
MARLBOROUGH ENVIRONMENT PLAN

Section 32 Report

Chapter 12: Urban Environments

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Overview

Background

Section 32 of the Resource Management Act 1991 (RMA) requires that in the process of reviewing its regional policy statement and resource management plans, the Marlborough District Council (the Council) must prepare and publish an evaluation report. The three documents being reviewed are the Marlborough Regional Policy Statement (MRPS), the Marlborough Sounds Resource Management Plan (MSRMP) and the Wairau/Awatere Resource Management Plan (WARMP). Each resource management plan is a combined regional, coastal and district plan.

Section 32¹ of the RMA requires that:

- reviewed regional policy statements and plans must be examined for their appropriateness in achieving the purpose of the RMA;
- the benefits, costs and risks of new policies and rules on the community, the economy and the environment be clearly identified and assessed; and
- the written evaluation must be made available for public inspection.

The Section 32 process is intended to ensure that the objectives, policies and methods the Council decides to include in the new resource management framework have been well tested against the sustainable management purpose of the RMA. The Section 32 evaluation report for the proposed Marlborough Environment Plan² (MEP) has been prepared on a topic basis, centred on the policy chapters of Volume 1 of the MEP. Individual reports have been prepared on the following:

Topic	Volume 1 Chapter of the MEP
Introduction to Section 32 evaluation reports	
Marlborough's tangata whenua iwi	3
Use of natural and physical resources	4
Allocation of public resources – freshwater allocation	5
Allocation of public resources – coastal allocation	5
Natural character	6
Landscape	7
Indigenous biodiversity	8
Public access and open space	9
Heritage resources	10
Natural hazards	11
Urban environments	12
Use of the coastal environment – subdivision, use and development activities in the coastal environment, recreational activities, fishing, residential activity, shipping activity and Lake Grassmere Salt Works	13
Use of the coastal environment – ports and marinas	13
Use of the coastal environment – coastal structures, reclamation and seabed disturbance	13

¹ See Appendix A.

² The Marlborough Environment Plan is a combined regional policy statement, regional plan, regional coastal plan and district plan.

Topic	Volume 1 Chapter of the MEP
Use of the rural environment	14
Resource quality – water	15
Resource quality – air	15
Resource quality – soil	15
Waste	16
Transportation	17
Energy	18
Climate change	19

Chapters 1 and 2 of the MEP are not included within the Section 32 evaluation as they provide an introduction and background to the proposed document. These chapters do not include provisions that must be evaluated in accordance with Section 32.

The Introduction report covers the scope of the review that the Council has undertaken, including consultation and the nature of information gathered, investigations and research undertaken, and analysis that has occurred. An overview of the Council’s statutory obligations, the relationship of the MEP with other plans and strategies and working with Marlborough’s tangata whenua iwi is described. A set of guiding principles the Council has used in the development of the objectives, policies and methods for the MEP is provided. The Council acknowledges that the principles have no statutory basis and do not in themselves have specific objectives, policies or methods. However, they provide the philosophy and values underlying the content of the MEP and consequently help to inform the Section 32 evaluation.

The policy provisions for urban environments are included within Chapter 12 of Volume 1 of the MEP. The rules for urban environments are contained within the Urban Residential, Business and Industrial Zones. This Section 32 evaluation report is set out as follows:

- Description of issues – this provides an overview of the resource management issues for urban environments.
- Statutory obligations – the extent to which there are direct links with Section 6 or 7 matters and whether the provisions are directed or influenced by national policy statements or national environmental standards.
- Information and analysis – whether specific projects or other information have influenced the inclusion of provisions or other responses to dealing with resource management issues.
- Consultation – an overview of the extent and nature of specific consultation undertaken on the proposed provisions.
- Evaluation – an assessment of the provisions under each of the identified issues. Where appropriate, reference is made to supporting material that has helped to inform why a particular option has been chosen. In some cases the evaluation is undertaken on an individual provision, while in others groups of policies or methods have been assessed together.

In some parts of this evaluation report there are references to provisions within other chapters of the MEP. This is because those provisions assist in implementing the management framework for the subject matter of this report or vice versa. A reader should consider the evaluation for these other provisions where they are referred to in this report.

Key changes

The key change in the MEP for the urban environments from the approach in the MRPS, MSRMP and WARMP is the consolidation of zoning for towns and small settlements. Activities and associated standards within the different zones of both the MSRMP and WARMP have been compared and those zones that have similar activities and standards have been integrated. Through this approach there are now nine residential and business-based zones in Marlborough’s urban environments compared to

a total of 15 in the WARMP and MSRMP. Consolidating activities with similar effects within the appropriate zones will be efficient and will provide greater certainty to land users and decision makers.

Through the review process, the above approach has been discussed with and endorsed by various industry representatives through working group meetings with Council staff, the business sector (Blenheim, Renwick, Picton and Havelock), land developers and surveyors. All parties agreed that grouping urban environments with similar characteristics, activities and effects will be more effective and efficient for resource users.

Summary of reasons for the proposed provisions

Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions included in the MEP. A summary of reasons for the provisions included in the MEP in relation to urban environments is set out below with the more detailed evaluation set out in the remainder of this report.

- The aim of Chapter 12 - Urban Environments (Volume 1 of the MEP) is to create compact and sustainable urban environments. For growth to occur without affecting the character and amenity of existing urban areas, the quality of development must be high to maintain pleasant residential, business and industrial environments. The approach taken for the urban environments is to provide the community with a range of housing options in a variety of locations in Marlborough. This will meet the needs of people within the District's urban areas now and into the future.
- Marlborough is forecast to experience population growth of up to 9,300 new residents by 2031. At least 4,650 new jobs and new or otherwise improved amenities will be necessary to support this. The average household size will become smaller, creating new pressures on the District's housing stock. A change in population also brings pressure for new or redirected investment into transport and other infrastructure (Growing Marlborough strategy, 2011).
- Work undertaken by the Council through the Growing Marlborough strategy identified clear direction for the future development of the District (see the Information and Analysis section of this report). The strategy offers the Council, private investors, community organisations and residents' tools to work toward a more sustainable future for the District. Some of the key initiatives of the strategy include residential growth, land to cater for local employment growth, stronger town centres, strong communities, public open space and protection of transport networks.
- At the regional policy statement level providing for housing choice and focussing growth in centres and within suitable neighbourhoods is a key outcome. The MEP structure provides for four residential zones, with local variation provided through minimum lot sizes and site-specific development requirements. There are also three business-based zones and two industrial-based zones, with local variation provided through site-specific development requirements.
- The provisions for the urban environments are intended to accommodate residential and business growth in Marlborough through to 2031 in a way that meets the District's aspirations for quality, compact towns with the major share of growth occurring within the existing urban areas of Blenheim and Picton.

Description of issues

In Marlborough, towns and small settlements became established as service centres for the agricultural hinterland, transport junctions, ports or coastal retreats. Marlborough's towns comprise a complex fabric of relationships, interactions and transactions between people as well as the physical fabric of buildings, spaces and infrastructure. The quality of the social and physical nature of each town, as well as the opportunities available therein for business, determines the quality of life for the people who live there.

Section 32: Chapter 12 – Urban Environments

Each of Marlborough's towns is diverse in character and in the nature of activities occurring within them. The basic distinctions in climate and geography create the underlying differences or characteristics in their environments, as well as the different land use activities that occur within and around each town, including the location and form of the buildings where those activities occur. Larger towns experience a combination of residential, commercial and industrial activities, creating a more diverse character than that of the smaller towns, which are predominantly residential in nature.

The policy provisions for Marlborough's urban environments are contained within Chapter 12 of Volume 1 of the MEP, while the rules are contained within the Urban Residential, Business and Industrial Zones. The three resource management issues for urban environments are:

Issue 12A – Meeting the residential needs of Marlborough's urban population whilst ensuring residential activity does not have adverse effects on the environment.

- Residential environments are an important resource for the District and contribute to the social, economic and cultural wellbeing of people. Developing residential environments that meet the needs of Marlborough's urban population while maintaining and improving people's enjoyment of residential amenity is key. In achieving this, it is important that an urban form is developed that ensures Marlborough's towns remain compact and resilient and that, where provided for, urban expansion is sustainably managed. This is particularly important considering Marlborough's changing demographics, which have led to a greater need for flexibility in the size and type of dwelling options available.
- Inappropriate land use, subdivision and development in residential areas are a major concern as these activities can adversely affect the character and amenity of Marlborough's residential environments. Furthermore, commercial activities that do not support the day-to-day living of residents but which detract from residential character and amenity and undermine the viability of established business zones are to be avoided.

Issue 12B – A loss in the vitality, viability and/or identity of Marlborough's business environments may result either where inappropriate activities are located within these environments or when the fragmentation of business areas occurs.

- The consolidation of business environments³ is important to ensure access is available to well-maintained and functioning business areas with a wide range of business activities that maintain their vitality, pleasantness and convenience.
- The dispersal of some business activities to new locations can leave existing areas vacant, under-utilised, unattractive and unable to provide the services desired by the community.

Issue 12C - Subdivision and development within urban environments can lead to increased demand for essential infrastructure services.

- In urban environments, properties are serviced with infrastructure including water, sewerage, stormwater management, roading (including access to that roading), power and telecommunications. Without these essential services the urban environment could not function efficiently or effectively and community health standards would deteriorate. Un-serviced communities also have the potential to give rise to adverse effects on the surrounding environment.
- Subdivision creates allotments of a suitable size and dimension in appropriate locations for subsequent development. The provision of essential infrastructure to service the subsequent activities within the subdivision is an important part of the process of subdividing land in urban environments.
- Uncontrolled subdivision and development of land is likely to result in exceedance in the capacity of the existing infrastructure, which could impair the ability of that infrastructure to continue to effectively service the remainder of the community.

³ Business environments include both commercial and industrial areas.

- Development may be proposed in locations that are not efficient relative to the planned provision of future extensions to the infrastructure.
- The provision of infrastructure can also have potent financial implications for the community, as subdivision and development may give rise to a demand for new or upgraded infrastructure that is not within the financial capacity of the community to fund.

Statutory obligations

The provision of areas for residential, business and industrial activities and managing the activities within those areas promotes the sustainable use of natural and physical resources and is central to the economic, social and cultural wellbeing of the community. This clearly falls within the sustainable management purpose of the RMA in Section 5.

Section 6 of the RMA sets out matters of national importance that must be recognised and provided for. Depending on the location of towns and small settlements, some Section 6 matters may be of relevance to the consideration of a management framework for urban environments. For example, both Havelock and Picton are located within the coastal environment and accordingly may be affected by Section 6(a) in relation to the natural character of the coastal environment and Section 6(d) in which public access to and along the coastal marine area must be recognised and provided for.

Section 7 addresses matters to which particular regard shall be had. The matters most relevant and considered to have a place in the management of the urban environment are:

- (b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values; and*
- (f) maintenance and enhancement of the quality of the environment.*

Sections 30 and 31 of the RMA set out a range of statutory functions for the Council that enable it to establish management frameworks in response to the identified issues.

Section 75 of the RMA requires that a district plan must give effect to any New Zealand Coastal Policy Statement 2010 (NZCPS). As indicated above, some towns exist within Marlborough's coastal environment and therefore it is necessary to consider the provisions of the NZCPS.

The National Policy Statement for Renewable Electricity Generation 2011 may have some relevance for urban environments in relation to the necessity for resource management policies and plans to include provision for (amongst other things) solar energy resources.

Urban residential activity takes place within the context of National Environmental Standards for air quality, sources of human drinking water, telecommunications facilities, electricity transmission and assessing and managing contaminants in soil to protect human health. The provisions within the MEP must enforce the observance of these national standards. The relevant standards are discussed in the following Section 32 evaluation reports:

- National Environmental Standard for Sources of Human Drinking Water 2008: Chapter 15 - Resource Quality (Water)
- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 - Chapter 15 Resource Quality (Air)
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 - Chapter 15 Resource Quality (Soil)

Information and analysis

A number of investigations and monitoring activities have helped to inform the review of provisions within the MEP. An overview of these is provided below.

State of the Environment monitoring

The Council's Science and Monitoring Group do not actively monitor the anticipated environment results set for the Urban Environments in the WARMP or the MSRMP. Information and data included in the 2008 State of the Environment (SOE) Marlborough report (*Chapter 13: Townships and Small Settlements*) was compiled from the Council's Long-Term Plan and Annual Plan, through the consultation process for the review of the MRPS, WARMP and MSRMP, census data and a number of independent reports produced for the Council (as listed in the 2008 SOE Monitoring Report).

The 2008 SOE report identifies the issues and ways in which the Council of the time responded to the pressures within Marlborough's towns and small settlements. These pressures included:

- population growth increasing the demand for residential property in towns and small settlements;
- managing infrastructure services to protect community health and wellbeing;
- maintaining the character of urban areas;
- conflicts between urban land uses;
- shortage of affordable housing; and
- retaining a vibrant central business district at the heart of Blenheim.

The Council responded to these issues as follows:

- In early 2007 a baseline study of what makes Marlborough's towns and small settlements 'tick' was commenced. From this study, a profile of Marlborough towns and small settlements was developed with the intention of focussing on individual towns and working towards addressing the issues and opportunities. This information was then used for the review of the MRPS, MSRMP and WARMP.
- Monitoring residential growth helped the Council make decisions about whether there is enough land zoned for residential use, which in turn allowed planning for increased capacity for basic infrastructure and other services. A 2007 study concluded that based on current rates and patterns of housing uptake, the amount of vacant greenfield residential land available was not large enough to meet anticipated demand for new housing for the planning period ending 2026. One option considered to provide for this anticipated demand was that available vacant and occupied residential land be "stretched" further by allowing higher density developments.
- In relation to commercial and industrial activities, land adjacent to Riverlands Industrial Estate and Cloudy Bay Business Park rezoned for industrial activities was considered to have supplied sufficient land for development. In addition, land at the Westwood Development site was re-zoned Business 3 to accommodate large format retail activities.
- Through the review process, the Council commenced investigations for developing an urban design plan for Blenheim and Picton.
- In considering the need for community reserves it was predicted that with increased household numbers, three additional reserves would be required each year.

Growing Marlborough strategy

This project aimed to plan for Marlborough's urban growth for the 25 year period from the 2006 census through to 2031. Growing Marlborough covered three sub-strategies, each tailored to specific issues and opportunities facing different parts of the District: the Blenheim Town Centre Revitalisation Strategy; settlements in south Marlborough; and settlements in Picton, Havelock and the inner Sounds. In considering options for growth, the following approach was adopted:

- enhancing existing settlements rather than establishing new ones (unless the more affordable and sustainable growth or intensification options in existing settlements are exhausted or unachievable);
- supporting strongly defined communities with unique identities;
- minimising the impact of towns and settlements on the environment, landscape and versatile soils;
- focussing new growth where it can best leverage from existing community infrastructure (especially where new growth will not be of a scale that would bring new facilities with it);
- providing for logical urban expansion in areas where it will be affordable from a total lifecycle infrastructure perspective;
- encouraging urban intensification where it is feasible, i.e. when privacy and local character can be maintained, and if supported by conveniently located amenities; and
- supporting lifestyles that are less energy intensive, in particular where people may choose how they meet their daily needs other than by full reliance on private automobiles.

Following the investigation of liquefaction risk, Blenheim's urban growth strategy, *Revised Strategy for Blenheim's Urban Growth* (2012), was reviewed. This strategy for Blenheim's town centre identified themes of action for the town's centre, including encouraging good design through non-statutory mechanisms as this was considered the most relevant in reflecting Blenheim's built character. The aim of the project was to increase wellbeing in a social, environmental, cultural and economic sense by growing community cohesion, local pride and business vitality. It is anticipated that revitalisation of the town centre will have a positive effect for the wider Blenheim urban area, with flow-on effects for the District.

The Growing Marlborough strategy was completed in March 2013. Some of the outcomes from the three stages of the strategy have been included in the reviewed resource management framework, while other aspects were implemented ahead of the review (for example, the rezoning of several areas of rural land on the periphery of Blenheim to residential zoning through Plan Changes 64-71 of the WARMP).

Blenheim Town Centre Building Design: a guide for property owners and developers (2011)

This provides guidance to land owners and others interested in property development, redevelopment and reuse within the town centre. The guide provides land owners and developers with non-statutory considerations identified in the Blenheim Town Centre strategy and deals with the full range of town centre developments, from commercial and retail to mixed-use, apartment and visitor accommodation buildings. The guide also includes guidance and proposals for enhancing the public streetscape.

Would you like to live in that house? A guide for home buyers (2011)

This guide provides non-statutory considerations for those purchasing, altering, subdividing, developing or designing a new house. It lists issues to think about when buying, building or altering a house and illustrates qualities that make houses and neighbourhoods safe, healthy and enjoyable places to live. Guidance is wide ranging, reflecting the different shapes and sizes of houses in Marlborough, for example, single storey, stand-alone houses on large sections through to flats and double storey terraced houses on small sections. It relates to existing residential neighbourhoods and new subdivisions.

Marlborough Region Town Centre Health Checks (2011, 2014 and 2016)

The Marlborough town centre health checks were initiated as a result of a direction from the urban growth strategies prepared for north and south Marlborough (part of the Growing Marlborough strategy). The health check report describes the health of Blenheim and Picton's town centres with statistics on commercial property values, composition of the town centres and the results of a pedestrian survey. An assessment of the state of the environment includes information on the quality of air, noise pollution, clutter, cleanliness, visual pollution, seating, shelter, green space, pedestrian safety, directional signage and footpath and cycle lane conditions.

The central aim of these reports has been to document the current wellbeing of the town centre in a social, environmental, cultural and economic sense and as time progresses make comparisons to previous years and identify trends. This type of research enables early recognition of issues, identifies areas of focus and helps to guide public and private investment within the town centre.

The 2011, 2014 and 2016 health check reports are available on the Council's website.

Review of existing resource management plan rules and zoning

The current rules of the MSRMP and WARMP have been analysed, including a review of the activities being undertaken in Marlborough's urban environments. The analysis includes:

- A review of Marlborough's urban environment of both the MSRMP and WARMP, undertaken in terms of residential and commercial development and associated activities. This information provides an understanding of the main changes (if any) that have occurred within the residential areas and business and industrial sectors since the two resource management plans were first notified.
- A review of the zoning used in the urban environments of Marlborough, undertaken with the intention to group together those towns and small settlements that have similar population sizes, resources and activities.

Overall, the review found that a similar set of issues, objectives and policies existed for most towns and small settlements. By taking this approach, the number of urban-based zones in the MEP has been reduced from 14 to nine.

Consultation

Early consultation

In 2006, the first round of consultation was initially undertaken solely for the review of the MRPS and saw the distribution of a community flyer to all ratepayers advising of the review. The aim of this exercise was to find out the community's views on the most important resource management issues that Marlborough would face over the next ten years. Approximately 380 responses were received, including comments on urban environments. A summary of the responses follows.

- There were several common themes on what people believed was wrong with Marlborough's towns. There was said to be a lack of vision and an apparent lack of planning for urban areas, resulting in towns being developed at an unplanned or uncoordinated rate. Respondents identified the need for a town vision that includes how a town looks, feels and works. It was considered that this would set Marlborough's towns apart from the rest of New Zealand. Respondents suggested that the vision incorporate guidelines on design, provide needed and appropriate housing, open space and energy conservation.
- Other suggestions to help create a vision for our towns included:
 - developing a more intensive townscape in existing mature areas by selective building demolition/clearance, construction of multi-storey, low-rise residential buildings, restricted vehicle access and communal walking areas;
 - accessing subdivisions from the south so that new sections can be solar heated from the north;
 - planning early for infrastructure needs;
 - consolidating industrial/commercial zones in one location rather than being scattered;
 - improving water quality in streams and rivers adjacent to Marlborough's communities;
 - strong Council-led role in providing reserve areas for future generations; and
 - availability of housing to suit all income levels.

- Section sizes were considered to be too small, providing little private space and a lack of opportunity for the growth of larger tree species. Leaving uncovered land around large developments and planning strategically-placed larger sections was suggested to enable larger tree species to be grown throughout urban areas. Respondents considered that high-density single storey housing developments did not allow enough room for a garden or space for children to play, creating potential issues in future.
- Some respondents expressed concerns about development proposals for Picton and Havelock. In their feedback, respondents identified that:
 - the character and nature of Havelock as a port does not lend itself to apartment developments;
 - the entrance to Picton should be improved to provide a more attractive entrance to the town and to the Sounds;
 - parking facilities needed to be improved, including for Marlborough Sounds residents coming into Picton;
 - streetscape development in Picton has caused the loss of the town’s identity, therefore there should be a focus on the use of enforceable design criteria; and
 - there should be tighter controls on unsightly fences and trucks, buses and containers parked on private property.
- Many comments were received about whether Blenheim’s urban boundaries should be expanded, some suggesting where this could occur. Others saw advantages in re-locating industry to the edge of town as this would free up space to rejuvenate residential areas. Areas not considered appropriate for expansion in Blenheim included along main highways or Alabama Road, on the Springlands side of town (at the expense of good horticultural land) or onto the Wither Hills.
- Respondents also suggested that policy needed to strengthen the urban edge and that future development should go upwards, not out. People disagreed with any expansion of urban zones around the fringes of Blenheim or Renwick: the current size of the towns relative to the available services is considered well-balanced and further expansion would lead to increases in population, congestion in town, parking problems, infrastructure overload and a reduction in the quality of life. Comments were also made about avoiding expansion onto productive land now and into the future.
- Some respondents suggested residential growth requirements could be met by further infilling. However, it was also noted that the Urban Residential 1 area is near full capacity and needs to be expanded. Greater incentives were suggested for integrated residential developments that provide energy efficiency as well as high amenity values, such as landscaping, shared open areas and courtyards. A converse opinion was that the infill option should not be overplayed.
- There were a range of suggestions for redeveloping areas within Blenheim, including ‘opening up’ the town (especially in the Ōpaoa area), removing industrial areas from the north side of town, placing more emphasis on using the Taylor and Omaka Rivers by converting industrial zoned land to commercial to encourage motels/hotels and restaurants into these areas and providing enough land near the town centre to discourage businesses moving away.
- Responses were received about commercial encroachment into residential areas and vice versa. Respondents gave examples of residential and commercial development occurring in proximity to each other, creating issues with road safety, parking and access to and from the commercial sites.
- Some respondents suggested transition zones between land uses, for example separation/buffer zones such as parks, reserves and trees or the use of larger section sizes to act as a buffer between commercial/industrial and residential areas.
- For Renwick it was suggested that land for future residential development should focus on small blocks surrounding the town. There was some concern regarding Renwick’s development, especially with the zoning on High Street and the infill housing and industrial development that is occurring.

Section 32: Chapter 12 – Urban Environments

Following this initial consultation, a series of discussion papers were prepared by the Council and released for public feedback in late 2007. *Discussion Paper 2: Marlborough Townships and Small Settlements* is relevant to Marlborough's urban environments. In total, 49 responses were received from individuals, iwi, industry groups and environmental groups. Seven regionally significant issues were highlighted and are particularly relevant to this Section 32 evaluation report.

- In catering for increasing populations in Marlborough, the overwhelming response was that population growth should be accommodated within existing towns and small settlements by way of carefully planned infill development that could meet amenity requirements, for example through greater privacy, green spaces, areas for fruit trees/vegetable gardens and areas for children to play. Respondents held a variety of views on infill housing; some identified the benefits of higher density development in the immediate surrounds of the CBD and in the towns and small settlements while others were concerned that such development could put a strain on services and infrastructure.
- Several suggestions were made regarding the promotion and facilitation of infill development, including:
 - limiting house size to prevent large houses being built on small properties;
 - enabling integrated developments where residences are joined together in blocks, which would then allow for the use and enjoyment of the land available by residents;
 - enabling city living and multi-storey buildings within the CBD; and
 - promoting cluster housing, with groups of villages (including villages in existing towns) that can be linked by communal infrastructure.
- Several respondents felt that infill alone will not contain urban population growth but that it should be fully utilised before expanding elsewhere. Many people expressed concerns about urban expansion onto productive land. Others felt that there was no capacity for expansion because several towns are surrounded by vineyards. There were also concerns about lifestyle block developments for similar reasons, although some saw the potential for lifestyle blocks on the urban periphery to act as a buffer between urban and rural land uses. Greenbelts and natural barriers (such as rivers) were other suggested buffers.
- Some respondents called for growth patterns that would allow simple and efficient walking and cycling links to be maintained within and between settlements. It was felt that this would also enhance streetscapes.
- The New Zealand Defence Force (NZDF) response focussed on urban expansion around the periphery of Base Woodbourne and the potential for the significant noise effects caused by the Base's operations to generate reverse sensitivity issues. The NZDF supported limits on urban growth to protect strategic assets such as the Base.
- In considering the adverse effects on the health and wellbeing of communities caused by inadequate water supply and wastewater management, most respondents stated that growth in towns can only occur with appropriate infrastructure and servicing. There was strong support for a policy of limiting growth until essential services are provided and/or existing reticulation is enhanced.
- A number of respondents expressed concerns about the reliance on on-site methods of effluent disposal in some towns. They either agreed with a policy of ensuring that residential development in non-reticulated communities is within the capacity of the environment to treat and contain wastewater, or sought to avoid on-site systems entirely in the future.
- There was limited feedback on the importance of retaining and enhancing the character of urban areas. Some suggested there should be public consultation on the future of our towns, that only minor modifications be made to towns' existing character and that limits should exist on enhancement works to avoid a dramatic increase in rates.
- Respondents commented on the "commercialisation" of residentially zoned land impacting on residential amenity values and the need to find the right balance between residential, commercial and industrial land uses. Several respondents acknowledged the

need for regulation to protect the existing character of residential areas and to ensure amenity values are maintained.

- Several respondents suggested that the principles of good urban design be documented and implemented, while others suggested that the Council could utilise the New Zealand Urban Design Protocol.
- Most responses highlighted the importance of vegetation in our towns and small settlements, including the need for shade, cover and aesthetics. Respondents advocated for retaining existing vegetation (in particular iconic trees and groups of iconic trees) and the use of plants, especially natives, as a means of enhancing urban areas.
- There was strong agreement among respondents that the expense of new residential property and housing was a significant issue in Marlborough, some even feeling that this issue had been understated in the discussion paper. Concern centred on the lack of adequate housing and the high mortgage burden that some people face currently or will face in the future. Most agreed the regional policy statement needed an objective of working toward making housing more affordable, with some considering that the Council should provide low cost housing. There was some agreement regarding the development of high density residential housing in appropriate locations in order to make housing more affordable. A popular suggestion in this respect was to spread the mix of high, mid and low cost developments throughout urban areas, rather than concentrating them in one area to avoid potential adverse effects on residential amenity values.
- Most respondents supported an objective to retain a vibrant CBD in Blenheim within which business could be concentrated. People described a vibrant CBD as “a safe and tidy downtown” with “a strong retail focus, comfortable streetscape (that is) pedestrian friendly.” There was some concern that the Council’s focus appeared to be on Blenheim and there was a request that the business districts of Picton and Havelock not be ignored. People identified accessibility, congestion and car parking as barriers to achieving the objective.
- Suggestions for improving the CBD included developing and implementing design rules for the look and feel of the town centre. In addition, respondents felt that the Council should take an active role in the facilitation and promotion of the CBD as a community hub, whilst also encouraging the commercial sector to take pride and initiate further development in the town centre.
- It was suggested that the Council should identify and consolidate sites in the zone for large format retail businesses.
- There was support for the general separation of activities to avoid the potential for conflict between different urban land uses and the ongoing use of zoning to achieve this. There was overwhelming support for the use of buffer zones between different urban land uses to act as areas of transition and to help manage the conflict between different land uses. These buffer zones could potentially be used for “wellbeing” opportunities (i.e. for passive and active recreation) and transport corridors.
- Some respondents highlighted concerns about the location of commercial businesses within residential areas, with some suggesting that the residential zone rules need to be strengthened to maintain residential amenity. One respondent made a distinction between commercial activities and home occupations and suggested that home occupations were appropriate within residential areas.
- The need for more industrial zoned land was identified by several respondents, including the Marlborough Forest Industry Association who stated that additional industrially zoned land was needed to enable the forestry industry to reach its potential.

Later consultation

Early in the review process, the Council decided on an iterative approach in developing provisions for the MEP. This sought to test as many of the provisions as possible before the new resource management documents were formally notified under the First Schedule of the RMA. The rationale for this was that the greatest flexibility for change to provisions exists prior to notification of a proposed document; once notified, only those provisions submitted on can be changed and then only within the scope of those submissions. The Council therefore established a number of focus groups with the

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task of reviewing the provisions to discuss their likely effectiveness or otherwise. The aim was to have as much community participation in developing the provisions as possible to reflect the community's views and to resolve any substantive issues prior to notification.

The focus groups that assisted the Council in developing the provisions for urban environments included Council staff from Environmental Policy, Resource Management, Environmental Policy and Building Control. Two industry-based working groups, consisting of local developers, surveyors and business representatives, were established to review the proposed provisions for the urban environments. Two meetings were held with developers in January and February 2015, one meeting was held with the surveyors in March 2015 and four separate meetings were held with business representatives from Blenheim, Picton, Renwick and Havelock in early 2015. After these meetings, feedback was incorporated into the draft document and the opportunity was given to each working group to provide further feedback.

Consultation with some landowners was also undertaken in relation to a review of the zonings in urban environments. Where land uses were inconsistent with the zoning, consideration was given to whether a change in zoning should be applied. In some cases, landowners were contacted to seek their views on whether they thought a change in zoning would be appropriate. This resulted in a number of zoning changes from those in the MSRMP and WAMRP. Some zoning changes have occurred without the need for consultation, for example where a land use had occurred for an extensive period of time and was immediately adjacent to a similarly zoned activity.

As a consequence of the growth strategy work undertaken through the Growing Marlborough project, the Council had received requests to reduce the site density for properties within the Glenhill Drive/Brilyn Crescent area on the east side of Blenheim. These properties, which are located within the Urban Residential 2 Zone, have a minimum net site area of 3,000m² for subdivision and development in the WARMP. This is significantly higher than other areas within the Urban Residential 2 Zone, which have a minimum net allotment size of 400m². Originally, this higher site area requirement was created to provide a transition between the urban and rural environment.

Feedback was sought from all property owners within the Glenhill Drive/Brilyn Crescent area on whether there was support for a continuation of the existing site density control or whether there was support for a reduction. Options were suggested, which included retaining the existing minimum allotment size of 3,000m², reducing the minimum allotment size to 1500m² or reducing the minimum allotment size to 400m².

The majority of the landowners sought to retain the minimum allotment size of 3000m² citing the high level of amenity (including privacy, landscaping, and space) this area provides for residents and others using the reserve land and that the area continues to successfully act as an interface between, and transition into the rural environment located to the east of the area. The provision of an urban, large lot residential housing lifestyle option, which is not readily provided for elsewhere in Blenheim was also highlighted as a reason to retain the status quo. Concerns over stormwater and roading were also considered to be potential issues if an increase in density was provided for.

Given these views the Council decided to retain the existing 3000m² minimum for subdivision and development for the MEP.

Residential environments

Evaluation for Issue 12A

Issue 12A – Meeting the residential needs of Marlborough’s urban population whilst ensuring residential activity does not have adverse effects on the environment.

Appropriateness of Objectives 12.1 and 12.2

Objective 12.1 – Residential zones are primarily utilised for residential activities and a range of opportunities for different forms and densities of residential activity are available in Marlborough’s urban environments.

Objective 12.2 – A high standard of amenity for residential development and attractive residential areas makes the urban environment a place where people want to live.

Relevance

Objective 12.1 encourages a diversity of housing in Marlborough’s residential areas to ensure a broad range of choices are available to meet the needs of the community while protecting the quality of the environment. Objective 12.2 seeks to ensure a high standard of amenity throughout Marlborough’s residential areas, encouraging people to live there. This will have a positive effect on the community’s perception of wellbeing. Together these objectives sustain the potential of the Marlborough’s residential land resource to meet the foreseeable needs of current and future generations. The objectives are therefore relevant in addressing the resource management issue identified in 12A.

The objectives are consistent with Section 5 of the RMA in terms of providing for sustainable management. Several Section 7 matters are relevant in the management of residential environment, including:

- (b) *the efficient use and development of natural and physical resources;*
- (c) *the maintenance and enhancement of amenity values; and*
- (f) *maintenance and enhancement of the quality of the environment.*

Overall, these objectives enable people and communities to provide for their social, economic and cultural wellbeing by supporting a variety of residential environments while avoiding adverse effects of inappropriate activities. Achieving this will give each town its own character.

Feasibility

Most of Marlborough’s residential environments are well-established, with management frameworks in place to address a range of issues. Known effects and characteristics arise from these environments and Objectives 12.1 and 12.2 are a continuation of an existing approach that is considered feasible. This is achieved through the Council’s district functions under Section 31 of the RMA. Given the experience the Council has had in managing residential environments, the level of risk and uncertainty associated with the objectives is considered acceptable.

Acceptability

The feedback received showed support for ensuring that Marlborough’s residential environments were primarily used for residential activities. There was also an acceptance of the need for regulation to protect the existing character of residential areas and to ensure amenity values are maintained. The objectives are therefore considered acceptable. No unjustifiably high costs on the community have been identified.

Assessment of provisions to achieve Objective 12.1

Policy 12.1.1

Policy 12.1.1 – Specific areas are identified for residential activities within Marlborough’s urban environments.

Benefits

The use of zones enables activities to occur in specified and established areas of Marlborough’s urban environments. The areas zoned as Urban Residential are based in part on the nature of residential activities that have existed for some time with largely known effects. Some additional areas have been zoned for residential activities in recognition of a need to provide for growth. The varied nature of residential environments within Marlborough’s towns is reflected in the different zoning approaches and subsequent policy describes the characteristics of each of these areas. Defining zone-specific areas for residential activities provides certainty for landowners, developers, the general public and the Council. In turn this provides confidence to invest in and plan for infrastructure and development of different areas of high, medium and low density.

Costs

No direct or additional costs will be incurred through this policy. However, the aspirations of individuals may not be met if the provisions for the different Urban Residential Zones limit development options in some areas.

Efficiency

This policy is very efficient relative to costs, as Objective 12.1 will be achieved through the use of a range of zones to provide for different forms and densities of residential activity.

Effectiveness

This policy will be effective in achieving the objective as residential zoning will provide the main means of encouraging different types of residential development in a range of appropriate locations. The policy also addresses Issue 12A to ensure that Marlborough’s residential environments are diverse in character and provide for a range of housing types.

Policies 12.1.2 to 12.1.4 and 12.1.6

Policy 12.1.2 – Maintain the following characteristics within the residential environment of the Urban Residential 1 Zone:

- (a) strong connection to the central business area, recreational, social and health facilities;
- (b) central location within easy walking distance to the Business 1 Zone;
- (c) close proximity to open space;
- (d) catering for higher density living by multi-unit and/or multi-level developments;
- (e) enabling growth through infill development;
- (f) smaller lot size;
- (g) dwellings sited closer together;
- (h) access to infrastructure services and other services (stormwater, sewerage and kerbside rubbish and recycling);
- (i) higher volumes of road traffic; and
- (j) for the area of Lot 2 DP 350626 and Lot 1 DP 11019 on the corner of New Renwick Road and Aerodrome Road that is zoned Urban Residential 1:
 - (i) the entire Urban Residential 1 Zone will not necessarily be subdivided down to minimum lot sizes; and
 - (ii) higher density housing will be clustered generally towards the north eastern corner of the block and around reserves.

Policy 12.1.3 – Maintain the following characteristics within the residential environment of the Urban Residential 2 Zone, including within the Urban Residential 2 Greenfields Zone:

- (a) some connection to the central business areas, recreational, social and health facilities;
- (b) often located in close proximity to suburban businesses in the Business 2 Zone;
- (c) catering for a lower population density;
- (d) intensification development rather than infill development;
- (e) located within reasonable proximity to schools, kindergartens and shopping;
- (f) located closer to open space areas;
- (g) larger lot sizes;
- (h) lower density living;
- (i) greater privacy between individual properties;
- (j) areas surrounded by lower building form, i.e., fewer multi-level storied buildings or apartments;
- (k) generally lower traffic volumes; and
- (l) access to infrastructure and other services (stormwater, sewerage and kerbside rubbish and recycling) may be limited in smaller settlements.

Policy 12.1.4 – In addition to the characteristics listed in Policy 12.1.3, the following additional characteristics are to be maintained and apply to:

- (a) the Urban Residential 2 Greenfields Zone, where:
 - (i) there is a stronger connection with the Rural Environment Zone; and
 - (ii) farming is enabled prior to residential development;
- (b) allotments located in Brilyn Crescent, Glenhill Drive, Hospital Road, Wither Road and as scheduled in Appendix 16, where:
 - (i) there are larger allotment sizes with a minimum area of 3,000m²;
 - (ii) a lower density living environment is evident;
 - (iii) a lifestyle option within the urban environment of Blenheim with a high level of amenity (including privacy, large trees and extensive landscaping) is provided; and
 - (iv) a transition between urban and rural environments is provided;
- (c) allotments located in Redwood Street and as scheduled in Appendix 16, where:
 - (i) there are larger allotment sizes with a minimum area of 1,200m²;
 - (ii) there is a high level of rural amenity within this area; and
 - (iii) a high amenity, low density living environment on the periphery of the urban area is provided;
- (d) the subdivision of Lot 2 DP 350626 and Lot 1 DP 11019 on the corner of New Renwick Road and Aerodrome Road, where:
 - (i) lot sizes will be larger along and near the western and southern boundaries;
 - (ii) at least one but not more than two internal roads are to give direct access from the internal road network to New Renwick Road;
 - (iii) walking linkages are to be provided to give access to New Renwick Road;
 - (iv) a pedestrian-cycle link is to be provided to connect the internal road network to the Taylor River floodway reserve;
 - (v) at least two neighbourhood reserves, bounded by roads on at least two sides of its perimeter, are to be located within walking distance of all residential lots; and
 - (vi) optimised solar access to main living room windows or main private open spaces is sought throughout the development.

Policy 12.1.6 – Maintain the following characteristics within the residential environment of the Urban Residential 3 Zone:

- (a) located on the urban periphery of Blenheim;
- (b) closer proximity to open space and rural areas;
- (c) catering for a lower population density;
- (d) large lot sizes;

- (e) low density sites;
- (f) greater privacy expected as greater distance between properties;
- (g) more rural in nature;
- (h) access to infrastructure services and other services (stormwater, sewerage and kerbside rubbish and recycling), although this may be limited; and
- (i) low volumes of road traffic.

Benefits

Residential environments are an important resource and contribute to the social, economic and cultural wellbeing of people. Developing residential environments that meet the needs of Marlborough's urban population while maintaining and improving people's enjoyment of residential amenity is key. It is important that in achieving this, an urban form is developed that ensures Marlborough's towns remain compact and resilient and that where provided for, urban expansion is sustainably managed. Policies 12.1.2, 12.1.3, 12.1.4 and 12.1.6 have therefore been included to describe the characteristics for each Urban Residential Zone. Defining these characteristics provides greater clarity and guidance for the resource user and decision maker (when resource consent is required) on what is to be maintained in each of the residential zones. In some cases, additional characteristics have been developed within a zone in response to specific issues or forms of development. In many instances the characteristics described also set the foundation for standards for permitted activities or, in the case of subdivision, the minimum allotment sizes.

Costs

No negative effects or costs are expected to arise from the definition of the characteristics of each Urban Residential Zone included within the policy. Although the current resource management plans lack this level of detail regarding the characteristics of each zone, they effectively achieve the same result; therefore no new or additional costs are associated with these policies. Some landowners may not be able to achieve all of their building aspirations as a result of these policies. In situations where resource consent is required, costs will be incurred by the resource user; however, this is currently the case under the management framework of the WARMP and MSRMP.

Efficiency

The benefits of these policies to the wider community outweigh the costs to resource users. The provisions ensure that the resource user is responsible for maintaining the character and amenity of various residential areas. Therefore, it is more likely that the objective will be achieved at the lowest cost to the community.

Effectiveness

Collectively, the policies will be effective in achieving Objective 12.1. The provision of a range of zones from high to low density and in different locations enables opportunities for different forms of residential activity to occur. The policies also contribute to the management of individual sites as well as the wider neighbourhood. Furthermore, the policies will assist in addressing Issue 12A in two ways: firstly, by providing for a range of opportunities through different zones and secondly, by establishing characteristics for each of the zones to ensure people's enjoyment of residential amenity is maintained.

Policy 12.1.5

Policy 12.1.5 – Subdivision of allotments located in Grant Place and as scheduled in Appendix 16 is to be avoided, unless the effects of potential inundation and/or stability can be avoided, remedied or mitigated.

Benefits

Three properties in Grant Place have minimum allotment sizes of 3,000m² and due to potential inundation have been prevented from further subdivision. The creation of these allotments was allowed on the basis of major land contouring and the creation of elevated building sites to avoid poor land drainage around the foundation of the houses. The site of the houses was specified at the time of subdivision. For these reasons, the density of these land parcels has been maintained at 3,000m². This policy identifies that further subdivision of these allotments is to be avoided unless the developer can demonstrate the suitability of the land for subdivision, having regard to the inundation and stability matters.

This approach provides any future purchasers with environmental and social benefits. Neighbouring properties will also benefit, as addressing the effects of inundation and/or instability at the time of subdivision will reduce the potential for any offsite effects on adjacent properties. There are other environmental benefits as well, as mitigating or remedying any instability of Wither Stream at the site of these allotments will maintain the integrity of the stream bank, which in turn will reduce any downstream effects on the stream and/or properties.

Costs

Costs will be incurred by the landowner if measures are required to reduce the risk of inundation and/or stability. The aspirations of the landowner may not be realised if they are unable to subdivide allotments because the cost of remediation may be too great.

Efficiency

This policy is efficient as the benefits to the community, particularly for those properties within the vicinity of Grant Place, are greater than the potential costs to the affected landowners. The responsibility for remediating or mitigating land identified to be at risk is placed upon the landowner and not the wider community. As such, the provisions will likely achieve the objective at the lowest cost to the community.

Effectiveness

In terms of the contribution towards achieving Objective 12.1, the properties identified through Policy 12.1.5 assist to a limited extent in providing for a range of densities within Blenheim’s urban environment, as is sought by the objective. These 3,000m² properties are required to remain this size unless the inundation/instability issues can be addressed. The policy also helps to address Issue 12A by meeting the residential needs of the urban population by enabling subdivision of specific allotments with the condition that such subdivision does not lead to adverse effects on the environment as a consequence of instability or inundation issues.

Assessment of provisions to achieve Objective 12.2

Policies 12.2.1 to 12.2.3, 12.2.7 and 12.2.8

<p>Policy 12.2.1 – The character and amenity of residential areas within Marlborough’s urban environments will be maintained and enhanced by:</p> <ul style="list-style-type: none"> (a) providing for a range of areas with different residential densities and lot sizes, including for infill, greenfield and large lot developments; (b) ensuring there are residential areas within walkable distance to community, social and business facilities; (c) providing for sufficient and integrated open spaces and parks to meet people’s recreational needs; (d) higher standards of visual interest and amenity; (e) ensuring people’s health and wellbeing through good building design, including energy efficiency and the provision of natural light; and (f) effective and efficient use of existing and new infrastructure networks.
<p>Policy 12.2.2 – Protect and enhance the character and amenity values of residential environments for individual allotments by:</p> <ul style="list-style-type: none"> (a) controlling the height of buildings to avoid shading of adjoining properties and to maintain privacy; (b) ensuring that buildings located close to property boundaries do not unreasonably shade adjoining properties; (c) requiring functional, sunny and accessible outdoor living spaces within individual allotments; and (d) retaining adequate open space free of buildings and having adequate space available for service areas.
<p>Policy 12.2.3 – Require development to maintain or enhance streetscape amenity by ensuring:</p> <ul style="list-style-type: none"> (a) garages, carports and car parking do not dominate the street; (b) there are adequate areas free from buildings; (c) building height, proximity to street boundaries and scale reflect the existing or intended future residential character;

(d)	shared service areas are not visible from ground level outside the site; and
(e)	outdoor storage is managed in a way that does not result in unreasonable visual amenity effects or the creation of nuisance effects.
Policy 12.2.7 – To provide for the protection of community health and wellbeing, noise limits have been established that are consistent with the character and amenity of the residential areas.	
Policy 12.2.8 – Require signs to be designed and located to maintain residential amenity by being of an appropriate size and limited in number to convey information about the name, location and nature of the on-site activity to passing pedestrians and vehicles.	

Benefits

The identity of a town is reflected in its inherent character and amenity. These aspects influence where people choose to live and the community’s perception of wellbeing is enhanced by a coherent and pleasant living environment. Components of character and scale include open space, density of development, building height, proximity to services, style of built form and availability of infrastructure. Some of these factors lead to a general appreciation of an area, while others relate to the development of individual sites. Relevant to all residential environments, these policies reflect the nature of Marlborough’s residential environments that are to be maintained and enhanced. This includes the setting of standards through the policies for streetscape amenity, individual allotments, noise and signage.

These policies provide clarity for resource users undertaking development within the urban environment and in situations where resource consent is required, guidance is provided for the decision maker. This policy also reflects key elements of the Growing Marlborough strategy and concerns raised through community consultation regarding the potential adverse effects of development on the character and amenity of the urban environment. These policies are considered to have significant environmental and social benefits and contribute to overall community wellbeing.

Costs

Costs associated with these policies are not new, as the current MSRMP and WARMP already contain permitted activity standards for the development of residential environments. However, these new policies provide stronger rationale for the standards that have been included. The aspirations of some resource users may not be realised as there may be some limitation on development opportunities in certain locations. Furthermore, there could be costs associated with designing new developments consistent with the characteristics and amenity values of each of the respective residential zones. However, this is another cost that already exists in the current resource management plans.

Efficiency

These policies clearly define the elements that must be managed to maintain and enhance the character and amenity of Marlborough’s residential environments. Relative to cost, this policy is considered to be efficient in achieving Objective 12.2.

Effectiveness

These policies reflect the existing character and amenity elements of Marlborough’s residential environments and therefore contribute significantly towards achieving the objective. The permitted activity standards approach to manage amenity and character has been used previously and has been successful in managing the adverse effects of development in residential environments. As explained in the Costs evaluation above, the policy behind the approach has never before been expressed this clearly. Support for this approach has come through the development of the Growing Marlborough strategy and from community consultation.

Policy 12.2.4

Policy 12.2.4 – In relation to five areas zoned as Urban Residential 2 Greenfields Zone to the north and west of Blenheim, the following matters apply for subdivision and land use activities:	
(a)	farming activities are permitted to continue until residential development of the land occurs;
(b)	subdivision yield should aim for between 10 and 12 dwellings per hectare. A greater yield will be encouraged where it is shown that this will result in quality urban design outcomes;
(c)	allotment sizes greater than 800m ² are discouraged, other than at the boundary of the Urban Residential 2 Greenfields Zone and any non-residential zone, and then only for the purposes of

<p>managing reverse sensitivity effects from activities in adjoining zones;</p> <p>(d) subdivision design shall have regard to reverse sensitivity effects in respect of existing, lawfully-established rural and non-residential activities;</p> <p>(e) where indicative roading layouts are shown on the Marlborough Environment Plan maps for the Zone, the roading network proposed at the time of subdivision and development must be in general accordance with the indicative layout;</p> <p>(f) contaminated sites must be identified and contamination mitigated or remediated so that land is suitable for residential development;</p> <p>Specific Matter Applicable to Area 2:</p> <p>(g) activities within Area 2 in proximity to the National Grid Blenheim Substation must not compromise the operation and function of the substation;</p> <p>Specific Matter Applicable to Area 3:</p> <p>(h) the indicative roading layout in Area 3 will be dependent upon and enhanced by connections to existing public or private roads over land outside Area 3;</p> <p>Specific Matter Applicable to Areas 3 and 5:</p> <p>(i) subdivision design within Areas 3 and 5 must have particular regard to activities within the adjoining Business 2 and 3 Zones and Industrial 1 Zone at Westwood to mitigate reverse sensitivity effects from noise, truck movements and light spill; and</p> <p>Specific Matter Applicable to Areas 1, 2, 4 and 5:</p> <p>(j) subdivision design in Areas 1, 2, 4 and 5 must have particular regard to farming activities on the northern boundary of the areas and on the western boundary of Areas 4 and 5 in terms of the potential for spray drift, noise and traffic movements.</p>

Benefits

Following extensive growth strategy investigations, the Council identified five growth areas to the north and west of Blenheim in an Urban Residential 2 Greenfield Zone suitable for providing sufficient housing for approximately the next 20 years. These growth areas are numbered 1 to 5 in the Greenfield Zone. A number of general matters apply to all of the areas within the Zone, while some are specific to different areas. Policy 12.2.4 was implemented through Plan Changes 64 to 71 in the WARMP (made operative on 21 May 2014). This robust plan change process benefits the MEP as the purpose of the plan changes, the issues identified and the proposed provisions within the Section 32⁴ assessment are unchanged and resource users, the community and decision maker(s) are already aware of these policies and provisions.

Costs

No additional costs are expected to arise from as these policies have been in place since 2014.

Efficiency and Effectiveness

An assessment of the efficiency and effectiveness of these policies was undertaken in the Section 32 assessment for Plan Changes 64 to 71 to the WARMP and remain relevant for this Section 32 evaluation of the MEP.

Policies 12.2.5 and 12.2.6

<p>Policy 12.2.5 – Where resource consent is required, ensure that subdivision and/or residential development within Urban Residential Zones is undertaken in a manner that:</p> <p>(a) provides for the maintenance of those attributes contributing to the residential character of the locality, as expressed in Policies 12.1.2 to 12.1.4, Policy 12.1.6 and Policies 12.2.1 to 12.2.3;</p> <p>(b) maintains and/or enhances the residential environment of the area for the wider community;</p> <p>(c) ensures that the site can be adequately serviced (stormwater, sewer and water), accessed and/or otherwise adequately managed; and</p>
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⁴ Plan Changes No. 64, 65, 66, 67, 68, 69, 70 and 71 to the Wairau/Awatere Resource Management Plan Section 32 Assessment. File Reference: W045-15-64, W045-15-65, W045-15-66, W045-15-67, W045-15-68, W045-15-69, W045-15-70 and W045-15-71.

(d) ensures that the effects of any natural hazards are able to be avoided, remedied or mitigated.
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Policy 12.2.6 – Establish minimum allotment standards for the subdivision of land for residential purposes to ensure the outcomes in Policy 12.2.5 are met.

Benefits

The criteria included in Policy 12.2.5 aim to assist resource users and decision makers in determining whether resource consent applications for subdivision and/or residential development are appropriate and provides certainty for guiding resource users on which matters to focus on in consent applications. Matters concerning the character of the locality and urban amenity values are particularly important in regards to Section 7(c) (*the maintenance and enhancement of amenity values*) and Section 7(f) (*maintenance and enhancement of the quality of the environment*) of the RMA.

Establishing minimum allotment sizes as set out in Policy 12.2.6 means the characteristics and amenity of the residential environments identified in Policies 12.1.2 to 12.1.4 and 12.1.6 are maintained and enhanced.

Costs

Costs will be incurred by the resource user for resource consent application; however, these costs are not new as both the MSRMP and WARMP already have resource consent requirements where standards are not met or for subdivision.

Efficiency

Overall, the community benefits of these policies outweigh any costs to the individual resource user.

Effectiveness

The criteria included in these policies help achieve Objective 12.2, ensuring there is a high standard of amenity for residential development and attractive residential areas within Marlborough's urban environments. The policies also help to address Issue 12A.

Appropriateness of Objective 12.3

Objective 12.3 – Activities that are non-residential in character are appropriately located and of a scale and nature that will not create adverse effects on the character of residential environments.

Relevance

This objective is relevant as it responds to the issue and addresses the matters of concern within RMA Sections 5 to 7 and Section 31, in particular the health, safety and wellbeing of the community, future generations, amenity values, quality of the environment and noise. This objective also provides guidance to the decision maker as it will enable non-residential activities to be located within residential areas, where these activities are compatible with the amenity and character of the Urban Residential Zones.

Feasibility

The objective is considered feasible as the Council has the ability to deliver on the objective primarily through its application of regional and district plan functions. The policies and provisions provide criteria and guidance to ensure appropriate non-residential activities occur in a manner that maintains and enhances characteristics within the urban residential zones.

Acceptability

This policy is acceptable, as a residential zone characterised primarily by residential activities (not business activities) can continue to function successfully with appropriate non-residential activities and existing residents will be retained and new residents will be attracted. The wellbeing, health and safety for present and future generations will be enhanced by the appropriate management of valued social, economic and aesthetic aspects of the urban environment.

Assessment of provisions to achieve Objective 12.3

Policies 12.3.1 to 12.3.5

Policy 12.3.1 – Enable appropriate home-based activities in keeping with the character and amenity values

expected in residential environments.
Policy 12.3.2 – Provide for appropriate community-based facilities to locate within residential environments where they meet a community need and are in keeping with the expected residential character and amenity values for Urban Residential Zones.
<p>Policy 12.3.3 – Avoid business activities other than those expressly provided for from locating in Urban Residential Zones, unless:</p> <ul style="list-style-type: none"> (a) the activity will not detract from the vibrancy and function of the hierarchy for Business Zones set out in Policy 12.4.4; (b) the site is adjacent to a Business Zone and provides a logical extension to the Zone; (c) the development maximises opportunities for integration with a Business Zone; or (d) the site is in the Urban Residential 2 Zone in Havelock, Rai Valley, Renwick, Ward or Seddon and: <ul style="list-style-type: none"> (i) the commercial activity would have significant positive effects in terms of supporting the needs of the community and visitors to the area; (ii) the activity is unable to be located in or adjacent to the nearest Business 2 Zone, or no Business 2 Zone exists within the towns identified; (iii) the location is appropriate for the proposed activity; and (iv) any adverse effects from noise, vehicle movements and on-street parking supply can be avoided or, if avoidance is not possible, adequately mitigated.
Policy 12.3.4 – Avoid industrial and rural activities (other than those expressly provided for), sport and recreation activities that involve motor vehicles and any other activities not compatible with the character and amenity of Urban Residential Zones.
<p>Policy 12.3.5 – Where an activity is proposed that is non-residential in character and is not otherwise provided for, resource consent will be required and the following matters must be determined by decision makers in assessing the adverse effects on residential activities before any assessment of other effects is undertaken:</p> <ul style="list-style-type: none"> (a) the extent to which the activity is related to residential activities occurring at the site; (b) the functional need for the activity to be located within a residential zone and why it is not more appropriately located within another zone; (c) whether the proposed activity will result in a loss of land with residential potential and the extent of this loss when considered in combination with other non-residential based activities; and (d) the extent to which the proposed activity will have an adverse effect on the residential environment.

Benefits

These policies allow a greater diversity and range of non-residential activities to locate within the residential zones, providing social and economic benefits to residents without compromising residential amenity. These policies support small business owners and operators by enabling individuals to start a business (e.g. a home occupation) without high start-up costs associated with an alternative location in a retail zone. It is anticipated that there will be increased vibrancy, vitality and opportunities for social interaction within the residential environment.

The criteria included in the policies, particularly 12.3.3 and 12.3.4, address the type and scale of activities that are appropriate and limit inappropriate activities that would result in significant adverse effects on residential vitality and viability. These policies will assist in managing most reverse sensitivity issues through providing for compatible activities within the residential areas.

Costs

Under these policies, there is the potential for an increase in nuisance effects, traffic and/or signage in the urban residential areas. A change in character of residential areas would be contrary to the aspirations of some existing residents. Additional costs may be incurred by resource users if resource consent is required for non-residential activities undertaken within the Urban Residential Zones.

Efficiency and Effectiveness

The community benefits of these policies outweigh the costs incurred by individual resource users. These policies help achieve the objective by recognising that non-residential activities should be

enabled within the residential environment provided they are appropriately located and are compatible with the residential character and amenity of the individual site and overall area.

Methods of implementation

Zoning

The main difference between the zoning in the current resource management plans and the MEP is that similar activities and permitted activity standards have been consolidated into fewer zones. The current resource management plans have a total of six urban-based zones while the MEP has only four: Urban Residential 1, Urban Residential 2, Urban Residential 2 Greenfields and Urban Residential 3 Zones.

Urban Residential 1 has not changed from that outlined within the WARMP; however, part of the Colonial Vineyards site (corner of New Renwick and Aerodrome Roads) has been added to this zone. The Urban Residential 2 Zone remains the same and is located in the residential environments of all towns within the District. The Urban Residential 2 Greenfields Zone was established through Plan Changes 61 to 74 in the WARMP to accommodate predicted future growth. Finally, Urban Residential 3, a newly-defined zone located to the west of Blenheim and in Rai Valley and provides for lower density living and a buffer between the Urban Residential 2 and Rural Environment Zones.

Rules

The main difference between the rules in the current resource management plans and the MEP is that certain residential activities are provided for as discretionary rather than permitted activities, for example in Sensitive Soil Areas and Ground Water Protection Areas (GPAs). Soil Sensitive Areas are mapped spaces identifying three soil types within Marlborough that are at high risk of contamination, depending on the activities that occur on them. The three soil types are free-draining, impeded and loess. GPAs mark the area around community groundwater supply wells within which contaminants could migrate into the wells at concentrations that may adversely affect the quality of water drawn from the well. The risk of contamination to certain soils and supply wells can be reduced by imposing controls on activities within the Soils Sensitive Areas and GPAs.

Other options considered to achieve Objectives 12.1 to 12.3

One other reasonably practicable option was considered by the Council to achieve Objectives 12.1 to 12.3. This was to adopt the overarching approaches taken with the existing provisions of the MRPS, MSRMP and WARMP.

The Urban Environments chapters of both the MSRMP (Chapter 10) and the WARMP (Chapter 11) recognise that the urban resource must be managed in a sustainable manner. As there are two resource management plans under the current policy framework, the issues, objectives and policies for the different residential environments are very similar. Subsequently there is significant duplication within the MSRMP and the WARMP. For example, eight issues, six objectives and 39 policies are identified in the WARMP and five issues, six objectives and 24 policies are identified in the MSRMP. Between the two plans there are a total of 13 issues, 12 objectives and 63 policies.

Through the review process, the current resource management framework has been rationalised by combining the MRPS, the MSRMP and WARMP. Using this approach, the MEP identifies two issues, three objectives and 19 policies that better reflect the concerns identified through community consultation, the Growing Marlborough strategy and other reports identified in the *Information and Analysis* section of this Section 32 report. Compared to the MSRMP and WARMP, the MEP objectives and policies identify more clearly the community values and characteristics to be protected. This provides greater guidance for resource users and decision makers in terms of provisions.

There are many similarities between the current policy framework of the MRPS, MSRMP and WARMP when compared with the provisions included in the MEP. Although there has been substantial consolidation of the MSRMP and WARMP, the overall aim of the objectives and policies (to enable people and communities to provide for their residential needs now and into the future while protecting the natural resources of urban environments) has been carried through into the MEP. The main objectives are that:

- activities within the residential environment are predominantly residential in nature;

- the character and amenity of the four residential zones are maintained and enhanced;
- non-residential activities are enabled, provided they meet permitted activity standards; and
- development in residential areas does not have adverse impacts on community infrastructure and health standards.

In summary, many elements of the status quo are continued into the MEP. However, the Council believes that for the foregoing reasons it is not appropriate to continue entirely with the current approaches of the MRPS, MSRMP or WARMP. Through the plan review process, the specific issues and opportunities facing different areas of the District have been updated, including residential activities, population growth, community infrastructure and social issues. This better reflects the concerns identified by the community in the time since the MRPS, MSRMP and WARMP were notified.

Risk of acting or not acting

In terms of Section 32(2)(c) of the RMA, which requires an assessment of the “*risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions,*” the Council considers that it does have certain and sufficient information on which to base the proposed policies and methods (Chapter 12 Section 32).

Business environments

Evaluation for Issue 12B

Issue 12B – A loss in the vitality, viability and/or identity of Marlborough’s business environments may result either where inappropriate activities are located within these environments or when the fragmentation of business areas occurs.

Appropriateness of Objective 12.4

Objective 12.4 – Marlborough has a well-structured and economically and socially successful range of business environments where the vitality, viability and identity of these environments is retained and enhanced.

Relevance

This objective addresses the matters of Section 5 of the RMA, ensuring that land and opportunities for development will be available to support economic growth and employment in the region. The objective seeks to create vibrant business environments that can function as successful employment and economic nodes as well as provide a focus for social and community life.

It is anticipated that this objective will result in the enabling of economic wellbeing in the region’s town centres by reinforcing their commercial role and function. Business centres represent considerable investment in land and buildings under both public and private ownership. Roads and service infrastructure is provided to a high standard, which then provides the ability for land owners to optimise the efficient use of such infrastructure. This is important in achieving an efficient and effective centres network that remains vibrant and provides for the economic and social wellbeing of the immediate or supported community.

The objective aligns with the principles of Section 7(b) of the RMA (*the efficient use and development of natural and physical resources*) as it seeks to promote certainty in ongoing economic development, providing for the continued use of natural and physical resources associated with the region’s town centres. The objective also addresses the matters of Section 7(g) of the RMA (*any finite characteristics of natural and physical resources*) as it recognises the characteristics of physical resources associated with business centres and, to a lesser extent, identified growth areas.

Feasibility

Most of Marlborough’s business environments are well-established, with management frameworks in place to address a range of issues. Known effects and characteristics arise from these environments and Objective 12.4 is a continuation of an existing approach that is considered feasible. This is


achieved through the Council’s district functions under Section 31 of the RMA. Given the experience the Council has had in managing business environments, the level of risk and uncertainty associated with the objectives is considered acceptable.

Acceptability

This objective is reasonable in terms of meeting the Council’s obligations of Section 5 of the RMA. A well-structured business environment offering a range of business opportunities will enable businesses and the broader community to develop resources and protect those aspects of the environment they value. This approach will therefore facilitate appropriate development, use and protection of natural and physical resources and support economic, social and cultural wellbeing within the business environments.

Assessment of provisions to achieve Objective 12.4

Policies 12.4.1 to 12.4.4

Policy 12.4.1 – Provide for a wide range of commercial and industrial activities in a variety of zones to encourage vibrant and viable business centres.		
Policy 12.4.2 – The central business areas of Blenheim and Picton provide a focus for retail, commercial business, employment, leisure, visitor accommodation and cultural activities.		
Policy 12.4.3 – The suburban business areas in Picton and Blenheim and those business areas in the smaller towns are vibrant and viable, providing hubs for social and economic activities to rural and suburban communities.		
Policy 12.4.4 – Ensure a sequential approach is taken to manage the location of commercial activity within Blenheim and Picton using the following retail hierarchy:		
Tier	Zone	Preference
1	Business 1 Zone	
2	Business 2 Zone	
3	Business 3 Zone	

Benefits

These policies define those locations within which business and/or industrial activities can occur within the urban environment of each town centre. They provide direction to the public and developers as to where different business sectors may operate. Maintaining the primary commercial centres of Picton and Blenheim will encourage more sustainable living patterns as well as maintain vibrant and functional centres that are attractive places for people to live, work and play. These policies capitalise on the significant social and economic infrastructure and services that are amassed in the town centres of Picton and Blenheim.

Policy 12.4.4 provides for a hierarchy of location preferences for business and retail activities. This approach recognises the evolving needs and patterns of business activities within Marlborough and the fundamental tenet that the centres of Marlborough’s larger towns should remain the focus of the District’s retail activities.

Costs

Where the resource user or developer wishes to develop land in a manner contrary to these policies, costs will be incurred as a resource consent application will be required to undertake such activities. These policies may also limit flexibility with regards to the choice of site for the development of business activities.

Efficiency and Effectiveness

These policies are considered efficient as the community benefits outweigh the costs to individual resource users. These policies are effective in achieving the objective as they focus business development within nominated centres. As a result, there will be opportunities for increased

employment within the District, which will maintain and enhance the vitality, viability and identity of the business environment. These policies also manage the level of amenity and quality of the business and industrial environments as appropriate to the different zones.

Appropriateness of Objective 12.5

Objective 12.5 – A range of opportunities for different business and industrial activities are available.

Relevance

This objective helps achieve Section 5 of the RMA by managing the use, development and protection of natural and physical resources, particularly business centres. In doing so, people and communities are able to provide for their social, economic and cultural wellbeing as the objective provides for future development opportunities appropriate to each town's central location. This approach will help service community needs and provide a local place of employment while avoiding, remedying and mitigating the effects of development on the environment.

Feasibility

The objective is feasible as the areas identified for business and industrial purposes are appropriately located in the Business and Industrial Zones. With particular reference to Industrial Zones, approximately 75 ha of land is available for development in the greater Blenheim region, which further supports the feasibility of this objective. Similarly, the Council considers there is sufficient land area to accommodate the current and forecasted level of business activities.

The objective is achievable as through its duties, functions and powers under Sections 30 and 31 of the RMA, the Council can direct where and how residential growth should occur. By reserving Business and Industrial zoned land for business and industrial activities, this objective ensures that sufficient residentially-zoned land remains.

Acceptability

The objective is consistent with those community aspirations expressed through early consultation and subsequently through the development of the MEP provisions for retaining a vibrant central business district in Blenheim within which businesses can be concentrated. Given that there is sufficient land for both business and industrial development (either through infill or new development), it is considered that the objective will not result in unjustifiably high costs for the community as a whole or part.

The objective is reasonable as it recognises that business and industrial activities and their associated growth is to occur subject to being appropriately located. The objective acknowledges that the location of business and industrial activities should be managed to ensure the character of these environments is maintained.

No unjustifiably high costs have been identified for the community.

Assessment of provisions to achieve Objective 12.5

Policies 12.5.1 to 12.5.6

Policy 12.5.1 – Maintain the following characteristics within the central business areas of Blenheim, Renwick, Picton and Havelock:

- (a) the core of the urban town, usually anchored around a 'main street' of retail and premier business;
- (b) a wide variety of activities, including retail shops, professional and administrative offices, civic and community facilities, emergency service activities, personal and household services, entertainment, restaurants, bars and public open space;
- (c) the function of the town in serving the needs of residents and visitors;
- (d) higher density living within or in close proximity to town centres;
- (e) flexibility in allotment sizes to cater for a wide range of business activities;
- (f) provision of public parking;
- (g) apartments above businesses;

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<ul style="list-style-type: none"> (h) car-orientated areas, with roads allowing traffic to flow through and around the town centre; and (i) considerable public and private investment in the form of roading, car parking, street lighting, street furniture, open space and other infrastructure.
<p>Policy 12.5.2 – Maintain the following characteristics within the suburban areas of Blenheim and Picton:</p> <ul style="list-style-type: none"> (a) localised shopping and service functions, typically meeting the day-to-day needs of the surrounding residential areas; (b) a decentralised commercial resource distinct from the Business 1 Zone; and (c) good exposure to passing motorists.
<p>Policy 12.5.3 – Maintain the following characteristics of business areas within the rural towns of Ward, Seddon, Wairau Valley and Rai Valley:</p> <ul style="list-style-type: none"> (a) location on major arterial routes; (b) services and facilities serving both the local and wider rural population and visitors; (c) low intensity development; and (d) an informal appearance.
<p>Policy 12.5.4 – Maintain the following characteristics for large format retail business areas within Blenheim’s urban environment:</p> <ul style="list-style-type: none"> (a) generation of high levels of repeat visitation; (b) located away from the Business 1 Zone; (c) located on or in close proximity to arterial roads and catering to car-oriented shoppers; (d) free-standing, large, single-floor, rectangular box structures built on a concrete slab, surrounded by a large concrete parking lot; (e) floor space of the store accommodating significantly more merchandise than a traditional ‘main street’ retailer; and (f) high ceilings and a warehouse-like appearance with standardised façades.
<p>Policy 12.5.5 – Maintain the following characteristics within areas zoned for light industrial activities in Blenheim, Picton and Seddon:</p> <ul style="list-style-type: none"> (a) a range of light service industries and ancillary activities (light manufacturing, logistics, storage, warehousing, transport and distribution are anticipated); (b) commercial activities peripheral to and complementing those of the Business 1 Zone; (c) activities that do not place substantial demands on the natural and physical resources of Marlborough; (d) activities that do not require the disposal of large quantities of liquid trade wastes; (e) smaller, localised activities in which standards protect the environment, e.g., building height; and (f) high volumes of traffic.
<p>Policy 12.5.6 – Maintain the following characteristics within areas zoned for heavier industrial activities located near Blenheim:</p> <ul style="list-style-type: none"> (a) location outside the urban area of Blenheim; (b) often surrounded by larger lot residential or rural areas; (c) a range of heavy industrial activities; (d) non-industrial activities ancillary to industrial activities; (e) mostly well-separated from adjacent Business 1 and Industrial 1 Zones; (f) activities placing substantial demands on the natural and physical resources of the District (land, water, air, infrastructure and services); (g) activities requiring disposal of large quantities of liquid trade wastes; and (h) higher volumes of large vehicle traffic.

Benefits

These policies provide a framework that ensures activities and building designs are appropriate to the role of the zone, retaining the character and amenity of the area. This approach allows business and industrial activities to occur in a planned and coordinated manner, ensuring that the future needs of people and communities will be met. These policies enable a range of businesses and industrial activities to establish within the business areas and this will result in wide social and economic benefits for the District.

Costs

Costs will be incurred by the resource user in preparing resource consent applications for activities that are not compatible with the characteristics described in the policies. Any new developments must maintain and enhance the described character of the different town centres, which may increase the cost of development.

Efficiency

These policies will be efficient in achieving the objective, as the wider community benefits of maintaining the character of business environments outweigh the costs to the resource user.

Effectiveness

These policies are effective in achieving the objective given that they seek to encourage a range of compatible activities within Marlborough's urban environments by providing three business zones and two industrial zones that cater for demand in business and industrial land provision.

Appropriateness of Objective 12.6

Objective 12.6 – The maintenance and enhancement of the character and amenities of business and industrial areas make these environments places where people want to work, visit and invest.

Relevance

The objective is relevant as it recognises that the value of the character and amenities of Marlborough's town centres are key focal points for surrounding communities, community and transport infrastructure initiatives and nodes for employment. Certainty is provided to business owners, community providers and the wider community that the role and function of the town centre network is to be sustained.

The objective implements Section 7(c) (*the maintenance and enhancement of amenity values*) and Section 7(f) (*maintenance and enhancement of the quality of the environment*) of the RMA as it takes into account the maintenance and enhancement of amenity values and the quality of the built environment.

Feasibility

The objective is feasible as it is within the Council's functions to provide business areas with such character and amenity that people are encouraged to work, visit and invest in these areas. The objective provides for a range of commercial, community and residential activities, scales and intensities within the business environment of each town. It recognises that each town centre contributes its own character, amenity and benefits to the community of interest. In this way, specific provisions are applied to maximise the diversity of activities that correspond with the surrounding areas.

Acceptability

Maintaining and enhancing the character and amenity values of Marlborough's business and industrial areas requires ongoing commitment from both the Council (in investing in the public services and infrastructure) and developers (in terms of private investment). This approach helps to sustain associated resources to meet reasonably foreseeable needs and should not result in unjustifiably high costs for the community.

Assessment of provisions to achieve Objective 12.6**Policies 12.6.1 to 12.6.7**

Policy 12.6.1 – Require development to maintain or enhance streetscape amenity in business zones by

<p>ensuring:</p> <ul style="list-style-type: none"> (a) an attractive street interface is maintained through landscaping where buildings are not built to the street frontage; (b) service and outdoor storage areas are not visible from ground level of a public place; (c) architecturally-interesting façades are presented through variation in building design, scale and the use of glazing; (d) a continual frontage of buildings is provided along the street, apart from pedestrian alleyways; (e) clear and direct visual connection is provided between the street and the building interior; (f) direct physical connection is provided to the building interior through clearly identified pedestrian entrances; (g) shelter is provided for pedestrians on footpaths in the form of a veranda; and (h) buildings are designed to have commercial activities at the ground floor, with an adequate ground floor to ceiling height to accommodate these activities.
<p>Policy 12.6.2 – Development of activities in business or industrial zones will provide good amenity outcomes through the following:</p> <ul style="list-style-type: none"> (a) ensuring people’s health and wellbeing are maintained and enhanced through good building design; (b) requiring a high standard of visual interest and amenity qualities (noise levels, minimal dust and odour, privacy, overall volumes of traffic movements, building bulk and density and access to daylight); (c) providing planting on road reserve; and (d) requiring integration of landscaping on individual allotments to soften the appearance of buildings fronting the road in areas outside of the streets identified in Appendix 18.
<p>Policy 12.6.3 – Ensure buildings are located within individual allotments to provide good amenity outcomes by:</p> <ul style="list-style-type: none"> (a) controlling the height of buildings to avoid, remedy or mitigate shading of adjoining properties and to maximise opportunities for views to important landscape features; (b) ensuring that buildings located close to property boundaries do not shade adjoining properties, have intrusive height in relation to the property boundary or have cross-boundary nuisance effects in terms of dust, odour and noise; and (c) controlling noise levels.
<p>Policy 12.6.4 – Promote visual and physical connections through landscape design and enhancement measures compatible with visual character between:</p> <ul style="list-style-type: none"> (a) the Blenheim Business 1 Zone and the Taylor River and reserve; and (b) the Picton Business 1 Zone and the waterfront.
<p>Policy 12.6.5 – Noise limits have been established to provide for the protection of community health and welfare. These limits are consistent with the character and amenity of the business and industrial zones.</p>
<p>Policy 12.6.6 – Limit the size and number of signs so that they convey information about the name, location and nature of a business to passing pedestrians and vehicles without being oversized or too numerous.</p>
<p>Policy 12.6.7 – Where resource consent is required, ensure that development within the business or industrial zones is undertaken in a manner that:</p> <ul style="list-style-type: none"> (a) provides for the maintenance of those attributes contributing to the business character of the locality, as expressed in Policies 12.5.1 to 12.5.5; (b) provides for the maintenance of those attributes contributing to the industrial character of the locality, as expressed in Policies 12.5.6 and 12.5.7; (c) maintains and/or enhances the business and industrial environments of the area for the wider community; (d) ensures the site can be adequately serviced (stormwater, sewer and water); and (e) ensures that the effects of any natural hazards can be avoided, remedied or mitigated.

Benefits

The criteria included in these policies provide those within the business and industrial zoned areas greater certainty about development and the amenity, design and nuisance expectations of adjoining developments, along with the environmental outcomes.

It is anticipated that enhanced amenity will reduce the likelihood of centre decline, although this may be offset by the extent to which design requirements delay or reduce investment in the area. Enhanced amenity and functioning of a zone is also likely to have flow-on effects to commercial opportunities.

From an environmental perspective, these policies reduce the risks to the health, safety and wellbeing of the community by managing nuisance effects and providing standards for maintaining character and amenity. This benefits urban form and growth through providing higher amenity opportunities for mixed-use within close proximity to the centres network.

Costs

Where the resource user or developer wishes to develop land in a manner contrary to these policies, costs will be incurred as resource consent will be required to undertake such activities. Aspirations of the resource user may not be realised if the use of the site is constrained because of specific policy criteria or alternative locations are required for the desired activity.

Efficiency

These policies are efficient as they provide greater certainty for the resource user on the expected amenity levels and effects of their activities, which in turn facilitates prudent business decisions and contributes to sustainable economic activity. The policies also contribute to a pleasant environment for customers, providing economic vibrancy, vitality and subsequently, long-term sustainability.

These policies are efficient as they give effect to Sections 7(c) (*the maintenance and enhancement of amenity values*) and 7(f) (*maintenance and enhancement of the quality of the environment*) of the RMA. Maintaining and enhancing the character and amenities of business and industrial areas (and therefore avoiding effects on the environment) make these environments places where people want to work, visit and invest.

Effectiveness

The policies are considered to be effective in achieving the objective as by maintaining and enhancing the character and amenities of business and industrial areas, these environments will be places in which people want to work, visit and invest. The policies aim to maintain and enhance character and amenity within business and industrial centres by directing or concentrating together a diverse range of activities, which will better enable and consolidate social and economic wellbeing. Such an approach provides certainty and results in long-term investment into the physical resources of the business centres, as well as within zones that adjoin these areas.

Appropriateness of Objective 12.7

Objective 12.7 – Reverse sensitivity effects on adjoining residential zones from activities within business and industrial zones are avoided.

Relevance

The objective is relevant as it recognises that activities located within business and industrial zones can generate a range of direct amenity, traffic and nuisance effects as well as pressures that may have indirect adverse effects. As such, the objective acknowledges that the location of business and industrial activities should be managed to ensure reverse sensitivity issues are reduced, that threshold-associated noise levels are applied, and the character of business and industrial environments should be appropriately recognised.

This objective is consistent with the purpose and principles of the RMA as it seeks to sustainably manage the industrial land resource for industrial activities. In particular, this objective also seeks to manage reverse sensitivity effects of different activities, therefore providing for the community's social and economic wellbeing.

Feasibility

The objective is considered feasible as the Council has the ability to deliver on the objective primarily through its application of regional and district plan functions. The policies and provisions provide criteria and guidance to ensure there is appropriate separation between business/industrial activities and residential areas so that reverse sensitivity effects on adjoining residential zones are avoided.

Acceptability

This objective is acceptable because the business environments in which reverse sensitivity issues are to be managed will function well and businesses and customers will be retained and new businesses will be attracted. As a result, the economic and social wellbeing of the community as a whole will be enhanced.

Assessment of provisions to achieve Objective 12.7

Policy 12.7.1

Policy 12.7.1 – Business and industrial activities are appropriately separated from the boundary of adjoining residential zones so that any adverse effects on residential activities are avoided, remedied or mitigated through:

- (a) establishing setbacks for industrial activities from a residential boundary;
- (b) screening of business or industrial outdoor storage areas from a residential boundary;
- (c) restrictions on light spill;
- (d) setting more sensitive noise limits at the boundaries between the Industrial 1 Zone and the Urban Residential 1 Zone; and
- (e) standards for dust and odour.

Benefits

Buffering between business and residential zones will provide amenity benefits to the community. It is expected that this will lead to a reduction in reverse sensitivity effects and potential conflicts between business and industrial and residential users, particularly in regards to residents' concerns over intrusive effects of buildings, visual privacy, light spill, noise, dust and odour. Subsequently, there is likely to be a decrease in nuisance complaints/conflicts between incompatible activities.

Costs

Costs may be incurred by the resource user in terms of ensuring that amenity and reverse sensitivity issues are addressed. Where activities are not compatible with these policies and provisions, costs will be incurred as resource consent will be required.

Efficiency

These policies are efficient as community benefits outweigh the costs to the individual resource user. These policies also protect residential activities from reverse sensitivity impacts of business and industrial activities. As such, reverse-sensitivity effects and associated costs to industrial activities will be reduced.

Effectiveness

This policy approach is an effective way to ensure that the character of the Residential Zone and both the Business and Industrial Zones is retained and in particular, that the privacy of residentially-zoned properties is retained. Policy 12.7.1 is also effective as the location of business and industrial activities will be managed deliberately to avoid reverse sensitivity and amenity effects on adjoining residential zones. This approach contributes to the appropriate function, amenity and character of business environments across the District.

Appropriateness of Objective 12.8

Objective 12.8 – A range of appropriate non-business or non-industrial activities are able to be undertaken.

Relevance

With respect to Section 5 of the RMA, this objective is the most appropriate way to sustain the industrial land resource now and into future by protecting it from incompatible or inappropriate non-business and non-industrial activities. The objective enables people and communities to provide for their economic, social and cultural wellbeing and for their health and safety by enabling more flexible employment opportunities by allowing a range of non-business and non-industrial activities to occur in these zones.

This objective is considered relevant to Issue 12B as it controls appropriate non-business and non-industrial activities wishing to locate within business and industrial zones and protects business and industrial activities from incompatible or inappropriate land uses.

Feasibility

The inclusion of appropriate non-business and non-industrial activities in the business and industrial zones broadens the range of activities that can occur. This is an appropriate method by which to achieve the objective. Providing guidance on appropriate land use activities is considered an effective manner by which to achieve the objective for the business and industrial areas. The ability to control how, where and when these activities occur within business and industrial zones is important in addressing adverse effects on the environment with respect to character and quality of the business environment.

Acceptability

The proposed provisions are reasonable as they enable other activities to occur in areas intended primarily for business and industrial land use. No unjustifiably high costs on the community have been identified.

Assessment of provisions to achieve Objective 12.8

Policies 12.8.1 to 12.8.3

Policy 12.8.1 – Enable non-business activities in the business areas where the adverse effects on the environment do not detract from the character or quality of the business environment.
Policy 12.8.2 – Enable non-industrial related activities to occur in industrial areas where the adverse effects on the environment do not detract from the character or quality of the industrial environment.
<p>Policy 12.8.3 – Where a non-business or non-industrial activity is proposed that is not otherwise provided for as a permitted activity, resource consent will be required and the following matters must be determined by decision makers in assessing the adverse effects on business or industrial activities before any assessment of other effects is undertaken:</p> <ul style="list-style-type: none"> (a) the extent to which the activity is related to business or industrial activities occurring at the site; (b) the functional need for the activity to be located within a business or industrial zone and why it is not more appropriately located within another zone; (c) whether the proposed activity will result in a loss of land with business or industrial potential and the extent of this loss when considered in combination with other non-business or non-industrial based activities; and (d) the extent to which the proposed activity will have an adverse effect on the business or industrial environments.

Benefits

These policies will provide increased certainty for resource users, decision makers and residents as to the level of non-residential activity permitted in the business areas. These policies will ensure that the character and amenity of the business areas are not undermined by non-business activities.

Where resource consent is required, these policies provide guidance to the resource user and decision maker as to the adverse effects that must be avoided when non-business or non-industrial activity is proposed for business and industrial areas.

Costs

If proposed activities are not in keeping with the character of the business environment, some landowners may not be able to realise their business aspirations. Where resource consent is required, costs will be incurred by the resource user. However, from an environmental perspective, there is potential for reverse sensitivity effects to arise if non-business or non-industrial activities detract from the character or quality of the business environment.

Efficiency

These policies are considered efficient in achieving the objective as the community benefits outweigh the costs to the resource user.

Effectiveness

These policies are effective in implementing the objective, as the provision for non-business and non-industrial activities within these areas will promote opportunities for increased employment within the District and subsequently maintain and enhance the vitality, viability and identity of the business environment.

Policies 12.8.4 and 12.8.5

Policy 12.8.4 – Allow for high-density residential activity on industrially-zoned land north of Park Terrace, as identified in Schedule 1 of Appendix 20.
Policy 12.8.5 – Allow for commercial and residential activity on industrially-zoned land adjoining Boyce Street, Nelson Street and Middle Renwick Road in Springlands, as mapped in Schedule 2 of Appendix 20.

Benefits

These policies signal that the land identified in Appendix 20 may be better utilised for residential activities than industrial activities (as has occurred historically). This provides landowners with flexibility for potential land use changes.

Costs

No costs are associated with these policies as they simply signal that the land could be used for residential purposes. Any landowners choosing to move from industrial to residential land use would incur the associated costs.

Efficiency

These policies are considered efficient in achieving the objective as the community benefits outweigh the costs to the resource user.

Effectiveness

These policies are effective in implementing the objective, which enables commercial and/or residential activities to be undertaken in areas specifically zoned industrial. Providing for these activities within industrial areas will promote opportunities for increased business, residential development and employment within the District, which in turn will maintain and enhance the vitality, viability and identity of the business environment.

Methods of implementation

Zoning

The main change from the current resource management plans is that commercial areas where similar activities and performance standards occur have been consolidated in the MEP. The current resource management plans have a total of five business-based zones and three industrial-based zones, while the MEP has just three business-based zones and two industrial-based zones.

Business 1 Zones are located in the centre of Marlborough’s main towns - Blenheim, Renwick, Picton and Havelock. Business 2 Zones encompass suburban areas outside the Business 1 Zone in the surrounding residential areas of Blenheim, Picton, Ward, Seddon, Wairau Valley and Rai Valley. A new zone, Business 3 Zone, has been applied to two sites within Blenheim to accommodate large format retail operations.

Industrial 1 Zones are located in Blenheim, Picton and Seddon and provide for a range of light service industries. Industrial 2 Zone is located in close proximity to Blenheim and provides for a range of heavy service industries.

Regional and district rules

The current resource management plans provide no clear distinction between Industrial 1 (light) and Industrial 2 (heavy) type activities. In the WARMP, rules 7.1.3.3 *Maximum Building Height* and 37.1.4 *Limitation on Retail Activity* provide the only distinction between light and heavy industrial activities, while the provisions in the MSRMP have no distinction between light and heavy industrial activities. In the MEP, a clear distinction has been made in the rules to differentiate between light and heavy industrial activities within the Industrial 1 and Industrial 2 Zones, respectively.

Other options considered to achieve Objectives 12.5 to 12.8

One other reasonably practicable option was considered by the Council to achieve Objectives 12.5 to 12.8: to adopt the overarching approaches of the existing provisions of the MRPS, MSRMP and WARMP.

The Urban Environments chapters of both the MSRMP (Chapter 10) and the WARMP (Chapter 11) identify similar issues and recognise that the business and industrial resource must be managed in a sustainable manner. The issues, objectives and policies for the business and industrial areas within the urban environment of both the WARMP and MSRMP are similar. As a result, there is a large amount of duplication within the two resource management plans. To illustrate this point, in the WARMP three issues, seven objectives and 35 policies are identified for business areas; for the MSRMP, three issues, four objectives and 14 policies are identified. Similarly, in the WARMP three issues, two objectives and 12 policies are identified for industrial areas while in the MSRMP two issues, three objectives and 15 policies are identified.

Through the review process, the current resource management framework has been rationalised and the MRPS, MSRMP and WARMP have been combined. This approach allows the MEP to define just one issue, three objectives and 22 policies that better reflect the issues identified by through community consultation, the Growing Marlborough strategy and other reports identified in the *Information and Analysis* section of this Section 32 report. Compared to the MSRMP and WARMP, the MEP objectives better identify which values the community wishes to protect and the policies provide greater detail of those characteristics to be protected. This allows for greater guidance for resource users and decision makers in terms of provisions.

There are many similarities between the current policy framework of the MRPS, MSRMP and WARMP and the provisions of the MEP. Although there has been substantial consolidation of the MSRMP and WARMP, the overall aim of the objectives and policies (to enable people and communities to provide for their business needs now and in the future while protecting the natural resources of the urban environments) has been carried over to the MEP. The objectives and policies in the MEP ensure that business environments:

- are well-structured to enhance and retain the vitality, viability and identity of these environments;
- have a range of business opportunities available, including non-business and non-industrial activities;
- are places where people want to work, visit and invest because of their character and amenities; and
- do not detract from the residential character of adjoining residential zones, i.e. through reverse sensitivity effects.

In summary, many elements of the status quo have been carried over into the MEP. However, the Council believes that for the foregoing reasons it is not appropriate to continue entirely with the current approaches of the MRPS, MSRMP or WARMP. Through the plan review process, the specific issues and opportunities facing different areas of the District have been updated, including business and industrial activities, population growth, community infrastructure and social issues.

Risk of acting or not acting

In terms of Section 32(2)(c) of the RMA, which requires an assessment of the “*risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions,*” the Council considers that it has certain and sufficient information on which to base the proposed policies and methods (Chapter 12, Section 32).

Subdivision

Evaluation for Issue 12C

Issue 12C – Subdivision and development within urban environments can lead to increased demand for essential infrastructure services.

Appropriateness of Objective 12.9

Objective 12.9 – The condition, capacity, efficiency and affordability of essential infrastructure services reflects the needs of Marlborough’s urban environments.

Relevance

This objective is consistent with Section 5(2) of the RMA as it is concerned with the sustainable management of natural and physical resources to meet the reasonably foreseeable needs of future generations. The objective is also consistent with RMA Sections 7(b) - *the efficient use and development of natural and physical resources*, (ba) - *the efficiency of the end use of energy* and (c) - *the maintenance and enhancement of amenity values*.

Marlborough’s urban areas are generally well-served by infrastructure and it is logical to make efficient use of existing capacity, particularly in locations where there are few constraints. Therefore, this objective is very relevant to the subdivision and development of land in urban environments as these activities will inevitably give rise to demands for extensions and/or increases in the capacity of existing services or the need to provide new services where they do not currently exist.

The objective is relevant in addressing the issue because it provides for a framework to ensure subdivision is designed and serviced with regard to essential infrastructure services, i.e. roading and access, non-vehicular connections and accesses throughout the subdivision, potable water, wastewater, stormwater, energy supply and telecommunications and the provision of easements to facilitate services and infrastructure.

Feasibility

The objective is feasible as it recognises that while future development must be adequately and appropriately serviced, it is important that the condition, capacity, efficiency and affordability of essential infrastructure services is not exceeded or compromised. This is within the Council’s powers, skills and resources to achieve and comes with an acceptable level of uncertainty and risk, as the Council has managed subdivision and development in this manner for some considerable time.

Acceptability

The objective is acceptable as it ensures that subdivision and development of land is controlled. Without such control, the capacity of existing infrastructure could be exceeded and infrastructure services to the remainder of the community would be impaired.

Assessment of provisions to achieve Objective 12.9

Policies 12.9.1 and 12.9.2

Policy 12.9.1 – Encourage connections to public or community reticulated water supply systems, sewerage and stormwater management systems wherever they are available.
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Policy 12.9.2 – Ensure that in an area with public water supply and/or sewerage infrastructure, subdivision and development activities only occur where they will not exceed the current or planned capacity of that public infrastructure or compromise its ability to service any activities permitted by rules within a relevant urban environment zone.

Benefits

Policy 12.9.1 encourages the subdivider/developer to connect properties created through the subdivision of land to essential infrastructure services if they are available. This will maintain community wellbeing and public health. In some circumstances a connection may be able to be achieved with the minimal provision of additional infrastructure within the subdivision. In other circumstances, particularly for subdivision creating a large number of allotments, additional infrastructure may be required as part of the subdivision or an upgrade to existing infrastructure may be required. However, Policy 12.9.2 states that new subdivision or development cannot exceed the current or planned capacity of existing infrastructure. This acknowledges that some areas are serviced more easily than others, which will minimise costs to the community and the use of natural and physical resources, and is likely to be the most efficient form of servicing for the community as a whole

Costs

The aspirations of the subdivider/developer may not be realised as in some areas subdivision and development will exceed the current or planned capacity of that public infrastructure or compromise its ability to service any activities permitted within the zone. In such situations, subdivision or development may not be able to take place.

Efficiency

These policies ensure that regardless of whether public water supply and/or sewerage infrastructure is in place in an area identified for subdivision or development, the subdivider/developer must ensure that activities within these areas a) do not exceed the planned or future capacity of that public infrastructure, b) do not compromise its ability to service any activities or c) will not lead to future pressure for unplanned expansion of that public infrastructure. The wider community benefits of this outweigh the costs to the subdivider/developer.

Effectiveness

These policies are effective in achieving the objective as they recognise that as some areas are serviced more easily than others. This means that if in these areas subdivision and development is to take place this will help minimise costs to the community and in terms of the effects on the wider environment. This is likely to be the most effective form of servicing for the community as a whole.

Policy 12.9.3

Policy 12.9.3 – Responding to a need for infrastructure services to currently unserviced towns will be undertaken through the provisions of the Local Government Act 2002.
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Benefits

Unserviced communities have the potential to give rise to adverse effects on the surrounding environment, for example from the discharge of sewage, trade waste and/or stormwater that can degrade soil and water quality in the receiving environment. Where it is necessary to respond to these adverse effects, the Council will use the special consultative procedure of the Local Government Act 2002 to determine the appropriateness of establishing new infrastructural services. Subsequently, when a demonstrated need becomes evident for an unserviced town to become serviced, a focussed investigation can be undertaken with consideration of the costs and benefits to the community concerned.

Costs

No negative effects are expected to arise from this policy as it records a procedure by which the Council will undertake appropriate action when adverse effects from unserviced communities become significant.

Efficiency and Effectiveness

Policy 12.9.3 is efficient and effective as no costs will be incurred until such time as the Council responds to adverse effects on the environment from ongoing subdivision or development in one of Marlborough's unserviced towns. There may be a subsequent need to make changes to the MEP in response to the outcomes of the consultative procedure and this will be undertaken through the First Schedule process of the RMA.

Policies 12.9.4 and 12.9.5

Policy 12.9.4 – Where as a result of a subdivision or development there is a requirement for connections to Council/community owned infrastructure services, the local electricity supply network and telecommunication facilities, a subdivider/developer should provide confirmation that the site is capable of being serviced and that the arrangements proposed by the applicant are suitable.

Policy 12.9.5 – Where in relation to Policy 12.9.4 confirmation of connections is not provided by the subdivider/developer, a Discretionary Activity resource consent will be required.

Benefits

Where land proposed to be subdivided is to be serviced through connection with existing essential infrastructure, it is important to establish the capability of facilities to make this connection and whether the proposed arrangements for connection are suitable to the provider of the infrastructure. The infrastructure provider will be required to confirm capability and suitability as part of the subdivision consent process. However, Policy 12.9.5 provides an opportunity for alternative methods of provision to be considered through the resource consent process. These policies provide guidance to the resource user and decision maker as to whether the proposed subdivision will be adequately and appropriately serviced, while having regard to any adverse effects on natural and physical resources.

There are benefits to the subdivider/developer in that there can be direct negotiation with the Council as the main provider of infrastructural services. This may save time and costs for the subdivider/developer and is more efficient for the Council.

Costs

If the subdivider/developer is not prepared to confirm the adequate and appropriate provision of a particular service, costs will be incurred as a discretionary activity resource consent rather than a controlled activity consent (assuming all subdivision standards are met). However, where the subdivider/developer does provide the required confirmation through the policy, the resource consent can be processed more efficiently.

Efficiency and Effectiveness

These policies do not contribute significantly to achieving Objective 12.9 or addressing Issue 12C. Rather, the provisions provide a simplified process for an applicant undertaking a subdivision or development. If the applicant can obtain confirmation prior to an application being lodged that servicing arrangements are in place, the consent can be considered as a controlled activity, saving the applicant time and cost. However, the route by which consent is granted will not affect the extent to which or how the objective will be achieved.

Policy 12.9.6

Policy 12.9.6 – Before residential subdivision and development of the following land proceeds, reticulated services owned by or to be vested in the Council shall be available for connection and utilised and/or financial provision made for them:

- (a) the five areas zoned as Urban Residential 2 Greenfields Zone to the north and west of Blenheim; or
- (b) the land zoned Urban Residential 2 and 3 identified in Appendix 23.

Those areas able to be serviced by a sequential and orderly extension of existing infrastructure services are to be given priority by the Council.

Benefits

Offering priority to subdividers and developers who service land in a sequential and orderly extension of existing infrastructure services through Policy 12.9.3 has two significant benefits. Firstly, the Council benefits as the land is subdivided and developed in a planned and coordinated manner. Secondly, the subdivider or developer is given priority by the Council.

Costs

There may be some opportunity costs for landowners who cannot subdivide land out of sequence; however, the costs to the community of providing services out of sequence would be significant.

Efficiency and Effectiveness

Policy 12.9.6 is efficient and effective as the subdivision of areas identified in the policy will occur in a timely manner with costs of establishing services out of sequence lying appropriately with the subdivider/developer, rather than the community. Objective 12.9 is therefore likely to be achieved at the lowest total cost to all members of society, particularly in relation to the affordability of services. The policy is also effective as ensuring properties connect to infrastructure services in sequence will result in the efficient and affordable provisions of infrastructure services in the identified areas.

Policies 12.9.7 to 12.9.9

Policy 12.9.7 – Require that subdividers and/or developers provide all on-site services to avoid, remedy or mitigate any adverse effects arising from the subdivision/development of the land resource.
Policy 12.9.8 – Manage stormwater from urban subdivision and development by: <ul style="list-style-type: none"> (a) requiring stormwater disposal in a manner that maintains the quality of surface and groundwater; (b) requiring stormwater disposal in a manner that avoids inundation of land, both within and beyond the boundaries of the site; and (c) encouraging the retention of natural open waterway systems for stormwater disposal as an alternative to piping.
Policy 12.9.9 – Encourage integrated establishment of underground utility services during subdivision/development and appropriate electrical/telecommunication reticulation appropriate to the amenities of the area.

Benefits

Policy 12.9.7 requires the subdivider/developer to provide all necessary reticulated services to allotments created through the subdivision of land. The subsequent development of land may occur over a period of time as the land is sold and developed at a time that suits the future owner. As time can pass before land is developed, it is efficient and effective to require the subdivider and/or developer to construct, install or provide the necessary infrastructure as part of the process of constructing the subdivision. This also helps to integrate the provision of some services and to mitigate any adverse effects created by their construction, installation or provision.

Given the potential for stormwater to capture contaminants from land and taking into account the potentially high rate of discharge, the effects of stormwater disposal from new subdivisions must be managed. Policy 12.9.8 provides flexibility for the management of stormwater through the use of underground or alternative above-ground methods. The policy assists to achieve water quality outcomes, will be cost effective and potentially assists to create open space.

The provision of services underground helps to maintain or enhance amenity values of urban environments by removing those services from view. Policy 12.9.9 encourages this to occur and particularly encourages the integration of underground utility services when subdivision or development occurs.

Costs

Environmental costs may arise if a subdivider or developer does not provide onsite services to manage the adverse effects of the subdivision or development. It is therefore appropriate that the costs for dealing with this and for stormwater management lie with the subdivider or developer. This responsibility already exists under the provisions of the current MSRMP and WARMP, so no additional costs are anticipated from these policies.

Efficiency and Effectiveness

These policies recognise that the responsibility of providing the necessary infrastructure at the time of development and subdivision (or connection to services where available) lies with the developer/subdivider, not the wider community. The provisions will therefore likely achieve the objectives at the lowest cost to the community.

Subdividers and developers are able to assess at an early stage of project planning the wider community costs of their development in relation to the required levels of service. Policy 12.9.6 in particular recognises the responsibility of subdividers and developers in this process when assessing

the actual or potential effects of the project. This will help to ensure the issue identified in 12C is addressed.

Methods of implementation

District and regional rules

The main difference between the current resource management plans and the MEP is that district rules are used to a) require the provision of essential infrastructure services in urban environments as part of the process of subdividing land and b) provide those services to the boundary of each of the properties being created. In addition, under the MEP regional rules have been established with respect to the discharge of stormwater to water; these include water quality standards being met in the receiving waters beyond a zone of reasonable mixing and ensuring that the discharge does not cause flooding of property.

Confirmation of services

The MEP includes rules that require the providers of water, sewerage, stormwater, roading, electricity and telecommunication services to confirm the proposed arrangements for providing the infrastructure to new urban subdivisions. Servicing arrangements for any new subdivision will therefore be negotiated directly between the subdivider and the provider, which includes the Assets and Services Department of the Council.

Development contributions policy

The MEP does not specifically include policy that requires development contributions. Rather, the community cost of providing additional essential infrastructure services (with the exception of electricity and telecommunications) is addressed by the Council's Developments Contribution Policy. This is managed through the Council's Assets and Services Department.

Other options considered to achieve Objective 12.9

In the current MSRMP and WARMP, the issues, objectives and policies for subdivision and development activities are provided in a standalone chapter (Chapter 23 in both resource management plans). The Urban Environments and Rural Environments chapters of the MSRMP and WARMP also contain objectives and policies for subdivision and development activities.

As the MRPS, MSRMP and WARMP have been combined, management of subdivision and development activities has been rationalised in the MEP. Subsequently there is no standalone chapter for subdivision, land use and development activities; rather the issues, objectives and policies for these activities have been integrated into specific chapters. As a consequence, specific chapters identify issues, objectives and policies for the management of subdivision and development activities within the relevant environments. For example, Chapter 12 - Urban Environments (Volume 1 of the MEP) identifies that inappropriate subdivision and development activities can lead to the degradation of urban character and amenity values. Policies included ensure that subdivision and development do not adversely affect the character and amenity of the urban environment, with particular focus on residential environments. Also within Chapter 12, subdivision and development activities have been identified as a separate issue as it is recognised that these activities can significantly affect the functioning and capability of existing or new infrastructure. As such, objectives and policies specific to this issue have been included to ensure subdivision and development is appropriately located, adequate services are provided for and connection to the services occurs.

By contrast, the issues related to land use, subdivision and development in Chapter 13 - Use of the Coastal Environment include use of both land and the coastal marine area. In this environment it is important that land use, subdivision and development activities are appropriately located and carried out within prescribed limits to protect the values of Marlborough's coastal environment, as directed by the RMA and the NZCPS. The objectives, policies and provisions for land use, subdivision and development activities in Chapter 13 therefore vary considerably to those of Chapter 12.

Rationalising the objectives, policies and provisions for subdivision and development in the MSRMP and WARMP has allowed the relevant issues, objectives, policies and provisions to be tailored to individual chapters of the MEP. This is considered a more effective and efficient approach to the current resource management plans, in which the management of subdivision and development is grouped together into a single standalone chapter.

Risk of acting or not acting

In terms of Section 32(2)(c) of the RMA, which requires an assessment of the “*risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions,*” the Council considers that it has certain and sufficient information on which to base the proposed policies and methods for Urban Environments.

Appendix A – Section 32 of the RMA

32 Requirements for preparing and publishing evaluation reports

- (1) An evaluation report required under this Act must—
 - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and
 - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—
 - (i) identifying other reasonably practicable options for achieving the objectives; and
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
 - (iii) summarising the reasons for deciding on the provisions; and
 - (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
- (2) An assessment under subsection (1)(b)(ii) must—
 - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—
 - (i) economic growth that are anticipated to be provided or reduced; and
 - (ii) employment that are anticipated to be provided or reduced; and
 - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and
 - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
- (3) If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—
 - (a) the provisions and objectives of the amending proposal; and
 - (b) the objectives of the existing proposal to the extent that those objectives—
 - (i) are relevant to the objectives of the amending proposal; and
 - (ii) would remain if the amending proposal were to take effect.
- (4) If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.
- (5) The person who must have particular regard to the evaluation report must make the report available for public inspection—
 - (a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or
 - (b) at the same time as the proposal is publicly notified.

(6) In this section,—

objectives means,—

- (a) for a proposal that contains or states objectives, those objectives:
- (b) for all other proposals, the purpose of the proposal

proposal means a proposed standard, statement, regulation, plan, or change for which an evaluation report must be prepared under this Act

provisions means,—

- (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:
- (b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

Appendix B – Bibliography

Marlborough District Council (November 2006). *Community views on significant issues for Marlborough – Summary of responses received on the review brochure.*

Marlborough District Council (2007). *Discussion Paper 2: Marlborough Townships and Small Settlements*

Marlborough District Council (2007). *An Overview of Marlborough Townships and Small Settlements Issues.*

Marlborough District Council (2008). *Summary of responses to Discussion Paper 2/ Marlborough Townships and Small Settlements.*

Marlborough District Council (2009). *2008 State of the Environment Marlborough.*

Marlborough District Council (January 2011). *Blenheim Town Centre Health Checks 2011.*

Marlborough District Council (January 2014). *Marlborough Region Town Health Checks 2014.*

Urbanism+ Ltd (2009). *The Blenheim Town Centre Vision.*

UrbanismPlus Ltd (2013). *Growing Marlborough: A Strategy for the Future.* Marlborough District Council.