

# 5

# district wide objectives and policies

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**Note** Objectives and policies in this Chapter apply throughout the District. They are not presented in a hierarchical order. No one objective or policy takes precedence over any other unless specified in the Act. Objectives and policies are also included in Zone chapters and relate mainly to the zone dealt with in each chapter. The Plan should always be considered as a whole. There may be occasions where due to the rolling Plan review process inconsistencies between the District Wide objectives and policies and Zone objectives and policies arise.

## **D01 Tangata whenua**

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DO1.i The issues in regard to tangata whenua are discussed in Chapter 4 (particularly RI4 - tangata whenua and RI13 - heritage and cultural values).

### **objective**

## **D01.1 Maori and resources**

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*Management of natural and physical resources that recognises the needs of Maori communities and enables them to provide for their social, economic, and cultural well being and their health and safety.*

### **Explanation and Reasons**

DO1.1.i Section 5 of the Resource Management Act requires that the social, cultural, and economic well being of people and communities and their health and safety be addressed in the process of sustainable management of resources. The cultural values of Maori communities in relation to some resources differ from other communities and are therefore given separate consideration in this Plan. For other resource management issues, (for example, safety of the road network) this Plan draws no distinction between different communities. The Act requires special consideration of the Maori perspective on various specific matters and these are dealt with under this objective in the policies that follow.

### **policy**

#### **DO1.1.1 relationship with ancestral resources**

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*Natural and physical resources should be managed in a way that recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

### **Explanation and Reasons**

DO1.1.1.i This policy reflects the requirements of the Resource Management Act in regard to matters of national importance. Those requirements are further addressed in the policies below and also in the policies of the Plan dealing with cultural heritage. The policy is consistent with the Regional Policy Statement.

### **Methods**

DO1.1.1.ii Rules dealing with papakainga and cultural heritage.

DO1.1.1.iii Consultation on issues relating to the relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga.

DO1.1.1.iv Transfer by the Council of one or more powers under the Resource Management Act to iwi authorities.

### **policy**

#### **DO1.1.2 treaty principles and kaitiakitanga**

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*Management of natural and physical resources that takes into account the principles of the Treaty of Waitangi and has particular regard to kaitiakitanga.*

### **Explanation and Reasons**

DO1.1.2.i The Resource Management Act requires the principles of the Treaty of Waitangi to be taken into account. The principles are declared by the Courts and the Waitangi Tribunal and will continue to evolve. The principles include, among others: the partnership principle, which requires that iwi and the Council interact with reason and respect; the principle of tribal self regulation (rangatiratanga) of the resources of tangata whenua; and the principle of active protection of resources of importance to Maori, in accordance with Maori cultural and spiritual values.

DO1.1.2.ii Kaitiakitanga means the exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself. The policies of this Plan are intended to support the tangata whenua in exercising their role as kaitiaki or guardians of their resources.

DO1.1.2.iii The Treaty and the concept of kaitiakitanga are treated in this Plan as providing a framework for addressing resource management issues rather than prescribing specific outcomes for issues that might arise from time to time. The starting point for the resolution of resource management issues is seen as a dialogue between the Council and iwi. The Council recognises that mutually satisfactory consultation between iwi and the Council is necessary to give effect to the principles of the Treaty. Consultation particularly addresses the principle of partnership, as well as providing a means of addressing the needs of kaitiakitanga.

DO1.1.2.iv This policy is consistent with the Regional Policy Statement. Procedures for consultation agreed under the Regional Policy Statement are expected to be applicable to consultation under this Plan. Consultation under both documents is likely to take place at the same meetings or hui.

#### Methods

DO1.1.2.v Ongoing consultation between the Council and iwi, in a way that is mutually acceptable, in regard to this Plan and resource management issues generally.

DO1.1.2.vi Consideration of kaitiakitanga and the principles of the Treaty of Waitangi when resource management decisions are made.

DO1.1.2.vii Developing a partnership approach to address issues as they arise.

### **policy**

#### **DO1.1.3 management by tangata whenua**

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*Tangata whenua should have opportunities to manage their ancestral land and resources in a sustainable manner.*

#### Explanation and Reasons

DO1.1.3.i Ancestral land in this context includes Maori customary land and Maori freehold land as defined in the Maori Land Act 1993 (Te Ture Whenua Maori Act 1993). Management would be through a responsible entity such as an iwi authority, or trustees in whom the land is vested.

#### Methods

DO1.1.3.ii Papakainga provisions in the Plan allowing for special management of land vested in iwi authorities or trustees.

DO1.1.3.iii Transfer by the Council of one or more powers under the Resource Management Act to iwi authorities.

### **policy**

#### **DO1.1.4 traditional resources**

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*Access should be provided to traditional resources within public reserves, water bodies, and coastal water, consistent with preserving natural values.*

#### Explanation and Reasons

DO1.1.4.i Traditional resources that yield food and materials that have cultural uses, such as flax, kiekie and pingao, may be found in public reserves, water bodies and coastal water. Access to these places is also provided for in the Coastal Marine Area and Open Space and Recreation Zones.

#### Methods

DO1.1.4.ii Provision for access in Coastal and Open Spaces parts of this Plan.

DO1.1.4.iii Provision in reserves management plans administered by the Council for cultural harvesting.

DO1.1.4.iv Provision of esplanade reserves, esplanade strips and access strips as opportunities arise on subdivision.

## **policy**

### **DO1.1.5 cultural activities**

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*Opportunities should be given to maintain Maori cultural values within the District by enabling the Maori community to establish (in appropriate zones) a range of housing types, and educational, health, and community activities.*

#### **Explanation and Reasons**

DO1.1.5.i This Plan will accommodate, within zones, land uses for activities with a specifically Maori dimension, including kohanga reo and other educational activities, and activities such as child care and health care facilities. Papakainga development is provided for under DO1.1.1 (relationship with ancestral resources), DO1.1.2 (treaty principles and kaitiakitanga), and DO1.1.3 (management by tangata whenua).

#### **Method**

DO1.1.5.ii Rules in appropriate zones providing for cultural activities as permitted, controlled or discretionary activities, depending on the effects on the environment.

## **policy**

### **DO1.1.6 water management**

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*Make policy decisions on water management having regard to the provisions of resource management plans such as eel management and iwi environmental management plans that promote the sustainable use of water and associated resources.*

#### **Explanation and Reasons**

DO1.1.6.i An Eel Management Area Plan (May 1999) for the top of the South Island was prepared by the Eel Management Committee under the provisions of the Ministry of Agriculture and Fisheries (Restructuring) Act. The plan includes provisions relating to: wetlands, weed clearing and drainage, channelling and flood protection works, gravel and sand removal, dams and weirs, pump stations and control gates, culverts, water takes, riparian area, riparian planting and vegetation control, land use, agrichemicals and fertilisers, pollution, eel migration, and transfers of elvers and small eels.

DO1.1.6.ii The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) provides an introduction to tangata whenua beliefs, values and practices associated with the natural environment. It also provides examples of nga taonga tuku iho (treasured resources), emphasises the legal and moral importance of Te Tiriti O Waitangi (The Treaty of Waitangi), and explains the duty, responsibility and accountability facing tangata whenua in the present-day management of natural resources.

DO1.1.6.iii The purpose of iwi involvement in environmental monitoring and management programmes is to reach agreement on environmental indicators for air, water, the coast and land that embrace traditional iwi knowledge and values.

DO1.1.6.iv Section 66(2A) of the Act requires the Council to take into account iwi management plans when preparing or changing regional policy statements, regional plans and district plans. Therefore the onus is on the Council to show how any iwi management plan has influenced the Freshwater Plan Change. A change to the Resource Management Act in 2003 made it clear that regard to these documents is limited to the preparation of Plans and does not apply to consent processes.

## D01e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D01e.1 Resource management decision making that includes perspectives of Maori communities	D01e.1.1 Regular consultation between Maori and the Council.	Feedback from hui
D01e.2 Increased management by iwi of their resources.	D01.e.2.1 Establishment of papakainga, taiapure or mahinga mātaimai.	Council records
D01e.3 Iwi input into the present-day management of natural resources.	D01e.3 Evidence that iwi management plans have been taken into account in the Council's resource management plans	Nelson Resource Management Plan  Section 32 reports Whakatu RMA Iwi Advisory Komiti



## **DO2 Natural hazards**

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DO2.i The issues in regard to natural hazards are discussed in Chapter 4 (particularly RI9).

### **Objective**

#### **DO2.1 natural hazards**

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

##### **Reasons**

DO2.1.i Natural hazards that occur in all zones include fire, inundation from ponding of surface water and flooding, earthquakes, landslides, and climatic events. Other natural hazards, such as sea level rise and tsunami are more localised in their effects. All of these pose potential or actual threats to people, property, and the environment. Improved understanding of the nature of these hazards indicates that it is often preferable to avoid rather than to mitigate the effects of natural hazards. For example, it is better to avoid development in flood ways than to attempt to mitigate the effects of flooding through costly and possibly unreliable flood control measures.

Within the coastal environment, subdivision and development have often led to a demand for costly and environmentally degrading coastal protection works. New subdivision and development should be located and designed so that the need for such works is avoided (see also CM8.2 protection works).

DO2.1.ii The policies under this objective aim to ensure that activities do not occur in such a way that there is a potential for loss of life and damage to property through natural hazards when such occurrences could be avoided or mitigated through management of the activity.

##### **policy**

#### **DO2.1.1 health and safety**

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*Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger human health and safety.*

##### **Explanation and Reasons**

DO2.1.1.i As it is often difficult or impossible to mitigate the effects of hazards, under this policy, the emphasis is that the hazard should be avoided rather than attempts made to mitigate effects. If the hazard is such that it may endanger health or safety, hazard mitigation can only be accepted if the risks are reduced to an acceptable level. While existing uses have the right to continue to use a site in a hazard prone area for a particular purpose, extensions to those activities do not. It is the intention of this policy that such activities be encouraged to relocate elsewhere and less susceptible activities take place on the site.

##### **policy**

#### **DO2.1.2 property and environment**

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*Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger property or the environment, unless the hazard can be adequately mitigated.*

##### **Explanation and Reasons**

DO2.1.2.i Danger to property and the environment, but excluding significant risk to human life, includes less severe flooding, storm water ponding or backup and tidal flows. Many of these risks can be mitigated by a variety of means, such as site or building works.

## Methods (policies DO2.1.1 and DO2.1.2)

### DO2.1.2.ii Rules in each zone controlling:

- a) activities where hazard areas have been identified and avoidance or mitigation of effects
- b) storage of hazardous substances
- c) location of structures in relation to hazard areas
- d) provision of water supply for containment of fires in
- e) activities within a Hazard Overlay

DO2.1.2.iii Use of the Building Act to control foundation construction in areas prone to seismic amplification

DO2.1.2.iv Mapping within this Plan of known hazards as overlays which are dealt with by way of rules

DO2.1.2.v Maintenance of a database of hazards controlled through other methods such as the Building Act using GIS and/or other database and retrieval systems

DO2.1.2.vi Plotting of contour information and further investigation of methods for setting minimum floor heights with greater certainty

DO2.1.2.vii Where appropriate, requiring or commissioning further investigations to better define the hazard or ways in which to avoid, remedy or mitigate adverse effects.

DO2.1.2.viii Provision of information to the public

## policy

### **DO2.1.3 aggravation of hazard**

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*No activity should aggravate any known or potential natural hazard on its own site or any other site.*

#### Explanation and Reasons

DO2.1.3.i Activities may worsen hazardous conditions both on-site or off-site. On-site effects may include land subsidence resulting from clearance of vegetation or excavation. Off-site effects might arise with the filling of a site in a manner that directs storm water onto adjacent sites previously unaffected by such problems. Activities should be limited to the extent that such effects cannot be mitigated.

#### Methods

DO2.1.3.ii Rules regulating the location at which some activities may take place.

DO2.1.3.iii Other methods - abatement notices and enforcement orders.

## policy

### **DO2.1.4 flood mitigation**

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*Access to riparian areas should be provided, maintained, or acquired where it is necessary for maintenance and flood mitigation works.*

#### Explanation and Reasons

DO2.1.4.i Many of the areas where maintenance and mitigation works are required occur within existing built up areas. Some water bodies are highly modified. It is a high priority that access to all these areas be provided and maintained for the efficient and effective mitigation of hazards.

#### Methods

DO2.1.4.ii Where possible, obtain esplanade reserves or strips at the time of subdivision, or development, to mitigate flood effects.

DO2.1.4.iii Negotiation of access strips where necessary.



## D02e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D02e.1 Safer communities.	D02e.1.1 Low incidence of damage to property and risks to life from natural hazards.	Insurance claim, Council records.
D02e.2 Low density of development and improved design and construction standards in areas where this Plan identifies major risks from natural hazards.	D02e.2.1 Consistent refusal of development proposals or increased design requirements when resource consents are applied for.	Council records, aerial photos.

## **D03 Hazardous substances and waste**

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D03.i The issues in regard to hazardous substances and waste are covered in Chapter 4 (particularly R17).

### **objective**

#### **D03.1 hazardous substances**

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*Management of the actual and potential effects arising from the storage, use, disposal, and transportation of hazardous substances to ensure that any potential or actual adverse environmental effects are avoided, remedied, or mitigated.*

##### **Reasons**

D03.1.i Maintenance of the quality of the environment is regarded as one of the paramount issues for Nelson. Contamination by hazardous substances and waste has the potential to impact on values and activities both within and outside the District. Examples might be where contamination of water occurs, potentially affecting the coastal area and neighbouring districts. The Resource Management Act 1991 specifically charges councils (both Regional and Territorial) with the responsibility to prevent or mitigate effects of these activities.

D03.1.ii The management of hazardous substances will also be controlled through the Hazardous Substances and New Organisms Act 1996.

##### **policy**

#### **D03.1.1 containment of hazardous substances**

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*Hazardous substances should be securely contained during storage, use or transportation, and monitoring and contingency procedures established, to minimise the risk of spillage or leakage and subsequent contamination of the environment.*

##### **Explanation and Reasons**

D03.1.1.i The greatest risk of contamination comes from accidental loss or leakage of material from containers. It is highly important for the environmentally safe use of such substances that due care is taken to ensure that material does not escape, and that in all situations where the unexpected occurs and leakage or spillage occurs, that measures such as secondary containment and procedures be put in place to ensure that environmental damage is minimised.

D03.1.1.ii This policy also seeks to make certain that hazardous substances are monitored to ensure that leakage is not occurring.

##### **Methods**

D03.1.1.iii Rules regarding containment and location of storage of hazardous substances.

D03.1.1.iv Requirements for contingency plans for management of emergency situations.

D03.1.1.v Requirement for tracking of hazardous substances from acquisition to disposal or sale.

D03.1.1.vi Abatement notices / enforcement orders where due care is not being taken in the management of hazardous substances.

## **policy**

### **DO3.1.2 creation of hazardous substances**

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*No process should create any hazardous substance that can not be safely stored, used and disposed of.*

#### **Explanation and Reasons**

DO3.1.2.i If hazardous substances are to be managed to ensure that environmental degradation does not occur, then no end-product or by-product should be created which can not be safely stored, used, or disposed of. The Council takes seriously the concept of global responsibility, and seeks to make certain that Nelson City plays its part in ensuring the continued health of the global environment. For this reason, unsafe disposal outside Nelson will be viewed in the same light as unsafe disposal in Nelson.

#### **Methods**

DO3.1.2.ii Implementation of Hazardous Substances and New Organisms Act 1996.

DO3.1.2.iii Assessment of resource consent applications.

## **policy**

### **DO3.1.3 contaminated sites**

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*Management of contaminated sites to contain effects, and to promote the rehabilitation of sites to a level where risk to the environment or health is remedied or mitigated.*

#### **Explanation and Reasons**

DO3.1.3.i The first priority with any contaminated site must be to ensure that the contamination or effects of that contamination are contained within the area or site, thus limiting the extent of environmental effects on surrounding resources. Following this, priority should be accorded to restoring the site or area to acceptable levels. While the costs may be prohibitive to return a site to something approaching a "normal" state, where any use suitable for the local environment may be undertaken with no risk, every endeavour should be made to return such resources to a state capable of reasonable use. What is reasonable will depend on the location and capability of the land. It is not expected that this would include activities which rely on a relatively pristine environment such as tourism, recreation, or residential activity.

#### **Methods**

DO3.1.3.ii In consultation with industry and affected parties, develop a system of investigation, assessment and registration of contaminated sites that determines appropriate remedial options for each site.

DO3.1.3.iii Impose conditions on consents where sought for any contaminated site.

DO3.1.3.iv Education, encouragement, and advice by the Council.

## **policy**

### **DO3.1.4 use and storage**

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*Hazardous substances should be used and stored in locations and by methods that avoid or mitigate adverse effects on the environment and health and safety.*

#### **Explanation and Reasons**

DO3.1.4.i The nature and scale of environmental effects and risks associated with hazardous facilities are influenced by their intrinsic hazard and their location: for example, their proximity to sensitive environmental areas or residential areas. Specific controls relating to the use and storage of hazardous substances will, therefore, directly address the nature of environmental effects and the level of risk.

DO3.1.4.ii Although the use of hazardous substances may provide benefits to the community by meeting community needs for products and services, any facilities or activities involving hazardous substances also represent a risk to the environment and to health and safety. In some cases, this risk may be of particular concern because of the proximity of sensitive ecological areas or residential land uses, and the community may decide that the potential cost of a facility locating in such a neighbourhood outweighs the potential benefits.

DO3.1.4.iii Site design, layout, and operational and management procedures greatly affect the risks to the environment from hazardous facilities. Although some hazardous facilities may be permitted to operate without a land use consent because the risk they pose is deemed to be low, an aggregation of such facilities may generate adverse effects if operational procedures do not conform to defined minimum conditions.

**Methods**

DO3.1.4.iv Rules regulating use and storage of hazardous substances; controlling site location and design by reference to factors including the degree of hazard presented by the substances being used or stored, the nearness of incompatible land uses, the zone the site is in, and environmental factors.

DO3.1.4.v Rules implementing the Hazardous Substances Screening Procedure, to identify the appropriate level of scrutiny to process an application for a proposed hazardous facility (See Appendix 21).

DO3.1.4.vi Increasing and promoting public awareness about the costs and benefits of hazardous substances and facilities.

DO3.1.4.vii Public participation in decision making with respect to hazardous substances and facilities.

**policy**

**DO3.1.5 transportation of hazardous substances**

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*Facilities that store or use hazardous substances should be sited so as to minimise adverse effects on the transport system.*

**Explanation and Reasons**

DO3.1.5.i The transportation of hazardous substances puts people at risk. Because of Nelson's topography it is not possible to avoid residential areas. However, vehicles should use main arterial routes as far as is practical, and avoid minor residential roads when transporting hazardous substances.

**Methods**

DO3.1.5.ii Education regarding transport, use, storage, and disposal of hazardous substances.

DO3.1.5.iii Rules that regulate use or storage by reference to zones, encouraging use of sites in zones appropriate to risks. Assess effects of resource consents.

## objective

### DO3.2 waste

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*The highest practical level of waste reduction, reuse, recovery, and recycling, and the management of the actual and potential effects arising from the disposal of waste materials, to ensure that any potential adverse environmental effects are avoided, remedied, or mitigated.*

#### Reasons

DO3.2.i The principles of integrated waste management include the reduction, reuse, recovery and recycling of waste. The implementation of these principles will ultimately result in the minimisation of residue waste that requires treatment and disposal. Disposal of solid waste uses up landfill capacity and can contaminate water resources. All waste has the potential to cause significant adverse effects where the waste contains contaminants. Waste management is dealt with extensively in Chapter 13 of the Nelson Regional Policy Statement.

## policy

### DO3.2.1 disposal of waste

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*The generation of waste should be minimised wherever possible. Residue waste, including hazardous substances, should be disposed of in an environmentally acceptable manner.*

#### Explanation and Reasons

DO3.2.1.i Waste products, including sewage, have the potential to cause significant harm to the environment. It is preferable that the generation of waste be minimised wherever possible, or that end products be reused or recycled (such as the spraying of effluent from cow sheds), and that where disposal is required, that it be carried out in a responsible manner. This may include disposal to a properly managed landfill.

#### Methods

DO3.2.1.ii Monitoring by the Council and consent holders.

DO3.2.1.iii Education, encouragement and advice by the Council.

## D03e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
<p><b>D03e.1</b></p> <p>A generally low level of risk in the district from hazardous substances.</p> <p>Appropriate siting and control of hazardous facilities.</p> <p>Adoption of better site management and operational practices.</p> <p>Avoidance of contamination of the natural environment from hazardous facilities and activities.</p> <p>Improved community and industry awareness of risks posed by activities using, storing, or transporting hazardous substances.</p>	<p><b>D03e.1.1</b></p> <p>Number of incidents of escapes of hazardous substances.</p> <p>Number of injuries and incidents of damage to property and ecosystems.</p> <p>Number of accidents and adverse environmental effects due to the release of substances stored and used at hazardous facilities.</p>	<p>OSH statistics on work accidents</p> <p>Insurance claim statistics</p> <p>Council prosecution and enforcement files</p> <p>Reports from Council inspections</p>
<p><b>D03e.2</b></p> <p>Reduced volumes of waste produced by industry and the community.</p>	<p><b>D03e.2.1</b></p> <p>Volume of waste being disposed of at Council land fills and sewerage systems.</p>	<p>Land fill and sewerage system records.</p> <p>Records of recycling operators.</p>

## **DO4 Heritage**

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DO4.i The issues in regard to heritage are discussed in Chapter 4 (particularly RI13).

### **objective**

#### **DO4.1 heritage values**

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*Retention and enhancement of heritage items that contribute to the character, heritage values, or visual amenity of Nelson, in a setting that enhances such items.*

##### **Reasons**

DO4.1.i Heritage is an essential part of the District's cultural values. It serves to link successive generations, and enable the community to identify with their city through evidence of the past within the existing environment.

DO4.1.ii The Resource Management Act 1991 deems the protection of historic heritage from inappropriate subdivision, use and development to be a matter of national importance.

##### **policy**

#### **DO4.1.1 heritage identification and classification**

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*Heritage buildings, places, or objects, and important trees, should be identified in this Plan and classified according to the criteria set out in Appendices 1 and 2 in the following categories:*

##### *Buildings, Places or Objects*

*Group A - Protection and retention highly desirable*

*Group B - Protection and retention important*

*Group C - Protection and retention desirable*

##### *Trees*

*Heritage Trees - Protection and retention highly desirable*

*Landscape Trees - Protection and retention important*

*Local Trees - Protection and retention desirable*

##### **Explanation and Reasons**

DO4.1.1.i Identification of buildings, places, or objects, and important trees in this Plan serves several functions. It helps to inform and educate people about the existence of the item. It allows more people to appreciate the item and reduces the risks of it being destroyed through ignorance. It provides a framework for regulation of activities affecting the item, according to its relative importance. The criteria for evaluating the relative importance of the items are set out in Appendices 1 and 2. Sites of significance to Maori are dealt with separately, see policy DO4.1.5.

##### **Methods**

DO4.1.1.ii Indicating on the Planning Maps heritage buildings, places, and objects and protected trees.

DO4.1.1.iii Listing (in Appendices 1 and 2) groups of heritage buildings, places, and objects, and protected trees.

DO4.1.1.iv Planning Maps that show heritage precincts in respect of groups of heritage items.

DO4.1.1.v Rules that apply special regulatory provisions to the overlays.

DO4.1.1.vi At Ngawhatu Valley (ex Ngawhatu Hospital site) identification and protection of essential and significant trees beyond trees individually listed in the Plan.

## **policy**

### **DO4.1.2 demolition or removal of Group A heritage items**

*The protection of Group A heritage buildings, places, or objects (listed in Appendix 1) is highly desirable. Demolition or removal therefore shall not be consented to unless the applicant can demonstrate to the satisfaction of the Council that the listed building, place, or object:*

- i) is a serious risk to human life or is in serious state of disrepair, and the cost of remedying the risk to life or the disrepair is prohibitive, or*
- ii) can be demolished in part without significant adverse effect on the heritage values for which the item was listed in Appendix 1, or*
- iii) can be reasonably relocated on the site, or another site in the District, without having a significant adverse effect on the heritage values of the item, or of adjacent items, or*
- iv) renders the site incapable of reasonable use, and places an unfair and unreasonable burden on the owner.*

*Regard shall also be had to the effects of any replacement activity or building proposed for the site, including the standard of design and appearance of the site and any buildings.*

Note: the Resource Management Act defines 'reasonable use' to include the use or potential use of the land for any activity whose actual or potential effects on any aspect of the environment or on any person other than the applicant would be significant.

#### **Explanation and Reasons**

DO4.1.2.i Group A heritage items (listed in Appendix 1) are the premier or most significant heritage buildings, places or objects in the District. Their protection and retention is a high priority. The policy recognises that there may be special circumstances when demolition or removal of such items may be acceptable. These are tightly prescribed, recognising that demolition or removal should be the exception. The policy also recognises that it is possible to demolish or remove parts of a building without adversely affecting the heritage values for which it was recognised in the Plan.

## **policy**

### **DO4.1.3 demolition or removal of group B heritage items**

*The protection of Group B heritage buildings, places, or objects is important, and demolition or removal should be avoided where this can reasonably be achieved in terms of the assessment criteria in the Rules.*

#### **Explanation and Reasons**

DO4.1.3.i The retention of Group B heritage items (listed in Appendix 1) is important to the District, but of a lesser priority than Group A items. The assessment matters listed alongside the respective rule will guide decision making with respect to when protection can "reasonably be achieved".

## **policy**

### **DO4.1.4 demolition or removal of group C heritage items**

*The protection of Group C heritage buildings, places, or objects is desirable, and demolition or removal should proceed only after alternatives have been considered.*

#### **Explanation and Reasons**

DO4.1.4.i The retention of Group C heritage items (see Appendix 1) is desirable, but of a lesser priority than Group A or B items.



## **policy**

### **DO4.1.5 archaeological sites and overlay**

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*Archaeological sites, and places of special significance to tangata whenua, as identified as an individual site and/or falling within the Archaeological Overlay, as well as the cultural and spiritual values associated with those places, should be protected from activities which would have adverse effects on those sites, places and values.*

#### **Explanation and Reasons**

DO4.1.5.i An archaeological authority is required under the Historic Places Act 1993 prior to any modification, damage or destruction of any archaeological site. This policy extends the protection to those and all other significant, known archaeological sites.

DO4.1.5.ii Particular features of the natural and cultural landscape hold significance to tangata whenua. These include archaeological sites and other places. Sites and areas of significance are listed and/or included in the Archaeological Overlay and generally mapped within this Plan. Specific site locations will not be publicly available for all sites or areas so as to maintain their integrity and avoid wilful damage or desecration from souvenir hunters.

#### **Method**

DO4.1.5.iii Not all sites will be specifically identified in this Plan. A high density of sites of significance to Maori occurs in the Archaeological Overlay. Rules will control activities in this Overlay. Sites that are able to be individually identified, both within and outside the Archaeological Overlay, are mapped as Archaeological Sites and rules will control activities in relation to these. Unidentified places that have significance will be considered in the assessment of resource consent applications.

## **policy**

### **DO4.1.6 alterations and adjoining development**

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*The heritage significance and integrity of any feature identified by a Heritage Overlay should not be unduly compromised by any alteration, addition or adjoining development, having regard to the category of protection afforded the listed item or place and the purpose of that protection.*

*This policy recognises the need to be able to alter or extend heritage buildings to meet the needs of present and future generations, subject to those alterations being sympathetic to and not unduly detracting from the heritage values of the building.*

#### **Explanation and Reasons**

DO4.1.6.i Those items which come within a Heritage Overlay are defined in MW 80 in Chapter 2 of the Plan. Alterations and additions can detract from the character of a heritage item and need to be done with care and sensitivity. Regard must be had to the category of protection, and why the building was listed. If it were for streetscape reasons, then regard would need to be had to how visible the changes to the item were, and where they are visible, how well the changes fit with the heritage building. The value and appreciation of any heritage item can be affected by its surroundings. This might include having sufficient space around it to be able to be appreciated e.g. a statue or a building not being sited close to an item of disparate design or style. In implementing this policy, stricter standards should apply to Group A items than to Group B. For Group C, a voluntary approach is proposed. It is recognised that even major changes can successfully be made to Group A buildings, provided that changes are carefully designed and implemented. This will require care to avoid obliterating the heritage values and fabric of the building.

## **policy**

### **DO4.1.7 heritage trees**

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*The protection of Heritage Trees or groups of Heritage Trees (listed in Appendix 2) is essential. Removal therefore shall not be consented to unless the applicant can demonstrate to the satisfaction of the Council that the tree or trees present a serious risk to human life or property because of its unsafe condition caused by disease, storm or very old age, or that it renders the site incapable of reasonable use, and places an unfair and unreasonable burden on the owner.*

Note: the Resource Management Act defines 'reasonable use' to include the use or potential use of the land for any activity whose actual or potential effects on any aspect of the environment or on any person other than the applicant would not be significant.

#### **Explanation and Reasons**

DO4.1.7.i Heritage Trees (listed in Appendix 2) are the best and most significant in the district. Their protection is considered high priority. The policy recognises that there may be special circumstances when removal of such items may be acceptable. These circumstances will be extremely limited, reflecting the high status of these trees.

## **policy**

### **DO4.1.8 landscape trees**

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*The protection of Landscape Trees or groups of Landscape Trees is considered important, and removal should be avoided where this can reasonably be achieved.*

#### **Explanation and Reasons**

DO4.1.8.i The protection of Landscape Trees (listed in Appendix 2) is important to the District, but of a lesser priority than Heritage Trees. The assessment matters listed alongside the respective rule will guide decision making with respect to when protection can "reasonably be achieved".

## **policy**

### **DO4.1.9 local trees**

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*The protection of Local Trees or groups of Local Trees is desirable, and removal should proceed only after alternatives have been considered.*

#### **Explanation and Reasons**

DO4.1.9.i The protection of Local Trees (listed in Appendix 2) is desirable, but of a lesser priority than Landscape Trees.

## **policy**

### **DO4.1.10 work on trees and adjacent development – Ngawhatu**

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**Recognition of the role that existing mature trees at Ngawhatu (ex-Ngawhatu Hospital site) have on landscape and amenity character of the Valley.**

#### **Explanation and Reasons**

DO4.1.10.i The historical use of the Ngawhatu Valleys (Highland and York Valley) has created a unique environment for residential development, where new housing can be sited within a mature landscape. In implementing this Policy, subdivision applications will need to include mechanisms to maintain the landscape setting.

## **policy**

### **DO4.1.11 work on trees and adjacent development**

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*The heritage significance and integrity of any listed tree should not be unreasonably compromised by any work directly or indirectly affecting the tree, or any adjacent development, having regard to the category of protection afforded the tree, and the purpose of that protection.*

#### **Explanation and Reasons**

DO4.1.11.i Work on or near a tree can detract from its character, and needs to be done with care and sensitivity. The value and appreciation of any heritage item can be affected by development nearby.

Buildings placed nearby might affect views of the tree or constrain its future growth. In implementing this policy, stricter standards will apply to Heritage Trees than to other trees, to reflect their relative importance.

## **policy**

### **DO4.1.12 incentive for protection**

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*Flexibility in development controls should be allowed on sites identified by a Heritage Overlay, where:*

- a) the values for which the site or item was listed are not adversely affected by the development, and*
- b) any adverse effects on adjoining sites are minor, and*
- c) there is a resulting environmental benefit from protection of the item identified in the Heritage Overlay.*

#### **Explanation and Reasons**

DO4.1.12.i Those items which come within a Heritage Overlay are defined under 'Heritage Overlay' in Chapter 2 of this Plan (Meanings of Words). This policy provides an incentive to owners to protect heritage items, trees and other sites. It signals that trade offs on the remainder of the site may be possible where an item is protected. These could be in the form of being allowed to exceed building coverage, site size, parking or to depart from other rules in this Plan. Since it is the wider community that benefits from heritage protection and similar protection, the policy requires that any effects of the departure from the rules in this Plan are generally borne by the wider community. There should not be other than minor effects on neighbours. Thus, depending on the circumstances, increased coverage, or departure from the shape factor requirement for a site may have no significant effect on a neighbouring property. On the other hand, exceeding the daylight angles might have such effects. An important rider to the policy is that any incentives granted in the process should not adversely affect the values of the protected item.

## **policy**

### **DO4.1.13 heritage precincts**

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- a) Where there are groupings of heritage buildings or objects which together have particular merit, the group should be managed as a heritage precinct.*
- b) The special heritage character and streetscape value of heritage precincts shall be preserved and enhanced, having regard to the contribution existing buildings make, or new buildings would make, to the character of the precinct as a whole.*

#### **Explanation and Reasons**

DO4.1.13.i Seven heritage precincts have been identified in the Residential Zone as having special streetscape and heritage significance. These are South Street; Elliott Street; Russell Street; Dear Cottages - Rutherford Street; Fountain Place, Alton Street and Seymour Avenue. In the Inner City Zone, five heritage precincts have been defined: Upper Trafalgar Street; Lower Trafalgar Street (East side); Bridge Street (East); Hardy Street (East, South side) and Albion Square.

DO4.1.13.ii The qualities of these areas vary from specific architectural styles, the age and historical association of buildings, through to the character of a high level of building density. The focus of the precincts is on streetscape - that is, those parts of the buildings that can be seen from the public road. The policy recognises that a group of heritage buildings can be more significant and have more visual impact than each of the individual buildings separately. Within a group, individual buildings may not be outstanding in their own right, but their loss may have a significant impact on the group. The precincts also include some modern buildings. This allows a long term approach to be taken so that if any of these sites are redeveloped or altered particular regard can be had to ensuring any new design enhances the precinct overall.

Methods (policies DO4.1.2, DO4.1.3, DO4.1.4, DO4.1.6 - DO4.1.12)

DO4.1.13.iii Listing in Appendices 1, 2 and 3, and indicating on the Planning Maps heritage buildings, places, and objects, heritage precincts, protected trees, archaeological sites, and sites of significance to iwi.

DO4.1.13.iv Design guides for renovating and altering existing identified heritage buildings and for renovations, alterations, and new buildings within Heritage Precincts.

DO4.1.13.v The Council will contribute to the community funded Heritage Trust Fund. Owners of heritage items may apply to the Trust for assistance with such matters as building preservation, strengthening, or maintenance, or obtaining expert advice e.g. engineering or architectural advice.

DO4.1.13.vi Education of the location, history, and significance of Nelson's heritage features, including trees.

DO4.1.13.vii Consider using awards to recognise sympathetic new buildings or restoration, or subdivisions, or developments which take care to retain trees.

DO4.1.13.viii Provide information on restoration techniques for buildings, and on tree care.

DO4.1.13.ix Rules relating to:

a) demolition, removal, alteration, and subdivision of identified heritage items, trees, or features of significance to iwi.

b) the maintenance of the heritage significance of any buildings in relation to any proposed construction, alteration, demolition, or removal of buildings in heritage precincts.

DO4.1.13.x Favourably consider departure from plan rules on other aspects of development if trees or heritage items are protected.

DO4.1.13.xi Tree planting and landscaping, and provision of appropriate non-standard services in precincts e.g. street lights and paving appropriate to the heritage theme.

DO4.1.13.xii Provide free or reduced cost tree inspection and pruning service by the Council for Heritage Trees.

DO4.1.13.xiii Purchase trees, or require as part of a reserves contribution on subdivision.

DO4.1.13.xiv At Ngawhatu Valley (ex Ngawhatu Hospital site) identification and protection of essential and significant trees beyond trees individually listed in the Plan at the time of subdivision.

## DO4e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO4e.1 Increased knowledge by the public and property owners of heritage values of buildings, objects, and trees.	DO4e.1.1 General level of community discussion and debate.	News media, correspondence on Council files, uptake of educational material and programmes provided by Council.
DO4e.2 Retention of heritage buildings, objects and trees.	DO4e.2.1 Adaptation of heritage buildings to new uses. New development that accommodates listed trees. Number of listed trees and heritage items remaining, removed with consent or without consent.	Council records, demolition consents granted, New Zealand Historic Places Trust register. (Inclusion on the register does not provide protection for heritage items, but informs the public of their heritage value.)

## **D05 Natural values**

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DO5.i Nelson contains a wide range of significant natural features vital to the character and diversity of the District. As well as regionally significant features such as remnant areas of indigenous forest and wetland, there are features of national and international significance including the Nelson mineral belt, Nelson Boulder Bank, and extensive coastal inlets and estuaries. (See Issues in Chapter 4, particularly RI5 - landscape, seascape and open space values and RI6 - natural features.)

### **objective**

#### **D05.1 natural values**

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*An environment within which natural values are preserved and enhanced and comprise an integral part of the natural setting.*

##### **Reasons**

DO5.1.i In the past much development has been at the expense of natural values. This Plan seeks to move towards a situation where development is not at the expense of natural values, and where appropriate and achievable development complements natural features. In relation to the 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 and adjoining urban developments.

DO5.1.ii In the Nelson City area, indigenous communities with priority for protection are:

- Alluvial forest
- Coastal sand dune, spit and boulder communities
- Coastal forest and shrub land
- Estuarine communities
- Ultramafic communities
- Freshwater wetlands and riparian forest

##### **policy**

#### **DO5.1.1 areas with high natural values**

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*Some areas with high natural values are identified in this Plan, and will be managed in such a way as to protect and enhance those values. Other areas that have high natural values will be identified in accordance with the criteria in Table DO5.1, and managed in such a way that protects and enhances those values.*

##### **Explanation and Reasons**

DO5.1.1.i Human settlement has resulted in dramatic changes to natural values. Indigenous vegetation has been cleared or modified, exotic animals introduced, wetlands drained or filled, coastal protection works built, and the contour of the land has been changed. Where areas of high natural value are readily identifiable, these should be mapped and protected from adverse effects. In other cases the values should be taken into account when considering any resource consent application.

DO5.1.1.ii Where investigation reveals additional significant natural areas identified in accordance with the criteria contained in Table DO5.1, Council will undertake full consultation with landowners or occupiers and will consider initiation of a plan change to include the newly identified areas in the Plan.

## Methods

DO5.1.1.iii Map areas of significant conservation value as Conservation Overlay and Marine Areas of Significant Conservation Value on the Planning Maps, and regulate by rules to protect and enhance the natural values of the area.

DO5.1.1.iv Assess all resource consent applications against the criteria in Table DO5.1, and where one or more of the criteria are relevant, place conditions on any resource consents granted in order to protect natural values.

DO5.1.1.v Prepare a Regional Pest Management Strategy which will, among other things, seek to prevent pest damage to areas of high natural value.

DO5.1.1.vi Encourage landowners, including the Department of Conservation, to fence off areas of high natural value, control pests and where appropriate consider providing assistance.

DO5.1.1.vii Where appropriate in the rural area assist landowners with the preparation of Property Plans having regard to the size of the property involved and the net environmental benefit to be achieved.

DO5.1.1.viii Schedule the values of sites mapped in the Conservation Overlay

DO5.1.1.ix Take into account any active protection of significant natural areas when considering proposals for development of properties and may consent to matters such as reduced minimum lot size or additional dwellings where active protection is resulting in a net environmental benefit.

## policy

### **DO5.1.2 linkages and corridors**

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*Promotion of linkages and corridors between areas of natural vegetation.*

#### Explanation and reasons

DO5.1.2.i 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 biodiversity in any of the individual areas. This can also result in greater interaction between people and the environment and assist with the recognition of the cultural importance of native plantings. The maintenance of such connections is crucial to natural system sustainability and will enhance the Plan's ability to protect indigenous biodiversity. Rivers (and potentially wetlands) provide opportunity for continuous Biodiversity Corridors. Biodiversity Corridors can also be established through existing vegetation corridors, desired connectivity routes (currently vegetated or not), or by utilising the connectivity of publicly owned land.

DO5.1.2.ii Biodiversity Corridors are shown on various Structure Plans in association with areas identified for future urban growth or more intense development of Rural Zones. These have four 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;
- recognition and assistance with preservation of the cultural significance of water, native vegetation and native aquatic flora and fauna to Maori.

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 and peri-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 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 and peri-urban environments at the three development stages 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. Biodiversity Corridors are to be planted in predominantly eco-sourced native vegetation indigenous to the area. Some non-native vegetation can be planted for purposes such as to act as a nursery crop for the establishment of the native species referred to, or as a food source for fauna that utilise the corridor provided non-natives do not dominate and otherwise comply with provisions of the relevant Biodiversity Corridor rules. The resource consent process allows for the reduction in width of a Biodiversity Corridor to be considered where the intended functions of a Biodiversity Corridor are not compromised (see Policy Explanation and Reasons DO5.1.2.ii (Chapter 5 District Wide Objectives and Policies).

DO5.1.2.v Consideration also needs to be given to a Biodiversity Corridor's long-term management. There are a variety of management methods available to achieve the Council's objectives for natural values and biodiversity within urban and peri-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.

## Methods

- DO5.1.2.vi Education on the benefits of corridors.
- DO5.1.2.vii Promotion of linkages and corridors in "Property Plans".
- DO5.1.2.viii Promoting ways to protect any existing indigenous vegetation such as covenants.
- DO5.1.2.ix Encouraging regeneration and revegetation projects.
- DO5.1.2.x Revegetation and pest control, assistance with costs of covenants.
- DO5.1.2.xi Active involvement in the negotiation of covenants.
- DO5.1.2.xii Council's own acquisition of riparian reserves along margins of streams and rivers.
- DO5.1.2.xiii Council's own plantings of indigenous trees and shrubs.
- DO5.1.2.xiv Provision of Biodiversity Corridors on Structure Plans or within the Planning maps, as a matter for assessment and response through subdivision applications.
- DO5.1.2.xv 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.

## policy

### **DO5.1.3 work with landowners**

*Active participation of landowners is seen as vital to the protection and enhancement of significant natural areas. Council will work with landowners, recognise their stewardship and current management practices, and will favour the use of non regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives.*

#### Explanation and Reasons

DO5.1.3.i Council recognises that the protection and enhancement of significant natural areas on private land is best achieved through working with landowners. While rules in plans can provide some protection to significant natural areas they do not deal well with issues such as equity, control of pests or weeds, or browsing by animals. Further the use of rules and resource consent processes may penalise landowners who have protected these areas and may be a disincentive to further proactive management. Often significant natural areas only remain on privately owned land because they are valued and/or have been actively managed by the landowner. It is vital to recognise and support the landowners' stewardship of these areas and implement methods which assist landowners to achieve the best conservation outcomes.



## Methods

DO5.1.3.ii Promote and where appropriate assist landowners with the establishment of protective covenants and other private protection initiatives.

DO5.1.3.iii Recognise and promote management practices undertaken by landowners to preserve and enhance significant natural areas.

DO5.1.3.iv Consider provision of rates relief, assistance with works, assistance with pest control and other incentives where active management to preserve and enhance significant natural areas is occurring.

## policy

### DO5.1.4 review provisions

*Plan provisions related to protection and enhancement of significant natural areas will be reviewed and a plan change notified not later than 5 years from those provisions becoming operative.*

#### Explanation and Reasons

DO5.1.4.i Protection and enhancement of significant natural areas under the provisions of the Resource Management Act has been the subject of considerable debate throughout the country. The debate has been wide ranging and consensus on what constitutes good practice is only now beginning to emerge. Central Government is currently preparing a National Policy Statement to provide additional guidance on matters related to protection of significant areas on privately owned land.

Council will review its Plan provisions related to significant natural areas and will initiate a Plan change to the Nelson Resource Management Plan within 5 years of provisions related to significant natural areas becoming operative. The change will include a review of all parts of the Plan related to significant natural areas and the Conservation Overlay.

The review and change will specifically address the following:

- a) Any National Policy Statement addressing implementation of section 6c of the Resource Management Act.
- b) Review the use of Planning Maps and the current information contained on the maps.
- c) Review the inclusion of the results of any subsequent detailed survey of sites into Appendix 5. This may include preparing an inventory of active protection measures undertaken by landowners and a listing of properties subject to protective covenants or management agreements.
- d) Review of the criteria contained in Table DO5.1 following independent advice and consultation with all affected parties.
- e) Review of objectives, policies and rules related to vegetation clearance, earthworks and structures within significant natural areas, following consultation with all affected parties.
- f) Review of objectives, policies and non-regulatory methods related to the protection and enhancement of significant natural areas following consultation with all affected parties.

#### Methods

DO5.1.4.ii Establish a working group comprising representatives of Central and Local Government Agencies, Iwi, and landowners to review plan provisions related to significant natural areas and to recommend amendments to the Plan.

DO5.1.4.iii Consult with individual landowners and the public at large concerning the recommendations of the working group referred to above.

DO5.1.4.iv Initiate a review of Plan provisions related to significant natural areas, specifically the Conservation Overlay, and initiate a plan change within 5 years of these Plan provisions becoming operative.

**table DO5.1**

- a) The area contains a community type rare in the ecological district, or
- b) The area contains one of the best examples of a community type in the ecological district, or
- c) The area is important for the future viability of an endangered, threatened, vulnerable, or rare species, or an endemic species or sub species, or
- d) The site is within a long standing (i.e. greater than 15 years) natural area (i.e. not modified to the extent that natural values have been lost) of greater than 10 ha in size, or
- e) The site is within a corridor comprising indigenous vegetation, not exceeding 250 m long between areas significant in the ecological district or a link within a vegetation gradient, or
- f) Absence of significant predators or herbivores from a habitable site (e.g. absence of rats on an island), or
- g) An area otherwise of conservation value and containing a protected area such as a reserve, sanctuary, park, or protective covenant (these sites may only require noting where the existing protection is adequate to protect the conservation values associated with the site), or
- h) A representative example of a regionally, nationally, or internationally outstanding land form or geologic feature.

**DO5e environmental results anticipated and performance indicators**

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO5e.1 Increased knowledge by public and property owners of natural values of places.	DO5e.1.1 General level of community discussion and debate.	News media, correspondence on Council files.
DO5e.2 Retention of areas of significant natural and conservation values.	DO5e2.1 New development that avoids or accommodates natural and conservation values.	Council records, resource consents granted.

## DO6

## Riparian and coastal margins

DO6.i The issues in regard to riparian margins are discussed in Chapter 4 (particularly RI12 - public access to margins of lakes, rivers, and the coast). The linkage between the land and adjacent water bodies is the riparian margin (for freshwater bodies and coastal areas). It is an area of considerable significance in terms of interaction between land and water and is accorded special significance in promoting the purpose and principles of the Resource Management Act. Riparian and coastal margins are a dynamic meeting place between land and water.

When making decisions in accordance with objectives and policies in DO6, account will also be taken of the objectives and policies in Chapter 13, particularly Objective CM7 (Public Access) and accompanying policies and methods.

Riparian margins:-

- a) have a special and distinctive landscape character
- b) may be subject to rapid erosion and accretion
- c) may be subject to inundation
- d) are the meeting point between terrestrial and aquatic species
- e) may contain specially adapted species
- f) are the point at which pollutants from land based activities enter surface water
- g) may be important for access to and along water bodies, including for the purposes of trout fishing and white baiting
- h) are often productive ecosystems
- i) may contain vegetation and structures which enhance water quality and aquatic habitats through shading by adjacent vegetation, stabilisation of river banks, creation of backwaters, and supply of insects for fish species
- j) may be important for a wide range of recreation pursuits
- k) may contain a high number of cultural sites
- l) may be important for the collection of mahinga kai
- m) are often considered desirable areas for residential and commercial development
- n) may contain economically vital coastal related activities such as ports
- o) may be important as sites for structures which facilitate public access or use e.g. bridges, wharves, or for utility services.

DO6.ii Riparian and coastal margins are in a variety of ownership, both public and private. Proposed acquisition of esplanade reserves or controls placed on the use of these areas, through esplanade strips or general land use controls, will often constrain private landowners in their use of adjoining areas and so introduce management problems.

Although the setting aside of an esplanade reserve may affect the land owner's use and enjoyment of adjoining land there are substantial benefits for the community in having a consistent long term policy on creating such reserves for protecting and enhancing many of the beneficial aspects of riparian margins, as outlined above.

## objective

### **DO6.1 riparian and coastal margins**

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*Riparian and coastal margins where natural character, public access, natural functions, landscapes, heritage values, water quality and ecological values are protected and enhanced.*

#### Reasons

DO6.1.i Riparian margins comprise the land near rivers and other water bodies. They have a number of values and serve a variety of functions. Their management is of keen interest to private landowners and the general public alike. Management of riparian margins must take into account the variety of values and functions and seek to resolve the conflict which often occurs with and between these values and functions. Not all values can be absolutely protected in every place.

DO6.1.ii Coastal margins include areas of intensive public recreation, such as Tahunanui Beach, Wakefield Quay, Rocks Road and areas of industrial, farming and other activities. All of these may have adverse effects on the values of the natural margins. As with riparian margins, not all values can be accommodated simultaneously.

#### **policy**

##### **DO6.1.1 priority margins**

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*Priority riparian and coastal margins should be identified, and acquired at the time of subdivision, development, or through negotiation.*

#### Explanation and Reasons

DO6.1.1.i While the Council can exercise some control over riparian and coastal margins irrespective of land ownership there are some values such as public access or recreation values that are dependent on ownership rights. Section 230 of the Act provides for esplanade reserves to be created at the time of subdivision. Where margins have been identified as being of high priority, public ownership or interest in the land is the most effective way of ensuring that an adequate level of protection is achieved.

In assessing the type and level of riparian protection Council will take Table DO6.1.1 into account. This table illustrates the criteria used to derive Table 6.2 from Table 6.1 in Appendix 6.

In considering any discretionary or non complying activity resource consent, or any plan change application affecting the values defined in Table 6.1, regard will be had to Table DO6.1.1 when determining the appropriate type of esplanade requirement.

Where the type or intensity of development proposed is out of character with that normally provided for by this plan within the area concerned, Council will apply the criteria which most closely matches the character of the activity proposed.

In situations where esplanade reserves or esplanade strips have previously been created and it is proposed to change the character and intensity of the activity, Council may review requirements for esplanade reserves or strips. An example of this may be where an esplanade strip exists in a rural area and a plan change makes the area residential. In this situation Council would apply a residential standard which may include requirement for an esplanade reserve of greater width than the existing strip.

**table DO6.1.1**

Esplanade values as given in Table 6.1 Appendix 6 for the riparian margin to which the application relates	Activities of a rural/residential nature	Activities of a rural nature	All applications related to the coastal environment	All activities of an urban nature (including residential, commercial, industrial etc.)
Hazards	Strip	Strip only where active protection required	Strip	Reserve
High priority public access and recreation (i.e. Priority 1 & 2, Table 6.1, Appendix 6)	Reserve	Strip	Strip	Reserve
Lesser priority public access and recreation (i.e. Priority 3, Table 6.1 Appendix 6)	Strip	Possible strip by negotiation	Strip	Reserve
High conservation (i.e. Priority 1 & 2, Table 6.1, Appendix 6)	Reserve	Strip	Strip	Reserve
Lesser conservation (i.e. Priority 3, Table 6.1 Appendix 6)	Strip	Strip, where active management required	Strip	Reserve

#### Methods

DO6.1.1.ii Show priority margins on the Planning Maps and list in Appendix 6.

DO6.1.1.iii Rules requiring the vesting of esplanade reserves and the creation of esplanade strips at the time of subdivision or on resource consent applications for land uses (refer to explanation in Appendix 6, Table 6.1).

DO6.1.1.iv Negotiating esplanade reserves, esplanade strips, or access strips on a voluntary basis where there is no mandatory requirement to acquire, or in advance of any mandatory requirement.

DO6.1.1.v Assess the appropriate width of esplanade strips and reserves during discretionary or non complying consents, or plan change applications where activities of a different scale or intensity to those normally provided for in the area are proposed.

## **policy**

### **DO6.1.2 activities in margins**

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*The values associated with riparian and coastal margins should be protected from the adverse effects of activities in order to prevent degradation or loss of esplanade values while recognising that some activities require to be located in or adjacent to water bodies.*

#### **Explanation and Reasons**

DO6.1.2.i Riparian and coastal margins are sensitive areas which can be rapidly degraded by inappropriate management. Where an area has been identified as of high priority for acquisition it is important to ensure that the values which justified this classification still exist when the Council gets the opportunity to acquire this margin. While recognising that some land use activities and services such as bridges existing roads, and existing facilities such as the port and airport must be located within riparian margins, other land use activities are avoidable.

Where activities are likely to result in adverse effects on margins and on water quality, sediment generation, or on river bank stability which can also have off site impacts, they should be identified and controlled.

#### **Methods**

DO6.1.2.ii Rules which control activities with the potential to detract from the values identified or impede the future acquisition of a esplanade reserve or strip.

DO6.1.2.iii Assessment of resource consent applications and plan change proposals guided by the priorities established for river and coastal margins in Table 6.1 of Appendix 6 and by the criteria contained within Table DO6.1.1.

## **policy**

### **DO6.1.3 existing undersize lots**

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*Where existing undersized rural lots fall within areas identified for the acquisition of esplanade reserves or strips, consideration will be given to other methods of achieving esplanade purposes including the use of access strips.*

#### **Explanation and Reasons**

DO6.1.3.i There are a number of existing lots which are smaller than 3ha in the Small Holding Area and smaller than 15ha in the Rural Zone which adjoin rivers that are identified for the acquisition of esplanade reserves or strips and for protection of values for future acquisition. In the case of these existing small sites, protection of future esplanade reserves and strips can place unreasonable constraint on the use of the site. For example: where the main value for a riparian margin was public access, the purpose for the esplanade reserve or strip might be adequately met through the landowner providing access between the road and the river, thus creating a link with the rest of the esplanade reserve or strip.

#### **Method**

DO6.1.3.ii Rules within the Rural Zone which make reconstruction or alteration of any structure or construction of small uninhabitable buildings controlled, rather than discretionary, within the esplanade area specified in Table 6.2 of Appendix 6 (riparian and coastal margin overlays).

## **policy**

### **DO6.1.4 management of margins**

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*The long term natural functioning of riparian and coastal margins should not be adversely affected by activities. In particular, natural values of margins including water quality, the habitats of plants and animals, landscape, and amenity values, including potential enhancement opportunities should be recognised and protected.*

#### **Explanation and Reasons**

DO6.1.4.i Activities such as soil disturbance, vegetation clearance, and discharge of contaminants can adversely affect the values and functioning of riparian margins or introduce contaminants in such proximity to water courses as to allow little or no reduction of the contaminant by riparian vegetation. Control of these activities is necessary to maintain and enhance the functioning of riparian margins.

#### **Method**

DO6.1.4.ii Rules regulating earthworks, soil disturbance, vegetation clearance, and discharge of contaminants on all riparian or coastal margins.

## **policy**

### **DO6.1.5 access to Coastal Marine Area**

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*Public access to the Coastal Marine Area and along the coastline above mean high water springs should be maintained and enhanced, particularly in the following areas:*

- a) the foreshore between Richmond (Tasman District) and Tahunanui Beach*
- b) adjacent to and along Rocks Road and Wakefield Quay*
- c) Cable Bay to Cape Soucis*
- d) along the lower reaches of the Maitai and Wakapuaka rivers.*

#### **Explanation and Reasons**

DO6.1.5.i Current pedestrian access around the eastern perimeter of the Waimea Inlet has been difficult due to the limited foreshore reserve and the nature of the terrain. However, Whakatu Drive has improved access and recreational opportunities in the area. It may be possible to establish a walkway from Richmond along the Stoke foreshore to Tahunanui.

DO6.1.5.ii Rocks Road is a high use recreational area. The footpath is narrow, close to the road, and access to the foreshore is limited. The Wakefield Quay Development presents an opportunity to achieve design improvements in this area.

DO6.1.5.iii The Cable Bay/Pepin Island/Delaware Bay area, Whangamoa River mouth and possibly at some points further north, has been identified as an area where there may be opportunities to improve public access to and along the coast and to generally enhance recreational opportunities. The policy gives effect to New Zealand Coastal Policy Statement 3.5.2(ii).

See also DO12.1.6

#### **Methods**

DO6.1.5.iv Rules requiring the vesting of esplanade reserves at the time of land subdivision of a sufficient width to provide public pedestrian access along the coastline.

DO6.1.5.v Council negotiating access strips, pedestrian easements and access agreements with landowners to allow access along the coastline, especially along the coast from Cable Bay to Cape Soucis.

DO6.1.5.vi Council negotiating land acquisition of priority areas for pedestrian access along the coast.

DO6.1.5.vii Promotion of the benefits to the community of providing access to the coastal environment.

## D06e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
<p><b>DO6e.1</b></p> <p>Increased knowledge by the public and property owners of natural values of margins.</p>	<p><b>DO6e.1.1</b></p> <p>General level of community discussion and debate.</p>	<p>News media, correspondence on Council files.</p>
<p><b>DO6e.2</b></p> <p>Retention of margins having significant natural and conservation values.</p>	<p><b>DO6e.2.1</b></p> <p>New development that avoids, remedies or mitigates adverse effects on margins.</p>	<p>Council records, resource consents granted.</p>
<p><b>DO6e.3</b></p> <p>Increased public ownership of esplanade reserves on priority margins, and increased access via esplanade strips and access strips.</p>	<p><b>DO6e.3.1</b></p> <p>Esplanade reserves and strips consistently acquired on subdivision and other consent applications.</p>	<p>Council records, resource consents granted.</p>

## D07 Coastal environment

**D07.i** The coastal environment spans land above and some land below mean high water springs and therefore transcends both the district and regional functions of Council. For administrative convenience (related to the plan's structure and administration of resource consents) the district parts of the Nelson Resource Management Plan include the Coastal Environment Overlay. This overlay with special exceptions, deals with the land above mean high water springs that is close to, or has a special relationship with the Coastal Marine Area.

Areas below mean high water springs are within the Coastal Marine Area (Chapter 13) and comprise the Regional Coastal Plan. A detailed description of the Coastal Environment Overlay is contained in Chapter 3. (Relevant issues are discussed in Chapter 4, particularly RI5, RI6, RI7, RI8 and RI9.) Objectives and policies in Chapter 13 (Coastal Marine Area) will be relevant to activities in the Coastal Environment Overlay.



## objective

### D07.1 natural character

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*Preservation of the natural character of the coastal environment from inappropriate subdivision, use and development.*

#### Reasons

D07.1.i Council is required, by the Resource Management Act 1991, to safeguard the life-supporting capacity of water and ecosystems. The objective also reflects the requirements of section 6 of the Act and is consistent with the New Zealand Coastal Policy Statement.

#### policy

##### D07.1.1 life supporting capacity

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*Activities on land (adjacent to the coast) should not have adverse effects on the life-supporting capacity of the coastal environment, either inside or outside the Coastal Marine Area on:*

- a) the quality and quantity of habitats, and*
- b) the integrity of essential ecological processes, and*
- c) the viability of species populations, and*
- d) the yield or quality of harvested populations, and*
- e) water quality, and*
- f) natural processes such as sediment transport.*

#### Explanation and Reasons

D07.1.1.i Many activities can have the effects mentioned. The effects of an activity on land near the coast need to be assessed in terms of impacts on the Coastal Marine Area as well as on the land. Reclamation and drainage are particularly damaging to the life supporting capacity of the coastal environment because they result in permanent loss of habitats and biological productivity. The margins of Waimea Inlet and Nelson Haven have been substantially modified by reclamation. All future reclamation should require firm evidence of need, careful consideration of alternatives, and full assessment of effects on natural values and physical processes.

#### Methods

D07.1.1.ii Rules which regulate activities with the potential to have significant adverse effects on the life-supporting capacity of the Coastal Marine Area.

D07.1.1.iii Assessment of resource consent applications.

## **policy**

### **DO7.1.2 adverse effects**

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*Adverse effects of subdivision, use or development in the coastal environment should, as far as practicable, be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects to the extent practicable.*

#### **Explanation and Reasons**

DO7.1.2.i This policy relates to policy 3.2.2 of the New Zealand Coastal Policy Statement. Council accepts that within the coastal environment the New Zealand Coastal Policy Statement establishes a hierarchy of avoid, or if avoidance is not possible, then remedy and mitigate adverse effects.

#### **Methods**

DO7.1.2.ii Placing conditions on resource consents requiring mitigation and remedy of adverse effects.

DO7.1.2.iii Development of property plans to facilitate integration of development and conservation.

## **policy**

### **DO7.1.3 restoration**

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*Opportunities to restore or enhance the life-supporting capacity of the coastal environment should be identified and, where practicable, acted upon.*

#### **Explanation and Reasons**

DO7.1.3.i The policy relates to policy 1.1.5 of the New Zealand Coastal Policy Statement. Council recognises that, in many instances, it may not be practical or cost effective to implement restoration projects but nevertheless the policy establishes a principle and expresses a positive intent.

#### **Methods**

DO7.1.3.ii Identifying opportunities to enhance the life supporting capacity of Nelson's coastal environment.

DO7.1.3.iii Requiring appropriate financial contributions, including works and services from resource consent holders.

DO7.1.3.iv Undertaking works, as appropriate, including revegetation. The Council will encourage the use of local sources for plants.

DO7.1.3.v Encouraging community participation in restoration projects.

## **policy**

### **DO7.1.4 Land use, development, and subdivision**

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*Subdivision, use, or development of land in the coastal environment should be located, designed and managed in a way that protects areas of significant indigenous vegetation, significant habitats of indigenous fauna, outstanding natural features and landscapes.*

#### **Explanation and Reasons**

DO7.1.4.i This general policy reflects sections 6(a) and 6(c) of the Act and policy 1.1.2 of the New Zealand Coastal Policy Statement. Council recognises that, irrespective of the degree of modification that has taken place, all of the coast has some degree of natural character and the approach required by the Act is to protect those attributes which give an area its natural character from inappropriate use and development. Council also recognises that the need to protect natural values may limit development opportunities.

## **policy**

### **DO7.1.5 residential development**

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*Within the coastal environment, sprawling or sporadic subdivision, use, or development of land shall be avoided, and any future residential development should be within a papakainga development, or the residentially zoned land at the Glen.*

#### **Explanation and Reasons**

DO7.1.5.i The policy gives effect to policy 1.1.1(a) of the New Zealand Coastal Policy Statement which relates to the encouragement of appropriate subdivision use or development in areas where the natural character has already been compromised and avoiding sprawling or sporadic subdivision, use or development. The policy preserves natural character. Papakainga will be identified from time to time under the tangata whenua policies in this Chapter.

## **policy**

### **DO7.1.6 coastal activities**

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*Activities, including structures, within the coastal environment should be located and designed to take into account:-*

- a) any existing natural hazards, and*
- b) the potential to exacerbate natural hazards, and*
- c) the implications of future climate change (including the possibility of a 0.6m sea level rise and increasingly severe storms), and*
- d) policy CM8.2 on coastal protection works (including effects on, and arising from, coastal processes), and*
- e) the visual amenity of the coastal environment.*

#### **Explanation and Reasons**

DO7.1.6.i The policy seeks to minimise future loss or damage to human life or property and to avoid the need to erect costly and potentially ineffective coastal protection works. This Plan takes a precautionary approach to sea level rise, adopting a projected sea level rise of 0.6m in the next 100 years (Ministry for the Environment, 1993). This policy is consistent with the Regional Policy Statement and the New Zealand Coastal Policy Statement policies 3.4.1, 3.4.2 and 3.4.5.

#### **Methods**

DO7.1.6.ii The Council will implement all the above policies DO7.1.1 to DO7.1.6 by way of:

- a) the rules relating to subdivision, use and development in rural, residential and industrial zones and in the Coastal Environment Overlay.
- b) identifying areas for priority action (in consultation with the Department of Conservation) and taking action where the Council is the owner.
- c) encouraging the Department of Conservation to take action where at risk areas are in Crown ownership.
- d) advocating to the Department of Conservation that it purchase high value areas for reserves.
- e) informing landowners of the values associated with particular sites or features, and the available protection options.
- f) encouraging private landowners to enter into Queen Elizabeth II covenants or similar devices to protect significant features or areas.
- g) where appropriate, offering incentives and/or compensation for entering into protective covenants or other initiatives aimed at protecting natural features e.g. fencing.
- h) acquisition of significant areas at the time of subdivision or by negotiation.

DO7.1.6.iii The Council will encourage landowners, including the Department of Conservation, to fence off areas of significant indigenous vegetation and will consider providing assistance (policy DO7.1.3).

DO7.1.6.iv The Council has prepared a Regional Pest Management Strategy which will, among other things, seek to prevent pest damage to significant natural areas or values within the coastal environment (policy DO7.1.1). (Pest management strategies are prepared under the provisions of the Biosecurity Act 1993.)

## objective

### DO7.2 coastal water quality

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*Maintenance and enhancement of the quality of Nelson's coastal water at or to a level which safeguards its life supporting capacity and is safe for contact recreation and for gathering and consumption of seafood.*

#### Reasons

DO7.2.i Maintenance of the life supporting capacity of coastal waters is fundamental to achieving the purpose of the Act. Coastal waters are valued by the community for a wide range of water quality-dependent purposes, including fisheries maintenance, water contact sports, recreational boating, passive recreational enjoyment, and cultural or spiritual values.

#### policy

##### DO7.2.1 discharges (general)

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*Discharges of contaminants to water or land within the coastal environment should not, after reasonable mixing, result in a breach of classification standards or a reduction in water quality and the discharge should not (either by itself or with other discharges) give rise to any significant adverse effects on habitats, feeding grounds, or ecosystems, either in the Coastal Marine Area or on land.*

#### Explanation and Reasons

DO7.2.1.i Contaminants include any substance which when discharged into water changes, or is likely to change, the physical, chemical, or biological condition of the water. Classification standards (contained in Chapter 13, Coastal Marine Area) provide a "baseline" below which water quality should not be degraded other than as a result of natural perturbations (e.g. storm water runoff) or in exceptional circumstances. The second part of the policy reflects the requirements of the New Zealand Coastal Policy Statement. Of particular note is the disposal of sewage in septic tanks near the coast. Particular attention under the policy will be paid to the adequacy and effects of this disposal method.

#### policy

##### DO7.2.2 stormwater discharges

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*The level of contaminants in storm water discharges to the Coastal Marine Area should be minimised to the greatest practicable extent.*

#### Explanation and Reasons

DO7.2.2.i Stormwater is generated by runoff from land or hard surfaces. In urban areas of Nelson City, stormwater is piped through stormwater drains to receiving waters such as channels, streams, rivers or coastal margins. Urban stormwater typically contains a wide variety of contaminants with the potential to adversely affect aquatic life, amenity or cultural values - including oil and other hydrocarbons, heavy metals, sediment, microbes (pathogens) and nutrients. Some industrial and trade premises discharge stormwater runoff directly to the Coastal Marine Area or to water bodies above the mean high water mark which drain into the Coastal Marine Area.

## **policy**

### **DO7.2.3 vessel waste management**

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*All vessel construction, maintenance, and servicing sites should possess facilities for the containment, collection, and treatment or disposal of wastes or contaminants arising from the activities on the site.*

#### **Explanation and Reasons**

DO7.2.3.i Boat construction, maintenance, and servicing can result in toxic antifouling paint, heavy metals and other contaminants entering the Coastal Marine Area by way of drainage from hard stand areas.

## **policy**

### **DO7.2.4 “non-point” discharges**

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*Land use management practices should minimise the contribution of diffuse (or “non-point”) source contaminants to water in the coastal environment.*

#### **Explanation and Reasons**

DO7.2.4.i Diffuse or non-point source contamination is probably a more significant cause of water quality degradation than point-source discharges in Nelson coastal waters. Rivers such as the Waimea, the Maitai and to a lesser extent the Wakapuaka and Whangamoā, deliver sediment, nutrients, agricultural chemicals (herbicides, pesticides) and stock-derived faecal coliform bacteria to the Coastal Marine Area. Such contaminants may individually or collectively, have a number of adverse effects including abrasion or smothering of aquatic life (in the case of sediment), excessive algal growth in semi-enclosed waters (nutrient enrichment), toxicity (herbicides, pesticides), public health (coliform bacteria) and aesthetic effects. Near shore waters, including estuaries, are the most susceptible to such effects.

#### **Methods (for all policies DO7.2.1 to DO7.2.4)**

DO7.2.4.ii Rules to ensure that all new residential or commercial developments within the coastal environment make adequate provision for sewage disposal

DO7.2.4.iii The Council will encourage all coastal developers to evaluate options for land-based disposal of sewage and to consult with tangata whenua and the community before submitting resource consent applications

DO7.2.4.iv Rules regulating stormwater discharges to the Coastal Marine Area.

DO7.2.4.v The Council will investigate the nature, extent and sources of contamination of stormwater discharges to the Coastal Marine Area and consider possible means of reducing contaminant levels.

DO7.2.4.vi The Council will initiate an education programme to promote awareness of the potentially adverse effects of disposing of contaminants into stormwater drains and of the available alternatives for the disposal of liquid wastes.

DO7.2.4.vii Rules aimed at minimising the runoff of sediment and other suspended substances from subdivision and other activities involving disturbance of the land, to the coastal environment.

DO7.2.4.viii The Council will ensure that future development of the Nelson Marina includes adequate rubbish collection and sewage collection and disposal facilities.

DO7.2.4.ix The Council will require the owners/operators of vessel construction and maintenance facilities to take appropriate steps to contain, collect, and dispose of contaminated run-off from hard stand areas. The discharge of runoff from these areas to the Coastal Marine Area will not be permitted.

DO7.2.4.x Rules to control vegetation and land disturbance activities, including activities near watercourses.

DO7.2.4.xi The Council will promote, by way of education and advisory services, land use practices which minimise the runoff of contaminants to coastal waters, including the proper use of agri-chemicals, stock control procedures, and the disposal of animal waste to land.

## D07e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D07e.1 Preservation of the natural character of the coastal environment.	D07e.1.1 Maintained or enhanced water quality, maintained or enhanced natural vegetation and habitats.	Council records, especially aerial photos and water sampling records.
D07e.2 Reduced building and development impacts on the coast.	D07e.2.1 Level of new building and development in the coastal environment. New building and development in sympathy with landscape character.  Consistent treatment of resource consent applications for activities in coastal environment.	Media reports, Council records.
D07e.3 Coastal water quality that supports community aspirations for use.	D07e.3.1 Trends in visual water quality. Uses continuing in terms of classification. Consistent enforcement of water standards.	Fishing catch records Inspection Council research and files

## D08 Signs

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### objective

#### D08.1 signs

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*Outdoor signs which convey necessary information, while avoiding or mitigating any adverse effects on public safety, convenience and access, or on the visual amenity of the district.*

##### Reasons

D08.1.i Signs can be useful in providing important information. However, signs if not properly controlled can be a hazard to people and to traffic, and can be visually intrusive both in the natural landscape and within the built landscape.

##### policy

#### D08.1.1 minimising signs

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*The number of signs and their adverse effects should be minimised, while recognising the need to provide information and the special character of Nelson's urban and non-urban environment.*

##### Explanation and Reasons

D08.1.1.i Nelson has an attractive natural environment which does not have a large number of signs. Similarly, the urban area is relatively uncluttered by excess signage. The policy aims to maintain this 'low sign' environment.

##### Methods

D08.1.1.ii Rules regulating the number, size and other aspects of signs.  
D08.1.1.iii Rules controlling signs on heritage items.

##### policy

#### D08.1.2 character and amenity

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*The number, size, location and nature of outdoor signs in different areas of the district should take account of the character and amenity of those areas, paying particular regard to local visual amenity, significant landscapes, and heritage values, as well as daylight amenity where appropriate.*

##### Explanation and Reasons

D08.1.2.i The policy requires that the design of signs take account of the nature of the area into which they are to go. For example, greater use of signage is expected in industrial and commercial zones, compared to residential areas. Similarly, greater care may be needed in the design and placement of signs on a heritage building, or within some other sensitive environment such as the Coastal Marine Area.

##### Methods

D08.1.2.ii Rules regulating the number, size and other aspects of signs.  
D08.1.2.iii Rules controlling signs on heritage items.

## policy

### DO8.1.3 safety

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*All signs should be constructed and placed in a manner that does not pose a danger to property or people, and the display of signs should not adversely affect traffic safety by causing confusion or distraction, or obscuring the views of motorists or pedestrians. Sky signs and airborne signs should not adversely affect aircraft safety.*

#### Explanation and Reasons

DO8.1.3.i Signs need to be designed and located so that they do not cause a hazard e.g. in terms of being too low, or not being safely attached. Traffic corridors are particularly vulnerable to clutter from activities designed to catch the attention of passing motorists. Nelson has remained largely free of an excess of advertising devices along roadsides unrelated to the area within which they are located. This is considered of high significance to the maintenance of Nelson's character, particularly in the rural area. It is critical that signs be efficient and effective at what they set out to achieve, to help avoid the need for a greater number of unnecessary signs which will compromise road safety.

#### Methods

DO8.1.3.ii Rules regulating the number, size and other aspects of signs.

DO8.1.3.iii Rules controlling signs on heritage items.

## DO9

### Landscape

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DO9.i Major threats to the landscape character of Nelson include:

- a) Residential expansion especially along prominent ridge lines in the urban area. These result in loss of natural colours and patterns, development of a saw tooth appearance on the skyline ridge, and loss of public views from the ridge line.
- b) Loss of views from within the urban area to prominent landscape features such as the coast or ridge lines. This may include the loss of prominent views from main routes in and out of the District, loss of views from within the central business district to the hills and coast, and blurring of the urban rural interface.
- c) Exotic forest establishment and harvesting along prominent foothills. This may
- d) result in removal of native vegetation, development of tracks and landings, and changes in landscape colours and patterns especially during harvesting.
- e) The intrusiveness of structures (including signs and antennas) or tracks into otherwise "natural" or rural landscapes. (See Chapter 4 Issues, particularly RI5, RI6 and RI8).

## objective

### DO9.1 landscape

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*A landscape that preserves and enhances the character and quality of the setting of the city and in which its landscape components and significant natural features are protected.*

#### Reasons

DO9.1.i The landscape setting and physical features of Nelson gives it a distinctive identity. Development needs to recognise this distinctive identity and be undertaken in a manner which avoids, remedies or mitigates adverse effects on landscape values.



## **policy**

### **DO9.1.1 significant features**

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*Significant landscape and coastal features which contribute to the setting of Nelson should be protected.*

#### **Explanation and Reasons**

DO9.1.1.ii Where a landscape feature makes an important contribution to the natural setting of Nelson and has not yet been compromised, the opportunity exists to protect this feature and avoid development which compromises it.

## **policy**

### **DO9.1.2 development**

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*Development should be undertaken in a manner which avoids, remedies, or mitigates adverse effects on the landscape, coastal features and amenity values.*

#### **Explanation and Reasons**

DO9.1.2.i In many areas development or the expectation of development makes it unrealistic to protect landscape features in their natural state. In these cases it is important to ensure that any development is undertaken in a manner which avoids adverse effects on or is complementary to the landscape feature being considered. Development includes signs, which may have an adverse effect on landscape values.

## **policy**

### **DO9.1.3 primary road routes**

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*Primary road routes that contribute to the experience of arriving in and departing Nelson, or of moving from one part of the city to another, should be protected and enhanced.*

#### **Explanation and Reasons**

DO9.1.3.i Primary road routes provide important visual transition areas when moving from one part of the city to another, or when arriving in or leaving Nelson. Primary road routes are State Highway 6 from Wakapuaka to Saxton Field, Waimea Road between Hays Corner and Bishopdale Saddle, and the main route to Nelson Airport along Quarantine Road and Trent Drive. It is important to ensure that any development avoids effects that may detract from the experience that the routes provide.

## **policy**

### **DO9.1.4 visual amenities**

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*Particular regard should be had for the protection of visual amenity values in the following areas:*

- a) ridge lines/skylines, and*
- b) seaward facing slopes of hills, and*
- c) estuaries, and*
- d) shorelines / riparian margins, and*
- e) coastal headlands, promontories, and adjacent sea, and*
- f) relatively unmodified parts of the coastal environment.*

#### **Explanation and Reasons**

DO9.1.4.i The areas identified are particularly sensitive to visual intrusion. The insensitive construction of tracks across hillsides can have a significant adverse effect on coastal landscape values. Estuaries, because of their predominantly horizontal landscape elements, are particularly sensitive to the visual effects of vertical structures such as transmission lines. Shoreline structures can affect views to and from the sea. Riparian vegetation and forest remnants are important, but rare, landscape elements. Coastal headlands and promontories, like ridges, are sensitive to the visual effects of structures. The use of such areas for the siting of structures should be avoided unless there is no practical alternative; if structures are located in these areas, their adverse effects are to be mitigated by care in their siting, design, finish, and implementation. Activities involving structures on the surface of the sea, such as

aquaculture, should be avoided adjacent to headlands, for visual, and safety or navigation reasons.

**Methods (policies DO9.1.1 to DO9.1.4)**

DO9.1.4.ii Planning maps that define Landscape Overlays and view shafts in respect of landscape values.

DO9.1.4.iii Rules that regulate activities by reference to effects on landscape and views.

DO9.1.4.iv Rules that regulate activities on Wakefield Quay (through the Wakefield Quay Precinct, and the Leisure Area).

DO9.1.4.v Rule requiring setback along Trent Drive (access to the airport terminal)

DO9.1.4.vi Conditions on resource consent relating to visual amenity where consent is required.

**DO9e environmental results anticipated and performance indicators**

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO9e.1 Natural character of landscapes retained or enhanced.	DO9e.1.1 Unobstructed views of significant features and features listed in Policy DO9.1.4	Observation, Council records, media reports.
DO9e.2 Development that is sympathetic to landscape features.	DO9e.2.1 Buildings are unobtrusive. Consistent approach to resource consent applications.	Observation, Council records, media reports.

**DO10 Land transport**

DO10.i The issues in regard to land transport arise from many of the issues discussed in Chapter 4 (particularly RI2, RI3, RI10, RI11, RI14, RI14A, RI15, and RI16).

**objective**

**DO10.1 land transport system**

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

**Reasons**

DO10.1.i This objective is consistent with the Regional Land Transport Strategy and the Regional Policy Statement. The transport system is a resource of considerable value to the social and economic well being of people and communities. It is important to ensure that the transport system is a safe as well as an efficient network that caters for all users throughout the different parts of the transport network. Vehicle traffic may have adverse effects on amenity, health and safety as well as on the environment generally. It is important that potential conflicts between land use activities and people using the network are addressed.

Land use planning, particularly the creation of new roads, walkways and cycleways through subdivision and development, and the location of nodes of activity through zoning and associated rules, have potential to influence the sustainability of the land transport system. The Council encourages the co-location of activities through land use planning which can encourage a shift from vehicle dependence to the increased use of cycling, walking and passenger transport.

DO10.1.ii See also policy DO14.3.1 (roading) under Objective 14.3 'Services' and policy DO13A.2.1 (accessibility) under Objective DO13A.2 'improving connections'.

## **policy**

### **DO10.1.1 environmental effects of vehicles**

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

#### **Explanation and Reasons**

DO10.1.1.i The direct effects of vehicle traffic, such as noise, vibration, exhaust fumes, and vehicle crashes, and the indirect effects such as loss of privacy, loss of land for other uses, and separation of neighbourhoods, can all be avoided or mitigated by a reduction in the number and length of vehicle trips through creating highly accessible communities. Dependence on the private motor vehicle also has indirect effects such as the risks associated with a community's reliance on fossil fuels, Nelson's carbon footprint and impact on climate change, and the associated demands for greater roading infrastructure. These indirect effects can also be avoided or mitigated through encouraging mixed use and more intensive development at appropriate locations. See also policy DO14.3.1 (roading) under 'Services' and policy DO13A.2.1 (accessibility) under Objective DO13A.2 'improving connections'.

#### **Methods**

DO10.1.1.ii Promote the use of public transport, cycling and walking as alternatives to the use of cars.

DO10.1.1.iii Promote travel demand management activities such as car pooling and travel management plans.

DO10.1.1.iv Provide in the Plan for urban consolidation, by zoning and regulating the development of new greenfields subdivisions, and allowing a higher density of dwelling units in areas within walking distance of shopping areas and transport nodes, including The Wood and the Stoke Centre.

DO10.1.1.v Regulating the construction of new state highways, arterial roads and principal roads.

## **policy**

### **DO10.1.2 road network**

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*The road network should be maintained and developed to accommodate a range of road types to support a range of functions and streetscape characteristics.*

#### **Explanation and Reasons**

DO10.1.2.i The adverse environmental effects from roads can be avoided or mitigated through creating and maintaining a mixture of road types that accommodate a range of traffic volumes, speed environments, functions and users. A hierarchical road network provides for the safe and efficient movement of traffic by assigning some roads (state highways and arterial roads) a primary role of carrying through traffic and a minimal role in providing access to properties, and by assigning other roads (local roads) a primary role in providing access to properties and a minimal role in carrying through traffic.

**DO10.1.2.ii** The hierarchy is as follows, listed in descending order of importance for through traffic and ascending order of importance for property access: state highway, arterial road, principal road, collector road, local road. Different classifications of road require different design treatment appropriate to their function. For example, while reverse manoeuvring from sites onto Unclassified Roads is encouraged, it is not considered appropriate on Classified Roads for safety and efficiency reasons.

**DO10.1.2.iii** Adverse environmental effects from roads are avoided or mitigated by diverting traffic away from local roads to roads higher in the hierarchy, and by ensuring the road network maximises connections between appropriate roading types. The greater traffic volumes that can be carried by arterial roads promote energy efficiency as well as more efficient use of time. Local roads, by being relieved of through traffic, are able to provide valuable areas of open space, residential amenity and promote active modes of travel. The hierarchy will minimise delays and accidents and makes best use of the substantial investment in the road network.

**DO10.1.2.iv** The location of activities on the network also affects road efficiency and safety and should be regulated. The travel demand management approach of the Regional Land Transport Strategy seeks to improve road efficiency and reduce environmental effects of vehicle transport by encouraging a road network that supports intensification and mixed use developments in appropriate areas and the accessibility of public transport, cycle and walkway based transport networks within those areas.

#### Methods

**DO10.1.2.v** Develop and maintain a hierarchical road network, using the road classifications above.

**DO10.1.2.vi** Indicate the road hierarchy on the Planning Maps.

**DO10.1.2.vii** Rules controlling location of activities in relation to roads shown on the road hierarchy maps.

**DO10.1.2.viii** Rules controlling vehicle access to roads, including reversing and queuing on sites, and requiring of road parking, turning and loading areas.

**DO10.1.2.ix** NCC Land Development Manual 2010 providing a range of road designs to allow the functional and operational objectives of the transport network to be achieved.

**DO10.1.2.x** Rules regulating the construction of new state highways, arterial roads and principal roads.

### **policy**

#### **DO10.1.3 expansion of the road network**

*New roads and intersections should integrate with the adjoining road network while not adversely affecting the environment, or the safety or efficiency of the road network.*

#### Explanation and Reasons

**DO10.1.3.i** New roads and intersections need to be designed and located in such a way that any impacts on the road system and the environment are kept to within acceptable limits. See also policy DO14.3.1 (roading) under 'Services' and policy DO13A.2.1 (accessibility) under Objective DO13A.2 'improving connections'

**DO10.1.3.ii** New development should connect well to existing, indicative, proposed or potential development in adjacent areas to facilitate interconnection between new and existing communities. A development with poor links to the surrounding area creates an enclave which encourages movement to and from it by private motor vehicle rather than by other modes. Road connections to existing areas should ensure that outcomes of the connections, such as increased traffic volumes, will be commensurate with the design of those areas. Connectivity between new and existing areas should endeavour to enhance and contribute toward a more sustainable community overall, wherever practical.

## Methods

DO10.1.3.iii Assigning new roads an appropriate place in the road hierarchy, having regard to the needs for through traffic and access and the amenity values of the area.

DO10.1.3.iv Rules imposing design standards by reference to the place of the new road in the hierarchy.

DO10.1.3.v Rules that control the effects of new roads in relation to design and location of property access (including by use of segregation strips) and intersections.

DO10.1.3.vi Rules regulating the location and design of subdivisions by reference to impacts on the road network.

DO10.1.3.vii NCC Land Development Manual 2010 providing a range of road standards to allow the functional and operational objectives of the transport network to be achieved.

DO10.1.3.viii Provision of indicative roads on Structure Plans or within the Planning Maps, as a matter for assessment and response through subdivision applications.

## policy

### **DO10.1.4 traffic effects of activities**

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

#### Explanation and Reasons

DO10.1.4.i The safety and efficiency of the road can be adversely affected by parking, access and pedestrians associated with a particular activity. Safety, efficiency and accessibility are paramount when planning transport in Nelson. The location of appropriate land uses alongside the appropriate elements of the network will result in fewer accidents and greater efficiency.

DO10.1.4.ii For local roads, the location of employment, shopping and recreational activities relative to housing areas affects the demand for travel. There are positive effects to be gained from co-locating these activities, such as the reduction in travel demand and the ability to more easily use forms of transport other than private motor vehicles. These effects may take many years to be achieved through land use planning policies but it is an important consideration when assessing the traffic effects of activities

#### Methods

DO10.1.4.iii Rules retaining discretion on activities with high effects on traffic on Classified Roads.

DO10.1.4.iv Rules requiring parking, loading, and manoeuvring to be accommodated in a manner that is reflective of the road type, function and design.

DO10.1.4.v Rules regulating activities in relation to traffic effects, including the location, scale, and timing of activities.

DO10.1.4.vi Rules controlling number of access points according to the road hierarchy, and in the Inner City Zone, by reference to the Ring Road.

DO10.1.4.vii Monitoring of traffic volumes and impacts and response as appropriate.

DO10.1.4.viii Rules providing for higher density, mixed use developments and the establishment of village or community centres

DO10.1.4.ix Rules regulating location of activities, by reference to their access to types of road in the network.

## **policy**

### **DO10.1.5 access to sites**

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

#### **Explanation and Reasons**

DO10.1.5.i Vehicle access to sites has transport implications because of the potential for conflict between pedestrians, cyclists and road traffic and vehicles entering and leaving sites. Access points need to be designed and located in such a way that impacts on the road system are acceptable for the particular type of road serving the site, its users and the land use activity. In particular the pedestrian/vehicle conflict needs to be minimised through encouraging slow speed access and high visibility at the footpath and accessway interface. Access and manoeuvring design needs to be appropriate for the road classification. Access to sites should not significantly reduce passive surveillance (i.e. the ability to overlook the public space from the adjoining private activity) opportunities in the streetscape. See also policy DO14.3.1 (roading) under 'Services' and policy RE3.5 (streetscape) in Chapter 7 Residential Zone. See also rule ICr.32, Inner City Zone.

#### **Methods**

DO10.1.5.ii The improvement or relocation of existing accesses to improve the safety, efficiency, and amenity of the road network.

DO10.1.5.iii Rules regulating location of activities, by reference to their access to types of road in the network.

DO10.1.5.iv Rules that control subdivisions and developments to:

a) require every site to be provided with vehicular access.

b) regulating the design and location of property access and new intersections, having regard to effects on the safety and efficiency of the road network, and in particular: specifying standards for accesses in relation to distance from intersections, width, gradient, and surface, and visibility to and from the road, having regard to the number, and types of vehicle that will use the access and the road, the number of pedestrians using a road, the design speed of the road and any intentions to reduce speeds.

DO10.1.5.v The NCC Residential Street Frontage Design Guide, the Nelson Inner City Streetscape Design Guide and rules in the Inner City Zone.

## **policy**

### **DO10.1.6 parking, loading, and turning**

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

#### **Explanation and Reasons**

DO10.1.6.i In order to minimise potential hazards created by traffic movement and traffic generation it is important that each site fronting a classified road provides adequate space on site so that parking, loading, and manoeuvring of vehicles can be contained within the boundaries of the site. Reverse manoeuvring onto unclassified roads will be encouraged to avoid the need to accommodate large paved turning areas in the front yard and to create a slower speed environment on the road. Where there is insufficient room on-site, parking may be provided off-site but is subject to the resource consent process. For commercial and industrial activities, off-site parking will need to be subject to a legally binding covenant or agreement to lease parking elsewhere. The arrangement should not lead to a hazard to vehicle traffic or pedestrians. See also policy DO14.3.1 (roadings) under 'Services'.

**DO10.1.6.ii** This policy will mean different amounts of on-site parking for different activities, relative to their location and scale. For instance residential activities on unclassified roads will be encouraged to use the road for manoeuvring to create a slow speed environment and avoid the inefficient use of front yard space for sealed manoeuvring areas. See policy RE3.5 (streetscape) under Chapter 7 Residential Zone.

#### Methods

**DO10.1.6.iii** Rules specifying requirements for loading, parking, and manoeuvring according to activity.

**DO10.1.6.iv** Front yard rules specifying the location of residential garaging.

**DO10.1.6.v** Specific rules for the City Centre (Inner City Zone), and provision of parking collectively in public car parks, through a special rate.

### policy

#### **DO10.1.6A on site parking – reductions in required levels**

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*Reductions in required on-site parking will be considered, having regard to:*

- a) whether the reduction will support and facilitate the use of alternative modes of transport,*
- b) the provision of on-site bicycle stands, and accompanying change and shower facilities proportional to the reduction in on-site parking,*
- c) the proximity of the site to public transport, how the activity proposes to facilitate use of public transport, and the scope to provide additional bus stops in the vicinity,*
- d) the existence of a travel management plan for the site that the Council considers is likely to result in a lower demand for commuter parking through such initiatives as car-pooling, a bus or taxi transport system provided for staff, and the encouragement of cycling or walking,*
- e) the ability to establish an enduring and binding arrangement to share parking with a nearby site if the parking demands are complementary,*
- f) the proximity, availability and ease of access to on-street and off-street public car parks, and taking account of the time of the expected parking demand,*
- g) good evidence that the parking demand generated by the activity will be less than the on-site parking required by the Plan,*
- h) whether the parking demand, particularly peak demand, is likely to be infrequent, having regard to the practicality, economic efficiency and amenity impacts of providing for occasional peak demand,*
- i) any benefits in terms of improved urban design outcomes, including streetscape, more efficient use of land and a more compact city, provided that there must be no resultant adverse effect that is more than minor on the safety or movement functions of any Classified Road<sup>1</sup>, or on the safety or residential character of any Unclassified Road<sup>1</sup> within the Residential Zone, and the safety and efficiency criteria in Policy DO10.1.6 (parking, loading and turning) are addressed.*

#### Explanation and Reasons

**DO10.1.6A.i** The parking standards for different classes of activities in Appendix 10 are necessarily generic. There may often be good reasons to depart from them. For example, evidence may be provided that the particular activity will have a lower demand for parking than the generic class of activity. Alternatively, the parking demand may be at a time when on-street parking or parking on a nearby site is available.

**DO10.1.6A.ii** Required parking can occupy a lot of land or space within a building. As such it represents a significant cost, it can have significant effects on the economic viability of projects and the required parking can sometimes work against other objectives - for example, anti drink-drive objectives, urban design and amenity outcomes, heritage, a compact city, and promoting use of public transport, walking and cycling.

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<sup>1</sup> Defined in Chapter 2 'Meanings of Words'

**DO10.1.6A.iii** There is no economic sense in having large areas of land paved for parking but largely unused, nor is there any environmental benefit in this. This policy provides guidance to reduce the required amount of parking. But doing so ought not be just for private or commercial convenience or gain, particularly if it creates a problem for someone else. Avoiding adverse effects on Classified Roads - the main vehicle movement corridors or feeders - is important. The key issue on these busier roads is to avoid effects that compromise traffic movement functions more than to a minor extent, or which create safety concerns. It is also important to avoid adverse effects on residential streets. That does not mean no effect, but the effect ought to be no more than minor. A once-a-year sports or entertainment event that results in parking on residential streets is unlikely to be an effect that is more than minor. Depending on the circumstances, an activity that has a brief parking demand once or twice a day may not have an effect that is more than minor.

In other situations, the effect may be more adverse. Providing on-site parking to fully accommodate full peak or intermittent demand in all situations is often impractical and does not necessarily meet the purpose of the Resource Management Act (section 5(2)) nor the matters relating to efficiency and amenity values in section 7 of the Act.

#### Methods

**DO10.1.6A.iv** Resource consent process to consider reductions in mandated parking requirements.

**DO10.1.6A.v** Rules providing for the consideration of a maximum 20% reduction in the required minimum level of parking as a restricted discretionary activity, if a Travel Management Plan forms part of the consent application.

### **policy**

#### **DO10.1.7 pedestrian and bicycle traffic**

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

#### Explanation and Reasons

**DO10.1.7.i** This policy is consistent with the Regional Land Transport Strategy and the Regional Policy Statement. Walking and cycling are widely recognised as healthy, enjoyable and environmentally sustainable ways to travel, and offer convenient and efficient options for short to medium distance trips. See also policy DO14.3.1 (roading) under 'Services' and policy DO13A.2.1 (accessibility) under Objective DO13A.2 'improving connections'.

#### Methods

**DO10.1.7.ii** Road and subdivision designs that take into account and promote the needs of pedestrians and cyclists promoted through the NCC Land Development Manual 2010 Transport Section.

**DO10.1.7.iii** Maintenance of separate pedestrian access between the parking squares and shopping streets.

**DO10.1.7.iv** Improvement of pedestrian environment, particularly in shopping areas.

**DO10.1.7.v** Acquisition of walkways to create a network where adequate pedestrian access on existing roads and walkways is not available.

**DO10.1.7.vi** Establishment of new cycleways to create a safe cycling network.

**DO10.1.7.vii** Implement Cycle and Pedestrian Strategies.

**DO10.1.7.viii** Establishment of cycle parking facilities.

**DO10.1.7.ix** Provision of indicative walkways (which may in appropriate circumstances also perform a cycleways function) on Structure Plans or within the Planning Maps, as a matter for assessment and response through subdivision applications.

**DO10.1.7.x** Within the Rural Zone in particular, recognise and promote management practices, placement, and construction of public walkways and cycleways that minimise the potential for cross-boundary effects, in liaison with adjoining land owners.



## D010e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
<p>D010e.1</p> <p>Lower growth in the use of private cars, leading to less noise, pollution and other adverse effects.</p>	<p>D010e.1.1</p> <p>Vehicle counts Journey to work records Vehicle occupancy</p>	<p>Council records Census</p>
<p>D010e.2</p> <p>Improved safety for motorists, pedestrians and cyclists.</p>	<p>D010e.2.1</p> <p>Casualty statistics</p>	<p>New Zealand Transport Agency.</p>
<p>D010e.3</p> <p>Better access to and within the Inner City, for pedestrians and vehicles.</p>	<p>D010e.3.1</p> <p>Vehicle and pedestrian counts. Public car park use.</p>	<p>Council records, car park statistics.</p>

## D011 Air transport

D011.i The issues in regard to air transport arise from many of the issues discussed in Chapter 4, but are concentrated in the area close to the airport. This Plan includes various regulatory and other methods to manage the effects of airport related noise including designation, rules, and methods such as environmental and noise management plans.

### objective

#### D011.1 air transport

*The long term continuation of Nelson Airport at its present location, with provision for controlled growth in aircraft movements, whilst managing the effects of noise and other potential adverse effects on the community.*

##### Reasons

D011.1.i Nelson Airport is a significant physical resource, and contributes to the well being of the people and community of Nelson and the adjacent regions, as well as to the New Zealand community as part of a national network of airports. Flight is an increasingly important method of transport, for both passengers and freight and it is projected that Nelson Airport will experience steady growth in the number of aircraft movements over the foreseeable future. The airport's present location, close to the urban area, has both positive and adverse effects. An important positive effect is the short travelling time from the airport to the urban area. The main potential adverse effect of airport activities is noise, although safety and traffic effects may also arise. If the effects of noise become excessive, the long term viability of the airport at its present location may be called into question.

The potential adverse effects need to be avoided, mitigated or remedied through a range of provisions and processes that involve the airport owners, operators and users, and the affected community.

## **policy**

### **DO11.1.1 recognition of airport resource**

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*The operational area of the airport should be recognised and considered as an important community resource of a predominantly industrial character.*

#### **Explanation and Reasons**

DO11.1.1.i The airport is a large land area on which activities ranging from industrial to commercial take place as ancillary activities to the primary (and very important) transport use. The Nelson Airport is located partly in the coastal environment, and can provide a form of protection for some of the values of the coastal area. The zoning of the land recognises the primary industrial character of the operational airport, and the buffer afforded by open space and recreational zoning in the surrounding area.

DO11.1.1.ii The operational area of the airport is also covered by a designation for aerodrome purposes and any additional land required for the safe and efficient operation of the airport shall be provided for through the requirement process.

#### **Methods**

DO11.1.1.iii Zoning of land, including rules, and assessment criteria that give priority to airport related activities within the operational airport area.

DO11.1.1.iv Use of designation powers by the Airport Authority, as a network utility operator.

## **policy**

### **DO11.1.2 noise effects of aircraft**

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*Noise effects of aircraft should be reasonable, in the context of the neighbourhoods surrounding Nelson Airport, and in any case should not exceed levels projected for the year 2020.*

#### **Explanation and Reasons**

DO11.1.2.i There is no one technique for managing the effects of airport noise. Nelson airport is located in close proximity to established residential areas which are expected to experience increased noise levels from aircraft movements. The average noise produced by the airport is to be regulated, and other means of mitigation used, to address effects on and off site.

DO11.1.2.ii Nelson Airport Ltd has produced projected noise contours for the year 2020. These allow for expected growth levels to that date. These noise levels form the basis for managing the effects of airport noise on the surrounding community, taking a precautionary approach. Noise from the airport will be regulated at the Airnoise Boundary, 65 dBA (109 Pasque) on the basis of projected noise level growth to the year 2020, with special control of night time noise exposure.

DO11.1.2.iii A special approach to the measurement of airport noise is required because of the intermittent nature of the effects. The relatively standardised approach which is being applied to meet the needs of communities throughout New Zealand has been adapted to provide for managed growth of Nelson Airport over the life of the Plan. Particular attention has been given to managing land use in the vicinity of the Airport and to controlling noise levels, including night time noise.

#### **Methods**

DO11.1.2.iv Rules regulating the generation of noise from the airport, by reference to noise contours on the Planning Maps.

DO11.1.2.v Measurement of airport noise, and the processes for determining affected areas will be as set out in New Zealand Standard 6805 "Airport Noise Management and Land Use Planning" 1992.

## **policy**

### **DO11.1.3 management of receiving environment**

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*The potential exposure of communities to airport noise should be managed to ensure that a reasonable balance is achieved between the operational needs of the airport over time, and the amenities and well being of the community.*

#### **Explanation and Reasons**

DO11.1.3.i As stated under the previous policy, two broad approaches to address the effects of noise are available. The first is to control the activities producing the noise, under the previous policy. The second is to control the potential for people to be exposed to the noise, by limiting the numbers of houses in the most affected areas and requiring sound insulation of houses.

DO11.1.3.ii It is appropriate to limit the number or type of people likely to be exposed to aircraft noise in order to avoid, remedy or mitigate health and amenity effects. This can be done through rules which regulate activities in noise affected areas. Residential activity is regulated because it is very sensitive to noise. Tourist accommodation, because it is less sensitive to noise, may be acceptable. Similarly, noise sensitive activities such as hospitals or schools may be less appropriate. Within the Airport Effects Control Overlay area, new residential, schools, hospitals or other noise sensitive uses will only be allowed where adequate protection from aircraft noise is provided through construction or other provision. Alterations or additions to existing residences or other noise sensitive uses will be allowed only if the construction provides adequate sound insulation from aircraft noise. Such provisions are necessary to provide a reasonable living environment as the noise from the airport grows towards the projected 2020 levels.

DO11.1.3.iii Apart from health and amenity considerations, the long term retention of the airport as a physical resource of general importance to the communities of Nelson and Tasman depends upon it not being "crowded out" by housing. Housing that is of relatively low density and is insulated has greater compatibility than unregulated housing.

DO11.1.3.iv Experience indicates that, in the absence of a "best" technique for managing airport noise and the effects of airport noise, a range of approaches is needed which is specific to the circumstances of the area. The range of possible responses, and the allocation of responsibilities can best be handled through an ongoing consultative process between the airport operator, the Council and the community.

#### **Methods**

DO11.1.3.v Rules limiting density of residential units in areas specially affected by noise from Nelson Airport.

DO11.1.3.vi Rules requiring additional insulation in new residential units and extensions to existing dwellings in areas specially affected by noise from Nelson Airport.

DO11.1.3.vii These areas are shown on the Planning Maps as the Airport Effects Control Overlay and reflect the projected 2020 noise contours.

DO11.1.3.viii The establishment of a consultative committee (Nelson Airport Noise Environment Advisory Committee) as described as a standing "Airport Noise Abatement Committee" in New Zealand Standard 6805:1992, will be promoted.

## **policy**

### **DO11.1.4 management, monitoring, and review**

*The Airport Authority will be encouraged to pursue its commitment to environmental management and self monitoring of environmental effects of airport operations through the preparation, adoption, implementation and review of a Nelson Regional Airport Environmental Management Plan. In particular, the Airport Authority will be encouraged to consult with appropriate organisations and nearby residents in preparing, and reviewing the Plan, and adopt and implement the Nelson Regional Airport Environmental Management Plan no later than six months after this Resource Management Plan becomes operative.*

#### **Explanation and Reasons**

DO11.1.4.i The Airport Authority is to adopt an Environmental Management Plan which addresses all environmental issues of relevance to Nelson Regional Airport. It will identify issues, objectives, policies, rules, and management systems which the Airport Authority will have regard to, or put into place, as the case may be, in future land use and operations management. These measures will deal with visual amenity, natural hazard and hazardous substances management, monitoring of air emissions, traffic management and review of flight paths. The Environmental Management Plan approach includes a commitment by the Airport Authority to consult with the Council over traffic, stormwater management, flood control and coastal planting, and with the Council and the community in terms of noise as in Policy DO11.1.5 (noise management and mitigation). The Nelson Regional Airport Environmental Management Plan will be a non-statutory document which will not form a part of this Plan.

#### **Methods**

DO.11.1.4.ii Encouragement of adoption of an environmental management system (EMS) for the Airport, to meet ISO14000 series accreditation standards, taking into account relevant national and international standards and best practical options.

DO11.1.4.iii Requiring the Airport Authority to demonstrate compliance with legislation and/or Council requirements (wherever appropriate) for hazardous substance management, seismic risk design, control of stormwater contamination and natural hazard management.

DO11.1.4.iv Ongoing liaison with the Airport Authority over preparation, maintenance and review of the Environmental Management Plan.

DO11.1.4.v Encouragement of consultative processes and other techniques which can result in integrated management of any adverse effects arising from the airport location and operation.

## **policy**

### **DO11.1.5 noise management and mitigation**

*The Airport Authority, in association with the "Nelson Airport Noise Environment Advisory Committee" will establish a noise management plan for airport activities, including a regular noise monitoring programme and regular review. In particular, the Airport Authority will adopt the noise management plan no later than six months after this Resource Management Plan becomes operative, and review it at two yearly intervals or more frequently.*

#### **Explanation and Reasons**

DO11.1.5.i To promote sustainable management, airport noise management requires management by a range of people including airport owners, operators, occupiers and users, the Council and other statutory agencies, and the affected and wider community. Formalised commitment and regular monitoring and review is possible through a noise management plan. The Nelson Airport Noise Environment Advisory Committee is a consultative group comprising representatives of the airport, Nelson City Council Monitoring Co-ordinator and the community affected by airport noise (see Method DO11.1.3.viii).

## Methods

- DO11.1.5.ii Establishment of standards for measurement and evaluation of effects.
- DO11.1.5.iii Regular monitoring of airport noise.
- DO11.1.5.iv Education and advocacy to minimise noise generation at the airport, and to encourage people to take voluntary steps to minimise noise effects.
- DO11.1.5.v Identification on Planning Maps of areas likely to be subject to some airport noise, but not of a level to justify regulation, as an "Airport Effects Advisory Overlay."
- DO11.1.5.vi Encouragement of consultative and other techniques which can result in integrated management of noise effects.
- DO11.1.5.vii Five yearly independent compliance audits of aircraft noise management at Nelson Regional Airport (as set out in Designation DAA2 air noise boundary controls).

## DO11e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO11e.1 Airport remaining viable at future levels of aircraft movements.	DO11e.1.1 Level of noise complaints from residents around airport.	Council records.
DO11e.2 Low density development in vicinity of airport. Insulated residential units.	DO11e.2.1 Consistent approach to applications.	Council records, building consent information.
DO11e.3 Aircraft operations do not exceed noise limits.	DO11e.3.1 Regular noise monitoring. Level of noise complaints from residents around airport.	Audit of Airport Authority monitoring data.

## **DO12 Port Industrial Area**

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DO12.i The issues in regard to the port industrial area arise from many of the issues discussed in Chapter 4, in particular RI2, RI5, RI8, RI11, RI12, RI15, RI16

DO12.ii See also the relevant objectives and policies for the Industrial Zone and the Coastal Marine Area.

### **objective**

#### **DO12.1 the Port Industrial Area**

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*A Port Industrial Area which is enabled to function efficiently and effectively while avoiding, remedying, or mitigating adverse effects on the community and the coastal marine area*

##### **Reasons**

DO12.1.i The port industrial area is a significant regional physical resource that contributes to the social and economic wellbeing of the people of Nelson and nearby areas. It is part of the national and international community in terms of its role as a major transport node. The strategic importance of this resource is enhanced by the lack of rail transport in Nelson.

Operations at the port are constantly changing as the nature of fishing, shipping and cargo operations change. Predicted growth in cargo and changes in the way cargo is handled means that the operation of the port needs to have some flexibility.

Port activities can have adverse effects of noise and glare, as well as visual impact. Noise is the most significant adverse effect, but there are also issues such as transport, air and water quality that arise due to proximity of the city and residential activities. By its very nature the port industrial area has impacts on the coastal marine area, and will continue to do so. These effects arise from aspects such as ongoing dredging of Nelson Haven and the approaches to the port entrance, the presence and loading and unloading of vessels, and the nature and maintenance of structures and vessels within the port operational area.

(See also Nelson Regional Policy Statement policies regarding sea transport).

### **policy**

#### **DO12.1.1 recognition of port resource**

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*To recognise the Port Industrial Area as a significant regional physical resource which is part of the infrastructure of the wider Nelson/Tasman region. This is of particular importance in respect of its industrial nature and character, and location partly within the coastal marine area*

##### **Explanation and Reasons**

DO12.1.1.i The provision of port resources is a key component of the transportation network, which is necessary for the economic and social wellbeing of the people and communities of Nelson and nearby areas. The port industrial area also requires ready access to a high level of roading and other infrastructure, for itself and for associated industry.

DO12.1.1.ii Ports are, by their very nature, industrial activities which are located across the interface of the land and sea. Some of these industrial activities take place at the interface, or within the Coastal Marine Area itself, including activities on wharves such as loading and unloading, and some processing. The confines of the Port Operator's coastal permit can be considered to be the likely seaward limit of these types of activities.

DO12.1.1.iii Similarly, the character of any port, and particularly any port on a reclamation, is generally highly modified and industrialised.

##### **Methods**

DO12.1.1.iv Definition of the Port Operational Area, the Port Industrial Area and rules recognising the special needs of the port.

DO12.1.1.v Extension of industrial zone over wharf areas.

## **policy**

### **DO12.1.2 future expansion at the Port Industrial Area**

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*Port activities should generally be confined to the Port Industrial Area, those areas defined within Port Nelson Limited's Coastal Permit and Waterways Lease*  
Explanation and Reasons

DO12.1.2.i The Port Industrial Area is located on a reclamation and is limited in space. The Port Operator owns most of the reclaimed land, and some of this is leased to non-port activities. Should expansion at the Port Operational Area be necessary, there will need to be a rationalisation of existing tenure arrangements within the Port Industrial Area, acquisition of freehold property within that area, or consent sought for further reclamation. Major issues may arise when considering reclaiming further land for port activities or general industrial activities. These issues are dealt with primarily in the coastal marine section of this Plan, and should be read in conjunction with this section. Minor reclamations to enable better use of existing resources are generally less of an issue, although cumulative effects of a number of such reclamations could be significant.

#### **Methods**

DO12.1.2.iii Assessment criteria for resource consents.

DO12.1.2.iv Map the extent of Port Nelson Ltd's Coastal Permit dated 27 July 1994 and subsequently varied under S384A of the Resource Management Act 1991 (PNL's coastal permit)

## **policy**

### **DO12.1.3 noise effects**

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*Noise effects arising from port-related activities should be managed in a way that will provide a reasonable standard of residential amenity including an environment where reasonable sleep can occur within the neighbourhoods surrounding the Port Industrial Area.*

#### **Explanation and Reasons**

DO12.1.3.i There is no one technique for managing the effects of port noise. The Port Industrial Area is located in close proximity to established residential areas which may expect to experience continued noise effects from port operations and other activities within the Port Industrial Area i.e. it is not possible to avoid these effects in this context. The noise produced by the Port Industrial Area is to be managed and mitigation used, to address effects, particularly on the indoor living environment of areas adjacent to the port.

DO12.1.3.ii Noise contours which reflect the present level of effect experienced by adjacent properties will be used to determine the level of mitigation required. They will be regularly monitored, and updated if a change in the level of port noise occurs.

#### **Methods**

DO12.1.3.iii Rules regulating the generation of noise from leased areas of the Port Industrial Area.

DO12.1.3.iv Measurement of port noise, will be generally as set out in NZS6809 "Acoustics - Port Noise Management and Land Use Planning".

DO12.1.3.v The Port Operator will be required by Council to prepare and implement a noise management plan and a noise mitigation plan which provides for:

- a) minimising port noise as far as practicable,
- b) mitigation of effects of port noise on noise-affected properties,
- c) ongoing community consultation/liason on port noise issues,
- d) monitoring of port noise.

## **policy**

### **DO12.1.4 management of noise receiving environment**

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*The potential exposure of communities to port noise should be managed to ensure that a reasonable balance is achieved between the operational needs of the Port Industrial Area, and the amenities and well being of the community.*

#### **Explanation and Reasons**

**DO12.1.4.i** It is necessary to control the potential for people to be exposed to the adverse effects of noise, or excessive noise by limiting the numbers of houses in the most affected areas and requiring acoustic insulation of houses.

**DO12.1.4.ii** It is appropriate to limit the number of people likely to be exposed to port noise in order to avoid, remedy or mitigate health and amenity effects. This can be done through rules which regulate or limit noise-sensitive activities. Residential activity is regulated because it is very sensitive to noise. Similarly, noise sensitive activities such as hospitals or schools may need protection, as does tourist accommodation. Within the Port Effects Control Overlay area, new residential, or other noise sensitive activities will only be allowed where adequate protection from port noise is provided through construction or other provision. Alterations or additions to existing residential units or other noise sensitive activities will be allowed only if the construction provides adequate sound insulation from port noise. Such provisions are necessary to provide a reasonable living environment, particularly in respect to providing for sleep.

**DO12.1.4.iii** The range of possible responses to, and the allocation of responsibilities to port noise can best be handled through an ongoing consultative process between the Port Operator, the Council and the community. See also method DO12.1.3.iv c) and DO12.1.5.ii.

#### **Methods**

**DO12.1.4.iv** Rules requiring acoustic insulation for new building work within the Port Effects Control Overlay involving the creation of new habitable spaces or spaces for other activities sensitive to noise within existing or new properties.

**DO12.1.4.v** Rules restricting subdivision and the number of new residential units in areas affected by noise from the Port Industrial Area.

**DO12.1.4.vi** These areas are shown on the Planning Maps as the Port Effects Control Overlay.



## **policy**

### **DO12.1.5 reduce disturbance arising from port operations**

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*To encourage operators within the Port Industrial Area to continue to reduce or minimise the level of adverse effects on the adjacent Residential Zone.*

#### **Explanation and Reasons**

DO12.1.5.i It is recognised that the Port Operator has expended considerable effort in attempting to address the adverse effects of its activities, in particular through noise reduction practices and technologies. The Port Operator will be encouraged to continue its commitment to environmental management through its Environmental Consultative Committee and self monitoring of environmental effects of port operations through its Port Nelson Environmental Management Plan.

#### **Methods**

DO12.1.5.ii Support and participate in Port Environmental Consultative Committee.

DO12.1.5.iii Establish and operate a Port Noise Liaison Committee.

DO12.1.5.iv Prepare and operate a Port Noise Management Plan which includes methods to reduce noise emissions.

## **policy**

### **DO12.1.6 public access in the port area**

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*Public access within the port operational area should be maintained where it does not conflict with the operational requirements of the port operational area.*

#### **Explanation and Reasons**

DO12.1.6.i The port operational area is an area that is popular for a range of recreational activities such as fishing, walking, and viewing port activities. However, these activities are not always compatible with a working port. Health and safety hazards, border requirements, and security needs are all valid reasons as to why restricted access may be necessary in this area. Because of the high demands for recreation in the port area, and the fact that reclamation and port development have the effect of limiting public access to public resources (being the coastal marine area) limitations should only be exercised where necessary. Consideration should be given to offsetting any extraordinary limitations by improving public access elsewhere. (See CM7.4)

DO12.1.6.ii The port operational area is treated differently to other activities that adjoin public resources such as rivers and the sea, as the port operational area straddles these environments rather than bordering on to them.

#### **Methods**

DO12.1.6.iii Assessment criteria for resource consents.

DO12.1.6.iv Environmental compensation where substantial areas are to be closed to the public.

## **D012e environmental results anticipated and performance indicators**

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

<b>Anticipated environmental results</b>	<b>Indicators</b>	<b>Data source</b>
<b>D012e.1</b> An effective and efficient Port Industrial Area, where adverse environmental effects are avoided, remedied or mitigated.	<b>D012e.1.1</b> The number and significance of environmental issues arising from port activities.	Council records. Reports from Council inspections. The Port Operator's Issues Register and complaint records. Records of the Port Noise Liaison Committee.
<b>D012e.2</b> An environment where people living in noise sensitive locations are protected from port noise through appropriate levels of acoustic insulation.	<b>D012e.2.1</b> The number and proportion of residential units and other noise sensitive buildings within or adjacent to the Port Industrial Area with acoustic insulation.	Resource consents granted. Council records. The Port Operator's records, including acoustic certificate register.
<b>D012e.3</b> A managed port noise environment where noise is minimised to the greatest extent practicable.	<b>D012e.3.1</b> Level of port noise complaints from residents living near the Port Industrial Area.	Regular port noise monitoring. Audit of Port Operator's monitoring data. Council records.

## **D013 Soil erosion and sedimentation**

**D013.i** The issues in regard to soil erosion and sedimentation are set out in Chapter 4 (particularly R17 - soil and water). When this Plan becomes operative, this material will replace the Regional Plan for the NCC Land Disturbance Plan, notified in 1993. The following Objective and Policies are consistent with the Regional Policy Statement, section 10 (soils).

## objective

### DO13.1 soil erosion and sedimentation

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*An environment where the adverse effects of accelerated soil erosion are avoided, remedied or mitigated.*

#### Reasons

DO13.1.i Accelerated soil erosion can give rise to various adverse effects, particularly arising from the loss of the soil resource, effects of siltation on surrounding land and diminished water quality in water bodies and coastal water. These effects diminish the productive and life supporting capacity of the land as well as ecological and other values. The attainment of these objectives will advance all the elements of sustainable management stated in section 5 of the Act, including retaining future generations' opportunity to use the land resources to provide for their social, economic and cultural well being.

#### policy

##### DO13.1.1 soil erosion

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*Land uses should not accelerate soil erosion beyond natural levels.*

#### Explanation and Reasons

DO13.1.1.i Accelerated erosion of the land, even at relatively low rates, can impair future choices of land use. While soils do regenerate, they do so over a long period of time. Most of the soils in Nelson were formed under an indigenous forest environment, and once eroded will not regenerate to a similar level even in the long term under another regime (e.g. pastoral use).

DO13.1.1.ii Erosion of soils impacts not only on the productive and life supporting capacity of the resource, but on downstream values, such as fisheries, recreational uses, extractive uses, intrinsic values, and on landscape values.

DO13.1.1.iii Vegetation clearance, soil disturbance and earthworks are the major types of land use that cause accelerated soil erosion. The physical characteristics of the land (such as slope stability, gradient and proximity to water) provide a basis for predicting the effects of these land uses and the methods adopted apply differently to different types of land. Rules will be required to provide certainty of outcome.

DO13.1.1.iv Education, guidance and advice, are keys to establishing a greater awareness of the need for minimising soil erosion. These methods, particularly guidelines and advisory services, will assist people undertaking vegetation clearance and land disturbance activities to improve standards and reduce adverse environmental effects.

#### policy

##### DO13.1.2 sedimentation

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*The adverse effects of soil erosion, particularly sedimentation, should be avoided, remedied or mitigated.*

#### Explanation and Reasons

DO13.1.2.i Sedimentation has significant adverse effects on land, especially on vegetation cover, and on water quality in water bodies and coastal water. Reduction of erosion under the policy above is one way to limit sedimentation. However, where sedimentation arises from a land use, (especially vegetation clearance, soil disturbance and earthworks) the adverse effects need to be managed. Other adverse effects of erosion include the build up of sediment in streams, which may cause downstream bank erosion.

DO13.1.2.ii The regulation of vegetation clearance and land disturbance activities is necessary to provide certainty to land users and the community. Rules will be selective and applied to control the anticipated soil erosion and sedimentation effects of vegetation clearance and land disturbance activities. The economic implications on those who have established a plantation forest prior to 25 September 1993, (being the date of notification of the first Regional Plan for the NCC Land Disturbance Plan) will be taken into account when determining discretionary activities.

DO13.1.2.iii As in the case of erosion, education, guidance and advice are keys to establishing a greater awareness of the need for minimising sedimentation and other effects.

**Methods (policies DO13.1.1 and DO13.1.2)**

DO13.1.2.iv The Council will promote the policies relating to soil erosion and its effects including sedimentation through displays, demonstrations and the media, and provide educational material and advisory services that promote sustainable land use practices and identify methods of avoiding or minimising adverse soil erosion and sedimentation effects.

DO13.1.2.v The Council will produce guidelines in association with neighbouring local authorities, industry and interest groups, which identify techniques to minimise adverse soil erosion and its effects. Council will consider the costs of producing such guidelines against the anticipated community benefits in determining what guidelines are desirable and what cost recovery, if any, is necessary.

DO13.1.2.vi Council will advise on methods to minimise soil erosion and sedimentation associated with land use practices, including vegetation clearance and land disturbance activities

DO13.1.2.vii The Council will encourage and support the formation of Land Care Groups.

DO13.1.2.viii Rules regulating vegetation clearance, soil disturbance and earthworks according to slope stability and the characteristics of the activity and the likely effects of soil erosion and sedimentation.

DO13.1.2.ix Identification on the Planning Maps of a Land Management Overlay reflecting slope stability risks of areas of high slope instability risk. These areas were mostly identified in a report by Johnston MR; Mew G; Williams P and Thomas B (1992): Natural Hazards, Soils, Indigenous Vegetation and Animal Habitats of the Rural Parts of Nelson City (DSIR). Low lying areas subject to potential coastal erosion have been included in the Land Management Overlay. (These were identified as areas of low risk of slope instability in the DSIR report.) Resource consent applications will assess specific site characteristics that are not able to be accounted for within the scale at which the Overlay is mapped.

## **policy**

### **DO13.1.3 research**

*Identify areas where accelerated soil erosion or sedimentation associated with the existing land uses or management practices exceed the sustainable capabilities of the land, and promote alternative sustainable land uses or management practices.*

**Explanation and Reasons**

DO13.1.3.i To prevent land degradation, the Council needs to identify the sustainable capabilities of the land resources. Once these limits are known, each land owner potentially affected will be able to see what alternatives are available and the reasons why a change in existing land uses or management practices is beneficial.

**Method**

DO13.1.3.ii The Council will, every two years, review available information on the soil erosion and sedimentation limitations to land use on the region's land resources, and where necessary, update that information through literature reviews, monitoring and research. Ultimately, the Council will produce a document which identifies the sustainable capabilities of the region's land resources. The Council will then identify those areas where the existing land use or management practice exceeds the sustainable capabilities of the land and promote a change in land use or management practice. Field survey data and information supplied with Resource Consent applications, will be collated and put into the Geographic Information System. Council will aim to complete this task within five years of this plan becoming operative.

## D013e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D013e.1 Increased awareness and use of land management practices which avoid or minimise soil erosion and sedimentation.	D013e.1.1 Response to Council educational programmes. Water quality.	Council records.
D013e.2 Reduced soil erosion and sedimentation.	D013e.2.1 Appearance of landscape. Land productivity, water quality.	Council records, aerial photos.

## D013A Urban design

D013A.i Issues relevant to quality urban design are discussed in Chapter 4. Development and re-development activities in the urban area have potential to adversely affect the quality, functioning and sustainability of the urban environment. The design of and relationships between buildings, spaces and networks (e.g. streets) has a significant influence on people. Quality of everyday life is affected by the environments we share in the urban areas.

High quality urban design will help make more attractive, better places to live and more successful settings for business. It will help to make public spaces that are safer and suitable for a variety of uses; street systems that provide enhanced accessibility and choice of access mode; conveniently located service facilities; buildings and structures that serve their purpose and contribute to their setting; and an authentic sense of place that reflects the place and its people, and is both memorable and valued.

High quality urban design can also help avoid some of the problems of poorly designed developments which have resulted in adverse effects such as traffic congestion, unsustainable energy use, inefficient use of urban infrastructure, lack of distinctive identity, social and cultural isolation, opportunities for crime, reduced recreation opportunities and lack of connection with ecological systems or areas of open space.

### objective

#### D013A.1 recognising the local context

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

##### Reasons

D013A.1.i Design that makes distinctive use of space, form and materials, promotes Nelson's identity, and encourages diversity of cultural expression. It fosters local pride, civic engagement and confidence, and it stimulates innovation, creativity and economic opportunities. Subdivision and development design should place considerable emphasis on the strategic and contextual urban design objectives of the City and not just on individual site considerations. This particularly applies at the private to public space interface, such as street frontages and adjoining reserves, walkways, and coastal and riparian areas.

## policy

### DO13A.1.1 local context and environment

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*Subdivision and development should relate to local topography, climate, heritage, culture, locally distinctive materials and vegetation, and valued development patterns.*

#### Explanation and Reasons

DO13A.1.1.i Quality urban design treats buildings, places and spaces not as isolated elements but as a part of the whole city, its character and environment. Subdivision and development within the city and urban areas should define and reinforce those elements that best express Nelson's identity - its sunny and outdoor lifestyle, seaside location, topography, biodiversity and geology, the colours of the landscape, neighbourhood and architectural styles, and its long history of Maori and subsequent settlement.

Subdivision and development should not perpetuate existing patterns of design and layout that are not valued development patterns, nor representative of the urban design outcomes sought progressively through the rolling review of the Plan. For example, subdivision layout can be considered in terms of how it contributes to valued development patterns such as the connectivity of roading networks, retention of valued topographical features, landscape and streetscape values, and the sustainable use of existing infrastructure. The assessment can also include road and allotment layout that enables building development to continue any valued built development patterns in the particular locality. Site specific matters such as breach of crossing point maximums, front yard setbacks, fence heights, parking and manoeuvring area rules and standards will be considered in terms of how they contribute to enhanced urban design outcomes for the street, neighbourhood, suburb and overall City and if they continue valued development patterns. Therefore in the consent assessment process, consideration needs to be wider than just the effect on the individual site or sites, to emphasise valued development patterns.

#### Methods

- |               |  |
|---------------|--|
| DO13A.1.1.ii  | Implement the Central City Strategy.   |
| DO13A.1.1.iii | Use of heritage precincts, buildings and rules.                                |
| DO13A.1.1.iv  | Subdivision and comprehensive housing rules and assessment criteria.           |
| DO13A.1.1.v   | Appendix 14 Residential Subdivision Design and Information Requirements.       |
| DO13A.1.1.vi  | Implementation of actions in the Nelson City Council Urban Design Action Plan. |
| DO13A.1.1.vii | Implement advice and actions in the Inner City Design Guidelines.              |

## objective

### DO13A.2 improving connections

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

#### Reasons

DO13A.2.i Good connections enhance biodiversity, choice, support social cohesion, make places lively and safe, and facilitate contact among people. Reduced travel times and lower environmental impacts occur in places with good connections between activities and natural environments, and the careful placement of facilities. Where physical layouts and activity patterns are easily understood, residents and visitors can navigate around the area easily.

## **policy**

### **DO13A.2.1 accessibility**

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*Accessibility is maximised through subdivision and development design which provides for:*

- a) safe and pleasant transport networks for all modes of movement, including pedestrians, cyclists, public transport and motor vehicles.*
- b) a variety of logical and effective connections between different transport networks and between different parts of the city and urban areas.*

#### **Explanation and Reasons**

DO13A.2.1.i A well designed transport network integrated with land use improves accessibility and mobility, contributes to better quality of life, encourages healthier lifestyles, uses less non-renewable energy, and contributes to improved economic performance. Interconnected street systems can also enhance safety, reduce crime and fear of crime. Note: The term 'pedestrians' includes people with disabilities and in wheelchairs or on mobility aids

#### **Methods**

- DO13A.2.1.ii Standards and terms, rules and assessment criteria for subdivision.
- DO13A.2.1.iii Standards and design guidance in the NCC Land Development Manual.
- DO13A.2.1.iv Indicative Roads on Structure Plans and Planning Maps.
- DO13A.2.1.v Implement actions in the NZTA Pedestrian Planning and Design Guide, and the NCC Pedestrian Strategy.
- DO13A.2.1.vi Implement actions and policies of the NCC "Safer by Design" Crime Prevention Through Environmental Design Guidelines (CPTED).

## **policy**

### **DO13A.2.2 natural connectivity**

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*Subdivision and development should provide for the enhancement, restoration and, where appropriate, multiple use of natural environment connections, particularly from the hills to the coast, utilising rivers, streams and natural catchment features through urban environments to enhance native biodiversity.*

#### **Explanation and Reasons**

DO13A.2.2.i Nelson is characterised by its distinct natural topography, dramatic coastal landscape setting and relationship to the harbour and sea. Providing connections between the hills and the coast reduces the impact of urban areas and urban expansion on the connectivity of these two environments. Connections to the hills and the coast also enhance the identity of urban neighbourhoods/communities and dictates growth patterns for urban areas and infrastructure. Connections between natural areas are also beneficial for natural values.

#### **Methods**

- DO13A.2.2.ii Implement Linkages and Corridors Policy DO5.1.2.
- DO13A.2.2.iii Riparian and Coastal Margin Overlay Rules (Appendix 6)
- DO13A.2.2.iv Riparian and biodiversity corridors on Structure Plans or on Planning Maps and associated rules.
- DO13A.2.2.v Subdivision standards and terms, and assessment criteria.
- DO13A.2.2.vi The NCC Land Development Manual provides opportunities for trade-offs to enable reduced road widths when integrated with public open space or esplanade reserve, where footpaths and/or parking can be accommodated outside of legal road.
- DO13A.2.2.vii Implement objectives and actions in Parks and Reserves Management Plans.

## **policy**

### **DO13A.2.3 public to private connections**

*Public spaces created as part of subdivision and development should be connected to and overlooked by private buildings and spaces in a manner that is human scaled and encourages interaction and safety.*

#### **Explanation and Reasons**

DO13A.2.3.i Lack of connections to, and buildings that turn their backs on, public spaces can lead to poor quality, under utilised and unsafe public environments. Civic spaces, neighbourhood and local reserves, esplanade reserves and streetscapes benefit from being well connected and overlooked by private spaces and buildings. This creates safe, attractive and secure public spaces and pathways and provides environments that encourage people to become more interactive with the community.

#### **Methods**

DO13A.2.3.ii Rules and assessment criteria including those controlling yards, setback, and fence heights.

DO13A.2.3.iii Esplanade values and rules in Appendix 6.

DO13A.2.3.iv Comprehensive Housing Development provisions (Appendix 22).

DO13A.2.3.v NCC Residential Street Frontage Guide and the NCC Central City Streetscape Design Guide.

DO13A.2.3.vi Implement NCC Land Development Manual Reserves and Transport sections.

DO13A.2.3.vii Implement actions and policies of NCC 'Safer by Design' Crime Prevention through Environmental Design Guidelines (CPTED).

## **objective**

### **DO13A.3 creating high quality public spaces**

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

#### **Reasons**

DO13A.3.i High quality public spaces enable people to play, relax and socialise throughout various levels/scales of the urban environment (suburbs, commercial villages, city centre), support recreational and commercial activity, and help to ensure vitality of public spaces and communities. Conversely, poor quality public spaces are an inefficient use of resources, are under-utilised and are a burden on ratepayers.

Public spaces in urban areas are owned and maintained by the community and need to be located and developed in a manner that represents quality urban design. Private development that adjoins public spaces will need to demonstrate an appropriate level of quality urban design reflective of the prominence and function of the adjoining public space. Subdivision and development creates new public spaces (roads, reserves, parking areas, public accessways) so these need to be designed and relate to their context to ensure they are able to be developed as high quality spaces. Public spaces which are prominent and which are intended to have a high level of public use are deserving of inspirational design. Left over sections of land, or areas unable to be developed due to gradient, stability or other reasons, are not considered suitable for public spaces unless they are capable of accommodating a range of the values sought in objective DO13A.3.



## **policy**

### **DO13A.3.1 high quality public spaces**

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*Subdivision and development of, or adjoining, urban public spaces should where appropriate provide for:*

- a) landscape and streetscape design that is of high quality, is people rather than vehicle orientated and maintains or enhances social, cultural and amenity values.*
- b) a sense of human scaled elements at the interfaces of buildings, infrastructure and urban public spaces.*
- c) the public space to have a variety of distinctive spaces appropriate to the context that function well as places for a range of activities including meeting people, relaxing, playing and walking through them.*
- d) a range of public open spaces and parks that cater for the different needs of people both in terms of ages and abilities, and levels of recreational and leisure use.*

#### **Explanation and Reasons**

**DO13A.3.1.i** A range of parks, reserves and streetscapes are to be provided throughout the urban area that are accessible and well used by the community and contribute to quality of life. The activities of subdivision and development provide opportunities for reserves and streets to be designed and located in such a way that they become quality public spaces that residents use and value. The activities of subdivision and development on land adjoining public spaces also provides opportunities to ensure that private development acknowledges through design the adjoining public space.

#### **Methods**

- DO13A.3.1.ii** Implement the NCC Arts Policy for art in public spaces.
- DO13A.3.1.iii** Standards and guidance contained in the NCC Land Development Manual Reserves and Landscaping, and Transport sections.
- DO13A.3.1.iv** NCC Urban Design Panel.
- DO13A.3.1.v** Implement the NCC Street Tree Guidelines.
- DO13A.3.1.vi** Implement actions and policies in the NCC Parks and Reserves Management Plans.
- DO13A.3.1.vii** Rules, standards and terms, and assessment criteria.
- DO13A.3.1.viii** Implement actions and policies in the NCC 'Safer by Design' Crime Prevention through Environmental Design Guidelines (CPTED).
- DO13A.3.1.ix** Implement the Central City Strategy.
- DO13A.3.1.x** Create and implement a Strategic City Development Plan that programmes and prioritises growth areas, works and services required to ensure sustainable urban development.
- DO13A.3.1.xi** NCC Residential Street Frontage Guide and the NCC Central City Streetscape Design Guide.

## **policy**

### **DO13A.3.2 multi use**

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*Public spaces which facilitate multiple uses to achieve a range of social, cultural, economic and environmental benefits.*

#### **Explanation and Reasons**

DO13A.3.2.i The Council will encourage designs for public spaces that create win win situations, enabling a range of environmental, economic and social/cultural benefits to be achieved. An example of this approach is the design of an esplanade reserve that has both ecological benefits through its design width and planting, and also provides benefits for the adjoining suburban neighbourhood in terms of amenity, recreation, accessibility and connectivity, and low impact stormwater opportunities. Quality urban design also treats streets and other thoroughfares as positive spaces with multiple functions

#### **Methods**

- DO13A.3.2.ii Rules, standards and terms, and assessment criteria.
- DO13A.3.2.iii Appendix 14 Residential Subdivision Design and Information Requirements.
- DO13A.3.2.iv Implement NCC Land Development Manual Reserves, Stormwater and Transport sections.
- DO13A.3.2.v Implement actions in the NCC Urban Design Protocol Action Plan.
- DO13A.3.2.vi Implement actions in the NCC Sustainability Policy.
- DO13A.3.2.vii Implement actions in the NCC 'Safer by Design' Crime Prevention through Environmental Design Guidelines (CPTED).
- DO13A.3.2.viii Create and implement a Strategic City Development Plan that programmes and prioritises growth areas, works and services required to ensure sustainable urban development.

## **policy**

### **DO13A.3.3 prominent and public buildings and spaces**

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

#### **Explanation and Reasons**

DO13A.3.3.i Public buildings and important urban spaces should express a level of design appropriate to the prominence of the site within the city, or relationship of the site to the urban fabric, or end public use. Such context specific, creative, urban design supports a dynamic urban social and cultural life, makes admirable towns and fosters strong urban identities. Depending upon the landscape significance of the site, the appropriate approach may be that any development or structure maintains the existing character.

#### **Methods**

- DO13A.3.3.ii Create and implement an Urban Design Panel to provide advice on private and public projects.
- DO13A.3.3.iii Implement the policies and actions in the Central City Strategy.
- DO13A.3.3.iv Implement the NCC Design Guides.
- DO13A.3.3.v Undertake a prominent spaces and places assessment to help to define where particular design sensitivity is required.
- DO13A.3.3.vi Implement the NCC Arts Policy.

## objective

### DO13A.4 providing for diversity

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

#### Reasons

DO13A.4.i Desirable towns and cities offer opportunities for all people of the community, from young to old, people on different incomes and people of many cultures. Subdivision and development design should recognise that the benefits of urban life are widely shared. The physical location and diversity of development helps to build a strong and sustainable community.

#### policy

##### DO13A.4.1 flexibility, choices and adaptability

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*Subdivision and development should facilitate, where appropriate:*

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

#### Explanation and Reasons

DO13A.4.1.ii Quality urban design enhances the social, environmental and cultural qualities of our environments by delivering a mix of houses, uses and facilities that the community needs. Adaptability of buildings and sites to accommodate a range of activities over their lifetime or as the local environment changes (such as the ability for neighbourhood commercial or service activities to set up in greenfield areas once the residential neighbourhoods are established) enables vibrant, and sustainable communities. Diversity in building form and subdivision layout contributes to neighbourhood identity, and assists to build a strong sense of community.

#### Methods

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|----------------|--|
| DO13A.4.1.iii  | Undertake Residential Intensification Review to determine appropriate densities. |
| DO13A.4.1.iv   | Create and implement different Residential Zone density provisions.              |
| DO13A.4.1.v    | Comprehensive Housing Development Provisions and Appendix 22.                    |
| DO13A.4.1.vi   | Implement Structure Plans in the NRMP.   |
| DO13A.4.1.vii  | Provide for mixed use opportunities in certain zones.                            |
| DO13A.4.1.viii | Rules and assessment criteria.   |
| DO13A.4.1.ix   | Implement actions and policies in the Central City Strategy.                     |
| DO13A.4.1.x    | Implement the affordable housing measures in the Social Wellbeing Policy.        |

## objective

### DO13A.5 sustainable places & communities

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*Urban development that meets the community's current needs without compromising future needs.*

#### Reasons

DO13A.5.i Urban design has a role in sustainable management by reducing the environmental impact of the city and suburbs through environmentally sustainable and responsive design solutions. Therefore, growth of urban areas and economic development should be sympathetic to the natural environment and minimise Nelson's ecological footprint.

#### policy

##### DO13A.5.1 environmentally responsive

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

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

#### Explanation and reasons

DO13A.5.1.ii To be an environmentally responsive city Nelson must manage resources to take account of the needs of present and future generations. This includes constantly seeking ways to minimise adverse impacts on human health and natural and cultural systems, including air and water quality, minimising waste production, energy and water use, and maximising the efficiency of land use and infrastructure. The items listed in this policy are some of the many ways of ensuring that subdivision and development design are environmentally responsive and these will be considered when assessing consent applications for subdivision and development that departs from minimum standards.

#### Methods

- DO13A.5.1.iii Rules and assessment criteria.
- DO13A.5.1.iv Provide free advice to applicants on a range of eco building options.
- DO13A.5.1.v Standards and design guidance in the Land Development Manual 2010.
- DO13A.5.1.vi Implement the Solar Saver Scheme to assist homeowners with the conversion to solar hot water heating.

## objective

### DO13A.6 urban design process

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

#### Reasons

DO13A.6.i Urban design is an approach that draws together many sectors and professions, and it includes both the process of decision making and the outcomes of design. To achieve quality urban design, quality design approaches need to be employed. It is important that this is considered at the start of the land conversion/development process and that the outcomes are managed in an integrated way across property boundaries, neighbourhoods and zones.

#### policy

##### DO13A.6.1 policy and administration

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

#### Explanation and Reasons

DO13A.6.1.i Prescriptive policy and disjointed administration systems cannot support quality urban design proposals. The interconnected nature of urban environments, and the effects of development within them, requires a balanced approach to considering the effects of individual activities on a whole project scale. This approach recognises that trade offs may be required in some situations to achieve the multiple goals of quality urban design.

#### Methods

DO13A.6.1.ii Rules and assessment criteria, particularly the restricted discretionary residential subdivision rules.

DO13A.6.1.iii Implement Appendix 14 Residential Subdivision Design and Information Requirements.

DO13A.6.1.iv Use of the Major Projects Team to review significant development proposals.

DO13A.6.1.v Review internal Council systems and processes to remove barriers and encourage integrated decision making.

DO13A.6.1.vi Undertake interdepartmental projects.

DO13A.6.1.vii Encourage the use of pre-application consultation between applicants and Council officers.

DO13A.6.1.viii Create an Urban Design Panel to provide design advice on private and public projects.

#### policy

##### DO13A.6.2 coordinated approaches

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

#### Explanation and Reasons

DO13A.6.2.i Creating quality urban design requires action across a wide range of sectors, groups and professions relative to the nature and scale of the application. Professionals in all disciplines (in private and public arenas) need to work together, as no one profession can understand the full complexity of Nelson city and urban areas.

## Methods

- DO13A.6.2.ii Implement Appendix 14 Residential Subdivision Design and Information Requirements.
- DO13A.6.2.iii Standards and design guidance in the NCC Land Development Manual.
- DO13A.6.2.iv Implement Structure Plans.
- DO13A.6.2.v Use of the Major Projects Team to review significant development proposals.
- DO13A.6.2.vi Create an Urban Design Panel to provide design advice on private and public projects.
- DO13A.6.2.vii Encourage urban design professional development and social opportunities supported by Council.

## policy

### **DO13A.6.3 collaboration**

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

#### Explanation and Reasons

DO13A.6.3.i A commitment to the community, and relationships at a local level, will begin to change the patterns of development which represent poor quality urban design. The use of collaborative relationships to develop social and recreational facilities for the community, and for the upgrading of servicing infrastructure is well established. Collaboration is needed to start addressing the provision of quality urban design, and also to start addressing issues of developing land and buildings for other urban uses.

#### Methods

- DO13A.6.3.ii Promotion of and participation in community housing projects where appropriate.
- DO13A.6.3.iii Ensure Council development projects are pursued in partnership with iwi and the community.
- DO13A.6.3.iv Implement actions and partnerships identified in the Central City Strategy.
- DO13A.6.3.v Create and implement an Urban Design Panel and Major Projects Team to facilitate collaboration and improved relationships between the private and public sectors.

## DO13Ae environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are detailed below.

Anticipated environmental results	Indicators	Data source
<p>DO13Ae.1</p> <p>Development patterns and styles reflect local context and our environment.</p>	<p>DO13Ae.1.1</p> <p>Use of locally distinctive materials.</p> <p>Relation to the scale, location and alignments of valued existing development.</p> <p>Retention of topography and natural features.</p> <p>Retention of coastal, historical and cultural connections/features.</p>	<p>Public and Councillor comments.</p> <p>Developers.</p> <p>Professional design review.</p>
<p>DO13Ae.2</p> <p>Increased connections for all transport modes, natural linkages, and private/public space relationships.</p>	<p>DO13Ae.2.1</p> <p>Extent of roading connections/permeability, biodiversity corridors, riparian reserves, and cycle and walkway networks.</p> <p>Walking and cycling policies or plans.</p> <p>Increases in cycling, walking and passenger transport.</p>	<p>Council aerials, resource consents, public comment, asset management plans.</p> <p>Vehicle distances travelled per annum.</p>
<p>DO13Ae.3</p> <p>Public spaces that represent quality urban design and maintain and enhance Nelson's identity.</p>	<p>DO13Ae.3.1</p> <p>Creative and inspiring urban design solutions.</p> <p>Professional and Environment awards.</p> <p>Use of public space for community activities.</p> <p>Public satisfaction levels.</p> <p>Level of multi use of public spaces.</p> <p>Reduction in crime/vandalism.</p> <p>Reduction in vehicle orientated design.</p> <p>Reserves and streets overlooked by buildings.</p>	<p>Urban Design Panel.</p> <p>Public comments.</p> <p>Tourist survey.</p> <p>Residents survey.</p> <p>Resource consents.</p> <p>Aerials.</p> <p>Public and Councillor comments.</p> <p>Events register.</p> <p>Crime Statistics.</p>
<p>DO13Ae.4</p> <p>Increased diversity of housing, neighbourhood, employment and leisure/cultural opportunities.</p>	<p>DO13Ae.4</p> <p>Amount of mixed use development.</p> <p>Range of choices in housing typologies.</p> <p>Range of employment, leisure and cultural activities.</p>	<p>Public comments and residents survey.</p> <p>Census.</p>

<p><b>DO13Ae.6</b></p> <p>Increase in sustainable urban development.</p>	<p><b>DO13Ae.6</b></p> <p>Maintenance or reduction of the urban environmental footprint.</p>	<p>Air quality statistics.</p> <p>Waste minimisation and recycling levels.</p> <p>Energy and water usage levels.</p> <p>Efficiency of infrastructure.</p> <p>Stormwater discharge quality.</p> <p>Traffic and cycling and walking counts.</p>
<p><b>DO13Ae.7</b></p> <p>Improved policy and administration processes within Council.</p>	<p><b>DO13Ae.7</b></p> <p>Consistent treatment of resource consent applications. Statutory processing timeframes not exceeded. Council staff working across departments.</p>	<p>Resource consents statistics.</p> <p>Major Projects Team.</p> <p>Feedback from developers/applicants.</p>



## **DO14 Subdivision and development**

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DO14.i Issues relevant to subdivision and development are discussed in Chapter 4. An important issue is the effects of growth on natural values, quality urban design of the city and suburbs, and the provision of infrastructure in a logical and coordinated manner within the District. DO13A provides urban design objectives and policies which are also relevant to the activities of subdivision and development.

### **objective**

#### **DO14.1 city layout and design**

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

##### **Reasons**

DO14.1.i Subdivision and development usually lead to changes in land use and may involve modification of the topography and natural features of the land. This is particularly the case on steeper slopes, where significant earthworks have been used to maximise the number of allotments and create building sites. The main adverse effects are the loss of natural landscape forms, loss of vegetation, and modification of streams. Under this objective, subdivision or development is preferred in areas that require the least modification of the natural environment.

DO14.1.ii The changes of use that accompany subdivision and development may have adverse effects on amenity values (reflecting intensification of use) and on the efficient use of land in the long term. This objective requires these effects to be taken into account.

DO14.1.iii The layout and design of urban areas through the activity of subdivision creates the backbone structure of the city and suburbs. Given the long lifetime of subdivision and development, layout that represents poor quality urban design will have adverse effects on the quality and sustainability of the urban environment.

##### **policy**

#### **DO14.1.1 landscape features**

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*Subdivision and development should provide practicable sites while retaining existing landscape features such as landforms, mature trees, indigenous vegetation, and natural watercourses.*

##### **Explanation and Reasons**

DO14.1.1.i This policy is related to the policies of the Plan about landscape values, natural heritage, and water bodies. Efficient use of the land resource and minimising of adverse effects requires attention to be given to the size and shape of allotments.

##### **Methods**

DO14.1.1.ii Rules controlling earthworks and removal of vegetation.

DO14.1.1.iii Rules controlling allotment size and shape within the context of zones.

DO14.1.1.iv Assessment criteria and Appendix 14 Residential Subdivision Design and Information Requirements.

## **policy**

### **DO14.1.2 type and intensity of development**

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*The type and intensity of subdivision and development should reflect the natural and physical capabilities of the land and the characteristics of the zone.*

#### **Explanation and Reasons**

DO14.1.2.i In deciding whether, or to what extent, the land should be subdivided or developed, the capabilities of the land to absorb or be managed in a way that avoids, remedies or mitigates predictable adverse effects, must be taken into account.

#### **Methods**

DO14.1.2.ii Rule controlling development and subdivision, including allotment size and shape within each zone.

DO14.1.2.iii Assessment criteria for applications.

DO14.1.2.iv Comprehensive Housing Rules and provisions in Appendix 22 and requirements in Appendix 14.

## **policy**

### **DO14.1.3 orderly development**

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*Subdivision and development of land should provide for use of land in an orderly manner, in association with cost effective and efficient provision of facilities and services.*

#### **Explanation and Reasons**

DO14.1.3.i All subdivisions need to be designed having regard to the overall pattern of present and future development in the locality, and the efficient use of the land resource, and provision and use of infrastructure. The efficient subdivision and development of land will be facilitated by requiring subdividers and developers to contribute towards the costs of providing services for new developments. Infill development is one way in which the orderly and efficient use of land and existing infrastructure might be addressed, however, it needs to be tempered by consideration of the capabilities of the land and impact on amenity values caused by the resulting changes in land use, dealt with in policies above.

#### **Methods**

DO14.1.3.ii Rules controlling extent of development, subdivision, allotment size, and shape within each zone, service overlays and extension of services.

DO14.1.3.iii Assessment criteria on applications.

DO14.1.3.iv Financial contributions for subdivision and developments.

## **objective**

### **DO14.2 amenity values**

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

#### **Reasons**

DO14.2.i The size and shape of allotments created on subdivision is fundamentally linked to the scale, size, and type of structures that can be built, and the spaces around them. These matters combine to have a considerable impact on the amenity values of particular areas of the City, such as amenity in the Residential Zone. Inappropriate forms of subdivision and development can have adverse effects on the environment.

## policy

### DO14.2.1 allotments

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*The pattern created by subdivision, including allotment sizes, shapes, and dimensions should take into account the range of future potential land uses and the development potential of the area, and any potential adverse effects on the environment and amenity values, and the relationship of the allotments to any public open spaces (including reserves and streets).*

#### Explanation and Reasons

DO14.2.1.i In rural areas the size and scale of rural allotments should relate principally to the provision of services, the likely potential density of dwellings and other buildings, the versatility of soils for present and future use, and effects on amenity values of the area.

DO14.2.1.ii Subdivision for other purposes, including land used for conservation, recreation, or cultural facilities, should be undertaken in a manner that reflects the natural character or the cultural values of the facilities, and the likely public needs associated with them.

DO14.2.1.iii The subdivision of land for residential purposes should create allotments which are of sufficient size and shape to enable dwellings erected upon them to have usable outdoor space and to allow development at a density which is appropriate to the character of the particular area. The density patterns reflect the objectives and policies for living areas, with higher densities (and hence smaller lot sizes) permitted in The Wood and near the Stoke Centre. The policy also provides the ability to undertake higher density building where the development of units is part of a comprehensive plan.

DO14.2.1.iv The subdivision of land for all types of future land uses should have regard to the orientation and location of allotments to reserves and streets. The pattern and density of subdivision should allow for future buildings to overlook public spaces, and allotments for roading should provide generous frontages to reserves to avoid adverse safety and amenity affects.

#### Methods

DO14.2.1.v Rules controlling the size, shape, and dimensions of allotments in each zone.

DO14.2.1.vi Assessment criteria for applications.

DO14.2.1.vii Appendix 14 Residential Subdivision Design and Information Requirements.

DO14.2.1.viii Nelson City Council Land Development Manual.

## objective

### DO14.3 services

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

#### Reasons

DO14.3.i Subdivision and development of land is usually followed by intensification and changes in land use that increase the demands on the infrastructure of the City. It is appropriate for servicing requirements to be addressed at the time of subdivision or development to ensure that efficient and effective (including cost effective) systems are provided or enhanced and to ensure that the additional costs of servicing do not fall on the community generally.

## policy

### DO14.3.1 roading

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*Subdivision and development should provide for:*

- a) *The integration of subdivision roads with the existing and future road network in an efficient manner, which reflects the function of the road and the safe and well-integrated management of vehicles, cyclists, and pedestrians, and*
- b) *Safe and efficient access to all lots created by subdivision and to all developments, and*
- c) *Roading connections as shown on Structure Plans and/or as described in Schedules in the NRMP, and*
- d) *Avoidance or mitigation of any adverse visual and physical effects of roads on the environment, and*
- e) *Public to private space relationships and roading design that represents a high quality urban streetscape, and*
- f) *The road network requirements to support the access and connectivity of future developments on other land in the Services Overlay.*
- g) *The road network required to service the subdivision or development in accordance with a) to e) above shall be funded and constructed by the consent holder and vested in Council as part of the development. Provision of the necessary road network in (f) shall be funded by the Council, if the project is provided for in the LTP. In this case, the relevant works have to be constructed prior to the section 224(c) certificate being sought for the development. In all other cases it is expected that the necessary roading shall be funded by the consent holder (with costs shared between benefiting landowners, where relevant).*

#### Explanation and Reasons

DO14.3.1.i Subdivision and development has the potential to result in a number of effects on the road network, including:

- a) Potential to change the function and efficiency of the road network through an increase in vehicle numbers and changes in travel patterns.
- b) Demand for new roads which are not able to be constructed or maintained in an economically sustainable manner justified by the development yield it serves.
- c) Changes to the function and connectivity of local roads which may lead to adverse effects on major routes, such as collector roads, principal arterials and state highways.
- d) Potential adverse effects on stormwater quality and quantity.
- e) Changes to streetscape and the formation of, and relationships with, public spaces which can lead to poor amenity and urban design outcomes.
- f) Inability to provide a well connected and efficient transport pattern.

DO14.3.1.ii Vehicle ownership levels mean that vehicular access must generally be provided to newly created lots. Road and access standards must reflect anticipated volume, function, connections, streetscape and relationship to public spaces values. Roads and access must integrate into the existing and future road system to provide safe, convenient, and efficient movement throughout Nelson. Subdivision requirements for roads and access need to provide for the development of a variety of systems for vehicle, passenger transport, cyclist, and pedestrian movement. Roads can also have major visual, stormwater and other effects and should be located and designed as far as possible to enhance the environment and minimise any adverse visual and other effects on topography, landscape and amenity values. Roads adjoining public spaces should be designed to directly relate to that space through the provision of sufficient frontage, landscaping, parking and, where possible, maximise efficient use of resources between the two public spaces, such as combined stormwater collection, treatment and disposal mechanisms.

DO14.3.1.iii When subdivision or development takes place, regard must be had to the likely future roading requirements of adjacent or nearby land, to avoid the land becoming 'land-locked', or inaccessible. If an adequate alternative is not available, the subdivision and development will be required to vest a legal road which is located in such a position and is of sufficient width, to provide suitable access to adjacent or nearby land.

Subdivision and development is required to vest legal road to provide connectivity to adjoining land with development potential. The cost of creating this connection at the time of subdivision shall either be funded through the LTP or funded by the developer. There may be circumstances whereby roading is funded and constructed by way of cost sharing agreements amongst landowners.

**DO14.3.1.iv** Road and access requirements on subdivision and development are also addressed in DO14.1.3 (orderly development), DO 13A.2 (improving connections), DO13A.3 (creating quality public spaces) and Chapter 6 (Financial Contributions). Land transport, including cycleways and walkways are dealt with under DO10.1 (land transport) as well. Structure Plans are a further method to provide integration to road, walkway and cycleway linkages.

#### **Methods**

**DO14.3.1.v** Rules in each zone and some overlays, controlling subdivision and development in relation to access to the road network; road design and alignment; site access, servicing, turning and parking; and transport, motor vehicle, pedestrian and cycle linkages.

**DO14.3.1.vi** Assessment criteria on applications.

**DO14.3.1.vii** Use of financial contributions (Chapter 6) and/or LTP development contributions to acquire or upgrade vehicle, passenger transport, pedestrian, cycling and amenity linkages where appropriate and not otherwise provided by the subdivision or development (note: these may also be provided by means other than financial contributions). The Council's Nelson Development Strategy will inform the prioritisation of the works and projects facilitated through the LTP to ensure development occurs in a sustainable manner.

**DO14.3.1.viii** The NCC Land Development Manual 2010.

## policy

### DO14.3.2 drainage, water and utilities

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*Subdivision and development should provide for:*

- a) *Water supplies of sufficient capacity and of suitable standard for the anticipated land uses on each lot or development, including fire fighting requirements, and*
- b) *The disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of any land, and*
- c) *The treatment and disposal of wastewater in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment, and*
- d) *Connections from all new lots or buildings to a reticulated water supply, stormwater disposal system, and wastewater treatment and disposal system, where such systems are available, and*
- e) *Supply of electricity, including street lighting, and telecommunication facilities for the anticipated land uses, using a method of supply appropriate to the amenity values of the area, and health and safety, and*
- f) *Any necessary additional infrastructure for water supply, stormwater disposal or wastewater treatment and disposal or power and telecommunications, and*
- g) *Provision of sufficient land and infrastructure with capacity to support the servicing requirements of future development on land in the vicinity that is in the Services Overlay.*
- h) *New or upgraded infrastructure required in accordance with a) to f) above shall be funded and constructed by the consent holder, as part of the development. Provision of land or pipe capacity under g) above shall be funded by the Council, if the project is provided for in the LTP. In this case, the relevant works have to be constructed prior to the section 224(c) certificate being sought for the development. In all other cases it is expected that the necessary land and pipe capacity shall be funded by the consent holder (with costs shared between benefiting landowners, where relevant).*
- i) *All wastewater, water and stormwater infrastructure specified in Section 3 of the NCC Land Development Manual 2010 to become public shall be vested in Council.*

*The costs of additional new or upgraded infrastructure shall be paid for by the developer, or as part of the development.*

#### Explanation and Reasons

DO14.3.2.i Water supply, stormwater disposal, wastewater treatment and disposal, street lighting, electricity and telecommunications services are important for the well being of people and communities and for their health and safety. The systems need to be reliable, and provide agreed levels of service, while avoiding adverse effects on the environment. Where reticulated services are not available, then special consideration of the possible adverse environmental effects on the future activities on the land is needed. New underground reticulation of electricity and communication systems is required in all zones (except the Rural and Conservation Zones) to avoid adverse visual and amenity effects, and contribute towards improved streetscapes.

DO14.3.2.ii When subdivision and development takes place, regard must be had to the likely service needs for the future development of adjacent or nearby land. It is generally more economic and efficient to install services with sufficient capacity for growth at the time of the initial development and provide the ability for these services to be taken to the boundary, rather than to have to upgrade services at a later date. In some circumstances, a later upgrade may be impracticable or impossible due to the location or prior development of the area.

DO14.3.2.iii Infrastructure and services requirements on subdivision and development are also addressed in AD11.3.3 Services Overlay, DO14.1.3 (orderly development), Chapter 6 (Financial Contributions) and the LTP Development Contributions Policy. Council's Nelson Development Strategy will inform the prioritisation works and projects facilitated through the LTP to ensure development occurs in a sustainable manner.

## Methods

- DO14.3.2.iv Rules controlling the provision of services on subdivision and development in each zone and some overlays.  
DO14.3.2.v Assessment criteria for applications.  
DO14.3.2.vi NCC Land Development Manual 2010.

## policy

### DO14.3.3 areas without services

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*Development and subdivision of areas that do not have access to reticulated services, or where the existing services are operating at full capacity, should not proceed where:*

- a) *it will result in significant adverse effects, or*
- b) *the services listed in policy DO14.3.2 cannot be provided.*

## Explanation and Reasons

DO14.3.3.i Development and subdivision in unserved or poorly serviced areas has potential to have adverse effects on the amenities of the area and on health and safety. The urban and Rural Zone High Density Small Holdings areas where there are greatest difficulties with servicing are shown on the Planning Maps as a Services Overlay. In other rural areas, on site services may be satisfactory.

DO14.3.3.ii The Council has developed a Long Term Plan to fund the servicing of parts of the urban area according to a timetable. As this proceeds, subdivision and development will become viable in new areas. This servicing timetable will be guided by the Nelson Development Strategy.

## Methods

- DO14.3.3.iii Planning Maps that define the Services Overlay.  
DO14.3.3.iv Rules that regulate development and subdivision generally throughout the District and especially in the Services Overlay.  
DO14.3.3.v Assessment criteria for applications.  
DO14.3.3.vi NCC Land Development Manual 2010.  
DO14.3.3.vii Nelson Development Strategy.

## objective

### DO14.4 network utilities

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

## Reasons

DO14.4.i The growth of the Nelson community has resulted in the development of a significant network utility infrastructure to support the community. It is important that efficient use is made of this infrastructure of network utilities as they are often significant community assets. While network utilities are in many cases essential to the community, it must be recognised that they can generate adverse effects on the environments surrounding them. It is appropriate that the adverse effects of network utilities be minimised.

## policy

### DO14.4.1 efficient use of network utilities

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*Management of network utilities that promotes their efficient use.*

## Explanation and Reasons

DO14.4.1.i In most cases existing network utilities represent a considerable investment and are substantial community assets. It is appropriate that these assets be used and developed in an efficient manner. This is in line with the intentions of Section 7 of the Resource Management Act 1991 in relation to physical resources.

#### Methods

- DO14.4.1.ii Rules in each zone enabling the efficient management of network utilities.
- DO14.4.1.iii Assessment criteria on applications.

### **policy**

#### **DO14.4.2 transmission lines**

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*Reduce the potential risks associated with high voltage transmission lines by encouraging the location of these away from urban areas and by ensuring residential development is not located near such lines.*

#### Explanation and Reasons

DO14.4.2.i The network utility operators that utilise high voltage transmission lines recognise that there is some potential for adverse effects arising from the proximity of these lines to residential development. The effects of concern are the potential health effects of electromagnetic fields and other practical safety concerns. It is appropriate that the Plan enforce established safety distances from this type of network utility.

#### Methods

- DO14.4.2.ii Rules in each zone controlling the proximity of residential development to transmission lines.
- DO14.4.2.iii Depiction of transmission lines on the Planning Maps.
- DO14.4.2.iv Assessment criteria on applications.

### **policy**

#### **DO14.4.3 effects of network utilities**

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*Ensure that the adverse effects of network utilities on the surrounding environment are minimised.*

#### Explanation and Reasons

DO14.4.3.i Network utilities have the potential to cause adverse effects on the environment surrounding them. Many network utilities involve the use of visually obtrusive structures or the generation of electromagnetic radiation or fields. Any development of new or existing network utilities should minimise the potential adverse environmental effects of the utilities on the surrounding environment.

#### Methods

- DO14.4.3.ii Rules in each zone requiring the minimisation of the environmental effects of network utilities.
- DO14.4.3.iii Assessment criteria on applications.

## **objective**

### **DO14.5 community services and facilities**

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*Appropriate provision for community services and facilities in the district.*

#### Reasons

DO14.5.i The provision of community services and facilities such as parks, amenity, open space, and sports, cultural and recreational facilities is an important aspect of the wellbeing of people and communities. Such provision is a means of avoiding, remedying or mitigating adverse effects of changes in, and continued growth of, the district. It is appropriate that this is addressed whenever subdivision and development is taking place as such changes result in changed, and usually increased, requirements for such services.



## policy

### DO14.5.1 community services and facilities

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*Subdivision and development should provide for or contribute towards:*

- a) The provision of land for the reasonably foreseeable community needs of present and future generations for recreational and cultural pursuits and amenity values, and*
- b) The development of land to provide for sport, play, recreation, culture and amenity for the community, and*
- c) The protection or preservation of areas or items of natural or cultural value.*

#### Explanation and Reasons

DO14.5.1.i Subdivision and development results in growth and change in the district, with consequent growth and change in needs for community services and facilities. It is important for the well being of the people of the district and the community that provision is made at the time that the growth and change is occurring, for an appropriate range of community services and facilities. Such provision also helps sustain the potential of natural and physical resources to meet the needs of future generations. Provision may be in terms of land, or in physical resources, or in terms of financial contributions.

DO14.5.1.ii Community services and facilities, including reserves, are also addressed in Chapter 6 (Financial Contributions).

#### Methods

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|--------------|---|
| DO14.5.1.iii | Rules relating to financial contributions and subdivisions.       |
| DO14.5.1.iv  | Assessment criteria for applications.                             |
| DO14.5.1.v   | Other legislation (e.g. Reserves Act, Local Government Act)       |
| DO14.5.1.vi  | Other Council responsibilities (e.g. Annual and Strategic Plans). |

## DO14e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO14e.1 Retention and enhancement of natural landform.	DO14e.1.1 Extent of land recontouring.	Council records, aerial photos
DO14e.2 Progressive development of the city in an ordered manner to ensure efficient resource use.	DO14e.2.1 Consistent treatment of resource consent applications. Infrastructure capital and maintenance costs to Council.	Council records
DO14e.3 Maintained amenity values.	DO14e.3.1 Consistent treatment of resource consent applications. Complaints to Council. Visual inspection.	Council records, media reports
DO14e.4 Cost effective provision of services.	DO14e.4.1 Infrastructure capital and maintenance costs to Council.	Council records
DO14e.5 Reduced development, especially building, in areas where services are not adequate or available.	DO14e.5.1 Consistent treatment of resource consent applications. Infrastructure capital and maintenance costs to Council.	Council records, aerial photos
DO14e.6 Better conditions for cyclists and pedestrians.	DO14e.6.1 Traffic counts. Comments to Council.	Council records
DO14e.7 Availability of resources for community services and facilities.	DO14e.7.1 Consistent treatment of resource consent applications. Annual Plan capital expenditure on community services and facilities. User statistics.	

## **DO15 Peripheral urban expansion**

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DO15.i Expansion around the periphery of the current urban area may have adverse effects on amenity values (particularly visual and recreational values), and tends to use the land resource and provide for infrastructure inefficiently. Expansion of the urban area tends to diminish the ecological and recreational values of the district (for example by reducing the habitat available for wildlife) and to increase dependency on private cars (and thus increase use of fossil fuels) for travel. Existing urban areas should generally be developed in preference to rural areas. There is considerable scope for intensification of development within existing urban zones. However, some development on the periphery of the existing urban area may be appropriate and should be provided for.

### **objective**

#### **DO15.1 urban form**

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*An urban form in which intensive development is not detached from existing urban boundaries and which avoids or mitigates adverse effects on ecological, recreational, cultural, community and amenity values.*

##### **Reasons**

DO15.1.i There is ready access to countryside from the present urban zones, for example into the Maitai Valley, and Grampians. Views of the countryside are available to commuters from State Highways and arterial roads, for example between Richmond and Stoke and at Bishopdale Saddle. Existing land allocated to the urban zones and the capacity of most existing infrastructure are sufficient to cater for significant future growth.

##### **policy**

#### **DO15.1.1 encouragement of infill**

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*To encourage infill developments provided the adverse effects on character and amenity values of existing areas are avoided, remedied or mitigated.*

##### **Explanation and Reason**

DO15.1.1.i This policy promotes a compact urban form, while as far as possible retaining existing character and amenities of localities. This is to conserve the recreational and visual amenity of the existing rural areas that surround the urban area of the District. It is also to promote the efficient use and development of infrastructure and land, and to provide a framework within which the true costs and benefits of new and existing infrastructure and reticulation are considered. Infill development may be appropriate in many parts of the city, and can involve new development, or redevelopment. It generally provides for greater intensity of use and development.

##### **policy**

#### **DO15.1.2 limiting effects of urban expansion**

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*Proposals that involve urban expansion through more intensive subdivision and development should address any actual and potential adverse effects on adjacent and nearby activities and avoid, remedy or mitigate them.*

##### **Explanation and Reason**

DO15.1.2.i Residential and commercial development near rural activities may give rise to conflicts, especially as a result of rural activities that cause smell, noise, or spray drift. The onus is on the developer to recognise and provide for these. Techniques include minimising the extent of the rural/urban interface and setting standards and conditions at the interface that protect urban amenity. This policy complements objective DO14.1 (city layout and design), and objective DO14.2 (amenity values).

**policy**

**DO15.1.3 rural greenbelt**

*Adverse effects on existing rural character and amenity values should be avoided, remedied or mitigated in the Maitai Valley, between Bishopdale Saddle and Wakatu, and between Stoke and Richmond, in order to maintain a greenbelt between existing built up areas.*

**Explanation and Reasons**

DO15.1.3.i This policy reinforces the existing clear transition from rural to urban areas. This recognises the amenity values of these areas, especially the recreational and scenic value of areas relatively close to the urban area.

Methods (policies DO15.1.1 - DO15.1.3)

DO15.1.3.ii Other objectives and policies encourage intensification of development in urban areas and limit development in the Rural, and Open Space and Recreation Zones. These policies supplement those provisions.

DO15.1.3.iii Mapping the Rural Zone to include the greenbelt areas, in conjunction with the attainment of the other Rural Zone objectives and policies.

**DO15e environmental results anticipated and performance indicators**

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO15e.1 Compact urban form	DO15e.1.1 Consistent treatment of resource consent applications. Infrastructure capital and maintenance costs to Council.	Council records.
DO15e.2 Increased infill development	DO15e.2.1 Consistent treatment of resource consent applications.	Council records.
DO15e.3 Maintenance of amenity values	DO15.e.3.1 Retained green belt areas, and access to country side. Complaints to Council. Visual inspection.	Council records, media reports.

## **D016 Zones**

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**D016.i** The pattern of land use in the District that has developed over time reflects the physical characteristics of the land and other resources, people's preferences from time to time, and planning decisions under former legislation. There are now easily identifiable areas of the District with distinctive environmental qualities. At the broadest level these can be defined in terms of landscape:

- a) the remote undeveloped backdrop to the District (the Conservation Zone)
- b) rural land, which is largely used for pastoral farming and exotic forestry
- c) the urban or built up area

**D016.ii** Within the built up area, historical patterns of development have led to areas with characteristics which are clearly residential, commercial, industrial or open space and recreational. Infrastructure, including roads, drains, water supply and other services, has been developed to reflect the needs of this existing pattern. Each distinct area, together with its infrastructure, represents a resource that is required to be sustainably managed under this Plan. Different sets of issues arise in the different areas and need to be addressed differently in the Plan.

**D016.iii** The Plan recognises that areas have distinctive environmental characteristics, and what effects of activities are acceptable may differ between areas. The Plan applies a zoning approach to define the different environmental qualities sought for different areas and to control the actual and potential adverse effects of development within them.

**D016.iv** The zones contain all of the land area of the District above mean high water springs. The Coastal Marine Area, although not called a zone, is dealt with in this Plan as a similar geographical unit. The issues affecting the Coastal Marine Area and the dry land area of the District are often related. This Plan takes an integrated approach to these, particularly by means of the Coastal Environment Overlay.

### **Overlays**

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**D016.v** Zones are different from overlays. Overlays are areas of the District within which particular issues arise. Chapter 3 describes how overlays are presented in the Planning Maps and outlines the relevant issues. Overlay boundaries are usually determined by the physical extent of, or constraints on, resources and therefore do not coincide with zone boundaries, which often also reflect social conditions. No objectives or policies are stated for overlays, as they are simply a method of implementing particular policies, such as those relating to servicing or natural hazards.

## **objective**

### **D016.1 management of resources by location**

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

#### **Reasons**

**D016.1.i** Resource management issues do not arise uniformly throughout the District and provision for the varying needs of, and effects in, different parts of the District need to be addressed.

**policy**  
**DO16.1.1 zones (and areas)**

*The District should be divided into zones (and areas), for the purposes of resource management, as follows:*

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**1. Residential Zone**

A quality residential environment that provides a choice of living styles, a high level of amenity, and a minimal occurrence of nuisances.

**Explanation and Reasons**

DO16.1.1.i The primary goal of the Residential Zone is to provide the opportunity for residential accommodation. Past experience has shown that people want a range of living styles to reflect their various needs, while maintaining high levels of amenity. Nuisances have adverse effects on amenity values, and can affect health and safety in residential areas.

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**2. Inner City Zone**

A City Centre which provides a strong and vibrant focus to the city, together with a City Fringe which supports and complements the City Centre.

**Explanation and Reasons**

**DO16.1.1.ii City Centre**

The Inner City Zone is created to reinforce the City Centre as the identifiable heart of the City. The key is for the City Centre to be attractive for people to visit and spend time in, and consequently for businesses to locate in. The City Centre therefore needs to have an environment which is pleasant for people and which is pedestrian-friendly. Important views from and across the City Centre will be retained, particularly to and from the Church Steps, and to the surrounding hills and sea.

**DO16.1.1.iii City Fringe**

The City Fringe is intended to support and complement, but not weaken, the role of the City Centre as the heart of the city. The environment in the Fringe will be pleasant, but of a lower standard of amenity than the City Centre. The area should also provide a transition to residential and industrial areas. This is a preferred location for larger retailers or wholesalers, but not for smaller retailers, as this would tend to weaken the City Centre. The area will be more vehicle oriented than the City Centre. Accordingly, sites should have good vehicle access and parking.

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**3. Suburban Commercial Zone**

Suburban commercial centres which enable community needs to be met, while minimising their impacts on surrounding areas.

**Explanation and Reasons**

DO16.1.1.iv The Suburban Commercial Zone is intended to concentrate commercial activities in areas close to the Residential Zone. This Plan anticipates that the form and nature of suburban commercial centres will alter as society changes, for example, with changes in income and mobility. This may mean that some centres may go out of existence if there is no demand for them. The Plan aims to provide sufficient flexibility to enable these centres to change and adapt. At the same time it will prevent negative effects spilling over into surrounding areas. The Zone includes the Wakefield Quay centre, which is expected to develop activities which capitalise on, and at the same time enhance, its seaside location.

#### **4. Industrial Zone**

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An environment within which there are opportunities for the needs of industry to be met, where the actual and potential effects of industrial activity are contained and some large format retailing is provided for in a discrete and efficient manner within Schedule N.

##### **Explanation and Reasons**

**DO16.1.1.v** Industry has its own particular set of environmental requirements such as the need for suitable (usually flat) land, access to services such as major transport infrastructure, water, and sewerage, and proximity to labour sources.

**DO16.1.1.vi** Industrial activity has the potential to have significant adverse environmental effects on other activities. While the community expects that effects of activities should generally not affect adjacent activities and resources, there are some effects which are difficult to control such as the effects of heavy traffic movements. If a zoning approach is used, it is not necessary to create an environment where a standard suitable for any activity exists everywhere. Separate zones have thus been created for industrial activities in order to contain adverse effects to a limited number of areas, and at the same time provide areas where industrial activities can take place. It is recognised that industrial activity needs to be accommodated in order to provide for the well being of people and the community and to process the primary products of the wider region.

**DO16.1.1.vii** The special needs of industry limit where industrial activities may go; therefore it is important to protect suitable areas of land for industrial activity in case opportunities for future growth are foreclosed by the inappropriate location of incompatible activities.

**DO16.1.1.vii(a)** Notwithstanding the foregoing considerations, provision is made for Large Format Retailing activities in the Industrial Zone specifically in Schedule N at Tahunanui. This approach recognises that:

- a) the character of some commercial activities is incompatible with the function and amenity levels of the Commercial Zones
- b) the scale of and foreseeable demand for some commercial activities is such that may be impractical for them to find adequate land in the Commercial Zones
- c) the provisions will tend to reduce the trend to increasing widespread "commercialisation" of Industrial land, and its adverse economic consequences for industrial activities
- d) the provisions are compatible with the objectives and policies for the Inner City and Suburban Commercial Zones

#### **5. Open Space and Recreation Zone**

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A framework for the present and future management of open space and recreation land.

##### **Explanation and Reasons**

**DO16.1.1.viii** The Open Space and Recreation Zone is intended to recognise and protect land already used for open space and recreation purposes. The majority of the land in the Zone is reserve land vested in the Council and administered by the Council under management plans prepared under the Reserves Act 1977.

#### **6. Rural Zone**

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An environment within which soil, water and land resources are managed sustainably, and the rural character of the District, including water works catchments, and the surroundings of urban Nelson, is maintained or enhanced.

##### **Explanation and Reasons**

**DO16.1.1.ix** The Rural Zone provides space for genuine rural or rural based activities to occur. Small holdings are included where they do not compromise the long term ability of the land to be used for productive purposes, and in locations where conflict with large scale rural activities is minimised as much as possible.

DO16.1.1.x The landscape is intended to remain green, spacious and uncluttered. The Zone, stretching from the intensively developed urban environment, through the less dense but settled small holdings area, to the virtually untouched conservation areas at the eastern and mountainous boundaries of the District, helps emphasise a sense of arrival to, or departure from, the city. The Zone will maintain this character as it is a highly important component of the Nelson landscape.

DO16.1.1.xi The Zone also provides space for small holdings. The flatter rural land within the District, which is in high demand for this sort of activity, is not generally of high quality. By comparison, much of the land in demand for smallholdings in the Tasman District is of high quality, and is of high value for horticulture in particular. In line with Nelson City Council's philosophy of achieving ~~a similar or complementary~~ an appropriate policy approach, ~~a flexible approach has been taken to the rural environment in the Nelson area~~ some provision is made in the rural environment in Nelson for rural small holdings, to help ease the pressure on the quality soils which benefit both areas. However, protection of productive capability in Tasman should not be at the expense of loss of rural character and unsustainable, inefficient or inappropriate development in Nelson. To this end, a plan change was notified in 2005 to make undersize rural small holdings subdivisions in Nelson North a non-complying activity, until such time as a framework is in place to allow for more structured and coordinated rural small holdings subdivisions in Nelson North.<sup>05/01</sup> The underlying philosophy of the management of this resource remains to protect its productive capability and to meet the other objectives of the Zone.

## 7. Conservation Zone

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An environment where natural character and landscape values are preserved and enhanced.

### Explanation and Reasons

DO16.1.1.xii The Conservation Zone aims to preserve a unique portion of Nelson's land and water resources. It is largely unmodified, and contains some extremely important plant communities such as around Dun Mountain, and areas of high ecological significance such as the Boulder Bank. It also contains important cultural and geological sites and features, such as argillite quarries used by Maori, plus some old mining sites.

## 8. Coastal Marine Area

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A Coastal Marine Area where the natural character is preserved and enhanced and inappropriate subdivision, use, and development do not occur.

### Explanation and Reasons

DO16.1.1.xiii The Act declares the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development to be a matter of national importance which the Council is to recognise and provide for. The coastal environment includes the Coastal Marine Area.

DO16.1.1.xiv The Act does not define natural character but the New Zealand Coastal Policy Statement (NZCPS) identifies various "elements" of natural character, including:

- a) the integrity, functioning and resilience of the coastal environment (NZCPS policy 1.1.4)
- b) areas of significant indigenous vegetation and significant habitats of indigenous fauna, unique and vulnerable ecosystems (NZCPS policy 1.1.2)
- c) landscapes, seascapes, land forms, characteristics of special, spiritual, historical or cultural significance to Maori; and significant places or areas of historic or cultural significance (NZCPS policy 1.1.3)
- d) water quality (NZCPS, chapter 5.0)



**DO16.1.1.xv** This Plan promotes the preservation of the natural character of Nelson’s coastal environment by identifying issues corresponding with four elements of natural character, being the preservation of:

- a) the life-supporting capacity of the coastal environment
- b) significant indigenous vegetation, habitat, land forms, and other natural features
- c) amenity values (including landscape, scenic, recreational, historical, cultural, and spiritual values)
- d) water quality

Public access to the coast and natural hazards are dealt with elsewhere in this Chapter.

**Methods (for Zones 1 - 8)**

**DO16.1.1.xvi** Methods, including rules, as stated in the zone chapters that apply different methods to the various zones.

**DO16.1.1.xvii** Planning Maps that show the zones.

## **DO16e environmental results anticipated and performance indicators**

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

<b>Anticipated environmental results</b>	<b>Indicators</b>	<b>Data source</b>
<b>DO16e.1</b> A pattern of land use that reflects the varying needs and capabilities of the areas of the District.	<b>DO16e.1.1</b> Consistent treatment of resource consent applications.	Council records, media reports
<b>DO16e.2</b> A pattern of land use that locates activities according to their effects on the environment.	<b>DO16e.2.1</b> Consistent treatment of resource consent applications.	Council records, media reports

## **DO17 Activities in the beds of rivers and lakes, and in wetlands**

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**DO17.i** The Resource Management Act (section 13) places special restrictions on the use of river beds. Any structures on, or disturbance in, river beds must be provided for by a rule in a regional plan or by resource consent.

**DO17.ii** Activities or uses of river beds include, fords, dams, weirs, water intake structures, gravel extraction, river control works, and vegetation planting and clearance. While important to the ongoing wellbeing of Nelson's people and communities, poorly constructed or maintained structures can cause adverse effects. These include erosion of river bed, build up of sediment, poor water quality, damage to aquatic habitats and obstacles to fish passage. In addition, vegetation and slash material left in river beds can cause obstruction of structures.

**DO17.iii** While Nelson's known wetlands are currently limited to Rush Pool, Dew Lakes the Wakapuaka and Whangamoā river flats at the river mouths, and the Wakapuaka sand flats at the head of the Haven, there is potential that more exist or will be created. Section 6(a) of the Act states that preservation of the natural character of wetlands and their protection from inappropriate subdivision, use, and development is a matter of national importance.

**DO17.iv** The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that waahi tapu (including those located in freshwater) are places that provide tangata whenua with a physical and spiritual link to their ancestors. Activities or management approaches which lead to the contamination, damage or destruction of waahi tapu results in both spiritual and physical loss to tangata whenua.

**DO17.v** Issues relevant to activities in the beds of rivers and lakes, and in wetlands, are discussed in section R118 of the Plan.

### **objective**

#### **DO17.1 Effects of activities and structures in the beds and margins of rivers and lakes on the natural environment**

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Activities, works or structures within the beds of lakes and rivers and their margins, and in wetlands, are undertaken or constructed in a way which avoids, remedies or mitigates adverse effects on freshwater bodies and their associated uses and values.

##### **Explanation and Reasons**

**DO17.1.i** Activities within a watercourse can result in significant adverse effects, such as loss of water quality, destruction of habitats, or change the water conditions so that they are no longer suitable for aquatic ecosystems. These effects can be caused by a range of activities, structures, and works, including the introduction of plants. Many of Nelson's typical small shallow streams make them more vulnerable to changes in physical conditions than larger or swifter-flowing rivers. In accordance with the Nelson Regional Policy Statement, priority must be given to the natural functioning of the water body when managing river and lake beds.

## **policy**

### **DO17.1.1 Disturbance of river and lake beds, excluding extraction of aggregate**

*Activities which disturb the bed of a river or lake, or a wetland, including vehicles and vehicle crossings, should be avoided, unless the disturbance is necessary:*

- a) for the maintenance of lawfully established structures or network utility operations, or*
- b) for the restoration or enhancement of any in-stream or out-of-stream values, or*
- c) where no practicable alternative vehicle crossing is available, and adverse effects can be mitigated.*

#### **Explanation and Reasons**

DO17.1.1.i Activities and vehicles which disturb river and lake beds, and wetlands, can have direct adverse effects on the area in which they are undertaken, which may be important invertebrate habitat or spawning habitat for native fish or trout. In addition, they can have adverse effects downstream, such as loss of water quality, sedimentation, and potential for contamination through oil and fuel spills. As such, activities which disturb river and lake beds should be avoided.

DO17.1.1.ii There will, however, be occasions when activities do need to occur within the bed, such as routine maintenance of structures, or where there are no alternative crossing places for vehicles. It is appropriate to make some allowance for these situations, subject to certain conditions being met to avoid and mitigate adverse effects. (New structures are addressed in policies DO17.1.6 and DO17.1.7.)

#### **Methods**

DO17.1.1.iii Rules setting performance standards for crossings and controlling activities with potential to adversely affect the beds of rivers, lakes and wetlands.

DO17.1.1.iv Provide information on the values of rivers, lakes and wetlands, including monitoring results and ecological information.

DO17.1.1.v Advice on best practice.

## **policy**

### **DO17.1.2 protection of natural character**

*Protect the natural character of rivers, lakes and wetlands, and their margins, and wetlands, from inappropriate subdivision, use and development.*

#### **Explanation and Reasons**

DO17.1.2.i This policy reflects section 6(a) and 6(c) of the Act. Council recognises that, irrespective of the degree of modification that has taken place, all rivers, lakes and wetlands, and their margins, have some degree of natural character and the approach required by the Act is to protect those attributes which give an area its natural character from inappropriate subdivision, use and development. Council also recognises that the need to protect natural values may limit development opportunities.

#### **Methods**

DO17.1.2.ii Rules controlling activities which have the potential to adversely affect the natural character of rivers, lakes and wetlands, and their margins.

DO17.1.2.iii Advice on best practice to avoid adversely affecting existing natural character and rehabilitation and restoration of natural character where possible.

DO17.1.2.iv Provide information on the values of rivers, lakes and wetlands, including monitoring results and ecological information.

## policy

### DO17.1.3 flood damage

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*Structures in river beds and their margins should be constructed to allow for flood flows from significant storm events without causing or exacerbating flood damage to natural and physical resources.*

#### Explanation and Reasons

DO17.1.3.i Examples of works that could make flooding worse if not constructed properly include:

- bank protection works and in particular groynes which redirect the force of the flow towards the other side of the river, and
- bridges and culverts which alter the hydraulic characteristics of the river and cause a backwater effect, and
- fords which can trap natural sediment movement during floods and subsequently impede fish passage, and
- walk bridges or service lines (pipes and cables) which are slung over the river but get caught up in flood flow and cause turbulence or, in worse cases, trap debris and dam the river, and
- works in the river bed which obstruct or restrict flow, cause backwater and therefore raise the height of the water surface, and
- fences over a river, which can trap debris and logs.

DO17.1.3.ii The Council is responsible for controlling the use of land in order to avoid and mitigate the adverse effects of flooding on people and property. The aim is to avoid adverse risks from the peak flow arising from a rainfall event which has the possibility of occurring once every 50 years (Q50) in most cases, and every 15 years (Q15) for others.

DO17.1.3.iii Q50 flood capacity is required for major rivers and their tributaries due to the volume of water that will flow down them during a 1 in 50 year flood. Q50 flood capacity is also required for smaller ones in built up areas where the risk of flood damage to properties is high. Q15 flood capacity is usually required for smaller and intermittent rivers where risk of damage during floods is low.

DO17.1.3.iv Climate change could affect rainfall patterns and intensity in Nelson. In the longer term this may lead to a change in the frequency of flood events. In future, if the Government's advice or legislation changes, the Council may need to change its flood protection requirements.

#### Methods

DO17.1.3.v Flood hazard overlays in the Nelson Resource Management Plan.

DO17.1.3.vi Engineering design standards for structures in river beds.

DO17.1.3.vii Advice on best practice and design of structures.

## policy

### DO17.1.4 planting in the beds of rivers and lakes

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*The introduction of plants in the beds of rivers and lakes should be avoided except where such planting is necessary to control erosion.*

#### Explanation and Reasons

DO17.1.4.i Introducing plants into riverbeds has the potential to reduce the flood carrying capacity and natural functioning of the water body, by impeding water flow. Planting is a valuable way to stabilise river and stream banks. Plantings at river mouths can enhance whitebait spawning habitat, and plants naturally occur in, and enhance, wetlands. In no circumstances should the pest plants listed in the Tasman-Nelson Regional Pest Management Strategy be planted in the beds of rivers, lakes or wetlands.

DO17.1.4.ii Some plants which have shallow root structures or which are susceptible to wind throw or branch dropping, may affect flow capacity by falling into the water channel and impeding water flow, so it is preferable to use plants which do not easily detach themselves from the substrate. For example, Osier willow, commonly used to stabilise banks, is a nuisance which spreads readily. Branch drop sets up new growth which impedes water flow, especially in narrow waterways. 'Living Heritage - growing native plants in Nelson' provides guidance on the most suitable plants to use for riparian enhancement.

#### Methods

- DO17.1.4.iii Rules controlling planting in the beds of rivers and lakes.  
DO17.1.4.iv Advice on suitable plants to be used in river mouths and wetlands.  
DO17.1.4.v Clearance of unsuitable plants in beds and on river banks.

## policy

### DO17.1.5 planting in riparian margins

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*The introduction of plants in the margins of rivers should be encouraged except where such planting involves pest plants or plants which are likely to spread into the bed of a river.*

#### Explanation and Reasons

DO17.1.5.i The margin of rivers and streams is a crucial buffer between land use activities and the natural waterway. Planted waterway margins protect water quality by: filtering surface run off, taking up nutrients (through plant roots), removing nitrogen (through bacteria in wet riparian soils), and preventing stock access when they are fenced. The Council provides landowners with guidance on riparian management. In addition, the Council's publication 'Living Heritage - growing native plants in Nelson' provides guidance on the most suitable plants to use for riparian enhancement.

DO17.1.5.ii The shade created by plants is important for reducing water temperature and reducing the growth of nuisance plants in waterways. Plants also provide shelter, food and spawning areas. In most cases the planting of native species is preferred in order to enrich Nelson's natural ecosystems of plants and animals.

DO17.1.5.iii Planted margins can also provide benefits to rural landowners by stabilising banks, enhancing the rural landscape, and reducing the need to clear drains and streams.

DO17.1.5.iv Crack willow is regarded as a pest plant in riparian margins because it spreads easily and often tips into rivers, breaking the bank down and blocking the water course. Future maintenance of any willow plantings will be required to retain their effectiveness against bank erosion and to prevent them spreading to other places in the watercourse.

DO17.1.5.v The Tasman-Nelson Regional Pest Management Strategy provides Nelson's framework for pest management. It lists the weeds and animals considered to be pests in this region and details the pest management programme for each of them. Further information is available at Nelson City Council. Tasman District Council's biosecurity staff are available to help identify and control these pests.

DO17.1.5.vi Planting programmes in riparian areas need to consider the potential adverse effects on existing network utilities. For example, appropriate species should be selected for planting near transmission lines so that they do not grow into the lines.

## Methods

- DO17.1.5.vii Encourage and provide advice, and funding where appropriate, for the planting of suitable indigenous species in riparian margins.
- DO17.1.5.viii Provide information on the values of Nelson's rivers, lakes, wetlands and riparian margins, including monitoring results and ecological information.
- DO17.1.5.ix Support community planting projects.
- DO17.1.5.x Encourage the planting of locally sourced harakeke. Consider allowing for the harvesting of it, as well as any windfall trees, on Council-owned land.
- DO17.1.5.xi Provide for protection of watercress and harvesting of it where water is of sufficient quality to avoid health hazards.
- DO17.1.5.xii Advice on alternative methods of erosion control.
- DO17.1.5.xiii Develop and promote guidelines on best practice for riparian land management.

## policy

### **DO17.1.6 structures in and under the beds of rivers and lakes, and wetlands**

*Structures in, on or under the beds of rivers and lakes, or in wetlands, should only be constructed where adverse effects can be avoided, remedied or mitigated.*

#### Explanation and Reasons

- DO17.1.6.i Structures, including bridges, which are located in, on or under the beds of rivers and lakes, or in wetlands, can cause adverse effects. These range from visual intrusion on natural character and amenity values, to permanent effects on ecology and biota by restricting fish passage upstream of the structure or affecting water flow and the natural functioning of a river, including increased turbulence.
- DO17.1.6.ii Structures such as pipes and cables for network utilities, located in, on, or under the beds of rivers, can result in sewer spills and substantial bed disturbance whenever maintenance is required.
- DO17.1.6.iii Provision should be made, however, for the routine maintenance of existing structures, or the removal of obsolete structures, provided there are no significant adverse effects. On rare occasions, obsolete structures can have heritage values.
- DO17.1.6.iv Well designed bridges and culverts can reduce environmental effects on a river by avoiding vehicle and stock disturbance of the river bed, and providing shade. However, in most cases it is important that they are designed to allow a Q50 or a Q15 flow to pass through them.
- DO17.1.6.v The advantage of bridges over culverts is that a natural river bed remains. Culverts may have an artificial base which can change flow dynamics and may impede fish passage if inappropriately installed. They also require a higher level of maintenance than bridges. Generally, fords result in discharge of sediment and a change to streambed gradients.

#### Methods

- DO17.1.6.vi Rules controlling structures in and near waterbodies.
- DO17.1.6.vii Advice on appropriate design and best practice.
- DO17.1.6.viii Design requirements in section 5.6.5b) and Table 5-2, 5-6 and 5-7 in section 5 of the NCC Land Development Manual 2010.

## **policy**

### **DO17.1.7 dams and reservoirs**

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*The diversion and damming of surface water within the beds of rivers should not result in significant adverse effects.*

#### **Explanation and Reasons**

DO17.1.7.i Dams and reservoirs are specific types of structures which can have significant adverse effects. Their potential for effects depends to a large degree on whether they are placed within the natural water course, or whether they are located as out-of-stream storage reservoirs, with diversion from the natural water providing the water recharge.

DO17.1.7.ii While dams and reservoirs have the potential to improve the efficient use of water (through water harvesting), as physical structures they also have the potential to: affect fish passage, disturb water quality (during construction), affect water chemistry (such as oxygen levels), trap sediment and starve the downstream reaches of sediment, induce turbulence, and cause a safety hazard if not engineered to specific standards.

DO17.1.7.iii The environmental effects of diversion of water for out-of-stream uses such as small hydro-electric pumps depend on factors such as the proportion of the flow diverted, the timing and place of the diversion and return of the water, as well as any change in the temperature or quality of the water as a result of the diversion.

#### **Methods**

DO17.1.7.iv Rules controlling installation of dams and reservoirs

DO17.1.7.v Provide information on the values of rivers and lakes, including monitoring results and ecological information.

DO17.1.7.vi Advice on appropriate design and best practice

DO17.1.7.vii Monitoring effects of dams and reservoirs

## **policy**

### **DO17.1.8 obsolete structures in the beds of rivers and lakes**

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*Structures located in the bed of a river or lake, and which are no longer used or required, should be removed, provided that the:*

- a) recognised heritage or cultural values are not greater than the environmental values to be enhanced by its removal, and*
- b) removal of the structure will not cause greater long term adverse effects than those caused by it remaining.*

#### **Explanation and Reasons**

DO17.1.8.i Structures located in and under the beds of rivers and lakes, including dams, can cause adverse effects. These range from visual intrusion on natural character and amenity values, to permanent effects on ecology and biota by restricting fish passage upstream of the structure or affecting water flow and the natural functioning of a river.

DO17.1.8.ii A structure is considered to be obsolete if it is not required for its original use, or has not been used as intended for a continuous period of two years or more, and no future use is anticipated.

Obsolete structures should be removed to more closely restore the river or lake to its natural state, unless the structure has recognised heritage or cultural values, and removal of it will result in significant long term adverse effects. This may require an exception to be made where the scale or size of the structure is such that the long term adverse effects of removal will be greater than the effects of the structure remaining, or where protecting the heritage or cultural values is considered more important than the environmental improvements to be made from its removal. When weighing up these relative values a decision maker needs to recognise that, under the Nelson Regional Policy Statement, priority must be given to the natural functioning of the water body when managing river and lake beds. While removal may cause temporary disturbance, which may be locally significant, the long term benefits of removal will generally outweigh the short term disruption.

#### Methods

DO17.1.8.iii Permit the removal of instream obsolete structures without the need for a resource consent, subject to the general conditions for bed disturbance.

DO17.1.8.iv Require the compulsory removal of instream obsolete structures where the recognised heritage or cultural values are less than the environmental benefits arising from removal.

DO17.1.8.v Clarify that liability for removal of the structure lies with the last known person, agency, or entity with legal responsibility for the maintenance or upkeep of the structure.

DO17.1.8.vi Include a condition on resource consents for new structures requiring the removal of the structure if it becomes obsolete or the consent expires and is not renewed, provided that the general conditions of bed disturbance can be met. (This method implements Policy DO17.1.6.)

DO17.1.8.vii Advice on appropriate timing and methods of removal.

#### policy

#### **DO17.1.9 extraction of aggregate from the beds of rivers**

*Provide for the extraction of aggregate from riverbeds where it is necessary to improve flood capacity, or the repair or maintenance of lawfully established structures, where there are no significant adverse effects on the stability, ecology, or functioning of the river or riparian margin.*

#### Explanation and Reasons

DO17.1.9.i Aggregate is extracted to both source gravel and to reduce flooding and bank erosion. The benefits of extraction can be to: reduce the build up of gravel and therefore improve the flood carrying capacity of a waterway, increase water depth, and improve habitat (pools). Extraction of aggregate may also be necessary for the repair or maintenance of structures, or for their construction. However, over-extraction can destabilise the river channel and banks, or affect the functioning of the river or downstream coastal processes. The extraction process can also affect aquatic habitat if undertaken at the wrong time or in the wrong place, or in a way which damages the bed and margins. While it is recognised that some extraction may be beneficial, it is also necessary for Council to retain control of the process in order to avoid or reduce adverse effects. Aggregate extraction may sometimes be necessary to reduce bank erosion, and for the repair or maintenance of structures. Aggregate build up around structures occurs as a result of dynamic river systems. Refer to Appendix 28.1 for a list of NCC aggregate extraction sites for the purpose of maintaining flood capacity.

DO17.1.9.ii The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that instream gravel and sand extraction can lead to a loss of habitat, loss of culturally significant taonga (treasures) such as healing stones, water discolouration, or a drop in a river bed, which reduces habitat for aquatic species. Extraction of materials from within riverbeds can also lead to channelling and realignment of a water body, resulting in the destruction of indigenous fish habitat.



#### Methods (for policies DO17.1.8 and DO17.1.9)

- DO17.1.9.iii The collection of data on aggregate build up in rivers.  
DO17.1.9.iv Rules controlling aggregate extraction and conditions on resource consents.  
DO17.1.9.v Advice on appropriate timing and methods of removal from an appropriately qualified and experienced person.

#### **policy**

#### **DO17.1.10 deposition of material in the beds and on the banks of rivers and lakes**

*The deposition of material in the beds and banks of rivers and lakes, or in wetlands, should be avoided unless the material is necessary to protect the bed, banks or any structure from erosion, or where it is necessary for the repair, maintenance or construction of structures, in which case any adverse effects from depositing the material should be avoided or mitigated.*

#### Explanation and Reasons

DO17.1.10.i Materials or substances deposited in the bed of a river change the physical condition of the river bed. Biological and chemical conditions can also be affected. Adverse effects can include: visual and amenity effects particularly where deposited material is out of character with the existing environment; changes to the water channel; bank and bed destabilisation; loss of riparian margin or bank habitat; and cumulative effects in the receiving environment.

DO17.1.10.ii Rock has been used for bank protection in all of Nelson's urban rivers and streams. Placement of rockwork in a watercourse has the potential to cause adverse effects in locations where the water is deflected and impinges on the opposite bank or causes turbulence which results in adjacent or downstream bank erosion. However, rocks can also be placed in a way that enhances whitebait and other freshwater fish habitat.

DO17.1.10.iii Flooding and bank erosion are only an issue when assets are threatened. With only a few exceptions, buildings in rural Nelson have been set far enough back from the rivers not to be threatened within the life time of the buildings. By far the most effective method of mitigating bank erosion is to keep high value assets a sufficient distance back from the river bank. That is why the Nelson Resource Management Plan places controls on buildings in the Riparian Overlay.

DO17.1.10.iv Riparian planting and reducing stock access to waterways also helps to prevent bank erosion.

#### Methods

DO17.1.10.v Rules controlling deposition of material in the beds and on the banks of rivers and lakes, and in wetlands.

DO17.1.10.vi Assessment matters for resource consent applications.

DO17.1.10.vii Provide information on the values of rivers including monitoring results and ecological information.

## **policy**

### **DO17.1.11 realignment and piping**

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*Avoid, remedy or mitigate the effects of realignment and piping of the bed of any river or lake, or wetland.*

#### **Explanation and Reasons**

DO17.1.11.i Realignment and piping of the beds of rivers and lakes, or wetlands, should be discouraged wherever possible as it has significant adverse effects on the natural and human use values of rivers, lakes and wetlands, and can exacerbate flooding hazards by removing natural pools and meanders. This increases the energy of water flows and reduces habitat for invertebrates and fish. Therefore, where realignment is necessary, and where it is practicable, the realignment should mimic the natural form for a watercourse of that type.

#### **Methods**

DO17.1.11.ii Rules controlling realignment and piping of the beds of rivers and lakes, and wetlands.

DO17.1.11.iii Assessment matters for resource consent applications.

DO17.1.11.iv Provide information on the values of rivers and wetlands including monitoring results and ecological information.

## **policy**

### **DO17.1.12 stock access and crossings**

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*Stock crossings directly in the beds of rivers or lakes, and in wetlands, and unrestricted stock access to water bodies, should be avoided unless adverse effects can be adequately mitigated.*

#### **Explanation and Reasons**

DO17.1.12.i Stock with unrestricted access to water bodies will ultimately contribute to water quality degradation. Research has found that:

- faecal indicator bacteria reside in the stream sediment, rather than the water column, and
- disturbance of the sediment (by swimming, flooding, wading, recreational use and earthworks) can remobilise the sediment and recontaminate the water column, and
- excluding stock from stream channels is likely to provide major water quality benefits, in addition to improved stock health.

DO17.1.12.ii There are many examples where stock have unrestricted access to Nelson's streams and rivers, often for extensive reaches, and on both sides of the watercourse. On some rivers (Lud, Teal, Wakapuaka and Whangamoa) it is possible that water is being abstracted for domestic use below areas where stock have access to rivers.

DO17.1.12.iii Adverse effects of stock access include trampling and damage to the banks and beds of water bodies, disturbance of aquatic habitats, increased sediment and effluent inputs, and an associated decrease in water quality. The damage caused is dependent on the type of stock and density of stocking, the length of time spent in the watercourse, and the physical make up of the watercourse and banks.

DO17.1.12.iv In addition to maintaining instream values such as freshwater fish and invertebrate habitat, good water quality is necessary in rural areas for domestic and stock water, irrigation, and amenity, so it is important that land users adopt best management practices in relation to stock, and as a minimum, ensure that stock are managed in a way that does not cause significant adverse effects on watercourses. This may require the placement of temporary or permanent fencing or alternative stock watering facilities in some areas.

## Methods

- DO17.1.12.v A rule controlling stock access and crossings.
- DO17.1.12.vi Review the effectiveness of the Council's approach to stock access and crossings to ensure it is avoiding, remedying or mitigating adverse effects on water bodies.
- DO17.1.12.vii Work with landowners to address the specific environmental issues of the property, including but not limited to:  
Fencing and retirement of riparian margins  
Using alternative means, including bridges and culverts, to move stock across rivers, streams and drains  
Using appropriate methods to prevent stock access to the beds of rivers and wetlands, including but not limited to: riparian fencing and planting, and providing alternative stock water supplies so that direct access to surface water bodies is not required and  
Pest and weed control.
- DO17.1.12.viii Consider subsidising the cost of permanent fencing and replanting of riparian margins, where such fencing will avoid stock accessing rivers from existing access points, and there has not been a change in land use.
- DO17.1.12.ix Where subdivision of rural land occurs, consider requiring fencing (and planting of riparian margins) of any remaining rural land to avoid stock accessing rivers.
- DO17.1.12.x Formal agreements put in place to ensure funding achieves outcomes sought, including active weed control, and fences invested in are maintained by the owner as stock proof over time.
- DO17.1.12.xi Consider facilitating a charitable trust in liaison with Landcare Trust, to attract funding and employment subsidies.
- DO17.1.12.xii Provide advice on best practice methods of sustainable land and water management.
- DO17.1.12.xiii Consider supplying plants for, or subsidising the cost of, riparian restoration projects involving the use of suitable, locally indigenous, plants.
- DO17.1.12.xiv Encourage and promote the use of bridges or culverts as alternatives to stock crossings.
- DO17.1.12.xv Provide information on the values of rivers including monitoring results and ecological information.

## objective

### **DO17.2 Effects of activities and structures in the beds of rivers and lakes on infrastructure**

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*Activities, works or structures within the beds of lakes and rivers and their margins undertaken or constructed in a way which avoids, remedies or mitigates adverse effects on lawfully established network utility operations.*

#### Explanation and Reasons

DO17.2.i Network utility operations and their infrastructure provide essential services, such as telecommunications, power supply, transport links, or water supply. Nelson's rivers contain a range of such infrastructure. Activities and works in river and lake beds can have an adverse effect on important network utilities. For example, gravel extraction near a bridge abutment or pipeline may result in scouring around the base of the structure, potentially affecting its structural strength and integrity. Similarly, disturbance of a river bed may directly affect pipes or cables buried in the bed.

#### policy

### **DO17.2.1 Activities and structures in the beds of rivers and lakes which affect network utility operations**

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*Activities or structures in the beds of rivers and lakes should not result in significant adverse effects on network utility operations.*

#### Explanation and Reasons

DO17.2.1.i Activities and works in river and lake beds can have an adverse effect on important network utility operations. When assessing resource consents for activities in river and lake beds, consideration needs to be given to the potential effects of those activities on network utilities.

#### Methods

DO17.2.1.ii Include effects of infrastructure as a matter of assessment for activities and structures in the beds of rivers and lakes.

DO17.2.1.iii Advice on the location of network utility operations within the beds of rivers and lakes.

## D017e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D017e.1 Reduced impacts of activities on the natural values of waterbodies.	D017e.1.1 Diversity and numbers of fish and invertebrate species. New bridges or culvert for stock/vehicle crossings. Riparian fencing.	Stream health monitoring programme (NCC) Community monitoring programmes Fish surveys and other feedback (DoC, Fish & Game) Funding application approved
D017e.2 Increased level of planting in river margins.	D017.e.2.1 New planting in riparian margins.	Observation Council records Council officer reports
D017e.3 Reduced number of obstacles to fish passage.	D017e.3.1 Removal of obsolete structures. Modification of existing structures.	Council programme for removal of obstacles Council records Fish surveys (DoC)
D017e.4 Reduced stock access to the beds of rivers, lakes and wetlands.	D017e.4.1 Proportion of landowners excluding stock from waterways.	Observation Council officer reports

## **DO18 Freshwater abstraction and instream flows**

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DO18.i Water is a limited resource in Nelson City. The erratic rainfall dictates the quantity of water in rivers and the length of periods of low flow. Low flows can result in unacceptable stress for fish and aquatic invertebrates.

DO18.ii The Maitai and Roding Rivers are used for public water supply, while many of the smaller streams are used for irrigation and private water supplies. Most rivers are also used directly or indirectly for stock drinking water. Keeping enough water in Nelson's rivers to maintain their healthy state is the reason for setting limits on how much water can be taken out of them for other uses.

DO18.iii Flow speeds and levels affect the physical quality and size of instream habitat for fish and aquatic invertebrates. All other factors (such as water quality) being equal, fish and aquatic invertebrate will, or potentially will, be most abundant where the physical habitat quality suits them best.

DO18.iv The Nga Taonga Tuku Iho ki Whakatu Management Plan explains that tangata whenua are concerned about over-allocation of water, which results in reduced flows and the inability of water bodies to sustain the indigenous communities within them.

DO18.v Issues relevant to freshwater abstraction and instream flows are discussed in section R18 of the Plan.

### **objective**

#### **DO18.1 maintaining and enhancing flows and levels**

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*Flow regimes and water levels within the region's water bodies maintained, and enhanced where necessary, to ensure a water level which:*

- a) *provides for natural, intrinsic, cultural, and spiritual values, including aquatic ecosystems, natural character, native fishery habitats, existing trout and salmon habitats, and recreational values, and*
- b) *provides for a range of uses, in particular reasonable domestic and stock water use and fire fighting, and*
- c) *provides for the adequate dilution of contaminants arising from natural sources, while preserving the life-supporting capacity (the mauri) of the water.*

##### **Explanation and Reasons**

DO18.1.i The maintenance of water flows and levels in Nelson's water bodies is necessary for a range of reasons. It is important that all of the reasons listed in this objective are recognised when making resource management decisions on water flows and levels.

DO18.1.ii All water has the potential to support life. Even small, seemingly inconsequential, streams contain values which cumulatively contribute to the life-supporting capacity of water. Over-use or over-allocation of water may degrade these in-stream values.

### **policy**

#### **DO18.1.1 flow regimes: specific rivers**

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*Manage flows and levels for specific rivers in accordance with the minimum flows and trigger flows set out in Appendix 28.2.*

##### **Explanation and Reasons**

DO18.1.1.i The values and priorities listed in objective DO18.1 were taken into account during the process of setting minimum flows. Water is taken out of all the rivers listed in Appendix 28.2 for out-of-stream uses. In order to leave enough water in the rivers and streams to protect instream values it is necessary to set a minimum flow below which no further water should be taken.

DO18.1.1.ii A minimum flow does not mean that flows will not sometimes naturally fall below this level. The minimum flow reflects the probability of a flow reaching that level, whether that is on average once a year (mean annual low flow) or once over a five year period. The aim is to avoid taking water out of these waterways during these very low flows to avoid causing extra stress for instream life. Minimum flow levels vary depending upon the management objectives established for each water body. These objectives are listed in the table in Appendix 28.2.

DO18.1.1.iii Trigger flows have also been set. When flow levels drop to this level, all non-essential abstraction from that river are suspended, except where an approved 'Water Conservation Plan' exists.

DO18.1.1.iv Wai (water) will be the starting point for the development of Iwi environmental indicators, using the Maitahi (Maitai) River as a case study. The literature review recently carried out as part of the Council initiated study of the Maitai will provide a resource for the Iwi indicators project.

## **policy**

### **DO18.1.2 flow regimes: other rivers and streams**

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*Manage water flows and levels in other rivers and streams not specified in Appendix 28.2 through allocation limits on resource consents.*

#### **Explanation and Reasons**

DO18.1.2.i Minimum flow regimes or trigger flows have not been established for rivers and streams not specified in Appendix 28.2. Many of these water bodies are located in the Conservation Zone or in rural areas and contain high quality water and significant ecological communities. In addition, these rivers and streams are generally not under any pressure from water users, and are unlikely to be subject to abstraction in the future.

#### **Methods (for policies DO18.1.1 and DO18.1.2)**

DO18.1.2.ii Rules controlling water takes during periods of low flow.

DO18.1.2.iii Assessment matters for resource consent applications.

DO18.1.2.iv Monitoring of flow levels.

DO18.1.2.v Timely information to water users about current flow levels and options when low flow conditions occur.

DO18.1.2.vi Increase awareness of rural areas where water shortages are likely to occur.

## **policy**

### **DO18.1.3 increased demands for water**

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*Address increased demand for water created by population growth.*

#### **Explanation and Reasons**

DO18.1.3.i This policy recognises that the population for the Nelson City Council area is expected to increase by 24% from 2001 to 2021. This has significant implications regarding increasing demand for out-of-stream uses of water.

DO18.1.3.ii Increased demand for water in both the urban and rural zones means that a number of measures will be necessary to avoid the cumulative effects of that population growth on water resources.

DO18.1.3.iii The Council recognises that as the city grows there will be an increased demand for water from the Maitai and Roding rivers. While the Council will be able to continue to meet the minimum flows established in the urban supply resource consent, the opportunities to leave more water in the Maitai and Roding rivers will reduce as urban water supply demands increase. For this reason, and in recognition that water is a precious resource, the Council will promote efficient use of water, rainwater storage, and water reuse.

## Methods

- DO18.1.3.iv Actively monitor water permits and instream flows, to ensure that:  
a) consent conditions are adhered to, and  
b) sufficient residual flows remain to provide for in-stream values, and  
c) water is returned to the source where it is no longer needed for abstraction, and  
d) accurate information is held on what water permits are held but not used, particularly for over-allocated rivers.
- DO18.1.3.v Meter all consented water takes.
- DO18.1.3.vi Continue to monitor river flows and set up new monitoring sites, where necessary, to improve data flow.
- DO18.1.3.vii Set up a website to advise users of flow levels.
- DO18.1.3.viii Limit most water permits to 10 years to allow for regular review of allocations.
- DO18.1.3.ix Change the conditions on existing water permits which do not meet allocation limits specified in Appendix 28.2 (refer to Policy DO18.3.1(b)).
- DO18.1.3.x Require rainwater storage for new residential units in rural areas.
- DO18.1.3.xi Promote efficient use of water, rainwater storage, and water reuse in the urban area.
- DO18.1.3.xii State of the environment monitoring and reporting.

## policy

### **DO18.1.4 water quantity (NPS – Freshwater Management 2014)**

*1. When considering an application for a discharge, the consent authority must have regard to the following matters:*

- (a) The extent to which the change would adversely affect safeguarding the life-supporting capacity of freshwater and of any associated ecosystem and*
- (b) The extent to which it is feasible and dependable that any adverse effect on the life supporting capacity of freshwater and of any associated ecosystem resulting from the change would be avoided.*

*2. This policy applies to:*

- (a) Any new activity and*
- (b) Any change in the character, intensity of scale of any established activity - that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity of the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).*

*3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.*

#### Explanation and Reasons

DO18.1.4.i This policy has been included (under section 55 RMA) as directed by the National Policy Statement for Freshwater Management 2014.

## objective

### **DO18.2 underground flows and levels**

*Water levels and flows within the region's groundwater sufficient to maintain a range of uses and sustain underground aquatic life, and groundwater levels and flows are enhanced where uses and values have been degraded as a result of modified levels or flows.*

#### Explanation and Reasons

DO18.2.i In Nelson there are a small number of groundwater takes for a variety of uses. Groundwater abstractions need to occur in a way which does not adversely affect flow levels in aquifers and associated surface water.



## **policy**

### **DO18.2.1 managing underground abstractions**

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*The effects of underground abstractions on aquifer levels and on surface flows and levels will be considered on a case-by-case basis, having regard to the precautionary principle.*

#### **Explanation and Reasons**

DO18.2.1.i The potential effects of groundwater abstractions need to be carefully assessed due to the lack of information on groundwater resources. The link between groundwater and surface flow, including wetlands, should be given particular consideration. Where the outcome of a proposed groundwater take is unknown or there is insufficient information to enable a reasonable assessment, abstraction should be avoided.

DO18.2.1.ii Unless there is information to the contrary, groundwater takes adjacent to rivers listed in Appendix 28.4 will be taken as having a one to one effect on river flows, for the purposes of water allocation and implementing water restrictions.

#### **Methods**

DO18.2.1.iii Rules controlling quantity of water taken for domestic uses in the rural area.

DO18.2.1.iv Rules controlling installation and decommissioning of bores and wells.

## **objective**

### **DO18.3 providing for water abstraction**

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*Provided that objectives DO18.1 and DO18.2 can be met, allocate water for abstraction in a way which:*

- *provides a reliable supply under normal flow conditions, and*
- *is equitably distributed between all water users while taking into account the priority uses of fire fighting, reasonable domestic use (including reticulated urban domestic use), and reasonable stock water use, and*
- *provides for and promotes efficiency in water use.*

#### **Explanation and Reasons**

DO18.3.i This objective recognises that abstraction of water is a value in itself. While provision needs to be made for water allocation, including permitted abstractions, this needs to be balanced against the long term life supporting capacity of water and the associated ecosystems. Efficient water use is particularly important in Nelson, where the small size of the rivers and streams means that abstraction has the potential for a proportionally greater effect on the overall river or stream values.

## **policy**

### **DO18.3.1 water permits**

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*Implement a water permit system for any water take based on the following criteria:*

- Single-class permit system for all rivers and streams.*
- All existing water permits which do not meet any new flows, levels, or allocation limits specified in the Plan will be required to meet 80% of the new flows, levels, or allocation limits within 2 years of the freshwater plan change becoming operative, and fully comply within 5 years of the freshwater plan change becoming operative.*
- All applications for water permits, including renewals of existing permits, will be treated as new applications and assessed on a case by case basis. Physical resources relating to a previous water permit are an assessment matter which can be considered as part of the application process. The RMA Amendment Act 2005 requires the efficiency of the applicant's use of the resource to be considered when determining applications from existing water permit holders.*
- Consider declining an application to take water where taking from an alternative water source on the applicant's property or through an*

*alternative available supply is likely to have less adverse effect on the water resource, or result in more equitable water allocation.*

- e) *review water permits and allocation limits where:*
  - i) *the water is surplus to the actual annual water requirements of the existing activity (at a 1 in 5 year low flow), or*
  - ii) *the activity has changed such that the full allocation is no longer required, or*
  - iii) *flow records show the water resource available for allocation is less than originally thought.*

#### Explanation and Reasons

DO18.3.1.i Under a single class water permit system all permits have equal security of water supply. Policy DO18.3.5 (allocation limits for specified rivers) specifies how existing water permits are dealt with during periods of low flow.

DO18.3.1.ii "Existing water permits" includes any permit to dam or divert water as well as takes and uses, and includes every permit which was lawfully established and in use at 9 October 2004 (the notification of these Freshwater Plan Change).

DO18.3.1.iii In order to achieve sustainable flow levels in all water bodies it is necessary to review all existing water permit allocations and to reduce the effect of those allocations where they do not meet the new standards for minimum flows.

DO18.3.1.iv This policy is inserted in accordance with sections 68(7) and 128 of the Resource Management Act which states that:

a) where a regional plan includes a rule relating to maximum or minimum levels of flows or rates of use of water, the plan may state whether the rule shall affect the exercise of existing resource consents for activities which contravene the rule and that the holders of resource consents may comply with the terms of the rule, or rules, in stages over specified periods, and

b) in order to enable minimum flow levels set in an operative regional water plan to be met, a consent authority may serve notice of its intention to review the conditions on a resource consent. However, changes made to a consent in accordance with section 128 cannot render a consent inoperable.

### **policy**

#### **DO18.3.2 monitoring water abstraction**

*Monitor new and existing water abstraction to improve knowledge of total water takes and manage the allocation of water so that the cumulative effects of water abstraction do not exceed:*

- i) *any flow regimes, or*
- ii) *any allocation limit for a water body, or*
- iii) *the sustainable yield of an aquifer.*

#### Explanation and Reasons

DO18.3.2.i In order to comply with the conditions of water allocation, water users need to know how much water they are actually taking. Monitoring water takes through water meters provides accurate information, enabling the water resource to be used sustainably.

#### Methods

DO18.3.2.ii Require water meters to be installed for all new and existing consented abstractions, and require records to be kept to enable accurate monitoring of actual water take and use.

DO18.3.2.iii Undertake annual monitoring of all water permits by 1 October each year.

## **policy**

### **DO18.3.3 expiry and duration of water permits**

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*[Note - this policy applies to new water permits only]*

*In general, apply a common expiry date for all new consents to take water, and existing water take consents without expiry dates, within the same catchment unless there are matters relating to the activity which are best dealt with by granting a shorter or longer term.*

#### **Explanation and Reasons**

DO18.3.3.i In the past the duration of water permits has ranged from five to 35 years. Where there was no time limit specified the duration was five years. However, where no expiry date has been specified, the applicant may be unaware of the date their permit expires. This system is difficult and costly to administer, and creates uncertainty for consent holders.

DO18.3.3.ii A common expiry date for each catchment will allow easier and more equitable management of water resources where there is high demand as the Council will be able to assess all renewals at the same time. It also provides a higher level of certainty for consent holders.

## **policy**

### **DO18.3.4 transfer of water permits**

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*Resource consent will be required for the transfer of a water permit for any water take as a restricted discretionary activity.*

#### **Explanation and Reasons**

DO18.3.4.i Monitoring of Nelson's water permits has highlighted that there may be a demand for the transfer of water permits. Restricting discretion in the resource consent process (and therefore simplifying the process) for transfers may provide an incentive for self-management of water allocation and improved efficiency. See rule FWr.16 for further detail.

## **policy**

### **DO18.3.5 allocation limits for specified rivers**

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*Manage the abstraction of water from any river or stream specified in Appendix 28.2 so that the total abstraction does not exceed the allocation limits listed in that Appendix.*

#### **Explanation and Reasons**

DO18.3.5.i The take, use, damming and diversion of surface water is important for social and economic reasons, but can have significant adverse effects on the instream values of water bodies. The extent of the adverse effects is dependent on the characteristics of a particular surface water body, the values associated with it, and the amount of water taken, dammed or diverted.

DO18.3.5.ii The Council has set the following allocation limits: 10% of 1 in 5 year mean low flow for water bodies where ecological values are high and abstraction does not yet occur; and 33% of 1 in 5 year mean low flow for other water bodies. The exception is the Wakapuaka, which has an allocation limit of 20% of 1 in 5 year mean flow in recognition of both its ecological and abstractive values. Adopting these figures will also ensure an integrated regional approach because it is consistent with Tasman District Council's water allocation provisions, as well as those of other regional councils around New Zealand.

## **policy**

### **DO18.3.6 Allocation limits for the Maitai and Roding rivers**

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*Avoid any water takes or uses from the Maitai and Roding Rivers which are additional to existing allocations at 9 October 2004.*

#### **Explanation and Reasons**

DO18.3.6.i Continued and reliable urban water supply allocation is Nelson City Council's priority out-of-stream use for both the Maitai and Roding rivers. The urban water supply resource consents for both the Maitai and Roding Rivers are intended to retain sufficient minimum flows in the rivers for in-stream uses. Any water taken downstream of the Maitai and Roding dams may adversely affect the ability of the reticulated water supply to provide water to urban areas, and may require water stored for town supply to be released in order to maintain minimum flows. For these reasons, and in order to conserve stored water for future use, new water takes should not be permitted.

## **policy**

### **DO18.3.7 Allocation limits for unspecified rivers**

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*Manage the abstraction of water from any river or stream not specified in Appendix 28.2 so that the total abstraction does not exceed 10% of the 1 in 5 year (7 day) mean low flow.*

#### **Explanation and Reasons**

DO18.3.7.i The take, use, damming and diversion of surface water is important for social and economic reasons, but can have significant adverse effects on the instream values of water bodies. The extent of the adverse effects is dependent on the characteristics of a particular surface water body, the values associated with it, and the amount of water taken, dammed or diverted.

DO18.3.7.ii The Council has set an allocation limit of 10% of 1 in 5 year mean low flow for unspecified water bodies. There is little or no demand for water takes from these water bodies and therefore a low allocation limit is appropriate.

## **policy**

### **DO18.3.8 over-allocated rivers**

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*Where a river is considered to be over-allocated no further water permits will be issued except that where existing water permits are relinquished the Council may consider either leaving the water as part of the instream resource or re-allocating any available water.*

#### **Explanation and Reasons**

DO18.3.8.i Water needs to be allocated in a way that allows activities dependent on water to have access to an adequate and reasonably reliable supply. This means that limits will need to be set on the amount that is allocated in order to maintain this reliability as well as to ensure adequate flow levels remain in the river. These allocation limits are listed in Appendix 28.2.

DO18.3.8.ii Where the Council considers that too much water is already allocated from a particular water body, it may take the opportunity to review and reduce allocation levels of a catchment at any time when existing water permits expire. Examples of over-allocated rivers in the Nelson area are: Lud River, Maitai River and Todds Valley Stream.

## policy

### DO18.3.9 water restrictions

*Restrict water abstraction during periods of low flow using the following criteria:*

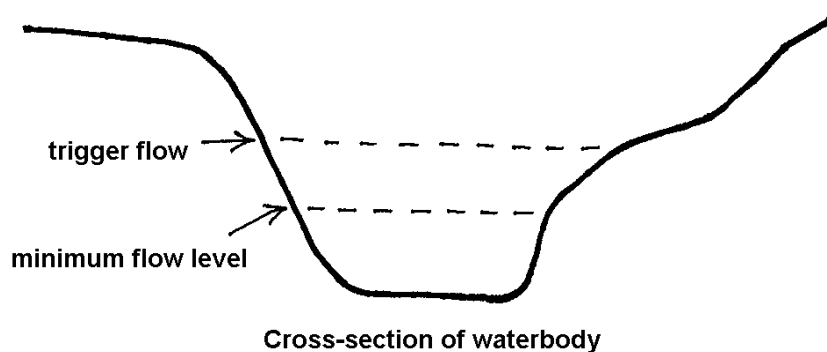
- a) *Require all water takes to cease where any trigger flows in Appendix 28.2 are reached and where:
  - i) the take is not for domestic, stock water, or fire fighting purposes, and
  - ii) a water conservation plan has not been approved by the Council.*
- b) *Require all water takes to cease when the minimum flow is reached, except for fire fighting purposes.*
- c) *Water shortage directions to safeguard instream flows will be issued as a last resort.*

#### Explanation and Reasons

DO18.3.9.i Trigger flows provide a point at which water rationing begins. Minimum flows set the level of flow that is necessary to meet the freshwater objectives of sustaining aquatic life and maintaining recognised in-stream uses and values.

DO18.3.9.ii When trigger flows are reached, a pro-rata basis of restricting water takes for those uses which are allowed to continue, is seen as the fairest and easiest water rationing method to administer. It would work in the following way: if only 75% of the flow required to meet everyone's needs was available, then all water takes would be cut back to 75% of their allowable take.

DO18.3.9.iii When trigger flow is reached, reasonable domestic use does not include watering of lawns or amenity planting. Domestic use needs to be provided by storage tanks or tankering of water once minimum flow is reached. (Refer to Appendix 28.3 for more detail.)



**Note: This diagram is for illustrative purposes only.**

Trigger flow and minimum flow are defined in Chapter 2, and the specific levels for each water body are listed in Appendix 28.2.

**For all flows greater than trigger flow no restrictions will apply.**

**For all flows less than the trigger flow and greater than the minimum flow restrictions will apply to both domestic takes and consented takes.**

**For all flows equal to or less than the minimum flow, all abstractions must cease, except for fire fighting purposes.**

## **policy**

### **DO18.3.10 Permitted abstractions**

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*Abstractions from surface water and groundwater will be permitted for:*

- a) reasonable domestic water needs in the Rural Zone, and*
- b) reasonable stock water needs for drinking water*
- c) fire fighting*

*but domestic takes should not occur in areas where reticulated supply is supplied to the site.*

#### **Explanation and Reasons**

DO18.3.10.i As water is scarce and there are existing or potential competing demands for its use, it is necessary to impose a limit on permitted domestic abstractions in order to avoid over-abstraction. One cubic metre per household per day is considered a realistic and easily monitored limit to apply to each household and will provide a more than adequate amount of water for an average household.

DO18.3.10.ii Consent for urban water use is applied for by Council's Infrastructural Assets department on behalf of all urban water users. For this reason it is not necessary to provide for urban domestic water abstraction.

DO18.3.10.iii Nelson's urban streams are very small and would be greatly impacted by water takes for irrigating gardens, particularly in the summer months. In addition, no water should be taken out of the Maitai River as this is already fully allocated.

## **policy**

### **DO18.3.11 rate of water takes**

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*The rate of water take should be as low as practicable for permitted and consented water takes. Where practicable, the take should be uniformly distributed over 24 hours.*

#### **Explanation and Reasons**

DO18.3.11.i In general it is possible to lower the stress on the ecosystems of a stream, resulting from a large abstraction over a short period, by abstracting the same volume over a longer period at a lower abstraction rate. It is of particular importance in streams or in the case of large volume takes.

## **policy**

### **DO18.3.12 monitoring fee**

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*Require all water permit holders for water takes to provide a monetary contribution or fee for the purposes of monitoring.*

#### **Explanation and Reasons**

DO18.3.12.i Monitoring can be used to ensure water is used efficiently, resource consents are complied with, and that minimum flow levels are maintained. The fee will be established through the annual fees and charges process managed by the Planning & Consents Division. This is advertised at the end of each financial year, with opportunity for public input.

DO18.3.12.ii The Infrastructure Division of the Council holds the consent for the urban water supply. A condition of that consent is monitoring, and the costs of that are already passed on to urban water users.

## policy

### DO18.3.13 water user management groups

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*Encourage and support the establishment and functioning of water user groups with representatives, as appropriate, to:*

- *assist the Council to prepare a water conservation plan, and*
- *assist the Council in managing water usage during drought periods, including assistance with rationing or rostering, and*
- *assist the Council in implementing programmes of education and advocacy for good practice methods in water use.*

#### Explanation and Reasons

DO18.3.13.i Water user groups are an opportunity for those people most affected or interested in a river or stream to take part in the management of it.

DO18.3.13.ii Conservation plans prepared by water user groups can be used to manage the rationing of water during water restrictions. Where such a plan is approved by the Council, water takes may continue after trigger flow levels have been reached (see Policy DO18.4.5 - allocation limits for specific rivers). A water conservation strategy is already in place for the Maitai River and another has been prepared for Todds Valley Stream.

#### Explanation and Reasons for all of the water allocation policies

DO18.3.13.iii The water allocation policies are intended to set out a water management process for:

- allocating water takes and uses, and
- monitoring the use of water, and
- rationing water during low flows.

DO18.3.13.iv For the water permit system to be effective, it needs to be actively managed. This requires a certain level of regulation and commitment to monitor by the Council, and also relies on the co-operation of water users, particularly in respect of monitoring use and rationing during low flows.

DO18.3.13.v The water allocation policies separate those rivers for which flow regimes and allocation limits have been specified, and all other rivers and streams for which no flows, levels or allocation have been set. Water takes are anticipated from the specified rivers.

DO18.3.13.vi The policies are intended to provide a reasonable certainty of supply for users, while still placing limits on the amount of water which can be abstracted. This is necessary in order to avoid and mitigate adverse effects on in-stream values. Balancing water takes with retention of in-stream flows is particularly important in the Nelson region, where the small size of the water bodies means that any water takes have a proportionally larger effect on the remaining flow.

DO18.3.13.vii In setting the flow regimes, the Ministry for the Environment's in-stream flow guidelines were considered, and an expert panel was set up to derive flow regimes which best achieved the balance between abstraction and in-stream flow, having regard to a range of values and the relevant objectives and policies in the Regional Policy Statement.

DO18.3.13.viii The water management process assumes active management by the Council and may require a change in thinking for some water users. It is anticipated there will be a "settling in" period during the implementation of the water management system and review of existing water permits.

Methods (for policies DO18.3.1 - DO18.3.13)

- DO18.3.13.ix Rules controlling water takes.
- DO18.3.13.x Resource consent conditions on water permits.
- DO18.3.13.xi Metering of water permits.
- DO18.3.13.xii A flow regime for periods of low flow.
- DO18.3.13.xiii Increase instream monitoring.
- DO18.3.13.xiv Encourage the formation of water user groups for the purpose of managing the distribution of water takes.
- DO18.3.13.xv Assessment matters for resource consent applications.
- DO18.3.13.xvi Increase awareness of water management issues in rural areas
- DO18.3.13.xvii Promote water conservation including efficient use of water, rainwater storage, and water reuse.
- DO18.3.13.xviii Monitoring fees charged to all water permit holders.

## objective

### DO18.4 diversion of water

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*The natural functioning of ecosystems is not disrupted by the diversion of surface water.*

Explanation and Reasons

DO18.4.i It is necessary to ensure that diversion of surface freshwater does not cause environmental stress. Stress can arise from reduced flows if the water is diverted for any length of time or not returned near to the source from which it was taken. Stress can also be caused by chemical or physical changes to the quality of the water during the period of diversion.

#### policy

##### DO18.4.1 diversion of water

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*Require any water that is diverted from a surface water body to be returned as near as possible to the source from which it is taken, and in the same state or better than when it was diverted.*

Explanation and Reasons

DO18.4.1.i Diversion can modify naturally variable flow regimes which may adversely affect natural values as well as other people using the river.

Methods

- DO18.4.1.ii Rules controlling diversion of freshwater.
- DO18.4.1.iii Advice on freshwater values to be protected.
- DO18.4.1.iv Advice on best methods of diversion.



## D018e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
D018e.1 Sufficient flows of surface water to support the natural values of rivers and lakes.	D018e.1.1 Flow levels. Compliance with water restrictions during periods of low flow.	Flow monitoring. Metering of water use.
D018e.2 Allocation of water in a way which enables sustainable use.	D018.e.2.1 Compliance with allocation limits.	Water permits. Metering of water use.
D018e.3 Protection of groundwater resources.	D018e.3.1 Quantity of groundwater abstracted.	Metering of water use.

## **DO19 Discharges to freshwater & freshwater quality**

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**DO19.i** Water quality in rivers is strongly linked to activities in their surrounding catchments. Contaminants such as nutrients, heavy metals, fine sediments and faecal bacteria enter water bodies via direct, point source, discharges (such as urban stormwater and industrial discharge pipes) and indirect, non-point source, discharges (such as runoff from agricultural or cleared land).

**DO19.ii** These contaminants can have a variety of adverse effects on water quality. For example, high nutrient levels (nitrates and phosphates) can lead to increased growth of algal slimes. As well as being visually unappealing, prolific growth takes oxygen out of the water, further degrading the living conditions of invertebrates and fish communities.

**DO19.iii** Fish activity and spawning, and survival of pollution-sensitive aquatic invertebrates (such as mayfly larvae) can be affected by changes in water chemistry and habitat. When the invertebrates which are most sensitive to poor water quality diminish, so too do the native fish and trout that feed on them. In addition, many Nelson rivers discharge into sensitive estuaries. Rivers which discharge water of poor quality into these sensitive receiving environments will cause adverse effects.

**DO19.iv** The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that every water body has its own mauri (life force). Only a water body with an intact mauri can sustain healthy ecosystems. Activities which reduce water quality also reduce the mauri of the water body.

**DO19.v** Issues relevant to freshwater takes and in-stream flows are discussed in section RI18 of the Plan.

### **objective**

#### **DO19.1 highest practicable water quality**

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*All surface water bodies contain the highest practicable water quality.*

##### **Explanation and Reasons**

**DO19.1.i** Water quality is a key factor in the character and health of all ecosystems, terrestrial as well as aquatic. However, monitoring undertaken to date indicates some of Nelson's urban and rural streams are highly degraded as a result of historical and present practices.

**DO19.1.ii** Healthy water bodies are valued for ecological, recreational, cultural and spiritual reasons. The entire region benefits from having unpolluted swimming holes, good quality habitat for fish and other aquatic life and clean water for water supplies, irrigation and industrial use.

**DO19.1.iii** This objective is adopted to ensure that the uses and values of Nelson's rivers can continue. The most effective way to meet this objective is to:

- avoid further degradation, and
- identify priority rivers or streams for restoration or enhancement, and
- develop a restoration programme which involves all stakeholders (and local communities) and which includes non-regulatory methods.

## **policy**

### **DO19.1.1 classification**

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*To classify Nelson's water bodies based on water quality standards.*

#### **Explanation and Reasons**

DO19.1.1.i The water quality of Nelson's rivers has been assessed and classified into five categories from Class A (excellent) to Class E (very degraded).

DO19.1.1.ii In order to set clear management objectives for each water body it is necessary to establish the current water quality of Nelson's rivers and then set minimum standards for maintaining that level of water quality. Classification standards provide a "baseline" below which water quality should not be degraded.

DO19.1.1.iii Freshwater quality classifications have been specifically developed for Nelson's water bodies using the quantitative ANZECC guidelines (Australian and New Zealand Guidelines for Fresh and Marine Water Quality) and the narrative water quality standards in the Resource Management Act 1991. This process is also in line with the Nelson Regional Policy Statement policy WA1.3.1 regarding classification of water bodies based on their values.

## **policy**

### **DO19.1.2 Class A freshwater – natural state**

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*Preserve Class A water bodies in their current state.*

#### **Explanation and Reasons**

DO19.1.2.i Freshwater ecosystems in their natural state have excellent water quality which meet the Class A standard. Class A water is suitable for the most sensitive of uses such as primary contact recreation, drinking water, and sustaining a very high diversity of aquatic ecosystems.

DO19.1.2.ii Nelson's Class A water bodies are mostly in the Conservation Zone and occur in the upper reaches of the Roding, Maitai and Whangamoia rivers as well as the Oananga and Omokau Bay streams near Cape Soucis. As this land is largely under some form of protection, either administered by the Department of Conservation or by Nelson City Council as a waterworks reserve, it is achievable to protect the existing high quality water bodies. Only discharges which meet Class A quality standards should occur in these water bodies. (See Appendices 28.4 - 28.7 for the classification of Nelson water bodies and discharge standards.)

## **policy**

### **DO19.1.3 Class B freshwater – slightly disturbed**

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*Maintain Class B water bodies in their current state.*

#### **Explanation and Reasons**

DO19.1.3.i Class B water bodies are slightly disturbed but still healthy. They typically occur in areas which are slightly to moderately cleared of vegetation and/or have reasonably intact riparian vegetation. Maintaining the good quality of these water bodies will ensure they are still available for sensitive uses such as primary contact recreation and are able to sustain a very high diversity of aquatic ecosystems. Class B water is not considered of sufficiently high quality to be used untreated as drinking water for human consumption.

DO19.1.3.ii Class B water bodies currently occur where the Conservation Zone changes to the Rural Zone but land use is not intense, such as the upper to mid reaches of the Maitai, Wakapuaka and Whangamoia rivers.

DO19.1.3.iii These are mainly rural streams where wild animal and livestock numbers are generally low and plantation and indigenous forests are the dominant vegetative cover. There is also potential for urban streams with intact or extensive riparian planting and/or esplanade reserves to meet this classification.

DO19.1.3.iv It is important to maintain water quality in Class B water bodies to retain their high values. Reducing faecal contaminant and nutrient inputs to water are two of the main ways to maintain the quality of Class B water bodies. (See Appendices 28.4 - 28.7 for the classification of Nelson water bodies and discharge standards.)

## **policy**

### **DO19.1.4 Class C freshwater – moderately affected**

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*Upgrade Class C water bodies to Class B where practicable.*

#### **Explanation and Reasons**

DO19.1.4.i Class C water bodies still retain healthy ecosystems overall but improvement is desirable where possible. In some instances it will be unrealistic to upgrade water quality in Class C water bodies. Class C water bodies are moderately affected by human activity such as rural streams receiving some contamination from grazing or urban streams receiving runoff from paved surfaces. They are suitable for secondary contact recreation, stock drinking water, and sustaining fish species and aquatic invertebrates.

DO19.1.4.ii Class C water bodies are moderately affected by human activity, plantation forestry, pastoral farming, runoff from roads and streets and other similar effects arising from concentrated urban activities. These water bodies currently include the mid to lower reaches of the Maitai, Wakapuaka, and Whangamoā rivers as well as many of the tributaries of these rivers. The urban mid reach of Brook Stream and lower reach of Maitai River are also classified as Class C.

DO19.1.4.iii Where steps are taken, and Class C water bodies are improved to Class B quality, they will then be considered suitable for contact recreation such as swimming. Two of the factors which distinguish Class B and C water quality are the amount of faecal material and the amount of sediment entering the water body. Reducing the amount of faecal material entering water bodies is critical to ensuring compliance with both stock drinking water and contact recreation standards.

DO19.1.4.iv Rivers carrying a high sediment loading have a downstream adverse effect on estuaries as well as adversely affecting the habitat quality for native fish and trout. Reducing the amount of sediment entering water bodies through best land management practices will help to address these issues.

DO19.1.4.v Improvement of water quality in Class C water bodies will also assist with improving water quality in the coastal receiving environments of Nelson Haven, Delaware Inlet, Whangamoā Estuary and Omokau Bay. (See Appendices 28.4 - 28.7 for the classification of Nelson water bodies and discharge standards.)

## **policy**

### **DO19.1.5 minimum quality**

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*No water bodies which are of a quality less than Class C. Top priority for improvement will be those waterbodies listed as first priority in Appendix 28.4.*

#### **Explanation and Reasons**

DO19.1.5.i Class C water quality is considered to be suitable for secondary contact recreation (such as boating), stock water, irrigation, and some aquatic ecosystems. It is also aesthetically acceptable. Below this quality, values begin to be significantly affected. Water quality below 'C' is therefore undesirable.

DO19.1.5.ii Many of Nelson's urban streams are currently below this standard. All of the water bodies in the Stoke area are currently Class D and E, as are the Atawhai and Glen water bodies and the lower reaches of Brook Stream.

DO19.1.5.iii This means they have diminished aesthetic values, and are not suitable for any contact recreation, as drinking water for human consumption (if untreated), stock water or irrigation. Class D water will only support the less sensitive species of fish and a low diversity of aquatic invertebrates. Class E water does not support any fish life and very few types of aquatic invertebrates.

**DO19.1.5.iv** Class D and E waters often have high nutrient levels. This causes nuisance algal growths which can make a water body undesirable for swimming, degrade benthic invertebrate communities and impair spawning habitat for native fish.

**DO19.1.5.v** Higher contaminant levels can directly harm the health of humans, domestic animals including stock, and/or aquatic life. Contamination can occur either through the levels of contaminants in a specific discharge or through the cumulative build up of contaminants in the water and/or bed sediment from multiple sources. Organic matter can have toxic effects on aquatic life when it builds to levels that decrease available oxygen in the water. High concentrations of ammonia, heavy metals and poisons are examples of other contaminants that can have toxic effects. These rivers can also adversely affect the Haven and Waimea estuaries.

**DO19.1.5.vi** Section 5 of the Resource Management Act requires the Council to safeguard the life supporting capacity of water, and ecosystems. Improvement of Class D and E water bodies to a Class C level, which would enable them to support fish and a moderate diversity of invertebrates, is considered an appropriate objective. Three methods to improve degraded urban water bodies are to plant the margins, improve the quality of discharges entering freshwater, and to improve the fish passage in any instream structures. Council is committed to undertaking such improvements on all urban streams, but it is a long term and extensive programme and progress will be gradual.

**DO19.1.5.vii** In some cases it may not be practicable to achieve Class C water quality in a particular waterbody, due to conditions beyond the Council's control or ability to fund. Ongoing assessment of stream health will be carried out through the state of the environment monitoring and reporting programme. Where Class C is not attainable this will be reported, and explanation will be provided.

**DO19.1.5.viii** Wetlands which have been specifically constructed to improve water quality are exempt from this policy and related rules.

## **policy**

### **DO19.1.6 enhancing water quality**

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*To identify and take opportunities to enhance existing water quality.*

#### **Explanation and Reasons**

**DO19.1.6.i** Appendix 28.4 (classification of Nelson water bodies) lists the current classification of each water body from A to E (from excellent to very degraded). This classification draws on the monitoring undertaken since 2000 and the key factors which are influencing each classification are listed. The table also shows what uses and values the water body currently has. Appendix 28.4 is included in the Plan to assist applicants and decision-makers to assess the potential effects of proposed activities.

**DO19.1.6.ii** The first priority is to avoid further degradation and to maintain the qualities of mid to higher value watercourses. However, a guide of priorities for improvement is also listed. Top priority has been assigned to those water bodies where the classification is not appropriate for the uses and values of it. For example, the mid and lower reaches of the Maitai River are high priority for improvement because they have a Class C water quality but some uses and values associated with it, including swimming, require Class B quality water. The priorities for enhancement which are listed in Appendix 28.4 are a guide only, and all improvement projects will need to be considered on a case by case basis.

**DO19.1.6.iii** This table should be taken into consideration whenever someone applies for a resource consent to discharge to water bodies or land because there is an opportunity, particularly with new resource consents for existing discharges, to achieve an enhancement in water quality. This can occur when the consent holder re-examines the discharge activity and makes use of technological advances in the reduction, recycling or treatment of contaminants. There will also be opportunities outside of the resource consent process to enhance water quality.

**DO19.1.6.iv** Contaminants include any substance which, when discharged into a water body, changes or is likely to change the physical, chemical or biological condition of the water.

**DO19.1.6.v** The Council will have regard to Appendix 28.4 when considering resource consents to discharge contaminants to water bodies from either specific or diffuse sources, which include the following activities:

- i) the discharge of sediment, and
- ii) contaminant levels in stormwater runoff, including from industrial or trade processes, and
- iii) inappropriate storage, handling, spill management and application of agrichemicals, and
- iv) the excessive application of fertilisers to land, and
- v) discharges from contaminated land, and
- vi) discharges from landfills, and
- vii) contaminant levels in wash water and wastewater from industrial and trade processes.

**DO19.1.6.vi** This policy is adopted to ensure that opportunities are taken to achieve improved water quality in Nelson's rivers and streams.

#### **Methods (for policies DO19.1.1 - DO19.1.6)**

**DO19.1.6.vii** Consider the classification and priorities for improvement listed in Appendix 28.4 as an assessment matter during the resource consent process.

**DO19.1.6.viii** The priorities for improvement listed in Appendix 28.4 should be used to guide Council's consideration of its stormwater and roading asset management plans.

**DO19.1.6.ix** When considering new applications for discharges to water bodies or land, Council will require an applicant to provide information about the quality of a proposed discharge (what Class it is) based on the water quality and sediment quality standards in Appendix 28.6. When preparing environmental effects assessments, this information will provide applicants with an indication of the approach which the Council will take to assess the acceptability of a discharge to a water body or with potential to reach a water body.

**DO19.1.6.x** Have regard to the water quality classifications of Nelson's rivers and streams when assessing discharge and land use applications with the potential to impact on waterbodies.

**DO19.1.6.xi** Set consent conditions that ensure freshwater resources are being managed in accordance with agreed objectives.

**DO19.1.6.xii** Require best practicable option for mitigating and avoiding the effects of discharges.

**DO19.1.6.xiii** Assessment matters for resource consent applications and conditions on consents.

### **policy**

#### **DO19.1.7 effect of land use activities on surface water bodies**

*To control land use activities which have potential to adversely affect surface water quality and to encourage land use activities that minimise and filter contaminants entering water bodies.*

#### **Explanation and Reasons**

**DO19.1.7.i** This policy is adopted to minimise and, as far as possible, avoid the potential for contamination of surface water bodies from leaching liquid contaminants. It is important to maintain existing water quality to provide for the existing and potential uses of that water.

(Cross references: RUr.24, RUr.25, RUr.26, RUr.27, RUr.31, RUr.58, RUr.63, RUr.78)

## Methods

- DO19.1.7.ii Promote establishment of riparian vegetation as a means to filter contaminants and prevent sediment and contaminants from entering water bodies.
- DO19.1.7.iii Regional rules and compliance monitoring, supported by enforcement action as required.
- DO19.1.7.iv Assessment matters for resource consent applications and conditions on consents, including the setting aside of esplanade reserves and strips alongside waterbodies specified in Appendix 6.
- DO19.1.7.v Develop a programme of funding and support to assist landowners with management of riparian margins.
- DO19.1.7.vi Provide advice on methods of agrichemical and fertiliser use that avoid effects on water bodies.

## policy

### **DO19.1.8 stormwater discharges**

*The level of contaminants in point source stormwater discharges to water bodies will be avoided or remedied.*

#### Explanation and Reasons

DO19.1.8.i Stormwater is generated by runoff from land or hard surfaces. In urban areas of Nelson City, stormwater is reticulated through stormwater drains to receiving waters such as channels, streams, rivers or coastal margins. Urban stormwater typically contains a wide variety of contaminants, with the potential to adversely affect aquatic life, amenity or cultural values (including oil and other hydrocarbons, heavy metals, sediment, microbes and nutrients). Stormwater may be contaminated by unauthorised discharges of water directly into stormwater pipes or channels, either accidental or deliberate. In residential areas, stormwater drains frequently receive soapy water from washing cars, residues from cleaning paint brushes and oil spilt during oil changes. Process wastes or industrial chemicals may be illegally discharged into stormwater drains servicing industrial or trade premises.

DO19.1.8.ii In Nelson, the extent and effects of stormwater discharges to urban rivers and streams is still being analysed. However it is likely, on the basis of experience elsewhere, that the "first flush" of stormwater discharged from urban areas after a rainstorm will contain large quantities of contaminants. Existing monitoring results also suggest stormwater is adversely impacting on the health of Nelson's urban water bodies.

DO19.1.8.iii This policy and corresponding rule for discharges to water bodies requires the best practicable option to be used to minimise the level of contaminants in stormwater discharges. This means using the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to:

- i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects, and
- ii) the financial implications, and the effects on the environment, of that option when compared with other options, and
- iii) the current state of technical knowledge and the likelihood that the option can be successfully applied.

## **policy**

### **DO19.1.9 improvements to stormwater discharges**

*When further work has been carried out to assess the quality of stormwater discharges, and practicable options for improvement have been identified by the Council, a plan change, requiring more specific water quality standards to be met, will be considered.*

#### **Explanation and Reasons**

**DO19.1.9.i** It is expected that the prime means of improving stormwater discharges in the long term will be through adopting best management practices and/or best practicable options to prevent contaminants entering the stormwater system.

**DO19.1.9.ii** Specific water quality standards have not been set for stormwater discharges in recognition of the complexity of diffuse and wide-ranging sources of stormwater contamination. By April 2006 the Reticulated Stormwater Quality Improvement Plan will be completed. This plan will include proposals and procedures to reduce contamination of stormwater discharges from: Council owned pipes, existing industrial and commercial activities, and from residential properties, controlled through the development of the NCC Stormwater Bylaw 2006.

**DO19.1.9.iii** Bylaws are considered an effective way to control diffuse discharges to the Council's stormwater system. By the time those diffusely collected stormwater discharges reach natural water, the opportunity to control the source of contamination is lost.

#### **Methods (for policies DO19.1.8 and DO19.1.9)**

**DO19.1.9.iv** a) Seek advice on the practicable options for changes in the Council's land use provisions in order to work towards stormwater infiltration to pre-development levels while maintaining secondary stormwater system with Q15 capacity and a tertiary stormwater overland flow with Q100 capacity.

b) Assess the costs and benefits of those options.

c) Refer to sections 5.16.1c), 5.16.4a) to b), 5.16.4d) to m), 5.16.5a), 5.16.6a), 5.17.7a) to c) and Table 5-13 in section 5 "Stormwater" of the NCC Land Development Manual 2010.

d) Consider a remissions policy for low impact design within the Council's policy on development contributions.

**DO19.1.9.v** The priorities for improvement of waterbodies listed in Appendix 28.4 should be used by the Council when considering its stormwater and roading asset management plans.

**DO19.1.9.vi** Develop and implement the Reticulated Stormwater Quality Improvement Plan and the programmes associated with it.

**DO19.1.9.vii** Control discharges to the Council's stormwater system.

**DO19.1.9.viii** Promote awareness of stormwater issues.

**DO19.1.9.ix** Place conditions on resource consents for stormwater discharges.



## **policy**

### **DO19.1.10 new development**

*Maintain existing water quality by requiring use of techniques to limit both non-point discharges and control point source stormwater discharges caused by land disturbing activities such as forestry, subdivisions and land development, increased impervious surfaces, and commercial and industrial activities.*

#### **Explanation and Reasons**

DO19.1.10.i These activities can cause sedimentation and contamination of waterways. For this reason Council has erosion and sediment control guidelines and requirements which are incorporated into section 9.3 of the NCC Land Development Manual 2010. They control land disturbing activities on areas of land greater than 0.3ha.

DO19.1.10.ii Nelson's population is predicted to increase by 24% from 2001 to 2021. The impacts of the population increase on stormwater are varied and significant. These include:

- increase in the amount of land covered in impervious surfaces which increase stormwater runoff and contamination, and
- increase in contamination and sedimentation from building activity, and commercial and industrial activity, and
- increase in urban transport resulting in increased pollution.

#### **Methods**

DO19.1.10.iii Promote and assist with establishment of riparian vegetation as a means to filter contaminants and prevent sediment and contaminants from entering water bodies.

DO19.1.10.iv Promote and assist with low impact design options for stormwater management.

DO19.1.10.v Conditions and enforcement on earthworks consents.

DO19.1.10.vi Council will work with stakeholders to establish a memorandum of understanding regarding erosion and sediment controls and compliance monitoring procedures for forestry activities, including earthworks, roading, and harvesting.

DO19.1.10.vii Review the effectiveness of the Council's approach to forestry activities to ensure it is avoiding, remedying or mitigating adverse effects on water bodies.

## **policy**

### **DO19.1.11 new and existing discharges to water**

*To review all existing discharge permits (other than stormwater) by January 2006 and apply a standard condition so that the new water quality discharge standards are fully complied with within five years of the freshwater plan change becoming operative.*

#### **Explanation and Reasons**

DO19.1.11.i "Existing discharge" is defined as a discharge which was lawfully established and in use at the date of public notification of these freshwater provisions. In order to achieve best practicable water quality it is necessary to review discharges currently entering Nelson's water bodies and to reduce the impacts of those discharges where they do not meet the standard expected of new discharges.

DO19.1.11.ii This is consistent with sections 68(7) and 128 of the Resource Management Act which state that:

- a) where a regional plan includes a rule relating to minimum standards of water quality, the plan may state whether the rule shall affect the exercise of existing resource consents for activities which contravene the rule, and that the holders of resource consents may comply with the terms of the rule, or rules, over specified periods, and
- b) in order to enable minimum water quality standards set in an operative regional water plan to be met, a consent authority may serve notice of its intention to review the conditions on a resource consent. [Note: stormwater has been excluded from this policy as it is covered in Policy DO19.1.8 (stormwater discharges) and Policy DO19.1.9 (improvements to stormwater discharges).]

#### Methods

DO19.1.11.iii Education about appropriate disposal methods and options, particularly for swimming pool water, car wash water and water used to wash buildings using detergents or chemicals. In most cases this water should be discharged to the sewerage system.

DO19.1.11.iv Include a standard condition on each new discharge permit which provides for review of the conditions of any resource consent for discharging a contaminant to water bodies or land.

### **policy**

#### **DO19.1.12 Water Quality (NPS – Freshwater Management 2014)**

*1. When considering any application for a discharge, the consent authority must have regard to the following matters:*

- (a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and*
- (b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with freshwater, resulting from the discharge would be avoided; and*
- (c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and*
- (d) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with freshwater resulting from the discharge would be avoided.*

*2. This policy applies to the following discharges (including diffuse discharge by any person or animal):*

- (i) a new discharge; or*
- (ii) a new change or increase in any discharge of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.*

*3. Paragraphs (a) and (b) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.*

*4. Paragraphs (c) and (d) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 4 July 2014.*

#### Explanation and Reasons

DO19.1.12.i This policy has been included (under section 55 RMA) as directed by the National Policy Statement for Freshwater Management 2014.

## **objective**

### **DO19.2 contamination of groundwater**

*Contamination of groundwater is avoided to ensure the highest practicable water quality.*

## Explanation and Reasons

DO19.2.i A range of activities have the potential to degrade groundwater including fertiliser and pesticide use, irrigation and septic tank effluent, and hazardous substances storage and use (including petrol and diesel tanks).

DO19.2.ii By the time contamination has been detected it is usually too late to carry out preventative measures. Cleaning up contaminated groundwater can be expensive and in some cases it may not be technically feasible. Contaminants remain in groundwater for a long time (years) and can affect many existing uses. Therefore, the priority for groundwater contamination should be avoidance rather than mitigation.

## policy

### DO19.2.1 Effect of land use activities on groundwater

*Ensure that land use activities are managed so that groundwater quality is not adversely affected.*

## Explanation and Reasons

DO19.2.1.i This policy is adopted to minimise and, as far as possible, avoid the potential for long term contamination of groundwater resources from leaching liquid contaminants. It is important to maintain existing groundwater quality in Nelson's aquifers to provide for the existing and potential uses of that water.

## Methods

DO19.2.1.ii Require applicants to provide information about the quality of any proposed discharge (what Class it is) based on the water quality standards in Appendices 28.5 - 28.7.

DO19.2.1.iii Best practicable option for mitigating and avoiding the effects of discharges.

DO19.2.1.iv Provide information on minimising use of pesticides, oils, and other potential contaminants to people in key recharge areas.

DO19.2.1.v Ensure that land use activities are managed so that groundwater quality is not adversely affected.

DO19.2.1.vi Increase Council knowledge of groundwater sources by compiling current information and, as a condition on consents for new bores, requiring new information to be provided to the Council.

## DO19e environmental results anticipated and performance indicators

The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.

Anticipated environmental results	Indicators	Data source
DO19e.1 No decline in water quality.	DO19e.1.1 Water quality classifications.	Stream health monitoring programme
DO19e.2 New land uses with impacts on surface water bodies.	DO19.e.2.1 Monitoring of consents.	Council inspections
DO19e.3 Improvement of the quality of stormwater discharges.	DO19e.3.1 Analysis of stormwater discharges and sediment contamination.	Stormwater samples Sediment samples
DO19e.4 Groundwater maintained in its natural state.	DO19e.4.1 Monitoring of the quality of abstracted groundwater.	Groundwater samples

## **DO20 Freshwater management**

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DO20.i The issues in regard to freshwater management are discussed in Chapter 4 (particularly RI18).

### **objective**

#### **DO20.1 integrated water management**

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*A management approach that integrates the expertise of relevant statutory authorities and manawhenua iwi and other stakeholders in the community, and recognises the responsibilities they have for the protection and use of freshwater resources.*

##### **Explanation and Reasons**

DO20.1.i Water resource knowledge and information links are fundamental to the assessment of freshwater resources and subsequent management decisions. Without knowledge and information, water management decisions may be inaccurate or ineffective. Building a comprehensive knowledge base requires the development of working relationships and effective data exchange between people and agencies working in different fields of expertise and for different organisations such as Federated Farmers, New Zealand Forest Owners Association, New Zealand Farm Forestry Association and the rural land owners of the district.

Examples of collaboration include:

- Nelson City Council and Tasman District Council have combined website technology to provide the public with up to date river flow data for all catchments.
- The Department of Conservation monitors and provides the Council with information on fish species occurring in Nelson rivers.
- Iwi, Department of Conservation, Tasman District Council and Nelson City Council collectively provide 'Waimaori', a monitoring, education and action programme that encourages schools and communities to become kaitiakitanga (guardians) of their local streams.
- Currently forestry owners Weyerhaeuser and Hancock Forest Management both have environmental committees or forums which provide opportunities for sharing knowledge and experience between the forestry companies and Department of Conservation, Fish and Game Council, and territorial authorities Tasman District Council and Nelson City Council.
- Rural land owners and the Council are working together to recreate habitats along river margins.

### **policy**

#### **DO20.1.1 other management plans**

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*Decisions on water management are made having regard to relevant management plans prepared by manawhenua iwi and statutory authorities such as the Department of Conservation, Nelson Marlborough Fish & Game Council and Nelson City Council.*

##### **Explanation and Reasons**

DO20.1.1.i The Department of Conservation and the Nelson Marlborough Fish & Game Council both have statutory responsibilities to advocate for water quality and aquatic habitats. Manawhenua iwi also have a key role as kaitiaki (guardians) of water resources. Any management plans prepared by such agencies need to be considered when making decisions affecting freshwater resources because it is important for all water management agencies and iwi to work in an integrated and co-operative way to achieve sustainable management of freshwater resources.

## policy

### DO20.1.2 liaison with neighbours

*Liaise and consult with Tasman District Council over resource management cross-boundary issues.*

#### Explanation and reasons

DO20.1.2.i There is the potential for cross boundary resource management issues to arise with neighbouring local authorities. In general, it is preferable to adopt a whole catchment approach for river management, rather than considering only isolated issues without taking into account the effects on the whole catchment. However, parts of the Roding River are currently managed separately. The present boundary on the Roding River between Nelson City Council and Tasman District Council was established in 1989 by the Local Government Commission to ensure that the Roding waterworks lay within the Nelson City Council territorial area.

## Policy

### DO20.1.3 liaison with stakeholders

*Decisions on water management are made having regard to the knowledge and experience of stakeholders actively involved in water use and water management.*

#### Explanation and reasons

DO20.1.3.i Many people and organisations, particularly in the Rural Zone, have first hand knowledge of the water issues facing their community. Building a comprehensive understanding of the effect of freshwater policies and consent decisions requires the development of working relationships and effective information exchange between the Council and the people most directly affected by water management decisions.

#### Methods (for policies DO20.1.1, DO.1.2 and DO20.1.3)

DO20.1.3.ii Consultation with water management agencies and authorities such as Tasman District Council, Department of Conservation, Nelson Marlborough Fish & Game Council and manawhenua iwi.

DO20.1.3.iii Rules requiring liaison with water management agencies and authorities where activities will disturb the beds of rivers and lakes.

DO20.1.3.iv Consultation with the affected community when making water management decisions.

## DO20e environmental results anticipated and performance indicators

*The following results are expected to be achieved by the foregoing objectives, policies and methods. The means of monitoring whether this Plan achieves the necessary outcomes are also detailed below.*

Anticipated environmental results	Indicators	Data source
DO20e.1 Activities involving freshwater resources being carried out in a manner which avoids adverse effects.	DO20e.1.1 Degree to which relevant management plans are integrated into statutory Council processes.	Council documents
DO20e.2 Freshwater management rules and resource consent conditions which avoid adverse effects on neighbours.	DO20e.2.1 Monitoring of consents.	Community feedback Council inspections