

Part 3

Domains and topics

Topics

SUB – Subdivision

Objectives

SUB-O1 Form and function [DP, RP]
Subdivision results in the efficient use of land and achieves patterns of development which deliver good quality community environments that are compatible with the role, function and predominant character of each zone.
SUB-O2 Subdivision and infrastructure [DP, RP]
Subdivision occurs in locations and at a rate that: <ol style="list-style-type: none">1. is supported by the capacity of infrastructure networks; or2. provides for infrastructure facilities and networks that are sufficient to accommodate growth and development;3. are safe, efficient, effective and resilient;4. provide for the health, wellbeing and safety of the Whakatū Nelson community;5. facilitates the operation of regionally or nationally significant infrastructure; and6. are resilient to the potential effects of climate change.
SUB-O3 Special features/values subdivision [DP, RP]
Subdivision facilitates the protection of significant natural features and landforms, waterbodies, indigenous vegetation, historic heritage, cultural heritage and/or other identified features.
SUB-O4 Natural hazards area subdivision [DP, RP]
Resilience to natural hazards is enabled and increased.

Policies

All subdivision
SUB-P1 Zones and patterns of development [DP, RP]

Ensure that subdivision results in allotments that:

1. reflect the intended pattern of development and are consistent with the role, character and amenity values of the zone; and
2. are of a size and dimensions that are sufficient to accommodate the intended or anticipated use and development form for that zone.

SUB-P2 Boundary adjustments [DP, RP]

Enable boundary adjustments which achieve a more efficient and effective use of land.

SUB-P3 Infrastructure: General [DP, RP]

Require subdivision to give effect to the following EIT – Energy, infrastructure and transport objectives and policies:

1. EIT-O2 Infrastructure facilities and networks;
2. EIT-O4 Regionally significant infrastructure;
3. EIT-P4 General: Regionally significant infrastructure;
4. EIT-P5 General: Access, servicing or connectivity requirements;
5. EIT-P6 General: Standard of infrastructure;
6. EIT-P7 General: Works and services;
7. EIT-P8 General: Services overlay;
8. EIT-P10 Transport: Roading hierarchy;
9. EIT-P11 Transport: Public active transport;
10. EIT-P12 Transport: Vehicle parking, access and manoeuvring;
11. EIT-P14 Transport: Effects of subdivision, use and development;
12. EIT-P15 Electricity transmission: Effects on the National Grid; and
13. EIT-P16 Electricity transmission: Activities within the National Grid.

SUB-P4 Infrastructure: Design outcomes [DP, RP]

Require all subdivision to achieve the following design outcomes, recognising the scale of the subdivision proposed:

1. safe and efficient connections to existing and proposed road networks and cycle and pedestrian routes;
2. any relevant proposed road or walkway/cycleway identified on the Nelson Plan Maps is provided in general alignment with indicative locations identified;
3. safe speed environments and sightlines along any connecting road, cycle and pedestrian route, and at intersections;

4. ability to connect to reticulated municipal water supply and waste water, and where provided these networks shall be integrated into the design of roads and street features;
5. stormwater management capacity that:
 - a. minimises the risk of inundation of land and property;
 - b. avoids an increase in runoff from the site;
 - c. avoids adverse effects on waterbodies; and
 - d. enhances community resilience and wellbeing;
6. ability to connect to electricity and telecommunications of sufficient capacity for the anticipated land use or development on each allotment; and
7. resilience to the effects of climate change.

SUB-P5 Special features/values: General [DP, RP]

Manage subdivision of land containing significant natural features and landforms, waterbodies, indigenous vegetation, historic heritage, cultural heritage and/or other identified features to ensure their protection or enhancement in accordance with:

1. CE – Coastal environment objectives and policies:
 - a. CMAR-O2 Protection of coastal margins;
 - b. CMAR-P1 Identification and creation of esplanade reserves and strips;
 - c. CMAR-P3 Protection of coastal margins;
 - d. NCFLC-P1 Natural features and landscapes in the Outstanding natural features and landscapes overlay in the Coastal environment;
 - e. NCFLC-P2 Natural features and landscapes outside the Outstanding natural features and landscapes overlay in the Coastal environment;
 - f. NCFLC-P3 Natural character of the Coastal environment;
 - g. NCFLC-P4 Assessing the significance of adverse effects of activities on natural features and landscapes and natural character;
 - h. NCFLC-P6 Assessing the significance of adverse effects of activities with a functional or operational need; and
 - i. NCFLC-P8 Effects of development at Tahunanui Beach; and
2. HCV – Historical and cultural values objectives and policies:
 - a. HH-O1 Protection of historic heritage;
 - b. SASM-O1 Identification and protection of cultural heritage;
 - c. SASM-P1 Restrictions on activities near cultural heritage; and
 - d. TREE-O2 Protection of notable trees; and
3. NEV – Natural environment values objectives and policies:

- a. ECO-O1 No net loss of significant natural areas;
 - b. ECO-P4 Subdivision, use or development in the Significant natural areas overlay;
 - c. ECO-P5 Biodiversity corridors;
 - d. NFL-O1 Outstanding natural features and landscapes;
 - e. NFL-P1 Protection of outstanding natural features and landscapes;
 - f. NFL-P2 Considerations relating to adverse effects on outstanding natural features and landscapes;
 - g. NFL-P4 Considerations relating to functional or operational needs;
 - h. NFL-P5 Remedy or mitigate adverse effects on Maitahi/Mahitahi/Maitai River Valley values and attributes;
 - i. NFL-P6 Maintain City backdrop values and attributes and values;
 - j. PA-P1 Maintaining and enhancing public access; and
 - k. PA-P2 Restricting activities that prevent or interfere with public access; and
4. LF – Land and freshwater policies:
- a. LF-P6 APP25 – Esplanade requirements;
 - b. LF-P8 Additional esplanade requirements;
 - c. LF-P44 Stormwater detention;
 - d. LF-P45 Urban development: soakage capacity; and
 - e. LF-P46 Low impact stormwater design.

SUB-P6 Special features and values: Heritage items and notable trees [DP]

Provide flexibility in minimum lot sizes and shape factor requirements for subdivision of sites containing historic heritage items listed in APP34 – Heritage items, sites of significance to Māori listed in APP44 – Sites of significance to Māori, notable trees listed in APP47 – Notable trees or notable group of trees listed in APP49 – Notable groups of trees, where the subdivision is designed to:

1. avoid, remedy or mitigate adverse effects on the heritage values (and for trees - amenity, landmark and arboricultural values) of the item;
2. provide sufficient curtilage around the item to protect heritage (and for trees - amenity, landmark and arboricultural) values;
3. minimise obstruction of views of historic heritage items from adjoining public spaces that may result from any future land use or development; and
4. be compatible with any relevant precinct design guide.

SUB-P7 Natural hazards: General [DP, RP]

Manage significant risks from natural hazards by:

1. restricting subdivision that:
 - a. creates new or exacerbates existing natural hazards including coastal hazards, erosion, slippage, subsidence, falling debris or flooding; or
 - b. results in adverse effects on the stability of land and buildings; and
 - c. does not provide safe, flood free and stable building platforms at the time of subdivision; and
 - d. is not resilient to the effects of climate change; and
2. requiring subdivision to give effect to NH – Natural hazards objectives and policies:
 - a. NH-O1 Natural hazards;
 - b. NH-P2 Flood hazard: Subdivision, use and development in the Flood hazard overlay;
 - c. NH-P6 Flood hazard: Adaptive management;
 - d. NH-P8 Flood hazard: North Nelson: Redevelopment;
 - e. NH-P11 High flood hazard: Subdivision, use and development;
 - f. NH-P12 Fault hazard: Subdivision, use and development;
 - g. NH-P14 Fault hazard: Fault trace;
 - h. NH-P15 Liquefaction hazard: Subdivision, use and development;
 - i. NH-P18 Coastal hazards: Identification; and
 - j. NH-P19 Coastal hazards: Interim measure.

SUB-P8 Natural hazards: Flood hazard and Fault rupture overlays [DP, RP]

Discourage subdivision in the:

1. High flood hazard overlay, except where the subdivision results in an allotment with a building platform outside the High flood hazard overlay, *flood hazard overlays are pending community engagement, technical development and review of flood hazard analysis; and*
2. Fault rupture overlay that creates an additional allotment or allotments that cannot provide for future development to be setback from the fault trace.

Urban subdivision

SUB-P9 Urban design: CPTED [DP, RP]

Ensure that publicly accessible spaces are designed to minimise the risk of harm to users in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).

SUB-P10 Urban design: Development areas/Greenfield residential outcomes [DP, RP]

Ensure that the subdivision in development areas gives effect to the applicable concept plan and that in both development areas and areas of greenfield land, the following urban design outcomes are achieved:

1. a range of allotment sizes to facilitate the future development of a variety of housing types and sizes, including:
 - a. sufficient site area to accommodate reasonably foreseeable future residential buildings in compliance with the standards of this Plan;
 - b. allotment shape and orientation to allow solar access to and privacy between existing and future residential buildings;
 - c. smaller sites that can accommodate smaller residential units; and
 - d. sufficient site area to accommodate on-site storage of harvested rainwater; and
2. a well connected transport network that enables safe and convenient movement between residential neighbourhoods, employment centres, community and educational facilities and public open spaces and includes:
 - a. walking and cycling routes, including routes separate from vehicle roads;
 - b. safe and efficient roads for private vehicles, public transport and kerbside car parking; and
 - c. attractive streetscapes including street trees and planted areas; and
3. a public open space network integrated within residential neighbourhoods that includes:
 - a. parks, recreation areas and small spaces where people can gather;
 - b. sites suitable for the development of future community facilities;
 - c. walking and cycling trails;
 - d. biodiversity corridors;
 - e. areas of existing vegetation and new planted areas;
 - f. freshwater features including ponds, riparian areas, stream corridors and wetlands;
 - g. natural features and landform and sites of heritage value; and
 - h. places where people can enjoy views of the neighbourhood, the City, surrounding hills and the coastline; and
4. in respect of SUB-P10.2. and SUB-P10.3. above, ensure that the proposed roads, walkways and cycleways, proposed green spaces, tree groups to be protected and indicative biodiversity corridors shown on the Nelson Plan Maps are created or set aside at the time of land subdivision, generally in the location shown on the Maps.

SUB-P11 Residential zones: Density [DP, RP]

Enable a mix of increasing residential development densities that overall maintains amenity values and quality of residential neighbourhoods, including:

1. infill subdivision and development that creates additional sites and dwellings from existing residential sites;
2. conversion of existing residential buildings to create additional residential units;
3. multi-unit developments; and

4. single detached dwellings on individual allotments.

SUB-P12 Residential zones: Multi-unit developments [DP, RP]

Encourage innovation in the design of residential subdivisions to enable multi-unit developments, including by:

1. amalgamation and redevelopment of existing sites to enable increased development density and efficient use of land;
2. commissioning expert design input from an architect or urban designer;
3. incorporating low impact stormwater design, and water efficient building design;
4. recognising that the built form standards may not always support the best design and efficient use of a site for higher density development; and
5. maintaining residential amenity values of adjoining sites and the wider neighbourhood.

SUB-P13 Commercial and mixed use zones [DP, RP]

Ensure that subdivision in the CCZ – City centre, MUZ – Mixed use, NCZ – Neighbourhood centre and LCZ – Local centre zones:

1. facilitates a range of development options;
2. maximises the development potential of the limited land available within the zones; and
3. gives effect to objectives and policy:
 - a. CCZ-O5 Public realm;
 - b. MUZ-O3 Public realm; and
 - c. LCZ-P6 Managing subdivision, use and development.

Rural subdivision

SUB-P14 Rural subdivision: General [DP, RP]

Ensure that where subdivision is proposed:

1. the proposed allotments are of a sufficient size to enable the following activities to establish and continue to operate:
 - a. rural production, rural industry, and rural tourism and recreation activities in any RURZ – Rural zone;
 - b. rural-residential and small-scale rural production activities in the RLZ – Rural lifestyle zone, PREC5 Low density precinct; and
 - c. large lot residential activities in the RLZ – Rural lifestyle zone, PREC4 High density precinct; and

2. the boundaries of allotments are compatible with the underlying topography and are based on natural landforms, drainage patterns and other features of the natural environment where this is practicable;
 - a. building platforms are identified;
 - b. any consequential increase in the density of the subdivision would not significantly:
 - i. undermine the predominance of open space; or
 - ii. increase the potential to create or exacerbate reverse sensitivity on surrounding existing or potential rural production activities.

SUB-P15 Rural subdivision: Buildings and building platforms [DP, RP]

Ensure that where subdivision is proposed:

1. the size and shape of allotments and any proposed locations for new buildings provide for their visual separation from existing buildings on neighbouring properties, unless topographical constraints make this impractical;
2. any new buildings or structures within larger sites in any RURZ – Rural zone and PREC5 – Low density precinct will be clustered, where this is operationally feasible, so as to retain an overall sense of openness, spaciousness and vegetative cover and, in the RURZ – Rural zone alone, provide for the continued use of the remainder of the site for rural production; and
3. allotments and identified building areas are oriented to enable the capture of solar energy for the future land uses.

SUB-P16 Rural subdivision: Infrastructure [DP, RP]

Ensure that where subdivision is proposed:

1. allotments have the ability to connect to reticulated municipal water supply and community wastewater networks at the boundary of the site, where these are available, and where provided these networks shall be integrated into the design of roads and street features;
2. in the Dodson Valley, allotments must be serviced by a reticulated wastewater network and by a reticulated water supply network;
3. for all other areas where no community wastewater network is available, allotments are of sufficient size to accommodate on-site wastewater services that will not create adverse effects on water quality or public health, especially in terms of discharges to ground of wastewater;
4. for all other areas where no reticulated water supply is available, allotments are provided with adequate sources of and storage facilities for potable water and water for fire-fighting purposes; and
5. any requirements for the upgrading of services or network utilities to enable future allotments to be serviced, and the design, location, capacity, type and construction of those services or infrastructure, are identified.

SUB-P17 Rural subdivision: Vegetation cover [DP, RP]

Ensure that where subdivision is proposed, existing vegetative cover is retained and where necessary to compensate for any vegetation needing to be removed is supplemented by new planting elsewhere on the site.

SUB-P18 Rural zone: Subdivision of minor residential units [DP, RP]

Avoid the subdivision of minor residential units from the main residential unit, and therefore the adverse and cumulative effects on rural character and amenity values resulting from incremental subdivision and intensification of residential activities.

SUB-P20 Subdivision within a papakāinga development

Where subdivision is proposed, papakāinga developments retain their integrated nature, especially where there is a mix of activities on the site.

Rules

Rule interpretation and application

SUB-R1 [DP]

The rules that **apply** to Subdivision are contained in the activity status table and standards as follows:

1. SUB-R4 to SUB-R26; and
2. SUB-S1 to SUB-S16.

SUB-R2 [DP]

The activity status tables and standards in the following chapters **also apply** to Subdivision:

1. AIR – Air; and
2. CMAR – Coastal margins; and
3. NCFLC – Natural character, landscapes and features in the coastal environment; and
4. LF – Land and freshwater; and
5. EIT – Energy, infrastructure and transport; and
6. CON – Contaminated land; and
7. HAZS – Hazardous substances; and
8. TREE – Notable trees; and
9. SASM – Sites and areas of significance to Māori; and
10. ECO – Ecosystems and indigenous biodiversity; and
11. NFL – Natural features and landscapes; and
12. ASW – Activities on the surface of water; and
13. NH – Natural hazards; and
14. HH – Historic heritage; and
15. EW – Earthworks; and
16. LIGHT – Light; and
17. NOISE – Noise; and
18. SIGN – Signs; and
19. TEMP – Temporary activities; and
20. FMU1 – Stoke freshwater unit; and
21. FMU2 – Matahi/Mahitahi/Maitai freshwater unit; and
22. FMU3 – Wakapuaka freshwater unit; and
23. FMU4 – Whangamoia freshwater unit; and

24. FMU5 – Roding freshwater unit.

SUB-R3 [DP]

The activity status tables and standards in the following chapters **do not apply** to Subdivision:

1. GRZ – General residential zone; and
2. MRZ – Medium density residential zone; and
3. GRUZ – General rural zone; and
4. RLZ – Rural lifestyle zone; and
5. NCZ – Neighbourhood centre zone; and
6. LCZ – Local centre zone; and
7. MUZ – Mixed use zone; and
8. CCZ – City centre zone; and
9. LIZ – Light industrial zone; and
10. GIZ – General industrial zone; and
11. NOSZ – Natural open space zone; and
12. OSZ – Open space zone; and
13. SARZ – Sport and active recreation zone; and
14. HOSZ – Hospital zone; and
15. PORTZ – Port zone; and
16. PREC19 – Marina precinct; and
17. DEV2 – Saxton development area.

Activity status

Rule	Use/Activity
SUB-R4	Subdivision: Boundary adjustments: All zones
SUB-R5	Creation of an allotment for a: Public work, network utility, reserve, or access: All zones
SUB-R6	Creation of an allotment within the: GRZ – General residential zone, and MRZ – Medium density residential zone.
SUB-R7	Creation of an allotment within the:

	<p>GRUZ – General rural zone</p> <p>RLZ – Rural lifestyle zone: PREC4 – High density precinct, and</p> <p>RLZ – Rural lifestyle zone: PREC5 – Low density precinct.</p>
SUB-R8	<p>Creation of an allotment within the:</p> <p>NOSZ – Natural open space zone,</p> <p>OSZ – Open space zone, and</p> <p>SARZ – Sport and active recreation zone.</p>
SUB-R9	<p>Creation of an allotment within the following zones:</p> <p>CCZ – City centre zone,</p> <p>MUZ – Mixed use zone,</p> <p>NCZ – Neighbourhood zone,</p> <p>LCZ – Local centre zone,</p> <p>GIZ – General industrial zone,</p> <p>LIZ – Light industrial zone,</p> <p>AIRPZ – Airport zone,</p> <p>HOSZ – Hospital zone, and</p> <p>PORTZ – Port zone.</p>
SUB-R10	Development area
SUB-R11	National Grid Corridor
SUB-R12	Services overlay
SUB-R13	Flood hazard overlay and North Nelson flood hazard overlay
SUB-R14	High flood hazard overlay
SUB-R15	Fault hazard overlay
SUB-R16	Tahunanui liquefaction overlay
SUB-R17	Slope instability hazard overlay
SUB-R18	Low-lying areas potentially affected by coastal hazards
SUB-R19	Heritage sites and overlays
SUB-R20	Notable trees

SUB-R21	Significant natural areas overlay: Subdivision
SUB-R22	Outstanding natural features and landscapes overlay
SUB-R23	Outstanding natural features and landscapes overlay in the Coastal environment (where it applies in terrestrial areas outside the Coastal marine area)
SUB-R24	Outstanding coastal natural character overlay in the Coastal environment (where it applies in terrestrial areas outside Coastal marine area)
SUB-R25	City backdrop overlay (including the Skyline area)
SUB-R26	Papakāinga development

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>SUB-R4</p> <p>Boundary adjustments:</p> <p>All zones</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Subdivision to adjust the boundaries between existing titles, where not creating any additional titles, is a controlled activity where the boundary adjustment:</p> <p>a. does not alter the degree to which any consented or lawfully established activity occurring on the allotments complies with a rule or standard in this Plan; and</p> <p>b. in a RURZ – Rural zone, does not create additional potential for a residential unit as a permitted activity where</p>	<p>3. Subdivision to adjust the boundaries that contravenes SUB-R4.2.a. or SUB-R4.2.c. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. those matters in SUB-R4.2.d., SUB-R4.2.e., SUB-R4.2.f., SUB-R4.2.g., SUB-R4.2.h., SUB-R4.2.i.; and</p> <p>b. where contravening SUB-R4.2.a., the extent and effects of any non-compliance and the matters of discretion with</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>that does not currently exist on the titles; and</p> <p>c. complies with all subdivision standards.</p> <p>Control is reserved over:</p> <p>d. the provision of a stable building site that allows a building to comply with the standards for a permitted activity in the zone and that excludes land to be used for access or services; and</p> <p>e. the size, design and layout of lots so practical for their intended use, including any additional permitted activity development potential that will result; and</p> <p>f. legal and physical access to and from the lots; and</p> <p>g. the provision of services to each lot and their legal protection; and</p> <p>h. the relevant mandatory</p>	<p>any infringed rule or standard; and</p> <p>c. where relevant, those matters listed in SUB-S9 and SUB-S10.</p> <p>4. Subdivision to adjust the boundaries that contravenes SUB-R4.2.b. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>requirements and good practice guidelines in the Nelson Tasman Land Development Manual 2019; and</p> <p>i. the matters in section 108 and section 220 of the RMA.</p>	
<p>SUB-R5</p> <p>Creation of an allotment for a:</p> <p>Public work, network utility, reserve or access:</p> <p>All zones</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Subdivision to create an allotment for a:</p> <p>a. public work; or</p> <p>b. network utility; or</p> <p>c. reserve; or</p> <p>d. access</p> <p>is a controlled activity provided that:</p> <p>e. physical and legal access to a road is maintained for any existing allotments; and</p> <p>f. where the network utility is a building or structure, or the reserve contains a building or structure, the subdivision does not alter the degree to which</p>	<p>3. Subdivision that contravenes SUB-R5.2. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. those matters in SUB-R5.2.g., and SUB-R5.2.h., and SUB-R5.2.i., and SUB-R5.2.j.; and</p> <p>b. where contravening SUB-R5.2.f., the extent and effects of any non-compliance and the matters of discretion with any infringed rule or standard.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>these activities comply with a rule or standard in the Plan.</p> <p>Control is reserved over:</p> <ul style="list-style-type: none"> g. the size, design and layout of lots for the purpose of the public works, network utility, reserve or access; and h. legal and physical access to and from lots; and i. the provision of service infrastructure where necessary and the protection of these through legal mechanisms; and j. the matters in section 108 and section 220 of the RMA. 	
<p>SUB-R6</p> <p>Creation of an allotment within the:</p> <p>GRZ – General residential zone</p> <p>and</p>	<p>1. Not applicable.</p>	<p>2. Subdivision to create boundaries between residential units in the GRZ – General residential zone or MRZ – Medium density residential zone is a</p>	<p>4. Subdivision in the GRZ – General residential zone or MRZ - Medium density residential zone that contravenes SUB-S10 Nelson Tasman</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>MRZ – Medium density residential zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>		<p>controlled activity where those residential units are:</p> <ul style="list-style-type: none"> a. existing lawfully established residential units; or b. proposed conjoined residential units that comply with all specified permitted activity standards in GRZ-R11 and MRZ-R13; or c. proposed residential units in a multi-unit residential development authorised by a land use consent, or which complies with all specified permitted activity standards in MRZ-R13. <p>Control is reserved over:</p> <ul style="list-style-type: none"> d. ensuring that all necessary and applicable legal agreements and requirements continue to apply to existing allotments; and 	<p>Land Development Manual 2019 for:</p> <ul style="list-style-type: none"> a. stormwater; or b. water supply; or c. waste water; or d. power supply and telecommunications <p>is a restricted discretionary activity.</p> <p>Discretion is restricted to those matters listed in SUB-S10 Nelson Tasman Land Development Manual 2019 for:</p> <ul style="list-style-type: none"> e. stormwater; or f. water supply; or g. waste water; or h. power supply and telecommunications. <p>5. Subdivision in the GRZ – General residential zone or MRZ – Medium density residential zone that contravenes SUB-S11 Esplanade reserves and strips is a restricted discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>e. the supply of as-built plans and other information to meet the requirements of the Nelson Tasman Land Development Manual 2019 for:</p> <ul style="list-style-type: none"> i. stormwater; or ii. water supply; or iii. waste water; or iv. power supply and telecommunications. <p>3. Subdivision in the GRZ – General residential zone or MRZ – Medium density residential zone that is not provided for under either SUB-R6.2. or SUB-R4.2. is a controlled activity provided that:</p> <ul style="list-style-type: none"> a. any existing buildings comply with the relevant standards for permitted activities or conditions of a resource consent; and b. all biodiversity corridors, 	<p>Discretion is restricted to those matters listed in SUB-S11 Esplanade reserves and strips.</p> <p>6. Subdivision in the GRZ – General residential zone or MRZ – Medium density residential zone that contravenes SUB-R6.2., SUB-R6.3., SUB-S1, SUB-S2, SUB-S3, SUB-S4, SUB-S5, or SUB-S12 is a discretionary activity.</p> <p>7. Subdivision in the GRZ – General residential zone or MRZ – Medium density residential zone that creates an allotment that contravenes SUB-S9, SUB-S10 or SUB-S11 is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>proposed roads and walkways, greenspace areas, and tree groups are provided in general accordance with the location identified on the Nelson Plan Maps; and</p> <p>c. it is not part of, or located within, a papakāinga development; and</p> <p>d. all subdivision standards are complied with.</p> <p>Control is reserved over:</p> <p>e. the design and layout of the proposed sites in the subdivision; and</p> <p>f. the provision of a stable building site that allows a building to comply with the standards for a permitted activity in the zone and that excludes land to be used for access or services; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> g. the design and layout of: <ul style="list-style-type: none"> i. roads; and ii. vehicle access; and iii. streetlighting; and iv. stormwater; and v. wastewater and water supply connections; and vi. telecommunications; and vii. electricity supply; and viii. reserves; and ix. any other relevant matters by reference to the mandatory requirements and good practice guidelines of the Nelson Tasman Land Development Manual 2019; and h. mitigation of the effects of natural hazards including coastal hazards and the effects of 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>climate change on those hazards; and</p> <ul style="list-style-type: none"> i. the provision of vehicle access to the proposed allotments; and j. public and customary access, where appropriate; and k. provision for public access to public spaces, water bodies and the coastal environment; and l. the effects of vegetation clearance, land disturbance and earthworks, including on visual amenity, soil erosion and sedimentation; and m. design amendments to address potential adverse effects; and n. the matters on section 108 and section 220 of the RMA. 	
SUB-R7	1. Not applicable.	2. Subdivision of land in the GRUZ – General rural zone	3. Subdivision in the GRUZ – General rural zone or RLZ –

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Creation of an allotment within the:</p> <p>GRUZ – General rural zone,</p> <p>RLZ – Rural lifestyle zone: PREC4 – High density precinct,</p> <p>and</p> <p>RLZ – Rural lifestyle zone: PREC5 – Low density precinct.</p> <p>[DP]</p> <p>Legal effect on notification: No</p>		<p>or RLZ – Rural lifestyle zone is a controlled activity, provided that:</p> <ol style="list-style-type: none"> a. any existing buildings comply with the relevant standards for permitted activities or conditions of a resource consent; and b. all biodiversity corridors, proposed roads and walkways, greenspace areas, and tree groups are provided in general accordance with the location identified on the Nelson Plan Maps; and c. all allotments must be provided with the ability to connect to a safe potable water supply; and d. all allotments in the RLZ – Rural lifestyle zone: PREC4 – High density precinct must have the ability to connect to a community 	<p>Rural lifestyle zone that contravenes SUB-S10 Nelson Tasman Land Development Manual 2019 for:</p> <ol style="list-style-type: none"> a. stormwater; or b. water supply; or c. waste water; or d. power supply and telecommunications <p>is a restricted discretionary activity.</p> <p>Discretion is restricted to those matters listed in SUB-S10.2 Nelson Tasman Land Development Manual 2019 for:</p> <ol style="list-style-type: none"> e. stormwater; or f. water supply; or g. waste water; or h. power supply and telecommunications. <p>4. Subdivision in the GRUZ – General rural zone or RLZ – Rural lifestyle zone that contravenes SUB-S11 Esplanade reserves or strips is a</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>water supply network where they are within:</p> <ul style="list-style-type: none"> i. Specific control – Marsden Valley; and ii. Specific control – Marsden Hills; and iii. Specific control – Enner Glynn Valley; and iv. Specific control – Ngawhatu; and v. Specific control – Dodson Valley; and e. all allotments must have the ability to access water supplies in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice - SNZ PAS: 4509:2008; and f. all allotments must have the ability to connect to a community wastewater 	<p>restricted discretionary activity.</p> <p>Discretion is restricted to those matters listed in SUB-S11.2 Esplanade reserves or strips.</p> <ul style="list-style-type: none"> 5. Subdivision in the GRUZ – General rural zone or RLZ – Rural lifestyle zone that contravenes; <ul style="list-style-type: none"> a. SUB-R7.2.a., or b. SUB-S1; SUB-S2, SUB-S3; SUB-S4; SUB-S5; or c. SUB-S12, is a discretionary activity. 6. Subdivision in the GRUZ – General rural zone or RLZ – Rural lifestyle zone that contravenes <ul style="list-style-type: none"> a. SUB-R7.2.b.; or b. SUB-R7.2.c.; or c. SUB-R7.2.d.; or d. SUB-R7.2.e.; or e. SUB-R7.2.f.; or f. SUB-R7.2.g.; or g. SUB-R7.2.h.; or h. SUB-R7.2.i. is a non-

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>network where they:</p> <ul style="list-style-type: none"> i. have a site area of 1.5 hectares or less; or ii. are located in the Specific control – Dodson Valley; and <p>g. all allotments must have the ability to dispose of wastewater within the net site area of the allotment or to connect to a community wastewater network where they:</p> <ul style="list-style-type: none"> i. have a site area over 1.5 hectares; and ii. are located outside the Specific control – Dodson Valley; and <p>h. all allotments must be provided with the ability to connect to an electrical supply system at the boundary of the net site area of</p>	<p>complying activity.</p> <p>7. Subdivision in the GRUZ – General rural zone or RLZ – Rural lifestyle zone of a minor residential unit from the principal residential unit on the site is a non-complying activity.</p> <p>8. Subdivision in the GRUZ – General rural zone or RLZ – Rural lifestyle zone of land that is part of or within a papakāinga development is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>the allotment; and</p> <ul style="list-style-type: none"> i. all allotments must be provided with the ability to connect to a telecommunication system; and j. the subdivision is not part of or located within a papakāinga development; or k. the subdivision is not to create an allotment for an existing minor residential unit from the principal residential unit on the site; and l. all Subdivision standards are complied with. <p>Control is reserved over:</p> <ul style="list-style-type: none"> m. the design and layout of the proposed sites in the subdivision; and n. the shape of any allotment, so that it maximises the range and efficiency of potential uses of the land; and 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> o. the provision of a stable building site that allows a building to comply with the standards for a permitted activity in the zone and that excludes land to be used for access or services; and p. the design and layout of: <ul style="list-style-type: none"> i. roads; and ii. vehicle access; and iii. streetlighting; and iv. stormwater; and v. wastewater and water supply connections; and vi. telecommunications; and vii. electricity supply; and viii. reserves; and ix. any other relevant matters by reference to the mandatory requirements and good 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>practice guidelines of the Nelson Tasman Land Development Manual 2019; and</p> <p>q. mitigation of the effects of natural hazards including coastal hazards and the effects of climate change on those hazards; and</p> <p>r. the provision of vehicle access to the proposed allotments; and</p> <p>s. public and customary access, where appropriate; and</p> <p>t. the provision of water, wastewater (including for on-site treatment of domestic wastewater, the provision of an effluent disposal field to contain wastewater effluent within the net area of the site), telecommunication and electricity services to each allotment, and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>the adequacy of those services in ensuring there are no adverse effects on public health, water quality, security of potable water supply and the provision of sufficient water for fire-fighting purposes; and</p> <p>u. the orientation and location of any identified building areas; and</p> <p>v. any adverse effects on primary production activities; and</p> <p>w. the benefit of any clustering of development, including on the continuation of rural production activities, and any resulting reduced areas of impervious surfacing, provision of shared services, and retention of a sense of openness and predominance of vegetation; and</p>	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<ul style="list-style-type: none"> x. the extent to which the design of the subdivision, including the size of the proposed allotments, enable future buildings to be visually separated and maintains predominance of openness and vegetation; and y. the extent to which any undulating character of the landscape limits the views of the subdivision and future development; and z. the protecting any areas of indigenous vegetation, including the legal mechanism to ensure protection in perpetuity; and aa. the provision of any proposed planting or retention of existing vegetation that will assist in 	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>mitigating any visual impact of the proposal; and</p> <p>ab. any effects on the special landscape values associated with the Maitahi /Mahitahi/Maitai River Valley identified in APP38 – Special landscape values associated with Maitahi Mahitahi Maitai River Valley; and</p> <p>ac. the matters in section 108 and section 220 of the RMA.</p>	
<p>SUB-R8</p> <p>Creation of an allotment within the:</p> <p>NOSZ – Natural open space zone,</p> <p>OSZ – Open space zone</p> <p>and</p> <p>SARZ – Sport and active recreation zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision of land in the:</p> <p>a. NOSZ – Natural open space zone:</p> <ul style="list-style-type: none"> i. PREC7 – Hillside reserves precinct; and ii. PREC8 – Esplanade & foreshore precinct; and <p>b. OSRZ – Open space zone:</p> <ul style="list-style-type: none"> i. PREC9 – Public garden precinct; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<ul style="list-style-type: none"> ii. PREC10 – Neighbourhood park precinct; and iii. PREC11 – Cemetery precinct; and iv. PREC12 –City park precinct: and <p>c. SARZ – Sport and active recreation zone:</p> <ul style="list-style-type: none"> i. PREC13 – Camping ground precinct; and ii. PREC14 – Wakefield Quay precinct; and iii. PREC15 – Sports ground precinct, <p>is a discretionary activity.</p> <p>4. Subdivision in the NOSZ – Natural open space zone PREC6 – Conservation precinct is a non-complying activity.</p>
<p>SUB-R9</p> <p>Creation of an allotment within the following zones:</p>	<p>1. Not applicable.</p>	<p>2. Subdivision in any CMUZ – Commercial and mixed use zone, INZ – Industrial</p>	<p>3. Subdivision in any CMUZ – Commercial and mixed use zone, INZ – Industrial</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>CMUZ – Commercial and mixed use zones:</p> <p>CCZ – City centre zone, MUZ – Mixed use zone, NCZ – Neighbourhood centre zone and LCZ – Local centre zone.</p> <p>INZ – Industrial zones:</p> <p>GIZ – General industrial zone and LIZ – Light industrial zone.</p> <p>SPZ – Special purpose zones:</p> <p>AIRPZ – Airport zone, HOSZ – Hospital zone and PORTZ – Port zone.</p> <p>[DP]</p> <p>Legal effect on notification: No</p>		<p>zone, or SPZ – Special purpose zone is a controlled activity, provided that:</p> <ol style="list-style-type: none"> a. Any existing buildings comply with the relevant standards for permitted activities or conditions of a resource consent; and b. all subdivision standards are complied with. <p>Control is reserved over:</p> <ol style="list-style-type: none"> c. the design and layout of the proposed sites in the subdivision; and d. the shape of any allotment, so that it maximises the range and efficiency of potential uses of the land; and e. the provision of a stable building site that allows a building to comply with the standards for a permitted activity in the zone and that excludes 	<p>zone, or SPZ – Special purpose zone that contravenes SUB-S10 Nelson Tasman Land Development Manual 2019 for:</p> <ol style="list-style-type: none"> a. stormwater; or b. water supply; or c. waste water; or d. power supply and telecommunications <p>is a restricted discretionary activity.</p> <p>Discretion is restricted to those matters listed in SUB-S10.2. Nelson Tasman Land Development Manual 2019 for:</p> <ol style="list-style-type: none"> e. stormwater; f. water supply; g. waste water; or h. power supply and telecommunications. <p>4. Subdivision in any CMUZ – Commercial and mixed use zone, INZ – Industrial zone, or SPZ – Special purpose</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>land to be used for access or services; and</p> <p>f. the design and layout of:</p> <ul style="list-style-type: none"> i. roads; and ii. vehicle access; and iii. streetlighting; and iv. stormwater, wastewater and water supply connections; and v. telecommunications; and vi. electricity supply; and vii. reserves; and viii. any other relevant matters by reference to the mandatory requirements and good practice guidelines of the Nelson Tasman Land Development Manual 2019; and g. mitigation of the effects of natural hazards including 	<p>zone that contravenes SUB-S11 Esplanade reserves or strips is a restricted discretionary activity.</p> <p>Discretion is restricted to those matters listed in SUB-S11.2. Esplanade reserves or strips.</p> <p>5. Subdivision in any CMUZ – Commercial and mixed use zone, INZ – Industrial zone, or SPZ – Special purpose zone that contravenes:</p> <ul style="list-style-type: none"> a. SUB-R9.2.a.; or b. SUB-S1, SUB-S2, SUB-S3, SUB-S4 and SUB-S5; or c. SUB-S12 <p>is a discretionary activity.</p> <p>6. Subdivision in any CMUZ – Commercial and mixed use zone, INZ – Industrial zone, or SPZ – Special purpose zone that creates an</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
		<p>coastal hazards and the effects of climate change on those hazards; and</p> <p>h. the provision of vehicle access to the proposed allotments; and</p> <p>i. public and customary access, where appropriate; and</p> <p>j. effects of the subdivision and potential subsequent development, on the quality of the public realm; and</p> <p>k. the matters in section 108 and section 220 of the RMA.</p>	<p>allotment that contravenes:</p> <p>a. SUB-S9; or</p> <p>b. SUB-S10; or</p> <p>c. SUB-S11.</p> <p>is a non-complying activity.</p>
<p>SUB-R10</p> <p>Development area</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision in a development area is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the extent to which the subdivision gives effect to the structure plan for the development area; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>b. compliance with the subdivision rules applying to the zoning applicable to the development area.</p>
<p>SUB-R11 National Grid Corridor [DP] Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision within the National Grid Corridor, other than subdivision to provide for a network utility, is a restricted discretionary activity, provided that all allotments identify a building platform for any residential unit that is outside the National Grid Corridor.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. impacts on the operation, maintenance, upgrade and development of the National Grid; and b. the ability of future development to comply with NZECP34:2001; and c. technical details of the

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>characteristics and risk on and from National Grid infrastructure; and</p> <p>d. location, design and use of the proposed building platform or structure as it relates to the National Grid transmission line; and</p> <p>e. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.</p> <p>4. Any application under this rule shall not be publicly or limited notified except that limited notification shall be only to Transpower New Zealand Limited (absent its written approval).</p> <p>5. Subdivision within the National Grid Corridor, other than subdivision to provide for a network utility, that contravenes SUB-R8.3. is a non-</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			complying activity.
<p>SUB-R12</p> <p>Services overlay</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision where any part of the site is located within the Services overlay is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the adequacy of infrastructure service capacity to serve future development of the site and surrounding land; and b. provision for future road and infrastructure networks and connections to serve adjoining land; and c. the timing of the provision of roads, public open spaces and infrastructure connections; and d. the staging of subdivision in relation to the availability of roads and infrastructure service

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			connections.
<p>SUB-R13 Flood hazard overlay and North Nelson flood hazard overlay [DP] Legal effect on notification: No</p>	<p>1. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>	<p>2. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>	<p>3. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>
<p>SUB-R14 High flood hazard overlay [DP] Legal effect on notification: No</p>	<p>1. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>	<p>2. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>	<p>3. [Placeholder pending community engagement, technical development and review of flood hazard analysis.]</p>
<p>SUB-R15 Fault hazard overlay [DP] Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision within the Fault hazard overlay that creates a building platform for each allotment that is entirely setback at least 10 metres from the fault trace is a restricted discretionary activity. Discretion is restricted to: a. the location, scale, access, services and design of the</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>subdivision in relation to fault rupture risk; and</p> <p>b. any risk to people, property, infrastructure and the natural environment from a fault rupture; and</p> <p>c. geotechnical recommendations.</p> <p>4. Subdivision within the Fault hazard overlay that creates any allotment containing any part of a building platform within 10 metres from the fault trace is a non-complying activity.</p>
<p>SUB-R16</p> <p>Tahunanui liquefaction overlay</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision within the Tahunanui liquefaction overlay that creates an additional allotment or allotments is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. whether a geotechnical report has been carried out by a registered</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>professional engineer; and</p> <p>b. any recommendations for future development on the proposed allotments (including but not limited to building platforms, buildings, services, access, foundations or network utilities proposed by the geotechnical report are met; and</p> <p>c. the location, size and design of allotments and access as they relate to the liquefaction hazard; and</p> <p>d. liquefaction hazard remediation methods.</p>
<p>SUB-R17</p> <p>Slope instability hazard overlay</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. [Placeholder pending community engagement, technical development and review of slope instability analysis.]</p>	<p>2. [Placeholder pending community engagement, technical development and review of slope instability analysis.]</p>	<p>3. [Placeholder pending community engagement, technical development and review of slope instability analysis.]</p>
<p>SUB-R18</p>	<p>1. [Placeholder pending community</p>	<p>2. [Placeholder pending community</p>	<p>3. [Placeholder pending community</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Low-lying areas potentially affected by coastal hazards</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>engagement, technical development and review of slope instability analysis.]</p>	<p>engagement, technical development and review of slope instability analysis.]</p>	<p>engagement, technical development and review of coastal hazards analysis.]</p>
<p>SUB-R19</p> <p>Heritage sites and overlays</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision of any lot:</p> <p>a. within:</p> <ul style="list-style-type: none"> i. an Area of significance to Māori, archaeological overlay; or ii. Heritage streetscape overlay; or <p>b. that contains a;</p> <ul style="list-style-type: none"> i. historic heritage item listed in APP34 – Heritage items; ii. regionally significant archaeology listed in APP35 – Regionally significant archaeology; or iii. site of significance to Māori listed in APP44 – Sites of significance

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			to Māori is a discretionary activity .
<p>SUB-R20</p> <p>Notable trees</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	1. Not applicable.	2. Not applicable.	<p>3. Subdivision of any lot that contains a notable tree is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. effects on amenity of the tree and the surrounding environment; and b. effects on the STEM score of the tree; and c. effects on the health and longevity of the tree; and d. policy SUB-P6, including matters 1 and 2.
<p>SUB-R21</p> <p>Significant natural areas overlay:</p> <p>Subdivision</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	1. Not applicable.	2. Not applicable.	3. Subdivision, where any identified building area for any structure (excluding fences), any vehicle access or parking, or any identified network utility corridor for an above ground network utility is

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			proposed to be located on the Significant natural areas overlay, is a discretionary activity .
<p>SUB-R22</p> <p>Outstanding natural features and landscapes overlay</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	1. Not applicable.	2. Not applicable.	<p>3. Subdivision, where any of the following are proposed to be located in the Outstanding natural features and landscapes overlay:</p> <ul style="list-style-type: none"> a. identified building area for a structure (excluding fences); or b. vehicle access or parking; or c. any identified network utility corridor for an above ground network utility <p>is a discretionary activity.</p>
<p>SUB-R23</p> <p>Outstanding natural features and landscapes overlay in the CE – Coastal environment (where it applies in terrestrial areas outside the CMA – Coastal marine area)</p> <p>[DP]</p>	1. Not applicable.	2. Not applicable.	<p>3. Subdivision, where any of the following are proposed to be located in the Outstanding natural features and landscapes in the coastal environment overlay;</p> <ul style="list-style-type: none"> a. identified building area for a structure

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Legal effect on notification: No</p>			<p>(excluding a fence); or</p> <p>b. vehicle access or parking; or</p> <p>c. any identified network utility corridor for an above ground network utility</p> <p>is a discretionary activity.</p>
<p>SUB-R24</p> <p>Outstanding coastal natural character overlay in the CE – Coastal environment (where it applies in terrestrial areas outside CMA – Coastal marine area)</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision, where any of the following are proposed to be located in the Outstanding coastal natural character in the coastal environment overlay;</p> <p>a. identified building area for a structure (excluding a fence); or</p> <p>b. vehicle access or parking; or</p> <p>c. any identified network utility corridor for an above ground network utility</p> <p>is a discretionary activity.</p>
<p>SUB-R25</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision, where any identified building area for any structure (excluding</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>City backdrop overlay (including the Skyline area)</p> <p>[DP]</p> <p>Legal effect on notification: No</p>			<p>fences), any vehicle access or parking, or any identified network utility corridor for an above ground network utility is proposed to be located in the City backdrop overlay, but outside any Skyline area, is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the matters set out in NFL-P6: <p>4. Subdivision, where any identified building area for any structure (excluding fences), any vehicle access or parking, or any identified network utility corridor for an above ground network utility is proposed to be located in any Skyline area within the City backdrop overlay, is a discretionary activity.</p>
<p>SUB-R26</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. Subdivision of a papakāinga development is a</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Papakāinga development [DP] Legal effect on notification: No			discretionary activity.

Standards

Rule	Use/Activity
SUB-S1	Minimum lot size: GRZ – General residential zone
SUB-S2	Minimum lot size: MRZ – Medium density residential zone
SUB-S3	Minimum lot size: GRUZ – General rural zone
SUB-S4	Minimum lot size: RLZ – Rural lifestyle zone: PREC4 – High density precinct
SUB-S5	Minimum lot size: RLZ – Rural lifestyle zone: PREC5 – Low density precinct
SUB-S6	Shape factor: GRZ – General residential zone MRZ – Medium residential zone
SUB-S7	Building area: GRUZ – General rural zone, RLZ – Rural lifestyle zone: PREC4 – High density precinct PREC5 – Low density precinct
SUB-S8	Buffer strip: GRZ – General residential zone GIZ – General industrial zone
SUB-S9	Finished ground levels: GRZ – General residential zone

	MRZ – Medium density residential zone
SUB-S10	Nelson Tasman Land Development Manual 2019 mandatory requirements
SUB-S11	Esplanade reserves and strips
SUB-S12	Access
SUB-S13	Stormwater drainage
SUB-S14	Water supply
SUB-S15	Waste water
SUB-S16	Power supply and telecommunications

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>SUB-S1</p> <p>Minimum lot size:</p> <p>GRZ – General residential zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. In the GRZ – General residential zone all allotments, including the balance allotment, must have a minimum net area of:</p> <p>a. within the Airport effects control overlay and the Port effects overlay – 600m².</p> <p>b. outside the Airport effects control overlay and the Port effects overlay – 300m².</p>	<p>2. Not applicable.</p>
<p>SUB-S2</p> <p>Minimum lot size:</p> <p>MRZ – Medium density residential zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. In the MRZ – Medium density residential zone all allotments, including the balance allotment, must have a minimum net area of 200m².</p>	<p>2. Not applicable.</p>
<p>SUB-S3</p>	<p>1. In the GRUZ – General rural zone all allotments, including</p>	<p>2. Not applicable.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>Minimum lot size: GRUZ – General rural zone [DP] Legal effect on notification: No</p>	<p>the balance allotment, must have:</p> <ul style="list-style-type: none"> a. a minimum net area of 15 hectares, except that: <ul style="list-style-type: none"> i. on a site of 200 hectares or more, or where 200 hectares or more is held under one title, a maximum of 8 allotments can be created with a minimum net area of 5000m² and a maximum net area of 2 hectares if they are clustered i.e. the allotments adjoin each other and share, where practicable, accessways and services. 	
<p>SUB-S4 Minimum lot size: RLZ – Rural lifestyle zone: PREC4 – High density precinct [DP] Legal effect on notification: No</p>	<ul style="list-style-type: none"> 1. In the RLZ – Rural lifestyle zone: PREC4 – High density precinct all allotments, including the balance allotment, must have: <ul style="list-style-type: none"> a. an average net area of 1 hectare and a minimum allotment size is 5000m², except that; <ul style="list-style-type: none"> i. in the Specific control – Marsden Hills, Specific control – Enner Glynn Valley, and Specific control – Ngawhatu, the minimum lot size is 2000m²; and 	<ul style="list-style-type: none"> 2. Not applicable.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<ul style="list-style-type: none"> ii. in the Specific control - Marsden Valley, the average lot size is 6000m² and the minimum lot size is 2000m². 	
<p>SUB-S5</p> <p>Minimum lot size:</p> <p>RLZ – Rural lifestyle zone:</p> <p>PREC5 – Low density precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. In the RLZ – Rural lifestyle zone: PREC5 – Low density precinct all allotments, including the balance allotment, must have:</p> <ul style="list-style-type: none"> a. a minimum net area of 3 hectares, except that; <ul style="list-style-type: none"> i. in the Specific Control – Dodson Valley, the minimum allotment size is 1.5 hectares. 	<p>2. Not applicable.</p>
<p>SUB-S6</p> <p>Shape factor:</p> <p>GRZ – General residential zone</p> <p>and</p> <p>MRZ – Medium density residential zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. In the GRZ – General residential zone and MRZ – Medium density residential zone the net area of every allotment is able to contain a rectangle measuring a minimum of 12 metres by 15 metres.</p>	<p>2. Not applicable.</p>
<p>SUB-S7</p> <p>Building area:</p> <p>GRUZ – General rural zone,</p> <p>RLZ – Rural lifestyle zone:</p> <p>PREC4 – High density precinct</p> <p>and</p>	<p>1. In the GRUZ – General rural zone and the RLZ – Rural lifestyle zone all proposed allotments must contain a building platform with a shape factor of 30 metres by 30 metres.</p>	<p>2. Not applicable.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>PREC5 – Low density precinct [DP] Legal effect on notification: No</p>		
<p>SUB-S8 Buffer strip: GRZ – General residential zone and GIZ – General industrial zone [DP] Legal effect on notification: No</p>	<p>1. At the time of subdivision of any property adjoining the GIZ – General industrial zone at the southern end of Nayland Road that borders the GRZ – General residential zone, a buffer strip of at least 20 metres in width must be set aside, and a landscaped bund at least 3 metres high constructed within it, along that section of the zone boundary concerned. Each section of earth bund shall be joined with any existing sections of the bund so as to form a continuous barrier. The buffer strip may, subject to encumbrances registered on the land titles, be on either side of the zone boundary, or may include land on both sides.</p>	<p>2. Not applicable.</p>
<p>SUB-S9 Finished ground levels: GRZ – General residential zone and MRZ – Medium density residential zone [DP]</p>	<p>1. In the GRZ – General residential zone and MRZ – Medium density residential zone the minimum finished ground level for any land allotment (excluding water bodies) is 15.35m Nelson City Council Datum [Placeholder pending technical development and review]; and</p>	<p>3. [Placeholder pending technical development and review]</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
Legal effect on notification: No	2. In the GRZ – General residential zone and MRZ – Medium density residential zone the minimum finished ground level is greater than the crown level of the road to which the piped stormwater from the allotment is drained.	
<p>SUB-S10</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. All subdivisions (including roads and associated streetlighting, stormwater, wastewater and water supply, telecommunications and electrical systems, and parks and reserves) must be designed, constructed and vested in compliance with the following mandatory standards of the Nelson Tasman Land Development Manual 2019:</p> <p>a. Chapter 4 Transportation</p> <p>i. Design Process 4.3.1; and</p> <p>ii. Network Layout Form and Function Design 4.4.1 – 4.4.7; and</p> <p>iii. Design for the Speed Environment 4.5.1 – 4.5.2; and</p> <p>iv. Transport Cross-Sections 4.6.1 – 4.6.7; and</p> <p>v. Batter Slope, Bridge and Retaining Structure Design 4.7.1</p>	<p>2. Matters of discretion are restricted to:</p> <p>a. the design of the subdivision and configuration of allotments; and</p> <p>b. the nature, character and intensity of any adverse effects of the non-compliance; and</p> <p>c. the relevant matters within the following chapters of the Nelson Tasman Land Development Manual 2019, including the stated performance outcomes, mandatory matters and good practice notes:</p> <p>i. Chapter 4 Transportation; and</p> <p>ii. Chapter 5 Stormwater; and</p> <p>iii. Chapter 6 Wastewater; and</p> <p>iv. Chapter 7 Water; and</p> <p>v. Chapter 9 Telecommunications,</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<ul style="list-style-type: none"> – 4.7.4; and vi. Road Geometry 4.8.1 – 4.8.5; and vii. Intersection Design 4.9.1 – 4.9.3; and viii. Private Access and Crossing 4.10.1 – 4.10.7.2; and ix. Clear Zones 4.11.1; and x. Parking 4.12.1.1 – 4.12.1.8; and xi. Public Transport, Footpaths, Public Accessways and Cycle Facilities 4.13.1 – 4.13.6; and xii. Road Marking Signs 4.14.1 – 1.14.2; and xiii. Streetscaping 4.15.1 – 4.15.5; and xiv. Construction General 4.16.1 – 4.16.4; and xv. Structural Design of Pavement 4.17.1 – 4.17.6; and xvi. Subgrade 4.18.1 – 4.18.2; and xvii. Carriageway Surfacing 4.19.1 – 4.19.9; and xviii. Formation of Residential Lanes, Service Lanes and Private Ways 4.20.1; and 	<ul style="list-style-type: none"> Electrical, Streetlighting; and vi. Chapter 10 Parks and Reserves; and d. alternative locations and methods.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<ul style="list-style-type: none"> xix. Kerb and Channelling 4.21.1 – 4.21.2; and xx. Paths 4.22.1 – 4.22.4; and b. Chapter 5 Stormwater <ul style="list-style-type: none"> i. Design Approach 5.3.1 – 5.3.2.2 and 5.3.4 – 5.3.8; and ii. System Design 5.4.1 – 5.4.15.6 and 5.4.16 – 5.4.19; and iii. Design Solutions 5.5.1 – 5.5.1.5 and 5.5.2 – 5.5.16; and iv. Construction and Installation 5.6.1 – 5.6.8; and v. Inspection and Testing 5.6.9 – 5.6.12; and c. Chapter 6 Wastewater <ul style="list-style-type: none"> i. Reticulation Design 6.3.1 – 6.3.3; and ii. Layout and Alignment of Reticulation 6.4.1 – 6.4.5; and iii. Pipe Design 6.5.1 – 6.5.8; and iv. Seismic Design and Liquefaction 6.6.1; and v. Access Points 6.7.1 – 6.7.4; and vi. Pumping Stations 6.8.1 – 6.8.6; and vii. Reticulation Construction and 	

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>Installation 6.9.1 – 6.9.10; and</p> <p>viii. Trenchless Technology 6.10.1; and</p> <p>ix. Manhole Construction 6.11.1 – 6.11.2; and</p> <p>x. Tracer Tape 6.12.1 – 6.12.3; and</p> <p>xi. Valve Painting 6.13; and</p> <p>xii. Testing 6.14.1 – 6.14.7; and</p> <p>d. Chapter 7 Water</p> <p>i. Reticulation Design 7.3.1 – 7.3.11; and</p> <p>ii. Pipe Specifications 7.4.1 – 7.4.9; and</p> <p>iii. Fittings 7.5.1 – 7.5.14; and</p> <p>iv. Water Supply Connections 7.6.1 – 7.6.12; and</p> <p>v. Pumping and Storage 7.7.1 – 7.7.7; and</p> <p>vi. Construction and Installation 7.8.1 – 7.8.11; and</p> <p>vii. Trenchless Technology 7.9.1 – 7.9.6.4; and</p> <p>e. Chapter 9 Telecommunications, Electrical and Streetlighting</p> <p>i. Cable Protection 9.3;</p>	

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>and</p> <ul style="list-style-type: none"> ii. Pipe and Duct Installation 9.4; and iii. Access Points 9.5; and iv. Approvals and Records 9.6.1.1 – 9.6.1.2; and v. Electrical Reticulation Design 9.7.1 – 9.7.4.3; and vi. Electrical Reticulation Easements and Subdivision 9.8; and vii. Easements 9.9; and viii. Cabling, Ducting and Service Boxes 9.11.1 – 9.11.4.5; and ix. Streetlighting 9.12.1 – 9.12.3; and f. Chapter 10 Parks and Reserves <ul style="list-style-type: none"> i. Design Purpose 10.3.1 – 10.3.7.7; and ii. Access and Boundary Treatment 10.4.1 – 10.4.2; and iii. Other Reserve Facilities 10.5.1; and iv. Planting 10.6.1 – 10.6.4; and v. Presentation of Reserves to Vest 10.7.1. 	
SUB-S11	1. Where any part of the site has a boundary with a river	2. Matters of discretion are restricted to:

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>Esplanade reserves and strips</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>or coastal margin listed in APP25 – Esplanade requirements, either an esplanade reserve or esplanade strip of the type and dimensions specified in APP25 – Esplanade requirements is created and vested in the Nelson City Council.</p>	<p>a. the provision for, location and extent of any esplanade reserve or esplanade strip; and</p> <p>b. management of the values for the riparian and coastal margins as set out in APP25 – Esplanade requirements; and</p> <p>c. public and customary access.</p>
<p>SUB-S12</p> <p>Access</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. All allotments must have legal and practical access to a road, either directly or by right of way, in accordance with Council’s vehicle design standards in the Nelson Tasman Land Development Manual 2019.</p>	<p>2. Not applicable.</p>
<p>SUB-S13</p> <p>Stormwater drainage</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Stormwater from all allotments must:</p> <p>a. not drain to any public road, except for secondary flow purposes; and</p> <p>b. be disposed of to a stormwater system.</p> <p>2. Where a connection to Council’s stormwater collection system is available, all new allotments in an urban zone or Development area must be provided with a piped connection at the boundary to the Council’s stormwater</p>	<p>4. Not applicable.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>collection system in accordance with the Nelson Tasman Land Development Manual 2019.</p> <p>3. Where a connection to Council's stormwater collection system is not available, all new allotments must provide the means for treatment and disposal of stormwater from all impervious surfaces within the net area of the site that either complies with the permitted standards in the Plan or is subject of a resource consent, and is on land that is not subject to hazards or used for the disposal of wastewater, in accordance with the Nelson Tasman Land Development Manual 2019.</p>	
<p>SUB-S14 Water supply [DP] Legal effect on notification: No</p>	<p>1. All new allotments in an urban zone or development area must be provided with a piped connection at the boundary to the Council's urban reticulated water supply in accordance with the Nelson Tasman Land Development Manual 2019.</p> <p>2. Where a connection to Council's urban reticulated water supply is not available, all new allotments must be connected to an approved community water system for which necessary easements</p>	<p>3. Not applicable.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>are in place, or be provided with access to a self-sufficient potable water supply (including provision for fire-fighting supply that complies with SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice or its replacement).</p>	
<p>SUB-S15 Waste water [DP] Legal effect on notification: No</p>	<ol style="list-style-type: none"> 1. All new allotments in an urban zone or development area must be provided with a piped connection at the boundary to the Council's urban reticulated sewerage system in accordance with the Nelson Tasman Land Development Manual 2019. 2. Where a connection to Council's urban reticulated sewerage system is not available, all new allotments must be connected to an approved community wastewater system for which necessary easements are in place, or have provision for a complying or approved domestic wastewater system within the net site area of the allotment on land that is not subject to hazards or used for the disposal of stormwater. 	<ol style="list-style-type: none"> 3. Not applicable.
<p>SUB-S16 Power supply and telecommunications</p>	<ol style="list-style-type: none"> 1. All new allotments in an urban zone or development area must be provided with power and 	<ol style="list-style-type: none"> 3. Not applicable.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>[DP] Legal effect on notification: No</p>	<p>telecommunication connections to the boundary of each lot.</p> <p>2. Where reticulated power and/or telecommunication services are provided to the lots, all necessary easements for the protection of those network utility services must be duly granted and reserved.</p>	