

NELSON CITY COUNCIL

Nelson Resource Management Plan

Proposed Plan Change 13:

Marsden Valley Re-Zoning and Structure Plan Project

Part A: Section 32 report

The draft plan change was developed with input from many people. Their contribution is greatly appreciated:

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LANDOWNERS

Landowners contributed many ideas at a wider public meeting and through a number of meetings with staff. Their input is very much appreciated.

NOTIFICATION DATE

19 September 2009

Submissions close: 5pm, Friday 30th October, 2009.

SECTION 32 REPORT - PROPOSED PLAN CHANGE 13 **MARSDEN VALLEY REZONING AND STRUCTURE PLAN** **PROJECT**

1.0 INTRODUCTION

1.1 Purpose of Report

Section 32 of the Resource Management Act (RMA) requires Council to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule or method in the District Plan. 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 13 “Marsden Valley Structure Plan”.

1.2 Approach 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 the issue as this provides a context for the evaluations of the objectives and policies that follow.

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.

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) cost/benefits - social, economic, environmental - as both monetary and non monetary cost/benefits;
- (d) 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

Marsden Valley is located near to well established existing suburban residential development in Stoke. This existing development has covered the plains and lower foothills of Stoke but has not penetrated up the valleys. Marsden Valley itself contains the Stoke Substation at the valley mouth, followed by the Nelson Christian Academy and the Marsden Cemetery. Further up the valley the use is predominantly rural in character with some housing. An operating quarry is located at the top end of the valley, this borders Council reserve land which has been planted over the years by school and youth groups. The valley has been described as a ‘hidden valley’ (Marsden Valley Landscape Study, Tasman Carter Ltd 2000) and it’s rural and landscape character noted through landscape studies.

The Nelson Urban Growth Study 2006 (NUGS) considered areas of Nelson which could be suitable for accommodating future residential growth. Stoke Foothills, of which Marsden Valley is a part, was identified as one of these areas. Ngawhatu, Marsden, Enner Glynn, the Upper Brook Valley and the saddles and plateaus in between were all recognised as being suitable for some level of development as they can be serviced, and they are close to existing infrastructure and communities.

A large portion of Marsden Valley is owned by members of one family and is subject to an existing schedule which overlays the current zoning being a mix of Residential and Rural – Low Density Small Holdings. This allows for development in the Residential Zone with 1500m² minimum site area, and a 2ha average (1ha minimum) site size in the Rural – Low Density Small Holdings Zone. This density and other controls are in place to protect the landscape values and rural character of the valley.

Subsequent to the recommendations from NUGS the landowners recognised that the current density provided for in the plan would not achieve the development vision outlined in NUGS. 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 to occur. This application was for a mix of densities and to include an area of Suburban Commercial Zoning.

The private plan change application was adopted by Council due to some of the proposed changes having effect district wide (such as comprehensive housing and some district wide objectives and policies), and because of a desire to ensure that zoning, connections and servicing is planned in an integrated manner to include the remaining rural zoned valleys nearby. A structure plan approach has been undertaken over a wider area than the original application to ensure these issues can be adequately addressed. Plan Change 13 forms a part of this wider structure plan to ensure there is consistency in planning for the wider area. It is being notified separately to allow the area originally subject to the private plan change application to proceed ahead of the wider structured planned area. The remainder of the area is to be notified early 2010.

2.2 Identification of Issue(s)

Rezoning of land within Marsden Valley for an increased level of development raises issues relating to:

- Servicing (roading, stormwater, waste water, water supply)
- Landscape protection
- Natural Hazards
- Connections (Walkways/Cycleways, Roding, Biodiversity, Greenspace)
- Urban design relating to creation of a new community
- Efficient use of the land resource
- Cross-boundary effects

Servicing

The subject land area of Marsden Valley will require the provision of servicing to allow for its full development. Studies have shown that it is possible to provide these services. Some upgrades are required ‘downstream’ to deal with increases in traffic

movements and sewerage in particular. The land is proposed to remain, or be included in the Services Overlay to ensure that all servicing constraints are adequately addressed prior to development proceeding.

Landscape Protection

The Marsden Valley Landscape Study (Tasman Carter Ltd, 23 February 2000) specifically assessed the landscape character of the valley. This study identified the 'strong sense of enclosure', the lineal corridor effect, 'the well treed character of the pasture', the 'rural character of the whole valley, but particularly of the hill slopes' and the 'hidden nature of Ching's Flat'. Areas of the most visible slopes and ridges are currently restricted building areas similar to the Landscape Overlay and with the purpose of protecting the landscape values as viewed from outside of the valley. This study formed the basis of the current Plan provisions to protect the landscape values and character of the valley.

The current proposal will influence the existing identified values of the valley due to the increase in development density. This is intended to be offset by the protection and enhancement of vegetation, the provision of open space areas, and biodiversity and riparian corridors, and the inclusion of the more prominent ridges and slopes in the Landscape Overlay. The result will be a changed environment when compared to what exists now but one which provides for the inclusion of natural features and opportunities in future development.

Natural Hazards

Land stability (including fault lines) and flooding are the main natural hazards present in Marsden Valley. The fault lines are generally indicated by the Fault Hazard Overlay, further investigation within the overlay will be required at time of subdivision and development to determine the exact location of the fault line. Land instability is an identified issue in areas of Marsden Valley due to a combination of the fault lines, soil conditions, slope and geology. A geotechnical overview has been carried out which identifies areas by risk category. Development is theoretically possible on these different areas of risk but will require the input of geotechnical specialists at time of development to determine what mitigation measures are required. When more detailed assessment is carried out based on a specific subdivision and development proposal it may be found that individual areas are not able to be built on and would be more suitable for other uses. The Land Management Overlay has been extended after taking into account the risk categories of various areas and their susceptibility to erosion and sedimentation issues. The Land Management Overlay indicates that specific geotechnical assessment (and possible mitigation) is required to address these issues.

Flooding of the area has been raised through consultation. There are no flood areas or routes identified which require the addition of the Flood Hazard Overlay. At the time of subdivision or development the proposal will be assessed for its management of stormwater to ensure there is no downstream increase in flows beyond an existing or upgraded systems capacity.

Connections (Walkways/Cycleways, Roding, Biodiversity, Greenspace)

The possibility of potential connections of all types being lost is an issue which can result from poorly planned and ad hoc development between different land owners.

The structure plan approach ensures that these connections are recognised and provided for as development proceeds.

A roading connection can be achieved between Marsden Valley and Enner Glynn, and also from this saddle to Panorama Drive. This achieves permeability in the community by avoiding the valley being a dead end, and provides options for travel in different directions. Vehicle and cycle traffic in particular will benefit when travelling from Marsden Valley to Nelson City by being able to take a more direct route along Enner Glynn Valley, while also providing options for residents of that valley (and Panorama Drive) to access amenities and services in Marsden Valley.

Marsden Valley represents the entryway to the Barnicoat walking and cycling tracks, it also provides the opportunity for connections to Ngawhatu and Enner Glynn Valleys. Internal connections are also desirable between roads and open spaces through out the area.

Biodiversity connections provide pathways for plants and animals by linking together existing and potential areas of predominantly native vegetation. By achieving these linkages through a planned approach the overall capacity for biodiversity is increased.

Greenspace connections allow areas of open or vegetated land to form a part of the wider community as it is developed. The land is to be retained as planted or open space serving the primary purpose of offsetting the surrounding Residential development by ensuring an open space, or vegetated network is created which is integral to the community in the area.

Urban design relating to creation of a new community

This proposal will result in the creation of a new community. Currently Marsden Valley contains approximately 10 houses, it is anticipated that the proposed zoning could accommodate around 600 households, or 1500 residents. There will also be additional households located in neighbouring land, such as Marsden Plateau, that will have ready access to Marsden Valley. As this will be predominantly greenfield development the ability to create a well designed, attractive and functional community is available. The proposed zoning allows for a commercial centre surrounded by higher density housing, then Residential (standard) through to Rural zonings. This mix of activities and densities provides for a variety of living styles all serviced by a commercial area in the centre. Open space, trees and biodiversity corridors are located through out Marsden Valley and will be integral to the final development.

Further Council plan changes, to be notified early 2010, and independent of this proposal provide the basis and expectation that development will be carried out in accordance with best practice urban design principles and a design philosophy for the Suburban Commercial area of Marsden Valley.

Efficient use of the land resource

NUGS, and internal Council investigation, confirms that the residential land supply in 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 land is used efficiently is

important to Council and is an efficient and effective use of a limited land resource. This efficient use reduces the need for additional rezoning, is more efficient for provision of required infrastructure, supports existing and proposed neighbourhood amenities and services, tends to provide a variety of living styles and can create a more varied and diverse community.

Cross-boundary effects

Consideration has been given in the zoning pattern to potential cross-boundary effects from the proposed pattern of zoning. This primarily involves the zone boundary of the Rural and Residential Zones. The zoning pattern proposed involves a graduation from residential to higher density small holdings through to standard rural zoning. Effectively this ensures the density of the residential environment is gradually reduced rather than a standard suburban density more abruptly ending at the rural interface.

Another important factor is the existing quarry operations in the upper part of the valley, and the potential sensitivity of residential uses to that. The land most affected by the quarry operations is also in the upper part of the valley and is in Council ownership. This land has been included in work as part of the wider structure plan investigations and is proposed to remain as Open Space and Recreation Zoning. Land proposed to be rezoned to residential further down the valley is screened from the quarry operations by the land form. The quarry is permitted to carry out its operations under an existing schedule in the Nelson Resource Management Plan.

The potential for new residents of the valley campaigning to move the cemetery out of the valley has been raised as a matter for consideration by local Iwi. Buffer areas were considered to set housing back from the cemetery however this is not considered necessary as the closest housing will be on the Ching's Flat area which current has consent for development and is setback from the existing cemetery boundaries by an access road and an existing property.

3.0 APPROACH TO PLAN CHANGE

3.1 Reasons for approach

Plan Change 13 was originally a private plan change application which was subsequently adopted by Council. This was with a view of expanding the scope of the Plan Change to include land area in Enner Glynn and upper Brook Valleys to allow a holistic approach to zoning, connections and servicing in the area. NUGS identified the Stoke foothills as being suitable for accommodating a level of residential growth. Ngawhatu Valley, Marsden Plateau and Champion Road/Hill Street North have already either been rezoned to provide for this or are in the process. By assessing the potential for growth within the Marsden, Enner Glynn and the upper Brook Valleys all of the Stoke Foothills area will be planned for the appropriate level of development. A structure plan approach has been undertaken for this wider area to ensure that zoning patterns and connections are consistently and appropriately applied through out the area. This will help to resolve the issues identified in Section 2.2.

3.2 Scope

As noted in section 3.1 the original scope of the Plan Change was expanded to cover a wider area involving Marsden, Enner Glynn and upper Brook Valleys. This will be notified in two parts, Plan Change 13 dealing with the majority of Marsden Valley and a future Plan Change in early 2010 dealing with the remainder of the area. Council had originally planned to notify the whole structure plan as one to ensure consistency across the wider area. The change to this intention was accepted as the planning across the wider area had been carried out and zoning patterns and connections established as a draft. Therefore this area could be notified separately in the knowledge that the risk of disjointed planning has been reduced. This suits the goals of the original applicant for private plan change.

Plan Change 13 does not include the district wide changes originally requested as these will be the subject of future Council plan changes which are planned or underway. Examples are changes to the comprehensive housing provisions and to specific urban design objectives and policies in the district wide section of the Plan. Council considers that the nature of these changes effect many aspects of development through out the city and should be addressed within a targeted project. The two examples given above are being dealt with through Plan Change 14 which is to be notified in early 2010.

The provisions which will ultimately have effect district wide to be included in this Plan Change are the inclusion of 'Biodiversity Corridors' and 'Greenspace' as new concepts in the Plan. These are new tools which can be applied as required when areas are rezoned using a structure plan process. This Plan Change includes related policies and rule requirements to include them on the area of land subject to this proposal. A section relating to the use of structure plans is also proposed to be included in the Plan.

All relevant plan zoning and overlays (including the two new concepts above) are included in this Plan Change to the extent of spatially defining their location in the area concerned. The relevant zones are Residential, Rural – Small Holdings, Suburban Commercial and Open Space and Recreation. The relevant overlays are Riparian, Services, Fault Hazard, Land Management, Landscape, Heritage and Landscape trees and the Transmission Line Route.

A structure plan is proposed to be included in the Plan. This will be incorporated through a Schedule within the Residential section of the Plan but which also applies to the Rural and Suburban Commercial Zones. This will incorporate the items such as the indicative locations of roads, walkways/cycleways, biodiversity corridors and greenspace. 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) and (2). In addition the Council and the original Plan Change proponent have been in regular contact throughout the process of developing the Plan Change.

Land owners of the wider structure plan area have been consulted in the preparation of the structure plan and have been given the chance to comment on a draft of the proposal. This wider consultation included the land subject to this Plan Change.

As a result of consultation to date the location of the Land Management and Landscape Overlays have been revised, as has the location of the indicative road link from the Marsden / Enner Glynn Saddle to Panorama Drive. The extent of, and provisions relating to the Suburban Commercial Zone have been revised in direct consultation with the original private plan change proponent. Ecological sites were shown within the Marsden Valley area however these have also been removed as it is more appropriate to deal with these as a stand alone district wide project.

The most significant change relates to splitting of the land area subject to the original private plan change application from the wider structure plan. This was carried out in consultation with, and at the request of, the original applicant.

5.0 APPROPRIATENESS IN ACHIEVING THE PURPOSE OF THE RMA

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 growth in the Marsden Valley. In providing for constrained and controlled spatial expansion of the urban boundary, the Plan Change seeks a high standard of urban design, effective connectivity in service provision, transport routes and walkways, and integration of land use patterns and built and natural environments.

5.1 OBJECTIVES AND POLICIES

The table 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.

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</i>	This addition to the reasoning for the objective strengthens the objective and helps users of the plan understand the intent. It does not change the actual meaning of the objective as it exists in the Operative Plan.

	<i>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>	
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.
RE1.4.i	Changes to existing explanation section to policy RE1.4 Lower Density Areas.	The existing zoning pattern of Marsden Valley includes some lower density residential, as this is proposed to be removed it is necessary to change the text of the explanation.
RE4	Objective RE4 Marsden Valley (Schedule I) revised to reflect proposed zoning patterns and plan provisions. New objective to state <i>“Subdivision and development of Marsden Valley (Schedule I area) that results in a high level of residential amenity built around a village centre as the focal point.”</i>	The current objective focuses on achieving subdivision and development in the valley which does not adversely affect the rural and landscape character of the valley. As the proposed zoning pattern compromises the current objective and associated policies it is appropriate that changes are made to ensure the zoning pattern meets the objective. The proposed objective clearly sets the expectation that a high living standard will be achieved within Schedule I in Marsden Valley, this is appropriate in that it reflects Council’s goal to provide for good quality living environments.
RE4.1	Policy RE4.1 Marsden Valley Development. <i>‘Development of Marsden Valley shall generally accord with the Structure Plan for this area, as identified in Schedule I, Figure 1.’</i>	This policy directs that development within the valley 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 around the proposed zoning framework.

RE4.2	Policy RE4.2 <i>Vegetation Subdivision and development should maintain and enhance existing vegetation patterns (and establish new areas of vegetation) that soften the effects on the visual amenity and landscape values of Marsden Valley.</i>	Vegetation patterns are important from a visual and biodiversity point of view, this policy ensures that this is taken into account when development occur and is therefore appropriate.
SC3	Objective SC3 <i>Marsden Valley Suburban Commercial Zone. A vibrant commercial centre, which through its central location, mix of activities, and high quality building design, allows for the creation of a quality environment serving residents and visitors.</i>	The suburban commercial area is centrally positioned to serve the new community and the success of the commercial area is fundamental to ensuring the success of the new community. It is therefore appropriate that this issue is a main objective for this area.
SC3.1	Policy SC3.1 <i>Building Design Avoid uniform buildings and promote active frontages, variety, modulation and creativity in building design which is at a human scale.</i>	Building design will help achieve the objective for this area. It is therefore appropriate as a policy.
SC3.2	Policy SC3.2 <i>Mixed Use Create a mix of activities (primarily commercial (retail and office) and residential) within the zone which add vibrancy and provide a wider choice of places to live, work and play.</i>	A mixture of uses can help to achieve the community environment intended for the area. There are some activities that have the potential to be incompatible with the creation of a urban village centre. Activities which do not meet this policy would prevent the zone objective from being achieved, therefore this is appropriate as a policy.

The tables below assess the following matters in accordance with the requirements of Section 32 of the Act:

- Table 1: the alternative methods of providing for, and managing the effects of, urban growth in the Marsden Valley.
- Tables 2-4: zoning frameworks, with specific reference to residential, rural and suburban commercial zones and provision for higher density residential development opportunity close to that

- Tables 5-8: 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 1: Alternative Methods of Providing for and Managing the Effects of Urban Growth in Marsden Valley

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
Environmental, Economic, Social, Implementation, and Compliance Costs	<p><i>If development proceeds in accordance with current schedules and rules:</i></p> <p>Development of land may proceed under a less intensive regime with no regard to future residential use of land in the valley (as expressed in NUGS), hindering the potential for efficient use of resources.</p> <p>Inefficient use of existing or proposed service infrastructure that is or will be extended to Ching’s Flat.</p>	<p>Loss of rural character in Marsden Valley where land is physically capable of development.</p> <p>Implementation costs associated with Plan Change process to amend existing zonings.</p> <p>Costs of extending service infrastructure to and within the valleys to accommodate growth, and upgrading the capacity of downstream</p>	<p>High compliance costs for developers through two-phase resource consent obligations, and level of detail necessary in addressing assessment criteria and matters of discretion inherent to such a method.</p> <p>Requires co-ordination across property ownership, and with this the potential that some landowners may incur quite significant cost</p>	<p>Implementation costs in developing a structure plan for inclusion in the NRMP.</p> <p>Need for flexibility to be built into the rules with regards to the final location of connections and linkages.</p>	<p>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 required for more intense residential use.</p> <p>As an existing method (with associated rules) within the NRMP, implementation costs are</p>

⁵ **Status Quo / Do Nothing:** Current zoning and schedules are retained (Rural, Residential (Schedule I), Rural Small Holdings (Schedule T) and Rural Small Holdings), with resource consents required for more intensive urban development than anticipated under current rules.

⁶ **Zoning of Land for Urban Growth:** The potential combination of zonings is to be assessed later in this section, but assumes some residential, commercial and small holdings opportunity.

⁷ **Comprehensive Development Plan (CDP):** Two-staged resource consent process whereby the NRMP requires a C.D.P for a specified area as a restricted discretionary activity (subject to consideration of urban design principles, mixed and integrated land use patterns, building design guides, open space and transportation/walkway linkages etc). Subsequent development within that area must accord with the C.D.P and any associated development objectives or guidelines, and will be assessed as a controlled activity. It is anticipated that both applications would be non-notified, and the NRMP would need to specifically state that.

⁸ **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.

⁹ **Area overlays:** A spatial method of showing which areas are subject to various specified attributes such as fault hazards, land management requirements or heritage items. Usually shown on Planning Maps.

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
	<p>Fewer people may be able to buy into and enjoy the residential lifestyle opportunities that these valleys provide, as an alternative to choices currently available within the city boundaries.</p> <p>Population growth in Nelson will continue to create pressure for infill development elsewhere within the city boundary, with “retro-fit” solutions less likely to achieve quality urban outcomes.</p> <p>Implementation costs would be negligible as no amendments are required of rules in the NRMP.</p> <p><i>If resource consent applications are pursued to use land for residential purposes, and in creating a village centre in Marsden Valley:</i></p> <p>High compliance costs and lack of certainty as to consent outcomes for landowners and the local community, and administrative costs for Council.</p> <p>Development outcomes more likely to be piecemeal and without an overall vision for the valley communities, and also potentially at the expense of quality and</p>	<p>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 (roading, walkways, cycleways, biodiversity) with certainty through the Plan.</p>	<p>implications well in advance of their own development aspirations.</p> <p>High administration and compliance/monitoring costs for Council and future property owners.</p> <p>While affording increased design flexibility through the CDP process (Deviation from Council standards and associated benefits being assessed in the context of the overall development), development flexibility is subsequently eroded for those who may wish to live in this community, due to the requirement for any development to be accordance with the approved CDP.</p>		<p>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 maybe restricted for individual landowners through zoning patterns.</p> <p>No ability to plan for connections (roading, walkways, cycleways, biodiversity) with certainty through the Plan.</p> <p>Without specific investigation the boundaries of overlays are difficult to define</p>

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
	<p>integrated urban design.</p> <p>Costs to the community in submitting on a number of development proposals by different developers.</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>				
Environmental, Economic, Social, Implementation, and Compliance Benefits	<p>Existing schedules provide for protection of the special character and rural ambience of Marsden Valley.</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>Certainty for current landowners</p>	<p>The need for provision of new urban land over the next 10-20 years is anticipated under NUGS.</p> <p>Zoning reflects opportunities and constraints of land to provide for urban growth, and thus achieves a higher degree of certainty for landowners and the wider community.</p> <p>A mix of land use</p>	<p>Quality and sustainable urban design outcomes achieved through matters over which Council would retain discretion, including social, recreational and cultural benefits, energy efficiency, public health and safety, and integration of natural and built environments.</p> <p>Will promote consistency in design outcomes and</p>	<p>Recognises longer-term urban growth 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 Valleys of the Stoke Foothills 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 will be sensitive to special natural or amenity values (eg landscape,</p>

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
	<p>Less increase in traffic flows due to likely lower levels of development</p>	<p>activities, and densities of development, can be reflected in zoning patterns.</p> <p>Council can plan for growth through the LTCCP with greater certainty, and with developers contributing to the expansion of infrastructure on a equitable basis.</p> <p>Opportunity for more efficient use and orderly development of land, roads and infrastructural resources.</p> <p>Higher level of certainty, and therefore attainment of, the environmental outcomes provided for and anticipated in the valleys.</p> <p>Potential to establish a wider range of living choices for Nelson residents.</p>	<p>integration of public space, transportation routes etc, regardless of future changes in land ownership.</p> <p>Allows for integration of land use opportunities and a co-ordinated planning approach across zone boundaries where that is not assured through zoning alone.</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, sewer, water supply and stormwater.</p> <p>Compliance costs should be reduced in providing certainty and direction as to linkages required of</p>	<p>protected trees, riparian margins) of a site, and as such these are more likely to be integrated within urban development proposals, and contribute long-term to the quality of the 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>

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
		Potential to develop a stronger sense of community within the valleys.		development proposals.	
Overall effectiveness and efficiency	Retention of the current zoning, schedules and rules would be ineffective and inefficient in providing for and managing the effects of urban growth in appropriate locations in the Marsden Valley. It will result in inefficiencies in consent processes and with greater risk of ineffective urban design outcomes. Further resource consent applications to accommodate growth could enhance discrepancies between the existing policy framework for Marsden Valley and the evolving pattern of development occurring there. The recent Ching's Flat subdivision is an example of development proposals being inconsistent with underlying Plan zoning and provisions.	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 4 and 5).	The character and values of Marsden Valley are not considered sufficiently unique in a city-context to justify what would be a high level of regulatory intervention by Council. Ownership patterns, and where necessary co-ordination between landowners, means that these same outcomes could be achieved privately, and through resource consent application if seeking a more intensive or varied development pattern than anticipated through rules in the NRMP, without ongoing obligations on Council in administration and monitoring of development and activities in the CDP area. This method is effective, but not overly efficient, in managing the effects of urban growth in the	Greater efficiency and effectiveness in achieving integrated planning, interconnectivity and service provision across property boundaries and between the valleys within and north of the study area. Best results achieved in combination with 2 (Zoning) and 5 (Overlays) to ensure connections and final structure occur in a co-ordinated manner. Once in the Plan provides certainty on connections, zoning and overlay requirements.	Consistency with existing methods in the Plan 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 4).

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
			Marsden Valley.		
Appropriateness	This option is inappropriate, and is inconsistent with regulatory methods already adopted by Council, and more intensive residential development occurring, on land on the southern side of Marsden Valley both within and adjoining the study area.	This option is appropriate and is therefore recommended.	This option is considered inappropriate because other methods more effectively and efficiently achieve the objectives.	This option is appropriate given the area and ownership pattern of land in the Study Area, 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 and the health and safety of the community, and urban service extension and capacity. This option is recommended.
Risk of Acting	Not applicable to this option	Limited risk of acting as existing strategies have identified this area as being suitable for growth.	Limits development into one particular approved plan. Can create a resource hungry process of initial approvals and ongoing checking for compliance. Introduces a planning method not currently used in Nelson.	Limited risk of acting as there is flexibility within a structure plan for various development styles to eventuate.	If not sufficiently researched areas of land can be unintentionally included in overlays. Additionally requirements to be addressed by applicants and processed through consents
Risk of Not Acting	Does not allow for the level of development signalled in this area and is inconsistent with development that is current consented within and adjacent to	Strategically unplanned private development could occur hindering the ability to create connections, provide	Provides for no initial certainty of the development style or layout which will eventuate.	Connections are not realised. Development patterns do not form in a strategic way.	Relevant issues in a particular area may be overlooked during consent process if issue is not

	Option 1: Status Quo / Do Nothing ⁵	Option 2: Re-Zoning of Land ⁶	Option 3: Comprehensive Development Plan ⁷	Option 4: Structure Plan ⁸	Option 5: Area Overlays ⁹
	the area	services, retain and encourage biodiversity and develop a successful community.	Overall limited risk to not acting under this option as the alternative options provide for the current accepted Plan methods.	Open space and biodiversity corridors are not strategically achieved.	highlighted. Planning for particular issues may not occur early in development design if issue is not highlighted. Council negligent if a known issue is not highlighted for a particular area.

Zoning Framework

Table 2: Residential Opportunity

Methods	Option 1: Residential Zone	Option 2: Higher Density Rural Small Holdings Zone	Status Quo
<p>Environmental, Economic, Social, Implementation, and Compliance Costs</p>	<p>Loss of rural character on the northern side of the Marsden Valley where land is presently zoned and used for rural purposes.</p> <p>Implementation costs associated with the Plan Change process to amend existing zonings.</p> <p>Costs of extending service infrastructure to and within the valleys to accommodate residential growth, and upgrading the capacity of downstream services such as the road network, may be required. 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 Engineering Standards for service and roading provision.</p> <p>Some degree of compliance costs ie resource consent applications will still remain, but with lower risk.</p> <p>May be rating implications for landowners arising from re-zoning, and in some cases without immediate benefit in terms of development potential ie where availability of services or access is delayed.</p>	<p>Some change in rural character and landscapes anticipated under this option, although in part those areas proposed to be so zoned relate to land already capable of development within the Small Holdings Zones in the Marsden Valley.</p> <p>Rural land must be 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 not be a community cost.</p> <p>Areas zoned are generally remote from road linkages anticipated through the Structure Plan, but with private and community costs in meeting biodiversity and walkway connectivity. Walkway provision may need to be a community cost if timely and practical linkages are to be achieved through these zones.</p> <p>Some degree of compliance costs ie resource consent applications will still remain for small holdings development, but with lower risk.</p> <p>Much of this land is subject also to overlays under the NRMP and Plan Change, and will have associated resource consent costs.</p>	<p>Does not allow for the level of residential development envisaged by the Nelson Urban Growth Study.</p> <p>Does not allow for integrated planning of residential opportunities across multiple properties.</p> <p>Potential incompatibility of uses between different zones.</p> <p>Possibility of ad hoc development occurring between different land owners.</p> <p>Resource consent applications, such as Chings Flat, can change the expected zoning pattern and vary the Plan expectation for the area.</p> <p>Cost to applicants requiring resource consents to vary plan standards</p>

Methods	Option 1: Residential Zone	Option 2: Higher Density Rural Small Holdings Zone	Status Quo
<p>Environmental, Economic, Social, Implementation, and Compliance Benefits</p>	<p>Increased clarity in the NRMP as to where residential development and growth is appropriate having undertaken an opportunity / constraints analysis, in Marsden Valley, and over a 10-20 year period as anticipated by NUGs</p> <p>Greater certainty for developers and landowners, the community and affected public. about where growth will occur.</p> <p>Wider range of living opportunities for the Nelson community, spatially and in terms if the aesthetic qualities of a valley location.</p> <p>Opportunity for more efficient use of land, roading and infrastructural resources than provided for through the existing Residential Zone and associated schedules.</p> <p>Greater residential coherence and a sense of community in the valley, in conjunction with, for example, approved residential development, recreational opportunities and community facilities already present in the Marsden 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>The varying densities of subdivision and development permitted through Rural Higher Density Small Holdings Zone allows for clustering of residential units in the open space context which can help avoid visual intrusion while still allowing for development opportunities.</p> <p>Rural, or open, character will be preserved in parts of the valleys, particularly on more prominent slopes or land 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, and may assist in easing property inflation.</p> <p>Rural Small Holdings Zone will contribute to the variety of living opportunities in the valleys and close to the city, including as land may be 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 of peripheral urban growth.</p> <p>The type of land within the Small Holdings Zone favours cluster development proposals with significant retention of open space.</p>	<p>Existing plan structure already established so no resources required to change this.</p> <p>Certainty for land owners and the public as they know what to expect in the valley.</p>

Methods	Option 1: Residential Zone	Option 2: Higher Density Rural Small Holdings Zone	Status Quo
Overall Efficiency and Effectiveness	Identifying areas in the NRMP 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 policies and rules 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 Plan zoning it does not address the future residential growth opportunities in the area or plan strategically how this might be provided for.
Appropriateness	This option is appropriate, and is recommended.	This option is appropriate in conjunction with Option 1 providing specific resource issues are given adequate protection through other methods in the Plan, 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.
Risk of Acting	Little risk in acting due to existing identification of area for residential development and this proposed Plan Change to use a structure plan approach to provide for essential connections, services and features.	Provides for a higher level of development than standard for the rural area, needs controls to ensure rural, or open space values specific to the area are not compromised	Not applicable to this option
Risk of Not Acting	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 potential development intensity to be realised. Does not established the 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.

Zoning Framework

Table 3: Provision for a Village Centre in Marsden Valley

Methods	Option 1: Status Quo	Option 2: Suburban Commercial Zone (1ha approx. standard rules apply)	Option 3: Deferred Suburban Commercial Zone ¹⁰	Option 4: Suburban Commercial Zone (1.85ha approx. higher height limit and specific rules apply)
<p>Environmental, Social, Implementation, and Compliance Costs</p>	<p>No certainty in provision for a village centre, either for the developer or the local community.</p> <p>Opportunity for any social or economic benefits of a village centre, and the attractiveness of this in marketing residential sections already being developed in the Valley, would be compromised.</p> <p>Increased vehicle trip generation associated with residents accessing all commercial services in outside of the valley.</p> <p>A resource consent application would be required to develop the Village Centre, with high compliance costs and risk of failure given that the preferred land falls within the Residential Zone.</p>	<p>Once zoned, any risk in terms of economic viability will be borne by the land owner and developer.</p> <p>The current Suburban Commercial Zone building controls are considered deficient in matters of building bulk and aesthetics, particularly at the zone interface with residential. There is potential for poor design outcomes to occur without any Council input, as permitted activities.</p>	<p>Indefinite uncertainty for the developer and community as a review of these rules has not yet been programmed by Council.</p> <p>A resource consent application would be required to develop the Village Centre in advance of the deferral being uplifted, with high compliance costs and risk.</p> <p>There is potential that opportunity for a village centre strategically positioned to best serve the local community is lost if frustration leads the landowner to develop the same land for residential purposes in accordance with its underlying Residential zoning. This would compromise any justification for more intensive residential development opportunity around and within walking distance of a village node.</p>	<p>Increased uncertainty on what commercial development may occur in a larger zone area and that these potential uses may be detrimental to establishing an 'urban village'. (can be managed through rules)</p> <p>Higher height limit may negatively effect adjacent areas (residential, open space and recreation and the road) (can be managed through rules and consent process)</p> <p>Lack of design control unless specific provisions are provided, or a district wide review of the Suburban Commercial Zone provisions is carried out.</p> <p>Other costs as per Option 2</p>

¹⁰ Deferral would remain in place until such time as the Suburban Commercial Zone rules are reviewed by Council.

Methods	Option 1: Status Quo	Option 2: Suburban Commercial Zone (1ha approx. standard rules apply)	Option 3: Deferred Suburban Commercial Zone ¹⁰	Option 4: Suburban Commercial Zone (1.85ha approx. higher height limit and specific rules apply)
	Promotes incremental development rather than strategically planned urban growth of Marsden Valley.			
Environmental, Social, Implementation, and Compliance Benefits	<p>If the village centre is addressed by resource consent, the application process would allow Council and the community greater input to the sustainable urban design of the village centre, the range of activities permitted within it, integration of public space and parking, and the design of buildings.</p> <p>No risk of commercial activities establishing which are not compatible with the setting in the valley and the wider community.</p>	<p>Would identify where commercial development should be sited so as to best serve the needs of, and manage its effects on, the local residential community.</p> <p>Given the size and development potential of the SC Zone in Marsden Valley, any economic impact on other established commercial areas and associated resources will be negligible.</p> <p>Greater certainty for the developer, community and affected public as to where commercial development will occur.</p> <p>Reduction in vehicle trip generation in providing for essential commercial services convenient to the residential neighbourhood.</p> <p>Will serve as a potential community focal point, with social benefits and contributing to a</p>	<p>If the village centre is addressed by resource consent, the application process would allow issues of building placement and design to be assessed, regardless of identified deficiencies in the existing Suburban Commercial rules.</p> <p>Deferral allows Council time to rectify identified deficiencies in the Suburban Commercial Zone rules.</p>	<p>Creates the opportunity for a purpose designed urban village which can provide for commercial, working and living needs of the local residents as well as having the scope to attract people to the valley for work or commercial purposes.</p> <p>Allows flexibility in design to create a safe, viable and successful commercial area which incorporates best practice urban design principles.</p> <p>Allows for increased building heights to be considered through the resource consent process as a matter between the applicant and Council.</p> <p>Other benefits as per Option 2</p>

Methods	Option 1: Status Quo	Option 2: Suburban Commercial Zone (1ha approx. standard rules apply)	Option 3: Deferred Suburban Commercial Zone¹⁰	Option 4: Suburban Commercial Zone (1.85ha approx. higher height limit and specific rules apply)
		<p>sense of community cohesion.</p> <p>May enhance the range of living options in the valley (apartments above shops).</p> <p>Coupled with road and walkway linkages inherent to the Structure Plan, has potential to serve a greater need than just the Marsden Valley residential community ie residents of adjoining valleys and the visiting / recreational public.</p>		
Overall Efficiency and Effectiveness	Provides certainty to Council in knowing that any commercial development beyond that permitted in the residential and rural small holdings zones will require a resource consent. Therefore effects can be considered at that time.	<p>Will promote the efficient use of physical land resources and complementary land use opportunities.</p> <p>Is effective in identifying areas to which the Suburban Commercial Zone policies, rules and methods are to be aligned, and where commercial and community activities may establish with relatively little impediment, although there remains concern over the effectiveness of those rules in mitigating the effects of larger commercial buildings.</p>	This option is effective in managing the quality of built development that may in future occur in the Suburban Commercial Zone, but is inefficient in when considering the residential development already approved for the Valley, the basis for more intensive residential development centrally located within the valley, and the low risk that built development of a quality concerning Council in some existing SC Zones is likely to occur on this site.	<p>This option is effective in providing for a 'village centre' which would create a community which can serve a number of its needs within the Valley environment.</p> <p>Its effectiveness in providing for this is reliant on their being effective controls to ensure that commercial activities established do add to, rather than detract from, the urban village concept.</p>
Appropriateness	This option is inappropriate.	This option is inappropriate and is not recommended as it restricts the ability to achieve a mixed use	This option is inappropriate.	This option is appropriate but can only be recommended if enough certainty is provided

Methods	Option 1: Status Quo	Option 2: Suburban Commercial Zone (1ha approx. standard rules apply)	Option 3: Deferred Suburban Commercial Zone¹⁰	Option 4: Suburban Commercial Zone (1.85ha approx. higher height limit and specific rules apply)
		'urban village' environment		that the urban village concept will be realised.
Risk of Acting	Not applicable to this option	Allows for commercial activity but risks not achieving original plan change proponent's vision for the commercial centre. Possibility of there being insufficient zoned land to fully integrate residential and commercial uses.	Uncertainty of when a commercial centre could or would be established could lead to the opportunity being lost.	Without design and setback control over taller buildings could result in poor outcomes for the community. Potential risk of undesirable activities compromising the desired creation of a successful urban centre.
Risk of Not Acting	Does not provide for, or indicate that a commercial centre is desirable in this area. A resource consent to establish a commercial activity or centre without the appropriate zoning is likely to be difficult.	Does not provide for, or indicate that a commercial centre is desirable in this area. A resource consent to establish a commercial activity or centre without the appropriate zoning is likely to be difficult.	Could potentially result in poor urban design outcomes if no design controls are in place.	Does not provide an allowance to achieving the original private plan change proponent's vision. Opportunity to create a successful commercial urban centre could be lost.

Zoning Framework

Table 4: Provision for More Intensive Residential Development Surrounding the Village Centre in Marsden Valley

Method	Option 1: Comprehensive Development Plan ¹¹	Option 2: Residential Zone (Higher Density) ¹²	Option 3: Comprehensive Housing Rules ¹³
Environmental, Economic, Social, Implementation, and Compliance Costs	<p>High compliance costs for developers through two-phase resource consent obligations, and level of detail necessary in addressing assessment criteria and matters of discretion inherent to such a method.</p> <p>Requires co-ordination across property ownership and with this the potential that some landowners may incur quite significant cost implications well in advance of their own development aspirations.</p> <p>High administration and compliance/monitoring costs for Council and future property owners.</p> <p>While affording increased design flexibility through the CDP process (Deviation from Council standards and associated benefits being assessed in the context of the overall development), development flexibility is subsequently eroded for those who may wish to live in this community, due to the requirement for any development to be accordance with the approved CDP.</p>	<p>Site is removed from existing public transport networks and community facilities.</p>	<p>Subdivision and development proposals considered concurrently, with associated resource consent costs and risks for the Applicant.</p>

¹¹ **Comprehensive Development Plan:** For the purpose of this assessment it is assumed that the CDP would apply only to that area of land in which higher density residential development is anticipated.

¹² **Higher Density Residential Zone:** 300m² minimum allotment size – controlled activity.

¹³ **Comprehensive Housing Rules:** Council is currently reviewing the comprehensive housing subdivision and development standards in the NRMP, to be addressed by separate Plan Change. Given the integration of design and subdivision issues, it is assumed that the Council will retain a regulatory interest in such developments through the resource consent process.

Method	Option 1: Comprehensive Development Plan¹¹	Option 2: Residential Zone (Higher Density)¹²	Option 3: Comprehensive Housing Rules¹³
Environmental, Economic, Social, Implementation, and Compliance Benefits	<p>Quality and sustainable urban design outcomes achieved through matters over which Council would retain discretion, including social, recreational and cultural benefits, energy efficiency, public health and safety, and integration of natural and built environments.</p> <p>Will promote consistency in design outcomes and integration of public space, transportation routes etc, regardless of future changes in land ownership.</p> <p>Allows for integration of land use opportunities and a co-ordinated planning approach across zone boundaries where that is not assured through zoning alone.</p>	<p>Wider range of living choices for the Nelson residential community.</p> <p>A greater density of housing will assist in sustaining the Village Centre.</p> <p>The scale and location of the Zone is intended to encourage walking to the village centre and thereby reduce dependence on motorised transport.</p> <p>Will achieve urban intensification in a location that, coupled with the village centre, should contribute positively to cohesion of the Marsden valley community.</p> <p>Increased clarity and certainty through the NRMP as to the anticipated development character and servicing needs of the area.</p> <p>Option of carrying out comprehensive housing development still exists through resource consent provisions.</p> <p>Promotes efficient use of land in the Valley floor that has minimal physical or landscape constraints to urban development, and efficient use of infrastructure that has to be extended to Marsden Valley.</p>	<p>Wider range of living choices for the Nelson residential community</p> <p>Provides for design flexibility, as well as encouraging quality design outcomes both for residents of any development and the wider environment.</p> <p>Concurrent review of residential subdivision standards is likely to necessitate a design statement and context plan if there is departure from the new revised Engineering Standards. This affords a higher level of control over design outcomes.</p>
Overall Efficiency and Effectiveness	<p>The character and values of Marsden Valley are not considered sufficiently unique in a city-context to justify what would be a high level of regulatory intervention by Council. Ownership patterns, and</p>	<p>This option would be effective and efficient in identifying a preferential development area to which the Residential (Higher Density) Zone provisions apply, that will promote the</p>	<p>Efficient and effective in allowing for higher density housing in Residential Zones, providing proponents can demonstrate good urban design and</p>

Method	Option 1: Comprehensive Development Plan¹¹	Option 2: Residential Zone (Higher Density)¹²	Option 3: Comprehensive Housing Rules¹³
	<p>where necessary co-ordination between landowners, means that these same outcomes could be achieved privately, and through resource consent application if seeking a more intensive or varied development pattern than anticipated through rules in the NRMP, without ongoing obligations on Council in administration and monitoring of development and activities in the CDP area.</p> <p>This method is effective, but not overly efficient, in managing the effects of urban growth in the Marsden Valley.</p>	<p>efficient use of resources and flexibility in development opportunity.</p>	<p>sustainable urban living outcomes.</p>
Appropriateness	<p>This option is considered inappropriate for this site.</p>	<p>This option is appropriate and is recommended if provision is also made for the Suburban Commercial Zone. Option 3 can still be carried out in the Higher Density Residential Zone.</p>	<p>This option is appropriate, but in the context of the review and subsequent Plan Change already being undertaken by Council.</p>
Risk of Acting	<p>Locks development into one particular approved plan.</p> <p>Can create a resource hungry process of initial approvals and ongoing checking for compliance.</p> <p>Introduces a planning method not currently used in Nelson.</p>	<p>Uncertainty of demand for higher density housing in this location – offset by the fact site areas are a minimum and lower density can be developed if required.</p>	<p>Limited risk as this is a current Plan provision, however no direction is provided as to where higher density is seen to be most appropriate.</p>
Risk of Not Acting	<p>Provides for no initial certainty of the development style or layout which will eventuate.</p> <p>Overall limited risk to not acting under this option as the alternative options provide for the current accepted Plan methods.</p>	<p>Does not indicate or provide for higher density housing adjacent to the proposed commercial centre.</p> <p>An ad hoc approach could occur with higher density and standard density occurring in an unplanned fashion.</p>	<p>This is an existing provision in the Plan so an application can currently be made for a comprehensive housing development in any location in the Residential Zone. There is limited risk of not acting beyond providing no strategic direction as to suitable locations for higher density.</p>

Managing Environmental Effects

Table 5: Landscape, Natural Values and Vegetation

	Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values	Option 2: Zoning¹⁴	Option 3: Master Landscape Plan	Option 4: Landscape Overlay, Riparian Overlay, and Identified Trees	Option 5: Structure Plan – Biodiversity Corridors
Environmental, Economic, Social, Implementation, and Compliance Costs	<p>Significant environmental costs in terms of the special character of the valley, and the quality 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 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>Future development options of land may be constrained and flexibility reduced as sufficiently mitigated residential development would not be zoned for and is a simplified approach.</p>	<p>As a new method in the NRMP, there would be implementation costs in developing rules and assessment criteria.</p> <p>If carried out for the whole Valley would increase the level of landscape protection beyond that currently provided for in the Plan. Better suited to a district wide assessment to ensure consistency of approach.</p> <p>Compliance costs for developers through resource consent obligations, and the level of detail necessary in addressing assessment criteria and matters of discretion inherent to such a method.</p>	<p>Rules already exist in the NRMP so additional implementation costs are minimal.</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>Implementation costs in developing a structure plan for inclusion in the NRMP.</p> <p>Need for flexibility to be built into the rules with regards to the final location and form of these corridors.</p>

¹⁴ **Zoning:** Beyond existing areas of Open Space Recreation Zone in Marsden valley, those areas of high natural and/or landscape significance are not zoned for residential or small holdings development but retain a rural zoning as a method of protection.

	Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values	Option 2: Zoning¹⁴	Option 3: Master Landscape Plan	Option 4: Landscape Overlay, Riparian Overlay, and Identified Trees	Option 5: Structure Plan – Biodiversity Corridors
			Implementation and compliance costs are likely to arise for developers in moving away from traditional subdivision patterns.		
Environmental, Economic, Social, Implementation, and Compliance Benefits	Would allow developers to maximise use of their land for residential purposes with minimal Council control.	<p>The NRMP clarifies the location of existing and approved reserves in Marsden Valley.</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 Enner Glynn Valleys.</p>	<p>Would ensure landscape design is incorporated in subdivisions, to provide for amenity and privacy within development, and visual integration when viewed from beyond the site.</p> <p>Would encourage consideration of how subdivisions relate in landscape terms to one another.</p> <p>Can promote open space, recreation, greenway and biodiversity objectives through structural planting etc.</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, significant vegetation and riparian margins within the study area.</p> <p>Promotes integration of landscape, open space, greenspaces etc within any development proposal.</p> <p>Appendix 7 NRMP requires consideration of subdivision patterns, subsequent building development and</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 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</p>

	Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values	Option 2: Zoning¹⁴	Option 3: Master Landscape Plan	Option 4: Landscape Overlay, Riparian Overlay, and Identified Trees	Option 5: Structure Plan – Biodiversity Corridors
				<p>placement, the visual impacts of roading and earthworks, and planting within landscape assessments.</p> <p>Retention of heritage values through protection of listed trees.</p> <p>Protection and enhancement of riparian habitat values and public access to and along such areas.</p>	<p>catchments, to enhance the functionality of the corridors.</p> <p>Improve habitat and travel paths for plants and animals.</p>
Overall Efficiency and Effectiveness	Ineffective and inefficient in achieving the Plan objectives and policies in respect of areas of significant natural or landscape character.	Efficient in achieving the Plan objectives and policies in respect of areas of significant natural or landscape character, but doesn't directly address the issue (of landscape protection for example) so any consent applied for in the zone might not consider landscape issues. Does not recognise that some development could be possible through appropriate mitigation.	<p>This option must be considered in light of outcomes potentially achieved through other alternatives (ie Options 4 and 5), and existing controls in the NRMP in relation to matters such as the scale of earthworks in the Residential Zone.</p> <p>While effective in achieving quality landscape outcomes, there may be inefficiencies in not adopting a consistent approach to landscape</p>	<p>Ensuring the Landscape Overlay covers areas of landscape importance which are consistent with the existing Landscape Overlay provision of the Plan will provide for consistency of approach (and protection) in the district.</p> <p>Individually identifying the protected trees and riparian areas ensure that these also receive protection anticipated in the Plan.</p>	Greater efficiency and effectiveness in achieving integrated planning for and interconnectivity in biodiversity corridors across property boundaries, between the valleys within, and to the Barnicoat Range.

	Option 1: Remove and Reduce Regulatory Control over Landscape and Amenity Values	Option 2: Zoning¹⁴	Option 3: Master Landscape Plan	Option 4: Landscape Overlay, Riparian Overlay, and Identified Trees	Option 5: Structure Plan – Biodiversity Corridors
			controls through the NRMP.		
Appropriateness	This option is inappropriate.	This option is inappropriate, and is not recommended.	This option is unnecessary if the Landscape Overlay in the Marsden Valley area is extended to cover land with identified landscape values consistent with the wider Plan approach.	This option is appropriate, and is recommended.	This option is appropriate, and is recommended.
Risk of Acting	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.	Adds a new method to the Plan. Adds extra information requirements and potentially a more detailed and complex consenting process. Approved Master Plan would lock development into that plan with limited ability to evolve over time as trends and the market changes.	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 Plan.
Risk of Not Acting	Limited risk as existing controls would remain.	Limited risk as existing controls would remain.	Limited risk as existing controls would remain.	Protection would not be placed on features which are identified as meeting the criteria for protection triggers.	A strategic approach to protection and establishing connections is not realised.

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Table 6: Land Stability and Natural Hazards

	Option 1: Zoning¹⁵	Option 2: Land Management and Fault Hazard Overlays	Option 3: Status Quo
Environmental, Economic, Social, Implementation, and Compliance Costs	<p>Future development options of land may be constrained and flexibility reduced.</p> <p>If considered in isolation of the Land Management and Fault Hazard Overlays, this option may afford unrealistic expectations in terms of development yields physically capable of being achieved.</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 small holdings zones of the site will be able to be used and 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 Plan was first notified there is a better understanding of some of the hazard overlays and their placement, to not up date the overlay boundaries to reflect this would with hold information.</p> <p>Techniques, skills and knowledge base have improved so overlay boundaries can be better assessed.</p> <p>The proposed change in land use patterns (from rural and lower density residential to more intensive residential) effects how hazards and stability features are assessed and can effect how they are shown.</p>
Environmental, Economic, Social, Implementation, and Compliance Benefits	<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 identifies through zoning patterns land that <u>may</u> be suitable for development, having taken into account the risk of land instability and hazards. Will</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.</p> <p>Urban development that proceeds in these areas will be on land that is suitable and/or certified for urban use, avoiding the risks to property and human life arising from natural hazards.</p>	<p>No work required to investigate changing the overlay locations</p>

¹⁵ **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.

	Option 1: Zoning¹⁵	Option 2: Land Management and Fault Hazard Overlays	Option 3: Status Quo
	<p>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>May indirectly promote greater integration of urban cluster development with open space areas, providing a transition to adjoining rural areas, particularly on hilly sites towards the fringe of the Residential Zone.</p>	
Overall Efficiency and Effectiveness	<p>Effective and efficient in achieving the Plan objectives and policies in 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.</p>	<p>Consistent with current methods in the NRMP. Effective and efficient in managing land stability and natural hazards within urban boundaries, while acknowledging they cannot offer a definitive spatial extent of those risks without further investigation.</p>	<p>This option is inefficient as it does not represent best practice and knowledge and can led to risk of development occurring in location it should not.</p>
Appropriateness	<p>This option is appropriate to the extent it relates to land at very high risk of slope instability, and is recommended.</p>	<p>This option is appropriate and is recommended.</p>	<p>This option is inappropriate and is not recommended.</p>
Risk of Acting	<p>Overall limited risk of acting as this is an existing method in the Plan. Main risk is if locations of risk areas are not properly researched.</p>	<p>Overall limited risk of acting as this is an existing method in the Plan. Main risk is if locations of risk areas are not properly researched.</p>	<p>Not applicable to this option.</p>
Risk of Not Acting	<p>Expectations of development potential in risk areas raised. Zoning pattern does not take into account known hazard areas.</p>	<p>Council negligent in not highlighting areas of known risk.</p>	<p>Council negligent in not highlighting areas of known risk.</p>

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Table 7: Services¹⁶ and Access

	Option 1: No Services Overlay	Option 2: Services Overlay¹⁷	Option 3: Structure Plan – Indicative Roads and Walkways
Environmental, Economic, Social, Implementation, and Compliance Costs	<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 more significant.</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 4</p> <p>Costs to be met by the developer in engineering design and construction of internal road networks.</p> <p>Walkway linkages through to the Brook and Bishopdale would likely have to be at cost to Council as 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 to the short-medium term to achieve those outcomes. The sustainability of a road link through this route is highly questionable in that context, and given projected growth within the Study Area.</p>
Environmental, Economic, Social, Implementation, and Compliance Benefits	<p>There is no benefit to this option as services still need to be provided, just the initial up front flag is not provided.</p>	<p>Is a means to identifying areas where extension of services is required to serve other land and contribute to the wider network.</p> <p>Service provision to accord with the new revised Engineering Standards, and design outcomes required in terms of low impact stormwater design, roading standards etc.</p>	<p>See Table 1, Option 4</p> <p>Promotes the most efficient road connections, having such matters as land stability, the access needs of adjoining land parcels, and integration with existing road networks.</p>

¹⁶ These options need to be considered in light of outcomes to be achieved through the new revised NCC Engineering Standards, as those also will assist in sustainable urban growth.

¹⁷ **Services Overlay:** Applies to all un-developed land within the urban boundary.

	Option 1: No Services Overlay	Option 2: Services Overlay¹⁷	Option 3: Structure Plan – Indicative Roads and Walkways
Overall Efficiency and Effectiveness	This is inefficient as the services still need to be provided but the up front flag for this is not highlighted. 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 service opportunities are currently deficient, and ensuring a response that will meet Plan policy. Ineffective once services have been provided on subdivision or to an area, as overlay remains and potentially has consent implications for future development.	Greater efficiency and effectiveness in achieving integrated planning, interconnectivity and service provision across property boundaries and between the valleys within and north of the study area. Once in the Plan provides certainty on connections, zoning and overlay requirements.
Appropriateness	This option is inappropriate, and is not recommended.	This option is appropriate, and is recommended.	This option is appropriate, and is recommended.
Risk of Acting	This is effectively a no action option, risk is that the lack of servicing is not highlighted early in the process.	Limited risk of acting as it is only a information flag that there are still servicing requirements for this land.	Roading and walkway locations are not shown in correct locations (rectified by indicative nature).
Risk of Not Acting	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.

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Table 8: Managing Cross-Boundary Effects¹⁸

	Option 1: Manage through Resource Consents Future Activities in Proximity to Certain Land Uses of Regional Significance	Option 2: Zoning as a Buffering Tool ¹⁹
Environmental, Social, Implementation, and Compliance Costs	<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>	<p>Future development options of land may be constrained and flexibility reduced.</p>
Environmental, Social, Implementation, and Compliance Benefits	<p>Greater flexibility for landowners to realise development potential if appropriate mitigation measures can be adopted.</p>	<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>

¹⁸ **Cross Boundary Effects:** Given existing and potential land use activities within and adjoining the study area, the Cemetery, the York Quarry, York Valley Landfill and Marsden Quarry are considered most significant and are of regional importance to the Nelson-Tasman area.

¹⁹ **Zoning as a Buffering Tool:** This has been provided for in the zoning of land (ie rural overlooking the York Quarry, or Open Space Recreation nearest the Marsden Quarry) and the location of zone boundaries (ie below the ridgeline adjoining the landfill site).

	Option 1: Manage through Resource Consents Future Activities in Proximity to Certain Land Uses of Regional Significance	Option 2: Zoning as a Buffering Tool ¹⁹
Overall Efficiency and Effectiveness	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 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 Quarry) allowing for not only continued operation but potential expansion of these activities.	Efficient and effective in achieving sustainable urban growth that avoids the adverse effects of incompatible land development.
Appropriateness	This option is inappropriate, and is not recommended.	This option is appropriate, and is recommended.
Risk of Acting	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).
Risk of Not Acting	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

Marsden Valley has retained its existing rural character for a long period of Nelson's European occupation. It has however been subject to a number of development planning exercises in recent years which have all looked to increase the residential development opportunities. The clearest signal of Council's further direction for the Valley was its inclusion in the Nelson Urban Growth Study 2006 (NUGS) as a residential growth area. This was followed by an approved application for residential scale subdivision in the Valley and a further application for a private plan change to further provide for residential use. This proposal also included suburban commercial zoning to act as a village centre for the area.

The private plan change application was adopted by Council and the scope broadened to include Enner Glynn and upper Brook Valley's. The pattern for zoning, overlays and linkages was developed on this wider scale. Plan Change 13 represents the original extent of land included in the private plan change application with the addition of one strategically positioned neighbouring property.

The main issues in developing this proposed Plan Change revolved around zoning patterns to provide for the direction set in NUGS while recognising the landscape importance of particular areas, the geotechnical constraints to increased development, the potential for connections between neighbouring valleys and from existing residential areas and the preservation of areas of vegetation and native habitat. Consideration was also given to avoiding placing new areas of housing in positions where conflict might arise from existing quarry operations, and provision for a mixed use village centre has been made to ensure a sustainable and living community is created.

Overall it is considered the proposed Plan Change 13 provides a zoning pattern and plan provisions which achieves the purpose of the RMA and allows for the creation of a functional community which responds to the opportunities and constraints of the environment in which it is situated.

This report summarises the evaluation undertaken by the council of the Plan Change 13 – Marsden Valley Rezoning 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.
- Overall, the environmental, social and economic benefits of having the proposed objectives, policies and rules within the plan outweighs any costs which may result. Therefore these methods are the most effective and efficient method of addressing the issues with the 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.