

# Part 1 – Introduction and general provisions

## How the Plan Works

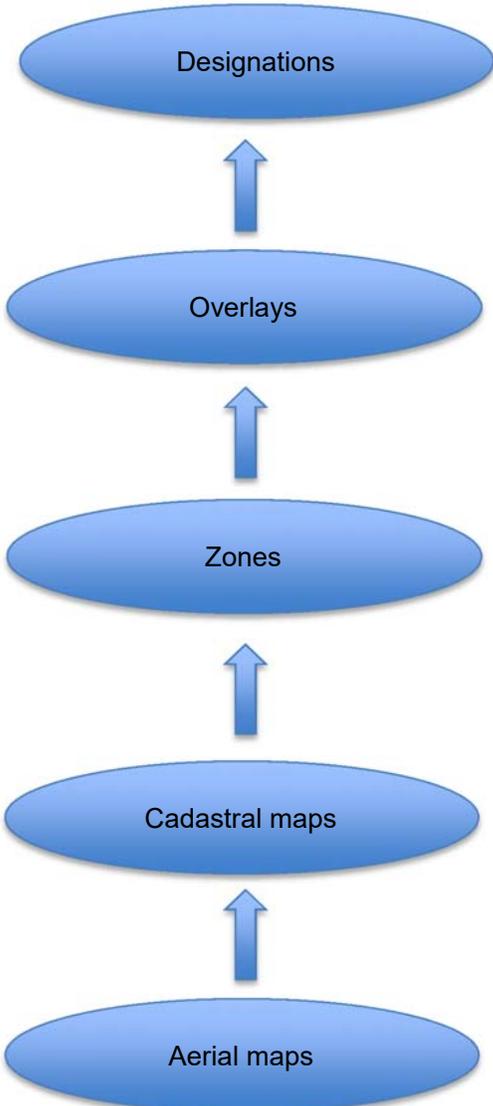
### Relationship between spatial layers

#### 1. Nelson Plan Maps

The Nelson Plan Maps are an integral part of the Nelson Plan. They contain:

- 1. a cadastral and aerial base, showing property boundaries;
- 2. information to aid location and interpretation of the Nelson Plan Maps, for example, street, stream and river locations and names, and the location of the Horoirangi Marine Reserve and the Wakapuaka Taiāpure; and
- 3. the different spatial layers as described below.

Relationship between spatial layers – Figure 1: The different layers of the Nelson Plan Maps



## 2. Zones

A zone is a defined area shown on the Nelson Plan Maps, used to manage areas with common environmental characteristics, or where similar environmental outcomes are sought.

All land within Whakatū Nelson is located within one of the following zones:

**Relationship between spatial layers – Table 1: Zones**

<b>Chapters</b>	<b>Zones</b>
<b>RESZ – Residential zones</b>	GRZ – General residential MRZ – Medium density residential
<b>RURZ – Rural zones</b>	GRUZ – General rural RLZ – Rural lifestyle
<b>CMUZ – Commercial and mixed use zones</b>	NCZ – Neighbourhood centre LCZ – Local centre MUZ – Mixed use CCZ – City centre
<b>INZ – Industrial zones</b>	LIZ – Light industrial GIZ – General industrial
<b>OSRZ – Open space and recreation zones</b>	NOSZ – Natural open space OSZ – Open space SARZ – Sport and active recreation
<b>SPZ – Special purpose zones</b>	AIRPZ – Airport HOSZ – Hospital PORTZ – Port CAWZ – Cawthron NMITZ – Nelson Marlborough Institute of Technology

Zone based provisions, which apply to activities undertaken within each zone, are located in Part 4 – Area specific matters. Descriptions of each zone and the areas they relate to are provided in the introduction to each zone chapter. All zone provisions are DP provisions.

Rules and standards in other chapters of Part 3 and Part 4 which apply or do not apply to activities in a zone are specified in the Rule interpretation and application section of each zone chapter.

Roads have the same zoning as the land that surrounds them. Where a road runs along the boundary of two different zones, the zone boundary is the centre line of the road. Where a road runs beside the coast, the boundary of the Coastal marine area is Mean High Water Springs, not the centre of the road, and therefore the entire road is in the adjoining land zone. A bridge has the zoning of a riverbed or other

land beneath it. In the context of the Nelson Plan, a road means the entire area of legal road between the boundaries of adjoining parcels of land, not just the formed carriageways. The construction of roads is a permitted activity as set out in Part 3 EIT – Energy, infrastructure and transport.

Land forming part of a water body, where not otherwise zoned, takes the zoning of the land that surrounds it. Where a water body occurs on the boundary of two different zones, the zone boundary is the centre of the water body. Note that activities on the beds and the surface of water bodies are subject to the provisions of Part 3 LF – Land and freshwater and ASW – Activities on the surface of water.

Where an activity occurs on a site that has more than one zoning, then the activity must comply with all zone rules that apply to that particular part of the site in which the relevant activity is located, including when more than one set of zone provisions apply.

**3. Coastal marine area**

The Coastal marine area of Whakatū Nelson is that area comprising the foreshore, seabed and coastal water, and the air space above water, seaward from Mean High Water Springs to the outer limits of the territorial sea (12 mile limit) (see Description of the region – Figure 1: Area under the responsibility of Nelson City Council).

The indicative location of Mean High Water Springs, as determined with reference to tide and LiDAR data, is shown on the Nelson Plan Maps. It is used to define the boundary between the Coastal marine area and terrestrial zones. As it is indicative, the location shown on the Nelson Plan Maps is not a substitute for a land survey, where required, for the purposes of subdivision or for the determination of activity status.

Provisions for the Coastal marine area are located in Part 3 CE – CMA – Coastal marine area, and are Regional coastal plan provisions.

There are locations where the interface between the Coastal marine area and land-based activities or values means the spatial layers overlap, for example at Port Nelson.

**4. Development areas**

The development areas spatially identify and manage areas where growth has been identified in the Nelson Tasman Future Development Strategy to determine future land use or development.

Development area provisions manage the effects and demands of development in an integrated way. Provisions relating to the development areas are found in Part 4 – Area specific matters.

There are two development areas in Whakatū Nelson:

**Relationship between spatial layers – Table 2: Development areas**

Development area	Explanation
DEV1 – Maitahi	Located in the Maitahi/Mahitahi/Maitai River Valley, to the north of Ralphine Way. <i>[Will be developed and published once an anticipated Private Plan Change application process for this development is resolved]</i>
DEV2 – Saxton	Located inland and adjoining Saxton Field, between Suffolk Road and Hill Street North.

When subdivision and development within a development area is complete, the development area’s spatial layer is generally removed from the plan either through a trigger in the development area provisions or via a plan change.

**5. Precincts**

A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated for the underlying zone. A precinct in the Nelson Plan may apply both seaward and landward of Mean High Water Springs, such as for the PREC19 – Marina precinct.

Provisions relating to precincts are found in Part 4 – Area specific matters, and are referenced within each of the zone chapters where they apply.

The precincts are subject to additional or more specific provisions than those that apply to the zone in general. In most cases, these specific provisions take precedence over the zone objectives, policies and rules.

The precincts in the Nelson Plan are listed in Relationship between spatial layers – Table 3:

**Relationship between spatial layers – Table 3: Precincts**

Zone	Precinct	Explanation
<b>RURZ – GRUZ – General rural zone</b>	PREC1 – Flaxmore quarry precinct	Relate to the three existing quarries in Whakatū Nelson, which have specific provisions to enable their ongoing operation and development while managing potential effects on surrounding amenity values.
	PREC2 – Marsden quarry precinct	
	PREC3 - York Valley quarry precinct	
<b>RURZ – RLZ – Rural lifestyle zone</b>	PREC4 – High density precinct	Delineate within the Rural lifestyle zone those areas with a higher density of built large lot residential lifestyle development where living activities predominate; and those with relatively low density built environment where small scale rural production activities are secondary to rural residential living.
	PREC5 – Low density precinct	
<b>OSRZ – NOSZ – Natural open space zone</b>	PREC6 – Conservation precinct	Identifies areas in the Bryant and Whangamoā Ranges with high indigenous biodiversity, natural landscape and ecological values, formerly the Conservation Zone in the Nelson Resource Management Plan.
	PREC7 – Hillside reserves precinct	Areas of open space on hillsides overlooking, and providing a vegetated backdrop to, the Nelson urban area.

	PREC8 – Esplanade and foreshore precinct	Relates to Council reserves adjacent to waterways and the coast.
<b>OSRZ – OSZ – Open space zone</b>	PREC9 – Public garden precinct	Identifies the premier parks with landscape, arboriculture and heritage values, such as Queens Gardens, Isel Park and Broadgreen.
	PREC10 – Neighbourhood park precinct	Are open spaces generally located within or close to residential neighbourhoods and used for a range of informal recreation and leisure purposes in a local context.
	PREC11 – Cemetery precinct	Relates to the City’s cemeteries such as Wakapuaka and Marsden, but also historical cemeteries such as Quakers Acre and Hallowell.
	PREC12 – City park precinct	Are located within and complement activities that occur with the inner city and suburban centres.
<b>OSRZ – SARZ – Sport and active recreation zone</b>	PREC13 – Camping ground precinct	Identifies the City’s three camping grounds at Maitai, Brook Valley and Tahunanui.
	PREC14 – Wakefield Quay precinct	Wakefield Quay used predominantly as a boat launching site.
	PREC15 – Sports park precinct	Identifies areas with facilities and used for formal sports, including national and international events. Includes regional sports fields and facilities such as Trafalgar Park and Saxton Stadium, local playing fields such as Ngawhatu and the Botanics, and the city’s two golf courses.
<b>SPZ – AIRPZ – Special purpose zone Airport</b>	PREC16 – Core airport precinct	<b>The Airport chapter of the Draft Nelson Plan will be published once Council has received confirmation of the Airport Company’s future plans.</b>
	PREC17 – Airport environs precinct	<b>The Airport chapter of the Draft Nelson Plan will be published once Council has received confirmation of the Airport Company’s future plans.</b>
<b>SPZ – PORTZ – Special purpose zone Port</b>	PREC18 – Port operational precinct	Identifies the area that encompasses the activities permanently occupied by, and under the day-to-day control of, the entity that manages the Port of Nelson.  Noise from activities within this precinct are managed in accordance with the provisions of the Port Noise Management Plan.

<b>Multi-zone Precinct</b>	PREC19 – Marina precinct	The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.
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## 6. Overlays

An overlay spatially identifies distinctive values, environmental risks or specific environmental issues that require management. Where an overlay relates to a specific object, such as heritage items or notable trees, icons are used to identify these objects.

The provisions relating to overlays are found in Part 3 – Domains and Topics of the Nelson Plan.

Where an overlay or icon is identified, special provisions will apply to that area or object in addition to any zone or other area specific provisions in the Nelson Plan. The rules relating to the overlays or icon will only address the effects of specific activities on stated values or issues for which the overlay or icon has been identified.

Some land parcels, or locations within the Coastal marine area, may be subject to more than one overlay or icon. Where an activity occurs on a site where more than one overlay applies, or where it occurs on a site that is partially affected by an overlay, then the activity must comply with all applicable overlay provisions that apply to the whole of the site or that particular part of the site in which the relevant activity is located. Where icons are identified the relevant rules set out the circumstances in which they are applied, usually based on the distance of the activity from the object or item in question.

It may be possible that an overlay or icon is identified for a site but the rule table for the zoning of that site specifies that the chapter relevant to that overlay or icon does not apply to activities in that zone and therefore no additional resource consent requirements are imposed.

The overlays and icons shown on the Nelson Plan Maps are described in Table 4:

### Relationship between spatial layers – Table 4: Nelson Plan overlays

Domain or topic	Overlay, area or precinct	Explanation
<b>CMA – Coastal marine area</b> <b>CMAR – Coastal margins</b> <b>NCFLC – Natural character, features and landscapes in the coastal environment</b>	Outstanding natural features and landscapes overlay	Defined as required by the New Zealand Coastal Policy Statement. Applies to the Coastal marine area as well as landward portions of the coast. Triggers no resource consent per se, but referred to extensively in the Nelson Plan objectives and policies, and determines whether certain additional policy considerations relating to landscape and coastal natural character are brought to bear, where resource consents are required.
	Outstanding natural character overlay	Identifies those areas of outstanding coastal natural character within the Coastal marine area and Coastal environment. The values and attributes of these areas are contained in APP16 – Areas of outstanding coastal natural character.

	Port occupation area	Identifies that area of the Coastal marine area beneath and seaward of its wharves for which Port Nelson Ltd has a coastal permit to exclusively occupy the Coastal marine area.
	Estuary overlay	Identifies the area of the Coastal marine area where specific rules apply within an estuary to provide different activity status for some activities and structures.
	PREC19 – Marina precinct	Identifies that area of the Coastal marine area where specific rules apply to provide for the marina activities and structures.  <b>The Marina precinct chapter of the Draft Nelson Plan will be developed and published once work on the Marina spatial plan is more advanced.</b>
<b>LF – Land and freshwater</b>	Critical fish habitats	Indicate the location of inanga spawning areas, both confirmed and predicted. Note inanga spawning materials may cross the nominal boundary into the Coastal marine area in the vicinity of river and stream mouths. Also indicate the location of trout habitat and spawning areas.
	Groundwater strongly/poorly connected to surface water overlays	Indicate the location of unconfined and confined aquifers, for which there may be specific rules relating to water takes and discharges.
<b>EIT – Energy, infrastructure and transport</b>	Services overlay	Indicates areas with one or more of the following service constraints: <ol style="list-style-type: none"> <li>1. development of the area is not provided for in the Nelson City Council’s Long Term Plan;</li> <li>2. the area is low lying and requires filling before services can be provided;</li> <li>3. the area is one where extension of services is required to serve other land or contribute to a network. This includes the provision of legal roads and utilities up to the boundary of the development site to serve the development potential of adjoining land in the Services overlay;</li> <li>4. services are inadequate and require comprehensive upgrading before development can proceed; or</li> </ol>

		5. the area is above the contour for which water can be supplied to meet the requirements of the Nelson Tasman Land Development Manual 2019.
<b>NH – Natural hazards</b>	Tahunanui liquefaction risk overlay	Identifies the area at Tahunanui subject to risk of liquefaction.
	High flood hazard overlay	Identifies areas subject to higher risks associated with flooding. <i>[Currently subject to technical review and community engagement]</i>
	Flood hazard overlay	Identifies areas subject to risks associated with flooding. <i>[Currently subject to technical review and community engagement]</i>
	North Nelson flood hazard overlay	Identifies areas in North Nelson subject to risks associated with flooding. This overlay is based on flood hazard modelling which is less fine grained and anticipated land use is less intensive the approach to use and development is more enabling than for other flood overlays. Consequently, provisions support the location of sensitive uses above flood levels, focus on managing 'off site' effects, and impose controls on earthworks and subdivision. <i>[Currently subject to technical review and community engagement]</i>
	Fault rupture overlay	Identifies areas subject to risks associated with fault rupture.
<b>HH – Historic heritage</b> <b>TREE – Notable trees</b> <b>SASM – Sites and areas of significance to Māori</b>	Historic heritage item	Identifies the location of a Category A or B heritage building, place, object or linear feature. These items are listed in APP34 – Heritage items.
	Heritage streetscape overlay	Identifies the location of groups of buildings and associated spaces in Whakatū Nelson that have a consistent and specific heritage character. Some properties within heritage streets may also contain specific historic heritage items (see above).
	Regionally significant archaeology	Identifies the location of an archaeological site or linear feature that is deemed regionally significant.

		These sites and features are listed in APP35 – Regionally significant archaeology.
	Archaeological overlay	Identifies an area of archaeological significance (European only) where an archaeological item/s or feature has been found or is likely to be found.
	Sites of significance to Māori	The Sites of significance to Māori associated appendix and Nelson Plan maps will be updated once the assessments have been completed and will be available for feedback in Phase 2 engagement.
	Areas of significance to Māori	The Sites of significance to Māori associated appendix and Nelson Plan maps will be updated once the assessments have been completed and will be available for feedback in Phase 2 engagement.
	Notable trees – Heritage trees	The Notable trees chapter and associated appendices will be updated once tree assessments have been completed and will be available for feedback in Phase 2 engagement.
	Notable trees – Landscape trees	The Notable trees chapter and associated appendices will be updated once tree assessments have been completed and will be available for feedback in Phase 2 engagement.
	Notable groups of trees	The Notable trees chapter and associated appendices will be updated once tree assessments have been completed and will be available for feedback in Phase 2 engagement.
<b>ECO – Ecosystems and indigenous biodiversity</b>	Significant natural area overlay	Identifies those areas of significant indigenous vegetation and significant habitats of indigenous fauna that are subject to the provisions of the overlay.
<b>NATC – Natural character NFL – Natural features and landscapes</b>	Outstanding natural features and landscapes overlay	Identifies those outstanding natural features and landscapes that are subject to the provisions of the overlay. These are listed in APP37 – Outstanding natural landscape and features.
	City backdrop overlay	Identifies the hills that form the backdrop to Nelson City when viewed from significant vantage points in the city centre and from SH6, the coast and the airport. These are listed in APP36 – City backdrop.

	City backdrop overlay – Skyline areas	Identifies those portions of the City backdrop which form the skyline when viewed from significant vantage points. These are listed in APP36 – City backdrop. Resource consent status for specific activities differs from that in the broader City backdrop overlay.
<b>NOISE – Noise</b>	Noise effects overlays	Identifies where the following apply: Airport effects control overlay and limit line; Airport effects advisory overlay and limit line; Air noise boundary and Airport noise limit line; and Port effects control overlay.

## 7. Special controls

A special control spatially identifies where a site or area has provisions that are different from other spatial layers or provisions that apply to that site or area. The particular provisions that apply to that area or object are in addition to any zone or other area specific provisions in the Nelson Plan.

The special controls may also identify sites or areas with particular values that are referenced at a policy level in the Nelson Plan, to give meaning to that policy when applying provisions in the Nelson Plan.

### Relationship between spatial layers – Table 5: Nelson Plan special controls

	Special Control	Explanation
<b>CE – CMA – Coastal marine area</b>	Mooring management area	Identifies those areas within the Nelson Haven and in the vicinity of Haulashore Island where provision is made for moorings.
	Launching ramps	Marks the location of recognised points for the launching and retrieval of boats, and therefore where vehicle access to the Coastal marine area is authorised for this purpose.
	Regional surfing areas	Marks the location of popular surfing locations, the importance of which are recognised in Nelson Plan policy.
	Seaward extent of estuaries	Lines delineate the seaward extent of estuaries, within which certain activities are accorded specific consent status in the Coastal marine area provisions.
	National Grid transmission lines	Identifies the location of high voltage electricity transmission lines and support towers owned and operated by Transpower New Zealand. Development

<b>EIT – Energy, infrastructure and transport</b>		in proximity to these lines and towers are subject to specific controls set out in the relevant zones.
	Road hierarchy	<p>Categorises all public roads (whether existing or proposed) into one of the following classes:</p> <ol style="list-style-type: none"> <li>1. State Highway 6;</li> <li>2. Arterial;</li> <li>3. Principal;</li> <li>4. Collector;</li> <li>5. Sub Collector;</li> <li>6. Central City/Stoke Centre; and</li> <li>7. Local.</li> </ol> <p>Also identifies Indicative roads that are necessary to complete a connected transport network.</p>
<b>ECO – Ecosystems and indigenous biodiversity</b> <b>NATC – Natural character</b> <b>NFL – Natural features and landscapes</b>	Maitahi/Maitai/Mahitahi River Valley significant landscape	Identifies those parts of the Maitahi/Maitai/Mahitahi River Valley that have special landscape values (refer APP38 – Special landscape values associated with Maitahi/Mahitahi/Maitai River Valley). Does not trigger resource consent per se, but additional policy considerations apply where resource consent is required by an underlying zone.
	Nelson Haven significant feature	Identifies the special landscape values associated with the Nelson Haven (refer APP18 – Special landscape values associated with the Nelson Haven). Does not trigger resource consent per se, but additional policy considerations apply where resource consent is required by the underlying Coastal marine area provisions.
	Tahunanui Beach significant feature	Identifies special landscape values associated with Tahunanui Beach (refer APP17 – Special landscape values associated with Tahunanui Beach). Does not trigger resource consent per se, but additional policy considerations apply where resource consent is required by the underlying zone.
<b>SUB – Subdivision</b>	Indicative biodiversity corridors; Greenspace areas;	Identifies indicative locations for these features associated with the residential development of the Enner Glynn, Marsden and Ngawhatu Areas. Brought across from structure plan provisions

	Indicative Tree groups; and Indicative Walkways/Cycleways	originating in the operative Nelson Resource Management Plan. Subdivision rules require that these are provided for in the general accordance with the location shown on the Nelson Plan Maps.
<b>Commercial and mixed use zones</b> <b>MUZ – Mixed use zone</b> <b>CCZ – City centre zone</b>	View Shaft	Identifies the area from which Pikimai/the Cathedral mount may be viewed, and controls the height of buildings in relation to this (refer APP21 – Church Hill View Shaft).

## 8. Freshwater management units and catchments

The National Policy Statement Freshwater Management (NPS-FM) requires identification of freshwater management units (FMUs) for setting freshwater objectives, limits and management.

There are five FMUs in Whakatū Nelson:

1. FMU1 – Stoke;
2. FMU2 – Maitahi/Mahitahi/Maitai;
3. FMU3 – Wakapuaka;
4. FMU4 – Whangamoā; and
5. FMU5 – Roding.

The FMUs are shown on the Nelson Plan Maps.

There are 28 catchments within these FMUs. However, there are no provisions relating to any specific catchment.

Provisions relating to the freshwater management units are found in Catchments and areas. Their water allocation limits and minimum flows are set out in APP32 – Surface water allocation limits and their freshwater quality attributes are set out in APP33 – Water quality limits.

## 9. Airshed

**The air chapters and associated appendices of the Draft Nelson Plan will be published following the release by central government of the new National Environment standards for Air Quality.**

An airshed spatially identifies where the Minister for the Environment has specified an airshed under the Resource Management (National Environmental Standards for Air Quality) Regulations 2004.

There are five airsheds (A, B1, B2, C1, C2) in Whakatū Nelson, located within the Nelson urban area and portions of the GRUZ – General rural zone and RLZ – Rural lifestyle zone. Each airshed has differing air quality requirements.

Provisions relating to air discharges within these airsheds are found in AIR – Air. They are regional plan rules that apply to the discharge of contaminants irrespective of any provisions in the underlying zones or any other spatial layers of the Nelson Plan. They have effect throughout Whakatū Nelson, including

those parts of the Coastal marine area exposed at low tide and structures that extend from the land over the Coastal marine area.

## **10. Designations**

Designations to be addressed at the proposed plan stage.