

APPENDIX 2

NELSON CITY COUNCIL

Nelson Resource Management Plan

Plan Change 13:

Marsden Valley Re-Zoning and Structure Plan Project

Hearing Committee Plan Amendments – Tracked Changes Shown



FORMAT

The changes to the notified Plan text, as recommended by the Hearing Committee are shown below in 'track changes' format.

- Text removed as a result of the recommendations is shown in ~~red strikethrough~~.
- Text added as a result of the recommendations is shown in red underline
- Text as notified is shown as black underline
- Operative Plan text removed on notification is shown as black ~~strikethrough~~
- Existing operative Plan text shown as plain black text.

PLAN TEXT

Volume 1

Add to Chapter 2 (Meanings of Words):

~~MW.17A~~ 'Biodiversity corridor' means a vegetated pathway of a minimum width of 20m that allows natural flows of organisms and biological resources along the corridor, ~~and allows~~ for biological processes within the corridor, ~~and connectivity between areas of ecological value.~~

~~and is either~~

- ~~a) native and/or exotic vegetation that existed at 19 September 2009 within the biodiversity corridor, or~~
- ~~b) vegetation to be planted in predominantly native vegetation indigenous to the area and ecosystem type as proposed in a planting and maintenance plan forming part of any application for subdivision consent, or~~
- ~~c) predominantly native vegetation indigenous to the area and ecosystem type to be planted to replace any vegetation within the corridor~~

~~except that the maintenance of roads, and the construction and maintenance of utility corridors and their structures are permitted within the biodiversity corridor, and the formation of required property accesses where there is no practicable alternative may transect any biodiversity corridor.~~

~~'Eco-sourced' means plants which are grown from seeds or propagules collected from naturally-occurring vegetation in a locality close to where they are replanted.~~

~~MW.67A~~ 'Generally Accord'. For the purpose of interpretation of any rules relating to ~~Structure or Outline Development~~ Plans, the term "generally accord" shall mean that items shown on these plans must be provided for in the general locations shown within the development area and with linkages to each other or adjoining areas as shown in the ~~Structure or Outline Development~~ Plan ~~except for the indicative education facility in Marsden Valley Schedule I (Clause I.6)~~. It is not intended that the positions are exact or can be identified by scaling from the ~~Structure Plan or Outline Development~~ Plan; it is intended that any connections between points are achieved or provided for with no restrictions. The final location will depend upon detailed analysis of the physical suitability of an alignment (including the presence of existing natural features and ecological sensitive habitats such as streams where providing for Biodiversity Corridors), other servicing implications, appropriate location in respect of final residential development layout and amenity, and costing considerations. The key proviso is that the items on the ~~Structure or Outline Development~~

Plan must be provided for, and that any connections must occur or be able to occur in the future.

~~MW.68A~~ 'Greenspace' are areas of open or vegetated space which are residentially zoned, and are shown on ~~Sstructure~~ ~~Per outline development p~~lans. Roading, servicing, walkways and cycleway connections are permitted to cross 'greenspace' provided all other relevant Plan provisions are satisfied.

~~MW.135A~~ 'Outline Development Plan' see ~~Structure Plan~~.

~~MW.198A~~ 'Structure ~~Plan or Outline Development~~ Plan' is a mapped framework to guide the development or redevelopment of a particular area by defining future development and land use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features for managing the effects of development, often across ~~land in~~ multiple ownership ~~except that in the event that the indicative education facility in Marsden Valley Schedule I is not developed, then the lack of an education facility means the subdivision design is still generally in accord with the Marsden Valley structure plan. -~~ See AD11.4A 'Structure ~~and Outline Development~~ Plans' for further information.

Amend AD11.3.10 Road Overlays

No changes to operative provision AD11.3.10

Add a new AD11.4A, to Chapter 3 (Administration) of the NRMP, in relation to Structure Plans and associated linkages:

AD11.4A Structure ~~Plans and Outline Development~~ Plans

AD11.4A.i: Structure ~~Plans or Outline Development~~ Plans are used to achieve the integrated management of the effects of developing larger areas of land, often held in multiple ownership, particularly in an urban or urban fringe context. A Structure Plan ~~or Outline Development Plan~~ provides an overall plan to guide integration of those elements that will achieve a quality urban environment (ie streets, walkway connections, open space and natural values, character and activities), and through development being in general accordance with the Structure ~~or Outline Development~~ Plan ensures that individual landowners incrementally work in a co-ordinated and orderly way towards a planned and sustainable urban environment.

AD11.4A.ii: The Structure ~~Plans or Outline Development~~ Plans are located either within Scheduled Sites for various locations and zones throughout the district, for example in the Residential and Rural Zone rules (Chapters 7 and 12), and/or in the planning maps contained in Volume 4 of the Plan. Structure ~~or Outline Development~~ Plans incorporated in the Nelson Resource Management Plan have the effect of a rule and must be complied with to the extent specified in the relevant rule.

AD11.4A.iii: A number of the specific resource management issues that may affect any future development area are covered by overlays on the planning maps, and to avoid duplication of spatial information these are not shown on the Structure ~~Plans or Outline Development~~ Plans. Rules relevant to those overlays are located in the rule table in the relevant zone. The zone and area maps, overlays, zone rules and Structure ~~Plans or Outline Development~~

Plans, and schedules if relevant, need to be read together in determining the status of activities and issues that may impact on the pattern and intensity of development.

AD 11.4A.iv: The Structure ~~or Outline Development~~ Plans may include zones where the pattern and intensity of development anticipated for an area may assist in explaining the location, linkage and scale of transportation, service and other linkages across parcels of land within the Structure ~~or Outline Development~~ Plan area.

AD11.4A.v: Other information that may be shown on the Structure ~~or Outline Development~~ Plans includes the items below. Sections AD11.4A.v – AD11.4A.viii provide the definition and intent of these items:

- a) Indicative Roads: The purpose of ~~indicative~~ roads on Structure ~~or Outline Development~~ Plans is to achieve good integration between land use and transport outcomes, having regard to the intensity of development and providing a choice in transport routes where appropriate. They are also used to ensure road linkage between different physical areas or catchments (~~eg~~ valleys) which will enhance transportation outcomes, contact between communities, access to key commercial services, amenities and community facilities, and the quality of the urban environment. They do not show the full roading network required to service any future development of the area. The ~~indicative~~ roads (~~shown indicatively~~) may potentially arise in a wider context than merely the Structure Plan ~~or Outline Development Plan~~ area.
- b) Walkways: The purpose of walkways on Structure ~~or Outline Development~~ Plans (these can also be cycleways where the terrain is suitable) is to promote recreational opportunity through off-road linkages within and surrounding the urban area, to provide for choice in transport modes, and to promote the safe and efficient movement of people and vehicles by resolving potential tensions between pedestrians, cyclists and motor vehicles.
- c) Biodiversity Corridors: The purpose of Biodiversity Corridors is to contribute to natural values within, through, and beyond the urban environment, and assist where appropriate in meeting the open space, recreational, riparian, low impact storm water management, landscape setting and amenity objectives of quality urban design. “Biodiversity Corridor” is defined in Chapter 2 of the Plan.
- d) Greenspace: The purpose of ‘greenspace’ is to offset the surrounding residential development and ensure an open space, or vegetated network is created which is integral to the community in the area. ‘Greenspace’ and Biodiversity Corridors can exist together as they will often achieve compatible goals. ~~The ownership of this land is by default private.~~ In private ownership the ongoing maintenance is the responsibility of the developer and/or final owner, and the methodology for future management of these areas will need to form part of any subdivision proposal under which they are created. Council may purchase some, or all, of this land for reserves purposes, ~~with its decision based on a scheme plan presented as part of an application for subdivision consent.~~ “Greenspace” is defined in Chapter 2 of the Plan

AD11.4A.vi: Subdivision applications are to show how they provide for items on a Structure Plan including those listed in AD11.4A.v a)-d). In relation to location these items are generally shown “indicatively” on the Structure ~~or Outline Development~~ Plan as they show an intent rather than precise location for those features. These then form a matter of control which the Council will exercise as part of any subdivision consent process. It is intended that this provides an element of design flexibility to meet both the objectives of the Council and the developer, but while still achieving the overall objective of integrated and sustainable urban resource management and development.

AD11.4A.vii: For the purpose of interpretation of any rules relating to Structure ~~or Outline Development~~ Plans, the term “generally accord” shall mean that items shown on these plans must be provided for in the general locations shown, within the development area and linking to adjoining areas ~~as shown in the Structure Plan except for the indicative education facility in Marsden Valley Schedule I (Clause I.6).if required.~~ It is not intended that the positions are exact or can be identified by scaling from the Structure ~~Plan or Outline Development Plan~~; it is intended that connections between points are achieved or provided for ~~and are not restricted with no restrictions.~~ The final location will depend upon detailed analysis of the physical suitability of an alignment (including the presence of existing natural features and ecological sensitive habitats such as streams where providing for Biodiversity Corridors), other servicing implications, appropriate location in respect of final residential development layout and amenity, and costing considerations. ~~The key proviso is that the items on the Structure Plan must be provided for, and that any connections must occur or be able to occur in the future.~~ ~~The key proviso is the final location must be logical, and efficiently serve the catchments and destinations.~~

AD11.4A.viii: The primary objective of ~~indicative~~ roads, walkways/cycleways or Biodiversity Corridors is connectivity. Compliance with the rules requires that connection is provided within each stage of development, and to adjoining property boundaries at the appropriate stage, and is not restricted or prevented through the use of “~~spite isolation~~ strips” or other methods which could lead to adjoining land becoming landlocked or connectivity being compromised.

Add to the end of DO5.1.i in the Reasons for Objective DO5.1 (Natural Values) in Chapter 5 District Wide Objectives and Policies:

In relation to urban area this means promoting an urban form that respects and works in harmony with the natural environmental features and patterns of an area. Good urban design practice can preserve natural areas and values by appropriate ecological design, and at the same time potentially increase usable green space within urban developments.

Add to the Explanations and Reasons for Policy DO5.1.2 (Linkages and Corridors) in Chapter 5 District Wide Objectives and Policies:

DO5.1.2.i Small ~~pockets~~ Areas of indigenous vegetation are often too small to support viable populations of animal and plant species. Linking pockets together, or providing new links from larger areas of habitat, can provide significant improvements to the ~~more than double the native birds~~ biodiversity in either any of the ~~two~~ individual areas. This can also result in greater interaction between people and the environment. The maintenance of such connections is crucial to natural system sustainability and will enhance the Plan’s ability to

protect indigenous ~~wildlife and fauna~~ biodiversity. Rivers (and potentially wetlands) provide opportunity for continuous ~~habitat~~ biodiversity corridors.

DO5.1.2.ii Biodiversity Corridors are shown on various Structure ~~Plans and Outline Development~~ Plans in association with areas identified for future urban growth. These have three primary functions:

- protection, enhancement or restoration of natural values and the capacity or natural functioning of ecosystems and their processes to support a range of life;
- protection, enhancement or restoration of the capacity for natural ecosystem processes (such as the migration of animals or dispersal of plants) to function between different parts of the environment ie connectivity between ecological areas;
- to increase the interaction between humans and the natural environment.

By improving biodiversity features in urban design, working with the natural characteristics of a site, and enhancing or emphasising natural features such as riparian areas and mature vegetation, Biodiversity Corridors may also have a positive impact on the quality of the urban environment by:

- integrating built development within its landscape setting;
- encouraging people to connect with and interact with their local natural environment;
- shaping community identity or a sense of place;
- providing amenity to neighbourhoods;
- protecting water bodies from the undesirable effects of land development ie earthworks and sedimentation
- assisting in the management of stormwater discharges through retention and low-impact stormwater treatment;
- inclusion of ~~passive~~ public use and access;
- enhancing open space values.

DO5.1.2.iii Biodiversity Corridors are intended to preserve habitat that has functional connections with other existing natural communities. By showing Biodiversity Corridors on the planning maps / Structure Plans, there is potential to co-ordinate habitat preservation between properties and with regard to the wider ecosystem values. These corridors primarily recognise the presence of existing features of likely ecological value such as waterways and riparian margins, gullies, and existing trees or habitats, and the preservation, enhancement or restoration of inter-connectivity of these.

DO5.1.2.iv Biodiversity values can be integrated in urban environments at the three development phases of design, construction and post-construction. The Plan seeks that this is addressed as part of any application for subdivision consent, particularly for greenfield development. This requires an understanding of the site in terms of such matters as its water catchments, ecosystems type, and proximity to other existing and potential open space and conservation networks. Corridors and linkages should incorporate vulnerable areas such as waterways and reflect natural landscape connections where established, supported where possible and appropriate by human-made connections. Often streams and gullies will form natural boundaries within the landscape and therefore provide opportunity for restoration and access without unreasonably compromising development potential elsewhere. Areas must be large enough to maintain ecological processes for the health and integrity of the

ecosystem and to buffer conflicting uses. The width of corridors will vary for this reason; a minimum width of 20m is required.

DO5.1.2.v Consideration needs also to be given to ~~their~~ a Biodiversity Corridor's long-term management. There ~~are~~is a variety of methods for this, and to achieve the Council's objectives for natural values and biodiversity within urban subdivision design, for example consent notices, conservation or private covenants, esplanade and other reserves under the ownership and maintenance of the Council or other statutory body, or alternative design initiatives such as cluster development accompanied by preservation of natural open space or extension of tree planting into private property or the street network.

Add to the Methods to Policy DO5.1.2 (Linkages and Corridors) in Chapter 5 District Wide Objectives and Policies:

DO5.1.2.x Provision of Biodiversity Corridors on Structure Plans, ~~Outline Development Plans~~ and/or within the Planning maps, as a matter for assessment and response through subdivision applications.

DO5.1.2.xi Flexibility in development outcomes or design initiatives for land where accompanied by the protection, restoration or enhancement of Biodiversity Corridors or natural open space linkages.

Amend REd.8 to read

In Marsden Valley, there is provision for ~~some~~ on the valley floor, for higher density residential development ~~Low density residential development in the Valley, a small~~ Suburban Commercial Zone, and for residential development on the hills surrounding the valley provided consideration is given to the landscape context of the area. ~~,with~~ There is also provision...

Amend

RE1.4.i to read:

...The Glen and the Marsden Valley Residential Area (covered by Schedule I) have ~~has~~ a lower building coverage limit to recognise their ~~the~~ rural setting.

The Marsden Valley residential Area (covered by Schedule I) is also recognises for the rural character of the area in which it is located, A lower density of residential development is therefore considered important (see objective RE4).

The lower density residential area north and west of the cemetery in Marsden Valley is intended to provide a transition from the residential Zones at the entrance to the valley, to recognise the current rural character of the wider valley landscape and promote a level of serviced development that is generally compatible with the Marsden Valley Residential Area in Schedule I, which it in part adjoins (see objective RE5).

Amend Objective RE4 Marsden Valley (Schedule I) to read:

Subdivision and development within the Marsden Valley Residential Area (~~Schedule I~~) that does not adversely affect the rural and landscape character of the Marsden Valley. Subdivision and development of Marsden Valley (**Schedule I area**) that results in a high level of residential amenity built around a village centre as the focal point.

Amend Reasons RE4.i The Nelson Urban Growth Strategy 2006 (NUGS) identified the Stoke Foothills, including Marsden Valley, as suitable for accommodating some of the future residential growth of Nelson. This Schedule and Structure Plan are to ensure residential development can be achieved to give effect to the direction provided by NUGS, while respecting the landscape features of the valley. It will allow for an integrated and planned system of walkways, roading and servicing across multiple properties, and will recognise landscape features including prominent slopes and ridgelines, waterways and significant vegetation/tree groupings.

~~This objective and following policy applies only to the Marsden Valley Residential Area affected by Schedule I in the Plan, and not other residentially zoned land elsewhere in the valley.~~

Insert new Policy RE4.1 (note deletion of existing RE4.1 follow)

Policy RE4.1 Marsden Valley Development (Schedule I area)

Development of Marsden Valley shall generally accord with the Structure Plan for this area, as identified in Schedule I, Figure 1.

Explanation and reasons

RE4.1.i Development of Marsden Valley which generally accords with the Structure Plan (Schedule I) and Marsden Valley Commercial Zone Overall Design Principles will ensure this area is integrated with adjacent developments, provides a sense of community centred on the suburban commercial area as a focal point, and can achieve best practice urban design outcomes. This approach ensures continuity of public amenity such as walkways, reserves and open spaces, and ensures integrated servicing and roading patterns. The Structure Plan has been designed in accordance with urban design principles which take into account the landforms and landscape amenity values of the valley and surrounding hills. This will help meet the future residential needs of Nelson through a mix of residential and rural housing densities with an overall layout guided by a Structure Plan.

Methods

RE4.1.ii Schedule Marsden Valley to ensure integrated development and servicing in accordance with a Structure Plan.

RE4.1.iii Specific rules within the Schedule which control the adverse effects of development.

RE4.1.iv Development of Marsden Valley in accordance with best practice urban design.

RE4.1.v Zoning and subdivision rules which provide sufficient flexibility to achieve the desired urban design outcomes.

Delete Policy RE4.1 Marsden Valley Road Corridor

Delete Policy RE4.2 (development density in Marsden Valley).

Amend Policy RE4.3 vegetation as follows

RE4.32 Vegetation

Subdivision and development should maintain and enhance existing vegetation patterns (and establish new areas of vegetation) that soften the effects on the visual amenity and landscape values of Marsden Valley.

Subdivision and development should be designed to ensure that vegetation patterns (existing and new) are incorporated to enhance the visual amenity, important landscape features and landscape forms of Marsden Valley. New and existing areas of vegetation should promote biodiversity and enhance habitat for flora and fauna.

Explanation and Reasons

RE4.32.i ~~Chings Flat is flanked to the west and east by watercourses. The study suggested that if Further planting occurred adjacent to these water courses they would~~ Vegetation planting and protection will provide a strong and attractive landscape setting for residential development and ~~would~~ will also act to reduce the visual effect of ~~that~~ development within the Marsden Valley. The ~~Study also advocates the establishment of Biodiversity Corridors, 'greenspace', a landscape strip along the north-eastern side of Marsden Valley Road, 20m esplanade reserves along each bank of the Poormans Valley Stream to~~ and a subdivision and roading design which allows for additional planting will enable this to be achieved and ~~to~~ will strengthen recreational linkages and biodiversity within the valley. It will also help to provide a transition from Residential to Rural Zones. A number of established trees ~~within the area known as Homestead Flat (on the north eastern side of Marsden Valley Road) that are considered to be.....~~

Add new method

RE4.2.iv Structure Plans, ~~Outline Development Plans~~ or other Plan provisions requiring the provision of 'greenspace' and Biodiversity Corridors at time of subdivision.

Delete policy RE4.4 Land Recontouring

Relocate REe to end of policy section, after Objective RE5

Amend REr.23.5 and REr.24.5 as follows

Paragraph commencing 'The Lower Density Area...slope stability constraints), and Ardilea Ave in Stoke, and the Marsden Valley Residential Area (see Schedules I and V) and land...'

Paragraph commencing 'The Higher Density Area includes The Wood, an area of both Ngawhatu and Marsden Valleys adjacent to the Suburban Commercial Zones, and an area...'

Paragraph commencing 'The ability to apply for a reduction of up to 10% in the minimum area allocated to a residential unit is provided for as a discretionary activity ~~(except in the Marsden Valley Residential Area) where any departure from the minimum standard is a Non-complying Activity) (Schedule I).~~ A specific building...'

Paragraph commencing 'Exceeding the specified coverage by up to 10% is provided for as a discretionary activity ~~(except within the Marsden Valley Residential Area where any departure from the minimum standard is a Non-Complying Activity) (see Schedule I).~~ As with site size...'

Add to REr.59.1 Vegetation Clearance

REr.59.1 g) there is no clearance of indigenous forestvegetation, and

h) there is no clearance of vegetation within a Biodiversity Corridor (or area of greenspace shown in Schedule I) unless it is an exotic species, or a species with a pest designation in the current Tasman-Nelson Regional Pest Management Strategy, and providing an exception for or is vegetation clearance required for:

- i) the maintenance of State Highways, or
- ii) the installation and maintenance of utility service lines which cross (more or less at right angles) a Biodiversity Corridor (or area of greenspace shown in Schedule I) including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, provided the clearance is no more than required to permit the activity and vegetation is reinstated after the activity has been completed, or
- iii) the formation or maintainmaintenance of roads and privateing vehicle access ways which cross (more or less at right angles) a Biodiversity Corridor (or area of greenspace shown in Schedule I) to land where there is no viable alternative access route available and provided the clearance is no more than required to permit the activity, or
- iv) the formation or maintenance of walkways or cycleways adjacent to, running along (subject to provisions of I.2 c), or crossing (more or less at right angles) a Biodiversity Corridor (or area of greenspace shown in Schedule I) and provided the clearance is no more than required to permit the activity.

Amend REr.59.3 Vegetation clearance that contravenes a controlled standard is a restricted discretionary activity.

Add REr.59.3 xviii) the matters in Appendix 4 (marine ASCV overlay), and xix) effects on the values and function of any biodiversity corridor.

Add to REr.59.5 Native vegetation is specifically protected in Biodiversity Corridors (or area of greenspace shown in Schedule I) to ensure their function as a corridor, or 'green' area, is not compromised through clearance.

Amend REr.106 Marsden Valley Residential Area-(Scheduled Site – Sch I)

Amend contents page. REr.106 Marsden Valley Residential Area-(Scheduled Site – Sch I)

Amend REr.107.2 to add the following:

n) In respect of Marsden Valley Schedule I, compliance with Schedule I rules requiring subdivision layout and design to generally accord with Schedule I, Figure 1 Structure Plan.

Control reserved over...

c) provision of services and:

xvii) For areas subject to a Structure Plan or Outline Development Plan, the matters contained on those including:

- the provision of adequate road, walkway and cycleway linkages, 'greenspace' and Biodiversity Corridors with appropriate connections within the subdivision and to adjacent land, as defined by the indicative routes shown in the Structure Plan, Outline Development Plan or within the Planning Maps;

- any specific rules, schedules or other notations shown on the Structure Plan or Outline Development Plan as applying to that land.

Add to REr.107.4 jj) For Marsden Valley Schedule I area the extent to which any proposal and / or development is in general accordance with Schedule I and with the associated Structure Plan (Schedule I Figure 1).

Amend REr.107.4 ii) in Marsden Valley and the land between this and Enner Glynn and Ngawhatu valleys, the extent of provision for pedestrian and cycle linkages between open space areas, residential neighbourhoods, and neighbouring land to ensure over time pedestrian and cycle links connect up to the Barnicoat Walkway and between the valleys in accordance with Schedule I and Schedule V.

Amend REr.107.5 final paragraph ‘See Schedule I for Marsden Valley, ~~Residential Area.~~

Delete Schedule I Marsden Valley Residential Area and **replace** with the following new schedule (Sch.I Marsden Valley)

Sch.I Marsden Valley

I.1 Application of the Schedule

This Schedule applies to the area shown as Sch.I on Planning Maps 28, 31, 34, 54 and 55 within Marsden Valley; generally bounded to the south by Schedule U ‘Marsden Plateau Landscape Area’ and Schedule V ‘Marsden Hills’, east by the Rural Zone, north by the Marsden Valley / Enner Glynn Valley ridge and west by the existing Residential Zone boundary.

The purpose of this Schedule is to ensure that subdivision and development proceeds in general accordance with the Structure Plan accompanying this Schedule (see Figure 1 of this Schedule) and to incorporate specific rules in addition to the standard Plan rules. Schedule I is referred to under rules REr.106, REr107, RUr77, RUr.78, SCr.69B70A and SCr.71, as it relates to subdivision rules and assessment criteria within the Residential, Rural and Suburban Commercial Zones, and with associated policy and explanation in Volumes 1 and 2 of the Plan.

All activities provided for in the Residential Zone, Suburban Commercial Zone, Open Space and Recreation Zone, and Rural Zone Rule tables as permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activities, and supporting Objectives and Policies shall apply to their respective zones in the Schedule I area, except if subject to variations set out in this Schedule and Schedule I Structure Plan Figure 1.

I.2 General Rules

a) Subdivision design shall generally accord with the Structure Plan contained in Schedule I Figure 1 except for the indicative educational facility which need not be developed to ensure any proposal generally accords with the Structure Plan.

b) No buildings are permitted within 'greenspace' areas, or Biodiversity Corridors (see Meanings of Words, Chapter Two) as indicatively shown on Schedule I Structure Plan Figure 1.

c) Biodiversity Corridor locations shall generally accord with that shown on the Structure Plan contained in Schedule I Figure 1. Biodiversity Corridors (see definition Chapter 2, Meaning of Words) shall consist of:

- i) existing native and/or exotic vegetation, or
- ii) predominantly eco-sourced native vegetation indigenous to the area and ecosystem type as proposed in a planting and maintenance plan forming part of any application for subdivision consent, or
- iii) predominantly eco-sourced native vegetation indigenous to the area and ecosystem type to be planted to replace any existing vegetation removed from within the corridor;

except that:

- iv) the formation and maintenance of walkways, cycleways, and the construction and maintenance of utility service lines and their structures are permitted within the Biodiversity Corridor provided they cross the corridor more or less at right angles, and
- v) the formation and maintenance of walkways and cycleways may also run along the corridor provided a corresponding increase in width is provided, and
- vi) the formation and maintenance of roads and required property accesses, where there is no practicable alternative, may transect any Biodiversity Corridor provided that they cross the corridor more or less at right angles, and
- vii) in the case of ii) and iii), exotic vegetation may be used as a nursery crop for the purpose of assisting with the establishment of the native vegetation referred to.

d) The existing ~~groups of treestree groups (1-5) or woodlands~~ shown on Schedule I Structure Plan Figure 1, and not included in Appendix 2 of the Plan, shall be retained. ~~Protection of the tree groups and protected (at, or before, time of subdivision)~~ by way of consent notice, QEII covenant, or other such mechanism ~~as agreed by Council, which is registered on the title of the land on which the trees are located shall be established at, or before, the time of issue of new property titles subsequent to the grant of subdivision consent. A road route is shown through~~ Tree group 4 shall include, ~~it is intended that~~ allowance for a ~~is made for the~~ road formation to pass through ~~this group~~ provided vegetation removal is kept to a minimum.

Note: Tree group 1 area also contains individual trees separately protected through other provisions of the Plan, the Tree grouping identifier protects other vegetation within this defined area. The location of tree groupings are exact, ie. not indicative.

~~e) Where practicable, and inclusive of the critical linkages shown on the Structure Plan, subdivision design shall incorporate a network of walking and cycle links between roads, and from roads to open spaces (reserves, 'greenspace' or biodiversity corridors).~~

~~f) No buildings are permitted within 5m of the Marsden Valley Road Reserve legal boundary (north east side) for the frontage length as shown in Schedule I Structure Plan, Figure 1. Vehicle crossings in setback area are to have a minimum separation distance of 40m.~~

~~ef) Buildings are permitted up to, but not within, the 5m building setback (setback is the area within 5m of the Marsden Valley Road Reserve legal boundary (north east side) as at 1~~

October 2009) until such a time as this road reserve boundary is moved north eastward. After this movement occurs rule REr.25 'Front Yards' shall apply. In both cases this applies for the frontage length as shown in Schedule I, Structure Plan Figure 1. Vehicle crossings in this setback are to have a minimum separation distance of 40m.

fg) For the Marsden Valley Suburban Commercial Zone SCr.39.1 b) shall be replaced by 'Any activity located more than 50m from the Residential Zone boundary, which involves the sale of liquor for consumption on the premises may be open for the sale of liquor only during the following hours: daily 7am to 1am the following day, Monday to Saturday, and 7am to 11pm on Sundays.'

gh) The following activities are not permitted activities in the Marsden Valley Suburban Commercial Zone: motor vehicle sales, service, and storage; industrial activities; warehouses; and building and landscape supply activities (including outdoor storage).

Restricted Discretionary Activities

hi) Buildings and structures located in the Marsden Valley Suburban Commercial Zone which exceed 8m in height but are less than 12m in height are a Restricted Discretionary Activity. Any building over 12m in height is a discretionary activity.

Discretion restricted to:

- i) design, scale and appearance in relation to building height and external walls.
- ii) ~~proximity to, and effect on, visual, shading and dominance effects on adjacent zones~~
- iii) ~~visual, shading and dominance effects on publicly accessible open space within effect on public open space within, or adjacent to the Suburban Commercial Zone~~
- iv) contribution to achieving the overall design principles of the Marsden Valley Suburban Commercial ~~Zone area~~ (see Clause 1.5)

Resource consent applications for restricted discretionary activities under Sch.1.2 h) will ~~not be considered without notified or limited notified. cation, or obtaining written approval of affected persons, under Section 94 of the Act.~~

I.3 Activity Status

I.3.1 Discretionary Activities

Any activity which does not meet one or more of the performance standards in Schedule I.2 a – g) 'General Rules', or is a building or structure over 12m in height in the case of I.2 h), is a Discretionary Activity.

Any activity in the scheduled area ~~not triggering Schedule 1.2 'General Rules'~~ will be assessed under the relevant rules ~~(and consent status)~~ as they apply to the zone and overlays in which the activity is located, with the most stringent activity status being applicable to the application.

In determining whether to refuse consent, or grant consent subject to conditions, the consent authority will have regard to relevant assessment criteria listed in I.4.

I.3.1-2 Subdivision

The General Rules set out in I.2 shall apply to subdivision proposals.

The relevant provisions of the Plan's Residential, Rural, Open Space and Recreation, and Suburban Commercial Zone rule tables shall also apply individually to land within those zones. A subdivision application will take on ~~a consent status~~ the most stringent activity status as determined by the relevant rules triggered, ~~be whether they are~~ from this Schedule or the relevant zone rule table.

Relevant assessment criteria listed in I.4 apply to all subdivision applications within the scheduled area.

I.4 Assessment Criteria

These assessment criteria relate to issues specific to the Schedule I area. All other relevant assessment criteria of zone rules triggered are also to be considered.

- i) The extent to which any proposal and / or development is in general accordance with Schedule I and with associated Structure Plan (Schedule I Figure 1).
- ii) Mitigation of the actual or potential effects of activities or subdivision design on landscape values.
- iii) Integration and compatibility with adjoining activities, ~~including future activities permitted due to the zoning of land.~~
- iv) Opportunities to mitigate any cross-boundary effects.
- v) The method/s of ongoing retention and protection of identified vegetation within the scheduled area.
- vi) Where practicable the incorporation of a network of walking and cycling links between roads, and from roads to open spaces (reserves, 'greenspace' or Biodiversity Corridors).
- ~~vi)~~vii) Ability to cluster development to mitigate visual amenity in the Rural - Higher Density Small Holdings Zone ~~areas.~~
- ~~vii)~~viii) The required width of Biodiversity Corridors.
- ~~viii)~~ix) The proposed ownership, maintenance and management regime for Biodiversity Corridors and 'greenspace' areas, and the effect different alternatives have on subdivision layout and design, and on the values of those spaces.
- ~~ix)~~x) Any likely presence of, and disturbance to, any archaeological sites.
- ~~x)~~xi) Compliance with the relevant local and national legislation in relation to existing high voltage transmission lines.
- ~~xi)~~xii) An activity type, building and/or outdoor space design, or subdivision design's contribution to achieving the relevant overall design principles of the Marsden Valley Suburban Commercial Zone area. (Clause I.5)
- ~~xii)~~xiii) Use of design techniques to add interest to external walls of buildings facing onto public space or residentially zoned land.
- ~~xiii)~~xiv) Any assessment criteria for other relevant rules triggered by ~~a~~ proposal application, or referred to in this schedule under cross-reference to the appropriate Zone rule table also apply.

I.5 Marsden Valley Suburban Commercial Zone Overall Design Principles

The ~~following~~ key design principles ~~seek to provide sought~~ for a vibrant the Marsden Valley Suburban Commercial Zone ~~to create an urban village environment which supports the~~

surrounding community and provides opportunities for meeting commercial and social needs are which results in a quality urban environment: ~~serving residents and visitors:~~

- i. Proximity of different activities which enables a degree of walkability.
- ii. Quality public spaces that are active and provide for a variety of users, and are pedestrian friendly in scale and amenity, and easy to get around and through.
- iii. High quality of design and finish of buildings and structures with that create a sense of distinctiveness and cohesiveness through the use of colour, height, roof forms, materials, layout and circulation.
- iv. Active frontages and avoidance of visible blank walls.
- v. Safe and comfortable outdoor environments through people presence and "eyes on the street".
- vi. Adaptable and flexible buildings configuration, layout and dimensions to enable able to be used and reused for a variety of different activities.
- vii. Well designed and efficient living environments which have good access to sun, pleasant outlooks, and are appropriate to the location.
- viii. Good quality working environments that are efficient and which have easily accessed recreational facilities Mixed use commercial, employment and living environments which have easily accessed facilities.
- ix. Activities which promote a quality urban environment with a focus on meeting basic commercial and social needs of the nearby residents but also allowing for some appropriate commercial and employment uses serving people from a wider catchment.
- x. Building and open space design, layout and orientation which responds well to, and integrates with, adjacent zones and uses.
- xi. Building and open space design, layout and orientation which builds on the site's relationship relates to and integrates with Poorman Valley Stream and the protected woodland (W2) to the north.
- xii. Provision of an area of publicly accessible open space central to the Marsden Valley Suburban Commercial Centre which is of a type, size and design which provides a community focal point and amenity appropriate to development and uses which will occur within the Centre.

The compatibility of different activities with the zone to each other and to adjoining zones.

I.6 Explanation

The Nelson Urban Growth Strategy 2006 (NUGS) identified the Stoke Foothills, including Marsden Valley, as suitable for accommodating some of the future residential growth of Nelson. This Schedule and Structure Plan are to ensure residential development can be achieved to give effect to the direction provided by NUGS, while respecting the landforms and recognised specific landscape features of the valley. It will allow for an integrated and planned system of walkways, roading and servicing across multiple properties.

Marsden Valley has been identified as having important land forms and landscape features which require consideration and protection when planning development in the area. Of importance from a landscape perspective are the prominent slope at the head of Marsden Valley and along the slopes of Jenkins Hill, and the upper ridgeline and shoulder slopes separating Marsden and Enner Glynn valleys.

Established trees along the Marsden Valley Road frontage contribute to the Valley's character and also to the attractive amenity; a 5m wide landscape strip is required along the north-east frontage with Marsden Valley Road to retain some of this character. Some of the

existing vegetation (for example, the stand of kanuka identified as a Landscape Woodland) is seen as important in helping define the overall landscape of Marsden Valley and for softening built development, and have been ~~protected~~retained.

Esplanade reserves, Biodiversity Corridors, parks and 'greenspace' areas all provide opportunity to retain and enhance vegetation in the Scheduled I area. Biodiversity Corridors and 'greenspace' are shown in indicative locations on the Structure Plan. These serve to provide corridors for biodiversity to occupy and travel through, ultimately creating a network which allows passage from one area of habitat to another. The 'greenspace' areas are often located in conjunction with the Biodiversity Corridors and can achieve the same end result but their primary purpose is to offset the Residential zoning and ensure an open space, or vegetated network is created which is integral to the community in this area.

The Marsden Valley community will be strengthened by an area of Suburban Commercial zoning. ~~It is~~~~This is~~ intended ~~that this area will~~ ~~to~~ provide the commercial and social hub for residents in the valley and surrounding area while also allowing for residential development within the Suburban Commercial Zone. In regard to the provision of open space it is expected the Suburban Commercial Zone will consist of a mix of retail, commercial and residential activity which will be best served by a generally paved space such as a privately owned, but publicly accessible village square. If the Suburban Commercial Zone is however primarily residential in character then a larger predominantly green space will better provide the recreational and visual amenity that is appropriate and necessary for such development. The importance of this publicly accessible open space area is expressed through objectives and policies of the Suburban Commercial Zone. Higher Density Residential Zoning is provided in support of the commercial zoning. This provides a housing choice within the valley (and the wider Nelson area) allowing for increased flexibility in living styles and the opportunity to live and work in the same area. In addition, the Suburban Commercial Zone will provide an important destination and meeting point for visitors to the Valley as well as recreational users who use Marsden Valley to access important recreational areas.

In order to avoid activities which are incompatible with the Marsden Valley Suburban Commercial Zone, certain inappropriate activities are not permitted, along with earlier closing times for ~~activities~~—selling liquor for on-site consumption. These controls will ~~ensure~~ ~~the~~enhance the compatibility of activities both within the zone ~~are compatible with the vision for an urban village~~ and within adjacent zones. The controls will also aid in achieving the objective for the Suburban Commercial Zone of creating a quality urban environment ~~—serving residents and visitors.~~

The particular allowance for buildings up to 12 m height in ~~the~~ Marsden Valley Suburban Commercial Zone provides greater flexibility in design and roof forms. It also promotes building adaptability and future re-use by allowing higher ceilings for a wider range of uses over time (residential and commercial). Control over the appearance, location, impact on neighbouring zones and effect on the ~~urban~~village environment is retained by Council through the requirement for a ~~restricted discretionary activity~~ resource consent for buildings between 8 and 12m in height. ~~Any building over 12m in height would be considered as a discretionary activity.~~

An indicative ~~school site (primary or secondary)~~educational facility is shown on the Structure Plan to signal that ~~a school~~this is considered to be an activity which could help to create a viable community in Marsden Valley. ~~—This would allow the option for children to be~~

~~educated within walking distance of their homes and in the community in which they live. The amenities facilities of any school educational facility could potentially be a shared resource for use by the community. No specific rules relate to the site and any application for an educational facility requires a resource consent for a non-residential activity. Any application for the establishment of a school will be assessed through the standard rules and provisions for the Zone in which it is located. This indicative school site notation, and associated plan text, shall expire 5 years after the date Plan Change 13 becomes operative.~~

~~The Rural Zone - Higher Density Rural Small Holdings AreaZone included in the Schedule I area, covers two areas of land of low productive value, but which retain landscape, open space and amenity characteristics. A higher density of development than the standard Rural Zone is provided for in recognition of the limits on productive use and to provide consistency with zoning on the foothills of the Barnicoat Range.~~

Delete existing Structure Plan Sch.I Figure 1
Insert new Structure Plan Sch.I Figure 1

Volume 2, Chapter 9 (Suburban Commercial)

Amend SCd to read as follows:

SCd.1 This Zone includes the suburban commercial areas at Stoke, Marsden Valley, Ngawhatu...

~~SCd.7 The Marsden Valley Suburban Commercial Zone services the residents and visitors within Marsden Valley and the surrounding area. Schedule I (see Chapter 7, Residential Zone) provides for an increased height limit (through resource consent) for this particular area to allow for varied building heights and roof forms to help create an urban villagequality urban environment which supports the surrounding community and provides opportunities for meeting commercial and social needs. Additional restrictions control various activity types, and, liquor sale hours and active frontages to help to create the urban environment desired.~~

Renumber existing SCd.7 as SCd.8

Add new Objective

SC3 Marsden Valley Suburban Commercial Zone

To recognise and provide for a vibrant Marsden Valley Suburban Commercial centre, which through its central location, provision of an area of publicly accessible open space central to the Zone, mix of suitable activities, and high quality building design, allows for the creation of a quality urban environment. ~~servicing residents and visitors.~~

Reasons:

SC3.i The Marsden Valley Suburban Commercial Zone will form the centre of a new residential community in the valley. It will support the surrounding community and provide opportunities for meeting commercial and social needs. This area is different to many existing Suburban Commercial zones in that it is central to the creation of a new community and as such can be designed in an integrated manner with this community to achieve the best result from an urban design perspective.

policy

SC3.1 building and outdoor space design

Promotion of variety, modulation, active frontages, and creativity in building and outdoor space design which is at a human scale, and contributes to high quality, coordinated public outdoor areas.

Explanations and Reasons:

SC3.1.i Buildings of a uniform design, with blank walls, a lack of interaction with the street or public places, or of a dominating scale can detrimentally affect the spaces and areas to be used by people. To ensure a ~~successful urban village~~quality urban environment is developed it is essential that the buildings and outdoor spaces are designed in such a way as to support this.

Methods

SC3.1.ii Rules to control buildings over a certain height

SC3.1.iii Assessment criteria ~~and restricted discretionary matters~~ to ensure buildings, activities and subdivision which trigger a resource consent are assessed ~~for their contribution to achieving the Overall~~ ~~against their compliance with the general~~ Design Principles for the Marsden Valley Suburban Commercial Zone.

Policy

SC3.2 mixed use

To enable a mix of activities (primarily commercial (retail and office), and residential) within the Zone which supports the creation of a ~~successful urban village area~~quality urban environment, adds vibrancy, and provides a wide choice of places to live, work and play.

Explanations and Reasons:

SC3.2.i Suburban Commercial zones provide an opportunity for mixed use activities, for example retail on the ground floor and residential or offices above. This mix of uses has a number of benefits including: increased vibrancy of these centres; wider range of living options; reduced travel dependence; increased surveillance of public spaces and a larger customer base for retailers.

Methods

SC3.2.ii Rules which permit mixed uses (retail, office and residential).

SC3.2.iii Rules which limit the establishment of activities which may be detrimental to creation of a ~~successful urban village~~quality urban environment.

Add new rule SCr.69B Marsden Valley (Schedule Site – Sch. I)

SCr.69B.1 Schedule Sch. I (Residential Zone) applies.

SCr.69B.2 Schedule Sch. I (Residential Zone) applies.

SCr.69B.3 Schedule Sch. I (Residential Zone) applies.

SCr.69B.4 Schedule Sch. I (Residential Zone) applies.

SCr.69B.5 Schedule Sch. I applies. Schedule I follows after the Residential Zone rule table (Chapter 7)

Amend SCr.71.2 g) ...or a resource consent, and

Add to SCr.71.2 h) In respect of Marsden Valley Schedule I, compliance with Schedule I rules requiring subdivision layout and design to generally accord with Schedule I, Figure 1 Structure Plan, located in Chapter 7 Residential Zone.

Add SCr.71.2 control reserved over section,
xiv) in Sch.I Marsden Valley area the matters contained in Schedule I and Schedule I,
Figure 1.

Add prior to existing Sch.L: Sch I Marsden Valley
For provisions relating to Schedule I see Chapter 7, Residential Zone

Amend contents page
SCr.69B Marsden Valley (Scheduled Site – Sch I)
SCr.70 Nayland Road Commercial Area (Scheduled Site: - Sch.J L)

Volume 2, Chapter 11 (Open Space and Recreation)

Add to OSr.47.1 Vegetation Clearance

OSr.47.1 f) there is no clearance of indigenous forest vegetation, and

g) there is no clearance of vegetation within a Biodiversity Corridor unless it is an exotic species, or a species with a pest designation in the current Tasman-Nelson Regional Pest Management Strategy, and providing an exception for or is vegetation clearance required for:

i) the maintenance of State Highways, or

ii) the installation and maintenance of utility service lines which cross (more or less at right angles) a Biodiversity Corridor including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, provided the clearance is no more than required to permit the activity and vegetation is reinstated after the activity has been completed, or

iii) the formation or maintenance of roads and private access ways which cross (more or less at right angles) a Biodiversity Corridor to land where there is no viable alternative access route available and provided the clearance is no more than required to permit the activity, or

iv) the formation or maintenance of walkways or cycleways adjacent to, running along (subject to provisions of 1.2 c), or crossing (more or less at right angles) a Biodiversity Corridor and provided the clearance is no more than required to permit the activity.

Add OSr.47.3 xviii) the matters in Appendix 4 (marine ASCV overlay), and
xix) effects on the values and function of any Biodiversity Corridor.

Add to OSr.47.5 Native vegetation is specifically protected in Biodiversity Corridors to ensure their function as a corridor is not compromised through clearance.

Add after FWr.25
Schedule Open Space and Recreation Zone
Sch I Marsden Valley

For provisions relating to Schedule I see Chapter 7, Residential Zone

Volume 2, Chapter 12 (Rural)

Amend **RUd.6** to read:

A Higher Density Small Holdings areas has have been provided to the rear of the Residential zZone at Ngawhatu and Marsden Valleys and adjoining the Rural farmland on the southern boundary of the land at Ngawhatu and near the entry to Marsden Valley. This zoning recognises the limited productive potential of these areas due to its topography and small size, and in the case of the Higher Density Small Holdings areazone in upper Marsden Valley, the maintenance of the open character of this visible slope. The zoning also allows for clustering of housing to mitigate visual amenity effects, and/or enables a transition from Residential to Rural Zoning.

Amend **RU2.ii(b)** to read:

~~...Part of the Marsden Valley area has also been identified as a Rural Zone – Higher Density Small Holdings Area, because of theits limited productive potential of this area due to its topography and small size, and in the case of upper Marsden Valley, the ability to cluster development to mitigate visual amenity effects in relation to the open rural character of the visible slopes. Given its immediate proximity to the residential area of Stoke. This includes a combination of Lower, Medium and Higher Density Small holdings opportunity. The Medium Density Small Holdings Area has been defined in part of the valley shown on the Planning Maps in Schedule T. This area was granted a resource consent in 1996 pursuant to the transitional District Plan for allotments of 1 hectare minimum with an average size of 2 hectares. The area was also subject to a reference on the proposed Plan with respect of the zoning of the land in the Plan. The scheduling of the area is the outcome of those appeals. It is a compromise that allows for reasonable development opportunities in the valley, while ensuring minimal impact on the rural and landscape character of Marsden Valley (see also Objective RU4). The Higher Density Small Holdings Area, as it relates to land within Schedule I (Marsden Valley, eastern area Rural Zone – Higher Density Small Holdings Area), and Schedule V (Marsden Hills), Schedule E (Ngawhatu Residential Area) to the rear of the Residential Zone and adjoining part of the Rural Zoned farmland along the Southern boundary. This area provides for allotments of an average of 1 hectare but with a minimum subdivision area of 2,000m².~~

...limited number of enclaves of settlement. In Marsden Valley (Schedule I, Chapter 7, Residential Zone) the western Rural Zone – Higher Density Small Holdings Area has a site size requirement of 6000m² average and 2000m² minimum with a requirement for reticulated services. This recognises that this area is surrounded by Residential zoning and is therefore not located in a rural or rural to residential transition environment. As per other specified areas of Rural Zone – Higher Density Small Holdings Areas the provisions allow for clustering of development.

Delete final paragraph of **RU2.ii b)** starts with 'In Ngawhatu to the rear...'

Amend **RU2.1.i** ...There is opportunity to consider groupings clusters of dwellings, which may be appropriate in some situations for reasons of landscape amenity, stability or local servicing for example, provided that the general landscape character is not compromised.

Amend RU2.1.iA 'For objectives and policies relevant to the Rural **Zone - Small Holdings AreasZone** (Schedule I) refer to RE4 Marsden Valley (Schedule I), Chapter 7. See also objective RU4'

Amend RU2.1.iB 'Clustering of development with open space separating clusters in the Rural Zone - Higher Density Rural Small Holdings Areazone with open space separating clusters in Schedule I (Marsden Valley), and ~~on the~~ in Schedule V (Marsden Hills), in the Higher Density Rural Small Holdings zone within Schedule V, is encouraged in order to avoid dispersed development dominating the land form.'

Amend RU2.2.iA 'For objectives and policies relevant to the Rural **Zone - Small Holdings AreasZone** (Schedule I) refer to RE4 Marsden Valley (Schedule I), Chapter 7. See also Objective RU4'

Delete RU4 Marsden Valley (Schedule I), including RU4.1 – RU4.6

Insert RU4 Marsden Valley (Schedule I)

For objectives and policies relevant to the Rural **Zone - Small Holdings AreasZone** (Schedule I) refer to RE4 Marsden Valley (Schedule I), Chapter 7.

Delete the following in RUr.20 Permitted Activities General

RUr.20.1 e) the activity is not an industrial or commercial activity, which is located within the **Rural Zone - High Density Small Holdings Area** ~~or within the Marsden Valley Small Holdings Area~~. Here REr.21 (Home Occupations) applies.

Add to RUr.25.1 Vegetation Clearance

RUr.25.1 f) there is no clearance of indigenous ~~forest~~vegetation, and

g) there is no clearance of vegetation within a Biodiversity Corridor unless it is an exotic species, or a species with a pest designation in the current Tasman-Nelson Regional Pest Management Strategy, ~~and providing an exception for~~ or is vegetation clearance required for:

i) the maintenance of State Highways, or

ii) the installation and maintenance of utility service lines ~~which cross (more or less at right angles) a Biodiversity Corridor~~ including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, provided the clearance is no more than required to permit the activity and vegetation is reinstated after the activity has been completed, or

iii) the ~~formation~~ing or maintenance of roads ~~and~~ainng private vehicle access ways ~~which cross (more or less at right angles) a Biodiversity Corridor~~ to land where there is no viable alternative access route available and provided the clearance is no more than required to permit the activity, or

iv) the formation or maintenance of walkways or cycleways adjacent to, running along (subject to provisions of I.2 c), or crossing (more or less at right angles) a Biodiversity Corridor and provided the clearance is no more than required to permit the activity.

Add RUr.25.3 xviii) the matters in Appendix 4 (marine ASCV overlay), and xix) effects on the values and function of any Biodiversity Corridor.

Add to RUr.25.5 [Native](#) vegetation is specifically protected in Biodiversity Corridors to ensure their function as a corridor is not compromised through clearance.

Amend RUr.77 ~~Marsden Valley Small Holdings Area~~ (Schedule Site – Sch. ~~7~~)

RUr.77.1 ...Sch. ~~7~~.

RUr.77.2 ...Sch. ~~7~~.

RUr.77.3 ...Sch. ~~7~~.

RUr.77.4 ...Sch. ~~7~~.

RUr.77.5 See Schedule Sch. ~~7~~. ~~The schedules for this Zone follow after the rule table. Schedule I follows after the Residential Zone rule table (Chapter 7)~~

Amend contents page

RUr.77 Marsden Valley ~~Small Holdings Area~~ (Schedule Site – ~~7~~)

Amend **RUr. 78 as follows:**

RUr.78.2

e) The net area of every allotment is at least...

iii) 1ha average size with a 5000m² minimum size except in Marsden Valley (Schedule ~~7~~, Chapter 7, [eastern area](#)), Marsden Hills (Schedule V, Chapter 7) and Ngawhatu where the minimum size is 2000m², and except in Marsden Valley, (Schedule I, Chapter 7, western area) where the average size is 6000m² and the minimum size is 2000m² (all exceptions are subject to the provision of reticulated services), in the Higher Density Small Holdings Area provided that any allotment to be created complies in all respects with the requirements of Appendix 14 (design standards), or.

Add RUr.78.2 h) In respect of Marsden Valley Schedule I, compliance with Schedule I rules requiring subdivision layout and design to generally accord with Schedule I, Figure 1 Structure Plan, located in Chapter 7 Residential Zone.

Amend RUr.78.2 control reserved over section,

iii) design and layout of the subdivision, and within Marsden Hills High Density Rural Small Holdings zone Rural Zone – Higher Density Small Holdings Area (Schedule V, Chapter 7) and Marsden Valley (~~Schedule I, Chapter 7~~) Rural Zone – Higher Density Small Holdings Area (Schedule I, Chapter 7) Zone the design, utilization of clusters of development, ~~with separated by~~ open space separating clusters, rather than a design which allows dispersed development, and

Add RUr.78.2 control reserved over section,

xiii) in Sch. I Marsden Valley area the matters contained in Schedule I and Schedule I, Figure 1.

Delete RUr.78.4 z)

Delete RUr.78.4 aa)

Amend RUr.78.4 bb) In Marsden Hills (Schedule V, Chapter 7), Marsden Valley (Schedule I, Chapter 7) and Ngawhatu Higher Density Small Holdings Areas, the extent of the provision of pedestrian and cycle linkages between Open Space areas, Residential and Rural Zone -

High Density Small Holdings Area neighbourhoods, and neighbouring land, to ensure over time pedestrian and/or cycleway links connect up to the Barnicoat Walkway and extending between and within the Ngawhatu and Marsden Valleys, and Enner Glynn Valleys or as otherwise indicatively shown on Structure Plans or Outline Development Plans.

Amend RUr.78.4

cc) In the Marsden Hills (Schedule V), Marsden Valley (Schedule I), and...

Add to RUr.78.4

dd) In the Marsden Valley (Schedule I), the provision for walking and cycling linkages with adjacent areas, including public roads, Residential zones and recreation areas.

Amend RUr.78.5

In the Small Holdings Area an average...~~For the Marsden Valley Small Holdings Area, Schedule T applies.~~

Delete paragraph in RUr.78.5 starting with 'In the Ngawhatu Higher Density Small Holdings area, the average lot size is...'

Amend RUr.78.5 second to last paragraph

For the Marsden Hills Higher Density Small Holdings Area Schedule V (Chapter 7 Residential Zone) applies in addition to the Zone rules. In Marsden Valley Schedule I (Eastern Rural Zone – Higher Density Small Holdings Area only, Chapter 7 Residential Zone), the Marsden Hills (Schedule V) and Ngawhatu Higher Density Small Holdings Area, the average lot size is 1ha with the minimum size 2,000m²

Add to RUr.78.5 (located as new second to last paragraph)

In Marsden Valley (Schedule I, Chapter 7, Residential Zone) the western Rural Zone – Higher Density Small Holdings Area has a site size requirement of 6000m² average and 2000m² minimum with a requirement for reticulated services. This recognises that this area is surrounded by Residential zoning and is therefore not located in a rural or rural to residential transition environment.

Delete Sch.T Marsden Valley Small Holdings Area

Add Sch I Marsden Valley

For provisions relating to Schedule I see Chapter 7, Residential Zone

Volume 3 (appendices)

Amend AP2.1.1.ii

W = Woodland (references to numbered woodlands and map symbology will be progressively updated).

Amend the following

Appendix 2 Heritage Trees

Category	Street No.	Address	Location	Type	Tree Name (latin)	Tree Name (common)	No. of trees
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Category	Street No.	Address	Location	Type	Tree Name (latin)	Tree Name (common)	No. of trees
Landscape		Marsden Valley (road frontage)	Sch.I, Residential Zone	GW	<u>Woodland (W1)</u>	Mixed exotic	10
Heritage		Marsden Valley (road frontage)	Sch.I Residential Zone	S	Cedrus deodara	Himalayan Cedar	1
Landscape		Marsden Valley (ridgeline) (on minor ridge NE of, and parallel to Marsden Valley Road)	Sch.I Residential Zone	W	Woodland (W2)	Woodland Mixed native species predominantly Kanuka = <u>excluding the conifer windbreak non-native species are excluded from protection.</u>	
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Tilia species	Lime	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Alnus cordata	Italian Alder	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Sequoiadendron giganteum	Californian Big Tree	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Picea species	Spruce	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Zelkova serrata		1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Quercus rubra	Red Oak	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Betula nigra	River Birch	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Taxodium distichum	Swamp Cypress <u>Cypress</u>	1

Category	Street No.	Address	Location	Type	Tree Name (latin)	Tree Name (common)	No. of trees
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Quercus ruba	Red Oak	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Alnus cordata	Italian Alder	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Taxodium distichum Metasequoia glyptostroboides	Swamp Cyprus—Dawn Redwood	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Betula species	Big Leaf Birch	1
Landscape		Marsden Valley	Sch.I Residential Zone & Sch.T Rural Zone	S	Betula species	Birch	1

PLANNING MAPS

Volume 4

Amend **Planning Maps 28, 31, 34, 54 and 55 (left hand side)** by showing revised overlay provisions as shown on map 1 attached [1066093](#)

Amend **Planning Maps 28, 31, 34, 54 and 55 (right hand side)** by rezoning as shown on map 2 attached [1066077](#)

Volume 1 - Maps

Delete **Figure 1 of Schedule I (Residential Zone)** and replace with the structure plan – map 3 attached [1066074](#)

Volume 2 - Maps

Delete **Figure 1 of Schedule T (Rural Zone)**