

# NELSON CITY COUNCIL

## **Nelson Resource Management Plan**

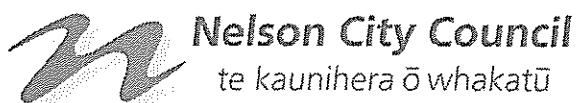
Proposed Plan Change 19

Blackwood Street Reserve (West) Rezoning

**Planning Officer's Report - addressing submissions on  
the Proposed Plan Change prior to Hearing**

**Date of hearing**

12 July 2011



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## **PART A - INTRODUCTION**

### **1. Reporting Officer**

- 1.1 My name is Debra Bradley. I am employed by Nelson City Council in the role of Planning Adviser. I have been with the Council for 16 years, eight years as a Planning Assistant, and the remainder in my current role.
- 1.2 I have a Bachelor of Arts (Hons) from the University of Waikato and a Diploma of Environmental Studies from the Open Polytechnic of New Zealand.
- 1.3 I have been involved in this Plan Change from the beginning and have led the process through the notification period.
- 1.4 This Plan Change was developed with advice from Ian Morrison, the Team Leader Property Office, and in consultation with the residents of Blackwood Street.

### **2. Overview of Proposed Plan Change**

- 2.1 The Council owns land, being Lot 12 DP 13786, which is zoned and scheduled as a neighbourhood reserve, but is not vested as reserve under the Reserves Act. The site is not well used as a reserve due to its relative isolation and poor visibility. The Proposed Plan Change seeks to rezone the land as industrial and residential, in order to promote more efficient use of this land, while still providing for recreation and access along Jenkins Creek.
- 2.2 This Plan Change does not seek to add to or alter any existing issues, objectives, or policies but rather relies on these to guide the Plan Change.
- 2.3 The plan in Attachment 1 to this report (document number 942946) shows the rezoning proposed by this plan change. The proposed subdivision layout is shown for information only in Attachment 2 (document number 729019).
- 2.4 Following the outcome of this Proposed Plan Change process, a resource consent process is required to subdivide the land. Any residentially zoned land will be subject to rule REr.107 and any industrially zoned land will be subject to rule INr.73. The consent category for this subdivision is controlled if all the controlled activity conditions are met, and discretionary if all the controlled activity conditions are not met.
- 2.5 Both of these controlled activity rules require an esplanade reserve to be created of the dimensions set out in Appendix 6, Table 2. Appendix 6 of the Nelson Resource Management Plan (NRMP) provides for the creation of a 10m wide esplanade reserve along this reach (Quarantine Road to Annesbrook Drive) of Jenkins Creek at the time of subdivision, to provide for public access and conservation values.

### **3. Purpose of this Officer's Report**

3.1 This officer report has been prepared under Section 42A of the Resource Management Act:

- to assist the Independent Commissioner to make decisions on the submissions and further submissions to Proposed Plan Change 19 – 'Blackwood Street Reserve (West) Rezoning' to the Nelson Resource Management Plan (NRMP); and
- to assist submitters and further submitters who requested to be heard, by providing, prior to the hearing, a staff evaluation of decisions requested in submissions.

3.2 The evaluations and recommendations presented in the report are based on the information available prior to the hearing, including that contained in the submissions and further submissions. In evaluating the submissions and further submissions, the matters considered include whether a decision requested:

- falls within the functions of Nelson City Council under the Resource Management Act 1991 (RMA);
- will enhance the ability of the Plan to achieve the purpose of the RMA;
- will improve a policy, rule or other method so that it is more efficient and effective for achieving the relevant objectives;
- will improve the Plan in relation to such matters as its lawfulness, clarity, accuracy, effectiveness and coherence.

### **4. Consultation**

4.1 The Council's Community Services Committee considered a change in land use for the Blackwood Street Reserve (West) in March 2008 because the land affected by this Proposed Plan Change is not currently well utilised for recreational purposes due to its relative isolation and poor visibility.

4.2 An outcome of that meeting was a proposal to subdivide the land into two industrial titles and one residential title, and the formation of an esplanade reserve along Jenkins Creek. This was included in the draft Annual Plan 2008/09. Submissions received on that proposal were not opposed to the change, but they did result in a change in the position of the walkway connecting Blackwood Street to the esplanade reserve.

4.3 Another option considered early on, in the process of considering new uses for the land, was the establishment of community housing. On investigation, this option was not considered appropriate by providers of community housing because of the land's proximity to the industrial area and costs associated with the site development.

- 4.4 Informal consultation was also carried out more recently with Blackwood Street residents, in July 2010. There was no opposition to the industrial zoning.
- 4.5 Issues raised via consultation included:
- concerns about the proposed industrial zoning, as the unused nature of that area currently attracts dumping of organic and inorganic waste.
  - preference for the site proposed to be zoned Residential to remain Open Space and Recreation to enable exercise of dogs.
  - concerns that the proposed walkway would be open to tagging, as this occurred after Merton Way was paved and streetlights installed.
  - Council would have easier access to the sewer line running through the Open Space area if it remained in Council ownership.
- 4.6 The Council's Business Assets Advisor has indicated that the Council's preferred approach is to protect its access to the sewerage pipe via an easement. He considered that the proposed walkway would provide access to open space along the esplanade reserve, ensuring that open space was amply provided for in the area. He also pointed out there is another neighbourhood park in the middle of the street.

## **5. Notification, submissions and further submissions**

- 5.1 The Proposed Plan Change was publicly notified on 25 September 2010, with submissions closing on 3 December 2010. Seven submissions were received: four in opposition and two in support of the rezoning, and one addressing a different issue (fencing between Blackwood Street Council flats and the adjacent esplanade reserve).
- 5.2 A summary of the decisions requested was notified on 30 January 2011 and closed on 12 February 2011. Three further submissions were received: one in opposition and one in support of the rezoning, and one supporting resolution of the issue about fencing between Blackwood Street Council flats and the adjacent esplanade reserve.
- 5.3 A copy of submissions and further submissions is provided in Part D.
- 5.4 The table below lists the submissions and further submissions received:

<b>Submission Number</b>	<b>Submission Name</b>
1	Daphne Stevens
2	Department of Conservation
3	Staig & Smith Ltd
4	Graeme Hart
5	Charmian Koed
6	Bill Sayer
7	Noeline Inglis

<b>Further Submission Number</b>	<b>Further Submission Name</b>
X1	Daphne Stevens
X2	Nelson City Council
X3	Charmian Koed

## **6. Statutory assessment**

- 6.1 Council must consider the relevant provisions of the RMA in its assessment of the Plan Change. This includes an assessment of the purpose and principles of the Act (part 2), consideration of Councils functions (s31), an assessment of the alternatives and their costs and benefits (s32), and shall consider the Regional Policy Statement, regional plans, and management plans prepared under other acts (s74 and 75). The relevant provisions of the RMA are assessed below.

### **6.2 Part 2**

The rezoning of the Blackwood Street Reserve (West) will achieve the purpose of the RMA because it will manage resources in a way that enables people and communities to provide for their social, economic, and cultural wellbeing by:

- enabling more productive use of the land for industrial purposes
- limiting the residential development to the same scale as the surrounding properties
- providing for permanent public access to Jenkins Creek.

### **6.3 Section 32**

Before adopting for public notification any objective, policy, rule or other method promoted through this proposed Plan Change, section 32 of the RMA imposes upon the Council a duty to consider:

- the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and
- whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

- 6.4 A section 32 assessment was prepared and made available as part of the public notification process (see Attachment 3 of this report, document 953027). Three key options were assessed in the section 32 report:

- the status quo
- the proposed Plan change

- an alternative zoning pattern (the same Industrial area as the Proposed Plan Change, but retaining the proposed Residential area as Open Space and Recreation Zone.)
- 6.5 This evaluation identified that proceeding with the Proposed Plan Change has the following potential benefits:
- it makes better use of a finite natural resource (land)
  - it creates a continuous esplanade reserve for the reach of Jenkins Creek in this area, following subdivision
  - it does not disrupt the existing scale of housing in the area
  - it has the potential to generate economic gains through extension of industrial land uses.
- 6.6 The main cost of this proposed Plan Change is the loss of a neighbourhood park. However, there is another neighbourhood park in the street, open space is provided along the Jenkins Creek esplanade reserve, and the existing open space site has poor visibility and oversight by neighbours.
- 6.7 The proposed change from Open Space to Industrial zoning for the area shown in pink in Attachment 1 Document No.942946) is an efficient option because it enables the extension of existing industrial land uses to occur.
- 6.8 The proposed change from Open Space to Residential Zoning for the area shown in yellow in Attachment 1 (Document No.942946) is an effective option because retaining this space as Open Space offers less economic benefits and incurs ongoing maintenance costs (mowing) for limited social benefit.

#### 6.9 **Regional Policy Statement**

The Proposed Plan Change is not inconsistent with the Nelson Regional Policy Statement (RPS), particularly the following provisions:

- Objective NA1.2.1 - Preservation or enhancement of amenity and conservation values.
- Policy NA1.3.3 - To avoid and as far as possible remedy or mitigate the conflicts between adjoining land uses including the provision of services and/or facilities.

#### 6.10 **NRMP**

Existing provisions in the NRMP ensure that the proposed rezoning does not adversely affect existing amenity and conservation values. The relevant NRMP provisions are the Industrial Zone rules controlling noise, light spill and set backs on industrial land adjoining residential land, and the requirement to establish an esplanade reserve at the time of subdivision, in the subdivision rules in both the Industrial and Residential zones.

6.11 This Proposed Plan Change primarily addresses issue RI11.1.i, objective OS2 and policies OS2.1 and OS2.2 of the NRMP as follows:

- Issue RI11.1.i - Balancing the potential adverse effects of highly efficient and intensive land use on amenity and other matters against inefficient use of physical resources such as infrastructure.
- Open Space objective OS2 – Retain the opportunity to provide for changing community needs and aspirations.
- Open Space policy OS2.1 – The use of land in this Zone should be reviewed on a regular basis to ensure that changing community needs are being met.
- Open Space policy OS2.2 – Any change from open space or recreation use of land will be considered by way of a Plan Change.

6.12 The Proposed Plan Change is aligned with the following objectives and policies in the Nelson Resource Management Plan (NRMP):

- District Wide objective DO16.1 – Management of the natural and physical resources of Nelson in a way that responds to the varying resource management issues and the varying actual and potential effects of use, subdivision, development and protection arising in different parts of the district.
- Residential Zone objective RE2 – An environment that is principally residential in character.
- Industrial Zone objective IN1 – The efficient use of natural and physical resources within the Industrial Zone.
- Industrial Zone objective IN2 – Maintenance and enhancement of the amenity of the Industrial Zone and adjoining areas.

6.13 The Proposed Plan Change is aligned with all of these objectives, particularly because it enhances the efficient use of natural and physical resources in the Industrial Zone while maintaining amenity in the Residential Zone.

**6.14 Any other relevant planning documents**

Council's Parks and Reserves Activity Management Plan 2009 establishes levels of service for neighbourhood parks (page 66). These include:

- neighbourhood parks are accessible to residents (with a target of one neighbourhood park to be provided within 400m of residential households)
- neighbourhood parks are visible and well identified
- neighbourhood parks are managed consistently and in a way that meets changing community needs.

There is another neighbourhood park in the same street, Blackwood Street Reserve (East), which is visible and well identified.



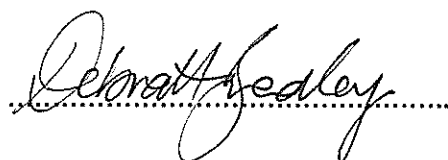
- 6.15 The Council's Esplanade and Foreshore Reserves Management Plan 2008 provides for the management and planting of esplanade reserve along Jenkins Creek, between Quarantine Road and Annesbrook Drive (page 92). Please see Attachment Four to this report which outlines the reserve description, policies and actions for this area.

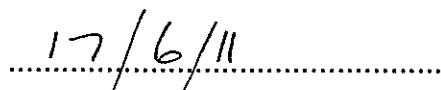
## **7. Conclusions**

- 7.1 This report provides a statutory and effects based assessment of proposed Plan Change 19. I have described the general approach and the background and consultation leading to the development of this Plan Change. I have also assessed it against the statutory requirements under the RMA and have concluded that it meets all the relevant matters.
- 7.2 I acknowledged the various concerns, and suggestions for improvement, outlined in the submissions and further submissions, and have commented on those and made specific recommendations in Part B of this Report.
- 7.3 No amendments to the Plan Change are recommended, as shown in Part C.
- 7.4 I am of the opinion that the package of measures embodied in Plan Change 19 will provide a workable and realistic planning response to this resource management issue in Nelson.

**Author: Debra Bradley**

**Date:**

  
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**Peer Reviewed: Matt Heale**

**Date:**

  
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## PART B – RECOMMENDATIONS AND REASONS

### Recommendation for Plan Change 19 Map 23 – Rezoning

#### Recommendation

That the Independent Commissioner:

- A) *Accept in part submission 3/1 and X2/3.*
- B) *Accept submission 2/1 and reject X2/2.*
- C) *Reject submission 1/1.*
- D) *Reject submissions 4/1 and X1/1, and accept X2/4.*
- E) *Reject submission 5/1*
- F) *Accept in part submission 7/1 and X3/1 and accept X2/7. Reject submission 6/1 and accept X2/6.*

#### **Reasons for Recommendations:**

- A) Submitter 3 supports the proposed rezoning of the land to industrial and residential because the subdivision of the land will enable land use activities which are compatible with the neighbouring zonings. Subdivision consequent to rezoning creates the mechanism to preserve and formalise access to, and along, the creek.

Submitter 3 is opposed to the subdivision and walkway layout shown in Attachment 2 of this report (document number 729019). Further submitter X2 supports retention of the layout shown in Attachment 2.

The subdivision and walkway layout shown in Attachment 2 (document number 729019) is indicative only. The NRMP doesn't rezone esplanade reserves or walkways as Open Space & Recreation. Instead esplanade reserves and walkways have the same zoning as the land adjacent to them. The Plan does have requirements for esplanade reserve to be created at the time of subdivision.

For this reason, the Plan does not need to be amended in order for esplanade reserve to be created. This will be implemented through the resource consent process at the time of subdivision. Similarly, it is not within the scope of this Plan Change to resolve the location of the walkway. This needs to be addressed through the subdivision process.

- B) Submitter 2 requested provision of a 10 metre wide esplanade reserve on the bank of Jenkins Creek. Table 6.2 in Appendix 6 of the Nelson Resource Management Plan (NRMP) states that between Quarantine Road and Annesbrook Drive a 10m esplanade reserve is required at the time of subdivision, in order to protect both conservation and public access values. Any departure from this width, as sought by further submitter X2, would need to be addressed through the subdivision consent process, rather than as part of this Proposed Plan Change.

Another reason for ensuring adequate esplanade reserve is created is that Jenkins Creek has a D water quality classification (and is listed as a second priority for improvement). This low water quality grading is not consistent with District Wide Policy DO19.1.5 which states: "No water bodies which are of a quality less than Class C. Top priority for improvement will be those waterbodies listed as first priority in Appendix 28.4."

Creation of an esplanade reserve is an opportunity to consider how best to manage and plant the esplanade reserve to improve water quality and aquatic values. The Nelson City Council Manager Parks and Reserves has indicated in further submission X2/7 that Council has an ongoing programme to protect and enhance its esplanade reserves to encourage biodiversity restoration, and is happy to work with submitters to determine future priorities for work. This work needs to occur outside of the Plan Change process.

- C) Submitter 1 requested that the proposed residential land area of 645m<sup>2</sup> be retained as open space, and become part of the proposed esplanade reserve. This option was considered as option 3 in the section 32 report, which is shown in Attachment Three to this report.

The benefits of Option 3 are:

- Creation of a buffer between residential and industrial land uses, but this benefit is limited given it would only be a buffer between one residential property and the industrial zoned land.
- Ability to subdivide and sell two (industrial) land titles, and generate economic gains through extension of industrial land uses.
- Retention of a park at the end of Blackwood Street, in addition to the esplanade reserve. However, the extra space would be of benefit to a small number of people only.

The costs to the Council of this option are:

- Loss of a residential title to sell
- The ongoing cost of park maintenance (mowing).

In summary, Option 3 offers limited social benefits. It also offers less economic benefits than Option 2 (the Proposed Plan Change), and incurs more ongoing maintenance costs.

Submitter 1 has no objection to light to medium industrial use. Industrial zoning in this area is not specifically limited to light or medium industrial activity, but the following Industrial Zone rules protect amenity for adjacent residential properties in the following ways:

- INr.29 requires a 3m set back of buildings from Residential Zone boundaries, as well as boundary landscaping, fences or walls to at least 1.8m in height.
- INr.38 requires noise at or within residential boundaries to not exceed 55 dBA during the day and 45 dBA at night.
- INr.41 requires light spill onto any site in the Residential Zone to not exceed 3 lux.

The site that would be most affected by the change to Industrial zoning is the new residential site to be created at the same time, and the above rules are in place to protect the residential amenity of that site. The existing rules also protect the wider environment. The existing environment is already a mix of industrial and residential land uses, so the rezoning is not a significant change to the wider environment.

- D) Submitter 4 raises issues about use of the existing esplanade reserve along Jenkins Creek, further eastwards along Blackwood Street towards Annesbrook Drive. Issues have arisen with people walking along the esplanade reserve and impacting on the privacy and security of residents.

Submitter 4 expresses concern that creation of the esplanade reserve will worsen the security issues for residents further along Blackwood Street. However, continuous access is already effectively in place along Jenkins Creek, through the combination of the Open Space Zoning and the esplanade reserve. The change in zone and creation of the esplanade reserve will therefore not alter the security risk.

As stated by further submitter X2, this issue does not relate directly to the Proposed Plan Change to rezone land at the end of Blackwood Street. This is a management issue that Council needs to resolve with Council tenants, including an assessment of fencing options, and is an issue outside the functions of Nelson City Council under the RMA. For this reason, this report does not address issues with the esplanade reserve adjacent to the Council flats in Blackwood Street.

Further submitter X1 states that the issues facing the tenants of the Blackwood Street flats will be made worse by permitting more residential housing in Blackwood Street. Residential amenity is a legitimate RMA issue. However it is not reasonable to assume that one additional residential property will adversely impact on local amenity, and may improve amenity.

- E) Submitter 5 has requested that all of the Open Space land be rezoned to residential rather than a mix of industrial and residential land uses.

Development of the site for a number of privately owned residential properties is not considered an effective or efficient use of land due to the costs associated with development of the site, including road access.

Submitter 5 (and further submitter X3) has stated that a green and treed stream area should be retained. The proposed esplanade area shown in Attachment 2 is currently in a green and vegetated state and this will be retained. However, while the NRMP lists the water quality classifications and identifies where improvements to water quality are required – and that Jenkins Creek is priority 2 for improvements – the management and planting of the future esplanade reserve does not fall within the functions of the Nelson City Council under the Resource Management Act. This is provided for under the Esplanade and Foreshore Reserves Management Plan 2008. Page 92 of the Esplanade and Foreshore Reserves Management Plan (Attachment Four to this report) describes the esplanade reserve along Jenkins Creek from Quarantine Road to Annesbrook Drive.

The Nelson City Council Manager Parks and Reserves has indicated in further submission X2/7 that Council has an ongoing programme to protect and enhance its esplanade reserves to encourage biodiversity restoration, and is happy to work with submitters to determine future priorities for work.

- F) Submitters 6 and 7 have requested that no rezoning of the Open Space land take place. This option was considered as part of the section 32 assessment shown in Attachment Three (as Option 1).

The key benefit of this option is maintenance of neighbours' access to open space. However, the effectiveness of the site for Open Space use is limited due to its low visibility and limited accessibility.

The costs are:

- Land not being used efficiently as the land is not managed as a neighbourhood park. (The Council is required to have particular regard to the efficient use of natural resources, under section 7 b of the RMA.)
- Inability for the Council to sell the land for higher value uses.
- Ongoing costs of park maintenance.
- Unauthorised disposal of waste onto the land.

For efficiency and effectiveness reasons the option of retaining the existing zoning is not recommended.

The industrial encroachment issues of the reserve would be resolved by rezoning and future subdivision of the land.

Further submitter X3/1 requested retention of a green and treed stream area as a pleasant access between Blackwood Street and Pascoe Street. The Nelson City Council Manager Parks and Reserves has indicated in further submission X2/7 that Council has an ongoing programme to protect and enhance its esplanade reserves to encourage biodiversity restoration, and is happy to work with submitters to determine future priorities for work and to discuss enhancement options for the future esplanade reserve along Jenkins Creek.

Submitter 7 has also requested fencing of the Council flats. As outlined above (in reason D above), it is outside the Council's RMA functions to address issues with the esplanade reserve adjacent to the Council flats in Blackwood Street.

Submitter 6 has raised issues about the importance of retaining the ability to establish cycleways and community orchards. Further submitter X2 identifies:

- alternative cycleway access along the esplanade reserve
- issues with the soil quality of the Open Space land, which suggests this land is unlikely to be the most appropriate area for fruit tree planting.

For these reasons, retention of the Open Space and Recreation zoning of this land is not considered an efficient or effective option for delivering cycleway access or community orchards.

## PART C – RECOMMENDED PLAN AMENDMENTS

**Note: these amendments are provided for information only. No changes are recommended in response to the submissions.**

### Format of the Plan Change provisions

Within this Plan Change:

- 'Normal' text applies to current operative provisions to remain unchanged.

'Underline' text applies to proposed new provisions.

~~'Strikethrough'~~ text applies to operative provisions proposed to be deleted or amended as described.

*'Italic'* text applies to instructions.

### Amendment to Text

*In table OSs.5 (Neighbourhood Parks) of the Open Space and Recreation Zone (Chapter 11), on page 11-9 of the Nelson Resource Management Plan (NRMP), delete in its entirety the row NP11 as follows:*

<del>NP11</del>	<del>Blackwood Street Reserve (West)</del>	<del>Lot 12 DP 13786</del>
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### Amendment to Map 23

*Amend Map 23 right hand side to remove the existing Open Space and Recreation Zoning and the NP11 schedule, replacing it with Industrial and Residential Zoning as shown in Attachment One (document 942946).*

## PART D – SUBMISSIONS

### Plan Change 19 Map 23 - Rezoning

Submitter 3: Staig & Smith Ltd	Statement 1
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|---------|---|
| Details | <ol style="list-style-type: none"> <li>1) I support the removal of NP11 (Neighbourhood Park) in favour of zoning the land industrial and residential, with an esplanade reserve.</li> <li>2) I do not support the proposed layout as notified, in particular the location of the proposed walkway on the E side of Lot 12 DP13786.</li> </ol> |
| Reasons | <ol style="list-style-type: none"> <li>1) The proposal will enable the subdivision of land which is in excess of Council's requirements, and will enable land use activities to be undertaken which are compatible with the neighbour zonings, while preserving access to, and along, the creek.</li> </ol>                                   |

- 2) The notified position of the walkway does not provide connection to Merton Way, an existing pedestrian pathway, and its connection with the esplanade reserve is very narrow and unlikely to provide an adequate width to enable a physical link.

The walkway located in this position also provides confusion as at the end of Blackwood Street there would be two walkways off the cul-de-sac.

The walkway, in between two residential properties, can also be a negative social aspect.

The proposed location of the walkway would also result in any future user of the residential section having to share access with the walkway, which could potentially cause conflict between users.

The walkway should continue south from Merton Way to the proposed esplanade reserve, in line with the sewer main. Locating the walkway in this position will:

- a) provide connectivity to Council's existing walking systems,
- b) ensure that the sewer main is retained on Council land at the time of a future subdivision, and
- c) will provide a buffer between the industrial and residential land.

- |        |  |
|--------|--|
| Remedy | Remove NP11 (Neighbourhood Park) in favour of zoning the land industrial and residential, with an esplanade reserve. |
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That Map 23 be amended so that the proposed walkway is relocated away from the eastern boundary of Lot 12 DP 13786, to being in line with the existing Merton Way walkway, following the position of the sewer main.

Further Submitter X2: Paul McArthur	Statement 3
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#### Oppose

1. Consideration of the walkway location proposed by the submitter was made and initially progressed, however the excessive length and intersection part way along the existing walkway was not



considered desirable. The change to the current shown position of the walkway was also as a result of a submission to the 2008/09 Annual Plan.

2. The submitter expresses a concern regarding possible public confusion with two walkways from the end of Blackwood St. This can easily be managed through clear and specific signs being installed.
3. A further concern relates to the need to share driveway/walkway land where it joins Blackwood Street. However, the width of this access in this location is approximately 4.5m wide and able to accommodate a 1.5m path plus 3m for the start of the driveway.

<b>Submitter 2: Department of Conservation</b>	<b>Statement 1</b>
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Details	The Department of Conservation is neutral about the proposed rezonings, except as outlined in this specific submission. The rezoning of this land should not adversely affect the natural values of Jenkins Stream and its margins, provided an adequate esplanade reserve is set aside. The width of esplanade reserve proposed to be retained by Proposed Plan Change 19 varies, but appears to be less than the 10 metres provided for in the Nelson Resource Management Plan for Jenkins Creek.
Reasons	<p>The esplanade reserve provisions of the Nelson Resource Management Plan, including Appendix 6, were developed in an objective and collaborative manner. They were also applied consistently across the city. The site affected by Plan Change 19 is presently in Council ownership.</p> <p>A 10m wide esplanade reserve, as provided for in Appendix AP6.2 'riparian and coastal areas with priority values' is justified on this site having regard to the purposes specified in this appendix for this stretch of Jenkins Creek. The esplanade reserve proposed is also inconsistent with Appendix AP6.1 'riparian and coastal margins with identified riparian values'. These values are: conservation enhancing aquatic habitat, access along the river, recreation, hazard mitigation and flood capacity.</p>
Remedy	Within the area subject to Plan Change 19 and presently in Council ownership, provide for an esplanade reserve of 10 metres wide on the bank of Jenkins Creek, consistent with Appendices 6.1 and 6.2 of the Nelson Resource Management Plan.

<b>Further Submitter X2: Paul McArthur</b>	<b>Statement 2</b>
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**Oppose**

1. The proposed esplanade reserve boundary provides close to (if not greater than) a 10m width as required in the Nelson Resource Management Plan. (See computer assessment of widths, attached to this submission, showing widths of 12.21m, 8.76m and 9.76m.)
2. The proposed boundary of the esplanade reserve is over the landward side of the crest of the stopbank, well outside of any areas of riparian or access values.

Submitter 1: Daphne Stevens	Statement 1
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Details	There is no objection to the proposed change to industrial land use if it is used for medium or light industry (like the rest of it). The land has remained vacant for many years. The proposed change to residential zoning for some of this land is opposed because of the impact on surrounding residential properties.
Reasons	<p>Residents in houses 18-24 Blackwood Street were all built before any industrial building took place. Now their west facing sections look onto factory walls and residents must cope with noise pollution coming from the industries.</p> <p>The proposal to add 2,345m<sup>2</sup> of industrial land will add to residents' annoyance, depending on what type of industry NCC permits to go there.</p> <p>It's unbelievable that the planners could earmark a residential section (645m<sup>2</sup>) even closer to this industrial land, with only a narrow exit into Blackwood Street. The value of selling residential land for housing like this would be very low because it is so close to industry noise and smells - few would want to build here.</p>
Remedy	Change the 645 square metres of proposed residential land to become part of the planned esplanade reserve. Plant high growing trees on the west side to hide the industrial sprawl that this land will become, and to lessen the noise, for the wellbeing of residents young and old. (See layout map attached to this submission.)

Submitter 4: Graeme Hart	Statement 1
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Details	I wish to speak about the effect the esplanade reserve will have on the residents of the Council flats, at 9 Blackwood Street. This submission is supported by 13 other residents from Flats 10, 13, 9, 8, 4, 6, 7, 12, 14, 3 and 5.
Reasons	The esplanade reserve will generate more foot traffic at the flats where our three clothes lines are on the back lawn, with possible theft from the lines.
Remedy	The esplanade reserve needs a walkway from Annesbrook Drive that is fenced to separate it from the Council flats' back lawn.

Further Submitter X1: Daphne Stevens	Statement 1
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#### Support

I support Graeme Hart's request for a fence at the back of the NCC flats to give tenants protection from intruders on their back lawn. If Council permits more residential housing on this land (which I am against) it will be more essential that Council provides this fence for tenants.

Further Submitter X2: Paul McArthur	Statement 4
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#### Oppose

1. This submission does not relate directly to the application. Public access is currently provided for along the rear of the Council flats between Annesbrook Drive and Pascoe Street, and from the end of Blackwood Street.
2. This is a management issue that Council is currently working through with Council tenants, including an assessment of fencing

options. (The existing clothes lines are currently located on the reserve.)

Submitter 5: Charmian Koed Statement 1	
Details	I oppose this Proposed Plan Change. Only residential sites should replace the reserve, not industrial ones. A green and treed stream area should be retained.
Reasons	Annesbrook residents already have to tolerate a high level of industrial noise, day and night, and consideration must be given to reducing rather than increasing the level of noise. There is a pleasant access between Blackwood Street and Pascoe Street.
Remedy	That only residential sites replace the reserve, not industrial, because of the high level of noise which Annesbrook residents already have to live with, day and night.

Submitter 6: Bill Sayer Statement 1	
Details	The proposed re-zoning and subdivision hinders future cycleway and community orchard developments. Amendment is sought limiting rezoning to the proposed Industrial (a) sections outlined in blue on the revised subdivision proposal shown in Attachment 1 of the Proposed Plan Change 19.
Reasons	<p><b>1) Cycleway: Annesbrook to Airport</b></p> <p>A submission on the 2006 Nelson Cycling Strategy identified a possible link to the Airport down the bank of the Jenkins Creek from Gracefield Street (in the vicinity Blackwood and Vivian Streets) to an exit near the Bolt Road/Trent Street roundabout.</p> <p>Council responded 19 March 2007: "We will add to our map as "possible links..for routes along the Jenkins Creek (through Annesbrook) to the Airport and ..."</p> <p>The way is further identified as a Walkway Priority as Item C (pages 73 and 75) in the 2009-2019 Parks and Reserves Management Plan. Stopbanking on the eastern side of Jenkins already provides a mown formation over most of the proposed way.</p> <p>Initially, a future cycleway will likely start at the Blackwood Street turnaround and preferably go diagonally across the proposed residential section to join the alignment along the top of the stopbank on Jenkins Creek. The acute intersection at the western end of the proposed 142m<sup>2</sup> walkway shown in the revised subdivision proposal in Attachment 1 of Proposed Plan Change 19 will be dangerous for cyclists and walkers, because clear sight distance is likely to be compromised if the proposed residential section is planted and fenced. Even if the cycleway is eventually extended up Jenkins Creek to Gracefield Street there will be a need for a Blackwood Street connection to join the main cycleway network.</p> <p><b>2) Community Orchard</b></p> <p>Currently, residents are almost entirely dependent on food delivered to supermarkets by road transport. They are thus vulnerable to escalating transport costs and shortages in the event of extended oil supply disruption. Environmental and energy factors will steer the Nelson region towards greater self sufficiency. Potentially, the City has sufficient land in parks, reserves and residential sections to grow enough food for its needs. Community orchards are needed throughout the City to augment local food production in hard times, especially for those not able to benefit from home ownership and an established fruit and vegetable garden.</p>

The Blackwood Street lands, except the proposed Industrial (a) sections, are suitable for a future Community Orchard. This would benefit:

- residents of Blackwood Street community housing
- Blackwood Street residents and beyond
- users of the proposed cycleway/walkway
- users of the existing way linking Blackwood Street and Merton Place
- Merton Place industrial workers.

A free fruit table set up last March under the peach tree on the corner of Blackwood St and Annesbrook Drive demonstrated local interest.

Apart from the neighbourhood park in Blackwood Street, there are no other public lands in the immediate vicinity.

Additional industrial land is not needed. Industrial properties in nearby Pascoe and Vivian Streets have been vacant for some months. The economic times are such that sale at true worth is unlikely.

**Remedy** Do not rezone the areas proposed for residential use (645m<sup>2</sup>), the larger Industrial site (1265m<sup>2</sup>), or the area proposed for a walkway. These areas should be retained as Open Space and Recreation zoning.

Further Submitter X2: Paul McArthur	Statement 6
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#### Oppose

1. The proposal protects the potential development/formalisation of cycleway access between Pascoe Street and Annesbrook Drive. In fact, it increases the potential by creating new esplanade reserve to create continuous esplanade reserve between Annesbrook Drive and Pascoe Street.
2. Walkway access from the end of Blackwood Street is not anticipated to be a major access point for bikes, and is considered acceptable for the extent of use anticipated.
3. There is reasonable existing reserve provision in the area which could be used for fruit tree planting. The land being sought for rezoning is not reserve land under the Reserves Act 1977 and comprises unknown sub surface material (likely to be fill, etc).

Submitter 7: Noeline Inglis	Statement 1
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**Details** I oppose rezoning of the Blackwood Street West reserve to two industrial and one residential section.

**Reasons**

1. Reserves are for future generations to enjoy not just quick cash! The title "Reserve Land" implies "in perpetuity" in most cases. Reserve land is our legacy for future generations.
2. Industrial neighbours encroaching on reserve make it unsafe and unsightly. The encroachment of industrial neighbours has reduced this reserve to a most unwelcoming area. The western portion has been dug up and removed. There are large metal "structures" apparently dumped there on the North side. This encroachment has rendered the area dangerous for children to run and play amongst industrial junk. Currently only half the reserve (or less) is mown, but not as short as other reserves. The reserve entrance from Blackwood

Street is a padlocked barrier. There is no sign to indicate it is an entrance to a reserve. I was not alone in initially wondering if it was a reserve at all!

3. Proximity to Jenkins Creek and the walkway along the creek makes this the only reserve in the Industrial Area, and therefore it is more important that it is kept and improved. Blackwood Street West Reserve is the only reserve in the Tahunanui Industrial Area. There is one playground for small children at Blackwood Street East and one at Bolt Road. This is the last green space. It should not be lost.

4. The potential purchasers of the proposed industrial zone land of the reserve are the neighbours, only. I object to the fact that Nelson City Council has agreed to see the reserve to them. I understand a contract was made to sell part of the reserve at the time of the neighbouring businesses purchasing their existing sections (if the reserve was ever sold). This is not a justification for selling reserve land.

5. The reserve adjoins, and provides access to, Jenkins Creek and its walkway. The reserve is an ideal place to "protect and restore native diversity". There is insufficient planting of native trees and shrubs along the walkway, very little on top of creek banks and none between the banks. This does not encourage native fauna. Neither does chopping the existing trees back in spring (nesting season). The Council has no plan for Jenkins Creek (planting etc). Already industrial neighbours encroach on the banks beside the creek. The 10m of NCC land/riparian strip is not being observed, on either side of Pascoe Street, along the walkway.

6. Jenkins Creek is known to harbour nine species of native fish, four of which are "threatened" species. The water currently has an E rating. Our native fish deserve better. A planting plan for the reserve should include Jenkins Creek. Native trees on the bank above the creek, and Carex and flaxes inside the banks would add to the stability of the banks in high water, shade of the water, some filtration of water, and a better environment to attract native birds.

7. The reserve is an important resource for the area. If "green spaces" are not kept in public ownership and planted wisely, the money invested in The Brook Sanctuary will result in one protected aviary with no other bird habitat outside it. This reserve is a sunny green island amongst a sea of the grey roofs of industry.

8. There are no environmental or social benefits to the proposed sale of this reserve - only financial. Sale will not enhance biodiversity values. We have the opportunity to plant clumps of native trees and begin to help Jenkins Creek at the same time, by retaining this reserve.

9. This reserve is the ideal end point to the walkway along Jenkins Creek. Fence off the Council flats on their west side. It would be a backward step to cut down the creek-side trees and replace them with a security fence behind the Council flats, for the retention of a small section of the walkway.

10. Treated sympathetically, this reserve would become a wonderful asset and integral part of the Jenkins Creek walkway. It would be a place for families in the neighbourhood to play ball games safely, away from the road - with clumps of trees surrounding a mown grass area. It would be a place in the sun for native fauna to live and breed as part of the Jenkins Creek environment.

- Remedy
1. Do not rezone this land - retain the reserve.
  2. Remove the industrial encroachment of the reserve.
  3. Plant the reserve and Jenkins Creek in a sympathetic manner to encourage use by the public and by wildlife.
  4. Fence off the Council flats on their west side. Do not cut down the creek-side trees and replace them with a security fence, for the retention of a small section of the walkway.

Further Submitter X2: Paul McArthur	Statement 7
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### **Oppose**

1. This area is not reserve under the Reserves Act 1977. There is no proposal to sell reserve land, but this rezoning in fact increases the amount of reserve through formalising additional esplanade reserve and walkway under the Reserves Act 1977.
2. Council has an ongoing programme to protect and enhance its esplanade reserves to encourage biodiversity restoration and is happy to work with the submitter to determine future priorities for work.

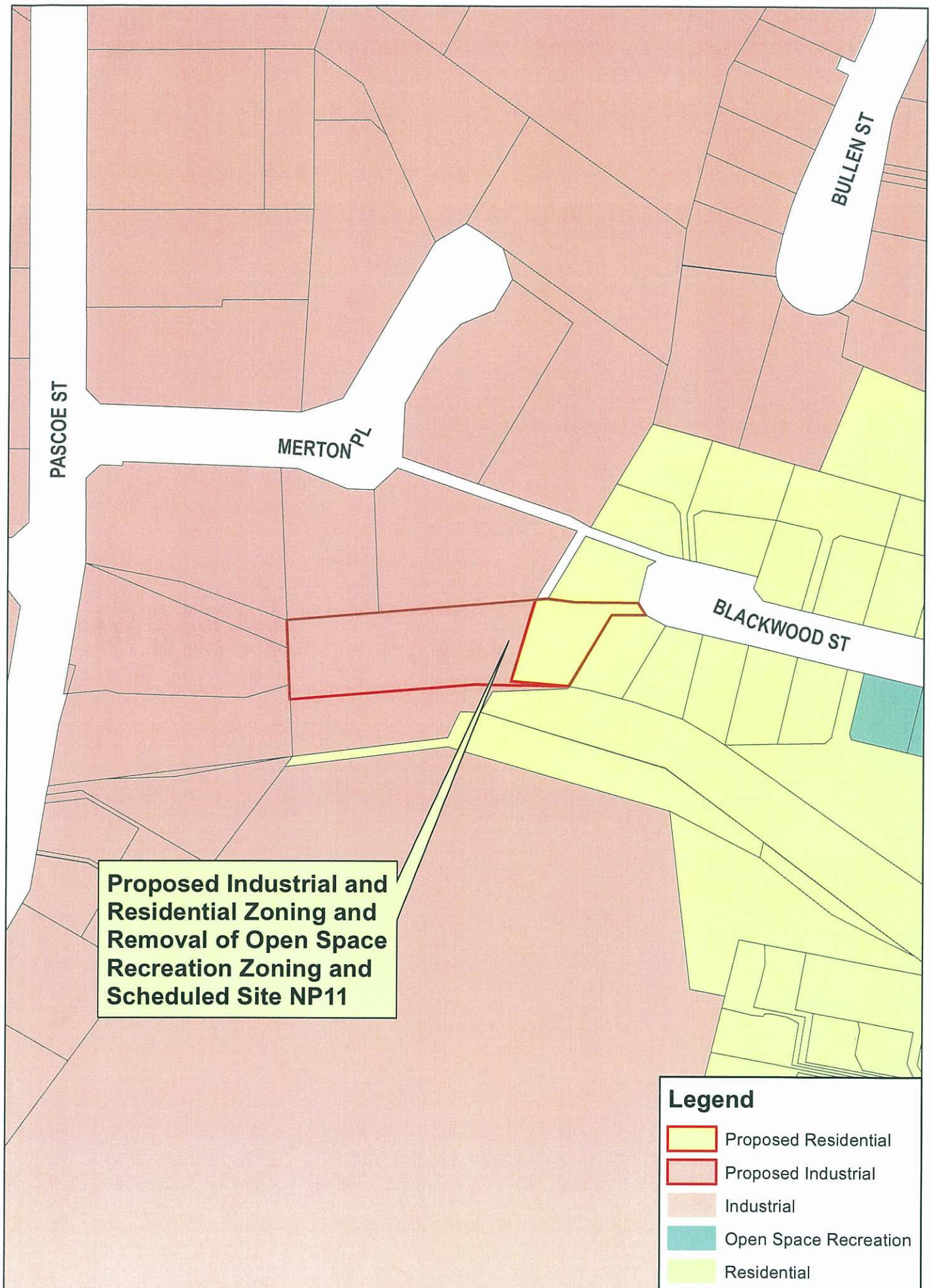
Further Submitter X3: Charmian Koed	Statement 1
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### **Support**

As stated in my original submission, only residential sites should replace the reserve, not industrial ones, because of the high level of industrial noise which Annesbrook residents have to live with, day and night. Consideration must be given to reducing rather than increasing the level of noise.

A green and treed stream area should be retained as a pleasant access between Blackwood Street and Pascoe Street.





## Proposed Plan Change 19 - Blackwood St Rezoning

Nelson Resource Management Plan



0 12.5 25 50 75 100 Metres

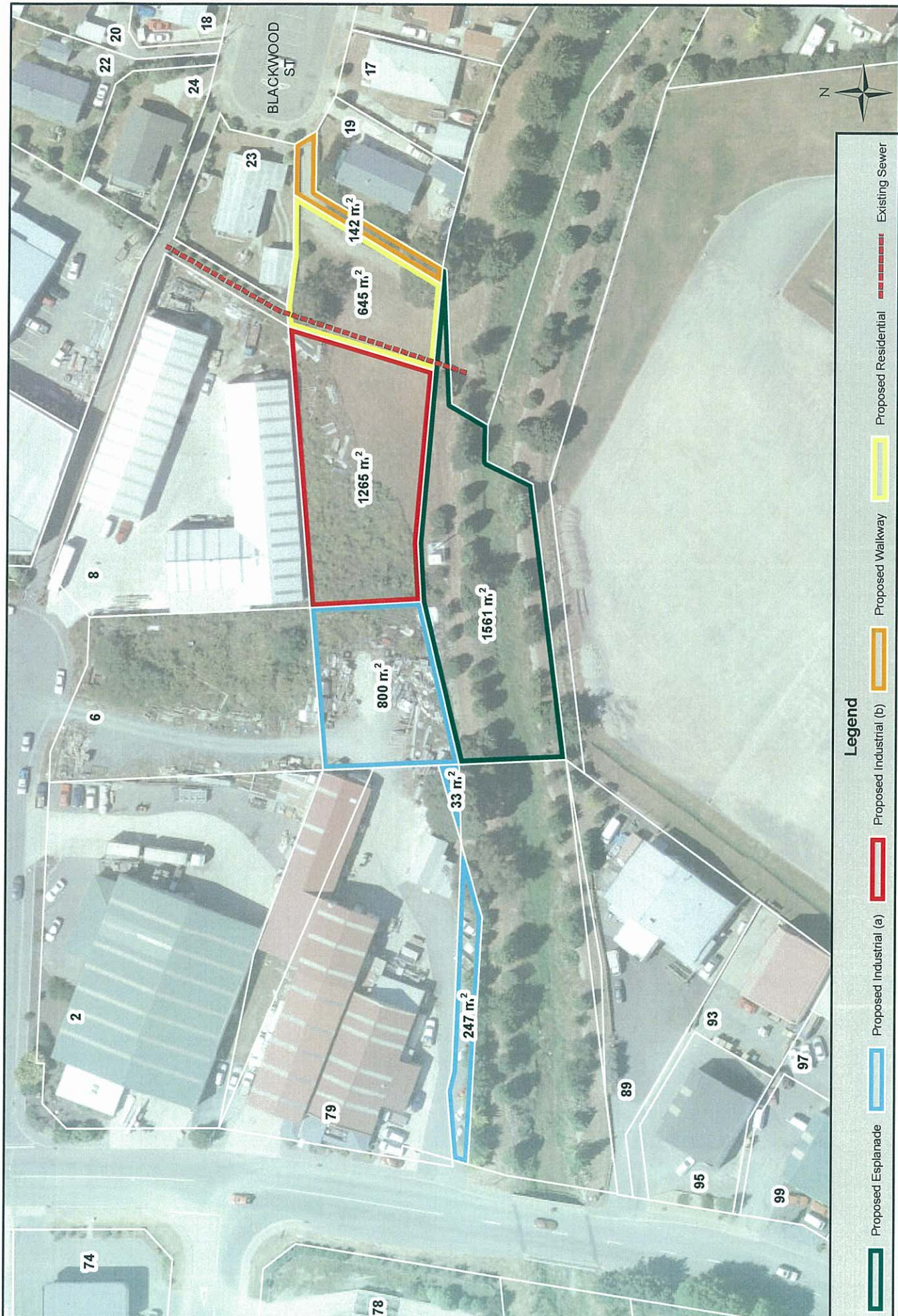
Map affected: MAP 23(Right Hand)





## Revised Subdivision Proposal

21 January 2009



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Blackwood Street Land Possible Use



## **Attachment Three**

NELSON CITY COUNCIL

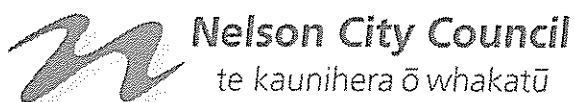
### **Nelson Resource Management Plan**

Proposed Plan Change 19

Blackwood Street Reserve (West) Rezoning

#### **Section 32 Report**

25 September 2010



## **1.0 Introduction**

### **1.1 Purpose of report**

Section 32 of the Resource Management Act 1991 (RMA) requires Council to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule or method in a Plan or Policy Statement prepared under the RMA. Before publicly notifying a proposed Plan or 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 19 (Blackwood Street Reserve (West) Rezoning).

### **1.2 Steps followed in undertaking the Section 32 evaluations**

The 7 broad steps which this section 32 evaluation follow are:

1. identifying the resource management issue;
2. evaluating the extent to which any objective is the most appropriate way to achieve the purpose of the RMA;
3. identifying alternative policies and methods of achieving the objective;
4. assessing the effectiveness of alternative policies and methods;
5. assessing the benefits and costs of the proposed and alternative policies, rules, or other methods;
6. examining the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
7. deciding which method or methods are the most appropriate given their likely effectiveness and their likely cost, relative to the benefit that would likely deliver.

### **1.3 Description of proposed Plan Change**

The Council owns land which is zoned and scheduled as a neighbourhood reserve, but is not well used for this purpose due to its relative isolation and poor visibility. The Council proposes to rezone the land as two industrial titles and one residential title, and to create an esplanade reserve adjacent to Jenkins Creek, in order to promote more efficient use of this land, while still providing for recreation and access along Jenkins Creek.

### **1.4 Consultation**

Plan Change 19 involved advice from the Council's Business Assets Advisor and the Manager Parks and Facilities.

The Community Services Committee considered the matter in March 2008. An outcome of that meeting was a proposal to subdivide the land into two industrial titles and one residential title, and the formation of an esplanade reserve along Jenkins Creek. This was included in the draft Annual Plan 2008/09. Submissions received on that proposal were not opposed to the change, but did lead to a change in the position of the walkway connecting Blackwood Street to the esplanade reserve.

Another option considered early on in the process was the establishment of community housing. On investigation, this option was not considered appropriate by providers of

community housing because of the land's proximity to the industrial area and costs associated with the site development.

Consultation was also carried out more recently with Blackwood Street residents, in July 2010. There was no opposition to the industrial zoning or the establishment of one residential title.

The neighbour directly next to the land currently zoned Open Space had no problem with the industrial zoning as the unused nature of that area currently attracts dumping of organic and inorganic waste. He said he would prefer the site which is proposed to be zoned Residential to remain Open Space and Recreation as he uses this area daily to exercise his dogs, and said that most of the lower half of the street use it at some stage. He was also concerned that the proposed walkway on his boundary would be open to tagging, as this occurred after Merton Way was paved and streetlights installed. He also noted that the Council would have easier access to the sewer line running through the Open Space area if it remained in Council ownership.

The Council's Business Assets Advisor said the Council will protect its access to the sewerage pipe via an easement.

The walkway provided access to open space along the esplanade reserve, so open space was amply provided for in the area. There is another neighbourhood park in the middle of the street.

## **2.0 Resource Management issue**

### **2.1 Resource Management issue being addressed**

An issue is an existing or potential problem that must be resolved to promote the purpose of the RMA. The RMA does not require the identification or analysis of issues within Section 32 evaluations. Notwithstanding this issues are being included in this report because it will be helpful to users to understand the basis and origin of the issue as this provides a context for the evaluations of the objectives and policies that follow.

The Plan Change relies on an existing operative issue within clause RI11 (Efficient use of natural and physical resources) of Chapter 4 (Resource Management Issues) of the Plan:

*RI1.1.i Balancing the potential adverse effects of highly efficient and intensive land use on amenity and other matters against inefficient use of physical resources such as infrastructure.*

The specific issue to be resolved in this Plan Change is how to promote more efficient use of land in the area currently scheduled as Blackwood Street Reserve (West), and zoned Open Space and Recreation. It is not well used for this purpose due to its relative isolation and poor visibility.

## **3.0 Appropriateness in achieving the purpose of the RMA**

### **3.1 Evaluation of the objective(s) – the environmental outcome to be achieved**

Section 32 requires an evaluation of the extent to which the objective is the most appropriate to achieve the purpose of the Act. Appropriateness is not defined in the Act. In undertaking the evaluation it has generally been helpful to consider alternative forms of the objective and test them in terms of how well they met the environmental,

social/cultural, and economic outcomes in Section 5, plus achieving other Part 2 matters. Often these assessments require value judgements because they are not readily quantified. Usually the objective is also tested against how well it addresses the elements of the issue.

In the case of Plan Change 19 no new objectives are being proposed, instead the Plan Change relies on the existing operative objectives within Chapter 5 – District Wide Objectives and Policies of the Plan, specifically:

*DO16.1 – management of resources by location*

*Management of the natural and physical resources of Nelson in a way that responds to the varying resource management issues and the varying actual and potential effects of use, subdivision, development and protection arising in different parts of the district.*

*RE2 – residential character*

*An environment that is principally residential in character.*

*IN1 – efficient use of resources*

*The efficient use of natural and physical resources within the Industrial Zone.*

*IN2 – amenity of industrial and adjoining areas*

*Maintenance and enhancement of the amenity of the Industrial Zone and adjoining areas.*

Given the operative status of these objectives, use of zoning to manage effects of subdivision and development is considered the most appropriate way to achieve the purpose of the RMA.

This rezoning of Blackwood Street Reserve (West) is intended to manage physical resources in a way that enables people and communities to provide for their social, economic and cultural wellbeing by:

- enabling more productive use of land for industrial purposes, and
- limiting the residential development to the same scale as the surrounding properties, and
- providing for permanent public access to Jenkins Creek.

### **3.2 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**

#### **3.2.1 Introduction**

The evaluation of appropriateness assesses the alternative policy options under the headings of efficiency, effectiveness, benefits, costs, and the risk of acting and of not acting.

A range of criteria/matters have been used to assist in undertaking the evaluations:

- |                      |   |
|----------------------|---|
| <b>efficiency</b>    | the ratio of inputs to outputs. Efficiency is high where a small effort/cost is likely to produce a proportionately larger return. Includes the ease of administration/administrative costs e.g. if the cost of processing a grant or collecting a fee exceeds the value of the grant or fee, that is not very efficient; |
| <b>effectiveness</b> | how well it achieves the objective or implements the policy relative to other alternatives. The likelihood of uptake of a method;   |

<b>benefits</b>	social, economic, environmental - as both monetary and non monetary cost/benefits;
<b>costs</b>	social, economic, environmental - as both monetary and non monetary cost/benefits; and
<b>risk</b>	the risk of taking action and not taking action in say the next 10 years because of imperfect information e.g. the cause/effect relationships are not fully understood.

In the case of the proposed Plan Change no new policies or rules are being proposed within Volumes 1 and 2 of the Plan. Instead the proposed Plan Change relies on the existing operative policies and rules. The Plan Change proposes to amend the schedule of neighbourhood parks (OSs.5 Neighbourhood Parks) by deleting NP11, Blackwood Street Reserve (West), Lot 12 DP13786.

This Plan Change also amends Planning Map 23 (right hand side) in Volume 4 of the Plan, by rezoning Lot 12 DP13786 from Open Space and Recreation to a combination of Industrial and Residential.

The report concludes with a summary of the analysis undertaken and outlines which option best meets the requirements of Section 32 of the RMA.

### 3.2.2 Format of the evaluation

The following table provides an evaluation of the costs and benefits of the proposed policies, and considers whether these policies are the most appropriate for achieving the objectives, having regard to their efficiency and effectiveness. The terms efficiency and effectiveness are not defined in the RMA and, therefore, the criteria set out in Part 3.2.1 of this report have 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. In some cases quantitative assessments of costs have been given.

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 policy alternatives assessed in this section will achieve the objective to different degrees and combinations of policy approaches will be used to form the final preferred option.

The following four broad options are evaluated in Table 1 (Part 3.2.3 of this report):

- Option 1                      Status quo - do nothing (retain existing zoning and neighbourhood park scheduling).
- Option 2                      Proceed with Proposed Plan Change - rezone the land as two industrial titles and one residential title, and create an esplanade reserve adjacent to Jenkins Creek.
- Option 3                      Proceed with alternative Plan Change - rezone a portion of the land as two industrial titles, create an esplanade reserve, and retain one area as a reserve with Open Space and Recreation Zoning.

**3.2.3 Table 1: Assessment of Alternative Options**

	Option 1: Status quo	Option 2: Proceed with Proposed Plan change	Option 3: Proceed with an alternative Plan Change
<b>Benefits</b>	<p><u>Economic Benefit (Council)</u> Small financial saving from not proceeding with this Plan Change, avoiding reporting and hearing costs, and the cost of an independent commissioner.</p> <p><u>Social Benefit (Landowner)</u> Maintenance of neighbours' access to open space</p>	<p><u>Environmental Benefit (Community)</u> Better matching of need makes better use of a finite natural resource (land). Creation of a continuous esplanade reserve for this reach of Jenkins Creek.</p> <p><u>Social Benefit (Landowners)</u> No disruption to the scale of housing in the area.</p> <p><u>Economic Benefit (Community)</u> Ability to generate economic gains through extension of industrial land uses.</p> <p><u>Economic Benefit (Council)</u> Ability to subdivide and sell three land titles.</p>	<p><u>Environmental Benefit (Community)</u> Better matching of need makes better use of a finite natural resource (land), although retention of the open space is of benefit to a small number of people only.</p> <p>Retention of a buffer between residential and industrial land uses.</p> <p><u>Economic Benefit (Community)</u> Ability to generate economic gains through extension of industrial land uses.</p> <p><u>Economic Benefit (Council)</u> Ability to subdivide and sell two land titles.</p>

	Option 1: Status quo	Option 2: Proceed with Proposed Plan change	Option 3: Proceed with an alternative Plan Change
<p><b>Costs</b></p> <p><u>Economic Cost (Community)</u> Land not being used efficiently.</p> <p><u>Economic Cost (Council)</u> Inability for the Council to sell the land for higher value uses.</p> <p>Ongoing cost of park maintenance (mowing).</p> <p><u>Environmental Cost (Community and Council)</u> Unauthorised disposal of waste.</p>	<p><u>Economic Cost (Community)</u> Land not being used efficiently.</p> <p><u>Economic Cost (Council)</u> Inability for the Council to sell the land for higher value uses.</p> <p>Ongoing cost of park maintenance (mowing).</p> <p><u>Environmental Cost (Community and Council)</u> Unauthorised disposal of waste.</p>	<p><u>Economic Cost (Council)</u> Cost of plan change – reporting and hearing costs. An independent commissioner would be required, given the proposed rezoning affects Council-owned land.</p> <p><u>Social Cost (Community)</u> Loss of neighbourhood park but:  <ul style="list-style-type: none"> <li>- there is another neighbourhood park in the street</li> <li>- open space is provided along the Jenkins Creek esplanade reserve</li> <li>- the site has poor visibility and oversight by neighbours, which means this reserve is not particularly safe or well used.</li> </ul> </p>	<p><u>Economic Cost (Council)</u> Cost of plan change – reporting and hearing costs. An independent commissioner would be required, given the proposed rezoning affects Council-owned land.</p> <p>Opportunity cost for the Council - loss of residential title to sell.</p> <p>Ongoing cost of park maintenance (mowing).</p> <p><u>Social Cost (Community)</u> Loss of some open space land.</p>

	Option 1: Status quo	Option 2: Proceed with Proposed Plan change	Option 3: Proceed with an alternative Plan Change
<b>Benefit and Costs Summary</b>	The status quo option has significant opportunity costs, through loss of development of the land for higher value purposes.	There are significant environmental and economic benefits from pursuing this plan change. The benefits far outweigh the costs.	This option offers less economic benefits than option 2, and incurs ongoing maintenance costs, although it increases the social benefits by providing for a greater buffer between industrial and residential land uses for a few houses.
<b>Effectiveness and Efficiency</b>	<p>The status quo option is an inefficient and ineffective way to meet the objectives of the Plan.</p> <p><u>Efficiency</u></p> <p>A poorly used park is not an efficient use of land, especially when there is another park in the same street.</p> <p><u>Effectiveness</u></p> <p>The effectiveness of the site as a neighbourhood reserve is limited due to its low visibility and limited accessibility.</p>	<p>The Plan Change is an efficient and effective way to address the operative issues and achieve the objectives.</p> <p><u>Efficiency</u></p> <p>Extension of existing industrial land uses is efficient use of the land because it does not require new accesses to be created.</p> <p><u>Effectiveness</u></p> <p>Addition of one residential property fits within the context and scale of development in Blackwood Street.</p>	<p>This option is less efficient and effective than option 2 because an underused open space area is less valuable to the community than a residential property. It would, however, provide a buffer between residential and industrial land uses.</p>
<b>Risk of Acting or Not Acting if there is uncertainty or insufficient information</b>	<p>Council has sufficient information on Option 1 to make a decision on its effects.</p> <p>Therefore there is no risk of acting of not acting.</p>	<p>Council has sufficient information on Option 2 to make a decision on its effects.</p> <p>Therefore there is no risk of acting of not acting.</p>	<p>Council has sufficient information on Option 3 to make a decision on its effects.</p> <p>Therefore there is no risk of acting of not acting.</p>



## **4.0 Conclusion**

An evaluation of three alternative options of status quo (do nothing), proceed with Plan Change and proceed with an alternative Plan Change has been undertaken in Part 3.2.3 of this report. The report has evaluated these alternative options against the benefits, costs, effectiveness, efficiency, the risk of acting and the risk of not acting.

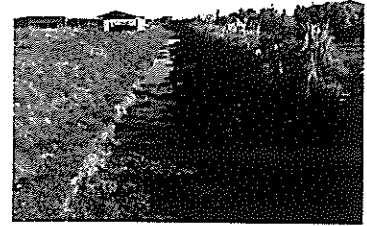
This evaluation has clarified that Option 2 (proceed with this Plan Change) has potential benefits which outweigh any resultant costs, and is the best option in regards to its efficiency and effectiveness with minimal risks of acting and potential higher risks of not acting.

The Plan Change relies on an existing operative issue (efficient use of natural and physical resources) and an existing operative objective (management of resources by location). Because of the operative status of this issue and objective, they are not being considered in this report.

The Council proposes to rezone the land as two industrial titles and one residential title, and to create an esplanade reserve adjacent to Jenkins Creek, in order to promote more efficient use of this land, while still providing for recreation and access along Jenkins Creek.

**Jenkins Creek (Quarantine Road to Annesbrook Drive)**

<u>Location:</u>	Annesbrook
<u>Zone:</u>	Industrial and Residential
<u>Classification:</u>	Esplanade Reserve, Freehold, LINZ, Local Purpose Reserve, Local Purpose (Esplanade) Reserve, Road Reserve
<u>Legal Description:</u>	Lot 1 DP14863, Lot 1 DP6148, Lot 1 DP9116, Lot 12 DP13786, Lot 2 DP15305, Lot 23 DP9332, Lot 9 DP4470 and Sec 2 SO327063
<u>Size:</u>	2.24 ha



**Description:** This reserve is divided into three sections. The first section covers both sides of Jenkins Creek, between Annesbrook Drive and Pascoe Street. A small and attractive native planting with astelia, Griselinia and carex species is located beside the Annesbrook Drive footpath, to the left of the bridge. The true left strip downstream features a flat mown grass strip running on the top of the bank between plantings which border the properties on the left, and the streambank on the right. The plantings are a mixture of semi-mature native and exotic trees and shrubs, including silver birches, oaks and Norfolk Pines, along with karo and pittosporum. There is some rubbish along this stretch, weeds such as periwinkle on the bank and an aviary belonging to an adjacent residential property. The true right is initially accessed by a narrow path leading to both the reserve strip and a block of flats which back onto the reserve. This strip is very similar to the true left bank, with a flat mown grass strip running between bank plantings and against property boundaries. Access can also be gained to this strip from a path at the end of Blackwood Street.

The second section covers both sides of Jenkins Creek downstream of Pascoe Street, adjacent to industrial properties. The true left strip is basically a sloping bank covered in rough grass with some sprayed gorse. The true right provides better access, with a flat grassy strip on top of the streambank, running in between the bank and industrial property boundaries. The streambank features toetoe, flax and kowhai plantings, while pittosporum and ngaio trees run along parts of the boundary and fenceline. The reserve terminates roughly two-thirds of the stream's length down towards Quarantine Road.

The third, smallest section covers a thin shrub border on the right side of Quarantine Road, near where Jenkins Creek and Quarantine Road meet. It also includes a shrub border edge on the corner of Quarantine and Bolt Roads.

Two pukeko and a white-faced heron were observed at the reserve, downstream of Pascoe Street.

**Access:** First section: Easy, access via Annesbrook Drive. Second section: Semi restricted, access via Pascoe Street. Third section: Inaccessible.

**Facilities:** Short stretch of path from Annesbrook Drive.

**Use:** Use is limited due to lack of connection.

**Maintenance:** Mown grass, border maintenance, weed control.

**Management Issues:** Connection along remainder of stream, rubbish.

**Policies**

1. General Policies apply.

**Actions**

1. Investigate feasibility of completing the connection between all of the reserve sections.