

## Part 3

### Domains and topics

#### Topics

#### NEV – Natural environment values

#### PA – Public access

### Objectives

#### PA-O1 Public and customary access [RP, DP]

Public and customary access to and along Whakatū Nelson’s water bodies and the CMA – Coastal marine area that people use and enjoy is maintained and enhanced.

### Policies

#### PA-P1 Maintaining and enhancing public access [RP, DP]

Maintain and enhance public and customary access to and along rivers, streams, wetlands and the Coastal marine area:

1. through the creation of esplanade reserves and strips in accordance with the requirements set out in APP25 – Esplanade requirements;
2. through the creation of access strips, easements or other mechanisms to provide access when a land use application provides an opportunity for access to be provided; and
3. by seeking agreements with private landowners and land purchase, where appropriate.

#### PA-P2 Restricting activities that prevent or interfere with public access [RP, DP]

Restrict the following activities that would prevent or interfere with lawfully established public access to and along rivers, streams, wetlands and the CMA – Coastal marine area,

1. any use or development that would restrict walking access; and
2. vehicle use that would lead to conflicts with other users or compromise public safety.

#### PA-P3 Circumstances in which restrictions on public access may be appropriate [RP, DP]

Notwithstanding PA-P2, acknowledge that restrictions on public access to and along rivers, streams, wetlands and the Coastal marine area may be necessary, provided practicable alternative locations for the proposed activity and any existing public access have been considered to:

1. protect public health and safety;

2. protect customary activities, sites of significance to Māori and values of significance to tāngata whenua;
3. protect any coastal indigenous biodiversity habitats and indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species;
4. protect historic heritage;
5. ensure a level of security consistent with a resource consent;
6. provide for temporary activities;
7. provide for activities undertaken in accordance with the Defence Act 1990;
8. provide for network utility services;
9. provide for emergency vehicle access; or
10. provide for activities at the Nelson Port.

## Rules

### Rule interpretation and application

#### PA-R1 [RP, DP]

The rules that apply with respect to public access to and along rivers, streams, wetlands and the CMA – Coastal Marine Area are found in the zones chapters of Part 4 – Area specific matters (setback for buildings) and the SUB – Subdivision chapter (esplanade requirements).