

NELSON CITY COUNCIL

Nelson Resource Management Plan

Plan Change 27

Land Development Manual References Changes

**Part 2 Section 32 evaluation: Land Development Manual  
References Changes**

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## 1. Overview and Purpose

### 1.1 Introduction

This section 32 evaluation report relates to the incorporation of the Nelson Tasman Land Development Manual 2019 (NTLDM 2019) into the Nelson Resource Management Plan (NRMP).

The changes to the NRMP primarily relate to replacing references to the Nelson City Council Land Development Manual 2010 (LDM 2010) with references to the new NTLDM 2019. In addition, there are related consequential changes to the rule for building over or adjacent to drains, and a number of appendices relating to vehicle access standards and tracking curves are deleted from the NRMP or amended as these are now included in the NTLDM 2019.

Formulation of the NTLDM 2019 follows a review of the LDM 2010 to align it with best practice and to respond to issues with current engineering design standards and preferences. It is worth noting that the NTLDM 2019 is a revision of the LDM 2010, and as a result, there are many aspects of that document that remain unchanged.

### 1.2 Purpose of the Plan Change

The purpose of the plan change is to ensure that Council infrastructure is designed and implemented in accordance with best practice and that the quality of transport, water, wastewater, stormwater, flood protection, reserves and open space assets that are vested in Council are of a standard that the community can depend on and benefit from.

### 1.3 Summary of Changes to the NRMP

The changes proposed to the NRMP are summarised as follows:

Chapter	Proposed Amendments
Plan Wide Amendments	Amend all references of LDM 2010 to NTLDM 2019.  Delete rules for building over or alongside drains (REr.34, RUr.31A, ICr.39, SCr.28, INr.32 and OSr.28) and replace with new rules in each of the Residential, Inner City, Suburban Commercial, Industrial and Open Space Zones.
Chapter 2 Meaning of Words	Amend existing definitions of Accessway, Classified Roads and Unclassified Roads so that they reference the NTLDM 2019.
Chapter 3 Administration	Delete the description of LDM 2010 and replace with a description of NTLDM 2019.
Chapter 5 District Wide Objectives and Policies	Amend all references to LDM 2010 to NTLDM 2019 in DO10 Land Transport, DO13A Urban Design and DO14 Subdivision and development.  Make corrections to wording/terminology.
Chapter 7 Residential Rules	Amend references to NTLDM 2019 and wording in rules relating to Fences, Access, Network Utility – Roads, Building on Low Lying Sites, Service Overlay – Building, Subdivision – General, Subdivision – Service Overlay, Subdivision – Landscape Overlay, Schedule U - Marsden Plateau Landscape Area

<b>Chapter</b>	<b>Proposed Amendments</b>
Chapter 8 Inner City Rules	Amend references to NTLDM 2019 and wording in rules relating to Access, Network Utility – Roads, Building on Low Lying Sites, Subdivision – General
Chapter 9 Suburban Commercial Rules	Amend references to NTLDM 2019 and wording in rules relating to Access, Network Utility – Roads, Subdivision – General
Chapter 10 Industrial Rules	Amend references to NTLDM 2019 and wording in rules relating to Access, Network Utility – Roads, Building on Low Lying Sites, Service Overlay – Building Subdivision – General, Service Overlay – Subdivision
Chapter 11 Open Space and Recreational	Amend references to NTLDM 2019 and wording in rules relating to Building on Low Lying Sites, Access, Network Utility – Roads, Service Overlay – Building
Chapter 12 Rural Rules	Amend references to NTLDM 2019 and wording in rules relating to Buildings, Building on Low Lying Sites, Access, Network Utility – Roads, Service Overlay – Building, Subdivision – General, Subdivision within the Coastal Environment Overlay, Subdivision – Landscape Overlay, Services Overlay
Volume 3 Appendix 7 – Guide to Subdivision in the Landscape Overlay	Amend references to NTLDM 2019 and wording in AP7.3 – Performance guidelines – residential zone
Volume 3 Appendix 10 – Parking and Loading	Amend references to NTLDM 2019 and wording in AP10.2 – Definitions and AP10.8 – surfacing of parking and loading spaces
Volume 3 Appendix 11 – Access Standards	<p>Amend references to NTLDM 2019 and wording in:</p> <ul style="list-style-type: none"> <li>- AP11 – overview – application of Appendix 11</li> <li>- AP11.1 – minimum distance of vehicle crossing from intersections</li> <li>- AP11.2 – maximum number and minimum spacing of vehicle crossings</li> </ul> <p>Amend and delete wording in AP11.3 – design of vehicle access</p> <p>Amend and delete references and existing wording in AP11.4 – vehicle oriented commercial activities</p> <p>Delete the following figures:</p> <ul style="list-style-type: none"> <li>- Figure 2 – Application of access diagrams within the rural zone</li> <li>- Figure 6 – Required sight distances</li> <li>- Figure 7 – Low intensity rural access</li> <li>- Figure 8 – Medium intensity rural access</li> <li>- Figure 9 – High intensity rural access: details of required access taper, access surfacing, and localised widening</li> </ul>
Volume 3 Appendix 12 – Tracking Curves	<p>Amend references and wording in AP12.1 – clearances additional to tracking curves</p> <p>Delete references, figure 1 and wording in AP12.2 – 85 percentile car – tracking curves</p> <p>Delete references, figure 2 and wording in AP12.3 – 85 percentile two axle truck – tracking curves</p>

Chapter	Proposed Amendments
	Delete references, figure 3 and wording in AP12.4 – 85 percentile semi-trailer– tracking curves  Delete references, figure 4 and wording in AP12.5 – 85 percentile tour coach– tracking curve
Volume 3 Appendix 14 – Residential Subdivision Design and Information Requirements	Amend references and wording in AP14.1 – General, AP14.2 – Information requirements, AP14.2.2 – Design Description: Subdivision and Development Plan, AP14.3.1 – Movement network, AP14.3.2 – Open space network, AP14.3.5 – Stormwater management, AP14.3.7 – Reticulated services
Volume 3 Appendix 22 – Comprehensive Housing development	Amend references and wording in AP22.6 – Access, parking and services

#### 1.4 LDM 2010 Review

The proposed changes to the NRMP follow an extensive review of the existing LDM 2010 and formulation of its replacement – the NTLDM 2019. The review of the LDM 2010 was guided by a Steering Group comprising Councillors from both Nelson City and Tasman District Councils and representation from Civil Contractors and the New Zealand Institute of Surveyors.

The NTLDM 2019 replaces the LDM2010 and the Tasman District Engineering Standards. The NTLDM 2019 (and its subsequent inclusion by reference in the NRMP) seeks to provide consistent minimum standards and guidance for network assets across the region that both Councils will accept as part of their respective networks, and activities affecting those assets, including maintenance and operations. This includes formation and construction standards for some private assets that connect to network assets.

Consistent with the LDM 2010, the NTLDM 2019 has been structured to separate mandatory standards from good practice guidance. Mandatory standards are minimum standards required to be achieved for different development activities. Many of the mandatory matters in the LDM 2010 are referenced in NRMP rules. This has led to this plan change to update the appropriate reference consistent with the NTLDM 2019 mandatory matters. This referencing occurs where:

- The NTLDM 2019 standards are necessary to meet environmental outcomes and/or define consent activity status; and
- Within the context of some matters of control, discretion and assessment criteria as a key document guiding development outcomes where that development and associated network infrastructure may have resource management implications. Subdivision activity and associated network infrastructure is the main activity where the NTLDM 2019 is implicated and referenced.

The key changes are summarised below.

Chapter	Amendments to LDM 2010
Chapter 2 - Qualifications, Process and Information Requirements	<ul style="list-style-type: none"> <li>• Simplified into two chapters and an appendix</li> <li>• Identifies what is mandatory or good practice throughout</li> <li>• Removes information requirements for consents</li> <li>• Electronic format for Engineering plans</li> </ul>

	<ul style="list-style-type: none"> <li>• Aligned elevation datums to NZVD 2016</li> </ul>
Chapter 3 - Definitions	<ul style="list-style-type: none"> <li>• Additional meanings to terms included</li> </ul>
Chapter 4 - Transport	<ul style="list-style-type: none"> <li>• Generally, the transport section is less prescriptive and more design-led. Performance outcomes are important to this chapter.</li> <li>• Retains current approach to high-amenity, slow-speed roading network.</li> <li>• Key changes include safety audits, identifying where specific design is required, pavement deflection for asphalt.</li> <li>• Network connectivity is strengthened</li> <li>• Cycle facilities design requirements are now different depending on road context.</li> <li>• Cross alignment with stormwater chapters and reserve sections provided.</li> </ul>
Chapter 5 - Stormwater	<ul style="list-style-type: none"> <li>• Greater focus on water quality treatment.</li> <li>• Greater focus on streambank erosion and stream health.</li> <li>• Updated design requirements relating to water quantity and flooding through low impact design and the use of existing guidance (Auckland and Hamilton).</li> </ul>
Chapter 6 - Wastewater	<ul style="list-style-type: none"> <li>• Aligning the definition of public and private drains</li> <li>• Better alignment for materials used by both councils, e.g. bedding and equipment.</li> <li>• Introduction of low-pressure sewerage pumping systems</li> <li>• Seismic design and liquefaction.</li> </ul>
Chapter 7 - Water	<ul style="list-style-type: none"> <li>• Position of water meters – All meters to be at the road boundary.</li> <li>• Better alignment on materials used by both councils, e.g. bedding and equipment.</li> <li>• Seismic design and liquefaction.</li> </ul>
Chapter 8 –Earthworks, Trenching and Reinstatement	<ul style="list-style-type: none"> <li>• Most earthworks requirements removed in favour of rules in NRMP.</li> <li>• Sediment and erosion control standards removed in favour of external practice note.</li> <li>• Now permits only Type B subsoil drains.</li> </ul>
Chapter 9 – Electrical and Street Lighting	<ul style="list-style-type: none"> <li>• No significant changes.</li> <li>• Requires LED streetlights.</li> </ul>
Chapter 10 – Reserves and Landscaping	<ul style="list-style-type: none"> <li>• Retains current NCC approach.</li> <li>• Provides parameters/process for reserves to vest.</li> <li>• Clarified circumstances where Utility and Recreation Reserves can be combined.</li> </ul>
Practice notes (Note: These are non statutory practice notes that are not part of the NTLDM but are available as implementation tools to assist to embed new practice).	<p>Three guidance documents included:</p> <ul style="list-style-type: none"> <li>• Inundation Practice Note (Guidance for calculating minimum ground and floor levels for subdivision, new buildings and major alterations in three scenarios). Largely codifies existing practice.</li> <li>• Bio Retention (Guidance on detention systems via rain-gardens for stormwater management)</li> <li>• Wetlands (Guidance on the development of wetlands for stormwater management)</li> </ul>

Overall, like its predecessor, the NTLDM 2019 seeks to ensure the quality of transport, water, wastewater, stormwater, flood protection, reserves and open space assets that are vested in Council are of a standard that meets adopted levels of service and that the community can depend on and benefit from.

## 2. Regulatory and policy direction

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA. Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management *'means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing 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'.*

In achieving this purpose, councils also need to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

### 2.1 Section 6

The s6 matters that are relevant to this topic are:

Section	Relevant Matter
6(h)	The management of significant risks from natural hazards.

### 2.2 Section 7

The s7 matters that are relevant to this topic are:

Section	Relevant Matter
7(b)	The efficient use and development of natural and physical resources.
7(ba)	The efficiency of the end use of energy.
7(c)	Appropriate design contributes to the maintenance and enhancement of amenity values.
7(d)	Appropriate design and its potential to impact on the intrinsic values of ecosystems.
7(f)	That appropriate design contributes to the maintenance and enhancement of the quality of the environment.

### 2.3 Section 8

Section 8 of the RMA requires the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) to be taken into account. The s8 principle of most relevance to this topic is the duty to make informed decisions through consultation. Details of this consultation are outlined further below.

## 2.4 Other relevant sections of the RMA

Also relevant to this topic are the following sections in the RMA:

Section	Relevant Matter
9	Sets out restrictions on the use of land, of particular relevance is clause (3) of this section which states that no person may use land in a manner that contravenes a district rule
11	Sets out restrictions on the subdivision of land
17	General duty to avoid, remedy or mitigate adverse effects
30 and 31	<p>Sections 30 and 31 set out the Council's functions as a regional and territorial authority for the purposes of achieving the RMA's sustainable management purpose. Of particular relevance for this report, these functions include:</p> <ul style="list-style-type: none"> <li>• the establishment of policies, rules and other methods to achieve: <ul style="list-style-type: none"> <li>- integrated management of natural and physical resources;</li> <li>- the establishment, implementation, and review of policies, rules and other methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district; and</li> <li>- management of the effects of the use, development, or protection of land and associated natural and physical resources;</li> </ul> </li> <li>• the preparation of policies in relation to any actual or potential effects of the use, development, or protection of land</li> <li>• the methods used to carry out any functions may include the control of subdivision.</li> </ul>
66, 67, 74 and 75	<p>Sections 66 and 74 set out the matters to be considered when preparing or changing a regional or district plan. Sections 67 and 75 set out the requirements for the contents of regional and district plans, including that the Plan:</p> <ul style="list-style-type: none"> <li>• must state objectives, the policies to implement those objectives and the rules (if any) to implement the policies;</li> <li>• may state issues to be addressed, other methods for achieving the policies, principle reasons for any policies and methods, processes for dealing with effectiveness monitoring and cross boundary issues and information to be included with resource consent applications (among other matters);</li> <li>• must give effect to any NPS the NZCPS and the RPS;</li> <li>• must not be inconsistent with other regional and district plans for the region.</li> </ul>

## 2.5 National Instruments

There are five National Policy Statements (NPSs) currently in force:

- New Zealand Coastal Policy Statement 2010
- NPS for Electricity Transmission 2008
- NPS for Renewable Electricity Generation 2011
- NPS for Freshwater Management 2014
- NPS on Urban Development Capacity 2016

The instrument/s and associated provisions relevant to this topic are:

NPS	Relevant Objectives / Policies
New Zealand Coastal Policy Statement 2010	<p>The policy framework for the protection and management of the coastal environment of New Zealand recognises in particular the coastal environment supports established infrastructure connecting New Zealand internally and internationally where the following are most relevant:</p> <p>Objective 2, which relates to preserving the natural character of the coastal environment and protect natural features and landscape values.</p> <p>Objective 5, which relates to coastal hazard risks and managing existing and new development.</p> <p>Objective 6: To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> <li>• the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; ...</li> <li>• functionally some uses and developments can only be located on the coast or in the coastal marine area; ...</li> </ul> <p>Policy 1: Extent and characteristics of the coastal environment            (2) Recognise that the coastal environment includes: ...            (d) areas at risk from coastal hazards            (i) Physical resources and built facilities, including infrastructure, that have modified the coastal environment.</p> <p>Policy 4: Integration            Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires: ...            (c) particular consideration of situations where:            (i) subdivision, use, or development and its effects above or below the line of mean high-water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; ...</p> <p>Policy 6: Activities in the coastal environment            (1) In relation to the coastal environment:            (a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities; ...            (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;</p>

	<p>Policy 13: Preservation of natural character  (1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:  (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and  (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; ...</p> <p>Policy 15: Natural features and natural landscapes  To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:  (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and  (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; ...</p> <p>Policy 25: Subdivision, use, and development in areas of coastal hazard risk in areas potentially affected by coastal hazards over at least the next 100 years: ...  (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;  (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;  ...  ...</p>
<p>NPS on Urban Development Capacity 2016</p>	<p>This NPS requires that Councils ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district. Of particular relevance to this plan change is the objective that local authorities provide effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing. A key supporting policy of relevance is the promotion of the efficient use of urban land and development infrastructure and other infrastructure.</p>
<p>NPS for Freshwater Management 2014 (amended 2017)</p>	<p>The Freshwater NPS provides direction to local authorities on meeting freshwater quality requirements under the NPS-FM.</p> <p>While the NPS-FM does not direct specific provisions to be included within district plans, the RMA requires district plans to give effect to national policy statements and regional policy statements. In this regard, the directions in the Operative Regional Policy Statement and Proposed Regional Policy Statement are relevant.</p>

There are also six National Environmental Standards (NESs) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Telecommunication Facilities 2008
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Plantation Forestry 2017

No NESs are relevant to this topic.

## 2.6 National Guidance Documents

There is no national guidance relevant to this topic.

## 2.7 Direction in Operative Regional Policy and Plans

For the purposes of this report the relevant provisions of the Operative Nelson Regional Policy Statement (RPS) and the Operative Nelson Resource Management Plan applicable to this topic are outlined below.

Policy/Plan	Objectives	Policies	Rules/Standards
NRPS	Urban Expansion <ul style="list-style-type: none"> <li>• DH1.2.1</li> </ul> Natural Hazards <ul style="list-style-type: none"> <li>• DH2.2.1</li> </ul> Management of Riparian and Coastal Areas <ul style="list-style-type: none"> <li>• NA5.2.1 - 3</li> </ul> Quality of Natural Waters <ul style="list-style-type: none"> <li>• WA1.2.1</li> </ul> Solid Waste Management <ul style="list-style-type: none"> <li>• WM1.2.1</li> </ul> Infrastructure <ul style="list-style-type: none"> <li>• IN2.2.1</li> </ul>	Urban Expansion <ul style="list-style-type: none"> <li>• DH1.3.4</li> </ul> Natural Hazards <ul style="list-style-type: none"> <li>• DH2.3.2</li> <li>• DH2.3.5</li> </ul> Management of Riparian and Coastal Areas <ul style="list-style-type: none"> <li>• NA5.3.1-13</li> </ul> Quality of Natural Waters <ul style="list-style-type: none"> <li>• WA1.3.2 - 7</li> </ul> Solid Waste Management <ul style="list-style-type: none"> <li>• WM1.3.5</li> </ul> Infrastructure <ul style="list-style-type: none"> <li>• IN2.3.1-5</li> </ul>	N/A
NRMP	District Wide <ul style="list-style-type: none"> <li>• DO2.1 Natural hazards</li> <li>• D05.1 Natural Values</li> <li>• D06 Riparian and coastal margins</li> <li>• DO7.1 Natural character</li> <li>• DO9.1 Landscape</li> <li>• DO10.1 Land transport</li> <li>• DO13 Soil erosion and sedimentation</li> <li>• DO13A.1 - Urban design</li> </ul>	District Wide <ul style="list-style-type: none"> <li>• DO5.1.1 – 2</li> <li>• DO6.1.1 – 2, 4</li> <li>• DO7.1.1 – 6</li> <li>• DO9.1.2 – 4</li> <li>• DO10.1.1 – 7</li> <li>• DO13.1 – 2</li> <li>• DO13A.1.1</li> <li>• DO13A.2.1 – 2</li> <li>• DO13A.3.1 – 3</li> <li>• DO13A.5.1</li> <li>• DO14.1.1</li> <li>• DO14.1.3</li> <li>• DO14.2.1</li> <li>• DO14.3.1 - 2</li> </ul>	District Wide <ul style="list-style-type: none"> <li>• Nil</li> </ul>

Policy/Plan	Objectives	Policies	Rules/Standards
	<ul style="list-style-type: none"> <li>• DO13.A.2 - Improving Connections</li> <li>• DO13A.3 – Creating high quality public spaces</li> <li>• DO13A.5 - Sustainable places and communities</li> <li>• DO14.1 - City Layout and Design</li> <li>• DO14.2 - Amenity values</li> <li>• DO14.3 - Services</li> <li>• DO14.4 - Network utilities</li> <li>• DO14.5 – Community services and facilities</li> </ul>	<ul style="list-style-type: none"> <li>• DO14.4.1 – 3</li> <li>• DO14.5.1</li> </ul>	
	Various Zones <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Various Zones <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Various Zones <ul style="list-style-type: none"> <li>• REr.34, RUr.31A, ICr.39, SCr.28, INr.32 and OSr.28 Building over or alongside drains.</li> </ul> <p>These rules are being deleted and replaced with a new rule. The rule updates the standards for building works over or alongside drains.</p>
	Residential <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Residential <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Residential <ul style="list-style-type: none"> <li>• REr.31 - Fences</li> <li>• REr.40 – Access</li> <li>• REr.56 - Network Utility – Roads</li> <li>• REr.58 – Building on low lying sites</li> <li>• REr63 – Service overlay – Building</li> <li>• REr.107 – Subdivision General</li> <li>• REr.108 - Services Overlay – Subdivision</li> <li>• REr.109 – Landscape Overlay</li> </ul> <p>These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity standards, matters of</p>

Policy/Plan	Objectives	Policies	Rules/Standards
			control and discretion and assessment criteria.
	Inner City <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Inner City <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Inner City <ul style="list-style-type: none"> <li>• ICr.32 - Access</li> <li>• ICr.53 - Network Utility – Roads</li> <li>• ICr.54 - Building on Low Lying Sites</li> <li>• ICr.81 Subdivision – General</li> </ul> These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity standards, matters of control and discretion and assessment criteria.
	Suburban Commercial <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Suburban Commercial <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Suburban Commercial <ul style="list-style-type: none"> <li>• SCr.32 - Access</li> <li>• SCr.46 - Network Utility – Roads</li> <li>• SCr.71 - Subdivision – General</li> </ul> These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity standards, matters of control and discretion and assessment criteria.
	Industrial <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Industrial <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Industrial <ul style="list-style-type: none"> <li>• INr.36 - Access</li> <li>• INr.52 - Network Utility – Roads</li> <li>• INr.53 - Building on Low Lying Sites</li> <li>• INr.55 - Service Overlay – Building</li> <li>• INr.73 - Subdivision – General,</li> <li>• INr.74 - Service Overlay – Subdivision</li> </ul> These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity

Policy/Plan	Objectives	Policies	Rules/Standards
			standards, matters of control and discretion and assessment criteria.
	Open Space <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Open Space <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Open Space <ul style="list-style-type: none"> <li>• OSr.25 - Building on Low Lying Sites</li> <li>• OSr.35 - Access</li> <li>• OSr.46 - Network Utility – Roads</li> <li>• OSr.51 - Service Overlay – Building</li> </ul> These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity standards, matters of control and discretion and assessment criteria.
	Rural <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Rural <ul style="list-style-type: none"> <li>• Nil</li> </ul>	Rural <ul style="list-style-type: none"> <li>• RUr.28 - Buildings</li> <li>• RUr.29 - Building on Low Lying Sites</li> <li>• RUr.36 - Access</li> <li>• RUr.46 - Network Utility – Roads</li> <li>• RUr.49A - Service Overlay – Building</li> <li>• Rur.78 - Subdivision – General</li> <li>• RUr.79 - Subdivision within the Coastal Environment Overlay</li> <li>• RUr.80 - Subdivision – Landscape Overlay</li> <li>• RUr.85 – Services Overlay</li> </ul> These rules are being amended to refer to the NTLDM 2019. These references apply to a mixture of activity standards, matters of control and discretion and assessment criteria.

There are no provisions in the Operative Nelson Air Quality Plan that are relevant to this topic.

## 2.8 Iwi Management Plan(s)

The following Iwi Management Plans and associated provisions are considered relevant to this topic:

IMP	Relevant Provisions
<a href="#">Ngati Koata Trust Iwi Management Plan 2002</a>	<ul style="list-style-type: none"> <li>• Objectives and policies that collectively seek:               <ul style="list-style-type: none"> <li>○ Maintenance and enhancement of freshwater aquatic ecosystems and management of effects of activities on water quality in wetlands, lakes, rivers, groundwater and receiving coastal waters.</li> <li>○ That the natural functioning and life supporting capacity of ecosystems in not disrupted by discharges into it.</li> <li>○ To protect significant indigenous flora and fauna from adverse effects of use and development.</li> <li>○ The maintenance and enhancement of landscape values.</li> </ul> </li> </ul>
<a href="#">Nga Taonga Tuku Iho ki Whakatu Management Plan 2004</a>	<ul style="list-style-type: none"> <li>• Key Objective (and supporting policies) - The mauri (life force) of the land is healthy and able to support nga tangata, indigenous flora and fauna.</li> </ul>
<a href="#">Ngati-Tama-ki-te-Waipounamu-Environmental-Management-Plan-Nov2018.pdf</a>	<ul style="list-style-type: none"> <li>• A key aspiration is that Ngāti Tama cultural values are protected from adverse effects associated with subdivision and residential development, including that urban development be carried out in ways which maintain and enhance the natural environment.</li> </ul>

## 2.9 Any relevant plans or strategies

The following are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
Nelson's Smart Little City Vision, key priority areas and outcomes sought.	NCC	<p>This document sets out the vision for the Nelson, recognising the strategic importance of infrastructure to the community. A key vision relating to infrastructure is set out below.</p> <p><i>Our city, community and environment all depend on our core infrastructure networks to provide safe and smart transport, water, wastewater, stormwater, and flood protection. Key city assets need ongoing maintenance and replacement so we can depend on these essential utilities. This work also enables and protects investment in our city and removes constraints on our growth. Council is putting essential infrastructure at the forefront to future-proof our city.</i></p>

Nelson Infrastructure Strategy 2018-2048	NCC	<p>This strategy identifies critical challenges for the District’s transport, water supply, wastewater and stormwater and flood protection assets over the next 30 years, and the options for responding to them. The four infrastructure objectives these challenges relate to are:</p> <ul style="list-style-type: none"> <li>• increase resilience to natural hazards</li> <li>• maintain and renew existing assets</li> <li>• provide infrastructure to enable growth and development</li> <li>• maintain or improve environmental outcomes.</li> </ul>
Nelson 2060	NCC	<p>Nelson 2060 sets out the strategic vision for the region over the next 40-50 years, which encompasses four themes and ten goals. Of particular relevance are:</p> <ul style="list-style-type: none"> <li>• Community resilience, particularly in relation to effects on key infrastructure during extreme events;</li> <li>• Adaptability in the face of change, including planning infrastructure to adapt to sea level rise and extreme weather events;</li> <li>• Moving from the use of fossil fuels to renewable energy; and</li> <li>• Reduced consumption, including the promotion of renewable energy and multi-modal transport options.</li> </ul>

There are no additional plans or strategies relevant to this topic.

## 2.10 Any other relevant legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
Local Government Act 2002.	<ul style="list-style-type: none"> <li>• The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities.</li> <li>• Section 11A states that a Council must have particular regard to the contribution that specific core services make to its communities. Of particular relevance is clause (a) network infrastructure.</li> <li>• Section 14 sets out the principles relating to local authorities, of particular relevance in this section are clause (h) which states: <i>(h) in taking a sustainable development approach, a local authority should take into account -</i> <i>(i) the social, economic, and cultural interests of people and communities; and</i></li> </ul>

	<p>(ii) the need to maintain and enhance the quality of the environment; and</p> <p>(iii) the reasonably foreseeable needs of future generations</p> <ul style="list-style-type: none"> <li>• In many respects the principles set out in Section 14 (h) align with sustainable management purposes of the RMA set out under Part 2.</li> </ul>
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There is no other legislation or regulations relevant to this topic.

### 3. Resource Management Issues Analysis

This part of the report identifies and analyses the key issues relevant to this topic.

#### 3.1 Evidence Base - Research, Consultation, Information and Analysis undertaken

The Council has reviewed the current Nelson Resource Management Plan, commissioned assistance from various internal and external experts and utilised this, along with internal Councillor and staff workshops and community feedback to assist with setting the proposed plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed provisions.

##### 3.1.1 Effectiveness and Efficiency of Operative Provisions

To determine the effectiveness and efficiency of the current provisions in the Nelson Resource Management Plan, a review of the objectives, policies, rules and standards identified in section 2.7 of this report was undertaken.

A summary of the key findings from this review are listed below:

- The objectives and policies of the NRPS were drafted at a time when the approach to environmental management was different to current best practice. Notwithstanding this, the NRPS recognises cross boundary issues and a coordinated and consistent approach to the provision of infrastructure. It also includes directions to preserve and enhance amenity and conservation values, and to avoid, remedy or mitigate adverse effects.
- The NRMP has direct reference to the LDM 2010. A review of the LDM 2010 has resulted in the formulation of the NTLDM 2019 which in essence updates its predecessor to align with current best practice and the levels of assets required by Nelson City and Tasman District Councils. The inclusion of reference to the NTLDM 2019 in the NRMP through this plan change will improve the effectiveness or efficiency of the provisions.

##### 3.1.2 Current best practice

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans:

Policy / Plan	Local Authority	Description of approach
Tauranga City Plan	Tauranga City Council	<ul style="list-style-type: none"> <li>• <i>Tauranga City Infrastructure Development Code</i></li> </ul>
Auckland Unitary Plan	Auckland Council	<ul style="list-style-type: none"> <li>• <i>Code of practice for land development</i></li> </ul>
Wellington District Plan	Wellington City Council	<ul style="list-style-type: none"> <li>• <i>Code of practice for land development</i></li> </ul>

These plans were selected because:

- They each reference external documents relating to engineering standards and design.

A summary of the key findings follows:

- Each of the plans takes a different structural approach, using a combination of externally referenced documents, general provisions, and zone-based provisions.
- While the content within each infrastructure design standards and plans varies between districts, this is expected and a direct result of the different environments and levels of service required. Overall there is a high-level of consistency with the outcomes sought.
- In this regard, the proposal is considered to be in keeping with best practice.

### 3.1.3 Advice from Iwi Authorities

Te Tau Ihu Iwi<sup>1</sup> were consulted in the preparation of the NTLDM 2019 viewing draft versions in August 2018 and pre-draft consultation in April 2018. Key issues raised by are Iwi were:

- Emphasise the use of native plant species for habitat management and amenity plantings;
- Improve and highlight references to sedimentation and erosion control guidelines;
- Insert more references to obligations to archaeological sites excavation through earthworks and land disturbance works associated with development infrastructure;
- Include references to Iwi consultation obligations throughout the document, and to Settlement Act/Statutory Acknowledgements and Iwi Management Plans;
- Promote use of local Maori names for roads; and
- Enhance reference to cultural values associated with water supply, water use and waterways management (including the protection of mauri of waterways).

Results of that consultation have informed the final shape of the NTLDM 2019.

### 3.1.4 Consultation undertaken to date

The following is a summary of the primary consultation undertaken in respect of this topic. Please note that much of the consultation was undertaken as part of the preparation of the NTLDM 2019:

Date	Detail
March 2015 to December 2016	Start of LDM review process with working group being set up with contractor and surveyor representatives, consultation with local professional bodies and development stakeholders
June 2016	Stakeholder workshop on first draft
August 2016	Stakeholder workshop on stormwater section. Feedback was that the costs associated with complying with the stormwater requirements were too great and would affect the affordability of residential development. As a result the stormwater section was reworked.
November 2017- February 2018	Consultation with iwi, key stakeholders and elected representatives on revised draft.

<sup>1</sup> Te Tau Ihu iwi – Manawhenua Ki Mohua; Ngati Apa ki Te Ra To Trust; Ngati Koata; Ngati Rarua Iwi; Ngati Tama; Te Atiama o Te Waka-a-Maui; Te Runanga o Ngai Tahu; Te Runanga o Ngati Kuia; Te Runagnga o Rangitane o Wairau; Tiakina te Taiao; Toa Rangatira

April 2018	Pre-draft consultation with iwi.
9 August 2018	Both Nelson City Council and Tasman District Council separately approved the draft NTLDM 2019 for notification. This included draft Plan Changes to the NRMP.
3 August 2018	Email to Civil Contractors and NZ Institute of Surveyors advising them to advise their members of upcoming consultation and drop in session at Saxton Pavilion on 30 August.
13 August 2018	Draft NTLDM 2019 notified and placed on the Council's website. The period for feedback closed on the 5 October 2018. Feedback also sought on the draft Plan Changes to the NRMP (Plan Change 27).
14 August 2018	Email to Civil Contractors and NZ Institute of Surveyors asking them to advise their members that consultation was open.
14 August 2018	Email to members of Developers' Forum advising them that consultation was open.
15 August 2018	Public Notice placed in the Nelson Mail
17 August 2018	Email to eight Te Tau Iwi advising of public notification of NTLDM 2019 and consultation of Draft Plan Changes to the NRMP open for feedback.
21 August 2018	Email to a variety of developers, building companies advising that consultation is open.
30 August 2018	Public drop in session at Saxton Oval.

The formal consultation process resulted in 19 submissions being received. The majority of submissions were directly on the NTLDM 2019 and associated practice notes. Only one submitter provided feedback on the Draft NRMP changes. The submissions related to the following:

- Stormwater management – Chapter 5 NTLDM 2019
- Technical corrections - NTLDM 2019
- Freeboards and flood hazards – Chapter 5 NTLDM 2019 and Practice Note
- Plantings on reserves – Chapter 10 NTLDM 2019
- Street lighting – Chapter 4 NTLDM 2019
- Roading design and use – Chapter 4 NTLDM 2019
- Costs of compliance – Chapters 4,5, 6 and 7 NTLDM 2019
- Oil spills – draft NRMP and NTLDM 2019
- Building alongside or over private drains – draft PC27 and NTLDM 2019

The submissions resulted in a number of corrections, clarifications and minor changes being adopted in the documents.

### 3.2 Summary of the Issues Analysis

Based on the analysis and consultation outlined above the following issues have been identified:

Issue	Comment	Response
Issue 1: Effects of land development and subdivision	A review of the current approach to land development has been undertaken between Nelson and Tasman to ensure best practice standards for infrastructure will be	The review of the current standards against best practice has informed this plan change and responds to issues with current engineering design

	implemented and provide consistency and alignment across the region.	standards and preferences and provide consistency across the region.
Issue 2: Stormwater treatment assets	The current approach to the design of stormwater management assets has been identified as requiring updating to reflect best practice.	Through incorporation of the NTLDM 2019 into the NRMP, changes to the treatment of stormwater are being implemented, which include a focus on low impact design, water quality, and streambank erosion and stream health to align with current best practice.
Issue 3: Transport related provisions	The current approach to the design of transport assets has been identified as requiring updating to reflect best practice.	The proposal includes changes to transportation standards that apply across zones and the deletion of various figures relating to access standards and tracking curves as these are now included in the NTLDM 2019.  The NTLDM 2019 standards reflect best practice design and construction.
Issue 4: Rules relating to buildings over or alongside drains	Current NRMP rules relating to buildings over or alongside drains have been reviewed to determine their effectiveness and whether they are achieving the desired outcome of protecting these assets.	The existing rules are being deleted and replaced with revised set. The various stages of consultation better defined the scope of the rule.

#### 4. Scale and Significance Evaluation

The level of detail undertaken for this evaluation has been determined by an assessment of the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. policies and rules). Key considerations that informed this assessment included whether the provisions:

- Involve a matter of national importance;
- Are the subject of a NPS;
- Are consistent with national or regional direction through plans, other strategies or guidance;
- Are required to resolve an issue or problem particularly to protect life and property;
- Involve a minor or major change to the current provisions;
- Are controversial and /or will affect groups with specific interests or a large number of residents;
- Will significantly reduce development opportunities or land use options; and
- Are likely to have a major financial impact on landowners / developers / businesses due to compliance and or administrative costs.

Based on this assessment the scale and significance of the proposed provisions are considered to be low for the following reasons:

- The proposal will assist the Council’s management of significant risks from natural hazards as per its obligations under s6(h). There are no other matters of National importance;
- The proposal will assist the Council in achieving its obligations under s7 (b), (c), (d) and (f) by providing consistent minimum standards and guidance for network assets across the region, and controls on activities affecting those assets, including maintenance and operations. This includes formation and construction standards for some private assets that connect to network assets.
- The proposal does not affect any s8 matters, is consistent with the three relevant NPSs (NZCPS, NPS-UDC and NPS-FM), and is consistent with the provisions in the NRPS.
- Overall, the proposed changes are considered to be of low significance because they are generally a refinement of existing provisions to align with current best practice.

Consequently, a high-level evaluation of these provisions has been identified as appropriate for the purposes of this report.

## 5. Quantification of Benefits and Costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Given the assessment in section 4 of the scale and significance of the proposed provisions, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic. Instead, this report identifies more generally where any additional costs or benefits may arise.

## 6. Proposed District Plan Provisions (Policies and Methods/Rules)

The amended provisions apply across the operative NRMP as has been outlined in section 1.2 above. These provisions should be referred to in conjunction with this evaluation report.

It is worth noting that no new objectives are proposed as part of this plan change. Further, only a minor amendment is proposed to a single District-wide policy (DO14.3.2.i Drainage, water and utilities) to provide reference to the NTLDM 2019.

Similarly, proposed changes to the rules in the Residential, Inner City, Suburban Commercial, Industrial, Open Space and Recreation and Rural Chapters, predominantly update reference to the NTLDM 2019 or are consequential of its introduction by reference into the NRMP. These changes affect rules relating to Fences, Access, Roads, Building on Low Lying Sites and Subdivision. In effect, the proposal updates and refines the requirements and guidance that apply to establishing network assets and activities affecting them.

Given the above, the following assessment of the proposed amendments is undertaken against relevant objectives of the NRMP.

## **7. Proposed District Plan Objectives Evaluation**

### **7.1 Introduction**

Where a plan change does not propose any new or amended objectives, s32(6) of the RMA identifies that the purpose of the plan change is to be considered the objective for the purposes of the evaluations required under s32(1)-s32(3).

While not specifically required under s32 of the RMA, it is appropriate to also consider alternative objectives, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation the following criteria form the basis for assessing the appropriateness of the proposed objectives:

1. Relevance
2. Usefulness
3. Reasonableness
4. Achievability

### **7.2 Evaluation of Objective (plan change purpose)**

For the purpose of this evaluation, the Council has considered the following potential objectives:

1. The proposed objective (plan change purpose)
2. The status quo

<p><b>Proposed objective (the plan change purpose):</b> Council infrastructure is designed and implemented in accordance with best practice and the quality of transport, water, wastewater, stormwater, flood protection, reserves and open space assets that are vested in Council are of a standard that the community can depend on and benefit from.</p>
<p><b>General intent:</b> The intent of the objective is to recognise and provide for the ongoing community benefits provided by effective infrastructure.</p>
<p><b>Alternative – Status quo without plan change purpose applied</b></p> <p><b>Objective DO2.1 Natural Hazards</b> An environment within which adverse effects of natural hazards on people, property, and the environment are avoided or mitigated</p> <p><b>Objective DO10.1 Land Transport System</b> 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</p> <p><b>Objective DO13A.2 Improving Connections</b> 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</p> <p><b>Objective DO14.1 City Design and Layout</b> 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.</p> <p><b>Objective DO14.2 Amenity Values</b> The amenity values of the built environment shall be maintained or enhanced through the subdivision and development processes.</p> <p><b>Objective DO14.3 Services</b> 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 other land in the Services Overlay.</p> <p><b>Objective DO14.4 Network Utilities</b> Efficient use of network utilities infrastructure while avoiding, remedying, or mitigating the adverse effects of utilities on their surrounding environments</p>

	Preferred objective	Status quo
Synopsis	<p>The objective echoes the enabling aim of Part 2 (RMA) as relates to the social, cultural and economic well-being, health and safety of people and communities.</p> <p>The focus on Council infrastructure being designed and implemented in accordance with best practice is a direct response to the need to avoid, remedy or mitigate the adverse effects of subdivision, use and development as part of the overall achievement of sustainable resource management.</p>	<p>This suite of objectives achieves a broad array of outcomes across the city's zones, particularly around infrastructure, services and hazard management.</p> <p>The objectives relate directly to the achievement of Part 2 and to Council's functions under the Act.</p>
<b>Relevance:</b>		
Addresses a relevant resource management issue	<p>Council infrastructure is a critical resource for people, communities and economies.</p> <p>The objective recognises this by seeking to ensure that infrastructure is designed and implemented in accordance with best practice.</p>	The objectives outline several environmental outcomes that relate to multiple relevant resource management issues, including the efficiency and effectiveness of infrastructure provision and its benefits to the community.
Assists the Council to undertake its functions under ss30/31	The objective assists the Council in carrying out its functions, and in particular, under s31(1)(a), (aa), (b) and (f).	The status quo objectives collectively assist the Council to undertake its functions and are appropriate.
Gives effect to higher level documents	The objective meets the relevant statutory obligation to give effect to the NZCPS, NPSUDC and NPS-FM, and the NRPS. It has been prepared with regard to other Acts and relevant plans, policies, strategies and bylaws.	<p>The NRMP objectives have been prepared to give effect to the operative NRPS. While a number of national policy documents have come into force after the NRMP, the status quo objectives are nevertheless considered to generally give effect to the relevant higher order documents to the extent relevant.</p> <p>The NRMP has not been prepared with any particular regard to <i>recent</i> strategies, policies or bylaws.</p>

<b>Usefulness:</b>		
Guides decision-making	The proposed objective is clear and specifies clear guidance on, and expectations for, infrastructure.	The suite of operative objectives provides decision-makers with useful targets for environmental outcomes on a city-wide basis.
Meets best practice for objectives	The plan change purpose is the only objective relevant to this assessment. It is clear in scope and intent, consistent with good practice.	This suite of objectives is more akin to first generation RMA plans. Second generation plans tend to be more directive and/or activity-specific as to the outcomes anticipated. However, they remain generally appropriate.
<b>Reasonableness:</b>		
Will not impose unjustifiably high costs on the community / parts of the community	The proposal is not anticipated to impose any unreasonable costs on the community apart from regulatory and compliance costs – which are broadly anticipated to be similar to the status quo. The proposal will entail greater capital, regulatory and compliance costs in relation to new stormwater infrastructure, but again these are not anticipated to be unjustifiably high.	The status quo has not been assessed as resulting in any meaningful costs on the community apart from regulatory and compliance costs – which are anticipated to be similar to the proposed option.
Acceptable level of uncertainty and risk	There is low uncertainty associated with this option. The objective is clear that Council infrastructure is to be designed and implemented in accordance with best practice.	The status quo is relatively clear as to the outcomes anticipated for the City.  The risks associated with continued reliance upon these objectives without the plan change purpose applied is that infrastructure is no longer designed and established in accordance with best practice and the levels of service for new infrastructure are suboptimal.
<b>Achievability:</b>		
Consistent with identified tangata whenua and community outcomes	Te Tau Ihu Iwi and the wider community were consulted in the preparation of the NTLDM 2019 and Draft Plan Changes to the NRMP. The objective is considered consistent with consultation outcomes.	The suite of operative objectives are considered to have generally been in keeping with identified tangata whenua and community outcomes.
Realistically able to be achieved within the Council's powers, skills and resources	The objective is considered to be readily achievable and able to be implemented within Council's functions and expertise.	These objectives have proven achievable and able to be implemented within Council's functions and expertise.

**Summary:**

The proposed objective will achieve the Act's purpose in conjunction with other related objectives to be retained in the Operative NRMP. It will provide for people and community's well-being and access to the social, cultural, economic and other benefits from well-designed and constructed services in a way that avoids or mitigates adverse effects on the environment.

The preferred objective is anticipated to be more effective and efficient than the status quo, primarily as:

- it clearly defines the outcomes sought for the provision of new infrastructure; and
- it is consistent with best practice elsewhere in New Zealand; and
- it best gives effect to higher order directions, complements other Council plans, strategies and bylaws, and has sufficient regard to the operative RPS.

## **8. Proposed District Plan Policies and Rules Assessment**

### **8.1 Introduction**

This section of the report evaluates the proposed District Plan amendments as they relate to the relevant existing objectives of the NRMP.

Along with the proposed provisions, the Council has also identified through research, consultation, information gathering, and analysis undertaken in relation to this topic, reasonably practicable alternative options to achieve the existing objectives of the NRMP.

The technical and consultation input used to inform this process is outlined in section 3 of this report.

### **8.2 Evaluation method**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objectives.

This evaluation is contained in the sections that follow.

### **8.3 Provisions to achieve Objectives**

For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo
3. Not refer to any external standards or guidance at all and only having mandatory standards of the NTLDM 2019 included within the NRMP.

## OBJECTIVES

### Plan Change Purpose

That Council infrastructure is designed and implemented in accordance with best practice and that the quality of transport, water, wastewater, stormwater, flood protection, reserves and open space assets that are vested in Council are of a standard that the community can depend on and benefit from.

### Operative NRMP Objectives

#### **Objective DO2.1 Natural Hazards**

An environment within which adverse effects of natural hazards on people, property, and the environment are avoided or mitigated

#### **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

#### **Objective 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

#### **Objective DO14.1 City Design and Layout**

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.

#### **Objective DO14.2 Amenity Values**

The amenity values of the built environment shall be maintained or enhanced through the subdivision and development processes.

#### **Objective 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 other land in the Services Overlay.

#### **Objective DO14.4 Network Utilities**

Efficient use of network utilities infrastructure while avoiding, remedying, or mitigating the adverse effects of utilities on their surrounding environments

Proposed approach to provisions	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Policies:</b> Update Policy DO14.3.2.i Drainage, water and utilities to provide reference NTLDM 2019. Specifically, to require all wastewater, water and stormwater infrastructure specified in the NTLDM 2019 to become public to be vested in Council.</p> <p><b>Rules:</b> Amend all current rules so that references to LDM 2010 are changed to NTLDM 2019.</p> <p>The rules relate to Fences, Access, Roads, Building on</p>	<p><b>Environmental effects</b> <i>Direct effects</i> Environmental effects arising from the application of the NTLDM 2019 will be consistent with those anticipated under the objective and policy framework of the NRMP, which have proven appropriate over the life of the operative plan. Proposed refinement of the rules and other methods with current best practice further meets the outcomes sought, noting also the national directions with regards to freshwater management in particular.</p> <p><b>Economic effects</b> <i>Direct effects</i> Consistent with the existing approach in the NRMP, there will be a direct cost to applicants to meet the requirements of the new standards. However, it is noted that the draft NTLDM has been through an extensive consultation process, including with industry and the associated costs have not been identified as unacceptably high. It is</p>	<p><b>Environmental</b> <i>Direct effects</i> Subdivision activity and associated network infrastructure is the main activity where there will be direct environmental benefits and development aligns with best practice.</p> <p>Through the provisions and introduction of the LTDMP 2019, consistent infrastructure will be provided in line with best practice.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Economic</b> <i>Direct effects</i> The provisions provide certainty for communities on the level of service expected when development is undertaken.</p>	<p>It is considered that there is sufficient information to act as the existing provisions and implications/issues are well documented and researched.</p> <p>While the status quo has proven to be relatively effective in the management of land development and the provision of public infrastructure, updates to align with best practice will assist in achieving the purpose of the RMA and higher order documents.</p>

<p>Low Lying Sites, Service Overlay and Subdivision.</p> <p><b>Other Methods:</b> Update NRMP Appendices 7, 10, 11, 12, 14 and 22 to refer to NTLDM 2019 and to delete redundant standards that have been incorporated into the NTLDM 2019.</p>	<p>anticipated that there will be increased regulatory, compliance and capital costs in respect of new stormwater infrastructure given the associated changes in the NTLDM 2019. This will include costs incurred by applicants and Council where technical input is required to determine if activities meet standards and/or to provide design guidance and certification. While such costs are commonly occurred under the status quo, they will initially be greater under the proposed approach until the new requirements are embedded as business as usual.</p> <p>Cost to Council of administering the new provisions, in terms of processing consent applications, which is considered to be comparable to the current regime.</p> <p>Financial costs may be incurred by applicants where technical input is required to determine if activities meet standards and/or to provide design guidance and certification, consistent with current application of the LDM2010.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> No direct or indirect costs have been identified.</p> <p><b>Cultural</b> No direct or indirect costs have been identified.</p>	<p>Economic benefits are considered to be similar to the status quo.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> Aligning the NTLDM 2019 with best practice methods will enhance Whakatu Nelson’s social well-being, in particular through provision of well-designed and constructed services that are essential to residential, recreational, community, commercial and other activities.</p> <p><b>Cultural</b> No direct or indirect benefits have been identified.</p>	
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b> Overall the proposed rules will be effective in terms of refining the framework for land development and the provision of associated infrastructure.</p> <p>The rules proposed are largely a refinement of the existing rules to update them in line with best practice and preferred levels of service.</p>	<p><b>Efficiency</b> It is considered that the preferred option is an efficient method of meeting the objectives given the costs identified above and the issues, albeit relatively minor, identified with the current provisions.</p>	
<p><b>Overall evaluation</b></p>	<p>This set of preferred provisions is the most appropriate option given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The preferred provisions will also be highly effective at achieving the plan change purposes. The risks of acting are identifiable and limited in their extent.</p>		

Alternative approach to provisions	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Maintain status quo</b></p> <p><b>Policies:</b> A number of policies that either directly or indirectly seek to control the effects of land development and the provision of public infrastructure.</p> <p><b>Rules:</b> The current rules refer to the LDM 2010 which, parts of, are no longer considered to meet best practice.</p> <p><b>Other Methods:</b> Retain some standards in NRMP appendices, rather than incorporate into the LDM.</p>	<p><b>Environmental effects</b> <i>Direct effects</i></p> <p>The environmental effects associated with the status quo have been acceptable, however, while the current reference to the LDM 2010 represents best practice in terms of low speed high amenity neighbourhoods, since it became operative, there has been greater national emphasis on freshwater and the effects of assets that vest as part of development on freshwater.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Economic effects</b> <i>Direct effects</i></p> <p>Compliance and regulatory costs for applicants will be common to this and all options considered. It is considered that the status quo is likely to have similar costs to the preferred method. This will also be the case for the Council's costs to administer consents and enforcement of conditions.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> No direct or indirect costs have been identified.</p> <p><b>Cultural</b> No direct or indirect costs have been identified.</p>	<p><b>Environmental effects</b> <i>Direct effects</i></p> <p>As noted, the environmental effects associated with the status quo have been acceptable, however there are no known direct environmental benefits of retaining this approach.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Economic</b> <i>Direct Effects</i></p> <p>There are no known direct economic benefits.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> No direct or indirect costs have been identified.</p> <p><b>Cultural</b> No direct or indirect costs have been identified.</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods such that the need to assess the risk of acting or not acting is negligible.</p>
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b></p> <p>The standards that apply under the status quo has proven to be relatively effective at achieving the settled objectives of the NRMP; however it is noted that they have not been updated since 2010 and through review of the LDM 2010 many have been identified as no longer meeting best practice. By extension they are not the most effective for implementing the plan change purpose.</p>		<p><b>Efficiency</b></p> <p>It is considered that given the costs relative to the benefits, this option has a moderate level of efficiency.</p>
<p><b>Overall evaluation</b></p>	<p>The status quo provisions are likely to be appropriate to the extent that they provide a suitable framework to manage land development and the provision of associated infrastructure.</p> <p>However, in some respects they no longer represent best practice, in particular with regards to stormwater assets that vest as part of development and their effects on freshwater.</p>		

Alternative approach to provisions	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p><b>Not refer to any external standards or guidance at all and only having mandatory standards of the NTLDM 2019 included within the NRMP.</b></p> <p><b>Policies:</b> Similar to status quo and preferred option but no reference to NTLDM 2019.</p> <p><b>Rules:</b> More prescriptive rules requiring development to meet mandatory standards, but no reference to the NTLDM 2019.</p> <p><b>Other Methods:</b> Same as preferred option</p>	<p><b>Environmental effects</b> <i>Direct effects</i> Anticipated effects associated with development activities, including the associated provision of infrastructure, will be built to mandatory standards.</p> <p>Other methods that are not mandatory but are considered best practice may not be considered and lead to less favourable environmental outcomes overall.</p> <p><b>Economic effects</b> <i>Direct effects</i> Consistent with the approach in the NRMP, there will be a direct cost to meet the requirements of the mandatory standards.</p> <p>Cost to Council of administering the new provisions, in terms of processing consent applications, which is considered to be comparable to the current regime.</p> <p>Financial costs where technical input is required to determine if activities meet standards.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> No direct or indirect costs have been identified.</p> <p><b>Cultural</b> No direct or indirect costs have been identified.</p>	<p><b>Environmental</b> <i>Direct effects...</i> Subdivision activity and associated network infrastructure is the main activity where there will be direct environmental benefits where development is undertaken to align with mandatory standards.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Economic</b> <i>Direct effects</i> The provisions would provide certainty for communities on the level of service expected when development is undertaken.</p> <p>Economic benefits are considered to be similar to the status quo and the preferred option.</p> <p><i>Indirect effects</i> N/A</p> <p><b>Social</b> No direct or indirect costs have been identified.</p> <p><b>Cultural</b> No direct or indirect costs have been identified.</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods such that the need to assess the risk of acting or not acting is negligible.</p>
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b> Having mandatory requirements and good practice in the same document is considered to be more effective in achieving the existing objectives of the NRMP.</p>		<p><b>Efficiency</b> The NTLDM 2019 is too large to be practically incorporated into the plan and/or the mandatory requirements would need to be separated out from guidance on good practice.</p>
<p><b>Overall evaluation</b></p>	<p>This option is likely to be appropriate to the extent that it provides a suitable framework to manage land development and the provision of associated infrastructure. However, other methods that are not mandatory but are considered best practice may not be considered and lead to less favourable environmental outcomes overall. Furthermore, it is anticipated that the inclusion of the mandatory provisions within the NRMP would make the document less navigable for plan users, which presents an undesirable level of inefficiency. The RMA provides for documents to be incorporated in a Plan in appropriate circumstances, including – as is the case with this proposal – where the document is of a technical or specialised nature.</p>		

## 9. Conclusion

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.

The evaluation demonstrates that this proposal is the most appropriate option as the amendments and changes to the existing rules are considered to give effect to the existing objective and policy framework in relation to this topic, in particular by aligning the NRMP with current best practice.

In many respects the proposal simply refines the requirements and guidance that apply to network assets that Council will accept as part of its network and activities affecting them. Appropriate provision of these assets is a district wide issue and one that is vital to the community's health and well-being as well as contributing to the overall amenity of the District. In this regard, by aligning with best practice, the provisions are considered to be appropriate and effective.

Overall, it is considered that the set of preferred provisions is the most appropriate in assisting the Council carrying out its functions for the purpose of achieving the RMA's sustainable management purpose. Further, the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.