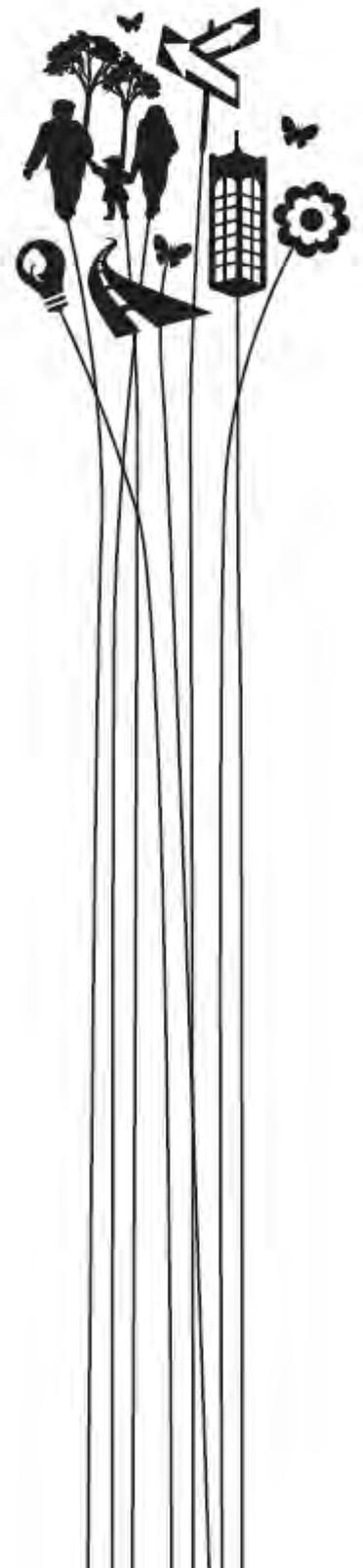


TOWARDS BETTER
urban design



NELSON CITY COUNCIL

Nelson Resource Management Plan

Proposed Plan Change 14

Residential Subdivision, Land Development
Manual and Comprehensive Housing

Section 32 Report

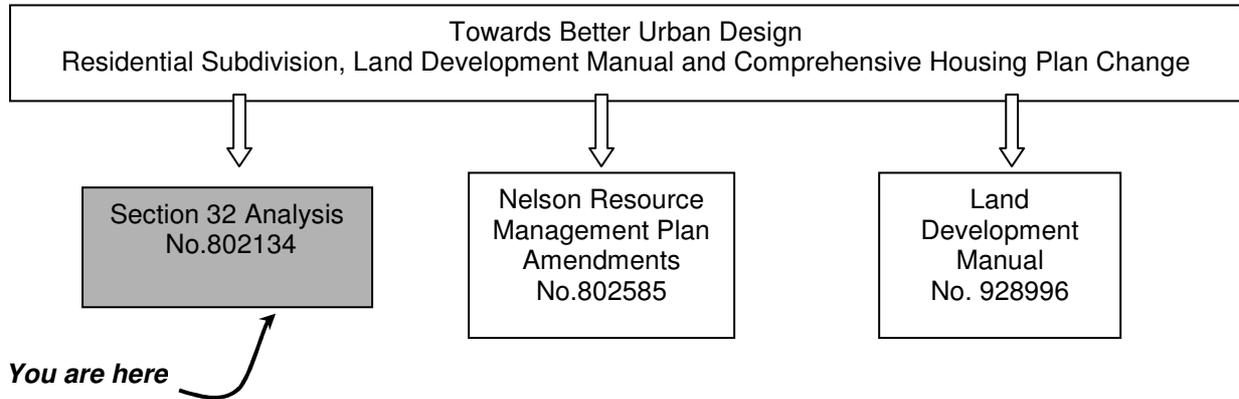
25 September 2010



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Document Map

The Residential Subdivision, Land Development Manual and Comprehensive Housing Plan Change is made up of three integrated documents as illustrated below. The Section 32 Analysis and Plan Change Amendments are part of the statutory plan change process outlined in Part 1 of Schedule 1 of the Resource Management Act 1991, and the NCC Land Development Manual 2010 is an externally referenced document as described in Part 3 of Schedule 1. All documents are available on the Council website www.nelsoncitycouncil.govt.nz.



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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 14 Residential Subdivision, Land Development Manual and Comprehensive Housing.

1.2 Steps followed in undertaking the Section 32 evaluations

The Section 32 evaluation has been an iterative process which commenced at the start of the plan change project, and has been defined and redefined as the policy drafting progressed. The broad steps which this Section 32 evaluation follows are:

1. identifying the resource management issue
2. setting the approach to the Plan Change.
3. identifying the consultation undertaken.
4. determining the appropriateness of the Plan Change in achieving the Purpose of the RMA through identifying the range of options, the costs and benefits of those options, and the risks of acting or not acting.
5. evaluating the extent to which each objective achieves the purpose of the RMA.
6. evaluating whether the policies, rules or other methods are the most appropriate for achieving the objectives in terms of their efficiency and effectiveness, benefits and costs, and in regards to the risk of acting or not acting.

Further explanation on how this is undertaken in this report is provided in sections 1.2.1-1.2.4 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 for readers 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 Approach to the Plan Change

Prior to going into detail on the objectives, policies and rules of the proposed plan change, it is appropriate to consider the overall options for facilitating the plan change. The evaluation of appropriateness and alternative policy options and approaches has been undertaken under the headings of advantages/benefits and costs and risks of acting or not acting.

1.2.3 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 RMA. Appropriateness is not defined in the RMA. 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 of the RMA. Often these assessments require value judgements because they are not readily quantified. The objective is also tested against how well it addresses the elements of the issue.

1.2.4 Evaluation of policies and methods (including rules) – what is Council going to do to achieve the objective

The evaluation of appropriateness indicates the extent to which the proposed policies, methods and rules contained in the Plan Change are the most appropriate for achieving the objectives.

The NRMP has adopted a rule based regime, based on compliance with relevant environment standards. This approach has been thoroughly considered through the plan preparation, submission and hearing process when the Operative NRMP was originally notified. For this reason it is not proposed to reconsider the merits of this approach in this report.

Section 32 requires the appropriateness of the proposed policies, methods or rules to be examined in terms of achieving the objectives of the NRMP. In examining the policies and methods, regard should be had to their effectiveness and efficiency. The benefits, costs and relevant risks associated with the provisions are also examined.

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

2.1.1 Towards Better Urban Design

The pursuit of good urban design is part of Council's legislative and strategic planning mandate. The background Section 2.1 of this report sets the planning context by describing the planning mandate and identifying the statutory and non statutory drivers for better urban design. The issue identification part of the report in Section 2.2 then explores the role of better urban design in Nelson, with particular focus on residential subdivision and comprehensive housing.

Better urban design is a goal that has many connected facets, both derived from the policy that controls land use and the institutional processes that Council utilises in everyday operations and management. This Plan Change is one of many interrelated projects all seeking to achieve better urban design for the community. The successful implementation of each project is dependant upon the others. Figure 1 on the following page summarises the policy and institutional framework for the planning, operation, monitoring and reporting opportunities to influence a higher standard of urban design for Nelson. It is useful to understand the cross department, cross function and cross administration requirements of achieving such a goal, and to highlight related and future projects required to achieve the bigger picture vision of Better Urban Design. The issues are as much to do with creating new policy responses to encourage better urban design as they are with integrating Council administration process to support such an approach. This necessitates a commitment to an across department and across planning and operations of Council approach.

This Plan Change focuses, on achieving the goals of improved urban design district wide and in particular for subdivision in the Residential Zone, and improving the frequency of use, and quality of, comprehensive housing development. The project is closely aligned with the review of the Nelson City Council Engineering Standards 2003 (to be renamed the Nelson City Council Land Development Manual). Figure 1 below, illustrates other related projects being pursued concurrently (but in a staged manner) by Council such as Residential Intensification, the Central City Strategy, the Marsden Valley, Enner Glynn and Nelson South Structure Plans, which also form part of the suite of reviews and tools all seeking to achieve better urban design for accommodating growth in Nelson.

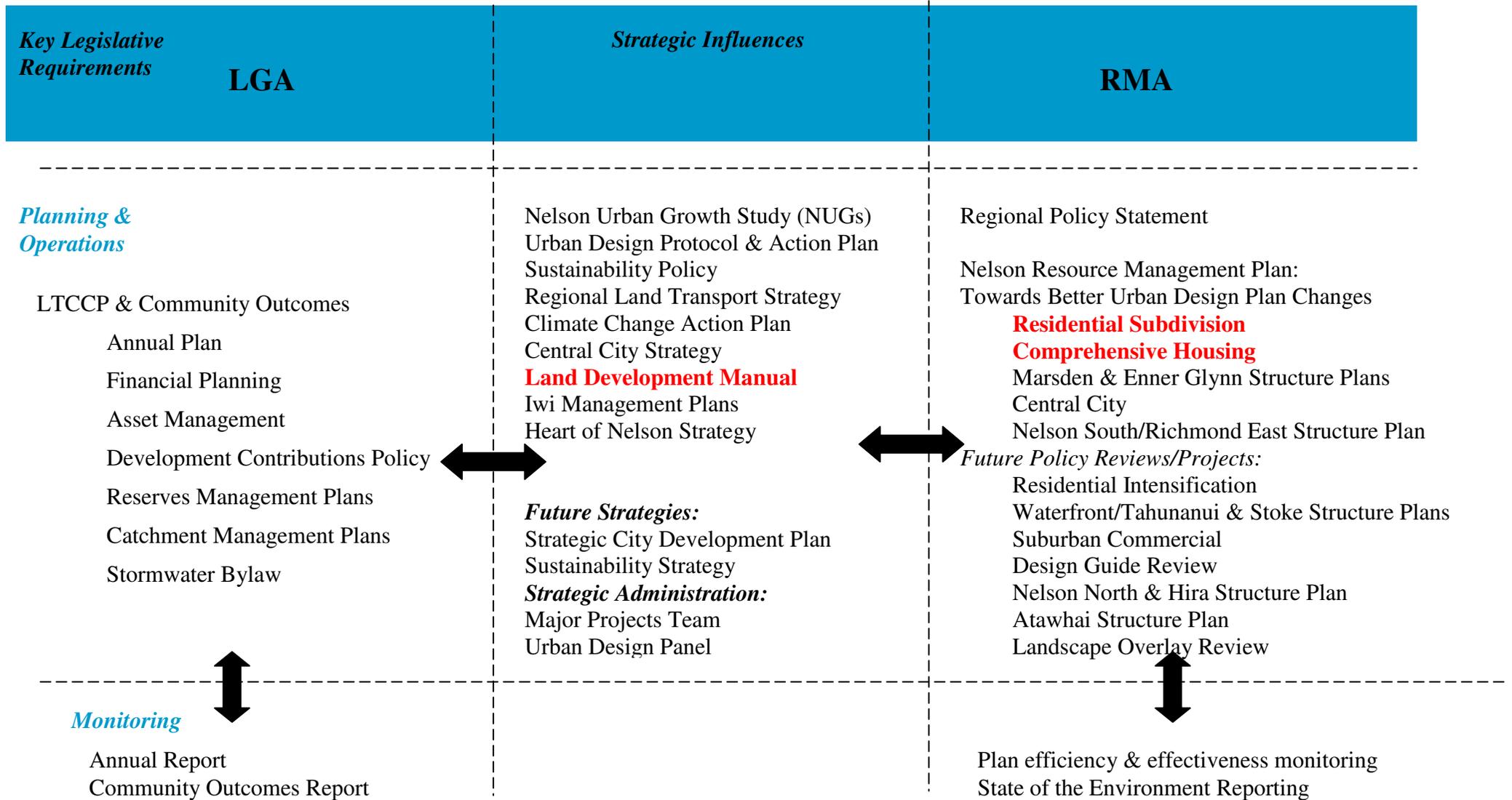
Changes to the NRMP as a result of this Plan Change include the objectives and policy framework, the subdivision and comprehensive housing rules for the Residential Zone and the relationship with the Engineering Standards and Appendices 6, 10 to 14, and 22. The necessary other methods and institutional changes to support such provisions and encourage use of them by the development community are also identified. As such the scope of this analysis and any future recommendations derived from it is merely one stage in the bigger picture of pursuing better urban design through the NRMP. Subsequent proposed stages for future projects are identified in Figure 1.

The need for this Plan Change has been created by Nelson City Council's changing planning mandate, the NCC Urban Design Action Plan, the Nelson Urban Growth Strategy, the Nelson Richmond Intensification Study, general opinions of the public (residents satisfaction survey) and anecdotal evidence of Councillors, staff, development consultants and applicants that we could do better in accommodating residential growth in a manner that achieves a high standard of urban design in our city/neighbourhoods.

While this section 32 analysis identifies the policy problem it is acknowledged that Council has undertaken limited Plan Effectiveness monitoring with respect to the current NRMP standards for residential subdivision and development to substantiate the Plan Change. An assessment of a selection of recent subdivisions and comprehensive housing developments has been undertaken against the urban design objectives of the NCC Urban Design Protocol Action Plan which have revealed both NRMP policy, and Council policy and procedural issues and barriers, to achieving good urban design. A summary of the issues raised in the assessment is located in section 2.2.2.

Figure 1: Towards Better Urban Design - The Big Picture

Policy & Institutional framework for planning, operation, monitoring & reporting opportunities to influence & implement better urban design¹.



¹ Note: This diagram is representative of Environmental Policy work programme and other Council projects in relation to the Better Urban Design goal, and is subject to change and reprioritisation with respect to the future projects identified.

The statutory background sets up the context within which the pursuit of better urban design for Nelson operates and provides the background to this Section 32 analysis necessary to understand the issues and the costs and benefits of proposed policy and rules in this Plan Change. Each piece of the statutory context is briefly outlined below and summarised in Figure 2 on page 10. Figure 2 also includes the various Council responses in terms of local government policy and strategies.

2.1.2 Local Government Act 2002 and the Long Term Council Community Plan 2009-2019

Nelson City Council is committed to the long term pursuit of sustainable development and good urban design for our communities. The mandate for the commitment to sustainable development comes from the Local Government Act 2002 and is sought through the Long Term Council Community Plan which identifies the six community outcomes that define a vision of sustainable development for Nelson.

The commitment to better urban design is part of the sustainable development mandate and is sought through the LTCCP community outcomes, specifically:

LTCCP Outcome 2: People-friendly places - we build healthy, accessible and attractive places and live in a sustainable region. It is however considered that a successful policy approach to the issues identified in this analysis will achieve positive outcomes relevant to all six of the identified Community Outcomes.

2.1.3 Urban Design Action Plan 2008-2010

The need for better urban design has been ratified through Council becoming a signatory to the NZ Urban Design Protocol. The Protocol is a voluntary commitment to specific urban design initiatives. As a signatory Council is required to champion urban design through the implementation, monitoring and reporting of an action plan to pursue the goal (refer to Appendix I for the NCC Urban Design Protocol Action Plan). The NCC Urban Design Action Plan identifies the following action points directly relevant to this project.

No.	Action
12:	Develop a Central City Strategy which will consider urban form, land uses, intensification, building design, open spaces, linkages etc
14	Carry out plan changes to the NRMP to include explicit urban design objectives and policies, and ensure that rules support these objectives.
18:	Advocate, encourage and provide for a wider range of choice in housing, commercial and industrial premises.
19	Develop process to ensure Council's urban design objectives are considered in relevant Council decision making.

2.1.4 Nelson City Council Sustainability Policy 2008

Nelson City Council has demonstrated its commitment to sustainable development as required under the Local Government Act 2002, by creating a Sustainability Policy (and associated Action Plan) to guide Council's strategic direction, strategy and policy development and business plans. This is to be included in the organisation's performance measures. The key action is: *'Make sustainability a key goal in all Council decisions, plans (including Asset Management Plans), strategies, policies and actions, particularly where there are significant sustainability implications.'*

2.1.5 Regional Land Transport Strategy June 2009

The RLTS has a long term vision and mission of providing *"a sustainable transport future for Nelson; and to have a land transport system that is safe, efficient, integrated and responsive and that meets the needs of the region in ways that are environmentally, socially and economically sustainable"*. The Strategy identifies under Traffic Demand Management TDM Policy 3 : *Promote the location of housing, jobs, shopping, leisure, education and community facilities and services to reduce the demand for travel and encourage the use of transport modes other than private motor vehicles.*

The activity identified to achieve this policy that relates to the residential subdivision provisions of the NRMP is : *Revise the Nelson Resource Management Plan to ensure that subdivision designs provide for safe and convenient bus services appropriate wheelchair/mobility scooter standards, and convenient walking/cycling networks.*

The activity in relation to residential intensification is:

Review Nelson Resource Management Plan rules with regard to the locational requirements for new developments and activities; promote the co-location of urban developments which reduce the overall demand for travel and which are conveniently located to bus, walking and cycling networks through intensification and mixed use developments and deter developments which adversely impact on the efficiency of transport routes.

2.1.6 Resource Management Act 1991 and the Nelson Resource Management Plan

The development of land is controlled by the Nelson Resource Management Plan developed under the Resource Management Act 1991 with its purpose to pursue sustainable management of natural and physical resources. The RMA contains an explicit obligation to *...maintain and enhance amenity values...* and the *...quality of the environment...* and allow for the *...efficient use and development of natural and physical resources (s7 RMA)*. This goal is implemented by the NRMP provisions which require the assessment of environmental effects through the resource consent process in accordance with the Act. Relevant current provisions will be discussed in the issues Section 2.2 of this assessment report.

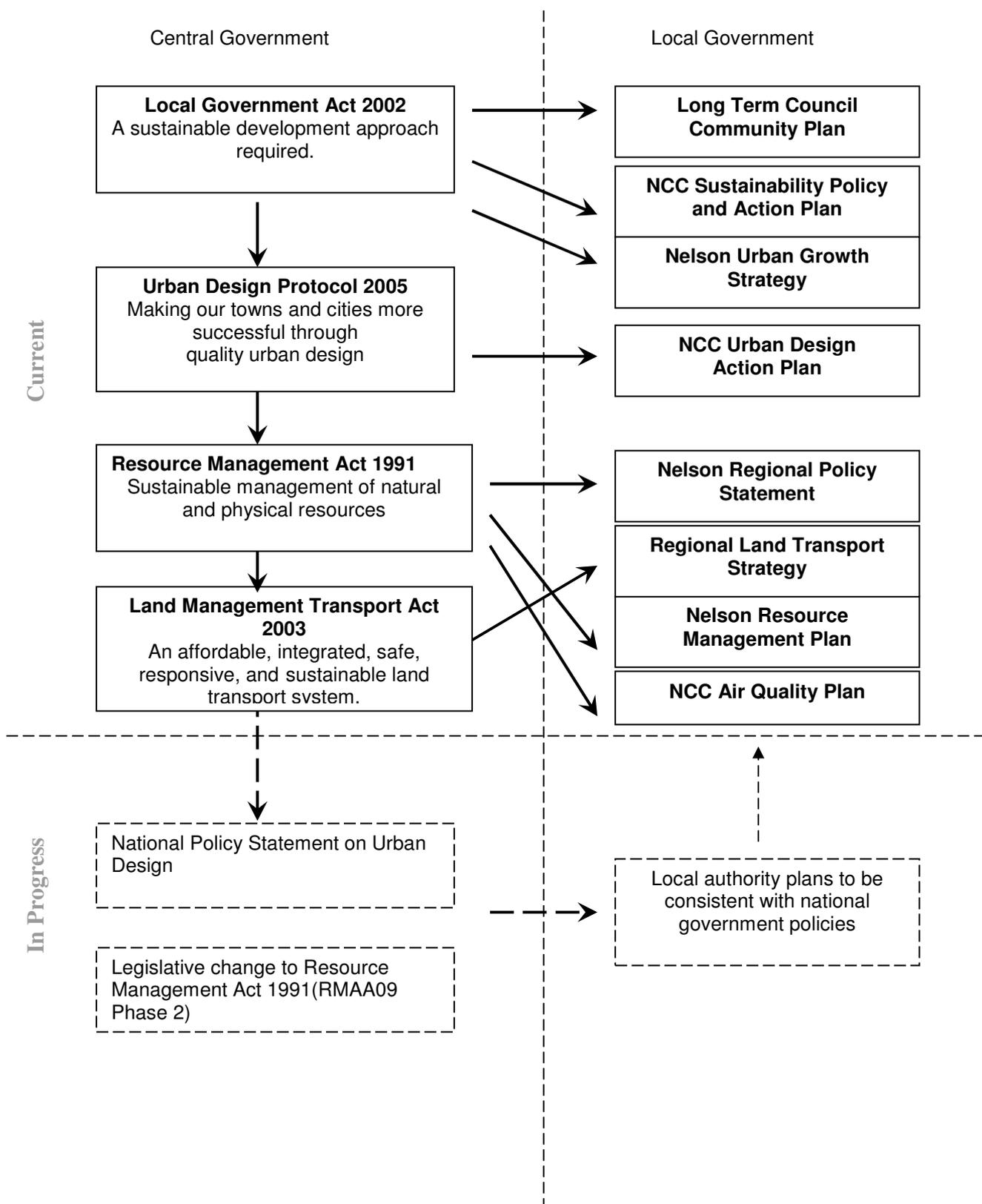
2.1.7 The Nelson Urban Growth Strategy 2006 (NUGs)

The NRMP controls the location and direction of urban development within the region through the use of zoning and rules relating to development form. The need to accommodate further urban growth and redevelopment in the future, and the form it should take, was assessed through the Nelson Urban Growth Strategy 2006 (NUGs) process. The strategy identified that the land available for future residential development in Nelson was limited to supply for an additional 8 years of growth from 2006 when NUGs was completed. Under current growth predictions, and including land since rezoned Residential in the Ngawhatu and Marsden Valleys area this prediction is approximately 17 years from 2010. In considering how to accommodate growth in the future, options were identified by the community through submissions, questionnaires, presentations, public meetings and the annual resident's survey (2004). Strongly favoured options included intensifying in existing urban areas, and retaining medium density provisions for residential housing in greenfields areas.

2.1.8 Changing Planning Mandate

The planning mandate for local authorities in New Zealand has been subject to considerable change and development since the introduction of the RMA 1991 and the LGA 2002. The pursuit of good urban design is a relatively new goal, not directly sought through the RMA 1991 and subsequent first generation district plans. Currently central government is working on two further new initiatives. The Ministry for the Environment has sought feedback on the content for a National Policy Statement on Urban Design. Such a National Policy Statement (NPS) will further strengthen Council's mandate with respect to planning for good urban design, and will require that the NRMP reflects the intentions of the NPS. The Department of Internal Affairs has consulted on a discussion document "Building Sustainable Urban Communities" which explores approaches to sustainable development in NZ and potential legislative changes required to support them. The RMA reforms Phase II seek to assess urban design issues around providing incentives for developers for better urban design, reassessing the concept of metropolitan limits and their effects on section prices, and the integration of infrastructure required to support urban development in the right place at the right time. This is setting the scene for a strategic approach to improving urban design.

Figure 2: Statutory Context Diagram – Towards better urban design



2.2 IDENTIFICATION OF ISSUES

2.2.1 Urban Design, Subdivision and Land Development

This section identifies the policy problem, definitions, and issues surrounding the pursuit of better urban design including substantiating the focus on residential subdivision and comprehensive housing as a first stage plan change.

2.2.1.1 What is Urban Design?

The NCC Urban Design Protocol Action Plan describes the definition of urban design as follows: Urban design considers the design of our town and cities. It includes the design of buildings, spaces and networks (e.g. streets), and the relationships between them.

- (a) Urban design has a significant influence on people, because our everyday lives are connected by the environments we share in our towns and cities.
- (b) Urban design is concerned with the environmental, economic, social and cultural consequences of the way our towns are designed and developed.

2.2.1.2 A definition of Subdivision

Section 218 of the Resource Management Act 1991 defines the meaning of “subdivision of land” as the division of an allotment by various means including cross-leases, company leases, unit titles, and for leases which are for 30 years or longer (including renewals). The term “development” is not defined in the RMA1991 nor the NRMP but is commonly acknowledged to include not only subdivision but also other works that do not involve subdivision, such as a new building, road or space.

It has been argued that subdivision is simply a means of establishing title to land, and that it has no environmental effects in its own right. However, many of the effects associated with subdivision are effects of the land uses that are carried out as part of the ‘land conversion process’ or those that follow closely on the newly created lots. Roads, reserves and public spaces are created as a result of subdivision, and urban design is important in these publicly owned domains. The long life time of subdivision layouts, associated infrastructure and built structures mean that subdivision design has implications for decades to come so it is important to ensure urban design outcomes are sought at the start of the land conversion process.

2.2.1.3 A definition of Comprehensive Housing

Comprehensive Housing Development is defined in the Nelson Resource Management Plan as:

‘...three or more residential units, designed and planned in an integrated manner, where all required resource and subdivision consents are submitted together, along with sketch plans of the proposed development. The land on which the proposed residential units are to be sited must form a separate, contiguous area.’

A more general definition of Comprehensive Housing Development is: *An integrated and planned multiunit residential development of a contiguous block of land.*

2.2.1.4 Current Subdivision and Development Administration System Issues

The method that the Nelson Resource Management Plan uses to control subdivision is through compliance with predominantly prescriptive plan rules and the minimum standards in the NCC Engineering Standards 2003. This is an approach that has underpinned land development for decades and has been, until recently, common place throughout New Zealand.

The residential subdivision and site development sections of the NRMP were notified in October 1996 (operative November 2005) and have for the most part remained unchanged over the last 12 years. Council has embarked on a process of ‘rolling review’ of the NRMP in accordance with the recent introduction of the RMA Amendment Act 2009 which requires that provisions are reviewed before they are 10 years old. The majority of the NRMP has reached ten years of operative status and Council has a statutory obligation to review it.

The current NRMP rules controlling subdivision and land development rely on the implementation of minimum standards detailed in the NRMP and the Nelson City Council Engineering Standards. This provides a level of certainty for developers. The Engineering Standards were last reviewed in 2003, prior to the release of NZS4404:2004 Land Development Engineering, the national guiding document against which many local authorities base their standards. NZS4404:2004 has since been reviewed and in the course of undertaking this assessment a draft NZS4404:2010 has been released for public comment.

Good urban design approaches to subdivision and land development are not easily pursued under the current NRMP rules and Council’s administration processes. There are a number of hurdles and barriers to the pursuit of a good urban design that exist simply because the rules and administrative systems were not developed to explicitly achieve that goal. The most significant barrier to achieving better urban design through residential growth is that Council’s management of subdivision and development does not reflect Council’s current good urban design and sustainability planning mandate. The barrier has two components to it:

- (i) the rules and standards that control development and
- (ii) the administration processes within Council.

Both barriers are mutually exclusive, in that both need to be resolved to encourage better urban design. Non-compliance with the current NRMP controlled activity standards for subdivision does not necessarily mean that an application will create adverse environmental effects nor that it doesn’t represent good urban design. Likewise a disjointed Council departmental approach, different departmental goals, inadequate resources and a lack of guidance and knowledge within Council can be representative of the administrative barriers in pursuing an application for other than a controlled activity. An assessment of a selection of recent subdivisions against the urban design objectives in the NCC Urban Design Protocol Action Plan has highlighted both the NRMP policy and Council policy and procedural barriers. A summary of the results of this analysis are contained in Section 2.2.2.

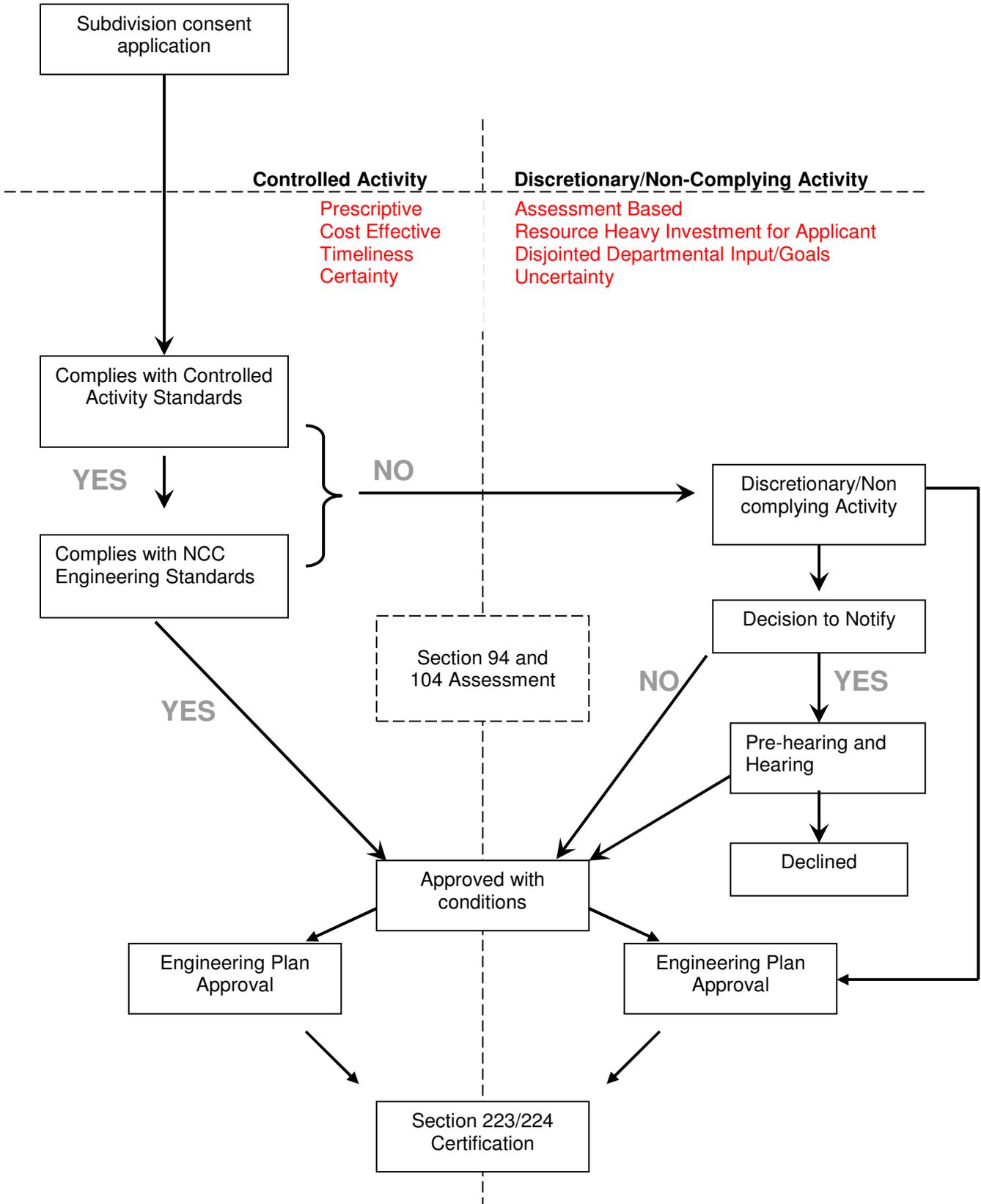
Development of our neighbourhoods can no longer be treated as a standardised exercise involving the layout of predetermined street and lot patterns onto the existing environment. Approaches that involve subdivision and site development designed in response to the environmental features of the site and the range of community needs of the future occupants are those which can result in sustainable urban design and are those which should be pursued. In addressing the above statement, through changes to both the NRMP provisions and Council administration systems, it needs to be recognised that the role of the market is also a significant influence on development. Certainty in terms of both the application process, end saleability of the product and profitability are as much a determinant of the type of development proposal pursued as are the NRMP provisions.

A conflict exists between resolving a developer’s desire for certainty, with the need for flexibility and innovation to provide for better quality urban design outcomes. Good urban design is difficult to achieve through prescriptive standards that result in certainty for applicants and will usually therefore result in the majority of proposals falling into the discretionary activity category. Pursuing good urban design through a disjointed, lengthy and costly process associated with discretionary activities/non-complying activities is not sustainable. For this reason the administration process, rather than the plan provisions, is a key determinant in the success of any project seeking to pursue a better standard of urban design. If a discretionary (or restricted discretionary) activity can be processed through a supportive administration system that provides both timely and cost effective processing that creates consistent decision making, then this barrier can be minimised. Good urban design therefore becomes affordable. Figure 4 on page 13 illustrates the current resource consent process and highlights the process or administration differences between activity categories. Figure 3 below illustrates the careful balancing act required to achieve elements of certainty with flexibility to design in response to the context.



Figure 3: Conflicting goals influencing the quality of residential development.

Figure 4: Current NRMP Provisions and Administration Process for Subdivision Applications



Above in Figure 4: While the minimum standards approach of a controlled activity offers an applicant certainty and timeliness it does not provide the flexibility and ability to be site responsive to achieve good urban design.

2.2.2 The need for better Urban Design through Residential Subdivision and Development?

Traditional engineering and prescriptive policy approaches, and Councils administration of them, have not lead to, nor are they supportive of, sustainable urban development. Critics of this approach believe it has resulted in many cases of neighbourhoods which are bland in character and design and have little topographical or local environmental character. In some cases the sameness in street design and width, architecture and neighbourhood demographics has prevailed.

In making the above statement, it needs to be clear that blandness and sameness in character and design are representative of greater issues than just subdivision or architectural form. While newly created suburbs are criticised for their sameness as an undesirable feature, it must be recognised that sameness in architectural form is a common theme throughout our housing history and streets that are now considered to have heritage values (i.e. Russell Street for cottages, Hastings Street for bungalows etc) have sameness, albeit softened with time, and are now described as desirable.

Notwithstanding this, development that is representative of good urban design, should be responsive to the local environment in its form and construction, be people and community orientated (as opposed to car orientated), provide for diversity in terms of building types/scales/versatility, provide diversity of lot and road layouts, and provide for a range of family typologies and affordability scales. In addition, good urban design should also have sustainability goals in terms of encouraging biodiversity, efficient resource use, offering a range of transport modes, and utilising low impact servicing methods.

The NRMP does not set out clearly in its objectives and policies the quality urban design outcomes the Council wants to achieve as set out in the LTCCP, NUGS and other policy and strategy documents. The Plan rules and Council administration practices often mean that a development based on quality urban design principles will have more stringent resource consent status and engineering standard requirements than a standard development.

Some of the more significant barriers to achieving better urban design under the current provisions include the following:

2.2.2.1 Objectives and Policies

There is a lack of district wide or over arching objectives and policies to support approaches/proposals that are representative of better urban design. Currently the objectives and policies framework has an inherent natural and physical resource emphasis without much attention paid to the urban environment. This is typical of early District Plans, and is now out of date with Councils current planning mandate which recognises that urban design is a resource management issue, particularly in Nelson where a large proportion of the local authority area is urbanised.

2.2.2.2 Appendix 14 'Design Standards'

Compliance with the NRMP roading standards in Appendix 14 and the NCC Engineering Standards can result in roading design and construction formations and patterns not representative of good urban design, especially for hillsides. Currently the main determinant in prescribing the roading design is the vehicle numbers per day it should cater for according to its position in the roading hierarchy. This leads to the construction of over wide roads, significant earthworks on hillsides and difficulty in creating connections on hillsides. Associated effects include creating high speed, low pedestrian amenity and vehicle dominated streetscapes, encouraging the creation of large flat building platforms on hillsides and use of that area for parking, manoeuvring and garaging.

Council has begun upgrading existing roads with an approach that is determined not just by vehicle numbers, but also by the desired function, environmental effects of construction and existing or proposed character of the street. This practice aligns with the actions identified in the NCC Urban Design Protocol Action Plan. However the design and construction of new roads by developers is under the current Appendix 14 provisions still required to comply with prescriptive vehicle number based widths, the outcomes of which are not representative of good urban design in terms of roading and servicing. In addition it is considered that the location of such detailed design and construction requirements, being a means of compliance but not the only means of compliance, would be better held within engineering standards external to the NRMP.

2.2.2.3 Roading Hierarchy

Roading terminology in the NRMP has become out of date with current transport theory and approaches and is no longer representative of the new roading categories and design requirements/allowances for new roads as proposed in the NCC Land Development Manual. In addition the NRMP Roading Hierarchy has not been updated for over 10 years, and many categories no longer represent current levels of service, nor the way the community uses them. The use of the terms 'classified' and 'unclassified' are required to be introduced to the Plan to maintain consistency and ensure the linkages to the Land Development Manual are consistent. In addition the current approach whereby roads are classified based on vehicle numbers alone is inconsistent with the approach proposed in the NCC Land Development Manual which defines roading classifications in accordance with desired speed environment, function and character as well as vehicle numbers. This new approach to roading aligns with the pursuit of better urban design and the focus shifting away from vehicle to people orientated environments.

The current roading hierarchy maps in the NRMP are representative of a vehicle numbers based approach to roading design and control of associated activities. This needs to be updated to ensure the categorisation of roads is undertaken in a manner consistent with the function and low speed environment approach of the Land Development Manual.

2.2.2.4 Appendix 13 'Engineering Performance Standards'

The NRMP (Appendix 13) and the NCC Engineering Standards (for which subdivisions are required to comply in order to be assessed as a controlled activity) are a set of onstruction standards in relation to the provision of services in subdivisions. The standards are prescriptive industry minimums and do not include provisions for the consideration of low impact stormwater or other non minimum standard approaches. It is considered that engineering performance standards are not a matter that is ideally suited to locating within the Nelson Resource Management Plan and would be better addressed through the Land Development Manual and associated engineering design and as-built requirements.

2.2.2.5 Services Overlay

The Services Overlay is a tool on the planning maps that identifies areas of residentially zoned land that do not have access to sewer, water or stormwater services, or that does not have access of sufficient capacity to provide for residential development of the site. The Services Overlay also controls the provision of roading links for future development within the vicinity. The NRMP contains particular objectives and policies in relation to the services overlay and specifies that new development is required to provide services of sufficient capacity to support the site and surrounding land with development potential at the cost of the developer.

The issue with the Services Overlay is identified in Section 7.4.4, and can be summarised by the following. The Services Overlay maps themselves have not been updated since the notification of the NRMP and contain several inaccuracies which result in activities defaulting to discretionary activities where there is no actual services issue. The objectives and policies are not strong enough in their wording to give effect to their intentions and Council has lost objections and Environment Court cases in this respect. The Services Overlay was written and imposed prior to the Local Government Act 2002 and the LTCCP requirements, which now address and plans for development contributions and the provision of services to support growth. There is a need for these issues to be resolved, updated and the process of infrastructure creation through subdivision activity to be linked directly with the LTCCP.

2.2.2.6 Subdivision in the Landscape Overlay (Appendix 7)

The controlled activity status of subdivision in the Landscape Overlay (Appendix 7) conflicts with the subdivision rule table and the degree of discretion afforded to landscape matters in the assessment criteria. There are a number of examples of poor subdivision and building layout/design in the Landscape Overlay and this is attributed to the controlled activity status and low level of consideration given to Appendix 7 matters during the consent process.

2.2.2.7 Private to Public Relationships (Reserves, Streets, Front Yards, Coasts ad Rivers)

Part of a good urban design approach requires consideration of the relationships not only internally but also externally of a subdivision or development site. The current NRMP standards do not address the need for the creation of positive relationships between residential subdivision and development and public spaces such as roads and reserves (including esplanade reserves in Appendix 6 of the

NRMP). There are many examples within recent subdivisions where reserves have poor relationships with residential allotments, for example being hidden behind rear fences, making unsafe and unattractive environments. Appendix 6 and associated rules do not recognise good urban design values associated with esplanade reserves and takes a utilitarian approach to their provision. There are also many examples where the location and style of dwellings, garages, manoeuvring areas and fences in the front yard create a streetscape that is unsafe, unattractive and dominated by vehicles. This issue is further explored in section 7.5.

2.2.2.8 Comprehensive Housing Developments

The current NRMP structure, including objectives and policies, do not provide clear support or direction as to the type of outcomes Council is expecting to achieve. Previous developments have been inconsistently assessed through the resource consent process. This has resulted in some poor design outcomes being approved as they were viewed to be consistent with the Plan provisions. A stronger, outcomes based, expectation through the NRMP provisions would provide clearer guidance to applicants and Council processing staff.

Interpretation of the expectations of the NRMP provisions often results in a Comprehensive Housing Development being limited, or fully notified. This adds to the cost and uncertainty for the applicant, which results in fewer applications, or inferior or compromised design solutions to try to avoid notification. If the NRMP provides guidance to areas where well designed comprehensive housing is considered appropriate, from a good urban design viewpoint, then it can be reasonably anticipated by the community that this style of housing will occur in those areas.

Section 7.0 discusses the plan change in terms of whether the policies, rules or other methods are the most appropriate for achieving the objectives in terms of their efficiency and effectiveness, benefits and costs, and in regards to the risk of acting or not acting. In doing so it explores further the issues identified above.

2.2.3 The Need To Manage Growth To Achieve Better Urban Design

Many of the design issues and barriers identified in Section 2.2.2 above as parts of the NRMP, its Appendices and the NCC Engineering Standards are interconnected and interlinked. A change of one rule or standard has the potential to positively affect a range of design characteristics/goals. There is opportunity to create a careful range of policy and rule changes that will result in a win win situation for achieving many of the goals of good urban design.

Nelson has limited land left for residential subdivision, with that remaining predominantly located on hillsides. This provides a window of opportunity for managing growth in terms of good urban design. Currently it is estimated that there is 17 years of supply of existing zoned residential land available for development (at 230 HUDs per year, and this includes the Marsden and Enner Glynn Structure Plans as well as land that has subdivision consent but has not yet been developed). The average density of dwellings for that remaining residential land area is expected to be approximately 5 units per ha (due to topographical and geotechnical constraints). Nelson has limited land left that is suitable for accommodating residential development. It is important the land left is developed according to good urban design principles.

The NUGs study sought submissions from the public on a range of issues dealing with how to accommodate growth. The results with respect to residential subdivision and urban design were summarised as follows:

- (i) There was a strong preference for intensification of existing residential areas at nodes before further greenfield's subdivision.
- (ii) For greenfield subdivision there was strong support for a mix of densities and section sizes, housing clusters and villages, and the maintenance of rural character.

The land available for residential use is a finite resource. By increasing the numbers of people living in existing areas and by better managing the way in which new areas are developed, this finite resource can be used more efficiently. A strategic approach would ensure that sustainability advantages are realised through use of existing infrastructure and increased population to support neighbourhood facilities. There is currently an average of 2.56 people per household in Nelson (declining at 0.05 per five year period) and the population is aging (over 65 years expected to double

in next 20 years). Both these figures show that demographics are expected to change in favour of population groups who are more inclined to require smaller housing units in areas close to community facilities.

The need for better urban design can therefore be summarised as evolving out of the recognition that the needs of our community in terms of living environments are changing in response to a number of trends, and that those trends are not addressed by the current NRMP. Future trends relevant to this plan change include:

2.2.3.1 Demographics²

Nelson city is expected to be one of the fastest growing regions in New Zealand over the next few decades.

Nelson's existing average household size is 2.56 people which is below the national average (2.7) and this is expected to fall.

An ageing population combined with in-migrations of older age groups will mean a higher proportion of older residents, and changes in household needs.

2.2.3.2 Housing Choice and Affordability

People and households have different housing needs and different affordability patterns throughout their lives. Nationwide there are 12 distinct housing groups, each having different needs based on life circumstances. Within Nelson the distinct population groups (such as young families, pre/post family/pre retirement (empty nesters) and retired groups) create different demands on housing which need to be catered for in subdivision and land development.

Housing affordability will be an ongoing issue in Nelson due to high demand, limited easily developable land and accordingly higher development costs, and low wages. Refer to section 7.1 for further discussion of affordability.

2.2.3.3 Sustainability

Statistics from the Parliamentary Commissioner for the Environment indicate that while the population in NZ has risen by an annual average of just under 1%, our consumption of land for urban expansion has been growing at 4% per year. Density of NZ urban areas is low compared with international standards but at 85% we have one of the more urbanised populations in the world.

Traditional methods of dealing with growth have concentrated on building more infrastructure and improving traffic management. Consequently our local environments have suffered, streams and estuaries have become polluted, natural areas and biodiversity values have disappeared and water and energy supplies are sourced from increasing distances.

Sustainable development which takes into account proximity of work, education, recreation and health opportunities and is responsive to the natural features of the receiving environment has more to offer our communities in terms of longer term sustainability than adding another few kilometres of roading and servicing.

2.2.3.4 Urban Design

Urban design is a key factor in maintaining and creating the liveability, vitality, sustainability and sense of place of urban neighbourhoods. Urban design is concerned with the environmental, economic, social and cultural consequences of the way our towns are designed and developed. Good urban design with respect to residential development comes from inhabiting communities with shared social infrastructure and histories, rather than just housing in proximity. Recognition of the need for good urban design is becoming more important to the community and land development industry.

2.2.3.5 Increasing Environmental Awareness

There is an increasing environmental awareness in society globally, nationally and locally. Council is fortunate in that the environmental awareness of many sectors of the community is relatively high. This awareness needs to be embraced and built upon for Council's sustainability policy and urban design commitment to be successful.

² From Nelson Urban Growth Study December 2006. It is noted these projections were derived prior to the global financial crisis and that there may be a period of slow urban development before developers are confident that investment to match growth demand is prudent.

The building industry is becoming increasingly aware of the need to include sustainability and good urban design components. Examples such as energy and water star ratings, required double glazing, solar water heating, bio building materials (paints, timber, furnishings), ecological footprints etc are becoming more mainstream. The subdivision and land development industry also needs to embrace such initiatives to meet consumer demand and this has been occurring in other districts throughout the country, e.g. Kapiti, Waitakere, Christchurch City.

2.2.3.6 Governance and Partnerships

Gone are the days where local authorities were only concerned with the three R's (rates, roads and rubbish). Council's functions include articulating and achieving a vision with our community. It is commitment to the community and partnerships at local level which can begin to change the patterns of development, and the administration of it. Partnerships to lead by example and start addressing issues of developing land in a sustainable manner are needed as is integrated decision making throughout Council departments and business areas.

2.2.4 Why focus on the Residential Environment?

This Plan Change focuses on addressing the need for better urban design in the residential areas of Nelson through rules, the role of other methods and the creation of umbrella District Wide objectives and policies for better urban design for all zones. While it is recognised that a high standard of urban design is desirable in all areas of the City, the scope of this Plan Change has been defined by targeting the area where the highest level of benefit is seen as being obtained and where there is development pressure in the immediate future.

Council has embarked on a process of 'rolling review' of the NRMP. The introduction of the District Wide urban design issues, objectives and policies through this plan change is an example of such a process. While these have been implemented further in this plan change through changes to the Residential Zone provisions, pragmatically they cannot be implemented throughout all zones at once. This project should be considered as one part of a larger connected set of projects and policies seeking to achieve better urban design throughout the city. While this Plan Change sets up the District Wide objectives, policies and methods other than rules, the rules to achieve those in zones other than the Residential Zone will be future plan changes carried out in conjunction with the Heart of Nelson project, and the Strategic City Development Plan (as highlighted in the diagram page 7).

The reasons for limiting this project to the residential environment and the subdivision and comprehensive housing provisions are:

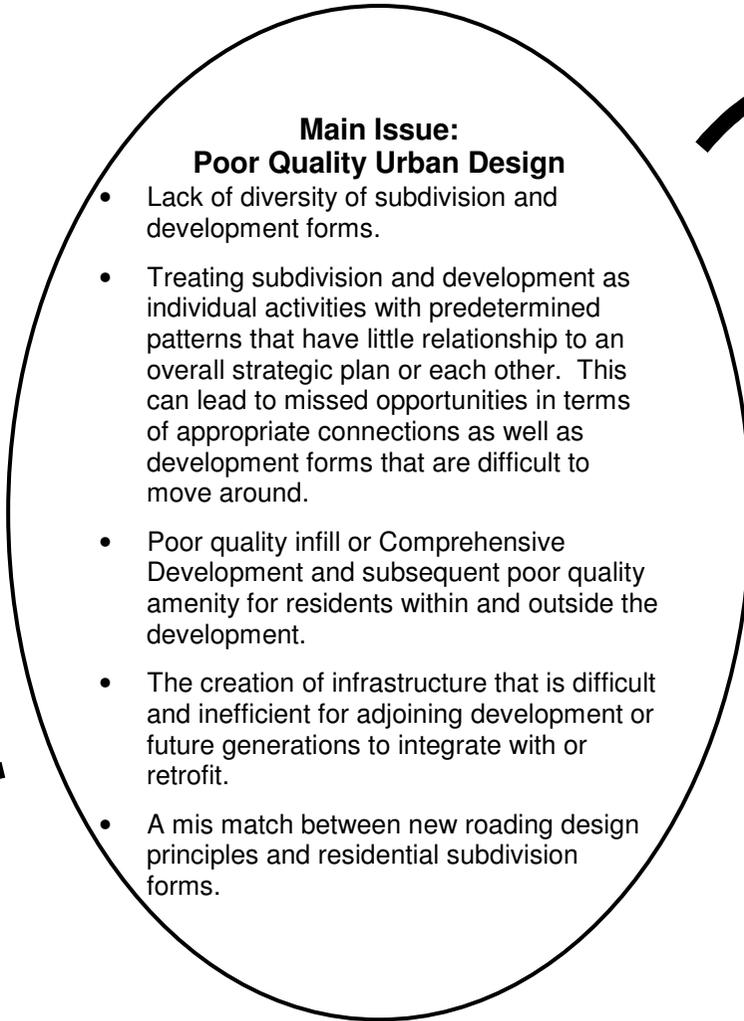
- (i) Residential subdivision and development typically has a long life time (100 years) and therefore the implications of poor design are higher than in other areas such as commercial or industrial areas where development is more fluid and changes in response to market demands and therefore usually has a shorter life span.
- (ii) Most residential development is dependant upon the land subdivision process and is an outcome of that process. This is because residential mortgage requirements create a dependency upon individual certificates of title which requires the subdivision process to be used. In the commercial or industrial areas site development does not have such a strong link to the subdivision process or the need for individual certificates of title.
- (iii) It is much more difficult to retrofit residential development for good urban design than commercial or industrial areas. Removal of buildings and redesign of surrounding properties is more viable in the commercial or industrial areas than in the residential environment. This is because it is not people's homes that are subject to demolition and the materials used in present commercial and industrial designed buildings have a shorter life span than those used in residential buildings.
- (iv) It is widely recognised that the first part of any change in philosophy with regard to how we live (greening of our towns, sustainability and community) is most successful when the change begins at home. It is considered that if the community's goals with respect to high quality urban design and sustainability are recognised at home, then that will force business to also become responsive to that demand.

Figure 5 on the following page summarises the urban design issues with respect to residential subdivision and comprehensive housing discussed in section 2 of this evaluation.

Figure 5 : Urban Design Related Issues Associated With Residential Subdivision And Comprehensive Housing

Residential Amenity and Streetscape Effects:

- Built structure and public areas such as roads and reserves that are not human scaled, have low amenity and do not invite multiple uses.
- Streetscapes and reserves whose design compromises safety of all users (pedestrians and vehicles).
- The need for new design and development forms to adapt to hillside environments where creation of high amenity environments will be more challenging than on the flat areas of the urban environment.



Environmental effects:

- Significant earthworks on hillsides, which in turn has potential effects in terms of landscape values, erosion and sediment control, loss of trees/vegetation, inefficient energy use and a development form that facilitates building construction that is unrelated to the local context.
- Motor vehicle dependence and associated health effects.

Process/administration related Issues:

- Disjointed Council administrative processes driven by lack of dialogue and agreed common goals between various Council departments.
- Reliance on minimum engineering standards and prescription to achieve good urban design.
- Notification of proposals representing anticipated development forms in certain areas.
- Lack of recognition of the need to provide certainty and enable design flexibility to respond to a particular site in consent activity status.
- Better urban design relies on supportive process, policy and people involved.

2.3 RESOURCE MANAGEMENT ISSUE

As identified in the preceding Section 2.2 there are a number of NRMP provisions and Council administration approaches that act as barriers to the achievement of better urban design, particularly in our residential environment. These barriers will become increasingly significant as Council looks to accommodate urban growth in the future through tools such as intensification and rezoning. The majority of undeveloped land left is located on steep hillsides which brings with it a new set of design challenges. This combined with a motor vehicle dominated approach to existing transport and engineering sections of the NRMP, the Council's sustainable management role, and commitment to the urban design protocol have led to the development of a key urban design issue for this Plan Change. The proposed issue is as follows:

Urban design

The long lifetime of buildings and subdivision layouts, associated infrastructure and structures mean that poor urban development in our city and suburbs will have long term effects on current and future generations. These effects may include:

- a) a city form that is difficult to walk or cycle around and therefore overly dependent on motor vehicles, impacting on convenience and accessibility, and creating low resilience to increasing energy costs.***
- b) neighbourhoods and communities that are disconnected and lack identity.***
- c) built structures and public areas such as roads, parks and squares that are not human scaled, have a low level of amenity and do not invite multiple uses.***
- d) compromise to the attractiveness, vitality and safety of the public environment in town and neighbourhood centres.***
- e) lack of diversity in development form and types throughout the zones, and consequent lack of variety in the level and scale of living, working and recreational opportunities.***
- f) poor quality infill development with subsequent poor amenity for residents and compromise to the amenity of neighbours.***
- g) expansion of urban development into the rural land resource and subsequent effects on roading, servicing and rural landscape values.***
- h) inefficient use of the residential land resource.***
- i) poor quality urban design and supporting infrastructure that is difficult and inefficient for future generations to retrofit.***

Treating the development of the city and suburban areas as individual activities, involving the layout of predetermined building, street and lot patterns onto the existing environment with little consideration of strategic planning, context and the inter-relationships between sites. This can lead to a poor quality urban environment and poor urban experiences for residents and visitors.

The potential for disjointed consideration of design factors, through prescriptive policy and administrative processes and reliance on minimum standards, to lead to poor urban design for both private and public developments.

It is noted that while the NRMP had transport objectives and policies, there is no direct issue for transport, and this combined with a better urban design approach to transportation has led to the following transport issue.

Sustainable Land Transport Issues

Land transport networks have the potential to adversely affect air and water resources, ecological habitats and biodiversity corridors, our carbon footprint and climate change impacts, urban design and amenity values, the health and safety of different transport mode users and community cohesion.

Land use activities and urban design activities that adversely affect the land transport system. These effects may include:

- a) generation of vehicular traffic and increased volumes of traffic,***
- b) parking and loading effects,***
- c) effects on visibility and safety,***

- d) ***dispersal of activities which leads to social isolation, increased dependence upon the motor vehicle and reduced demand and viability for other forms of transport options, including public transport.***
- e) ***dependence upon one form of transport.***
- f) ***the inefficient use of resources, in terms of road construction resources and fossil fuel.***
- g) ***inconsistencies with the sustainable transport vision of the NCC Regional Land Transport Strategy.***

Explanation

Urban design considers the design of the city and suburbs. It includes the design of and relationships between the buildings, spaces and networks (e.g. streets) and has a significant influence on people because our everyday lives are connected by the environments we share in urban areas. While Nelson has many attractive buildings and spaces, there are also some poor examples, or examples where opportunities to do something better were not realised.

The land transport system is vital for economic and social wellbeing, but can be associated with negative environmental and social effects. Managing the demand for travel, pursuing modal shift and changing to more efficient means of transport with lower environmental impacts and greater social cohesion, is desired.

Land use activities, urban design and the location of activities can also adversely affect the land transport system and the achievement of better urban design, particularly the way in which the land transport system addresses potential health and safety effects, sustainability and efficiency of resource use, earthworks, stormwater, construction effects and the choice of travel modes.

The current set of objectives, policies and rules in the NRMP do not address in a comprehensive manner urban design objectives, nor its direct relationship to transportation. If development were to occur either within existing urban areas as redevelopment, or as greenfield development in current and future areas rezoned residential from rural there is a risk that inappropriate and unsustainable development will occur.

3.0 APPROACH TO PLAN CHANGE

The Plan Change 14 - Residential Subdivision, Land Development Manual and Comprehensive Housing : Plan Amendments (Document No. 802585) has been prepared through an across Council business unit process, involving dialogue between environmental policy, infrastructure, resource consents and community services staff.

The identification of issues and options was assisted through the use of a staff Major Projects Team, and a Steering Group of Councillors, staff and external stakeholders. The issues and options were then confirmed through consultation with stakeholders, see Section 4.0.

An assessment of historical subdivision consents involving a range of different development scenarios was undertaken to illustrate specific issues raised, particularly those in relation to connectivity, roading design, orientation of private to public space and Services Overlay effect.

This plan change is unable to address all issues identified by analysis, stakeholder consultation or as raised by the Steering Group, and concentrates on a selection of pivotal changes to the NRMP and Council procedural practices to improve urban design in our residential neighbourhoods. A significant and related issue beyond the scope of this plan change is that of identifying where and in what order Council wishes future greenfield and brownfield residential development and intensification to occur, and how this is serviced and funded.

During the process of issue identification for this plan change it has become apparent that supporting changes to the LTCCP and infrastructure extension and upgrade processes need to occur to support sustainable urban development, intensification and the goal of improved urban design in Nelson. Accordingly the Annual Plan 2010 included a commitment to a long term development plan for the City:

"The Council proposes to develop a Strategic City Development Plan that sets the priorities for meeting the servicing needs for growth, redevelopment and existing capacity and service level deficiencies across the whole City. This plan would set out when and where investment in works, reserves, services and plan changes would occur over the next ten years. Such a Plan would assist the Council to get better values from its expenditure by integrating its work programmes across infrastructure, community services and planning. It would also help the community and Council to make decisions on expenditure across all council activities to achieve the community's goals." Page 49 NCC Annual 2010.

Plan Change 14 identifies the Strategic City Development Plan as a method to implement objectives and policies, particularly those in relation to transport and services and the connectivity and capacity of development in the Services Overlay. A number of the issues raised by stakeholders during the consultation opportunities for this plan change, such as intensification, structure plans, rezonings, catchment based development contributions and off sets for low impact and sustainable development are more appropriately addressed during and after the Strategic City Development Plan has been developed. These may well be the subject of future related plan changes.

3.1 Scope of the Plan Change

The scope of this policy project is to review the existing objectives, policies and rules in the NRMP concerning Urban Design, Residential Subdivision and Comprehensive Development with a view to making pivotal changes to encourage better urban design by removing policy and rules which act as a barrier. In tandem with that policy review is a review of Council policy and procedural changes also necessary to remove barriers and support a better urban design approach to urban design and residential subdivision. The project will include:

- (i) Changes to the district wide, transport and subdivision and development objectives and policies to set a framework for encouraging better urban design for this and future plan changes.
- (ii) Changes to the Residential Zone subdivision and comprehensive housing development objectives, policies and rules.

- (iii) Changes to the Residential Zone rules to implement the objectives and policies and provide a restricted discretionary non-notified consent category for applications representing good urban design.
- (iv) Review and potential changes to Appendix 6, 10, 11, 12, 13, 14 and 22.
- (v) Review activity status of subdivision in landscape overlay.
- (vi) Linkages and coordination with the review of the NCC Engineering Standards.
- (vii) Use of non-regulatory methods and changes to internal Council policy and procedures such as the NCC Urban Design Action Plan, Development Contributions Policy, Asset Management, and subdivision consent processing.

3.2 Issues not within the Scope of this Plan Change

Issues raised by stakeholders/public but to be deferred to future plan changes	
Issue	Reason
On site water collection	Cost effectiveness of this option requires more consideration in conjunction with the reticulated water supply charges and stormwater detention.
Solar access/lot orientation	Requires a comprehensive review of standards in relation to internal effects of residential properties, earthworks and vegetation removal.
Intensification	Requires comprehensive review of development patterns of Stoke, Tahunua, Nelson City and a design by enquiry/visioning process which needs to be facilitated through the LTCCP and/or the NCC Strategic City Development Plan.
Landscape	Requires comprehensive review across the district as applies in all Zones.
Minimum lot size and dimensions	Current lot development is usually above the minimum standards in the plan, any encouragement to create intensified or small lot sizes needs to be undertaken in conjunction with a full Residential Zone review and Intensification Study.
Earthworks on hillsides/creation of flat building platforms	Requires review as part of internal site effects in Residential Zone and has strong links to affordability issues (affects building design) beyond the scope of this Plan Change.
Structure/Master Plans – identification of future growth areas and prioritisation of their release	To be undertaken as part of the NCC Strategic City Development Plan process and separate but aligned plan changes such as Plan Changes 13, 17 and 18.
Parking	Parking outside of the Residential Zone is to be reviewed as part of Plan Change 21.

4.0 CONSULTATION

The Council has a number of strategy and policy documents that collectively set a vision for the City. These have been discussed in Section 2.1 of this report and have involved various consultation opportunities with the community.

Over an 18 month period the project officers have undertaken more specific consultation in regard to the issues and options identified for this policy review. Those opportunities have included:

4.1 Plan Change 14 Steering Group

In January 2009 a Steering Group was created to oversee the development of the proposed plan change and associated procedural changes. The Steering Group comprised four Councillors, and five local professional group representatives (surveyors, architect, valuer, developer) and its role was as follows:

- (i) provide strategic direction, and ensure that direction is met, and
- (ii) provide expert knowledge, and
- (iii) provide sector group leadership.

The Steering Group had no formal decision making powers, however the members of the Steering Group that were Councillors formed the Plan Change Committee which provides recommendations to Council. The Steering Group was invaluable to the development of the Plan Change and were consulted throughout the development of the plan amendments as follows:

14 January 2009	Steering Group established, terms of reference set, issues discussed.
24 March 2009	Issues and Options Scoping, further direction for investigation by staff.
19 June 2009	Results from stakeholder workshop considered and recommendation for drafting preferred options.
21 July 2009	Consideration via memo of direction on residential parking and external reference of the Land Development Manual as part of the scope of the plan change.
2 September 2009	Development of Section 4 Transport of the Land Development Manual, further direction on policy amendments and reduction of scope of plan change as links identified for the need for further Council strategic planning work.
30 October 2009	Consideration of first draft of Plan Change 14, direction for amendments and support to release for public comments on the draft.
30 November 2009	Consideration of redrafted front yards and fences provisions and support to release for public comment early 2010. Consideration of first round of public feedback on Land Development Manual and direction for amendments and release of final draft for public comment.
7 May 2010	Consideration of public comments, additional Services Overlay and Roading Hierarchy Changes, request for legal opinion and external professional peer review by Steering Group. Direction provided on amendments to draft, and to proceed with finalising draft for notification and completion of section 32 analysis.
1 July 2010	Consideration of memo to Plan Change Committee on Externally Referencing the Land Development Manual in terms of legal process, statutory compliance and other methods.
23 July 2010	Consideration of final draft and section 32 analysis and support to take to Council to seek permission to publicly notify.

4.2 Stakeholders Consultation

Environmental Policy and Infrastructure staff had a meeting with the Nelson/Marlborough branch of the New Zealand Institute of Surveyors on 21 November 2008. The purpose of this meeting was to signal the policy review, and the review of the NCC Engineering Standards 2003, both of which would be undertaken together and to seek the input of those most involved in the local land development industry on issues and options.

Environmental Policy and Infrastructure staff held a workshop on 1 May 2009 with a wider stakeholder group that included representatives from a wide range of professions/backgrounds including surveyors, engineer, planners, architects, landscape architects, and contractors and local developers. This workshop confirmed the issues identification, went through the range of options that had been identified, and then at the advice of the stakeholders narrowed down and defined a smaller range of issues and preferred options for further development.

Environmental Policy and Infrastructure staff held a workshop attended by land development industry stakeholders on 24th November 2009. The workshop provided an update on the policy drafting within Plan Change 14 and work shopped with stakeholders the draft Transport Section 4 of the Land Development Manual.

4.3 Public Consultation

A series of 'Towards Better Urban Design Newsletters' have been sent around the local development community to ensure that the public is kept abreast of movements in the policy drafting process as well as consultation opportunities:

Issue 1 February 2009

Issue 2 July 2009

Issue 3 February 2010

The first draft of the Land Development Manual (excluding section 4 Transport) was released for public comment due on 27 October 2009. The draft was revised where appropriate as a result of comments received.

The second and final draft of the Land Development Manual was released for public comment in April 2010. On the 7 May an opportunity for those who made comment to speak to their comments at the NCC Plan Change Committee meeting was provided. Following direction from the Plan Change Committee the Land Development Manual was amended in response to the comments received.

The draft of Plan Change 14 was released for public comment in February 2010 with written comments requested by the end of March 2010. A questions and answer session was held for the public to gain a verbal understanding of any issues or questions they had in respect of the draft prior to the close date for written comments.

4.4 Staff Consultation

Throughout the development of the plan change various opportunities through the Major Projects Team, staff interviews, meetings on particular topics such as CPTED, reserves development, links with the LTCCP and Asset Management, resource consent procedures, for interdepartmental consultation on the draft plan amendments has occurred.

4.5 External Consultants

External expertise has been sought throughout the development of the plan amendments in the areas of residential parking, transport planning, urban design, resource management law, and resource management policy development.

4.6 Iwi consultation

Council's Kaihautuu consulted Ngati Toa and Ngati Kuia on the draft Plan Change on 16th April 2010. Consultation with Tia Kina te Taiao Ltd was undertaken at their six weekly meeting with Council staff on 19 April 2010. No comments have been received to date.

4.7 Consultation in accordance with the First Schedule RMA

Consultation in accordance with the requirements of the First Schedule have been undertaken with the Ministry for the Environment, Tasman District Council, and Marlborough District Council

4.8 How Consultation Influenced The Approach

Consultation on this Plan Change has been carried out in accordance with the Resource Management Act 1991, First Schedule, Clause 3 (1) and (2). Both the Steering Group and the stakeholder workshops and comment rounds have influenced the scope and approach of the Plan Change significantly as well as the wording of particular polices and rules.

5.0 APPROPRIATENESS IN ACHIEVING THE PURPOSE OF THE RMA

This part of the report provides an assessment of the general options available to the Council when considering the appropriateness of the plan change. The assessment meets the requirements of both section 32 of the RMA and section 77 of the LGA.

The relevant requirements of Section 32 read:

- (3) *An evaluation must examine –*
- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this 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.*
- (4) *For the purpose of the examinations referred to in subsections (3) and (3A), an evaluation must take into account –*
- (a) *the benefits and costs of the 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 relevant requirements of Section 77 of the LGA reads:

- (1) *A local authority must, in the course of the decision making process*
- (a) *seek to identify all reasonably practicable options for the achievement of the objective of a decision; and*
 - (b) *assess those options by considering*
 - (i) *the benefits and costs of each option in terms of the present and future social, economic, environmental, and cultural wellbeing of the district or region; and*
 - (ii) *the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner by each option; and*
 - (c) *if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.*
- (2) *This section is subject to section 79.*

5.1 Range of Plan Change Options

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

The issues analysis has identified that currently there are a number of barriers to the pursuit of a good urban design that exist simply because the current NRMP provisions and the NCC Engineering Standards 2003 were not developed to explicitly achieve that goal. Factors influencing good urban design are not easily accommodated within prescriptive rules and minimum standards. In addition a lack of common internal policy, dialogue and awareness of alternative technologies and designs within the various Council Departments often mean the barriers are further emphasised through the resource consent assessment process.

The overall options for the plan change need to recognise that Council's current management of subdivision and development does not reflect Council's current good urban design and sustainability planning mandate. The options therefore need to address both barriers to better urban design which define the issue:

- (iii) the objectives, policies, prescriptive rules and minimum standards that control development and
- (iv) the administration processes and procedures within Council.

A conflict/paradox has also been identified in the issues analysis between resolving an applicants/developer's desire for certainty within any new Plan provisions, with the need for flexibility and innovation to provide for better quality urban design outcomes. Greater flexibility in standards and rules are required with a more efficient and certain application process.

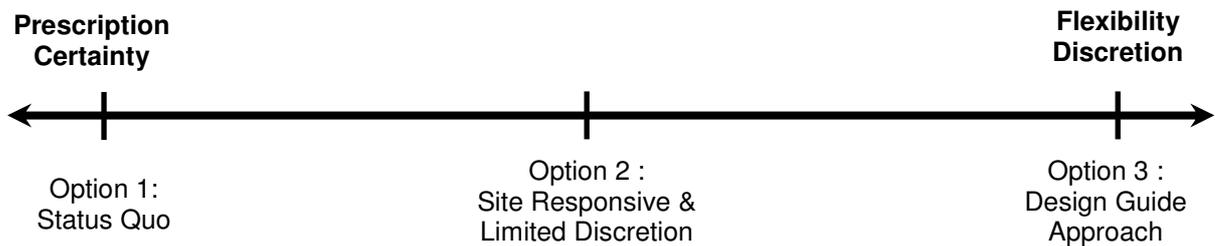


Figure 6: Range of Plan Change options.

Figure 6 illustrates the range of Plan Change options considered and evaluated in this section. The options represent three different approaches to managing development for better urban design at three different points along the resource consent process spectrum of prescription/certainty versus flexibility/discretion.

Option 1: Status Quo

Under this option the objective is to retain the existing NRMP provisions and continue to assess development against prescriptive and minimum engineering standards, and therefore not undertake a Plan Change.

Option 2: Site Responsive and Restricted Discretion (Non-notified)

Undertake a Plan Change to update the District Wide objectives and policies, the Residential rules, and the Appendices to encourage better urban design. This includes the provision of a restricted discretionary activity subdivision category to provide flexibility for responsive design, but retain an element of certainty for the consent process. This would not include a Design Guide, but an Appendix outlining the process and information requirements through which an applicant should demonstrate how their particular site responsive design is consistent with the urban design outcomes sought – i.e. how to tell the story of the proposed design. This approach would also still assess an application in terms of the ability to comply with the minimum standards in the Land Development Manual and where it does not the associated design advice/justification.

Option 3: Design Guide Approach

Undertake a Plan Change to update the District Wide objectives and policies, the Residential rules, and the Appendices to encourage better urban design. This includes utilising the discretionary activity category for beyond minimum standard approaches and a range of design guides to provide maximum flexibility to applicants pursuing non minimum standard designs.

Each of these options will be assessed in terms of their effectiveness in achieving Part II of the Act, which requires consideration of the objectives and policies of the NRMP, Regional Policy Statements and Plans, Nga Taonga Tuku Iho Whakatu Management Plan 2004, the provisions of other statutory documents and Council's non statutory documents. In addition, consideration must be given to the Council's objectives (scope, rolling review process) for the consideration of the Plan Change. The analysis then considers the costs and benefits of each option, its efficiency, and finally its appropriateness.

5.2 Costs and Benefits of Alternative Options

Table 1 below considers the costs and benefits of the principle alternatives considered during the preparation of the Plan Change.

Table 1: Costs and Benefits of Alternative Options			
Alternative Option	Key Features	Advantages/Benefits	Costs and Risks
<p><i>Option 1:</i></p> <p>Do nothing/status quo: Under this option the objective is to retain the existing NRMP provisions and continue to assess development against prescriptive and minimum engineering standards, and therefore not undertake a Plan Change.</p> <p>This option is not recommended.</p>	<p>Retain the existing provisions.</p> <p>Presumption that minimum standards will result in good urban design.</p>	<p>Existing provisions are known and certain.</p> <p>Minimum standards of controlled activities approach along with required compliance with prescriptive engineering standards provides maximum certainty for applicants and consents planners.</p> <p>Requires no change throughout Council administration practices and internal policies.</p>	<p>Minimum standards approach does not lead to best urban design approach in many situations, and results in a development process that considers only the individual effects of activities proposed, not the overall vision or goals of the community with respect to residential urban design. It is extremely difficult, or impossible, to regulate for better urban design, and a combined regulatory and non regulatory approach is required.</p> <p>Is a cost disincentive for any applicant to pursue a site responsive design that does not comply with minimum standards but still represents good quality urban design.</p> <p>Applicants have for the last few years been seeking consent for non minimum standard designs, but have been subject to a lengthy and costly discretionary activity process including notification and lack of certainty. This combined with criticism regarding the current standards of urban design created in new suburbs has led to the review of the NCC Engineering Standards 2003. Retention of this approach would not be consistent with the engineering standards review.</p> <p>The retention of a minimum standards approach will mean that the NRMP will be inconsistent with, and create a high risk of undermining, the urban design approach sought in the NCC Urban Design Action Plan, the Land Development Manual 2010, and current general good practice in terms of urban design.</p>

Alternative Option	Key Features	Advantages/Benefits	Costs and Risks
<p><i>Option 2:</i></p> <p>Site Responsive & Limited Discretion: Integrating Design Flexibility and Certainty</p> <p>Under this option a framework for better urban design is set up under which a rolling review of the NRMP can be undertaken. As part of this first plan change the residential subdivision and associated rules with private to public space implications can be changed to result in better urban design outcomes through a restricted discretionary activity approach. Appendices (Appendix 14 and 22) would be developed to detail information requirements to support a non minimum standard approach.</p> <p>This option is recommended.</p>	<p>Undertake a Plan Change to update the district wide objectives and policies, the residential rules, and the Appendices to encourage better urban design.</p> <p>This includes the provision of a restricted discretionary activity subdivision category to provide flexibility for responsive design, but retain an element of certainty for the consent process, as long as an appropriate design response can be demonstrated for the site and its context.</p> <p>Requires supportive and streamlined administration system throughout Council departments/policies/plans including:</p> <ul style="list-style-type: none"> (i) Major Projects Team. (ii) Urban design Panel. (iii) Improved customer service. (iv) Commitment to statutory compliance. 	<p>Introduction of District Wide objectives and policies with first stage review of the Residential Zone results in a manageable rolling review process and fits with current Council workload and projects.</p> <p>Minimum standards are updated through the NCC Land Development Manual 2010 which will represent better urban design approaches, particularly for roading and stormwater as often sought by Applicants. The minimum standards approach will represent better urban design than currently and will still offer the certainty of a controlled activity.</p> <p>Provides flexibility to the applicant to depart from minimum standards approach so long as they are able to demonstrate the design is responsive to the site in a manner that achieves good urban design.</p> <p>Provides certainty to the applicant and Council with respect to the consent process/assessment matters, information requirements and notification determination for non-minimum standard approaches, i.e. Applicant is not penalised through process where departures from minimum standards represent good urban design.</p> <p>Provides for development to be responsive to the development context/ site characteristics and therefore likely to lead to diversity and good quality urban design.</p> <p>Can be applied to all scales of development, individual site, infill to large greenfield, and eventually across Zones.</p> <p>Is consistent with the design process adopted for the NCC Land Development Manual 2010, and the urban design intentions of the NCC Urban Design Action Plan, the LTCCP community visions.</p> <p>Acknowledges that barriers to implementing a better urban design approach are representative of approaches to policy, process and people, refer section 5.3 discussion, i.e. is an approach that is comprehensive and integrated throughout Council practices.</p>	<p>There will be temporary inconsistencies in the NRMP as a result of the rolling review process.</p> <p>The balance between matters of discretion and achieving certainty for the applicant and Council will be qualitative and require careful attention in plan drafting and consent administration for the restricted discretionary approach. It will be difficult to marry certainty with flexibility through a restricted discretionary activity controlling qualitative assessment on urban design.</p> <p>Applicants will need to demonstrate that they can 'tell the design story' for each proposal relative to its nature and scale and learning to record design intentions better is an up-skilling cost for both Council and applicants.</p> <p>Less certainty than a controlled activity status.</p> <p>Is a cost and statutory compliance risk to Council associated with increase in time to assess non-minimum standard approaches and a change to evaluation procedures to embody an across Council integrated response. This cost/risk is minimised as this process has already commenced in response to some applicants desires to pursue non minimum standard designs and undertake pre-application consultation with Council staff in an integrated manner and has been accommodated within Council consent assessment systems/procedures.</p> <p>Non-regulatory methods such as the Major Projects Team and Urban Design Panel will assist the timeliness and efficiency of this process for both applicant and Council.</p> <p>Risks associated with this approach are predominantly procedural as the policy option will require consistently integrated decision making and administration with Council. This risk is minimised through the commitment of Council to improved customer service and statutory compliance.</p>

Alternative Option	Key Features	Advantages/Benefits	Costs and Risks
<p><i>Option 3:</i></p> <p>Design Guide Approach: Maximising Design Flexibility</p> <p>Under this option a framework for better urban design is set up under which a rolling review of the NRMP can be undertaken. As part of this first plan change under that umbrella a design guide led discretionary activity approach for non minimum standard development designs can be provided.</p> <p>This option is not recommended.</p>	<p>Undertake a Plan Change to update the district wide objectives and policies, the residential rules, and the Appendices to encourage better urban design.</p> <p>This includes utilising the discretionary activity category for beyond minimum standard approaches and a range of design guides to provide high flexibility to applicants pursuing non minimum standard designs.</p>	<p>Provides the applicant with flexibility to depart from the minimum standards approach so long as the type of proposal is anticipated by the design guide.</p> <p>Use of design guides provides Council with the opportunity to demonstrate the development form sought.</p> <p>Provides Council with maximum discretion to require the achievement of specified urban design outcomes.</p>	<p>Significant cost implications for Council in the development of a range of design guides for greenfield, infill, small and large scale subdivisions in the different environments (hillside and flats). As there is no urban designer on staff, external consultants would need to be commissioned to write the design guides, and this would result in a risk that solutions are less locally responsive.</p> <p>The applicant has minimal certainty over outcome of consent assessment. Design guides can tend to be given lip service by applicants. Assessing whether or not a proposal is consistent with a design guide is a subjective process that attracts challenge.</p> <p>Creates an information up front assessment burden on the applicant as they are required to demonstrate consistency with the design guide.</p> <p>Creates an assessment burden as both the applicant and consent planner will need to provide an urban design assessment based on achieving consistency with the design guide. This may also require external reporting and review with associated costs and loss of local input.</p> <p>Usually based on demonstrating particular building designs, locations, colours, envelopes which creates increasing costs for housing and an economic burden for the developer as Nelson is not a large enough development industry to support design build developers. The lot purchaser is often not known at subdivision stage, nor is the future house design.</p> <p>There is a risk that a design guide approach may not be applicable to all scales of development and may continue to result in all neighbourhoods looking the same and a lack of diversity in development forms.</p> <p>There is a risk that the information and assessment burden discussed above will result in most applicants choosing to comply with minimum standards to gain certainty and efficiency of process, rather than seek the best urban design approach for the site/context.</p>

5.3 Appropriateness of Plan Change Approach

Council recognises that design outcomes are the result of three interconnected components: process, policy and people. This was evident in the issues analysis and in the analysis of a range of historical subdivisions in terms of barriers to better urban design approaches. Accordingly the major factors that influence the ability to implement a better urban design approach to residential subdivision are:

- (i) **Process** - the time and manner in which subdivision consents were processed for minimum standard approaches versus non minimum standard approaches, including through to engineering design, approval and s224 certification.
- (ii) **Policy** - the role of rules and standards in design & decision making and the influence on process of activity status.
- (iii) **People** – the quality of dialogue between Council and Applicants, across Council departments, and from decision makers.

Option 2 **Site Responsive & Limited Discretion: Integrating Design Flexibility and Certainty** is considered to be the most appropriate in terms of the costs, benefits and risks associated with the alternative options, and also in terms of being the option that is most able to accommodate a people, process and policy approach to better urban design.

Option 2 provides the best fit of certainty versus flexibility required to ensure the costs of changing development style are not so great that they prevent its implementation in Nelson. It provides for local solutions to be developed by local developers and their professional advisors and for those solutions to result in the design intentions being recorded and communicated better (through Appendix 14). This then enables the assessment of the proposal with certainty in regards to process and assessment matters by Council staff, and implemented designs that represent best urban design approach for the specific site and local development demands.

In addition the approach is supported by a range of non regulatory process and people methods currently either being implemented or being developed as follows:

- (a) NCC Urban Design Action Plan which includes urban design objectives, training for Council staff on better urban design, and professional development opportunities for local professionals, urban design awards and a framework for interdisciplinary assessment of proposals.
- (b) Major Projects Team which is a group of inter departmental staff within Nelson City Council who provide pre-application advice to applicants on proposed major development projects.
- (c) Urban Design Panel which is an independent group of urban design experts who provide advice on proposals (at pre- and post-application stage) which may potentially have significant urban design issues.
- (d) NCC Land Development Manual 2010 which represents good urban design and engineering practice and includes design features and standards that are acceptable to the Council.
- (e) NCC Strategic City Development Plan is a proposal that sets the priorities for meeting the servicing needs for growth, redevelopment and existing capacity and service level deficiencies across the whole City.

With the appropriate plan change approach evaluated, recommended and selected, the remaining sections of this section 32 analysis evaluates the proposed objectives, policies, rules and other methods.

6.0 Appropriateness Of Objectives In Achieving The Purpose Of The RMA

6.1 Consistency with the Purpose of the RMA

Section 32 of the Act requires the appropriateness of each objective in achieving the purpose of the Act to be examined. This section outlines a summary of that evaluation.

Objectives proposed in this Plan Change include a new set of District Wide Urban Design Objectives, and changes to the existing Transport and Subdivision and Development Objectives. The appropriateness of the existing provisions were considered at the time of being included in the notified NRMP in 1996. Therefore changes to existing provisions are evaluated in this section, but only in terms of the proposed change, not the operative text.

An evaluation of objectives under section 32 of the Act must examine:

(3) (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act.

The purpose of the Act:

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The evaluation in this section considers each objective in terms of different elements that make up the purpose of the Act. That is, enabling people to provide for their social well being, economic wellbeing, cultural wellbeing (5(1), and in terms of 5(2)a, 5(2)b and 5(2) c. The evaluation then considers:

- (i) What would happen without the objective?*
- (ii) Does it relate directly to the issue identified, and address a significant aspect of it?*
- (iii) Would achieving the objective make a substantial difference, in terms of resolving the issue?*

In assessing the extent to which the objective is the most appropriate way to achieve the purpose of the Act, it is necessary to look at the proposed policies and methods that will implement the objective. The analysis of those provisions should ideally reveal that the cost of pursuing the objective does not outweigh the benefits. However, the issue that this Plan Change addresses is not easily able to be assessed in terms of monetary costs and benefits.

In undertaking the evaluation it has generally been helpful to test the objectives 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. The objective is also tested against how well it addresses the elements of the issue.

6.2 Examining The Appropriateness Of The Objectives

This section examines each changed or new objective and the extent to which separately and together these are the most appropriate way to achieve the purpose of the Act.

DO13A.1

Recognising The Local Context

Subdivision and development that reflects and creates positive relationships with our local environment, heritage and urban context.

Design that makes distinctive use of space, form and materials promotes Nelson's identity and encourages diversity of cultural expression. It fosters local pride, civic engagement and confidence, and it stimulates innovation, creativity and economic opportunities.

The above objective seeks that subdivision and development in the city and urban areas relates to the local context. This includes ensuring that development recognises the unique elements that best express Nelson's identity – its sunny outdoor lifestyle, seaside location, topography, biodiversity, geology, the colours of the landscape, neighbourhood and architectural styles, and its long history of Maori and subsequent settlement. The urban area is where most people live, recreate and work. In this environment, Council responsibilities for managing 'natural and physical resources' relates to the buildings, structures, roads, open spaces and reserves. The objective does not necessarily seek that all development blends in with the current context, or is of a similar style and size, but that the design of the development includes recognition of the special features of Nelson and acknowledges them through the proposed design of the building or space. This objective responds to the issue identified in this Plan Change as 'urban design' which identifies that poor quality urban design can adversely affect current and future generation's urban environments and urban experiences as well as the efficient use of infrastructure.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	Enables people to use and develop the urban environment resources in a way that provides for social, economic and cultural wellbeing. For example, through the construction and use of buildings and open spaces for public and/or private uses in a manner that strengthens and enhances the local context and identity of Nelsonians and through urban development that is compatible with existing residential character and identity.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Positive relationships with the local environment will lead to a more efficient use and development of natural and physical resources and is a way of sustaining resources. For example, letting factors such as existing waterways become integral parts of a design concept for preservation and enhancement rather than for modification to become part of a predetermined design outcome.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

The objective is consistent with section 6(b) of the Act, which requires the 'protection of outstanding natural features and landscapes from inappropriate subdivision, use and development' and section 7 (b) and (c) which require "the efficient use and development of natural resources" and "the maintenance and enhancement of amenity values". The objective gives effect to objectives NA2.2.1, TW1.4.4 and DH1.2.1 of the Regional Policy Statement(RPS) relating to the urban environment, infrastructure and cultural heritage. The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective "we are proud of our creative culture and regional identity" and "we build healthy, accessible and attractive places and live in a sustainable region".

Without this objective the Council would not be able to encourage (through policy, rules and other methods) the development of an urban environment that acknowledges local context, including our local culture(s), identity, amenity and natural values.

On the basis of the above, objective DO13A.1 is **appropriate** for achieving the purpose of the RMA.

DO13A.2***Improving Connections***

Subdivision and development in urban areas that creates interconnected structures to ensure that all people find urban areas easy to get around, and connected natural environment networks that support native biodiversity.

Nelson’s coastal location and hilly topography have constrained urban expansion and resulted in a compact and generally accessible urban form. This is reflected in the high usage rate of cycle and pedestrian transport modes, particularly in terms of transport to workplaces. Areas where connections are not so good, are those which have been developed in recent decades and do not follow the grid pattern imposed by Nelson’s settlers and have modified natural environment networks reducing connectivity.

The above objective seeks to enhance the urban environment’s natural and physical connections and indirectly promote sustainable development. Good connections enhance choice, support social cohesion, make places lively and safe, and facilitate contact among people. Reduced travel times and lower environmental impacts occur in places with good connections between activities and natural environments, and the careful placement of facilities. Where physical layouts and activity patterns are easily understood, residents and visitors can navigate around the area easily. Providing connections between the hills and the coast reduces the impact of urban areas and urban expansion in the connectivity of these two environments. Connections to the hills and the coast also enhance the identity of urban neighbourhoods/communities and dictates growth patterns for urban areas and infrastructure. Connections between natural areas are also beneficial for natural values and for low impact stormwater functions.

Council responsibilities for managing ‘natural and physical resources’ directly relates to the need for good natural and physical connections in our local environment and assist with promoting ‘sustainable management’. This objective responds to the two issues identified in this Plan Change as ‘urban design’ and ‘transport’ which identify that poor quality urban design can adversely affect current and future generations urban environments and urban experiences as well as the efficient use of infrastructure.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act’s purpose
Enabling – social wellbeing	Subdivision and development sets up the backbone frameworks of our urban environment in terms of both land transport and natural environment connectivity (streams, wetlands, riparian margins, coasts, areas of significant indigenous vegetation). The location, construction or preservation of these are vital for social and economic wellbeing, and enables cultural connections and the health and safety of both the urban environment and its residents.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Promoting efficiency in travel modes, choices of route and diversity in terms of natural connections is a way of sustaining the potential of natural and physical resources. Enhancing natural connections also supports the life supporting capacity of those entities.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	Multiple connections and choices in routes assist with avoiding the adverse effects of fossil fuel use on the environment.

The objective is consistent with section 6(a)(c) and (d) of the Act, which requires the preservation of natural character from inappropriate subdivision, use and development, the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna and the maintenance and enhancement of public access to and along the coastal marine area, lakes and river and section 7 (b) and (c) which require “the efficient use and development of natural resources” as it gives particular regard to natural and physical connections which enhance biodiversity, public access and energy efficiency. This objective gives effect to objectives DH1.2, NA5.2.1 to NA5.2.3 and IN2.2 of the Regional Policy Statement which relate to the sustainable management of natural and physical resources, protection and enhancement of riparian and coastal margins, public access, and safe and efficient transport system. The objective is consistent with the vision of the Regional Land Transport Strategy ‘a sustainable transport future for Nelson’. Without this objective Council would find it difficult to achieve a well connected urban environment.

On the basis of the above, objective DO13A.2 is **appropriate** for achieving the purpose of the RMA.

DO13A.3**Creating High Quality Public Spaces**

Buildings, reserves and roads that are created as part of subdivision and development result in quality public spaces that provide for social, cultural, economic, environmental and amenity values.

Nelson City contains a number of quality and well used public buildings and spaces that facilitate a range of activities from arts to recreation and from large civic scales to small neighbourhood scales.

High quality public spaces enable people to play, relax and socialise throughout various levels/scales of the urban environment (suburbs, commercial villages, city centre), support recreational and commercial activity, and help to ensure vitality of public spaces and communities. Conversely, poor quality public spaces are an inefficient use of resources, are under utilised and are a burden on the ratepayers. Public spaces in urban areas are owned and maintained by the community and need to be located and developed in a manner that represents good quality urban design. Many residents and visitors have expectations that public spaces, including roads, will be high quality. The Council's focus is therefore on ensuring that new subdivision and development provides public buildings and spaces (including roads) that represent good quality urban design.

This objective relates to the issue identified in this Plan Change as 'urban design', which seeks to avoid the situation identified in that issue explanation where while it is recognised that Nelson has many attractive buildings and spaces, there are also some poor examples, or examples where opportunities to do something better were not realised.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	Peoples' well being, health and safety is influenced by the quality of the public buildings and spaces around them, and their ability to enjoy social and economic activities within them, both at civic and neighbourhood scales. For example, access to a well designed and safe neighbourhood reserve within 400m walking distance of every dwelling is both a Council goal and a resident expectation which enables social and economic wellbeing.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Existing and new urban areas within the City are an important physical resource. Retaining and enhancing appropriate levels of amenity are important to ensure the sustainability of this resource. Maintaining amenity levels through the use and creation of quality public spaces will also ensure that some of the adverse effects on the environment associated with subdivision and development are avoided, remedied or mitigated.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

This objective is consistent with section 7(b), (c) and (f) of the Act which are concerned with the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, and the maintenance and enhancement of the quality of the environment. This objective gives effect to NA1.1 of the Regional Policy Statement which seeks to maintain and enhance amenity values.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective "we are proud of our creative culture and regional identity", "we all benefit from a sustainable, innovative and diversified economy" and "we build healthy, accessible and attractive places and live in a sustainable region".

Without this objective Council would be unable to pursue the creation of quality public spaces relative to their location, nature and scale for the visitors and residents of Nelson.

On the basis of the above, objective DO13A.3 is **appropriate** for achieving the purpose of the RMA.

DO13A.4***Providing For Diversity***

Subdivision and development that provides for a range of choices in housing types, neighbourhood types, compatible employment opportunities and leisure and cultural activities.

The NRMP acknowledges that different zones are primarily for the one identified purpose as a means of avoiding reverse sensitivity or co location of activities with incompatible effects. However it is also acknowledged that desirable towns and cities offer opportunities for all people of the community, from young to old, people on different incomes and people of many cultures. Subdivision and development design should recognise that the benefits of urban life are widely shared and that the physical location and diversity of development helps to build a strong and sustainable community. It is also recognised that there can be real benefits in terms of convenience and efficiency if local services are able to locate within residential areas, and people can be enabled to make more efficient use of their property through work activities being undertaken at home. Diversity in building form and subdivision layout contributes to neighbourhood identity, and assists to build a strong sense of community. This objective seeks to provide for a diversity of development forms including the co location of activities where they are compatible.

This objective relates to the ‘urban design’ issue identified in this Plan Change, which identifies that lack of diversity in development form and types throughout the zones, and consequent lack of variety in the level and scale of living, working and recreational opportunities is an issue for Nelson. The objective also relates to the ‘Sustainable Land Transport’ issue identified in this Plan Change where it identifies that the dispersal of activities leads to social isolation, increased dependence upon the motor vehicle and reduced demand and viability for other forms of transport options, including public transport.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act’s purpose
Enabling – social wellbeing	Seeking diversity in building and neighbourhood forms enables the urban environment to cater for a range of people and life situations, and for people to carry out a range of activities which all contribute to their social, economic and cultural wellbeing by providing the needed housing, facilities, services or employment opportunities.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Diversity in subdivision and development forms also enables a more efficient use of the urban land resource, through both reducing the need for people to commute through it and enabling it to cater for the many different needs of our residents, including over their life time and the life time of the physical resource. This objective also seeks to safeguard the life supporting capacity of the urban resource by ensuring it retains resilience through diversity.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

Promoting the sustainable management of the urban land resource within Nelson includes ensuring that the residential neighbourhoods where most people spend most of their time are able to cater for the community’s diverse housing, work and service needs in a manner that avoids, remedies or mitigates adverse environmental effects. Sustainable management also includes ensuring that efficiency benefits in terms of co location of compatible activities and reducing the dependence upon the private motor vehicle are achieved as is sought through this objective.

This objective is consistent with section 7(b), (c) and (f) which are concerned with the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, and the maintenance and enhancement of the quality of the environment. The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective “we are proud of our creative culture and regional identity”, “we all benefit from a sustainable, innovative and diversified economy” and “we build healthy, accessible and attractive places and live in a sustainable region”.

Without this objective Council would be unable to match development form and style with the environmental context and the diversity of built environment needs of the community.

On the basis of the above, objective DO13A.4 is **appropriate** for achieving the purpose of the RMA.

DO13A.5***Inspiring Places****An urban environment that is inspiring, enriching, beautiful and outstanding.*

Nelson has a strong identity and the design of urban buildings and spaces needs to build upon the unique strengths, cultural identity and characteristics of our city, particularly in the central city and on prominent sites in the district. This will help make Nelson a better place to live, and by helping make it more distinctive and memorable, will enhance it as a tourist destination. Creativity and inspiration expressed through design can turn functional prominent sites such as city entranceways, corner sites, sites adjoining public spaces and highly visible sites into memorable places. Sites which are intended to have a high level of public use are also deserving of inspirational design.

This objective relates to the issue identified in this Plan Change as ‘urban design’, which seeks to create a city form that is attractive and that does not represent missed opportunities in terms of good urban design, particularly in public areas and sites that are part of the public private space interface. This objective is part of an overall improved urban design vision that relates across zones and as such will be further expanded through the rolling plan review process. It will also be supported through the identification of a future prominent sites analysis, particularly within the Central City Area, but also as it relates to entering and exiting the district, and from prominent view points such as the main highways and airport.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act’s purpose
Enabling – social wellbeing	Peoples well being, health and safety is influenced by the quality of the public buildings and spaces around them. Peoples’ economic wellbeing, and that of the District is enabled through the identity and character of the City, particularly in relation to tourism and the many hospitality activities in Nelson. The long life time of infrastructure and buildings means it is important to ensure that prominent spaces are marked by urban design that is appropriate for the public prominence level of the site.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Prominent urban areas within the City are an important physical resource. Retaining and enhancing appropriate levels of amenity are important to ensure the sustainability of this resource and the associated economic benefits that support the City. Ensuring prominent spaces represent good quality urban design will ensure the resources are sustainably managed and likely to be retained for the duration of their life cycle.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

This objective is consistent with section 7(b), (c) and (f) of the Act which are concerned with the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, and the maintenance and enhancement of the quality of the environment. This objective gives effect to NA1.1 of the Regional Policy Statement which seeks to maintain and enhance amenity values.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective “we are proud of our creative culture and regional identity”, “we all benefit from a sustainable, innovative and diversified economy” and “we build healthy, accessible and attractive places and live in a sustainable region”.

Without this objective Council would be unable to pursue the creation of inspiring prominent public spaces relative to their location, nature and scale for the visitors and residents of Nelson.

On the basis of the above, objective DO13A.5 is **appropriate** for achieving the purpose of the RMA.

DO13A.6**Sustainable Places & Communities***Urban development that meets the community's current needs without compromising future needs.*

Urban design has a role in reducing the environmental impact of the city and suburbs through environmentally sustainable and responsive design solutions. Growth of urban areas and economic development should be sympathetic to the natural environment and minimise Nelson's ecological footprint. In addition urban design aspires to make the urban environment more sustainable for its users through providing for mixed use and co location of activities to avoid the need for unnecessary travel, increased connectivity of activities and places to ensure efficient travel when necessary, and good quality building development that provides places to live, work and play that are of high amenity while making efficient use of the land resource and minimising its effect on natural resources. The goals of urban design and sustainable management are entirely compatible and self supporting.

This objective aims to look beyond individual effects of sites and ensure that development is viewed from a strategic, cumulative or whole of the urban environment approach. This is particularly important to enable consistency with the Act's purpose and intention for integrated sustainable management of resources. Urban development that incorporates aspects of sustainability and environmental responsiveness should receive an appropriate level of positive evaluation in the resource consent process.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	Encouraging the identification of ways to minimise adverse impacts on human health and natural and physical resources, is promoting the purpose of the Act. The intention of the objective includes design that addresses air and water quality, minimises waste production, energy and water use and maximises the efficiency of land and infrastructure. This all contributes to social, economic and cultural wellbeing and the health and safety of residents and visitors to Nelson.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Subdivision and development that is responsive to the environment and site within which it is to integrate has the potential to sustain natural and physical resources. This objective seeks to recognise the long life time of built infrastructure and ensure that development sustains and safeguards the urban land resource for current generations without compromising the needs of future generations.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

Promoting the sustainable management of the urban land resource within Nelson includes ensuring the community's current needs do not compromise those of the future. This objective is consistent with section 5 (2) of the Act which is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective "we all benefit from a sustainable, innovative and diversified economy" and "we build healthy, accessible and attractive places and live in a sustainable region".

Without this objective Council would find it more difficult to pursue a sustainably managed urban or built environment in a manner that considers the needs of both current and future generations of community in Nelson.

On the basis of the above, objective DO13A.6 is **appropriate** for achieving the purpose of the RMA.

DO13A.7**Urban Design Process**

Sustainable management of Nelson’s urban resources achieved through quality urban design processes. These processes holistically manage urban systems and interconnections rather than focusing on the effects of individual activities.

Urban design is an approach that draws together many sectors and professions, and it includes both the process of decision making and the outcomes of design. To achieve quality urban design, quality design approaches need to be employed. It is important that this is considered at the start of the land conversion/development process and that the outcomes are managed in an integrated way across property boundaries, neighbourhoods and zones. This objective responds to the issue identified in this Plan Change as ‘urban design’. It recognises that good design is rarely brought about by regulation, and therefore the design process itself as well as the ability to record design intentions well or ‘tell the story’ are integral parts of raising the bar with respect to urban design in our City.

This objective aims to ensure that Councils administrative systems support quality urban design proposals by recognising the interconnected nature of the urban environment, and the effects of development within them, requires a balanced approach which considers effects on balance, rather than individually. This will often mean that the goals of one part of Council’s work area may need to be compromised to achieve the goals of others, or on balance the best urban design solution.

The objective also aims to ensure that applicants have a supportive process for pursuing better urban design responses that may be unable to comply with the optimal approach of a specific rule or standard, but may still represent good urban design. In order to ensure the objective is realistic this is tempered by the need to demonstrate the design process undertaken in a holistic and integrated manner..

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act’s purpose
Enabling – social wellbeing	Enables people to provide for their social, cultural and economic wellbeing by providing a supportive Council administration process through which the pursuit of better urban design proposals can be achieved in an integrated and efficient manner. Provides an approach that minimises attention on the individual effects of urban activities, and maximises the integrated consideration of proposals within urban environments in terms of their overall environmental effects and benefit to the community.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	A more integrated and holistic view of development in the urban environment by both Council and the public will lead to a more efficient use and development of the urban land resource and is a way of sustaining resources. For example, approaching development of individual sites through assessing the wider context, and the ability to achieve overall urban design goals for that part of the community, rather than concentrating on non-compliance with a minimum standard of the individual site.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

The objective is consistent with section 5 (2) of the Act which is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations, and sections 7 (b) and (c) of the Act which are concerned with the efficient use and development of natural and physical resources, and the maintenance and enhancement of amenity values.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective “we all benefit from a sustainable, innovative and diversified economy” and “we build healthy, accessible and attractive places and live in a sustainable region”.

Without this objective Council would it very difficult to provide a supportive process through which the pursuit of better urban design can be achieved in an efficient and effective manner, that achieves sustainable management of the urban land resource. On the basis of the above, objective DO13A.7 is **appropriate** for achieving the purpose of the RMA.

DO10.1**Land Transport System**

A land transport system that is safe, efficient, integrated and responsive and that meets the needs of Nelson in ways that are environmentally, socially and economically sustainable.

This objective has been amended to be consistent with the Regional Land Transport Strategy, the Regional Policy Statement, the urban design objectives and policies and the amended transport policies in the plan. The transport system is a resource of considerable value to the social and economic well being of people and communities. It is important to ensure that the transport system is a safe as well as an efficient network that caters for all users throughout the different parts of the transport network. It is important that potential conflicts between land use activities and people using the network are addressed.

Land use planning, particularly the creation of new roads, walkways and cycleways through subdivision and development and the location of nodes of activity through zoning and associated rules, have potential to influence the sustainability of the land transport system. The Council encourages the co-location of activities through land use planning which can encourage a shift from vehicle dependence to the increased use of cycling, walking and passenger transport. This objective responds to the new issue 'sustainable land transport' which identifies that land transport networks have the potential to adversely affect the environment, and that conversely land use and urban activities can adversely affect the land transport system.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	The land transport system is an essential element in the backbone framework of the urban environment. The efficient and effective location, construction, type and range of choices offered by land transport and its direct relationship to land use, context and urban activity are vital for social and economic wellbeing. The land transport system is also vital for enabling health and safety of both the urban environment and its residents.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Promoting efficiency in travel modes and ensuring that the land transport system is efficient, integrated and responsive is a way of sustaining the potential of natural and physical resources. Considering the effects of the co location of activities on the land transport system will also assist with avoiding the adverse effects of fossil fuel use on the environment, and assists to support a change of travel mode for Nelson residents.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

This objective is consistent with section 5(2) of the Act which is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations, and sections 7 (b), (ba) and (c) of the Act which are concerned with the efficient use and development of natural and physical resources, the efficiency of the end use of energy, and the maintenance and enhancement of amenity values. This objective gives effect to IN2.2 of the Regional Policy Statement which seeks a safe and efficient transport system that promotes the use of sustainable resources.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective “we all benefit from a sustainable, innovative and diversified economy” and “we build healthy, accessible and attractive places and live in a sustainable region.

Without this amended objective Council would find it difficult to achieve the better urban design goals of the plan change recognising the significant role that the land transport system the integrated planning of land use activities with transport can play. The amended objective is considered to better reflect the more recently drafted intentions of the Regional Land Transport Strategy while still achieving its original goals.

On the basis of the above, the amended objective DO10.1 is **appropriate** for achieving the purpose of the RMA.

DO14.1**City Layout And Design**

Subdivision and development that recognises and is appropriate to the natural characteristics of the City and is consistent with principles of high quality urban design and the orderly and efficient use of land.

This objective has been amended to be consistent with the urban design issue, objectives and policies proposed in the plan change. The objective now takes into account that the layout and design of urban areas, through the activity of subdivision, creates the backbone structure of the city and suburbs. Given the long life time of subdivision and development, layout that represents poor quality urban design will have adverse effects on the quality and sustainability of the urban environment for years to come.

The objective retains its focus on the orderly and efficient use of the land. This reinforces the land transport, servicing and improving connections objectives in this plan change.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	The activities of subdivision and development determine the lifestyle, community, amenity and quality of environment for residents as well as affect the way in which they travel around the city and the use of public spaces such as streets, reserves and walkways. Ensuing city layout and design is undertaken in a accordance with good urban design principles will enable the social and economic wellbeing of residents, along with their health and safety to be actively promoted through the physical location of development.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	Making best use of the urban land resource to achieve dual goals associated with improved urban design is a way of sustaining natural and physical resources.
Safeguarding life-supporting capacity	Ensuring high quality urban design is factored into the city design objective along with the existing goal of orderly and efficient use of land will assist to avoid, remedy and mitigate the potential adverse effects of urban development on the environment.
Avoiding, remedying, or mitigating any adverse effects on the environment	

This objective is consistent with section 5(2) of the Act which is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations, and sections 7 (b), (ba) and (c) of the Act which are concerned with the efficient use and development of natural and physical resources, the efficiency of the end use of energy, and the maintenance and enhancement of amenity values.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective “we all benefit from a sustainable, innovative and diversified economy” and “we build healthy, accessible and attractive places and live in a sustainable region.

Without this amended objective Council would find it difficult to achieve the better urban design goals of the plan change recognising the significant effects that subdivision and development have on the urban land resource. The amended objective is considered to better reflect and retain consistency with the urban design and services objectives and policies of this plan change.

On the basis of the above, the amended objective DO14.1 is **appropriate** for achieving the purpose of the RMA.

DO14.3**Services**

The provision of services to subdivided lots and developments in anticipation of the likely effects and needs of the future land use activities on those lots within the developments and the development potential of adjoining land.

This objective has been amended to be consistent with the urban design issues and objectives within the plan change, and its own policies regarding the need to provide for the development of adjoining sites within the Services Overlay. The intention of the current policies are that for land located within the Services Overlay it is developed in a manner that does not restrict the ability of adjoining land in the Services Overlay from meeting its development potential. In this respect 'services' means roading, wastewater, stormwater and water supply.

The objective takes into account that it is essential to ensure that servicing of developments are coordinated and occur in an efficient and sustainable manner that enables good quality urban design. This also links with the Land Transport and Connectivity objectives with respect to the roading aspect of servicing.

The objective retains its original focus, but greater emphasis is placed on the requirement to anticipate the development needs of adjoining land within the Services Overlay.

Elements that make up the purpose of the Act	Examination of the objective in meeting the Act's purpose
Enabling – social wellbeing	Ensuring the layout and servicing of subdivision and development is undertaken in a strategic manner that represents practical and efficient servicing is enabling of social and economic wellbeing, and health and safety of current residents and future generations. The objective achieves the Act's purpose by ensuring practical and efficient use of the urban land resource in an integrated, across individual development, manner.
Enabling – economic wellbeing	
Enabling – cultural wellbeing	
Enabling – health and safety	
Sustaining the potential of natural and physical resources	The potential of natural and physical resources with respect to servicing, the provision of water and drainage, is sustained through the objectives goals. This will safe guard the life supporting capacity of drainage networks, natural and piped, and water supplies.
Safeguarding life-supporting capacity	
Avoiding, remedying, or mitigating any adverse effects on the environment	

This objective is consistent with section 5(2) of the Act which is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations, and sections 7 (b), (ba) and (c) of the Act which are concerned with the efficient use and development of natural and physical resources, the efficiency of the end use of energy, and the maintenance and enhancement of amenity values.

The Long Term Council Community Plan 2009-2019 (LTCCP) contains the following aims relevant to this objective "we all benefit from a sustainable, innovative and diversified economy" and "we build healthy, accessible and attractive places and live in a sustainable region".

Without this amended objective Council would find it difficult to achieve the better urban design goals of the plan change recognising that the coordination and efficient servicing of areas with development potential is an essential component in the sustainable management of the land resource. The amended objective is considered to better ensure a strategic approach is taken to the development of land, including more of a focus on the overall development context than individual sites.

On the basis of the above, the amended objective DO14.3 is **appropriate** for achieving the purpose of the RMA.

7.0 Whether the policies, rules, or other methods are the most appropriate for achieving the objectives in terms of their efficiency and effectiveness, benefits and costs, and in regards to the risk of acting or not acting

7.1 Introduction

In this section the following discussion and tables provide an evaluation of the costs and benefits of the proposed policies and methods, and considers whether these policies and methods are the most appropriate for achieving the objectives, having regard to their efficiency and effectiveness. This is undertaken in two forms, in either table format for significant issues/changes or in text format for minor issues/changes.

The terms efficiency and effectiveness have not been defined in the RMA and, therefore, the criteria set out in this introduction has been used to help focus the analysis.

Costs and benefits have largely been assessed subjectively and or comparatively because of the great difficulty in assessing/quantifying intangible costs e.g. environmental costs, costs of poor design.

The concept of risk has two dimensions, the probability of something adverse occurring and the consequence of it occurring. For example, if there is low risk associated with acting but high risk associated with not acting, then taking action is clearly the sensible thing to do. Risk is usually expressed as 'probability times consequence' and associated with a cost – usually a severe economic, social or environmental cost. Assessing the risk of acting or not acting means assessing the probability of a cost occurring and the size of that potential cost.

The NRMP has adopted a rule based regime, based on compliance with relevant environmental standards. This approach has been thoroughly considered through the plan preparation, submission and hearing process when the NRMP was first notified. For this reason it is not proposed to reconsider the merits of this approach in this report. The Council has now embarked on a process of 'rolling review' of the Plan. This may create some inconsistencies throughout the Plan as new approaches are rolled out through consecutive plan changes and/or chapters.

The following analysis of provisions is structured around each objective (highlighted in grey at the start of each section). The number of the provision reflects the existing numbering in the NRMP.

The set of policies and methods proposed to achieve each objective is listed (in a white box) under the relevant objective at the beginning of each section.

An individual analysis of each group of policies and methods proposed to achieve the relevant objective follows on under each objective. For more significant changes an in depth analysis of the different options examined is provided, where as for matters largely remaining unchanged or minor consequential matters the costs and benefits are only briefly canvassed.

As previously discussed, this Plan Change deals with urban design matters that are subjective in nature, interrelated and difficult to quantify in terms of monetary costs and benefits. Accordingly this section 32 analysis is unable to provide a cost benefit analysis based strictly on economic terms. Development and housing affordability is an issue of concern for Nelson, and it is inevitable that elements of this Plan Change might be perceived to make residential housing even more unaffordable.

Housing affordability is influenced by many factors:

- (iv) who is building the housing
- (v) land supply (i.e. greenfield's, infill subdivision and intensification)
- (vi) planning and engineering controls
- (vii) planning administration procedures
- (viii) the availability of bank credit

- (ix) housing preference
- (x) residential investment market.

With many different drivers, it is difficult to say with certainty how this urban design Plan Change will influence housing affordability. The goal of this Plan Change is to improve urban design within our city and suburbs and to provide an administration process within Council that reduces the barriers to this. While it can be argued that the first goal would result in a decrease in affordability, the second process orientated goal would increase affordability in terms of the resource consent process. It can also be argued that the design responses required by the Plan Change will not necessarily result in an increase in development costs, many of the design approaches will result in lower costs once the development industry has adjusted to the new standards. For example the roading standards provided in the NCC Land Development Manual, a method of this Plan Change, are significantly narrower and will require less earthworks, less retaining, less use of roading materials etc and therefore lead to lower development costs. These savings should pass onto the future section purchaser and home owner.

This Plan Change has not been specifically drafted to address the issue of housing affordability although it is an issue that members of the Steering Group have had in mind. Council receives increasing complaints regarding high vehicle speeds and numbers on local streets, residential suburbs being too much the same and lacking identity, poor transport options and connections to open space, limited opportunity for mixed uses, and lack of importance placed on significant natural features such as landscape values. It is clear that a demand does exist for urban places and spaces to better reflect good urban design, our local context, character and identity and the need for sustainability in terms of servicing and infrastructure. Facing challenges in terms of how to manage the design of future greenfield urban areas, public spaces and buildings, and connections between them requires a strategic and coherent approach to managing urban development and this Plan Change is one Council project that is part of a rolling plan review that contributes to such an approach. Other projects include the Strategic City Development Plan, the Central City Strategy, Marsden Valley, Enner Glynn and Nelson South Structure Plans.

Due to the interconnected nature of urban design issues addressed in this Plan Change, there is the potential for a careful selection of a few methods to provide multiple solutions to many of the issues associated with achieving better urban design in the residential environment. The approach taken in the selection of the preferred methods took advantage of those interconnections and recognised that rather than a proliferation of rules controlling design and layout a careful selection of critical design components to control through regulation will result in the achievement of many associated urban design values. To that end the review of the NCC Engineering Standards to provide roading standards reflective of both a good urban design approach and our hillside future residential areas are considered the main tool that will also allow for the reduction of earthworks, diversity of lot layout and better relationship between lots and public spaces.

7.2 Urban Design

Objectives

- DO13A.1 Recognising the Local Context*
Subdivision and development that reflects, and creates positive relationships with, our local environment, heritage and urban context.
- DO13A.2 Improving Connections*
Subdivision and development in urban areas that creates interconnected structures and spaces to ensure that all people find urban areas easy to get around, and connected natural environment networks that support native biodiversity.
- DO13A.3 Creating High Quality Public Spaces*
Buildings, reserves and roads that are created as part of subdivision and development result in quality public spaces that provide for social, cultural, economic, environmental and amenity values.
- DO13A.4 Providing For Diversity*
Subdivision and development that provides for a range of choices in housing types, neighbourhood types, compatible employment opportunities and leisure and cultural activities.
- DO13A.5 Inspiring Places*
An urban environment that is inspiring, enriching, beautiful and outstanding.
- DO13A.6 Sustainable Places & Communities*
Urban development that meets the community's current needs without compromising future needs.

7.2.1 Proposed Policies and Methods

- DO13A.1.1 Subdivision and development should relate to local topography, climate, heritage, culture, locally distinctive materials and vegetation and valued development patterns.*
- DO13A.2.1 Accessibility is maximised through subdivision and development design which provides for:*
- a) safe and pleasant transport networks for all modes of movement, including pedestrians, cyclists, public transport and motor vehicles.*
 - b) a variety of logical and effective connections between different transport networks and between different parts of the city and urban areas.*
- DO13A.2.2 Subdivision and development should provide for the enhancement, restoration and multiple use of natural environment connections particularly from the hills to the coast, utilising rivers, streams and natural catchment features through urban environments to enhance native biodiversity.*
- DO13A.2.3 Public spaces created as part of subdivision and development should be connected to and overlooked by private buildings and spaces in a manner that is human scaled and encourages interaction and safety.*
- DO13A.3.1 Subdivision and development of urban public spaces should provide for:*
- a) landscape and streetscape design that is of high quality, is people rather than vehicle orientated and maintains or enhances social, cultural and amenity values.*

- b) *human scaled relationships between buildings, infrastructure and surrounding spaces.*
- c) *The public space to have a variety of distinctive spaces appropriate to the context that function well as places for a range of activities including meeting people, relaxing, playing and walking through.*
- d) *a range of public open spaces and parks that cater for the different needs of people both in terms of ages and abilities, and levels of recreational and leisure use.*

DO13A.3.2 Public spaces which facilitate multiple uses to achieve a range of social, cultural, economic and environmental benefits can be realised.

DO13A.4.1 Subdivision and development should facilitate, where appropriate:

- a) *mixed use developments that support a variety of compatible land uses and reflect local needs.*
- b) *flexibility to adapt buildings and spaces to accommodate a range of uses both now and in the future.*
- c) *a range of building types to provide accommodation and offer opportunities for all groups within the community.*
- d) *a range of subdivision types that contribute to a diversity of neighbourhood types and identities.*

DO13A.5.1 Urban buildings and spaces located on prominent sites, or buildings and spaces that are intended for public use, should represent outstanding architectural and landscape design, and be socially, culturally and environmentally responsive. Design should consider the needs of present and future generations.

DO13A.6.1 Subdivision and development should be environmentally responsive, which for the urban environment includes considering the following opportunities:

- e) *the efficient use of existing infrastructure and the sustainability of new infrastructure.*
- f) *the containment of urban sprawl and avoidance of inefficient use of the urban land resource.*
- g) *interconnection within and between neighbourhoods to reduce vehicle dependence.*
- h) *the reuse of existing buildings and sites, and the adaptability of proposed buildings and sites.*
- i) *the establishment of small neighbourhood village areas for local shopping/services.*
- j) *the consideration of connections to public transport or future public transport networks.*
- k) *the collection and reuse of rainwater to supplement potable supplies.*
- l) *low impact stormwater design treatment and disposal.*
- m) *the solar orientation of buildings and sites.*
- n) *the encouragement of the use of renewable energy sources and sustainable building materials.*
- o) *responding to sea level rise predictions.*

DO13A.6.2 Subdivision and development should be environmentally responsive, which for the urban environment includes considering the following opportunities:

- a) *the efficient use of existing infrastructure and the sustainability of new infrastructure.*
- b) *the containment of urban sprawl and avoidance of inefficient use of the urban land resource.*
- c) *interconnection within and between neighbourhoods to reduce vehicle dependence.*
- d) *the reuse of existing buildings and sites, and the adaptability of proposed buildings and sites.*
- e) *the establishment of small neighbourhood village areas for local shopping/services.*

- f) *the consideration of connections to public transport or future public transport networks.*
- g) *the collection and reuse of rainwater to supplement potable supplies.*
- h) *low impact stormwater treatment and disposal.*
- i) *the solar orientation of buildings and sites.*
- j) *the encouragement of the use of renewable energy sources and sustainable building materials.*
- k) *responding to sea level rise predictions.*

DO13A.7.1 Quality urban design should be supported through flexible and responsive policy and administration systems that use a holistic approach to the management of urban environment effects.

DO13A.7.2 Subdivision and development should use a coordinated multi disciplinary approach to avoid the adverse effects and cumulative adverse effects of managing urban resources individually and from a single discipline's perspective.

DO13A.7.3 To encourage the collaboration of the private and public sector where there are opportunities for projects to assist with the Council's role of achieving a quality urban design vision for the community in a sustainable and equitable manner.

Methods

- *Rules, standards and terms and assessment criteria*
- *Appendix 14 Residential Subdivision Design and Information Requirements*
- *Heritage Precincts/buildings*
- *NCC Urban Design Action Plan*
- *Inner City Design Guidelines*
- *Structure Plans, Outline Development Plans and Planning Maps.*
- *NCC Pedestrian Strategy*
- *Riparian and Coastal Margin Overlays*
- *Parks and Reserves Management Plans*
- *NCC "Safer by Design" CPTED Guidelines*
- *Appendix 22 Comprehensive Housing Development*
- *NCC Residential Street Frontage Design Guide*
- *NCC Arts Policy*
- *NCC Street Tree Guidelines*
- *NCC Central City Strategy*
- *NCC Strategic City Development Plan*
- *NCC Land Development Manual*
- *NCC Sustainability Policy*
- *Residential Intensification Review*
- *NCC Social Wellbeing Policy*
- *Prominent spaces and places assessment*
- *Solar Saver Scheme*
- *Advocacy*
- *NCC Major Projects Team*
- *NCC Urban Design Panel*
- *Internal Council procedures and policy review*
- *Commitment to working across departments and in partnership with the community/iwi*

7.2.2 Background

All of the policies relating to urban design are new proposed policies, as are some of the methods. Many of the methods (other than rules) are recent Council procedural and internal policy approaches which collectively implement the better urban design approach. In this Plan Change, the policies and methods seeking to achieve better urban design are District Wide provisions, however the Rules, Standards and Terms, and Assessment Criteria changes relate only to the

Residential Zone (apart from Zone wide technical or consequential changes). The methods other than rules are District Wide changes and this includes the external reference to the NCC Engineering Standards 2003 changing to the NCC Land Development Manual 2010 and consequential changes to Appendices 10 to 14 affecting compliance with controlled activity standards across zones.

Because the policies and methods other than rules assessed in this section are District Wide they have many interconnections with the Transport, Subdivision and Development and the Residential Zone sections which follow. Where possible overlaps/repetition in the analysis has been avoided and instead references to other sections of the analysis have been provided.

The NRMP should always be considered as a whole. There may be occasions where due to the 'rolling Plan review' process inconsistencies between the District Wide and Zone objectives and policies arise. Resolution of those will be reliant on future plan changes to zones, policies, rules and methods. Key issues addressed in this urban design part of the Plan Change are:

- (i) The appropriateness of introducing District Wide policies and methods for better urban design and how consistency with those goals can be achieved through existing methods in the NRMP.
- (ii) The appropriateness of proposed changes to current provisions in the Residential Zone rules and other methods in terms of achieving the improved urban design goals.
- (iii) The appropriateness of process orientated or non-regulatory methods to achieve the urban design outcomes sought.

7.2.3 District Wide Urban Design Policies and Methods

The NRMP contains District Wide Objectives and Policies as well as specific Objectives and Policies within each Zone. The need for urban design issues to be addressed has been established in section 2.0 of this report. The existing format of the NRMP dictated the policy structure within which those issues are to be addressed. Given the scope of this review there were two options with respect to inserting urban design objectives and policies into the NRMP: The two options were to either restrict the insertion of urban design policies and methods to each Zone chapter, so for this Plan Change the Residential Zone Chapter, or to insert District Wide Urban Design Policies and Methods.

The insertion of District Wide Policies and Methods was considered to be the most effective and efficient because the urban design objectives are common to all Zones and this avoids repetition, and sets up the policy framework for future NRMP reviews for other Zones, such as Central City and Suburban Commercial. This option also utilises the existing NRMP structure and the District Wide section of objectives and policies. In addition the methods other than rules are common to all Zones in the NRMP which includes the NRMP Appendices and the external reference of the NCC Land Development Manual 2010. Additional urban design policies and methods specific to each Zone can then be inserted as required in future policy reviews.

Additional or amended policies and methods for the Residential Zone have been proposed to build upon the District Wide framework provided as discussed above. There is no hierarchy with respect to District Wide and individual Zone objectives and policies, all have equal weighting and the Plan is required to be considered as a whole. A matter for weighting in such an assessment would be the direction signalled in any rolling plan review, and in this situation it is the framework to set up a better approach for achieving urban design outcomes. Notwithstanding this, the Residential Zone policies and methods are more specific and directive than the District Wide ones and address particular issues specifically relevant to the Residential Zone.

NCC Land Development Manual 2010

Part of the approach adopted for the pursuit of better urban design, as assessed in section 5.1, was the recognition that urban design is not able to be achieved through minimum standards, and that the current engineering standards in Appendices 10 to 14 of the Plan have become an barrier for those applicants wanting to pursue a better urban design approach. Therefore addressing both the relationship of the NCC Engineering Standards 2003 and the content and role of Appendices 10 to

14 of the NRMP is a key issue identified in this plan change review. It is also driven by the fact that the NCC Engineering Standards 2003 are currently being reviewed and in conjunction with the development of this proposed plan change Council as infrastructure owners and asset managers will seek that the NCC Engineering Standards 2003 are replaced by the Land Development Manual 2010.

The Land Development Manual structure is different from that of the current NCC Engineering Standards and has been proposed to closely match the structure of the TDC Engineering Standards so as to facilitate a combined standards document in the future, and to maximise benefits now of having a complimentary structure for readers/users. The drafting phase of the Land Development Manual was also heavily influenced by the assessment and construction of this plan change to ensure they are complimentary.

Sections 1 to 3 of the Land Development Manual contain, the role of the standards, application processes (links with Residential Plan Change, Appendix 14, use of Major Projects Team and Urban Design Panel), preliminary design, pre-construction meetings, the role of the design professional, certification requirements, and private and public legal implications etc. Sections 4 to 12 will contain design requirements and minimum standards for each subject. Each section 4 to 12 will contain general design philosophy including best practice urban design advice as an introduction to the minimum standards.

Infrastructure staff propose that for the next review the design requirements part of each of Sections 4 to 12 will be removed to form a Part One Design Manual and the technical standards held together to form a Part Two Minimum Specifications. It is considered that this will allow the specifications to more easily facilitate commonality between both Nelson City Council and Tasman District Council's Standards. It will also facilitate more specific external reference process for the NRMP where rules and standards rely on standards within the LDM for determination of compliance.

It has been highlighted by stakeholders that until recently the practice of seeking comments on the revised Engineering Standards (now called the Land Development Manual) has been regarded by some applicants as lacking in sincerity by Council and was perhaps reflective of a poorer historical relationship between the Infrastructure Department and consultants/developers than the more positive relationship enjoyed today. As a document that was not externally referenced under the NRMP (pursuant to Part 3 Schedule 1, RMA) stakeholders were wary that their ability to submit and be heard in regard to submissions on the previous Engineering Standards was subject to goodwill rather than a statutory consultation process. Options in terms of how Council refers to the new Land Development Manual therefore need to consider whether or not the standards should be externally referenced as part of the Plan or should be a non regulatory tool of the NRMP and outside the Plan.

The First Schedule of the Resource Management Act contains a relatively new provision (as from 10 August 2005), Part 3 *Incorporation of documents by reference in plans and proposed plans*. This section provides for the reference of documents such as the Engineering Standards in the Plan (where they are currently listed as a controlled activity standard and term) and states that once incorporated by reference in a plan they have legal effect as part of the plan. The Act then goes on to say that amendments or changes to any standard incorporated in the plan by reference only, have effect as if they were part of the Plan, but only if the Plan states that they have that effect. The transitional provisions of the RMAA05 in section 131(10) also deemed that the current NCC Engineering Standards 2003 are now an externally referenced document by virtue of the reference in the Plan prior to the Amendment Act.

Part 3 goes some way to meeting the requests of stakeholders, in that reference to the Land Development Manual in the subdivision rules will result in them having legal effect as part of the plan. This will allow stakeholders to provide comments to Council prior to the notification of the Plan Change regarding the proposal to externally reference the Land Development Manual. A second opportunity to make a submission would also be provided as part of the notification of Plan Change 14 which would publicly notify the intention to externally reference the Land Development Manual as part of the Plan Change. This would provide stakeholders with an open and transparent process through which to submit on any unsupported sections of the Land Development Manual.

Previously the process consisted of writing comments on the Engineering Standards, and then receiving the final copy without any commentary or reasons for decisions made.

Table 2 on the following page evaluates the advantages, costs and risks of the two options in relation to how to incorporate the NCC Land Development Manual as a key part of the Plan Change.

It is recommended that Option 2 Include the Land Development Manual by External Reference and provide for comments under Clause 34, Part 3 Schedule 1 process of the RMA. And that in addition to that process Council provide for comments (under clause 34) to be heard by the Plan Change Committee. The notification of Plan Change 14, submissions process, and hearings will provide a second consultation opportunity on the external reference of the Land Development Manual.

It is also considered worth noting here, that any future changes to the Engineering Standards (such as the 5 yearly update) will not have effect as part of the plan, unless Council notifies that the Engineering Standards have changed as a Plan Change, and the same Part 3 Schedule 1 process is followed.

Table: 2 The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change The NCC Land Development Manual 2010			
Options	Key Features	Advantages	Costs and Risks
<p>Option 1</p> <p>This is not recommended</p>	<p>Replace the Engineering Standards 2003 with the Land Development Manual 2010 and locate it outside the NRMP, deleting all references to it and roading standards from current rules.</p> <p>The Land Development Manual minimum standards can therefore only be imposed as a condition of consent as part of Council's ability as asset manager and infrastructure owner under the Local Government Act to require the vesting of assets to a particular standard.</p> <p>The consultation process for this option would comprise the LGA2002 consultative process whereby submissions are sought and their content considered by Council.</p>	<p>Complies with legislative requirements</p> <p>This aligns with Tasman District Council's approach.</p> <p>Land Development Manual is outside of the NRMP and can be changed by Council independent of the Plan Change 1st Schedule RMA process.</p> <p>Lowest costs of all options in terms of consultation and amendment procedures.</p>	<p>Stakeholders receive no reasons for decisions on their submission or ability to be heard in support of them. No appeal rights. Such a process has been criticised as 'lip service' consultation in the past.</p> <p>Land Development Manual is outside of the NRMP and can be changed by Council independent of the Plan Change 1st Schedule RMA process. There is a risk that such a process would undermine the urban design objectives of Council and be counter active to efforts to maintain good working relationships between Council and the land development industry.</p> <p>Without direct alignment with Plan Change 14 there is a high risk that the two documents would become inconsistent and the Land Development Manual could end up as another set of minimum standards or prescriptive barrier preventing the implementation of, and undermining, the urban design outcomes sought in Plan Change 14.</p> <p>Risk that applicants are unaware of Council's ability to impose conditions requiring compliance with the LDM as a condition of consent, which could lead to inappropriately designed applications, and inefficiencies in the resource consent assessment procedures as subdivision and development may not actually be able to gain engineering approval for matters approved in the resource consent.</p>

Options	Key Features	Advantages	Costs and Risks
<p>Option 2</p> <p>This is the recommended option</p>	<p>Include Land Development Manual by External Reference and receive written comments under Clause 34, Part 3 Schedule 1 RMA. Provide for comments to be heard by the Plan Change Committee. Publicly notify the external reference of the Land Development Manual as part of Plan Change 14.</p> <p>Amend all current references to the Engineering standards 2003 in the NRMP and replace with the land Development Manual 2010, delete roading standards in the NRMP in favour of external reference of the LDM and it's transport provisions.</p>	<p>This is a cost effective means of incorporating the LDM with the NRMP. The Land Development Manual is too large to be practically incorporated into the plan and would interrupt flow of the plan.</p> <p>Land Development Manual is outside of the NRMP but the standards referred to in Plan Change 14 give it legal effect as if it were a rule in the NRMP.</p> <p>Complies with legislative requirements.</p> <p>Stakeholders are provided with and fair and reasonable consultation process where they have the option to present comments to Council and receive reasons for decisions. Stakeholders given the opportunity to make a submission and appeal any decision made in respect of that as part of Plan Change 14.</p> <p>Open and transparent decision making.</p> <p>The resource consent process is more efficient and more targeted at achieving the urban design outcomes sought as Plan Change 14 is supported by the LDM standards in rules, assessment criteria and other methods. Preliminary engineering design can be based on known or required minimum standards as part of the consent activity status within rules.</p> <p>The integral nature of Plan Change 14 and the LDM is recognised and obvious to an applicant which is more likely to achieve desired effectiveness.</p>	<p>Risk and costs associated with the potential for Plan Change 14 to be held up by submission and potential appeal in respect of the LDM. This risk is considered appropriate given the integral nature of Plan Change 14 and the LDM.</p> <p>Future risk that subsequent reviews of the LDM and its planned alignment with Tasman District Council as it will be a longer process due to statutory requirements for consultation on externally referenced documents for which Tasman District Council does not currently support.</p> <p>The cost in staff time, hearings and legal representation is potentially significant, however comprehensive pre consultation processes have reduced this risk which can be absorbed into the Plan Change 14 process in a manner that represents greater cost efficiencies than Option 1 potential risks.</p> <p>There is a risk that the submission process is unfairly or inequitably influenced by infrastructure manufacturers or service providers. This risk is considered to be low given the comments received on the draft LDM to date. The Clause 34 and hearing opportunity will minimise the risk of this by providing an informal and local opportunity for any of these issues to be resolved prior to notification of the Plan Change.</p>

7.2.4 Improving urban design through amendments to current provisions in the Residential Zone rules and other methods

The Residential Zone contains the majority of the City's residential properties. Within this Zone the NRMP provisions are focused upon maintaining amenity values and residential character. The plan change remains largely consistent with those goals, and fits within the existing framework of policies, rules and methods. Changes proposed include strengthening the existing policies in relation to streetscape and comprehensive housing, improving the direction in terms of outcomes sought for urban design, particularly in relation to public to private space relationship areas. Refer to section 7.5 for more detail on significant Residential Zone aspects of the plan change including the front yard and fences rules, and comprehensive housing.

a) Private to Public Relationships (Reserves, Streets, Front Yards, Coasts ad Rivers)

Part of a good urban design approach requires consideration of the relationships not only internally but also externally of a subdivision or development site. The current NRMP standards do not adequately address the need for the creation of positive relationships between residential subdivision and development and public spaces such as roads and reserves (including esplanade reserves in Appendix 6 of the NRMP). There are many examples within recent subdivisions where esplanade and neighbourhood reserves have poor relationships with residential allotments, being hidden behind rear fences, making unsafe and unattractive environments. Appendix 6 and associated rules do not recognise the good urban design or amenity values associated with esplanade reserves in the urban environment and takes a utilitarian approach to their provision. There are also many examples where the location and style of dwellings, garages, manoeuvring areas and fences in the front yard create a streetscape that is unsafe, unattractive and dominated by vehicles. These aspects of private to public relationships are discussed in more detail in section 7.5.

Good private to public space relationships and the ability for public spaces to be overlooked and human scaled in relation to the development around them is a key urban design issue. The provisions of the subdivision and development part of the operative NRMP do not specifically identify this issue, and this combined with a disjointed process for public reserve development within subdivision has led to some examples of poor private relations to public reserves. For example esplanade reserves in urban areas are often separated from adjoining residential development by high close board fences even if on the northern side of the dwellings. This results in poor outlook for both the residential dwellings and users of the esplanade reserve, safety and rubbish disposal issues and provides a low amenity environment.

The issue of private to public space relationships for all public spaces (reserves, streets, squares, coasts and rivers etc) has been addressed in the urban design objectives and policies and these apply district wide. The lack of urban design recognition in terms of the current values of esplanade reserves has been addressed in Plan Change 14 through the addition of definitions for the riparian values to include the desired urban design access aspects in Appendix 6 Riparian and Coastal Margin Overlays. The standards and terms and assessment criterion for subdivision adjoining esplanade reserves has likewise been amended by Plan change 14 to give prominence to retaining or creating these values in the design of future residential subdivision.

A new section of design guidance and engineering standards in relation to the creation, design and construction of different types of reserves has been included in Section 12 Reserves of the Land Development Manual. The Section 12 LDM guidance and standards integrates the design and creation of neighbourhood and esplanade reserves with the subdivision provisions in the Residential Zone and requires its consideration and assessment as part of the subdivision consent process. This enables consideration in terms of allotment and road orientation to reserves, and placement of building sites and their orientation adjoining reserves. It also provides developers with some certainty regarding location, design and timing of construction for neighbourhood reserves within new developments.

7.2.5 Addressing process issues

The issue of Council assessment processes and internal policies was first raised at a stakeholder issues and options meeting early on in the development of the Plan Change. It became apparent in the issues definition, as discussed in section 5.3 of this assessment that the barriers to implementing better urban design through subdivision and development were not only contained in the NRMP policy, but existed in Council's administration and internal policy systems, as well as within and between those responsible for the design and assessment of such development applications. To address the process and people aspects of the urban design issue a number of non-regulatory methods and process initiatives have been implemented and/or require creation and implementation as part of Plan Change 14. These process and administration improvements are summarised below and the costs, benefits and risks associated with each one have been assessed in the approach to Plan Change 14 assessment undertaken in Table 1, section 5.2.:

a) **Major Projects Team**

The Major Projects Team is a group of inter departmental staff within Nelson City Council who provide pre-application advice to applicants on proposed major development projects. The Major Projects Team already exists and has been providing this service on an as requested basis by applicants. It has provided time and cost efficiencies to applicants who used to only gain the advice of different Council departments in respect of the design proposals through the formal consent process and in a disjointed manner which sometimes led to conflicts between the goals of the individual departments to be resolved by the applicant. This is a cost effective opportunity for the Applicant to gain consensus and support for specific good urban design proposals that may not meet the minimum standards in the NRMP or the LDM, prior to undertaking significant investment on final design.

b) **Urban Design Action Plan**

The urban design action plan contains a number of process supporting changes to be implemented (some have started) that will assist to improve process and the expertise of Council staff and decision makers with respect to:

- circulating staff guidelines on urban design to stress best practice examples and the links between urban design and existing functions of Council
- regular staff and councillor training
- training for the Hearing Commissioners
- developing demonstration projects
- encouraging better working relationships with stakeholders

c) **Urban Design Panel**

The Urban Design Panel is an independent group of urban design experts who provide advice on proposals (pre and post application stage) which potentially have significant urban design issues. This is currently a free service which has already been put into operation for the pre application stage of consultation on significant development projects. While this service is a cost to Council, it is a discounted market cost and the results of it are considered to outweigh the risks and costs associated with poor design and/or retrofitting poor design in significant areas/prominent spaces.

d) **Customer Satisfaction and Statutory Compliance**

One of the process barriers raised early on in the issues definition part of the Plan Change by stakeholders was the generally poor level of service received in terms of subdivision consent applications, the time and expense of the consent assessment process and Council's inability to meet statutory consent processing timelines. This was reflective of a more historical relationship between applicants the Resource Consents and Infrastructure departments of Council. Today, applicants have advised a more positive relationship is being enjoyed and that is partly due to some internal restructuring, and increase in staff in Resource Consents and recent customer promise and statutory compliance initiatives.

Nelson City Council has recently implemented a customer promise which is part of all employees and contractors performance requirements. In addition statutory compliance has become a greater focus of Council and accordingly resource consent processing

timeframes have significantly improved. This has also been assisted by the proposed discounting policy in Phase 2 of the RMA09 reforms.

e) *Strategic City Development Plan*

During the process of issue identification for this plan change it has become apparent that supporting changes to the LTCCP and infrastructure extension and upgrade processes need to occur to support sustainable urban development, intensification and the goal of improved urban design in Nelson. Accordingly the Annual Plan 2010 included a commitment to a long term development plan for the City:

“The Council proposes to develop a Strategic City Development Plan that sets the priorities for meeting the servicing needs for growth, redevelopment and existing capacity and service level deficiencies across the whole City. This plan would set out when and where investment in works, reserves, services and plan changes would occur over the next ten years. Such a Plan would assist the Council to get better value from its expenditure by integrating its work programmes across infrastructure, community services and planning. It would also help the community and Council to make decisions on expenditure across all council activities to achieve the community’s goals.” Page 49 NCC Draft Annual 2010.

Plan Change 14 identifies the Strategic City Development Plan as a method to implement objectives and policies, particularly those in relation to transport and services and the connectivity and capacity of development in the Services Overlay. A number of the issues raised by stakeholders during the consultation opportunities for this plan change, such as intensification, structure plans, rezonings, catchment based development contributions and off sets for low impact and sustainable development are more appropriately addressed during and after the Strategic City Development Plan has been developed. These may well be the subject of future related plan changes.

f) *Other methods*

A range of other methods are proposed to assist with achieving the outcomes sought by the Plan Change 14 objectives and propose amendments to existing objectives. These are listed in the NRMP merely as references for the use of plan users. This is the current practice in the NRMP and it is considered entirely relevant for an urban design plan change where it is recognised that rules and minimum standards are not likely to achieve the best urban design outcomes in all situations. The breadth of the other methods listed is representative of the Council’s commitment in terms of recognising that improving urban design requires an integrated management of the urban land resource, across all aspects of Councils work programmes. The options in terms of how these ‘other methods’ are to be included in the NRMP are assessed in Table 3 on the following page.

7.2.6 Appropriateness of policies and methods to achieve objectives

Having regard to the costs and benefits, and the efficiency and effectiveness as summarised above, the recommended policies and methods (regulatory and non regulatory) in the above discussion are considered to be the most appropriate for achieving the objectives.

Table 3: Options for including “other methods” as part of Plan Change 14 Examples include: CPTED Guidelines, Social Wellbeing Policy, LTCCP, Cycle & Pedestrian Strategies, Residential Street Frontage Guideline, Central City Strategy			
Options	Key Features	Advantages	Costs and Risks
Option 1 This is not recommended	Externally reference the ‘other methods’ as part of the Plan Change by notifying that Council now seeks comments on all those other documents under Clause 34, Part 3, 1 st Schedule RMA then notify the Plan Change and receive submissions on those other documents.	Statutory compliant methods of externally referencing other methods.	<p>Significant costs and inefficiencies associated with double consultation process in Clause 34 process as well as separate Local Government Act consultation processes already undertaken for individual documents i.e. LTCCP, Social wellbeing Policy, various Strategies etc.</p> <p>Inefficient process for some ‘other methods’ such as the LTCCP which cannot be changed by an RMA process in any event. Makes a mockery of consultation for public on documents unable to be changed.</p> <p>Significant staff time and resource burden in undertaking multiple consultation rounds, analysing submissions, hearing reports and potential appeals on other documents.</p> <p>Significant Councillor time required for hearing submissions on ‘other methods’ in addition to the Plan Change 14.</p> <p>‘Other methods’ will be unable to be updated in the future without going through the RMA plan change process, and double notification required under Part 3 1st schedule. This will mean that it is unlikely there will be sufficient resources in the future to keep up with required changes and ‘other methods’ are likely to become outdated and meaningless in terms of use over time.</p> <p>Other methods are non-regulatory methods that sit outside the Plan and should not therefore have status as if they are a rule in the Plan.</p>

Options	Key Features	Advantages	Costs and Risks
<p data-bbox="188 336 293 363">Option 2</p> <p data-bbox="188 523 371 611">This is the recommended option</p>	<p data-bbox="439 308 801 488">'Other Methods' (non-regulatory) are included in the Plan Change as alternative or additional means to rules for achieving objectives and policies.</p>	<p data-bbox="824 308 1305 395">Cost effective cross referencing process commensurate with the significance of non-regulatory 'other methods'.</p> <p data-bbox="824 416 1305 504">Keeps 'other documents' as non regulatory means to assist in achieving the objectives and policies of the Plan.</p> <p data-bbox="824 525 1305 735">Avoids double up of consultation process as most of the other methods referred to have already been through their own draft consultation process with the public in any event (i.e. LTCCP, Affordability and Central City Strategies).</p> <p data-bbox="824 756 1305 812">Will not delay the notification or hearing of Plan Change 14.</p> <p data-bbox="824 833 1305 1013">'Other Methods' can be changed and updated outside the plan change process and has cost and efficiency, staff resource and time advantages. This appropriate for documents that are not minimum standards.</p> <p data-bbox="824 1034 1305 1214">Most efficient and cost effective means of alerting NRMP Users to the range of methods other than rules to achieve the intentions of the Plan, without which the public would be unaware of the existence of such documents.</p>	<p data-bbox="1328 336 2125 608">Risk that submitters challenge the decision to not publicly notify 'other methods' as externally referenced documents under CI 34, Part 3 1st Schedule RMA. It is considered that this would be a very low risk as 'other methods' are not used for compliance with rules, more as helpful guidelines that assist with the interpretation of policies and they are treated as non-regulatory documents by Council. It is considered that this practice is consistent with current interpretation and structure of the Plan and supported by public users of the NRMP.</p>

7.3 Transport

Objective

*DO10.1 Land Transport System
A land transport system that is safe, efficient, integrated and context responsive and that meets the needs of Nelson in ways that are environmentally, socially and economically sustainable.*

7.3.1 Proposed Policies and Methods

DO10.1.1 The environmental effects of vehicles should be avoided or mitigated by promoting more intensive development and co-location of housing, jobs, shopping, leisure, education and community facilities and services to minimise the number and length of vehicle trips and encourage the use of transport modes other than private motor vehicle.

DO10.1.2 The road network should be maintained and developed to accommodate a range of road types to support a range of functions and operating characteristics.

DO10.1.3 New roads and intersections should integrate with the adjoining road network and not adversely affect the safety or efficiency of the road network or the environment.

DO10.1.4 Activities should be located and designed to avoid, remedy or mitigate the effects of traffic generation on the road network and encourage a shift to more sustainable forms of transport.

DO10.1.5 Every site should have an access that provides safe entry and exit for vehicles from the site to a road (except for defined sites in the City Centre), without compromising the safety or efficiency of the road network, the safety of different types of road users or the streetscape values.

DO10.1.6 Sites should provide on site parking, loading, turning for vehicles, or have access to those facilities sufficient to avoid any adverse effects on the safe and efficient operation of the roading network as appropriate to the type, function and speed environment of the road being accessed. Any use of off-site facilities shall not compromise pedestrian, cycle or vehicle safety, or the safe and efficient operation of the road network.

DO10.1.7 A safe, pleasurable and convenient network for pedestrian and bicycle traffic should be developed and maintained as an integral part of the land transport system.

Methods

- *Rules*
- *Advocacy*
- *Urban Consolidation, Intensification Reviews*
- *NCC Strategic City Development Plan*
- *NCC Land Development Manual*
- *Roading Classification*
- *Acquisition of walkways*

7.3.2 Background

The Council's Regional Land Transport Strategy provides the context for District Plan provisions relating to roading design, parking, access and manoeuvring. The Strategy works to ensure that the vision for Nelsons land transport network 'a sustainable transport future for Nelson' is achieved.

The NRMP already contains transport provisions and these have been proposed to be retained and amended as part of this Plan Change to include a more people orientated roading function approach rather than the current approach which strictly accommodates a vehicle volume approach over any other activity/purpose. The proposed amendments to the existing provisions are shown in the Plan Amendments document and include changes to roading design, function and classifications, parking in the Residential Zone, access and manoeuvring and the roading hierarchy.

Key issues addressed in this transport part of the plan change are:

- (i) District wide implications of changes to policies, and relationship with urban design provisions.
- (ii) Road Classification/Hierarchy changes.
- (iii) Appendix 14 and removal of minimum engineering standard based design requirements in rules and Appendices of the NRMP and change of approach from strictly vehicle orientated to people, function and speed orientated transportation design (particularly for unclassified roads) using the NCC Land Development Manual 2010.
- (iv) Reverse manoeuvring and parking.

7.3.3 District Wide Transport Policies

The existing policies that are proposed to be amended build on the premise of the urban design objectives and policies of the plan change. The amendments include the insertion of policy to:

- (a) create highly accessible communities and maintain consistency with the urban design connectivity policies.
- (b) promote the co-location of housing jobs, shopping, leisure, education and community facilities and services to minimise vehicle trips and encourage other modes of transport where compatible with the outcomes sought for the particular Zone.
- (c) accommodate a range of road types to support a range of functions and operating characteristics and maintain consistency with streetscape policies.
- (d) introduce the travel demand management and modal shift approaches of the Regional Land Transport Strategy.
- (e) maintain parking, loading, and turning standards in association with the type and function of the road being accessed.

All of the above additions and their relationships with the Urban Design and individual Zone policies are improvements to the existing policies that will better achieve objective DO10.1. The policies will continue to operate at District Wide level and the changes are consistent with the new roading approach in the Regional Land Transport Strategy and Section 4 of the Land Development Manual 2010.

As with the District Wide Urban Design Policies, the proposed Transport policies will operate in a policy context of a 'rolling Plan review'. Existing objectives and policies within the Zones (other than Residential which are being changed as part of this plan change) may create some inconsistencies with District Wide policies until subsequent plan changes introduce the urban design approach to transport across the Plan. This will be a weighting matter in any resource consent application assessment.

7.3.4 Road Classification /Hierarchy Changes

The existing Roding Hierarchy Map in the NRMP has inconsistencies with the proposed change of approach to transport. The current Roding Hierarchy Maps have been created based on existing vehicle number volumes only, rather than any of the function, urban design or speed environment characteristics that are embodied in the Plan Change and the Land Development Manual. The

maps and the hierarchy are 10 years old and no longer represent current levels of service nor how the community utilises many of the roads. The roading hierarchy map is a method in the NRMP, and if left unchanged it would be inconsistent with the new approach. The plan change proposes to update the entire district roading hierarchy as shown on the maps included with the Plan Amendments document in section 10.18.

This section of analysis provides a definition of the different types of road classifications (below and from the NCC Land Development Manual 2010), a table describing the proposed roads to be changed and reasons for these changes. Following that the costs and benefits of each change in terms of the new NCC Land Development Manual 2010 definitions and roading standards is assessed.

Principal Roads	typically connect and augment the higher order transport system. As such, these roads often link adjacent suburbs, smaller centres of population and facilitate movement to major attractors and industrial areas. Principal roads have multiple functions of moving people and goods efficiently whilst also providing access to major employment areas and attractors and movement across corridors.
Collector Roads	distribute traffic between and within local areas and form a link between higher order roads and lower order roads. The main function of collector roads are to accommodate local traffic and provide access to adjoining property. In an urban area collector roads usually have predominantly residential front age and will often contain the bus routes within the neighbourhood.
Sub-collector Roads	distribute the vehicular traffic at a neighbourhood level and form the link between collector roads and local roads. A high proportion of traffic on these roads has an origin or destination within the immediate area. In residential areas, sub-collector roads provide high levels of amenity and prioritise access to adjoining property over local traffic movements. Pedestrians and cyclists can mix with vehicular traffic. Through traffic is not a desired outcome for sub-collector roads.
Local Roads	have the primary function of providing direct access to properties fronting the road along which only traffic having an origin or destination there will travel. Pedestrian and local amenity values are predominant. Local roads provide an environment where pedestrians and cyclists can mix with vehicular traffic, so that the roads become a useable space.

In contrast to the NCC Engineering Standards 2003 approach, the Land Development Manual 2010 uses these roading categories as a start point for design. Each road is categorised in terms of what Council determines is the best fit for purpose and speed of traffic. The approach of the Land Development Manual through both roading upgrades and the design of new roads, is to take that start point categorisation and then design each component (lane width, cycle, pedestrian ways, parking, residential access etc) according to the local environment, desired speed and function of the street. This means that not all collectors will look alike, and this is explained further through the use of cross sections on the following pages.

First Table 4 provides an assessment of the costs, benefits and risks associated with the proposed changes to the roading hierarchy maps.

Table 4: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change					
Roading Hierarchy					
Option	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
Option 1: Status Quo This option is not recommended	Retain existing categories for all streets on current maps	various	various	Short term least cost and least administration option. No plan change or retrofitting construction costs would be generated from this option. However in the long term costs of sealing over width roads may erode this benefit.	A medium risk that the status quo would lead to minor and serious accidents on incorrectly categorised roads as rules regarding on site manoeuvring are changing so that reverse manoeuvring on unclassified roads is provided for. High risk that the plan change would undermine the Land Development Manual roading design requirements and make it extremely difficult for any development resulting in a new road or roading upgrade to ensure compliance with both the NRMP and the LDM.
Option 2: Amend roading hierarchy to ensure roading classification reflects NCC Land Development Manual 2010 and new urban design approach of the proposed Plan Change.	Cable Bay Road	Local	Sub collector from SH6 to 50km section before township, local thereafter.	Category reflects actual use. Currently acts as sub collector, has destinations used other than just local residents but destination within immediate area, length too long to restrict to 40km hour design speed.	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change.
	Glen Rd	Local	Sub collector from SH6 to start of residential area/50km, local road thereafter.	Category reflects actual use. Currently acts as sub collector, has destinations used other than just local residents but destination within immediate area, length too long to restrict to 40km hour design speed.	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change.
	Todd Bush Road	Local	Sub collector from SH6 to intersection with Little Todd Valley Road	Category reflects actual use. Currently acts as sub collector as distributes traffic at neighbourhood level.	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change.

	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
<p>This is the recommended option.</p> <p>Option 2 continued...</p>	Dodson Valley Road	Collector	Change to sub collector up to end of Frenchay Drive	Provides more appropriate balance of neighbourhood amenity over through traffic role. Currently acts as sub collector serving traffic from residential neighbourhoods, is to be future link to Bayview Road and out to SH6.	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation not in physical state of sub collector under the Land Development Manual.
	Bayview Road	Local	Sub collector	Provides more appropriate balance of neighbourhood amenity and through traffic role. Serves traffic to and from residential neighbourhoods and will be future connection to Dodsons Valley Road and out to SH6.	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change.
	Walters Bluff	Collector	Sub collector	Provides more appropriate balance of neighbourhood amenity and through traffic role. Comes off collector and distributes to local neighbourhood with potential future linkages to Bayview.	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation not in physical state of sub collector under the Land Development Manual.
	Lower Collingwood Street	Principal	Collector from Grove Street Bridge to Weka Street.	<p>Category better fits residential area, volumes and linkages to adjoining collectors.</p> <p>Low volume through road, but is main link out of town to collector and principals.</p>	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change.
	Wainui Street	Local	Collector from Trafalgar to Collingwood Street	Category better fits current physical state and use. Acts as a collector and joins a principal to a collector. Main link out of town.	No physical change or effects from proposed rules and standards. Risks minimised by classification representing function and physical state. Costs restricted to administration of plan change. Reverse manoeuvring will no longer be permitted for residents.

	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
Option 2 continued...	Inner City Roads.	Principal and Local.	Central City. Everything within the Inner City Zone and proposed expansion of Zone	While act as principal routes they will be subject to specific design, speed and function requirements as a result of the Central City Plan Changes. This will enable a more pedestrian, low speed and amenity focus to be applied.	Is part of future separate plan change programme for the Central City. Time lag between plan changes will not create any risks as central city roading works generally undertaken by Council in any event and activities utilising them also controlled by consent process.
This is the recommended option	Upper Collingwood Street (from Nile to Brougham St) Brougham Street (from Collingwood to Rutherford St) Upper Trafalgar Street (form Brougham to Van Dieman St) Van Dieman Street	Sub Collectors	Sub Collectors The analysis of this route around the city would lead to a proposal for it to be reclassified as a Collector. However, Council considers it should retain its current status until decisions have been made on the arterial traffic route study which may affect further classification and/or route changes.	Current physical use reflects the Collector classification in the LDM. Has existing high volumes (5000vpd), is a current and desirable through route for the central city to Brook Valley and Waimea Road. Also caters for residential access. Alleviates pressure and traffic safety issues from Trafalgar/Selwyn Streets and resultant amenity issues at Church steps area. To remain as sub-collector Council risks residents seeking alternative route for the through traffic and requires retrofitting to avoid through traffic. Retrofitting and finding alternative route is not in current roading upgrade budget which may need reprioritisation if current status to remain. Categorisation as collector better represents physical state as here through traffic is currently desirable. In the absence of a connection from the Brook to York Valley then these streets are the desirable through route while maintaining residential amenity under the new LDM standards.	No physical change or effects from proposed rules and standards. Currently unable to reverse manoeuvre as a sub collector and this standard will be retained as a collector. Risks minimised by classification not providing for reverse manoeuvring and representing function and physical state. Costs restricted to administration of plan change. Risk that a change in classification would be inconsistent with or predetermine the Arterial Traffic Route Study outcomes, as this an alternative arterial route would likely reduce through route demand and may require further classification changes.

	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
Option continued..... 2	Lower Scotland St	Sub collector	Local	Categorisation better represents residential use over through traffic use. Not a desirable through route from the Brook to town.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Akersten Street	Local	Sub collector	Categorisation better reflects actual use. Akerston Street is not a collector from any road to road, but has more function than a local road as has industrial/commercial/recreational activities.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Vickerman Street	Collector	Sub collector from Rodgers St to end (Sealord)	Categorisation better represents actual use. Not a desirable through road at this section.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
This is the recommended option	Princess Drive (from Washington Road to Moana Ave)	Collectors.	Collectors. The analysis of this route out of the city would lead to a proposal for it to be reclassified as a Sub Collector. However, Council considers it should retain its current status until decisions have been made on the arterial traffic route study	Sub collector categorisation would better reflect the residential purpose and amenity role over that of a through route. A through route is not desirable on these residential hillside roads which serve to join one residential neighbourhood to another. State Highway 6 form the City around the Port to Tahuna is the appropriate location of through traffic in this area. These streets serve local residents/neighbourhoods and have higher level of amenity expected with such uses. Existing traffic volumes are lower than expected for a collector.	Sub collector categorisation will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation in some places not in physical state of sub collector under the Land Development Manual. However the entire route is already developed, as are the access arrangements, and the change ins status would be unlikely to affect the level of reverse manoeuvring on these routes.
	Washington Road				
	Moana Ave				
	Bisley Ave				
	Richardson St				

	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
<p>Option 2 continued....</p> <p>This is the recommended option</p>	Toi Toi Street	Collector	Sub Collector	<p>Categorisation better reflects residential purpose and amenity over role as a through route. Through route not desirable, serve local residents and have higher level of amenity expected. Volumes lower than expected for a collector.</p> <p>Reflects recent upgrade design.</p>	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation in some places not in physical state of sub collector under the Land Development Manual.
	Golf Road Beach Rd	Collector	Sub collector	<p>Categorisation better reflects residential purpose and amenity over role as a through route. Serves local residential neighbourhood, not desirable for through traffic.</p>	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation not in physical state of sub collector under the Land Development Manual.
	Parkers Road (lower)	Collector	Sub Collector	<p>Categorisation better reflects residential purpose and amenity over role as a through route. Serves local residential neighbourhood, not desirable for through traffic.</p>	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation not in physical state of sub collector under the Land Development Manual.
	Campbell Street	Sub collector	Local	<p>Categorisation better reflects residential purpose and amenity over role as a through route for local use, not for through traffic.</p>	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Tukuka Street	Local	Sub collector from Waimea Road up	<p>Categorisation better reflects residential purpose and role as a local through route. Serves a network of local to arterial.</p>	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.

	Street Name	Current Category	Proposed Category	Advantages/Benefits	Costs and Risks
<p>Option 2 continued.....</p> <p>This is the recommended option</p>	Panorama Drive	Local	Sub collector	Better reflects residential amenity role primarily but also recognition that it will be a future link for local traffic with Marsden Valley.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Ngawhatu/Montebello	Collector	Sub collector and extend road on maps	Categorisation better reflects actual purpose and use. Not a desirable through route but distributes traffic at local, neighbourhood level.	Will allow reverse manoeuvring onto the street which is part of the reduced speed, high amenity environment sought under the proposed plan change. Low risk of reverse manoeuvring accidents as road formation not in physical state of sub collector under the Land Development Manual.
	Arapiki Road	Local	Sub collector	Better reflects residential amenity role primarily but also recognition that it distributes traffic at local, neighbourhood level.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Songer St	Principal	Collector for entire length	Not a principal by definition. Categorisation better reflects actual form and use.	No physical change or effects from proposed rules and standards. Costs restricted to administration of plan change.
	Putaitai St Neale Ave	Local	Same treatment as Central City	Categorisation will better represent actual use of street, community centre. To be treated as pedestrian focused suburban centre.	Is part of future separate plan change programme for Suburban Commercial Zone. Time lag between plan changes will not create any risks as roading works in this area generally undertaken by Council in any event and activities utilising them also controlled by consent process.

The advantages, costs and risks of proposed changes to the roading hierarchy are limited to those roads that are proposed to go from collector to sub collector and vice versa. This is because sub collector and below are categorised as 'unclassified roads' and collector and above are categorised as 'classified roads' which marks the difference between predominantly vehicle and through road orientated and neighbourhood amenity, people and residential site access orientated design standards. The differences and effects of the proposed changes are explained further below:

Collector Roads are classified roads whose main functions are to distribute traffic and provide access to adjoining property. In urban areas they will predominantly have a residential frontage. Reverse manoeuvring is not permitted, and in residential areas front fences are proposed to be permitted up to 2.0m (with the portion between 1.2 and 2.0m being 50% permeable) and the front yard is proposed to comprise 30% landscaping (this allows for on site manoeuvring area).

Sub-collector Roads are unclassified roads which distribute traffic at neighbourhood level and where through traffic is not desirable. In urban areas sub collectors have a high level of amenity and give priority to property access over traffic movements. Reverse manoeuvring is proposed to be permitted and in residential areas front fences are proposed to be permitted up to 1.2m height, and the front yard is to comprise 50% landscaping (to discourage on site manoeuvring areas).

The typical cross sections on the following pages show the actual differences between a collector, sub collector and local residential road in the NCC Engineering Standards 2003 (the current standards) and the Land Development Manual 2010 (the proposed standards). These cross sections show that changes in categorisation of roads from collector to sub-collector under the Land Development Manual standards are in actual effect minimal due to design changes/reductions in width in those roading categories in any event. The construction costs of the change in standards and classifications are considered to be minor for future subdivision and development, as while the proposed standards create savings with respect to earthworks, and carriageway width, this will likely be offset by variation in design over its entire length resulting in additional costs.

The change of sub collector to collectors will not result in any physical change for users or residents. Currently it is not permitted to reverse manoeuvre on streets classified sub-collector and above. The Plan Change proposed to change this so that it is not permitted to reverse manoeuvre onto collector and above. Therefore the change from a sub collector to a collector as part of the plan change does not affect the ability or not to reverse manoeuvre onto the road. This will not lead to any increase in costs for current residents on any sub collector that is proposed to be a collector.

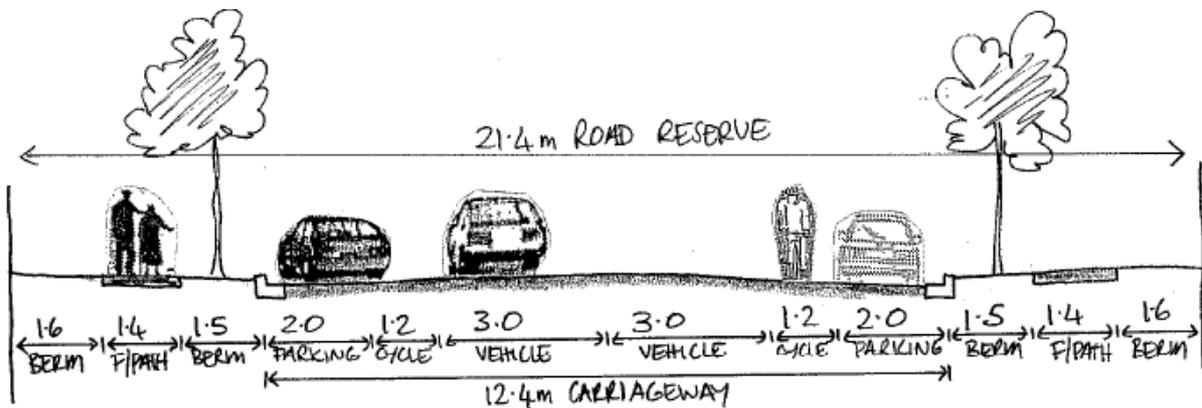
The overall advantages, costs and risks of the changes shown on the amended Roding Hierarchy Map are:

- (i) Central City roads will have their design and function requirements addressed through the Central City Strategy Plan Changes later this year. This time lag represents a low risk in terms of activities being proposed in this area between the plan changes.
- (ii) There is a risk and cost associated with roads that are currently constructed to high order classifications and which have been proposed for a lower classification as they may in the future require retrofitting to ensure the intended slower speed environment is attained. Under the current roading upgrade programme (developed from the Transport Activity Management Plan) these roads would not be planned for retrofitting in the near future (next 10 years) and therefore there would likely be a lag between the introduction of new rules and the retrofitting of existing roads.
- (iii) The advantages of the proposed changes are that reverse manoeuvring will be able to be used as a speed reduction tool, and will enhance residential amenity and streetscape complimentary to the new urban design approach of this plan change. This would however only affect roads that have been reclassified from collector to a sub collector. The implications for front fence heights being lower on unclassified roads would only affect properties located on roads that have gone from collector to a lower roading classification

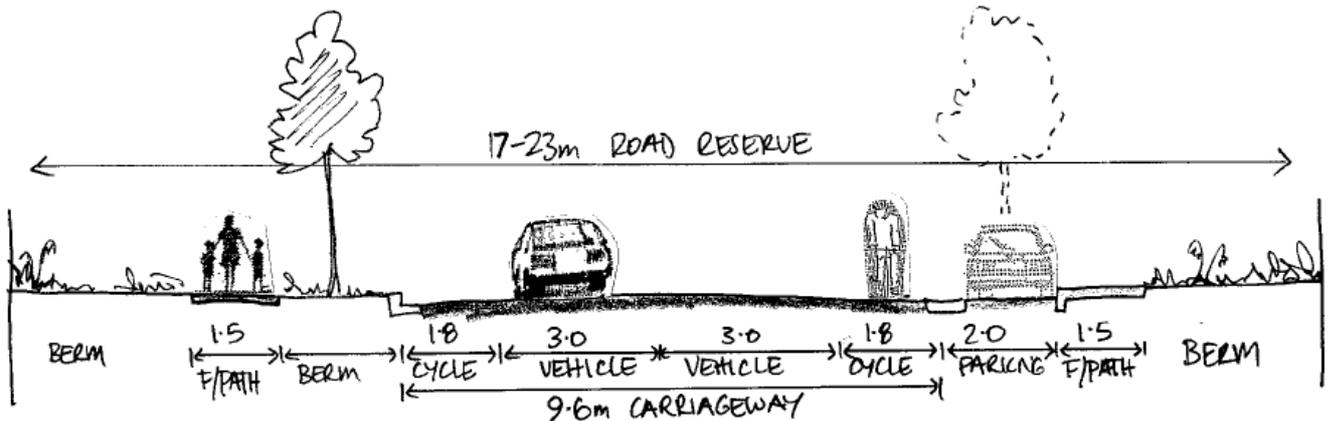
that either do not currently have a front fence, or propose to significantly change their existing front fence.

It is considered that either scenario is unlikely to occur very often, and if they do occur the effects of the temporary inconsistency between approach and actual existing road design are considered to be minor. Should specific circumstances arise where there is a safety issue that is more than minor then improvements could be considered as part of Council's annual minor road improvements prioritisation process. Alternatively property owners are able to pursue a resource consent for fencing and on site manoeuvring area (front yard setback) in these situations and where they can demonstrate streetscape values are maintained.

Design and Construction Changes between NCC Engineering Standards and Land Development Manual 2010 for Collectors.



NCC ENGINEERING STANDARDS 2003 - COLLECTOR ROAD 50km/h

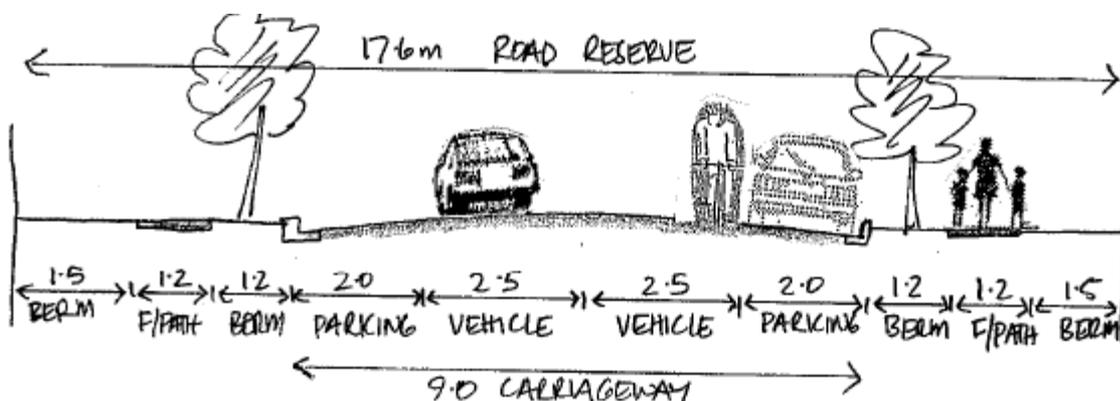


LAND DEVELOPMENT MANUAL - COLLECTOR ROAD 50km/h

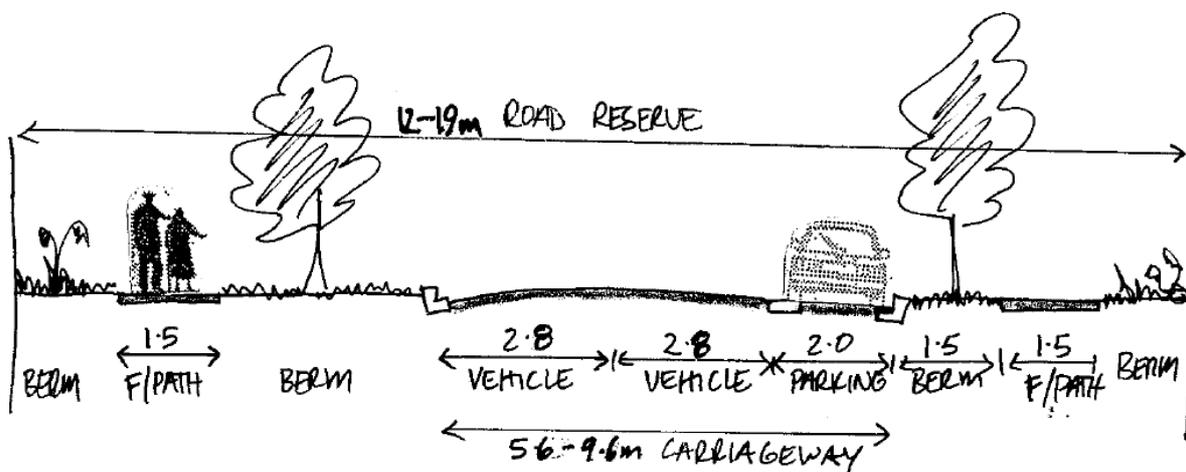
The main difference between the two Collector Road standards is the width of the carriageway is to be reduced under the Land Development Manual by providing for parking in bays, reducing the parking to 1 per 3 dwellings (from 1 per 1 dwelling), and allowing for it to be alternated, staggered or on one side only, or no parking for areas that have no residential dwellings. Note that the footpath and cycleway widths have increased in the Land Development Manual, and the footpath and berm can be deleted on the uphill side where topography is a design influence.

Not: Speeds shown above are design speeds.

Design and Construction Changes between NCC Engineering standards and Land Development Manual 2010 for Local Roads.



NCC ENGINEERING STANDARDS 2003 - LOCAL RESIDENTIAL 50 km/h.



LAND DEVELOPMENT MANUAL - SUB-COLLECTOR 30-40 km/h

The main difference between the local roads in the Engineering Standards and the Land Development Manual (sub-collectors are a local road) are again that the carriageway width is reduced by removing the parking to in bays. Again the footpath and cycleway have increased in width in the Land Development Manual.

Note: Speeds shown above are design speeds.

7.3.5 NRMP Appendices and Minimum Engineering Standards Changes

Key to the Plan Change is the removal of minimum standard engineering based design requirements in rules and appendices of the NRMP and change of approach from vehicle orientated to people, function and speed orientated transportation design using the NCC Land Development Manual 2010. This is consistent with the outcomes sought through the new urban design District Wide objectives and policies.

Given the recommended option in terms of externally referencing the Land Development Manual as part of the Plan Change 14 (refer section 7.2), it is also considered appropriate that all 'engineering' matters such as the engineering performance standards in Appendix 13, the roading table in Appendix 14 and the related standards in Appendices 10 to 12 are deleted from the NRMP and included in the Land Development Manual. This further ensures consistency between the Plan Change and the LDM, and provides an efficient process as applicant's will have only one document to look at when wanting to view Council's minimum standards and engineering design advice.

7.3.6 Car parking

The plan change is proposing options for better streetscape design which involves rules/standards, assessment criteria and a design guide on front yards, fencing, roading standards, queuing and manoeuvring space, and garage orientation. In considering these standards it has become clear it is also necessary to consider the relationship between these and the residential on site car parking provisions. The issue being explored for residential parking is one more of streetscape appeal, than of the need or not to encourage other forms of transport or in terms of providing for higher density development which will be part of a forthcoming intensification review. Notwithstanding this the inclusion of residential parking layout in this review may provide benefits in terms of reducing on site car parks and encouraging different transport modes as an indirect outcome. The current parking requirements in the NRMP are:

Residential Activity	<p>A minimum of 1 space per residential unit must be provided.</p> <p>For residential units with more than 1 bedroom, the following applies (per residential unit)</p> <ul style="list-style-type: none"> a) 2 spaces for 2 to 4 bedrooms. b) 3 spaces for 5 or more bedrooms. c) 1 extra space for rear sites on State Highways, Arterial and Principal Roads. <p>Provided only the first 2 parking spaces per residential unit shall be counted in the building coverage - refer Meaning of Words- Building Coverage</p>
Residential Activity (Heritage Precincts)	<p>for residential units in heritage precincts:</p> <ul style="list-style-type: none"> a) no spaces are required for the Dear Cottages in Rutherford Street b) all other precincts must provide 1 space per residential unit

The current NRMP parking requirements have been identified as contributing to the following issues in terms of streetscape:

- (i) Vehicle orientated front yards with parking, garage doors and manoeuvring area dominating front entrances. The result is considered to be poor streetscape appeal and reduced passive surveillance.
- (ii) The need for earthworks to create such parking areas, manoeuvring and suitable gradients. The issue of unnecessary earthworks is more pertinent on hillside subdivisions where the majority of any flat building platform created is often used up with garaging and parking/driveway/manoeuvring area.
- (iii) The lack of use of on street parking provided on local streets. A recent survey by Council staff concludes that only 20% of street side parking is utilised at any one time. Currently the Engineering Standards provide for 1 park every 2 allotments, however this is proposed to be reduced in the revised Standards.

- (iv) The standards do not differentiate between different residential development forms, such as comprehensive housing and standard density development. For comprehensive housing developments undertaken in areas close to services and public transport it is considered that the onerous car parking standards are a barrier to the implementation of comprehensive housing developments and have led to poor site layout giving dominance to parking and vehicle manoeuvring.

Tables 5 and 6 on the following pages provide an assessment of options and their costs, risks and advantages considered in a policy response to address the issues identified above.

Table 5: The Efficiency, Effectiveness and Appropriateness of the of the Proposed Plan Change Residential On Site Car Parking				
Option	Standard	Relationship with proposed Residential Subdivision Plan Change provisions.	Advantages/Benefits	Costs and Risks
<p>Option 1 Status Quo</p> <p>This option is not recommended.</p>	<p>1 space for 1 bedroom</p> <p>2 spaces for 2-4 bedrooms</p> <p>3 spaces for 5 or more bedrooms</p>	<p>Current provisions considered to potentially conflict with aims of streetscape package of proposed plan changes</p>	<p>Currently understood by development and building community.</p> <p>No NRMP or practice changes required.</p>	<p>Is seen as contributing to current issue of poor streetscape design. Number of car parks required no longer considered to be a function of number of bedrooms. Risk of not acting will lead to social and environmental costs. Extent of land resource required for parking is inefficient. High risk of current requirements undermining front yard and streetscape objectives sought in the plan change.</p>
<p>Option 2:</p> <p>Reduce parking for over two bedrooms</p> <p>This is the recommended option.</p>	<p>1 space for 1 bedroom</p> <p>2 spaces for 2+ bedrooms</p>	<p>Recognises that many homeowners seek to accommodate 2 park spaces on site, but that it is the design and location of them that affects streetscape issues. Allows Residential Subdivision Plan Change provisions to address the design and location of the parks and the effects on streetscape. Links with comprehensive housing proposed changes.</p>	<p>Reduces the number of car parks required as a minimum that is considered necessary without undertaking intensification or whole parking review. Better urban design in terms of placement of those parks will be controlled through other policy/rules/methods. Is a minimum not a maximum so people can provide more on site parking if required and in accordance with the front yard rules.</p>	<p>Does not reduce parking numbers in terms of location to essential services/city centre as considered a driver for reduced parking in high density residential areas. Costs associated with this option will be minimal as will require little change to industry practice or resource consent process. In the absence of a network of public transport in Nelson, reduction of further than 2 parks per residential site is considered to be a high risk.</p>
<p>Option 3:</p> <p>Parking in relation to distance from Essential Services Approach</p> <p>This option is not recommended.</p>	<p>1 space per lot located within 2km of City Centre or Suburban Commercial Zones.</p> <p>2 spaces per lot in all other areas.</p>	<p>Recognises policy implications beyond the scope of the Residential Subdivision Plan Change.</p>	<p>Recognises that car parking requirements are a function of location, and housing/travel demographics rather than bedrooms.</p> <p>Allows for more efficient use of resources in terms of allocation of the residential land resource.</p> <p>Will allow less vehicle dominated development to occur close to amenities.</p>	<p>Costs involved with significant changes to car parking standards are more efficiently considered as part of the future Intensification review and/or a separate car parking review.</p> <p>Risk of undermining the intent of this plan change which is more about controlling the design and location of the parks than restricting the numbers.</p>

<p>Option 4: Market rules.</p> <p>This option is not recommended.</p>	<p>No minimum required numbers for on site parking</p>	<p>Difficult to determine relationships with other standards because of variability of outcomes</p>	<p>Uses other methods 'market demand' rather than rules to control provisions of on site car parks.</p> <p>May result in less vehicle orientated development.</p>	<p>Maximum uncertainty.</p> <p>Difficult to control good streetscape design when many variables in numbers and location of parking. Also difficult to relate to Engineering Standards review and link with reducing on street car parking.</p>
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Table 6: The Efficiency, Effectiveness and Appropriateness of the of the Proposed Plan change Comprehensive Housing On Site Car Parking in the High Density Residential Zone

Option	Standard	Relationship with proposed Residential Subdivision Plan Change provisions.	Advantages	Costs and Risks
<p>Option 1 Status Quo</p> <p>This option is not recommended.</p>	<p>1 space for 1 bedroom</p> <p>2 spaces for 2-4 bedrooms</p> <p>3 spaces for 5 or more bedrooms</p>	<p>Current provisions considered to potentially conflict with aims of streetscape package of proposed plan changes</p>	<p>Currently understood by development and building community.</p> <p>No NRMP or practice changes required.</p>	<p>Is seen as contributing to current issue of poor streetscape design. Conservative standards create unnecessary affordability issues for comprehensive housing and reduce its uptake. Extent of land resource required for parking is inefficient. Risk of undermining the intention of the plan change with respect to comprehensive housing development.</p>
<p>Option 2:</p> <p>This is the recommended option.</p>	<p>1 space for 1 and 2 bedrooms</p> <p>2 spaces for 3+ bedrooms</p> <p>1 visitor space for every 5 units for development with more than 5 units.</p>	<p>Recognises that on site parking is one of the key barriers to the uptake of comprehensive housing. Recognises that comprehensive housing developments in the high density residential zone are close to essential services.</p>	<p>Reduces numbers of parks required to minimum considered necessary in high density residential areas.</p> <p>Better urban design in terms of placement of those parks will be controlled through other policy/rules/methods.</p>	<p>If occupants have more vehicles they will need to be parked on the street. While this is beneficial in terms of urban design and roading design approaches, it may not be desired by residents.</p> <p>Risk that without this rule, the practical and efficient use of the residential land for comprehensive housing in a manner</p>

			<p>Is a minimum not a maximum so people can provide more on site parking if required and in accordance with the front yard rules.</p> <p>Provides for visitor parking.</p>	<p>that represents good urban design will be undermined.</p>
<p>Option 3: Market rules. This option is not recommended.</p>	<p>No minimum required numbers for on site parking</p>	<p>Difficult to determine relationships with other standards because of variability of outcomes.</p> <p>Difficult to evaluate need for more or less on street parking.</p>	<p>May result in less vehicle orientated development.</p>	<p>No Council control as uses other methods 'market demand' rather than rules to control provisions of on site car parks. Maximum uncertainty.</p> <p>Difficult to control good streetscape design when many variables in numbers and location of parking. Also difficult to relate to Engineering Standards review and link with reducing on street car parking.</p> <p>Risk that market rules approach will not result in best urban design outcome.</p>

7.3.7 Reverse Manoeuvring

The change to the ability to reverse manoeuvre from a residential site onto a road as part of the Plan Change is relatively minor, however it is a significant component to the new approach to roading design as included in the Land Development Manual.

The proposed change within the rules allows for reverse manoeuvring to be undertaken on the road on residential sites fronting unclassified streets. This is the current NRMP provision except that sub-collector roads are now included as unclassified roads. The proposed urban design and transport objectives and policies encourage reverse manoeuvring onto the roads as a means of achieving a slow traffic environment and of making efficient use of the residential land resource for amenity/outdoor living area rather than cars and driveways. The effects of the proposed change are discussed in section 7.3.4 and the costs, benefits and risks of the change in terms of the proposed changes to the roading hierarchy are identified in Table 4 for specific roads within the District.

7.3.8 Appropriateness of policies to achieve objectives

Having regard to the costs and benefits, and the efficiency and effectiveness as summarised above, the recommended policies and methods in the above tables and discussion are considered to be the most appropriate for achieving the objectives.

7.4 Subdivision and Development

Objectives

- | | |
|--------|---|
| DO14.1 | <i>Subdivision and development that recognises and is appropriate to the natural characteristics of the City and is consistent with principles of high quality urban design and the orderly and efficient use of land.</i> |
| DO14.3 | <i>The provision of services to subdivided lots and developments in anticipation of the likely effects and needs of the future land use activities on those lots within the developments and the development potential of adjoining land.</i> |

7.4.1 Proposed Polices and Methods

- | | |
|----------|--|
| DO14.2.1 | <i>The pattern created by subdivision, including allotment sizes, shapes, and dimensions should take into account the range of future potential land uses and the development potential of the area, and any potential adverse effects on the environment and amenity values, and the relationship of the allotments to any public open spaces (including reserves and streets).</i> |
| DO14.3.1 | <p><i>Subdivision and development shall provide for:</i></p> <ul style="list-style-type: none"><i>a) The integration of subdivision roads with the existing and future road network in an efficient manner, which reflects the function of the road and the safe and well-integrated management of vehicles, cyclists, and pedestrians, and</i><i>b) Safe and efficient access to all lots created by subdivision and to all developments, and</i><i>c) Roading connections as shown on Structure Plans and Outline Development Plans and/or as described in Schedules in the NRMP, and</i><i>d) Avoidance or mitigation of any adverse visual and physical effects of roads on the environment, and</i><i>e) Public to private space relationships and roading design that represents a high quality urban streetscape, and</i><i>f) The road network requirements to support the access and connectivity of future developments on land in the vicinity.</i> <p><i>Road network required to service the subdivision or development in accordance with a) to f) above shall be constructed by the developer, and vested in Council as part of the development. Provision of the necessary external road network to support the development shall either be funded by the developer or facilitated through the LTCCP. In the case where additional road network works are facilitated through the LTCCP, this means that the works have to be scheduled and constructed immediately prior to the section 224(c) certificate being sought for the development.</i></p> |
| DO14.3.2 | <p><i>Subdivision and development should provide for:</i></p> <ul style="list-style-type: none"><i>a) Water supplies of sufficient capacity and of suitable standard for the anticipated land uses on each lot or development, including fire fighting requirements, and</i><i>b) The disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of any land, and</i><i>c) The treatment and disposal of wastewater in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment, and</i><i>d) Connections from all new lots or buildings to a reticulated water supply, stormwater disposal system, and wastewater treatment and disposal system, where such systems are available, and</i><i>e) Supply of electricity, including street lighting, and telecommunication facilities for the anticipated land uses, using a method of supply appropriate to the amenity values of the area, and health and safety, and</i> |

- f) *Any necessary additional infrastructure for water supply, stormwater disposal or wastewater treatment and disposal or power and telecommunications, and*
- g) *Provision of sufficient land and infrastructure with capacity to support the servicing requirements of future development on land in the vicinity.*

Additional new or upgraded infrastructure required in accordance with a) to g) above shall be constructed by the developer and vested in Council, as part of the development. Provision of additional land or pipe capacity under g) above shall either be funded by the developer or facilitated through the LTCCP. In the case where additional land or pipe capacity is facilitated through the LTCCP, this means that the works have to be scheduled and constructed immediately prior to the section 224(c) certificate being sought for the development.

Methods

- Rules
- Appendix 14 Residential Subdivision Design and Information Requirements
- Services Overlay
- Financial Contributions (Chapter 6 NRMP) and/or LTCCP Development Contributions
- NCC Land Development Manual
- NCC Strategic City Development Plan

7.4.2 Background

The subdivision and development objectives and policies are existing operative plan provisions, to which this Plan Change proposes amendments. The proposed text to be changed by the Plan Change is illustrated in the Plan Amendments Document.

Key issues in this subdivision and development part of the Plan Change are:

- Improving urban design through subdivision and development – refer to Section 7.2.
- Providing a subdivision rule category that allows for both certainty and flexibility, and is not reliant on compliance with minimum standards – refer 7.4.3 below and also to Section 5.2.
- Servicing of subdivision and development and links with the LTCCP and the NCC Strategic City Development Plan – refer section 3.0 and section 7.4.4.
- Technical fixes to existing Landscape Overlay and Subdivision within Overlay provisions.

7.4.3 Restricted Discretionary Category, external reference of the Land Development Manual and Appendix 14 Residential Design and Information Requirements.

Earlier issues analysis in section 2.2 showed that it is difficult to prescribe for better urban design outcomes, and that ideally the policy review needs to achieve both certainty for applicants (and Council) and flexibility to be able to respond to different site opportunities and constraints. The preferred policy option best able to accommodate such an approach is the retention of the current controlled activity standard and the creation of a 'restricted discretionary non minimum engineering standards, subdivision design assessment' rule as assessed in section 5.2 and Table 1. This will provide both a controlled activity certain route for complying applications, plus a restricted discretionary route supported by good process for those applications that need to depart from the minimum standards to achieve a better urban design outcome.

This option relies on changes to current policy, such as revising Appendices 10 to 14 discussed in section 7.3 to remove the roading table and describing the required supporting application assessment required, including links with the Land Development Manual and the need for preliminary engineering design. It will need to be supported by objectives and policies that seek better urban design outcomes, approaches and processes, the framework recommended in earlier parts of this analysis in Sections 5.0 and 6.0.

Cost benefit analysis of the options with regard to the Land Development Manual have previously been discussed in Section 7.2 along with the recommended option. The appropriateness of the approach of maximising flexibility and certainty through a subdivision rule category has also been assessed in section 5.2

This section looks at the range of subdivision rule options considered to implement the better urban design objectives and policies. This options analysis was assessed by the Plan Change 14 Steering Group who provided direction on the scope of the plan change in the context of the future plan change programme. While many of the options were considered worthy of further development, they were determined to be beyond the scope of this plan change project, many requiring a comprehensive analysis of the Residential Zone in conjunction with future intensification and strategic planning. These options included Option 1 (retain minimum area but review allotment dimension to provide for solar access), Option 6 (new rules to minimise earthworks for building platforms rule), and Option 7 (add new sustainability subdivision design rules).

Table 7 on the following page assesses the costs, benefits and risks associated with a range of alternative subdivision rules considered as part of the plan change process.

Table 7: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change Residential Subdivision Rules				
Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
<p>Option 1</p> <p>This is a recommended option.</p>	<p>Retain minimum lot size of 400m² and review allotments dimension to provide for better urban design outcome and links with solar access.</p> <p>Refer to Preferred Options explanation in previous section for further details.</p>	<p>Section size considered more a result of roading standards than rule minimum area requirements, therefore has links to Engineering Standards Review and roading table.</p> <p>Controlled Activity, non notified</p>	<p>Provides maximum certainty and ability to cater to current market demand. Allows for variation over minimum size. Ensures lots are capable of accommodating a dwelling under permitted activity standards. Future dimension review will encourage better solar access and resource efficiency</p> <p>Intensification and comprehensive housing provisions provide for creation of denser developments.</p>	<p>Tends to lead to or allow for monotony, lack of diversity, is not site responsive nor necessarily representative of good urban design by itself (i.e relies on other site development rules). Does not address the need to accommodate future growth and intensification and tends to result in oversized lots and inefficient and unsustainable use of resources.</p> <p>High risk that retention of this provision alone, will undermine the urban design intentions of then plan change. However has potential to provide for baseline approach if accompanied by additional provisions providing for non minimum standard approaches.</p>
<p>Option 2</p> <p>This option is not recommended.</p>	<p>Maximum, minimum and average lot requirements.</p>	<p>Plan Change and minor changes to consent assessment process.</p> <p>Controlled Activity, non notified</p>	<p>Aims to result in diversity of lot sizes and subsequent housing scales leading to more diverse residential character and different levels of affordability.</p>	<p>Difficult to set minimums and averages to cater for appropriate density, variation, and topography. High risk that results in diversity unrelated to demand or environment. Is difficult to apply to stages and non-flat sites, is not site responsive.</p> <p>High consents administration/cost burden as becomes a numbers game rather than design/quality based.</p> <p>Risk that adopting this approach it would result in a mis-match between demand and lot size leading to slow sales.</p>
<p>Option 3</p> <p>This option is not recommended.</p>	<p>Infill minimum lot and dimension rules – lower site area requirement than Greenfield.</p>	<p>Plan Change and minor changes to consent assessment process.</p> <p>Controlled Activity, non-notified.</p>	<p>Allows for and encourages intensification in existing residential areas.</p>	<p>Is ad hoc basis of intensification, and risk it can lead to poor quality dwelling design, does not create interrelationships across sites and to neighbourhood. Requires specific bulk and location provisions.</p> <p>Intensification more efficiently and appropriately addressed through future plan changes.</p>

Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
Option 4 This option is not recommended.	Future proofing – providing for infill through requiring dwelling at front or rear of standard minimum area site. Dual rear access required over grouped lots for infill subdivision to occur in future.	Plan Change and Minor changes to consent assessment process. Controlled Activity, non-notified.	Allows for growth in future. Allows for current market demand for larger section sizes but allows for change in response to changing living requirements in the future. Provides future investment income for owners with ability to choose when and if to develop.	Inefficient use of land now. Risk that it could create some vacant street frontages with dwellings located at rear. Interrelationship of future infill potentially disjointed from existing neighbourhood. Is not responsive to topography – hillsides would be difficult. Difficult to determine infrastructure capacity requirements means high risk of inefficient servicing.
Option 5 This option is not recommended.	Smaller minimum lot size and dimension for subdivision and land use consent required to build on each lot.	Plan Change and would require streamlining of consent process (short form for land use) to ensure administration burden and time frames minimised. Controlled Activity Subdivision, Restricted Discretionary Activity Land Use, non- notified.	Allows subdivision design to concentrate on lot and street layout with developer. Leaves consideration of individual site development to building consent stage with owner. Would encourage development of sites to be responsive to features, subdivision layout and good urban design provisions in NRMP.	Provides significant cost and resource burden on applicants and resource consent staff. Risk that increased cost and administration burden still may not achieve better outcomes than permitted activity rules. Requires new site development rules which is an additional staff resource cost as part of the plan change.
Option 6 This option is not recommended.	Earthworks for Building Platforms on Hillsides (No earthworks permitted within subdivision process to create flat platforms of greater than say 20m ² or 30m ² , or a series of small platforms stepped with topography).	Plan Change and would require changes to consent assessment process. Controlled Activity, non –notified.	Provides opportunity to seek good urban design outcomes for hillside environments as rules can be less generic and more site responsive and still provides certainty. Roading and site development standards can also become more responsive to the environment and result in improved neighbourhood layout.	Slightly more complex consents administration. Difficult to define what is hillside, what is flat – based on slope? Will create situations where either could apply. Considered beyond the scope of this plan change and more efficiently and appropriately addressed as part of a total earthworks review.

Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
<p>Option 7</p> <p>This option is not recommended.</p>	<p>Add new sustainability subdivision design rules (subdivision and individual section layout must provide for future solar access, low impact stormwater(where suitable) and water conservation, recycling/compost service areas, and minimisation of earthworks in the construction process).</p>	<p>Links with engineering standards review. Requires education and links with Eco Building Advisor and Land Management Advisor. Links well with Solar Saver pay as your heat scheme.</p> <p>Controlled activity standard and term.</p>	<p>Adds a sustainability layer to urban design and integrates with Engineering Standards review well – creates the follow on from subdivision to site development. Provides benefit to future home owners in terms of quality living environments and resource efficiency.</p>	<p>Costs associated with additional processing and compliance administration.</p> <p>Additional costs in subdivision design and construction for considering sustainability criteria in a layout. Is considered beyond the scope of this plan change and better considered as a stand alone review of internal residential site controls. Plan Change 14 deals with private to public spaces relationships and does not include addressing the internal amenity of residential sites.</p>
<p>Option 8</p> <p>This option is not recommended.</p>	<p>Development plans and Rules for different communities – Stoke, Tahuna, Brook, Atawahi etc</p>	<p>Would require comprehensive LTCCP design by enquiry workshops with local communities (similar to Central City) which would lead into a NRMP Plan Change.</p> <p>Requires external urban design expertise to lead workshops.</p> <p>Could lead to range of controlled to discretionary rules.</p>	<p>Could be achieved to provide new minimum standards or design guides (i.e. a range of approaches attached to development plan) that are specific to individual communities. Therefore provides diversity and element of certainty. Would result in community buy in and support, has education and awareness raising outcomes as well. Would provide necessary policy problem/analysis/identification information for all future planning and policy projects such as transport, parking, suburban commercial.</p>	<p>Significant costs associated with administration and resource heavy investment by Council. Timeframe for achieving plan change would need to be reconsidered. Would be more appropriately and efficiently considered after the completion of the Strategic City Development Plan when servicing and development direction is known.</p>

Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
<p>Option 10</p> <p>This option is not recommended.</p>	<p>Bulk & location rules only (good quality living): side yards, outdoor living area, site coverage, living & service areas, building envelope platform, access and parking.</p>	<p>Plan Change and changes to consent assessment process.</p> <p>Controlled Activity and Restricted Discretionary, non-notified.</p>	<p>Relates development to building and urban design rather than arbitrary lot size.</p> <p>Could have separate hillside and flats, greenfield and infill provisions to be more site responsive.</p>	<p>Essentially provides a default minimum through site development standards which again is not necessarily site responsive nor guaranteed to provide good urban design.</p> <p>Higher consents administration burden, makes minimum standards more complicated to administer and for applicants with not necessarily a better outcome.</p> <p>Ties building considerations to subdivision process, which means dwelling designs/envelopes have to be considered up front by developer not future owner – this restricts choice by future owner and conflicts with Nelson development process and is a significant economic risk for developers. This option is also considered beyond the scope of this plan change.</p>
<p>Option 11</p> <p>This option not recommended.</p>	<p>Provide house plans as part of subdivision consent application (subdivision or comprehensive – have any lot size but show Council how it is to be developed i.e. land use and subdivision activities considered together).</p>	<p>Plan Change would require streamlining of consent process (short form) to ensure administration burden and time frames minimised.</p> <p>Restricted Discretionary Activity, non- notified</p>	<p>Would be relevant in design/build scenario or comprehensive.</p> <p>Would mean lots are created in response to future good quality urban dwellings.</p> <p>Provides maximum ability for Council to control development form.</p>	<p>Information burden on developer would lead to significant application costs.</p> <p>Assessment burden on consents staff would lead to increased costs and risk of unsatisfactory process.</p> <p>Risk that the plans would not necessarily be linked to future owners' desires means this option is likely to result in variations or new consent applications.</p> <p>Does not link with current nature of development in Nelson and high risk of non adoption.</p> <p>Temptation to use standard house plans by developer as cost saving would not result in good urban design overall or cumulatively risk undermining the plan change.</p>

Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
<p>Option 12</p> <p>This is the recommended option.</p>	<p>Site Responsive : Integrating Design Flexibility and Certainty – process orientated provision providing for non-compliance with the NCC Engineering Standards but certain and timely consent process – based on provision of site assessment diagram (overlays analysis), design statement checklist, and use of major projects team and urban design panel. Refer to preferred options explanation in previous section 7.4.4 for further details.</p>	<p>Requires supportive and streamlined administration system throughout many Council departments/policies/plans. Development of checklists (including site area recommendations for different areas) and process/site assessment guide. Timely and consistent major projects team and urban design panel assessment.</p> <p>Restricted Discretionary, limited notification specified</p>	<p>Responsive to development context/site characteristics and therefore likely to lead to diversity and good quality urban design. Provides flexibility to Applicant. Can be applied to all scales, individual lot, infill to large scale Greenfield, and eventually across zones. Not numbers based, so design forced to be qualitative and likely to lead to more efficient use of land. Not based on including future dwellings so applies to Nelson market, but needs additional site development controls imposed at the time of subdivision. Aimed at addressing the need for flexibility and certainty.</p>	<p>Greater information/assessment requirement by applicant, but this is balanced by certainty of process and non notification. The costs of information and design processes in the application are considered to be outweighed by the better urban design achievement and greater certainty in the process.</p> <p>The art of improved urban design relies on the story being told by the applicant. There is a risk that this is not picked up adequately by the development community. Further education and pamphlets on the appendix 14 process could minimise this risk. Greater assessment required in consents process would result in an increase in costs and staff resources, however this is to be balanced with the use of the Major Projects Team to provide inter departmental advice with respect to the application in an efficient manner. Less certainty than a minimum dimension controlled activity, but discretion can be limited. Considered an appropriate balance between efficiency and effectiveness in terms of regulation.</p>
<p>Option 13</p> <p>This option is not recommended.</p>	<p>Design Guide Reliant Subdivision</p>	<p>Requires supportive, consistent and time efficient consent administration process.</p> <p>Requires external expertise to create design guides.</p> <p>Requires need to update design guides every 5 years due to changes in fashion, market and design and technology.</p> <p>Discretionary Activity, limited or full notification.</p>	<p>Maximum discretion to Council to require achievement of specified urban design outcomes.</p> <p>Provides maximum level of flexibility to Applicant.</p> <p>Doesn't address Nelson development style of creating vacant sections for building later by future owner. Therefore requires additional site development controls if building not considered at the same time as subdivision.</p>	<p>Guides do not provide all solutions but are treated as such, can restrict diversity. Guides tend to be given lip service by Applicants. Maximum uncertainty for Applicant. Possibly requires Applicant to use Urban Design consultant, particularly if notification involved. Assessment burden to consents staff – would require training and additional staff. Subsequent future owners have to go through another design guide exercise to obtain land use consent for a dwelling. Also creates a burden on resource consents administration/monitoring. High risk of undermining the intentions of the plan change in terms of both policy and process.</p>

Option	Key Features	Required Administration response/Consent Status	Advantages	Costs and Risks
<p>Option 14</p> <p>This option is not recommended.</p>	<p>Greenfield master plan (lot threshold)</p>	<p>Requires supportive, consistent and time efficient consent administration process.</p> <p>Discretionary Activity, limited or full notification.</p>	<p>Maximum flexibility to Applicants to design in response to site and urban design goals but on a large scale.</p> <p>Maximum certainty for future development of the area.</p> <p>Maximum discretion to Council to require achievement or urban design goals in layout and design.</p>	<p>Doesn't create flexibility in stages to adapt to market changes and can require subsequent variations – consent administration burden. Maximum uncertainty for Applicant in consent application process equals significant cost implications.</p> <p>Difficult to administer as development required to be generally in accordance with the master plan which can be difficult to interpret, can also become outdated before completion due to market changes and inflexibility in the plan. This option is better considered as part of a rezoning or structure plan proposal.</p>
<p>Option 15</p> <p>This option is not recommended.</p>	<p>Structure Plans (for development in areas not zoned residential – i.e. those future growth areas identified in NUG's.) Rule requiring structure plan and associated plan change process to be followed before subdivision of Greenfield areas identified in NUGs.</p>	<p>Requires supportive, consistent and efficient Plan Change process if they are to have statutory status.</p> <p>Double process – plan change and resource consent.</p>	<p>A means of pursuing rezoning of land to residential and aiding in good urban design.</p> <p>A means of formally adopting the recommendations in NUG's</p> <p>Takes high level decisions regarding development form from consent to policy department and avoids proliferation of non-complying consent applications for out of zone development.</p> <p>Enables encroachment to rural land resource to be considered in a consistent and coordinated manner to achieve desired linkages, infrastructure requirements and public resources.</p> <p>Provides a forum for consistencies between different land owners to be created with respect to future development.</p>	<p>Plan Change process is resource and time burden on Applicant. Resource consent still required following adoption of structure plan. Maximum uncertainty for Applicant as to final layout and whether or not Council will accept it, or adopt it as their own.</p> <p>Structure plans can become out of date even before they are finished due to length of process and changing market environment. Need to be prepared to be able to accommodate changes. Most appropriately undertaken for rezoning, rather than for new developments in the existing residential zone to which this plan change relates.</p>

The recommended option provides the best marriage of certainty with flexibility of all the options considered, and relies on good process for the success of its implementation. It also relies on the retention of the existing controlled activity category to provide a minimum standard route with maximum certainty. While it is considered that the controlled activity option does not necessarily represent the desired urban design outcome in all situations, it is considered that this is a back stop position which will suit small subdivision or infill development. However for larger subdivisions and particularly on greenfield sites, the controlled activity minimum standards option will generally not be suitable. The majority of new development will be on hillsides where it will not be possible to comply with all minimum standards, nor necessarily desirable. This will result in the majority of large subdivisions, and those in greenfield areas falling to the restricted discretionary category where better urban design outcomes are pursued. The diagram below illustrates the recommended option and can be related to Figures 3 section 2.2, and Figure 6, section 5.1.

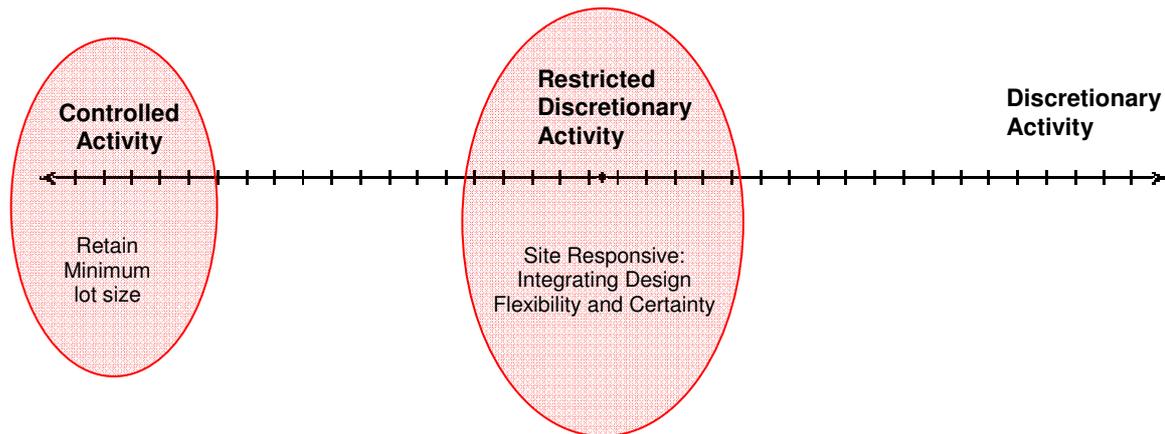


Figure 7: Recommended Subdivision Provisions Option.

Appendix 14 Residential Subdivision Design Information requirements

The current Appendix 14 is proposed to be deleted as part of the plan change and replaced with the process part of the Site Responsive: Integrating Design Flexibility and Certainty recommended approach as assessed in Table 7 above. In order for the Council to provide the level of certainty associated and expected of a restricted discretionary activity, high quality information must be provided with applications. Applications need to illustrate clearly why particular standards are departed from, and how the whole design contributes towards the goal of better urban design within its context or local environment.

Appendix 14 does not reiterate what good urban design is considered to be for Nelson, instead applicants are referred to the urban design and appropriate zone objectives and policies. In other words, it does not tell you what to do, but rather what to show to demonstrate how the design meets the desired outcomes. This process recognises that there may be many different solutions that are acceptable beyond what can be simply prescribed for with minimum standards. The approach and intent of Appendix 14 has already been assessed as part of the assessment undertaken in section 5.2 in Table 1, and in Table 7 above. In addition to that the following specific benefits are considered to be attributed to the approach:

- a) should improve the general quality of applications.
- b) gives applicants the opportunity to explain and justify their proposal to Council officers, councillors and the people they consult with.
- c) ensures the urban design objectives and policies in the Plan are considered at the outset of the design process to guide the development of site responsive solutions.
- d) helps with pre-application consultation and the understanding and negotiation of changes to designs, as they can set out ideas for discussion.
- e) provides consistent application standards for restricted discretionary subdivision activities that will enable consistent and efficient consent processing.

- f) control the way subdivision and development is constructed, and the way public spaces are used and managed.

The process part of implementing Appendix 14 includes implementing the actions discussed in section 7.2.5 and 7.2.6 to ensure that the Site Responsive and Limited Discretion: Integrating Design Flexibility and Certainty provisions can be successful in providing flexibility of policy in a certain and efficient manner.

7.4.4 Servicing and Services Overlay

The Services Overlay is an existing planning tool with existing policies and rules in the NRMP. The purpose of the Services Overlay is described in section 2.2.2.5 of this assessment. The intention of the current policies are that for land located within the Services Overlay it is developed in a manner that does not restrict the ability of adjoining land in the Services Overlay from meeting its development potential, and that the subject development has sufficient downstream capacity to provide for the intended development level as well as the ability to drain or supply services with gravity. In this respect 'services' means roading, wastewater, stormwater and water supply.

The Services Overlay policies and rules have been the subject of numerous objections, appeals and legal opinions in the past where applicants/developers have queried the ability of Council to impose conditions requiring servicing of their development to cater for the development potential of adjoining land also in the services overlay. The objections have also challenged the policy because it does not state who should be paying for this additional capacity or how it links with development contributions.

There have been project specific legal opinions obtained by Council in the past for a range of different subdivision and development consent applications on the question of whether the Services Overlay in the NRMP requires the developer to provide legal road or road reserve and services to an adjoining property, and if so, whether or not it is at their cost. While each proposal had its own individual differences/merits, those legal opinions in summary determined that if the NRMP was specific about the situations when such extension of services is required (i.e. to adjoining land in the Services Overlay with development potential) and where the costs lie, and this had been through a public process then, the imposition of such conditions would be considered fair and reasonable. The current provisions in the Plan are not strong enough in their wording, nor directive in terms of where costs lie, or derived from any strategic development plan of the servicing of currently unserviced areas of the city to achieve such conditions in a fair and reasonable manner.

The current Services Overlay policies don't provide the required level of certainty for developers or Council and although Appendix 14.1.ii currently states "*All services should extend to property boundaries in a manner that will ensure the efficient use and development of any adjoining land, having regard to the provisions of the Plan*" this has not been given sufficient weighting. The proposed wording changes have not changed the direction sought by the existing policies, but state with more certainty exactly what is expected.

In reviewing the Services Overlay policies a number of options were considered in terms of the directness of the policies, and the options in terms of where costs lie. In doing so it became clear that if Council wishes to pursue the intent of the current policies then a strategic development plan of how currently unserviced areas are to be serviced through the LTCCP process and in what order is required. Table 8 on the following page assesses the costs, benefits and risks of the Services Overlay approaches.

As part of the plan change it is proposed that consequential amendments be made to the Services Overlay Maps. The proposed amendments are to remove those areas currently covered by the Services Overlay imposed in 1996, but that are now fully developed and no longer require the Services Overlay. To add one new area up the Maitai Valley to ensure the Services Overlay is consistently imposed on all areas of Rural Zone High Density Small Holdings Area. The Services Overlay has been extended into the Rural Zone High Density Small Holdings Area through private plan changes for Ngawhatu Valley, and proposed Council Plan Changes in Marsden and Enner

Glynn Valleys and Nelson South. These amendments will ensure that the Services Overlay policies are implemented throughout the NRMP and are effective in terms of applying to relevant land.

Minor changes are also made to the Services Overlay – Building and Services Overlay – Subdivision rules in the NRMP. These include:

- (i) excluding sites from the Services Overlay – Building rule that are in areas recently created by subdivision and would therefore be fully serviced.
- (ii) providing a new restricted discretionary activity category for both rules that aligns with the approach to subdivision assessed in section 5.2 in Table 1 and section 7.4.3 in Table 7.

Table 8: The Efficiency, Effectiveness and Appropriateness of the of the Proposed Plan Change Services Overlay Policies			
Options	Key Features	Advantages	Costs and Risks
Option1	Status Quo	No policy changes and therefore no staff resource use or costs in terms of hearings, appeals as part of the Plan Change process	<p>Significant costs and high risks associated in the past with objections to consent conditions and challenges at the Environment Court. Current provisions have been inefficient and ineffective.</p> <p>Provision of services does not align with the LTCCP project planning which may resulting cost inefficiencies if services aren't developed or upgraded in a sustainable manner representative of where future development will occur.</p> <p>Risk of retaining this policy is that the roading connections between sites are not achieved which undermines the better urban design intent of the plan change.</p>
Option 2 This is not recommended	<p>Developer either pays for, or constructs and vests in Council, the service connections of sufficient capacity to facilitate development of an adjoining site. For roading this means the developer would need to vest land as road reserve for a connection from the developments roading network to the adjoining property, but not actually form the road.</p> <p>The future developer of the adjoining property would then be responsible for forming the road connection and vesting it in Council as legal</p>	<p>Connections with sufficient capacity to support adjoining development of land in the Services Overlay are assured.</p> <p>Council does not fund the connections or additional capacity, but retains ownership of them.</p>	<p>Costs of connection to adjoining property are shared between the current and adjoining developer. Current developer enjoys benefits of frontage to the site, while adjoining developer has an additional cost burden to form and vest roading and services prior to undertaking any construction on the site.</p> <p>Council would retain ownership of road reserve and be responsible for maintenance of it until such time as development on the adjoining land takes place. In the past this has resulted in a maintenance burden as the road is not a reserve, and becomes in effect a dumping ground or becomes occupied and used for</p>

	road. Piped services would be provided to the boundary (or boundary of road reserve with legal road) of sufficient capacity to serve the development of adjoining land.		<p>parking, garden etc by the adjoining property owners. The unformed road can become an unsafe and unattractive area which becomes either an area of constant complaint to Council regarding unsavoury behaviour or if looked after and used by adjoining residents it becomes difficult for Council to reclaim to allow formation into road once development of the adjoining site begins. There is a significant cost and maintenance burden of this option on Council and a risk of opposition to the road actually being formed and used as a connecting road from residents. This risk is incremental to the time lag for development of the adjoining site.</p> <p>The extension of serviced development is not based on any sustainability or other analysis and is market led. However the maintenance of that infrastructure becomes a community cost which could be a burden if the development potential of the land was low.</p>
Options	Key Features	Advantages	Costs and Risks
<p>Option 3</p> <p>This is the recommended option</p>	<p>The Developer is required to design and construct all services (including roading) of sufficient capacity to serve the development potential of adjoining land in the Services Overlay. This includes the formation and vesting of services including road to the boundary of the adjoining property where such connection is required to support the development potential of the adjoining site and to ensure consistency with Councils Urban Design Objectives and Policies regarding connectivity and efficient use of resources.</p>	<p>Ensures connectivity with sufficient capacity to support adjoining development of land in the Services Overlay are constructed and vested in Council at time of development of a site. Council owns all connections and additional capacity provided in the infrastructure to serve the development potential of the adjoining property in a completed constructed state.</p> <p>Requires consultation between</p>	<p>The costs of this are predicted and programmed into the LTCCP and DC's. Such a process would need to be assisted by a Strategic Development Project to determine a sustainable programme for expansion of services to currently undeveloped residential areas. Council has made a commitment in the Annual Plan 2010- 2011 to the creation and implementation of a Strategic City Development Plan which would, amongst other things, coordinate the delivery of services projects with the sustainable development of the land resource within the Services Overlay. This would prioritise projects, and require consultation with developers as to the proposed</p>

	<p>Council funds the additional capacity required to service adjoining sites through the LTCCP development contributions fund. However this funding for the specific project/extension of services has to be programmed into the LTCCP and be constructed prior to 224(c). Projects are selected for inclusion in the LTCCP based on a Strategic Development Plan for the city which prioritises projects in accordance with relevant criteria (sustainability, development yield, quality of development potential, location to services etc).</p> <p>If the project is not included in the current LTCCP and constructed prior to 224(c) for the subdivision, then the developer is required to fund the extension of services (including roading).</p>	<p>developers and Council with regard to the prioritisation of development areas and their servicing timelines. Ensures Council's expenditure on services capacity and extension is aligned with market demand. Debates regarding the use of development contributions, the order of development, and the funding of services are discussed in the appropriate arena – through the development of the LTCCP.</p> <p>Is considered a fair and reasonable approach able to be supported if challenged at Environment Court. This has been supported by a legal opinion on the proposed wording of the polices and rules for the Services Overlay.</p>	<p>timing of their development, and whether or not a site meets the criteria for scheduling services upgrades or extensions in the current LTCCP.</p> <p>Minimises costs to Council of developer expectations for the extension of services and capacity to facilitate development. If a project is not in the LTCCP, then a developer will be required to fund it themselves. This is a cost implication to the developer, but is likely only to occur where development is proposed in a medium to low priority area within Councils Strategic City Development Plan. This is considered fair and reasonable given the need to sustainably manage urban growth and the funding of extension of infrastructure.</p> <p>Small risk associated with the creation of the Strategic City development Plan in the future which is needed to implement this option, and the need to ensure that the policy is applied consistently and that conditions imposed on resource consents are fair and reasonable.</p>
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7.4.5 Landscape Overlay

The controlled activity status of subdivision in the Landscape Overlay (Appendix 7) conflicts with the subdivision rule table which states it is discretionary and the degree of discretion afforded to landscape matters in the assessment criteria. There are a number of examples of poor subdivision and building layout/design in the Landscape Overlay and this is in part attributed to the controlled activity status and low level of consideration given to Appendix 7 matters during the consent process. The plan change corrects the consent category inconsistencies between Appendix 7 and the subdivision in the Landscape Overlay rule, and adds a restricted discretionary activity category consistent with the approach to this plan change assessed in section 5.2, Table 1.

As part of the review the option of assessing the physical placement of the Landscape Overlay was considered, however it was decided by the Steering Group that this issue is beyond the scope of this Plan Change but would be programmed into Council's future work programme. This is illustrated in Figure 1 and section 3.2.

7.4.6 Subdivision General Rule and Overlays

Currently there is confusion over the Subdivision General rule in the Plan and the Subdivision Rules for the various Overlays (Services, Landscape, Heritage, Hazard, Inundation etc). It is unclear which rule(s) apply when seeking resource consent for subdivision within the overlays. The plan change addresses this issue by making it clear that if subdividing within an overlay only that overlay rule applies, not the general subdivision rule as well. There is no change to content or assessment within these rules, except that the assessment criteria and matters of control of the general rule are cross referenced. This is largely a procedural change, but does make the current rules more efficient and effective in terms of the understanding of those making an application, and minimises any risk that appropriate consents are not gained under each of the subdivision rules.

7.4.7 Appropriateness of policies to achieve objectives

Having regard to the costs and benefits, and the efficiency and effectiveness as summarised above, the policies in the above tables and discussion are considered to be the most appropriate for achieving the objectives.

7.5 Residential Zone

This Plan Change does not propose to change any objectives in the Residential Zone.

7.5.1 Proposed Policies and Methods

RE1.2 Flexibility in density, building form, and site development below that specified in the rules should be allowed, provided that the development:

- a) integrates the design of residential units and any subdivision, and that all required resource consents are applied for concurrently, along with any building consent or building sketch plans, and*
- b) presents a high standard of on site and off site amenity, and*
- c) does not diminish the amenity of neighbouring sites, and*
- d) is designed with regard to the character of the area, and*
- e) does not significantly affect the views or outlook from adjacent properties, and*
- f) the cumulative effects of such developments do not significantly change the density of the area or detrimentally affect its character, and*
- g) does not diminish the streetscape of adjacent roads, and*
- h) represents good quality urban design (refer to section DO13A District Wide Objectives and Policies) in particular a diversity of building forms and co location of activities.*

RE1.2A Encourage and promote higher density developments where such developments incorporate best practice urban design principles (refer section DO13A District Wide Objectives and Policies), and where they are located in close proximity to services, shops, transport routes, open space and other urban amenities.

RE3.5 Sites, buildings and fences fronting onto roads should present an appearance which enhances the overall streetscape, and ensures it is people orientated rather than vehicle orientated. Buildings and parked vehicles (in front yards and on the street) should not dominate the streetscape or compromise pedestrian or vehicle safety.

A high amenity streetscape is sought on unclassified roads consistent with their function of prioritising access to adjoining property over through traffic movements. Streetscape amenity on classified roads needs to be balanced with their dual function of providing for through traffic and access to adjoining properties.

Methods

- Rules
- Structure and Outline Development Plans
- Appendix 22 Comprehensive Housing Development
- NCC Land Development Manual
- NCC Streetscape Design Guide

7.5.2 Background

A key driver to this Plan Change is maintaining and improving the levels of residential amenity in all residentially zoned areas of Nelson. Feedback and observation of subdivision and development being carried out under the current Plan provisions show that there are varying degrees of success being achieved in the creation of quality residential environments. There is often little regard to the connections between public and private space. Buildings often back onto public parks and utilise tall solid fences which create an unsafe and negative environment in the public area, which means this area is not utilised. There is a tendency for garage doors and high solid fences to be placed on or near the front boundary of a property. This commonly results in an unattractive public street environment as there is no interaction or surveillance between the public and private areas.

Connectivity is an essential part of creating a quality residential environment. It encourages physical exercise, provides transport route and mode options, allows access by foot, cycle or vehicle to a variety of destinations in the area, increases safety through increased movement (and therefore surveillance) and designing for connectivity ensures consideration is had to the local context. Current subdivision and development often does not provide for connectivity as an integral part of the design and consideration is not had to the features of the local area which it would be desirable to connect to.

Current Comprehensive Housing developments have varying degrees of success in achieving quality residential environment. This is demonstrated through on the ground outcomes, and through the often prolonged and costly consenting process which some developments must go through. There is also a degree of confusion over interpretation of the current Comprehensive Housing provisions in the Plan. The relationship with other Plan rules is uncertain and the outcomes desired are often misunderstood or cannot be relied on to be achieved through the consents process. Public or limited notification, and the opposition it often receives is cited by developers as a disincentive to carry out a Comprehensive Housing Development even if it is well designed and in a suitable location.

To help develop a quality residential environment this Plan Change addresses what are considered to be the main items that can detract from this goal. These are:

- Residential Front Yards –see section 7.5.3 below
- Residential Fences – see 7.5.4 below
- Reverse Manoeuvring – See section 7.3
- Residential Parking – see section 7.3
- Subdivision Design – refer to section 7.4
- Comprehensive Housing Development – see section 7.5.5 below

7.5.3 Front Yard rule

The current rule has led to situations where the garage, car port or accessory buildings dominate the property frontage when viewed from the road. This results in a vehicle or building dominated environment with little amenity or human scaled interaction. This analysis outlines options for the Front Yard rule with the intention of providing for better public/private interaction and to improve the public amenity of the streetscape. These goals can be achieved by better interaction and surveillance of public spaces from private spaces, by reducing the occurrence of blank walls, high fences and hard surfaces, reducing the dominance of garages, and by providing for more landscaped areas. This would be consistent with the objectives sought for urban design in the plan change.

The Front Yard rule does not work in isolation. It is important to recognise the streetscape improvement goals of the:

- (i) new or revised provisions of the fences rule (refer 7.5.4 below),
- (ii) Appendix 10 'Standards and terms for parking and loading',
- (iii) the Land Development Manual, and
- (iv) the proposed Plan requirements for improved urban design in subdivision and development.

The relevant policy is RE3.5 Streetscape which is proposed to be amended to strengthen its intent to provide for the goals identified above. A residential street frontage guide is also proposed as a non-regulatory method of demonstrating the type of design solutions and outcomes that Council would like to see achieved in the Front Yard. The role of the guide is to help property owners and developers understand what is envisaged as a good solution and to demonstrate examples of how the front yards and fences rules would work.

The front yard rule has been proposed to change to ensure that this area has a positive relationship with people passing along the road. The key features of the rule are that a garage, car port or accessory building can only be located in the front yard if it is setback at least 1m from the residential unit on the site. This ensures that in the front yard a home will take the more prominent position which provides an increased ability for interaction between the public and private realms.

The other key feature to the revised rule is the requirement for a percentage of the front yard to be landscaped if there is a building located in it. This is to provide softening and greening of the front yard area and not to have it dominated by buildings and hard surfaces. By default this also limits the amount of building coverage permitted in the front yard. There is a lower required percentage of landscaping for properties that front a classified road due to the desirability for vehicles to be able to turn on site prior to entering a higher order road.

Option 3a has been included in the Plan Change as it allows for a certain amount of development in the front yard without the need for resource consent. Anything beyond these limits will need to be considered under a resource consent application. The requirement to set a garage or accessory building back from the associated residential unit ensures that these buildings (or the associated vehicles) do not dominate the frontage of the site. This provides for better interaction between public spaces on the street and private spaces in the adjacent residences. This improves streetscape amenity and personal safety. The setback requirement also means that a garage or accessory building cannot be located in the front yard if a residential unit is not. The landscaping requirement reduces hard surfaces and makes it difficult to have a side-on garage in the front yard due to the extent of driveway required to serve this.

Rule option 3a provides an acceptable baseline. There will always be design scenarios for particular circumstances which do not comply with the rule but which do achieve the outcomes sought. These are provided for as a restricted discretionary activity which will not be notified. This option provides a simple way of improving outcomes in the front yard while still allowing people to use this space. While this rule may not permit all possible physical arrangements of the front yard that are considered good urban design, it is the optimal default or starting point.

Table 9: The Efficiency, Effectiveness and Appropriateness of the of the Proposed Plan change Residential Front Yard			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1</p> <p>This option is not recommended.</p>	<p>Status Quo: The existing rule currently allows buildings within the Front Yard (4m from the road boundary) provided they meet the permitted criteria. Main controls are on building coverage and setback from the boundary. It also provides for controlled activity, non-notified resource consents in certain situations.</p>	<p>Provides for buildings in the front yard. Provides for blank walls to be screened by landscaping if over a certain length (experience shows this has varying degrees of success). Non-notification of consents ensures a smoother and more certain consenting process which is more attractive to applicants.</p>	<p>Often results in situations where there is no interaction between private and public spaces due to dominance of vehicle places over people places. Provides for hard, negative spaces of concrete and blank walls with a lack of occupation and use by people. Allows for the creation of vehicle dominant environments. Recent best practice shows that controlled activity status is not appropriate for subjective matters such as design and appearance as Council cannot decline what the applicant has applied for. This limits the ability to vary the design or placement of structures from what the applicant is asking for.</p> <p>High risk of undermining the plan change and its urban design goals.</p>
<p>Option 2:</p> <p>This option is not recommended.</p>	<p>This allows buildings within the front yard area (4m from the road boundary) provided they meet certain permitted criteria. Key points are the controls over amount of coverage and hard surfaces (building coverage does not exceed 33% and a maximum of 50% of the front yard is hard surfaces accessible to vehicles) and the requirement to set a garage at least 1m back from the associated residential unit. Non-compliance with the standards of a permitted activity leads to a restricted discretionary consent application with a non-notified provision.</p>	<p>Limits the amount of hard surface used for vehicles and reduces vehicle dominance. Ensures the dwelling is closer to the street than any garage and ensures that if there is no house in the front yard then there can also be no garage in this area. Provides a more suitable consent category for assessing design and appearance matters and retains the non-notification provision.</p>	<p>Combination of building coverage control and hard surface control results in 83% of front yard area permitted to be covered or permanently surfaced. Does not distinguish between classified road and unclassified road streetscapes which are considered to warrant different levels of amenity. It is considered that this option has a potential risk of undermining the intention of the plan change and has a high cost associated with potentially unnecessary consent applications for a low level benefit.</p>

Option	Key Features	Advantages	Costs and Risks
<p>Option 3:</p> <p>This option is not recommended.</p>	<p>Revised version of Option 2. This allows buildings within the front yard area (4m from the road boundary) provided they meet certain permitted criteria. Key point of difference to option 2 is that a maximum of 50% of the front yard is to be landscaped and that buildings other than a dwelling or garage in the front yard are permitted. The requirement to set a garage (or other accessory building) at least 1m back from the associated residential unit if it is located in the front yard remains the same as Option 2 and is the major difference to the existing rule.</p>	<p>Ensures a certain amount of the front yard is landscaped to soften the area visually. This requirement also makes it difficult to place a garage side on in the front yard of a standard residential section as the amount of driveway required to access the garage means the site cannot meet the landscape requirement. Ensures the dwelling is closer to the street than any garage and ensures that if there is no house in the front yard then there can also be no garage in this area. Provides a more suitable consent category for assessing design and appearance matters and retains the non-notification provision. Provides for sleepouts, offices etc in front yard – more people places.</p>	<p>Current definition of landscaping excludes hard surfaces in Residential Zones so paths, patios etc cannot be counted in the 50% landscaping requirement. This would need to be amended as part of the Plan Change if Option 3 were adopted. Will not cover all situations that might be acceptable but provides for a more certain consent process to deal with these situations. Does not distinguish between classified road and unclassified road streetscapes which are considered to warrant different levels of amenity. It is considered that this option has a potential risk of undermining the intention of the plan change and a high cost associated with potentially unnecessary consent applications for a low level benefit.</p>
<p>Option 3a:</p> <p>This is the recommended option.</p>	<p>This version has similar features to Option 3 in that allows for development within the front yard (4m from the road boundary) however it tailors these allowances to ensure that classified (arterial, principal and collector) and non-classified roads (sub-collector, local and residential lanes) are treated differently due to their different characteristics and rule provisions. The primary rule difference is you must provide on site turning if you front onto a classified road and only 30% of the front yard is required to be landscaped (rather than the 50% for unclassified roads).</p>	<p>Ensures a certain amount of the front yard is landscaped to soften the area visually. Allows for on site turning on properties which front a classified road. Recognises the differing characteristics of classified and non-classified roads. Ensures the dwelling is closer to the street than any garage and ensures that if there is no house in the front yard then there can also be no garage in this area. Provides a more suitable consent category for assessing design and appearance matters and retains the non-notification provision. Provides for sleep outs, offices etc in front yard – more people places.</p>	<p>Will not cover all situations that might be acceptable outcomes in the front yard as in options 2 and 3 above, but does provide for differences between classified and unclassified road streetscapes and a more certain consent process to deal with situations where consent is required. Front yard areas on classified roads can potentially be less attractive than those on un-classified roads which accentuates the already less attractive pedestrian environment. Recognises that streetscape values and amenity is different for classified and unclassified roads and that this is in proportion to the need for privacy of residents thereby reducing administration costs. Potential cost on housing companies to redesign front yard arrangements, however they have indicated that this is a national trend, and the costs would be acceptable. This is the preferred option and it represents the lowest risk and least cost associated with its administration.</p>

Option	Key Features	Advantages	Costs and Risks
<p>Option 4:</p> <p>This option is not recommended.</p>	<p>Resource consent required. This provides that any buildings within 4m of the road boundary require resource consent. This option is different to the others in that the trigger for resource consent is any intrusion into the 4m front yard while the other options allow for a certain amount of intrusion before triggering a resource consent.</p>	<p>Control over the design and placement of buildings within the front yard ensures that Council can achieve good outcomes for amenity and public/private interaction.</p>	<p>People inherently dislike applying for resource consents and the likely result is that the majority of new buildings will be placed outside of the front yard to avoid the consent requirement. Even if the difficulties of the consenting process are perception only, experience shows that people will avoid triggering the requirement. Avoiding building in the front yard can reduce opportunities to make the most efficient use of the site. Highest cost option for buildings in the front yard.</p>

7.5.4 Fences

The Plan currently controls the height of fences (front and side yards) in relation to vehicle accesses. This is to provide visibility for pedestrian and vehicle safety when cars are exiting a driveway. The height control for fences on other boundaries is through rule REr.26 'Other Yards' and REr.35 'Daylight' due to the fact that fences are defined as buildings in the Plan. The result is fences can be up to 2m high on any boundary, or up to 2.5m high if they are less than 12m in length.

On a side or rear boundary the 2m height limit is acceptable as it provides for privacy and separation between the private outdoor areas of peoples homes. A 2m solid fence on a front boundary is physically dominating to the footpath user and provides no opportunity for interaction between the private property and the public space. It also prevents passive surveillance from the private property to the street or from the street to the private property and hinders community interaction.

The proposed fence rule limits the height of a front fence to 1.2m on unclassified roads, and 2m (with area between 1.2m and 2m 50% visually permeable) on classified roads. This ensures that on lower order roads (unclassified) there is a more open and interactive environment created between the street and private property. Having a fence still separates the two but allows for surveillance and interaction to occur. Vegetation is not controlled (aside from a hedge which is defined in the Plan as being a fence) so bushes and trees can be used to create privacy in this front area if this is required by the landowner. It is considered that vegetation has a softer more natural effect on the streetscape than a taller fence. Also experience shows that not every property will want, or need vegetation for the full boundary length so overall street surveillance will be maintained.

On the busier, more vehicle dominated roads (classified) the rule allows for the fence to be up to 2m in height provided the top 800mm is at least 50% visually permeable. This allows for increased screening of the busier environment but not the complete blocking of a solid 2m fence. Again there is no control of vegetation so if privacy is of concern bushes, trees or climbers can be used to provide further screening and/or mitigation for traffic noise.

Fence height is also controlled on boundaries with reserves, walkways or other publicly owned spaces to a maximum of 1.2m. This is to ensure that passive surveillance is able to occur between private properties and public space which improves safety of both areas. It also makes the public space a more attractive place to be if it is not surrounded by the rear or side fences of private properties. Integrating with this provision is section 12 of the Land Development Manual, which as discussed in section 7.2.4 a) Private to Public Space Relationships, will provide developers and section owners with more certainty in relation to the concept design, and construction of neighbourhood reserves. This will enable section owners to design and orientate their dwellings and private outdoor space with the knowledge of what is going to be located where in an adjoining reserve.

Table 10: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan change Residential Front Fences			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1</p> <p>This option is not recommended.</p>	<p>Status Quo</p> <p>Existing Rule : The existing rule currently allows fences within the front yard of up to 2m in height as a permitted activity.</p>	<p>No administrative or plan change required.</p>	<p>Often results in situations where there is no interaction between private and public spaces due to dominance of high front fences over footpaths and reserves.</p> <p>Significant risk of undermining front yard rule and change of roading design to streetscape, and amenity orientated design. May result in urban design goals for residential streetscape becoming ineffective.</p>
<p>Option 2:</p> <p>This option is not recommended.</p>	<p>Provide for a maximum front fence height of 1.2m for front fences and fences adjoining a reserve as a permitted activity.</p>	<p>Provides an effective and easy to interrupt one size fits all rule for front fence heights that is consistent with the urban design, reserve and streetscape goals sought for the Residential Zone.</p>	<p>Will require education of homeowners (new and existing) in relation to the new rules.</p> <p>Will require monitoring and enforcement to be effective.</p> <p>Medium risk that this rule would result in a proliferation of resource consent applications for those scenarios where a higher fence is desired and justified, such as on a classified road where speeds and traffic volumes are greater.</p>
<p>Option 3:</p> <p>This is the recommended option.</p>	<p>Provide for maximum front fence height of 1.2m in front yard and fences adjoining a reserve as a permitted activity. In addition distinguish between classified and unclassified roads by allowing fences in front yards on classified roads up to 2m in height with the additional part between 1.2m and 2m to be 50% visually permeable.</p>	<p>Provides an effective rule for front fences that is consistent with the urban design, reserve and streetscape goals and the remainder of provisions proposed in the Plan Change, particularly in relation to the Residential Zone. Also recognises that there is a difference between dwellings and front yards, and expectations of streetscape and public versus private space relationships, on classified roads to unclassified roads. The distinction between road classifications balancing streetscape versus privacy goals will assist in minimising the need for resource consent applications.</p>	<p>Will require education of homeowners (new and existing) in relation to the new rules.</p> <p>Will require monitoring and enforcement to be effective.</p> <p>Will not cover all situations that might be acceptable but is the optimal starting position, and is representative of the nature of balancing prescription with certainty for urban design matters.</p>

7.5.5 Comprehensive Housing:

Well designed Comprehensive Housing developments in the right location provide a housing choice for people that is not readily available in Nelson. It also helps to intensify existing residential areas, this utilises existing facilities and infrastructure, adds vibrancy to existing retail areas and makes best use of the residential land resource. It can also help with housing affordability as the land area per residential unit is reduced; however this is not a fundamental aim of this Plan Change as discussed in section 7.1.

The current NRMP structure, including objectives and policies, do not provide clear support or direction as to the type of outcomes Council is expecting to achieve. Previous developments have been inconsistently assessed through the resource consent process. This has resulted in some poor design outcomes being approved as they were viewed to be consistent with the Plan provisions. A stronger, outcomes based, expectation through the NRMP provisions would provide clearer guidance to applicants and Council processing staff.

Interpretation of the expectations of the NRMP provisions often results in a Comprehensive Housing Development being limited, or fully notified. This adds to the cost and uncertainty for the applicant, which results in fewer applications or inferior or compromised design solutions to try to avoid notification. If the NRMP provides guidance to areas where well designed comprehensive housing is considered appropriate, from a good urban design viewpoint, then it can be reasonably anticipated by the community that this style of housing will occur in those areas.

This Plan Change proposes changes to the existing Comprehensive Housing provisions of the Plan. As identified here, and in the background section 7.5.2 above, there are a number of areas where the current provisions do not provide the outcomes desired.

The most significant of the proposed changes is the Plan statement that Comprehensive Housing Developments in the Residential Zone - Higher Density Area will be non-notified and without neighbours approval provided no bulk and location rules are broken on the external boundaries to the site. This indicates that higher density housing is expected in the higher density areas provided it is well designed and meets the outcomes expected in the Plan. Assessment of this will be a matter between the Council and the applicant. Neighbouring properties, or the wider community will only be involved if there are direct rule breaches on their boundary, for example the daylight rule when measured on a neighbouring properties boundary that is not part of the development.

Breaches of most bulk and location rules within the site do not trigger a separate assessment but are considered as part of the assessment of the overall design of the development itself and the living environment that it creates.

Other changes relate to the Appendix 22 Comprehensive Housing where an approach is taken where assessment is based on the outcomes expected, and some of the factors that should be considered in designing for this outcome. It is not a design guide which specified how to achieve the outcome. The presumption is that there are many designs which can result in a quality living environment which does not negatively effect the surrounding environment, the developer and designer should be given the flexibility to achieve this based on the individual characteristics of a site and its location.

Any specific rule requirements that were formally contained in Appendix 22 have been removed and are now located within the relevant rules of the Residential Zone.

This section looks at the range of subdivision rule options considered to implement the better urban design objectives and policies. This options analysis was assessed by the Plan Change 14 Steering Group who provided direction on the scope of the plan change in the context of the future plan change programme. While many of the options were considered worthy of further development, they were determined to be beyond the scope of this plan change project, many requiring a comprehensive analysis of the Residential Zone in conjunction with future intensification and strategic planning. These options included options 4, 5, and 6 as described below in Table 11.

Table 11: The Efficiency, Effectiveness and Appropriateness of the proposed plan change Comprehensive Housing Development Rules				
Option	Key Features	Required Administration/Response	Advantages	Costs and Risks
<p>Option 1</p> <p>This option is not recommended.</p>	Status Quo	No change	No costs in terms of staff time and resources. Related to a plan change.	<p>Comprehensive housing will continue to be underutilised which leads to an inefficient use of the Residential land resource.</p> <p>Due to the process and notification requirements, there is a high risk of time and cost delays for applicants/developers associated with pursuing development under these provisions. This ultimately leads to poor design outcomes as notification is avoided through complying designs that may not represent best urban design practice for that site.</p>
<p>Option 2</p> <p>This is the recommended option.</p>	<p>Basic improvement of existing provisions by:</p> <ul style="list-style-type: none"> Strengthen policy relating to comprehensive housing. Strengthen and simplify Appendix 22. Require applications to include a 'design statement' and a 'site context plan' as per Appendix 14. provide a restricted discretionary consent category provide for non notification if located in high density residential area. 	<p>Minor Plan Change required</p> <p>Education of staff and external parties on how to apply standards Discretionary</p> <p>Use Appendix 14 and align with proposed subdivision rule.</p> <p>Use Major Projects Team and Urban Design Panel to assess.</p>	<p>Retains existing structure of provisions with minor amendments to fix technical and specific barriers.</p> <p>Staff and applicants are already familiar with current process.</p> <p>Minimal resources required to implement.</p> <p>Clarifies the intent of the Plan and is consistent with urban design objectives and polices and new subdivision provisions.</p> <p>Easier for Consent planners to justify decisions if supported by clear Objectives and Policies</p> <p>The design and information provided should be of a higher standard (and relate to site and area specific features) as thought must be given to its design and context</p> <p>Avoids unnecessary notification for areas where a higher density is anticipated by the community.</p>	<p>Additional information to consider during processing.</p> <p>Additional information to be provided by applicant.</p> <p>Lower costs for applicants as non notification requirement for high density area avoids hearing expenses.</p> <p>Risk that non notification incentive for higher density residential areas is not sufficient to attract increase in CHD and further review is required. This is an anticipated risk that is minimised through future intensification work to be undertaken by Council.</p>

Option	Key Features	Required Administration/Response	Advantages	Costs and Risks
<p>Option 3</p> <p>This option is not recommended.</p>	<p>Change definition of Comprehensive Housing to require amalgamation of initial sites/lots to gain at least 1500m² of area, and then provide minimum final densities as determinant for overall development level. For sites less than 1500m² overall area, then a requirement for CHD to comprise at least 3 conjoined dwellings.</p>	<p>Plan Change required Education of staff and external parties on how to apply standards</p>	<p>It is easier to achieve good results on a larger parent lot – better outcomes expected through well thought out development Allows for sites smaller than 1500m² provided land is not inefficiently used by providing each dwelling with a surrounding 'moat' of outdoor area as is currently common.</p>	<p>Would be best considered as an integrated part of future Intensification work. Can be hard to acquire sufficient land in one ownership. Would require comprehensive assessment of existing land blocks, widths etc in various suburbs to determine applicability and required lower limit on a start area. Might limit the number of comp. housing developments Likely to be appealed through plan change process Does not suit current development styles in Nelson A larger site can result in a more 'institutional feel' if building design becomes repetitive.</p>
<p>Option 4</p> <p>This is option is not recommended.</p>	<p>Restricted Discretionary activity if within walking distance of desirable amenities or facilities, Discretionary if not.</p>	<p>Plan Change required Definitive list required of amenities considered appropriate and how distance is measured.</p>	<p>Encourages applications within walking distance of facilities such as bus routes, shops and parks Sends a 'good message' from Council in supporting walkability. Should be relatively simple to carry out once an understanding is gained of how the process works. Gives greater support for turning down applications which are in inappropriate areas.</p>	<p>Encourages Comprehensive Housing in high density areas and risks its loss of application in other suitable areas. Additional work in providing and assessing information. Medium risk of undermining future Intensification and Strategic City Development Plans as a result of attempting to predetermine desired outcomes and locations.</p>

Option	Key Features	Required Administration/Response	Advantages	Costs and Risks
<p>Option 5</p> <p>This is option is not recommended.</p>	<p>Produce new statutory design guides to inform people and for applications to be assessed against</p>	<p>Plan Change required Extensive education program to ensure all parties have a working understanding of the design guide requirements</p>	<p>Guidance as to what Council is expecting to see considered in any design Educates people. Provides a set of criteria against which an application can be assessed. Can be 'enforced' through the consent process as it is part of the Plan.</p>	<p>Hard to amend as it needs to go through the plan change process under the RMA each time. Can railroad designs into a certain style as defined by the design guide, which can limit site specific designs (prescriptive). Risk of the design guide being used as a series of tick boxes by designers which doesn't necessarily produce a good result, also well design developments which do not meet the guideline being turned down. Cost in commissioning the production of a design guide. Risk of inconsistency with the approach to Plan Change 14 as assessed in Section 5.2 in Table 1.</p>
<p>Option 6</p> <p>This is option is not recommended.</p>	<p>Produce new non-statutory design guides for information purposes</p>	<p>Promotion of the design guides as an educational resource.</p>	<p>Guidance as to what Council is expecting to see considered in any design. Educates people. Can be easily changed as design ideas evolve.</p>	<p>Cannot be as strongly enforced through consent process as it doesn't form part of the Plan – can be linked through 'Other Matters' s104(1)(c). Can railroad designs into a certain style as defined by the design guide, which can limit site specific designs (prescriptive) Risk of the design guide being used as a series of tick boxes by designers which doesn't necessarily produce a good result Might not be taken as seriously by applicants. Cost in commissioning the production of a design guide.</p>

7.5.6 Appropriateness of policies to achieve objectives

Having regard to the costs and benefits, and the efficiency and effectiveness as summarised above, the recommended policies and proposed methods assessed in this section and the tables above are considered to be the most appropriate for achieving the objectives.

8.0 CONCLUSION

This report summarises the evaluation undertaken by the Council for the Plan Change 14 – Residential Subdivision, Land Development Manual and Comprehensive Housing in terms of section 32 of the Resource Management Act.

Many of the urban design issues and barriers identified in this analysis are interconnected and interlinked. A change of one approach, policy, rule or standard has the potential to positively affect a range of design characteristics/goals. There is opportunity to create a careful range of policy and rule changes that will result in a win win situation for achieving many of the interconnected goals of good urban design.

An evaluation of the options within Tables 1 to 11 has assessed the approach to the plan change, along with various alternative policy, rule and other methods to achieve it. The evaluation has clarified that Option 2 in Table 1 is the approach that has the greatest potential benefits in relation to the costs. It is also the best approach in regards to its efficiency and effectiveness. Throughout the analysis it is evident that the risks of poor quality urban design, or continued missed opportunities associated with not acting, are higher than the risk associated with acting in terms of increased regulation for some activities.

The assessment process applied to the various aspects of this plan change has paid careful attention to ensuring that the better urban design objectives in relation to private to public space relationships for the Residential Zone, and in particular through the design of subdivision and comprehensive housing, has not resulted in a proliferation of rules. A proliferation of rules would undermine the issue which identified that prescription is not able to lead to better urban design. Instead it is considered that the plan change has resulted in a complimentary set of guiding objectives and policies, with a careful selection of a few compatible Residential Zone rules and the use of the new design approach of Appendix 14 and the Land Development Manual. Significant recognition and emphasis has also been placed on ensuring the internal Council administration processes and policies support the urban design objectives and recognise that the issues cannot be satisfied through the creation of new policy alone.

Overall it is considered that proposed Plan Change 14 provides plan provisions which achieve the purpose of the RMA and allows for the issue of better urban design through residential subdivision and comprehensive housing to be pursued, as well as providing an umbrella set of district wide objectives and policies to guide activities in other Zones and be built upon through the rolling review of the Plan. 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 environment, 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 efficient and effective means of addressing the issues associated with improving urban design and are consequently 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.

9.0 References

NCC Urban Design Protocol Action Plan 2008-2010.

NCC Land Development Manual 2010.

Nelson Annual Plan 2010-2011.

Nelson Regional Policy Statement 1997

Nelson Urban Growth Study 2006

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Regional Land Transport Strategy for Nelson City Council June 2009