see also Objective RU4).– The Higher Density Small Holdings Area, as it relates to land within Schedule I (Marsden Valley), and Schedule V (Marsden Hills), Schedule E (Ngawhatu Residential Area) to the rear of the Residential Zone and adjoining part of the Rural Zoned farmland along the southern boundary, and Schedule W (Enner Glynn and Upper Brook Valley) . This area provides for allotments of an average of 1 ha, but with a minimum subdivision area of 2000m² subject to the provision of reticulated services.~~

Amend RU2.1.i

~~...There is opportunity to consider ~~groupings~~ clusters of dwellings, which may be appropriate in some situations for reasons of landscape amenity, stability or local servicing for example, provided that the general landscape character is not compromised.~~

Amend Contents of Rural Zone Rule Table by adding:

RUr.77B: Enner Glynn and Upper Brook Valleys (Structure Plan – Schedule W)

Add to RUr.25.1 Vegetation Clearance

RUr.25.1 f) there is no clearance of indigenous forest, and

g) there is no clearance of vegetation within a Biodiversity Corridor unless it is a exotic species, or a species with a pest designation in the current Tasman-Nelson Regional Pest Management Strategy, and providing an exception for vegetation clearance required for:

i) the maintenance of State Highways, or

ii) the installation and maintenance of utility service lines which cross (more or less at right angles) a Biodiversity Corridor including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, provided the clearance is no more than required to permit the activity and vegetation is reinstated after the activity has been completed, or

iii) the formation or maintenance of roads and private vehicle access ways which cross (more or less at right angles) a Biodiversity Corridor to land where there is no viable alternative route available, or

iv) the formation or maintenance of walkways or cycleways adjacent to, or crossing (more or less at right angles) a Biodiversity Corridor.

Add to RUr.25.3

xviii) the matters in Appendix 4 (marine ASCV overlay), and

xix) effects on the values and function of any Biodiversity Corridor.

Add to RUr.25.5

Vegetation is specifically protected in Biodiversity Corridors to ensure their function as a corridor is not compromised through clearance.

Add to RUr.27.1: Earthworks

m) the earthworks does not compromise the achievement of an indicative road or walkway/cycleway shown on a Structure Plan

Add to RUr.27.2 (xviii)

....., including future connectivity associated with an indicative road or walkway/cycleway shown on a Structure Plan

Add to RUr.27.3 (xxiv)

....., including future connectivity associated with an indicative road or walkway/cycleway shown on a Structure Plan

Add to RUr.28.1: Buildings (All)

- i) the building does not compromise the achievement of an indicative road or walkway/cycleway shown on a Structure Plan

Add to RUr.28.4: Assessment Criteria

- q) the effects on road and walkway/cycleway connectivity where the building is sited on or close to an indicative road or walkway/cycleway shown on a Structure Plan

Add to RUr.28.5: Explanation

It is expected that where a building is to be located on, or close to, an indicative road or walkway/cycleway, the developer will provide sufficient assurance that the building will not compromise the achievement of future connectivity generally in the alignment.

Add a new rule RUr.77B

<u>RUr.77B</u> <u>Enner Glynn</u> <u>and Upper</u> <u>Brook</u> <u>Structure Plan</u> <u>(Schedule W)</u>	<u>RUr.77B.1</u> <u>Schedule W</u> <u>applies</u>	<u>RUr.77B.2</u> <u>Schedule W</u> <u>applies</u>	<u>RUr.77B.3</u> <u>Schedule W</u> <u>applies</u>	<u>RUr.77B.4</u> <u>Schedule W</u> <u>applies</u>	<u>RUr.77B.5</u> <u>See Schedule</u> <u>W.</u> <u>The Schedules</u> <u>for this Zone</u> <u>follow after the</u> <u>rule table.</u>
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Amend RUr.78.2 as follows:

- e) The net area is...
- iii) 1ha average size with a 5000m² minimum size except in Marsden Valley (Schedule FI, Chapter 7), Marsden Hills... Ngawhatu and the south side of the Enner Glynn Valley (Schedule W) where the minimum size is 2000m² (subject to the provision of reticulated services)...

Delete RUr.78.2

- ~~h) In respect of Marsden Valley Schedule I, compliance with Schedule I rules requiring subdivision layout and design to generally accord with Schedule I, Figure 1 Structure Plan, located in Chapter 7 Residential Zone.~~

Add New RUr.78.2

- h) in respect of any site located within an area covered by any Schedule, its associated subdivision layout and design generally accords with the Structure Plan or as otherwise specified by the Schedule.

Amend RUr.78.2 control reserved over:

iii) design and layout of the subdivision, and within Marsden Hills ~~High Density Rural Small Holdings zone~~ (Schedule V₂ Chapter 7) , ~~Marsden Valley (Schedule I, Chapter 7) and Enner Glynn (Schedule W) Rural Zone – Higher Density Small Holdings Areas~~ the design, utilization of clusters of development, with separated by open space separating clusters, rather than a design which allows dispersed development, and ...

Delete RUr.78.2

~~xiii) in Sch.I Marsden Valley area the matters contained in Schedule I and Schedule I, Figure 1.~~

Add to RUr.78.2 control reserved over:

- xiii) For areas subject to a Structure Plan, the matters contained in those including:
- the provision of adequate road, walkway and cycleway linkages, 'greenspace' and Biodiversity Corridors with appropriate connections within the subdivision and to adjacent land, as defined by the indicative routes shown in the Structure Plan or within the Planning Maps;
 - any specific rules, schedules or other notations shown on the Structure Plan as applying to that land;
 - the timing for land to be set aside and/or timing of construction of indicative roads, walkways and cycleways as it relates to the needs of the subdivision, connectivity objectives for the wider environment, and mitigating cross boundary effects for existing rural productive activities.

Amend RUr.78.4 bb)

bb) In Marsden Hills (Schedule V, Chapter 7), Marsden Valley (Schedule I, Chapter 7) and Ngawhatu Higher Density Small Holdings Areas, and between the Enner Glynn Valley and Bishopdale and the Upper Brook Valley (Schedule W), the extent of the provision of pedestrian and cycle linkages between Open Space area, Residential and High Density Small Holdings neighbourhoods, and neighbouring land, to ensure over time pedestrian and/or cycleway links connect up to the Barnicoat Walkway and extending between and within the Ngawhatu, and Marsden , Enner Glynn, Upper Brook and York Valleys or as otherwise indicatively shown on Structure Plans.

Amend RUr.78.4:

cc) In the Marsden Hills (Schedule V), Marsden Valley (Schedule I), Enner Glynn (Schedule W) and...

Delete RUr.78.4

~~dd) in the Marsden Valley (Schedule I), the provision for walking and cycling linkages with adjacent areas, including public roads, residential zones and recreation areas.~~

Add to RUr.78.4: Assessment criteria

dd) For those areas subject of a Structure Plan, the extent to which any proposal and/or development is in general accordance with the Structure Plan in a Schedule

Add to RUr.78.4: Assessment criteria

ee) The timing for which land is to be set aside and/or construction of indicative roads, walkways and cycleways, taking into account the foreseeable future need for physical connectivity and the use of adjoining land.

Amend RUr.78.5

For the Marsden Hills Higher Density Small Holdings Area Schedule V (Chapter 7 Residential Zone) applies in addition to the zone rules. In Marsden Valley Schedule I (Chapter 7 Residential Zone), the Marsden Hills (Schedule V), and Enner Glynn (Schedule W) and Ngawhatu

Add a new Schedule W (Enner Glynn and Upper Brook Valley)

Sch. W Enner Glynn and Upper Brook Valley

W.1 Application of the Schedule

This Schedule applies to the area shown as Sch. W on Planning Maps 28, 31 and 55 within Enner Glynn and the Upper Brook Valleys, being that area generally bounded to the south by Schedule I ‘Marsden Valley’, east by the Rural Zone (Barnicoat Range), north by the York Valley, and west by the existing Residential Zone boundary.

The purpose of this Schedule is to ensure that subdivision and development proceeds in general accordance with the Structure Plan accompanying this Schedule (see Figure 1 of this Schedule) and to incorporate specific rules in addition to the standard Plan rules. Schedule W is referred to specifically under rules REr.106C, RUr.77B, and RUr.78, as it relates to subdivision rules and assessment criteria within the Residential and Rural Zones, and with associated policy and explanation in Volumes 1 and 2 of the Plan.

All activities provided for in the Residential Zone and Rural Zone rule tables as permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activities, and supporting Objectives and Policies shall apply to their respective zones in the Schedule W area, except if subject to variations set out in this Schedule and Schedule W, Figure 1, Structure Plan.

W.2 General Rules

a) Subdivision design shall generally accord with the Structure Plan contained in Schedule W Figure 1.

b) No buildings are permitted within Biodiversity Corridors (see Meanings of Words, Chapter Two) as indicatively shown on Schedule W Figure 1.

c) Biodiversity Corridor locations shall generally accord with that shown on the Structure Plan contained in Schedule W, Figure 1. Biodiversity Corridors (see definition Chapter 2, Meaning of Words) shall consist of;

- i) existing native and/or exotic vegetation, or
- ii) predominantly eco-sourced native vegetation indigenous to the area and ecosystem type as proposed in a planting and maintenance plan forming part of any application for subdivision consent, or
- iii) predominantly eco-sourced native vegetation indigenous to the area and ecosystem type to be planted to replace any existing vegetation removed from within the corridor;

except that:

- iv) the formation and maintenance of roads, walkways, cycleways and the construction and maintenance of utility service lines and their structures are permitted within the Biodiversity Corridor provided they cross the corridor more or less at right angles, and
- v) the formation and maintenance of required property accesses where there is no practicable alternative may transect any Biodiversity Corridor provided that the property access crosses the corridor more or less at right angles and the total width of the Biodiversity Corridor is increased by the width of the access for 10m back from each side of the access crossing point, and
- vi) in the case of ii) and iii), exotic vegetation may be used as a nursery crop for the purpose of assisting with the establishment of the native vegetation referred to.

W.3 Activity Status

Any activity which does not meet one or more of the performance standards in Schedule W.2 a-c) 'General Rules' is a Discretionary activity. Any activity in the scheduled area will also be assessed under the relevant rules as they apply to the zone and overlays in which the activity is located, with the most stringent activity status being applicable to the application. Relevant assessment criteria listed in W.4 apply to all activities requiring resource consent within the scheduled area.

W.3.1 Subdivision

The general rules set out in W.2 shall apply to subdivision applications. The relevant provisions of the Plan's Residential and Rural Zone rule tables shall also apply individually to land within those zones. A subdivision application will take on the most stringent activity status as determined by the relevant rules triggered, be they from this Schedule or the relevant zone rule table. Relevant assessment criteria listed in W.4 apply to all subdivision consent applications within the scheduled area.

W.4 Assessment Criteria

These assessment criteria relate to issues specific to activities within the Schedule W area. All other relevant assessment criteria of zone rules triggered are also to be considered.

- i) The extent to which any proposal and / or development is in general accordance with Schedule W and with associated Structure Plan (Schedule W Figure 1).
- ii) Ability to cluster development to mitigate visual amenity in the Rural Zone – Higher Density Small Holdings Areas.
- iii) Opportunities to mitigate any cross- boundary effects.
- iv) The required width of Biodiversity Corridors.
- v) The proposed ownership, maintenance and management regime for Biodiversity Corridors, and the effect different alternatives have on subdivision layout and design, and on the values of those spaces.
- vi) Compliance with the relevant local and national legislation in relation to existing high voltage transmission lines.
- vii) Any assessment criteria for other relevant rules triggered by an application, or referred to in this schedule under cross-reference to the appropriate Zone rule table apply.

W.5 Explanation

The Nelson Urban Growth Strategy 2006 (NUGS) identified the Stoke Foothills, between the residential boundary and the Barnicoat Range, as being generally suitable for accommodating some of the future residential growth of Nelson.

The Ngawhatu and Marsden Valleys and intervening land south and to the boundary of Enner Glynn has or is in the process of being zoned for residential or rural small holdings use. The provision of Structure Plans, the purpose of which is to guide and achieve the integrated management of the effects of development, has been common to those planning outcomes, including as they provide for linkages between neighbourhoods and the valley catchments. Schedule W completes the structure plan process for land between the Ngawhatu and the Upper Brook Valleys.

Landscape values, topography, rural amenity and regionally significant quarry and landfill resources have been the key determinants of the potential of this area to accommodate growth. The Residential Zone in the Upper Brook Valley has been retained, and in the Enner Glynn Valley the existing Residential Zone boundary has been expanded to include land at the top of Panorama Heights, near the entrance to the valley and adjoining Marsden Valley (Schedule I) in the upper part of the Valley. A majority of the land in Schedule W is Rural Zone – Higher and Lower Density Small Holdings Area, providing an opportunity for a combination of higher and lower density rural small holding properties.

This Schedule and Structure Plan are to ensure that residential and rural small holdings development provided for in the Enner Glynn and Upper Brook Valleys

progresses in a manner that achieves an integrated and planned system of walkways, roading, Biodiversity Corridors and servicing across and between properties and valleys in and adjoining the Structure Plan area.

2.2 Amendments to Planning Maps

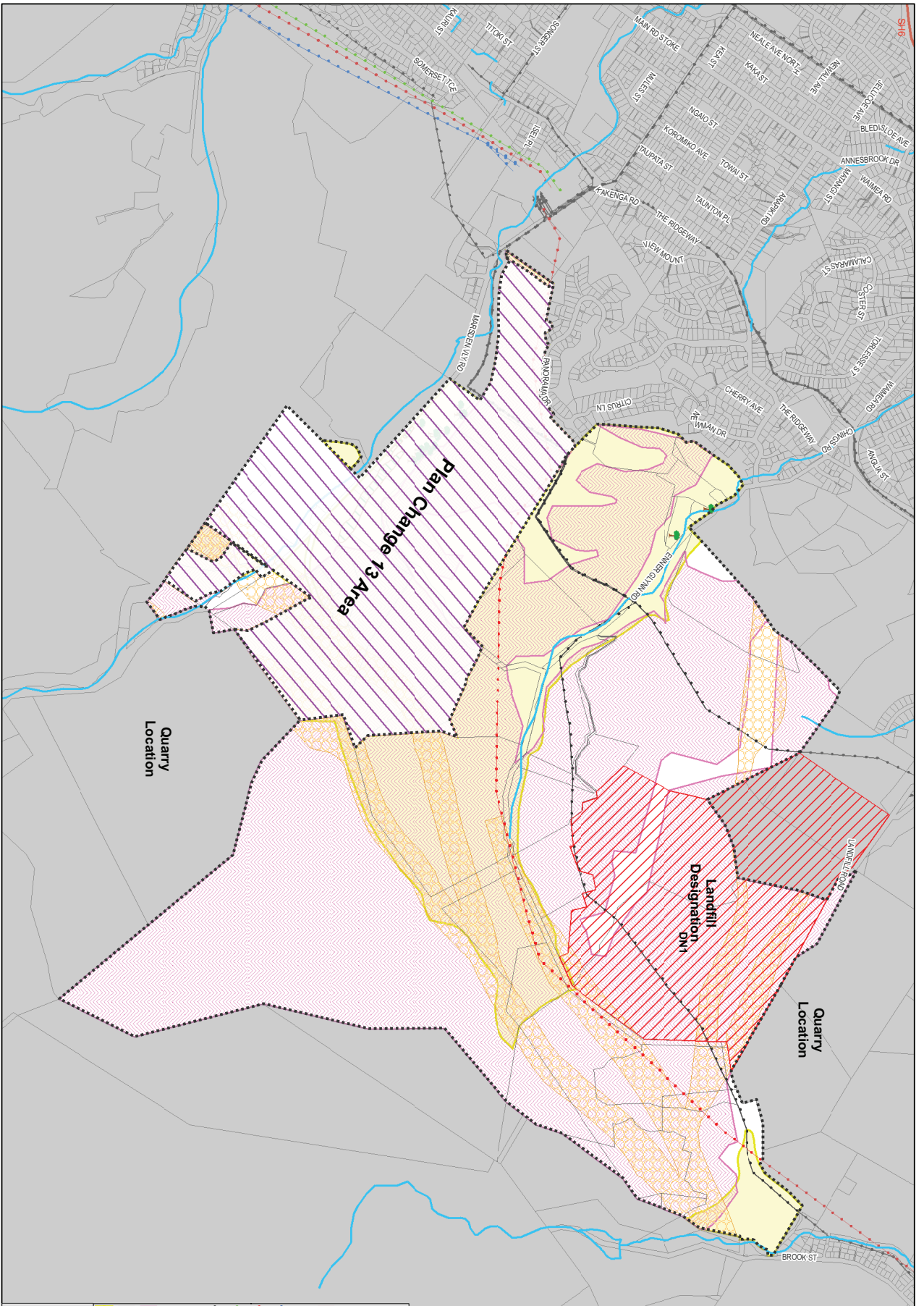
VOLUME 4

Amend **Planning Maps 28, 31, 34, 54 and 55 (left hand side)** by showing revised overlay provisions **as shown on map 1 attached**, and to include additional land in Marsden Valley that is part of Schedule I and its related rules

Amend **Planning Maps 28, 31, 34, 54 and 55 (right hand side)** by rezoning **as shown on map 2 attached**, and to include additional land in Marsden Valley that is part of Schedule I and its related rules

Volume 2 – Maps

Add Map 3 – Structure Plan to new Schedule. W – Rural Zone.



SH6

Plan Change 17 - Enner Glynn and Upper Brook Valley Structure Plan

Map 1 - Proposed NRMP Overlays



Scale 1:15,000

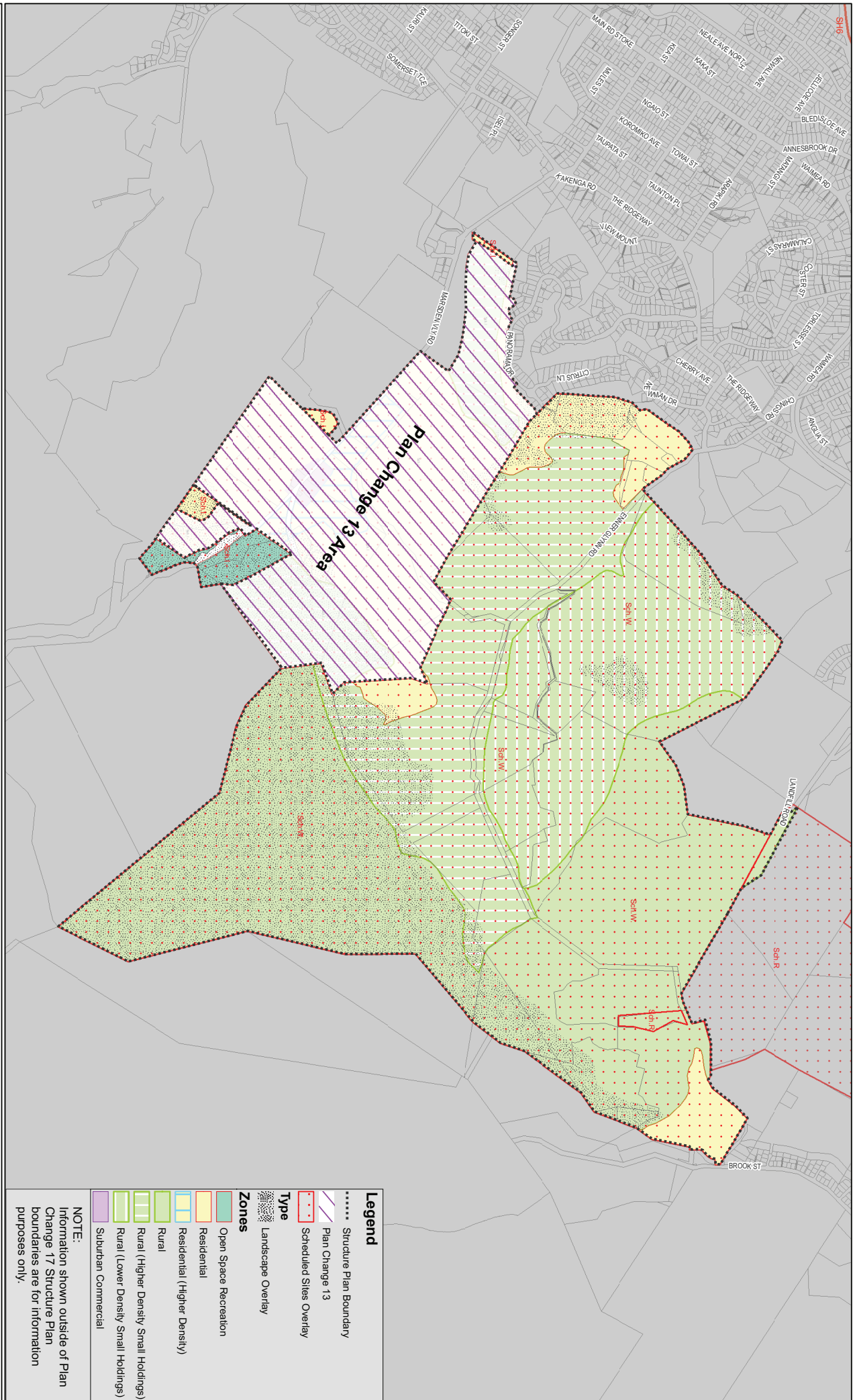


Issued
19 July 2010

Legend	
.....	Structure Plan Boundary
-----	Plan Change 13
////	Designation Areas
	NRMP Riparian Overlay
----	220KV ETL
----	110KV ETL
----	66KV ETL
----	33KV ETL
+	Heritage or Landscape Tree
+	Fault Hazard Overlay
+	Land Management Overlay
+	Heritage or Landscape Woodland
+	Services Overlay

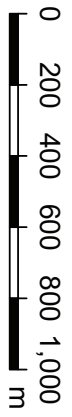
NOTE:
Information shown outside of Plan Change 17 Structure Plan boundaries are for information purposes only.

The map is approximate only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Nelson City Council, its employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented by the GIS data. This publication is copyright reserved by Nelson City Council. Cadastral information derived from the CRS. CROWN COPYRIGHT RESERVED. IJT. Original map size A3.



Plan Change 17 - Enner Glynn and Upper Brook Valley Structure Plan

Map 2 - Proposed NRMP Zoning



Scale 1:15,000

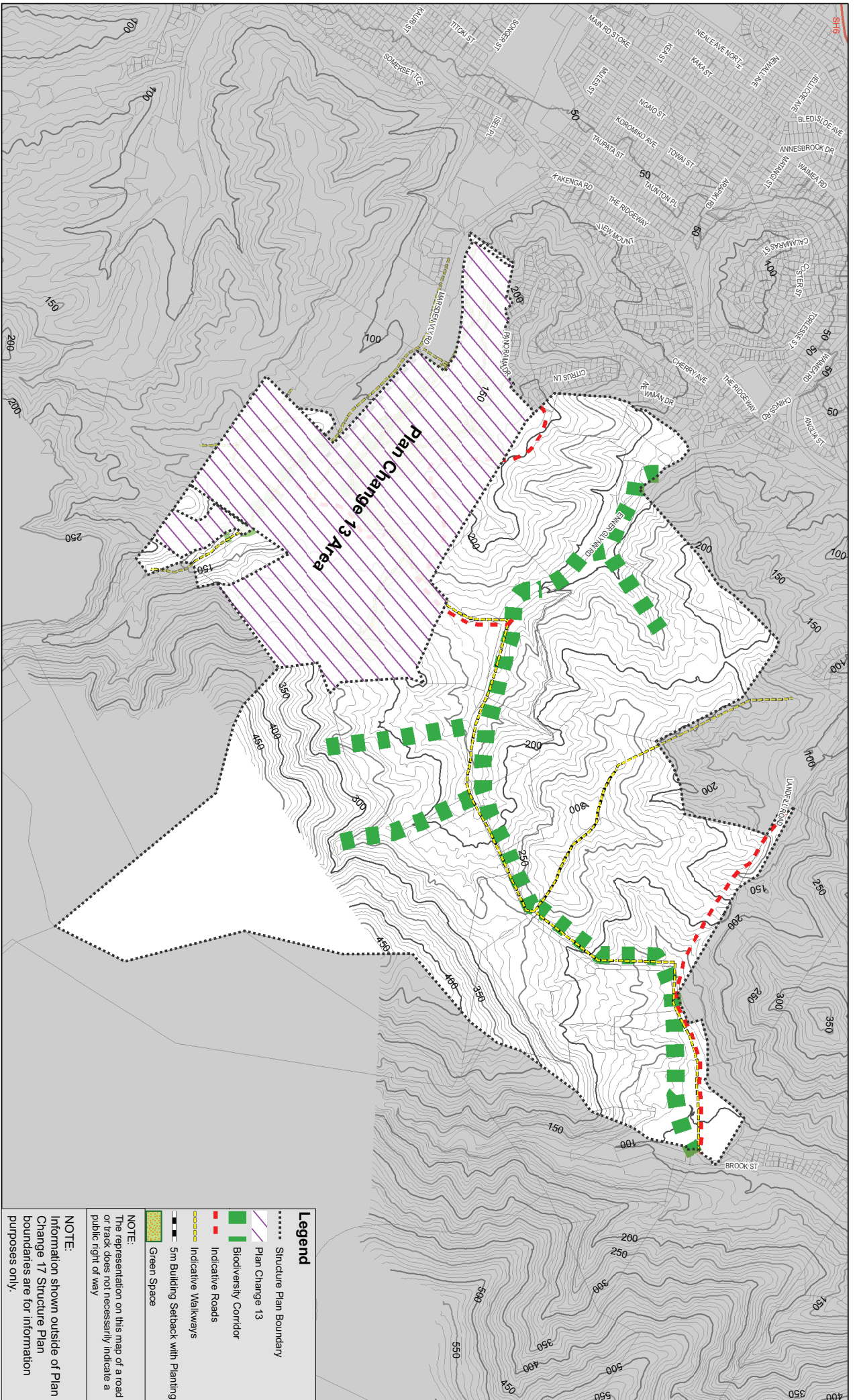


Issued 19 July 2010

Legend	
.....	Structure Plan Boundary
-----	Plan Change 13
.....	Scheduled Sites Overlay
Type	
.....	Landscape Overlay
Zones	
.....	Open Space Recreation
.....	Residential
.....	Residential (Higher Density)
.....	Rural
.....	Rural (Higher Density Small Holdings)
.....	Rural (Lower Density Small Holdings)
.....	Suburban Commercial

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Plan Change 17 - Enner Glynn and Upper Brook Valley Structure Plan

Map 3 - Proposed Structure Plan



Scale 1:15,000



Issued
19 July 2010

Legend	
.....	Structure Plan Boundary
.....	Plan Change 13
.....	Biodiversity Corridor
.....	Indicative Roads
.....	Indicative Walkways
.....	5m Building Setback with Planting
.....	Green Space

NOTE:
The representation on this map of a road or track does not necessarily indicate a public right of way

NOTE:
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