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## **Nelson Resource Management Plan: Efficiency and Effectiveness Review**

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### **1. Purpose of Report**

- 1.1 To present the Efficiency and Effectiveness Review of the Nelson Resource Management Plan (NRMP) for final Council adoption following consideration of targeted feedback from plan users and iwi.

### **2. Recommendation**

***THAT the report Nelson Resource Management Plan: Efficiency and Effectiveness Review (1527976) be received;***

***AND THAT the Efficiency and Effectiveness Review of the Nelson Resource Management Plan be adopted subject to the amendments outlined in this report (1527976);***

***AND THAT the report be adopted subject to the Chief Executive being delegated authority to make minor amendments to the Efficiency and Effectiveness Review, prior to finalisation.***

### **3. Background**

- 3.1 The Draft Efficiency and Effectiveness Review (the Review) of the NRMP was first presented to Council at the 9 August 2012 Council meeting. At that meeting the council resolved to let the report lie on the table until a recommendation on how to proceed with the Boffa Miskell report (the Nelson Landscape Study) could be finalised. A presentation of the Nelson Landscape Study was given by Boffa Miskell at the 29 November 2012 Council workshop.
- 3.2 At the 14 March 2013 meeting Council resolved to receive, and incorporate the Nelson Landscape Study into, the Review. While feedback is not required by the Resource Management Act for an efficiency and effectiveness review, Council also resolved to seek targeted feedback from plan users and iwi.
- 3.3 The Review was updated following the 14 March 2013 Council meeting and posted on Council's website. A copy of the Review (1486178) can be

found in the Council documents folder in the Google Drive and in the Councillors lounge.

- 3.4 Letters were sent to approximately 80 plan users and iwi in April 2013 seeking feedback through April/May. Feedback was received from nine parties including Tasman District Council, Marlborough District Council, Nelson Forests Limited, Department of Conservation, Planscapes, Incite, Boffa Miskell, Cawthron, and NIWA.
- 3.5 Feedback from iwi was received via the Kotahitanga Hui in August 2012, along with additional comments in the April/May 2013 round of feedback.
- 3.6 A full copy of the feedback received (1529358) can be found in the Council documents folder in the Google Drive and in the Councillors lounge. An analysis of this feedback and recommended actions is outlined below.

#### **4. Summary of Key Feedback and Discussion**

- 4.1 Feedback received was generally positive and supported the logical analysis and clear link to the future work programme provided in the Review. Other key feedback is grouped by respondent type, summarised and considered below:

##### **Councils**

- 4.2 Neighbouring Councils expressed concern about utilising comparative resource consent statistics as a gauge for efficiency due to the different nature of the Nelson/Tasman/Marlborough environments. Councils also saw some merit in identifying areas where Councils could work collectively particularly where a resource crosses a local authority boundary.
- 4.3 It is inappropriate to use comparative consent data across the top of the south to gauge efficiency due to different environmental, growth, and consenting factors. There is merit in identifying areas where Councils could potentially collaborate.
- 4.4 Recommendation
  - 4.4.1 Remove reference to comparative resource consent data across the top of the south relating to the number of resource consents (Total and notified) and the proportion of resource consents to building consents from the efficiency chapter
  - 4.4.2 Include the following recommendation in Landscape, Maori, Coastal, Significant Vegetation and Fauna, Energy, Growth, Freshwater, and Transport chapters:
    - Explore opportunities to work with Tasman and Marlborough District Councils.

## **Iwi**

- 4.5 Iwi have highlighted the importance of Iwi Management Plans, the need for Te Tau Ihu Councils and iwi to work together, and the need for Councils to provide for cultural harvest of Nga Taonga Tuku Iho (treasures of our past) on Council owned land.
- 4.6 Iwi Management Plans are key documents that are designed to guide resource management decisions. The Efficiency and Effectiveness Review provides an analysis of recent plan changes that indicates that Iwi Management Plans are taken into account in policy development. The recommendations of the review highlight the need to keep these current.
- 4.7 The Maori recommendations already highlight that Nelson City Council is working with iwi on heritage and significant natural areas and will work with Iwi in the development of freshwater and coastal planning. However this is not expressed in the specific recommendations in other relevant chapters. Opportunities to work with both iwi and Councils across Te Tau Ihu are currently being explored and should be further explored.
- 4.8 Cultural harvest of maori treasures on Council owned land is provided for in Council's Planning documents. The Treaty of Waitangi objectives in the Nelson Regional Policy Statement acknowledge the need to provide for the relationship of Maori with taonga (treasures) and access to areas of culturally important materials including mahinga kai (traditional food harvest) areas. NRMP Policy DO1.1.4 indicates that access should be provided to traditional resources within public reserves, water bodies, and coastal water, consistent with preserving natural values. Access to these places is provided for in the Coastal Marine Area and Open Space and Recreation zones, via reserve management plans, and through the provision of esplanade reserves/strips that are created at the time of subdivision.
- 4.9 Recommendation
- 4.9.1 Alter the Maori recommendations on page 130 as follows:
- Progress the Heritage Inventory Project, the Significant Natural Area Plan Change, and where requested ~~involve~~ work with iwi in implementing the NZCPS and NPS Freshwater Plan Changes.
  - Work with iwi and identify specific sites for mahinga kai (traditional food harvest).
- 4.9.2 Alter the Coastal, Freshwater, Heritage, Maori, Freshwater, Significant Vegetation and Fauna recommendations as follows:

- Explore opportunities to work with Te Tau Ihu iwi in developing resource management planning.
- 4.9.3 Add the following to the “Resource Management Plan Policy Direction” section of the Maori chapter:
- “NRMP Policy DO1.1.4 indicates that access should be provided to traditional resources within public reserves, water bodies, and coastal water, consistent with preserving natural values. Access to these places is provided for in the Coastal Marine Area and Open Space and Recreation zones, via reserve management plans, and through the provision of esplanade reserves/strips that are created at the time of subdivision.”

### **Science Research Institutes**

- 4.10 Science research institutes (Cawthron and NIWA) focussed feedback on ensuring the review was technically correct and offered examples of additional monitoring work that may be usefully added in the future.
- 4.11 A number of pieces of work were highlighted (refer Cawthron and NIWA feedback) that, once completed, would help inform the state of Tasman Bay ecology. As this work has not been completed it is recommended that an action in the Coastal recommendations should include compiling additional monitoring work. This work will help inform Council’s response to the New Zealand Coastal Policy Statement that is due to commence in the 2013/2014 financial year.
- 4.12 The technical alterations should be undertaken where they make the report more technically correct.
- 4.13 Recommendations
- 4.13.1 Add the following to the Coastal recommendations:
- Continue coastal State of the Environment Monitoring and consider extending to remaining significant estuaries.
  - Compile further coastal monitoring work to determine potential impacts on shell fisheries and marine ecology in Tasman Bay including coastal habitat mapping and consent monitoring data.
- 4.13.2 Make technical corrections to the report as outlined by Cawthron in their feedback.

### **Nelson Forests Limited**

- 4.14 Nelson Forests Limited sought clarification that the water quality issues were not apparent in the Nelson North rural area and were more of a central and southern Nelson issue. Concern was also raised that the link between forestry and ecological/landscape impacts is tenuous and that the key findings and recommendations should be revised accordingly.

- 4.15 Nelson Forests Limited are correct in that water quality issues appear to be more predominant in urban areas. This is outlined in the Nelson Biodiversity Strategy Technical report (467041) (see page 142 of the Review). There are however a number of technical documents referenced in the Review that highlight the potential for forestry to be impacting on water quality and landscape values in particular.
- 4.16 Councils State of the Environment monitoring indicates that "Other factors including forestry clearance and earthworks associated with urban development also contribute to elevated sediment and nutrient yields through surface runoff but are not directly monitored". (page 142-143 of the Review). Cawthron (519798) also highlighted forestry as a potential cause of elevated nitrate levels in Sharland Creek. "Possible sources [of nitrogen], such as inputs from extensive tracts of recently logged/young exotic forest and underlying bedrock, were considered but no single source was apparent." (page 150 of the Review).
- 4.17 Councils most recent "River and Stream Health Annual Monitoring Summary 2012" (1498217) has also signalled that "Council staff will be working with forestry companies to look at ways to buffer waterways from local logging activities" due to elevated nitrate levels in the upper Whangamoia catchment.
- 4.18 The Nelson Landscape study also highlights that a number of landscape areas are sensitive to forestry including the town belt, the Maitai, Barnicoat, Dunn Mountain, the border of State Highway 6 in northern Nelson, and the Coastal edge from Cape Soucis to the Glen.
- 4.19 The Review also indicates that Council's planned forestry operations also have the potential to impact on landscape, ecological, and freshwater values due to their location and scale (see pages 188 and 200 of the Review).
- 4.20 As a result of the findings of these technical studies the Review contains key findings such as "a better understanding of forestry operations will also help anticipate future ecological, flooding, and landscape impacts". Key recommendations also include "contact forestry companies to ascertain when and where forestry areas are planned to be logged to help determine potential future ecological and landscape impacts"
- 4.21 Given that the impacts of forestry are not definitive, it is recommended that the forestry statements are altered as outlined below.
- 4.22 Recommendation
- 4.22.1 Alter Key findings summary referenced in the Contamination, Freshwater, Soil, and Riparian and Coastal Margins chapters to clarify that water quality issues are in "most of" Nelson's waterways.
- 4.22.2 Amend relevant key findings as follows:

- “a better understanding of forestry operations will also help anticipate the potential for future ecological, freshwater, and landscape impacts”

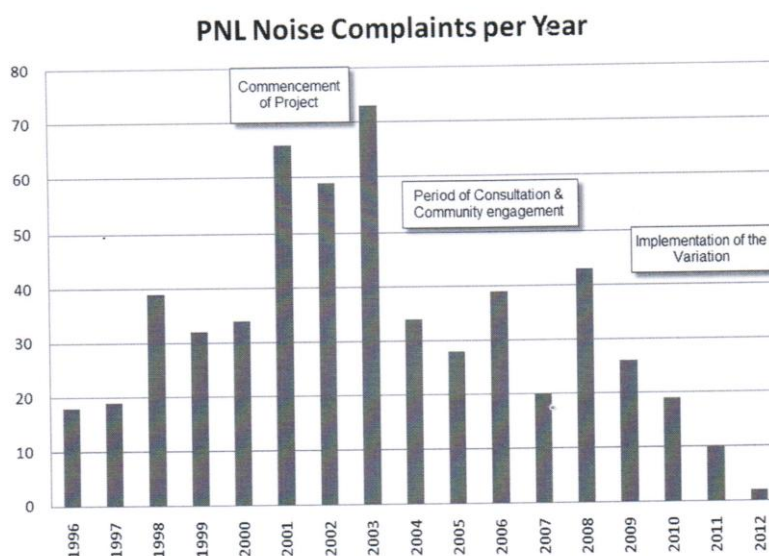
#### 4.22.3 Alter relevant Key recommendations as follows:

- contact forestry companies and landowners to ascertain when and where forestry areas are planned to be logged to help determine the potential for future ecological, freshwater, and landscape impacts”

### **Planning Consultants**

- 4.23 Planning consultant’s feedback was more varied with a focus on the need for more robust monitoring around amenity issues, such as the quality of the built environment and subdivision, and endorsed the need to review Plan Change 14(PC14) outcomes in the next efficiency and effectiveness review. This review should also include the Land Development Manual (LDM). Clarifying that density increases along transport routes were higher relative to other areas generally, was also considered important. Consultants saw the Nelson Development Strategy as a key piece of work to inform future planning. Consultants also saw the need to review the earthworks provisions particularly from an efficiency perspective. Additional port noise monitoring data was also provided.
- 4.24 It is difficult to assess quality of subdivision and development generally. The Efficiency and Effectiveness report relies on resident surveys to gauge satisfaction with development outcomes. One way of gauging whether development is achieving plan outcomes would be to engage an urban design expert to assess a random sample of consents. The amenity section of the Review recommends that Heritage and Heart of Nelson Plan Changes are progressed and PC 14 outcomes are monitored. As part of this work an urban design assessment could be undertaken to address the issue raised in this feedback
- 4.25 As noted, monitoring the outcomes of PC14 is already identified in the amenity recommendations. PC14 includes the introduction of the LDM into the NRMP so it would be appropriate to include reference to the LDM in the amenity recommendations. The review of the LDM is also on the work programme for 2013/2014.
- 4.26 Undertaking a review of the earthworks controls as part of the NPS freshwater project is also included in the efficiency recommendations of the Review.
- 4.27 Densities are higher along transport corridors relative to other areas so this should be clarified. Amenity issues will need to be considered as plan changes are undertaken relating to intensification and transport integration highlighted in the growth recommendations.

- 4.28 Port Noise monitoring information will provide an interesting contrast to Council Noise complaint information so should be included following the Council Complaints Data Base 2001-2011 on pages 98 and 99.
- 4.29 Recommendation
- 4.29.1 Alter the amenity recommendations to include reference to the LDM as follows:
- Implement and monitor the outcomes of Plan Changes 21 and 14 (including the Land Development Manual).
- 4.29.2 Amend the key findings section of the transport chapters (p18 and p118) as follows:
- Household density is increasing in town centres and along main transport routes relative to other areas.....
- 4.29.3 Insert the following on Page 99.
- 4.29.4 Port Nelson Limited Noise complaints monitoring information shows the number of complaints received by the Port between 1996-2012.



- 4.29.5 This shows a significant drop off in the number of complaints since the port noise variation was implemented.

### **Department of Conservation**

- 4.30 The Department of Conservation indicated that the Registration Report for the Nelson Boulder Bank Historic Area would be a useful addition to the heritage section of the review.
- 4.31 Recommendation

- 4.31.1 Add a summary of the Registration report for the Nelson boulder bank Historic Area to the Heritage chapter as outlined below:
- "Nelson Boulder Bank Historic Area Registration Report
- 4.31.2 This report assesses the heritage significance of the Boulder Bank. The Boulder Bank has been found to possess aesthetic, archaeological, architectural, cultural, historical, social, technological, and traditional significance and value. The report contains a thorough assessment of these features and considers that the Boulder Bank qualifies as part of New Zealand's historic and cultural heritage.
- 4.31.3 The key elements that contribute to the historic area are described as follows:
- The baches and their surrounding outbuildings, picnic tables and planted vegetation.
  - Lighthouse tower and remnants and structures around it.
  - Remnants of one of the powder magazines and nearby slipway.
  - Foundations of the dragline winch-house and other structures associated with the dragline on both the Boulder Bank and Haulashore Island.
  - Old wharf on the northern side of the Cut.
  - Maori and European Archaeological sites.
  - Farm track at the northern end of the Bank.
  - Visible pedestrian tracks through the lichen/moss and over the boulders.
  - View seaward over Tasman Bay and landward to Atawhai, the city centre and port.
  - Low profile of the baches.
  - The sole readily identifiable vertical element introduced into the landscape by the lighthouse tower.
  - Boulder beaches and gravel ridges in a range of profiles.
  - Fifeshire Rock as a sentinel marking the old harbour entrance.
- 4.31.4 The New Zealand Historic Places Trust recommends that the Nelson Boulder Bank Heritage Area and associated heritage buildings and archaeological sites are added to the NRMP."

## **General**

- 4.32 A number of respondents highlighted the need for a bibliography and glossary of terms and the need to improve the visual quality of diagrams and figures for the final report. It is considered that this is appropriate for the final document.

## **5. Conclusion**

- 5.1 Overall the NRMP can be made more efficient and effective. Provision has been made in the 2012-2022 Long Term Plan to improve the



efficiency and effectiveness of the NRMP as part of the rolling review. Feedback from plan users and iwi will add value by making the Efficiency and Effectiveness review as comprehensive as possible. It is recommended that changes are made to the efficiency and effectiveness review as outlined in this report.

Matt Heale

**Principal Adviser Resource Management Planning**

### **Attachments**

No Attachments

Supporting information follows.

<b>Supporting Information</b>	
<b>1. Fit with Purpose of Local Government</b>	The Efficiency and Effectiveness Review is a regulatory function required by the Resource Management Act 1991.
<b>2. Fit with Community Outcomes and Council Priorities</b>	Ensuring the Nelson Resource Management Plan is efficient and effective and contributes to Councils outcomes, particularly Healthy Land, Sea, Air, and Water, People Friendly Places, A Strong Economy, and Kind and Healthy People. The Nelson Resource Management Plan also makes a significant contribution to achieving Councils priorities by making Nelson an outstanding place to live (A Leading Lifestyle), connecting people to the fabric of the city (A Rich Diverse Community), enhancing urban design, influencing how the City is planned and developed (Community Hubs), strengthening links to the natural environment (Active Lifestyle), protecting the City's environment (The Nelson Edge and The Natural Environment) and heritage (A creative City).
<b>3. Fit with Strategic Documents</b>	The Efficiency and Effectiveness Review has considered the need to "give effect to" the Nelson Regional Policy Statement.
<b>4. Sustainability</b>	The Efficiency and Effectiveness Review has been assessed against the sustainable management purpose of the Resource Management Act.
<b>5. Consistency with other Council policies</b>	No consequential inconsistencies with other Council policies.
<b>6. Long Term Plan/Annual Plan reference and financial impact</b>	The recommendations of the Efficiency and Effectiveness Review have been considered in formulating the funding requirements in the Nelson Long Term Plan 2012-2022.
<b>7. Decision-making significance</b>	This is not a significant decision in terms of the Council's Significance Policy.
<b>8. Consultation</b>	Feedback from plan users was sought through April/May 2013 in finalising the Efficiency and Effectiveness Review.
<b>9. Inclusion of Māori in the decision making process</b>	A presentation of the key findings of the Draft Efficiency and Effectiveness Review was given at the 17 August meeting of Kotahitanga. Further feedback was also sought from iwi to inform the final Efficiency and Effectiveness Review.

**10. Delegation register reference**

Decision of Council.