

Part 4

Zones

OSRZ – Open space and recreation zones

NOSZ – Natural open space zone

Introduction

The Natural open space zone represents areas of Whakatū Nelson held largely in public ownership by Nelson City Council and the Department of Conservation. These areas are, and should remain, largely undeveloped. They are grouped into three distinct precincts to reflect their specific roles and purpose:

- 1. PREC6 – Conservation precinct includes the Boulder Bank and sections of the Bryant and Whangamoā Ranges;
- 2. PREC7 – Hillside reserves precinct comprises elevated areas and steep slopes surrounding and overlooking urban areas; and
- 3. PREC8 – Esplanade and foreshore precinct comprises reserves adjacent to waterways and the coast.

The role, function and character of the zone as a whole and of each precinct, is set out in the Objectives.

Objectives

<p>NOSZ-O1 Role of the zone [DP]</p>
<p>The NOSZ – Natural open space zone:</p> <ul style="list-style-type: none">1. provides for the current and future recreation, health and well-being needs of the community;2. protects community water supplies;3. protects significant habitats of indigenous flora and fauna;4. maintains and enhances ecological, landscape and natural character values;5. provides users with a pleasant and safe environment;6. enables public and customary access and informal recreation opportunities;7. provides for use and development that complements, maintains and enhances the particular values associated with areas of natural open space; and8. does not adversely impact on the use and amenity values of adjoining sites.
<p>NOSZ-O2 Role and function of precincts [DP]</p>
<p>The roles and functions of the precincts are as follows:</p>

1. PREC6 – Conservation precinct provides for areas of high ecological and cultural value and protects community water supplies;
2. PREC7 – Hillside reserves precinct provides for informal recreation and views within and close to urban areas and contributes to a high-quality urban environment; and
3. PREC8 – Esplanade and foreshore precinct provides public and customary access, and a vegetated buffer between adjacent land uses and the Coastal environment and freshwater bodies.

NOSZ-O3 Characteristics and amenity [DP]

The Natural open space zone remains characterised by areas of largely undeveloped and predominantly vegetated land, and:

1. in PREC6 – Conservation precinct, by areas that contain mostly original or regenerating indigenous vegetation and habitats and water bodies and water supply reserves;
2. in PREC7 – Hillside reserves precinct, by largely undeveloped slopes that provide an open and vegetation-dominated backdrop to Whakatū Nelson; and
3. in PREC8 – Esplanade and foreshore precinct, by areas of largely undeveloped vegetation that maintain and enhance amenity value and natural character of the adjoining coastal environment or freshwater body.

NOSZ-O4 Natural values [DP]

The Natural open space zone is valued for:

1. its landscapes and landforms in their predominantly natural and unmodified state;
2. natural values;
3. ecological values; and
4. values of significance to tāngata whenua, including as a source of materials for cultural harvesting.

NOSZ-O5 Management [DP]

The role, function, character and amenity of the Natural open space zone is maintained and enhanced and remains consistent with any relevant Reserve management plan, Conservation management plan or Conservation management strategy.

Policies

NOSZ-P1 Compatible activities [DP]

Provide for existing and new activities and development in the Natural open space zone, where they:

1. are of a scale, form, location and design that maintains the role, functions, characteristics and values of the Natural open space zone and the relevant precinct;

2. maintain the predominance of natural open space;
3. are integrated and consistent with the character of the surrounding area;
4. avoid adverse effects on significant indigenous vegetation and habitats, wetlands, lakes and rivers and their margins;
5. avoid, remedy or mitigate adverse effects on natural and cultural values and qualities of the Natural open space zone and relevant precinct; and
6. are consistent with any relevant Reserve management plan, Conservation management plan or Conservation management strategy.

NOSZ-P2 Commercial activities [DP]

Enable a limited range of commercial activities within the Natural open space zone, where:

1. they support community and recreation activities and facilities on the site;
2. the nature and extent of the commercial activities are consistent with the role, character and amenity of the Natural open space zone and the relevant precinct;
3. they do not generate significant adverse effects within the zone or on adjoining sites; and
4. they do not undermine Whakatū Nelson's commercial centres hierarchy.

NOSZ-P3 Park management [DP]

Enable park or reserve management activities and facilities in the Natural open space zone that support the role and function of the park or reserve and that is consistent with any relevant Reserve management plan, Conservation management plan or Conservation management strategy.

NOSZ-P4 Specific considerations for use and development [DP]

Ensure that where use and development is proposed:

1. it is compatible with the existing development on the site;
2. any significant adverse effects on the character and amenity of the site, adjacent sites and the surrounding environment are avoided, remedied or mitigated;
3. it is consistent with any relevant Reserve management plan, Conservation management plan or Conservation management strategy;
4. any proposed landscaping, or other mitigation measures, are consistent with the ecological values and character of the site and surrounding area;
5. the proposal will not adversely impact on values of significance to tāngata whenua, or will enable the maintenance or enhancement of sites and areas of significance to Māori;
6. the proposal considers measures to avoid, remedy or mitigate adverse effects on natural character and amenity including by:
 - a. the location of buildings, structures, parking areas, and roads; and
 - b. moderating the external appearance of any building or structure;

7. any increase in site coverage or building footprint:
 - a. is consistent with the role, character and amenity of the Natural open space zone and the relevant precinct within which it is located; and
 - b. is consistent with building scale on the site; or
 - c. is mitigated by the site's topography, the building's location, scale, design and appearance, by landscaping or natural features, or by visual screening; and
8. in the PREC6 – Conservation precinct, the use or development also:
 - a. has a functional or operational need to be located in the PREC6 – Conservation precinct; and
 - b. incorporates measures to avoid adverse effects on significant vegetation and habitats, wetlands, lakes and rivers and their margins.

Rules

Rule interpretation and application

NOSZ-R1 [DP]

The rules that **apply** to activities in the Natural open space zone are contained in the activity status table and standards table as follows:

1. NOSZ-R4 to NOSZ-19; and
2. NOSZ-S1 to NOSZ-S12.

NOSZ-R2 [DP]

The following rules specify when the rule applies to sites located in one or more of the three precincts (PREC6 – Conservation precinct, PREC7 – Hillside reserves precinct, and PREC8 – Esplanade and foreshore precinct):

1. NOSZ-R6; and
2. NOSZ-R7; and
3. NOSZ-R8; and
4. NOSZ-R10; and
5. NOSZ-R13; and
6. NOSZ-R15; and
7. NOSZ-R16; and
8. NOSZ-R17.

NOSZ-R3 [DP]

The activity status tables and standards in the following chapters also **apply** to activities in the Natural open space zone:

1. AIR – Air; and
2. CMAR – Coastal margins; and

3. NCFLC – Natural character, features and landscapes 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. NH – Natural hazards; and
9. HH – Historic heritage; and
10. SUB – Subdivision; and
11. EW – Earthworks; and
12. LIGHT – Light; and
13. NOISE – Noise; and
14. SIGN – Signs; and
15. TEMP – Temporary activities; and
16. TREE – Notable trees; and
17. SASM – Sites and areas of significance to Māori; and
18. ECO – Ecosystems and indigenous biodiversity; and
19. NATC – Natural character; and
20. NFL – Natural features and landscapes; and
21. FMU1 – Stoke freshwater management unit; and
22. FMU2 – Maitahi/Mahitahi/Maitai freshwater management unit; and
23. FMU3 – Wakapuaka freshwater management unit; and
24. FMU4 – Whangamoā freshwater management unit; and
25. FMU5 – Roding freshwater management unit.

NOSZ-R4 [DP]

The activity status tables and standards in the following chapters **do not apply** to activities in the Natural open space zone:

1. CMA – Coastal marine area; and
2. ASW – Activities on the surface of water.

Activity status

Rule	Use/Activity
NOSZ-R5	Activity not listed in NOSZ-R6 to NOSZ-R19
NOSZ-R6	Building or structure in: PREC6 – Conservation precinct
NOSZ-R7	Building or structure in: PREC7 – Hillside reserves precinct
NOSZ-R8	Building or structure in: PREC8 – Esplanade and foreshore precinct
NOSZ-R9	Fence: All precincts
NOSZ-R10	Sale of food and drink in temporary structures and mobile vehicles
NOSZ-R11	Commercial guiding of recreational users
NOSZ-R12	Recreation activity: All precincts
NOSZ-R13	Rural production activity: PREC7 – Hillside reserves precinct
NOSZ-R14	Park management activity: All precincts
NOSZ-R15	Parking area: PREC7 – Hillside reserves precinct and PREC8 – Esplanade and foreshore precinct
NOSZ-R16	Parking area: PREC6 – Conservation precinct
NOSZ-R17	Vegetation clearance in: PREC6 – Conservation precinct
NOSZ-R18	Cultural harvesting
NOSZ-R19	Building, structure or sensitive activities within the National Grid Yard

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
NOSZ-R5 Activity not listed in NOSZ-R6 to NOSZ-R19 [DP] Legal effect on notification: No	1. Not applicable.	2. Not applicable.	3. An activity not listed in NOSZ-R6 to NOSZ-R19 is a discretionary activity .

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>NOSZ-R6</p> <p>Building or structure in:</p> <p>PREC6 – Conservation precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction, alteration, addition or maintenance of bridges, fords, culverts and fences in PREC6 – Conservation precinct is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. The construction, alteration, addition or relocation of a building or structure, that is not a bridge, ford, culvert or fence in the PREC6 – Conservation precinct is a discretionary activity.</p>
<p>NOSZ-R7</p> <p>Building or structure in:</p> <p>PREC7 – Hillside reserves precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction, alteration, addition or relocation of a building or structure in PREC7 – Hillside reserves precinct is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. habitable buildings supplied with water must be connected to the community wastewater network, where these networks are available; or b. where community wastewater networks are not available, habitable buildings supplied with water must be connected to a 	<p>2. Not applicable.</p>	<p>3. The construction, alteration, addition or relocation of a building or structure in PREC7 – Hillside reserves precinct that contravenes NOSZ-R7.1.d. is a restricted discretionary activity.</p> <p>Discretion is restricted, for the standard(s) not met, to the matters in:</p> <ul style="list-style-type: none"> a. NOSZ-S1 Maximum height of buildings; and b. NOSZ-S2 Setback from RESZ – Residential zone boundaries and roads; and c. NOSZ-S3 Daylight admission; and

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>domestic wastewater system in accordance with the requirements of LF-R5 and LF-R6; and</p> <p>c. the total gross floor area of all existing and proposed buildings and structures (not including bridges, fences or play equipment) on the site would not exceed 50m²; and</p> <p>d. the building or structure complies with the following standards:</p> <p>i. NOSZ-S1 Maximum height of buildings; and</p> <p>ii. NOSZ-S2 Setback from RESZ – Residential zone boundaries and roads; and</p> <p>iii. NOSZ-S3 Daylight</p>		<p>d. NOSZ-S4 Parking and loading; and</p> <p>e. NOSZ-S5 Access; and</p> <p>f. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and</p> <p>g. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation; and</p> <p>h. NOSZ-S9 Nelson Tasman Land Development Manual 2019 mandatory requirements: Stormwater; and</p> <p>i. NOSZ-S10 Nelson Tasman Land Development Manual 2019 mandatory requirements: Wastewater; and</p> <p>j. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>admission; and</p> <p>iv. NOSZ-S4 Parking and loading; and</p> <p>v. NOSZ-S5 Access; and</p> <p>vi. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and</p> <p>vii. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation ; and</p> <p>viii. NOSZ-S9 Nelson Tasman Land Development Manual 2019 mandatory requirements: Stormwater; and</p> <p>ix. NOSZ-S10 Nelson Tasman Land Development Manual 2019 mandatory requirements:</p>		<p>requirements: Water; and</p> <p>k. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommunicati ons, Electrical and Streetlighting.</p> <p>4. The construction, alteration, addition or relocation of a building or structure in PREC7 – Hillside reserves precinct that contravenes NOSZ-R7.1.c. is a discretionary activity.</p> <p>5. The construction, alteration, addition or relocation of a building or structure in PREC7 – Hillside reserves precinct that contravenes NOSZ-R7.1.a. or NOSZ-R7.1.b., is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Wastewater; and</p> <p>x. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory requirements: Water; and</p> <p>xi. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommuni- cations, Electrical and Streetlighting.</p>		
<p>NOSZ-R8</p> <p>Building or structure in:</p> <p>PREC8 – Esplanade and foreshore precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The construction, alteration, addition or relocation of a navigational aid in PREC8 – Esplanade and foreshore precinct is a permitted activity.</p> <p>2. The construction, alteration, addition or relocation of a building or structure in PREC8 – Esplanade and foreshore precinct is a permitted activity provided that:</p>	<p>3. Not applicable.</p>	<p>4. The construction, alteration, addition or relocation of a building or structure in PREC8 – Esplanade and foreshore precinct that contravenes NOSZ-R8.2.c. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. for the standard(s) not met, to the matters in:</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> a. habitable buildings, must be connected to a community water supply and the wastewater network; and b. the total gross floor area of all existing and proposed buildings and structures (not including bridges, fences or play equipment) on the site would not exceed 50m²; and c. the building or structure complies with the following standards: <ul style="list-style-type: none"> i. NOSZ-S1 Maximum height of buildings; and ii. NOSZ-S2 Setback from RESZ – Residential zone boundaries and roads; and iii. NOSZ-S3 Daylight 		<ul style="list-style-type: none"> i. NOSZ-S1 Maximum height of buildings; and ii. NOSZ-S2 Setback from RESZ – Residential zone boundaries and roads; and iii. NOSZ-S3 Daylight admission; and iv. NOSZ-S4 Parking and loading; and v. NOSZ-S5 Access; and vi. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and vii. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation ; and viii. NOSZ-S9 Nelson Tasman Land

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>admission; and</p> <p>iv. NOSZ-S4 Parking and loading; and</p> <p>v. NOSZ-S5 Access; and</p> <p>vi. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and</p> <p>vii. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation ; and</p> <p>viii. NOSZ-S9 Nelson Tasman Land Development Manual 2019 mandatory requirements: Stormwater; and</p> <p>ix. NOSZ-S10 Nelson Tasman Land Development Manual 2019 mandatory requirements:</p>		<p>Development Manual 2019 mandatory requirements: Stormwater; and</p> <p>ix. NOSZ-S10 Nelson Tasman Land Development Manual 2019 mandatory requirements: Wastewater; and</p> <p>x. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory requirements: Water; and</p> <p>xi. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommuni- cations, Electrical and Streetlighting.</p> <p>b. the location of any equipment, materials and structures; and</p> <p>c. effects on indigenous</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Wastewater; and</p> <p>x. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory requirements: Water; and</p> <p>xi. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommuni- cations, Electrical and Streetlighting.</p>		<p>vegetation and the habitats of indigenous fauna; and</p> <p>d. effects on the identified values of the river and its riparian margin (if relevant); and</p> <p>e. effects on public access and recreation; and</p> <p>f. effects on values of significance to tāngata whenua, including customary access; and</p> <p>g. the risk of adverse effects associated with natural hazards to the proposed activity and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need for hazard protection structures.</p> <p>5. The construction, alteration, addition or relocation of a building or structure,</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>that is not a bridge, fence or play equipment in PREC8 – Esplanade and foreshore precinct that contravenes NOSZ-R8.2.b. is a discretionary activity.</p> <p>6. The construction, alteration, addition or relocation of a building or structure, that is not a bridge, fence or play equipment in PREC8 – Esplanade and foreshore precinct that contravenes NOSZ-R8.2.a. is a non-complying activity.</p>
<p>NOSZ-R9 Fence: All precincts [DP] Legal effect on notification: No</p>	<p>1. A fence is a permitted activity provided that:</p> <p>a. on any boundary with a RESZ – Residential Zone:</p> <p>i. the maximum height does not exceed 1.2 metres; or</p> <p>ii. for any fence over 1.2 metres in height:</p>	<p>2. Not applicable.</p>	<p>3. A fence that contravenes NOSZ-R9.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. extent of compliance with CPTED; and</p> <p>b. the effect of any proposed landscaping; and</p> <p>c. effects on the amenity and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>A. the maximum height does not exceed 1.8 metres; and</p> <p>B. the portion of the fence taller than 1.2 metres is visually permeable; and</p> <p>b. any other fence does not exceed 2 metres in height.</p>		<p>character of the site and the surrounding environment; and</p> <p>d. the provisions of any relevant Reserve management plan, Conservation management plan or Conservation management strategy.</p>
<p>NOSZ-R10</p> <p>Sale of food and drink in temporary structures and mobile vehicles</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The sale of food and drink in temporary structures and mobile vehicles is a permitted activity provided that the activity complies with NOSZ-S6 Hours of operation.</p>	<p>2. Not applicable.</p>	<p>3. The sale of food and drink in temporary structures and mobile vehicles that contravenes NOSZ-R10.1. is a restricted discretionary activity.</p> <p>Discretion is restricted, for the standard(s) not met, to the matters in NOSZ-S6 Hours of operation.</p>
<p>NOSZ-R11</p> <p>Commercial guiding of recreational users</p> <p>[DP]</p>	<p>1. Commercial guiding of recreational users is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. Not applicable.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: No			
<p>NOSZ-R12</p> <p>Recreation activity:</p> <p>All precincts</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A recreation activity is a permitted activity provided that it complies with the following standards:</p> <ul style="list-style-type: none"> a. NOSZ-S4 Parking and loading; and b. NOSZ-S5 Access; and c. NOSZ-S6 Hours of operation; and d. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and e. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation; and f. NOSZ-S9 Nelson Tasman Land Development Manual 2019 mandatory requirements: Stormwater; and g. NOSZ-S10 Nelson Tasman Land 	<p>2. Not applicable.</p>	<p>3. A recreation activity that contravenes NOSZ-R12.1. is a restricted discretionary activity.</p> <p>Discretion is restricted, for the standard(s) not met, to the matters in:</p> <ul style="list-style-type: none"> a. NOSZ-S4 Parking and loading; and b. NOSZ-S5 Access; and c. NOSZ-R6 Hours of operation; and d. NOSZ-S7 Building over or alongside drains (piped or open) and water mains; and e. NOSZ-S8 Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation; and f. NOSZ-S9 Nelson Tasman Land Development Manual 2019 mandatory requirements:

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Development Manual 2019 mandatory requirements: Wastewater; and</p> <p>h. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory requirements: Water; and</p> <p>i. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommunications, Electrical and Streetlighting.</p>		<p>Stormwater; and</p> <p>g. NOSZ-S10 Nelson Tasman Land Development Manual 2019 mandatory requirements: Wastewater; and</p> <p>h. NOSZ-S11 Nelson Tasman Land Development Manual 2019 mandatory requirements: Water; and</p> <p>i. NOSZ-S12 Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommunications, Electrical and Streetlighting.</p>
<p>NOSZ-R13</p> <p>Rural production activity:</p> <p>PREC7 – Hillside reserves precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A rural production activity located in the PREC7 – Hillside reserves precinct is a permitted activity provided that:</p> <p>a. it does not involve intensive farming.</p>	<p>2. Not applicable.</p>	<p>3. A rural production activity that contravenes NOSZ-R13.1. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>NOSZ-R14</p> <p>Park management activity:</p> <p>All precincts</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A park management activity is a permitted activity.</p>	<p>2. Not applicable.</p>	<p>3. Not applicable.</p>
<p>NOSZ-R15</p> <p>Parking area:</p> <p>PREC7 – Hillside reserves precinct</p> <p>and</p> <p>PREC8 – Esplanade and foreshore precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. The formation and construction of a parking area in the PREC7 – Hillside reserves precinct or the PREC8 – Esplanade and foreshore precinct is a permitted activity, provided that:</p> <p>a. it complies with the following standards:</p> <p>i. NOSZ-S4 Parking and loading; and</p> <p>ii. NOSZ-S5 Access.</p>	<p>2. Not applicable.</p>	<p>3. The formation and construction of a parking area that contravenes NOSZ-R15.1 is a restricted discretionary activity.</p> <p>Discretion is restricted, for the standard(s) not met, to the matters in.</p> <p>a. NOSZ-S4 Parking and loading; and</p> <p>b. NOSZ-S5 Access.</p>
<p>NOSZ-R16</p> <p>Parking area:</p> <p>PREC6 – Conservation precinct</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. The formation and construction of a parking area is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the degree of compliance with any relevant</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>design and layout standards for parking, loading and access set out in APP22 – Vehicle access and crossing standards, APP23 – Standards and terms of parking and loading and APP24 – Tracking curves; and</p> <p>b. the location, design and appearance of the parking area; and</p> <p>c. effects on the safe or efficient movement on streets in the vicinity; and</p> <p>d. accessibility of the area by modes other than private transport; and</p> <p>e. effects on indigenous vegetation and the habitats of indigenous fauna; and</p> <p>f. effects on public access and recreation; and</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<ul style="list-style-type: none"> <li data-bbox="1187 296 1435 520">g. effects on values of significance to tāngata whenua, including customary access; and <li data-bbox="1187 541 1435 1066">h. effects on natural character and natural features and landscapes that are not within the Outstanding coastal natural character overlay or the Outstanding natural features and landscapes overlay; and <li data-bbox="1187 1087 1435 1740">i. the risk of adverse effects associated with natural hazards to the proposed activity and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need for hazard protection structures.
NOSZ-R17 Vegetation clearance in:	1. The clearance of exotic vegetation in the PREC6 – Conservation	3. Not applicable.	4. The clearance of indigenous vegetation that contravenes NOSZ-

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>PREC6 – Conservation precinct</p> <p>[DP]</p> <p>Legal effect on notification: Yes</p>	<p>precinct is a permitted activity.</p> <p>2. The clearance of indigenous vegetation in the PREC6 – Conservation precinct is a permitted activity, provided that:</p> <p>a. it complies with EW-R14.1.; and</p> <p>b. it is within 1 metre either side of or on an existing formed road, walking or cycling track, stock crossing or accessway; or</p> <p>c. it is within 1 metre of an existing network utility, fence, lawn, garden, defensible space or other lawfully established activity; or</p> <p>d. it is within 3 metres of an existing building; or</p> <p>e. it is for the purposes of:</p> <p>i. emergency tree works; or</p> <p>ii. constructing a new walking</p>		<p>R17.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>track of no more than 1 metre in width, where the construction of such a track itself involves clearance of no more than 1.2 metres in width, the tracks are not contiguous with other walking tracks, and where no indigenous species of tree over 6 metres in height or 60cm in diameter, when measured at a height of 2 metres above the ground, are removed;</p> <p>or</p> <p>iii. constructing perimeter fences for stock or pest animal exclusion; or</p> <p>iv. cultural harvesting.</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>NOSZ-R18</p> <p>Cultural harvesting</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Cultural harvesting is a permitted activity provided that:</p> <p>a. no machinery is used in the extraction/removal process; and</p> <p>b. the quantity of material removed (excluding fallen logs) is less than 5kg at any one time; and</p> <p>c. there is no associated soil disturbance or earthworks.</p>	<p>2. Not applicable.</p>	<p>3. Cultural harvesting that contravenes NOSZ-R18.1 is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. effects on indigenous vegetation and the habitats of indigenous fauna; and</p> <p>b. effects on the natural topography of the land; and</p> <p>c. effects on public access and recreation.</p>
<p>NOSZ-R19</p> <p>Building, structure or sensitive activity within the National Grid Yard</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A building, structure or sensitive activity within the National Grid Yard is a permitted activity, provided that:</p> <p>a. it is a non-habitable accessory building or structure that is not more than:</p> <p>i. 2.5 metres in height; and</p> <p>ii. 10m² in area; or</p>	<p>2. Not applicable.</p>	<p>3. A building, structure or sensitive activity within the National Grid Yard that contravenes NOSZ-R19.1. is a non-complying activity.</p> <p>Any application under this rule will not be publicly or limited notified except that limited notification must be only to Transpower New Zealand Limited (unless Transpower New Zealand has</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> b. it involves alterations to an existing building or structure and there is no increase in height or footprint; or c. it is a building not associated with a sensitive activity and: <ul style="list-style-type: none"> i. where located under National Grid Conductions (wires) must: <ul style="list-style-type: none"> A. achieve a minimum vertical clearance of 10 metres below the lowest point of any conductor; and B. demonstrate that safe electrical safe distances required by NZECP34: 2001 are maintained under all National Grid transmissio 		<p>provided its written approval).</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>n line operating conditions; and</p> <p>ii. is located at least 12 metres from the outer visible foundation of any National Grid support structure or associated stay wire; or</p> <p>d. it is a fence that is:</p> <p>i. no higher than 2.5 metres in height; and</p> <p>ii. complies with NZECP34:200 1; or</p> <p>e. it is a network utility within the legal road; or</p> <p>f. it is any part of electricity infrastructure.</p>		

Standards

Standard	Use/Activity
NOSZ-S1	Maximum height of buildings
NOSZ-S2	Setback from RESZ – Residential zones boundaries and roads

NOSZ-S3	Daylight admission
NOSZ-S4	Parking and loading
NOSZ-S5	Access
NOSZ-S6	Hours of operation
NOSZ-S7	Building over or alongside drains (piped or open) and water mains
NOSZ-S8	Nelson Tasman Land Development Manual 2019 mandatory requirements: Transportation
NOSZ-S9	Nelson Tasman Land Development Manual 2019 mandatory requirements: Stormwater
NOSZ-S10	Nelson Tasman Land Development Manual 2019 mandatory requirements: Wastewater
NOSZ-S11	Nelson Tasman Land Development Manual 2019 mandatory requirements: Water
NOSZ-S12	Nelson Tasman Land Development Manual 2019 mandatory requirements: Telecommunications, Electrical and Streetlighting

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>NOSZ-S1</p> <p>Maximum height of buildings</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Must not exceed the following:</p> <p>a. PREC7 – Hillside reserves precinct: 8 metres; and</p> <p>b. PREC8 – Esplanade and foreshore precinct: 8 metres; and</p> <p>c. PREC6 – Conservation precinct: 4 metres</p>	<p>2. Extent of compliance with CPTED.</p> <p>3. The effect of any proposed landscaping.</p> <p>4. Design and appearance of the building.</p> <p>5. Effects on the amenity and character of the zone including any adjoining sites.</p> <p>6. The extent to which the building should be visible or not for public</p>

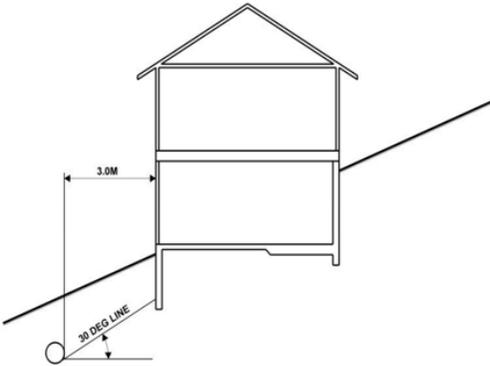
Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
		<p>safety or public access reasons.</p> <p>7. Effects on the special landscape values identified in APP38 – Special landscape values associated with Maitahi/ Mahitahi/ Maitai River Valley and APP17 – Special landscape values associated with Tahunanui Beach.</p> <p>8. Effects on natural character and natural features and landscapes in the Coastal environment overlay that are not within the Outstanding coastal natural character overlay or the Outstanding natural features and landscapes overlay.</p> <p>9. The extent to which (if any) contravention of the standard results from raising of the building's floor level relative to ground level (and therefore the building overall) in response to flood hazard risks.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>NOSZ-S2 Setback from RESZ – Residential zone boundaries and roads [DP] Legal effect on notification: No</p>	<p>1. All buildings must be set back 5 metres from any boundary with a RESZ – Residential zone, or a road.</p>	<p>2. The effect of any proposed landscaping. 3. Effects on the amenity and character of the RESZ – Residential zone including any adjoining sites. 4. Effects on streetscape. 5. Alternative practical locations within the site for the building.</p>
<p>NOSZ-S3 Daylight admission [DP] Legal effect on notification: No</p>	<p>1. Any building located on a site that adjoins a RESZ – Residential zone must comply with the requirements of APP41 – Daylight admission.</p>	<p>2. The location, scale, form, design and appearance of the building. 3. Effects on the amenity of neighbouring residential properties. 4. The extent to which (if at all) contravention of the standard results from the raising of the building’s floor level relative to ground level (and therefore the building overall) in response to flood hazard risks.</p>
<p>NOSZ-S4 Parking and loading [DP] Legal effect on notification: No</p>	<p>1. No on-site parking spaces are required to be provided. 2. Where parking is provided spaces must be provided and maintained on each site in accordance with the design and layout standards set out in APP23 – Standards and terms for parking and loading and</p>	<p>4. Consideration of a travel management plan. 5. The form, design and appearance of loading and manoeuvring areas.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>APP24 – Tracking curves.</p> <p>3. Loading and manoeuvring space must be provided and maintained on each site in accordance with the design and layout standards set out in APP23 – Standards and terms for parking and loading and APP24 – Tracking curves.</p>	<p>6. Effects on the character and amenity of the surrounding area.</p> <p>7. Effects on the safety and efficiency of the transport network.</p> <p>8. Effects on traffic pedestrian movement and safety.</p>
<p>NOSZ-S5</p> <p>Access</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Vehicle access must be provided and maintained for each site in accordance with the standards set out in APP22 – Vehicle access and crossing standards.</p> <p>2. No vehicle access is required to be provided and maintained to sites occupied exclusively by unstaffed network utility buildings.</p>	<p>3. The extent to which alternative methods of access for goods may be available, such as providing a goods loading zone adjacent to the site or restricting the times of delivery or dispatch of goods.</p> <p>4. Effects on traffic and pedestrian movement and safety.</p>
<p>NOSZ-S6</p> <p>Hours of operation</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Any activity which is open to the public or which is a place of public assembly, that is located:</p> <p>a. within 50 metres of a RESZ – Residential zone boundary, may be open to the public only during the following hours:</p> <p>i. Friday, Saturday, Christmas Eve and New Year's Eve: 7.00am – 1.00am the following day; and</p> <p>ii. Sunday to Thursday inclusive: 7.00am – 11.00pm.</p>	<p>2. Effects on the character and amenity of the surrounding area.</p> <p>3. Effects of the intensity and scale of the activity.</p> <p>4. Effects on the amenity of neighbouring residential properties.</p> <p>5. Effects on pedestrian safety.</p>

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
		6. Effect of any proposed mitigation measures.
<p>NOSZ-S7</p> <p>Building over or alongside drains (piped or open) and water mains</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<ol style="list-style-type: none"> 1. Structures closer than 3 metres to a piped drain or water main of less than or equal to 300mm diameter must be located no closer than 1 metre measured horizontally from the near side of any public unsleeved water main or common private or public sewer or stormwater drain. 2. Structures closer than 3 metres to a piped drain or water main of greater than 300mm in diameter must be located no closer than 1.5 metres measured horizontally from the near side of any public water main, or common private or public sewer or stormwater drain. 3. Structures closer than 3 metres to a drain of 150mm or less in diameter may be located within 1 metre or directly over a common private or public drain; providing that: <ol style="list-style-type: none"> a. the length of pipe or drain built over is no more than 6 metres in length; and b. there are no changes in direction or junctions in the portion of the drain built over; and c. the length of drain built over is re-laid using a continuous length of pipe without joints, sleeved inside a 225mm diameter class 4 concrete pipe; and d. there is a minimum 6 metre clear length and 3 metre clear width and 1.8 metre clear height at one end of 	<ol style="list-style-type: none"> 7. Physical accessibility to the pipe, open drain or water main. 8. Any ecological, amenity or recreational values associated with any open drain. 9. The ground/floor type and design used to provide quick and easy removal to provide the ability to access any pipe for maintenance and repair. 10. The depth of concrete/permanent surface floor over any pipe. 11. Alternative locations for any pipe and methods of emplacement.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<p>the sleeve to allow replacement of the pipe; and</p> <p>e. the pipes are not water mains or pressurised pipelines.</p> <p>4. Buildings, swimming pools or fences must not be located within 3 metres of the top of bank of an open drain.</p> <p>5. In all cases, any structure may overhang the line of the pipe or drain, provided the structure is cantilevered or is an eave and the height to the underside of the structure above ground level is not less than 1.8 metres where the required pipe or drain is greater than 150mm in diameter or width.</p> <p>6. In all cases, any structure located within 3 metres, measured horizontally, from the near side of the pipe or drain must have the base of the foundations deeper than a line drawn at 30 degrees from the horizontal from the invert (bottom) of the pipe or drain, or between 30 degrees and 45 degrees if the design has been certified by a suitably qualified engineer (see NOSZ – Figure 1: Foundation depth below).</p> <p>NOSZ – Figure 1: Foundation depth</p>	

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	 <p>The diagram shows a cross-section of a structure with a pitched roof, situated on a slope. A horizontal dimension line indicates a width of 3.0M. A line representing the slope is labeled '30 DEG LINE' with an arrow pointing to the angle.</p>	
<p>NOSZ-S8</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements:</p> <p>Transportation</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<ol style="list-style-type: none"> 1. All provided transport infrastructure must comply with the following mandatory standards in Chapter 4 Transportation of the Nelson Tasman Land Development Manual 2019: <ol style="list-style-type: none"> a. Design Process 4.3.1; and b. Network layout Form and Function Design 4.4.1 – 4.4.7; and c. Design for the Speed Environment 4.5.1 – 4.5.2; and d. Transport Cross-Sections 4.6.1 – 4.6.7; and e. Batter Slope, Bridge and Retaining Structure Design 4.7.1 – 4.7.4; and f. Road Geometry 4.8.1 – 4.8.5; and g. Intersection Design 4.9.1 – 4.9.3; and h. Private Access and Crossing 4.10.1 – 4.10.7.2; and i. Clear Zones 4.11.1; and j. Parking 4.12.1.1 – 4.12.1.8; and k. Public Transport, Footpaths, Public Accessways and Cycle Facilities 4.13.1 – 4.13.6; and 	<ol style="list-style-type: none"> 2. The nature, character and intensity of any adverse effects of the non-compliance. 3. Location. 4. Design and layout. 5. Alternative locations and methods. 6. The relevant matters in Chapter 4 Transportation of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes, mandatory matters and good practice notes.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<ul style="list-style-type: none"> l. Road Marking Signs 4.14.1 – 1.14.2; and m. Streetscaping 4.15.1 – 4.15.5; and n. Construction General 4.16.1 – 4.16.4; and o. Structural Design of Pavement 4.17.1 – 4.17.6; and p. Subgrade 4.18.1 – 4.18.2; and q. Carriageway Surfacing 4.19.1 – 4.19.9; and r. Formation of Residential Lanes, Service Lanes and Private Ways 4.20.1; and s. Kerb Channelling 4.21.1 – 4.21.2; and t. Paths 4.22.1 – 4.22.4. 	
<p>NOSZ-S9</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements:</p> <p>Stormwater</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<ul style="list-style-type: none"> 1. All provided stormwater infrastructure must comply with the following mandatory standards in Chapter 5 Stormwater of the Nelson Tasman Land Development Manual 2019: <ul style="list-style-type: none"> a. Design Approach 5.3.1 – 5.3.2.2 and 5.3.4 – 5.3.8; and b. System Design 5.4.1 – 5.4.15.6 and 5.4.16 – 5.4.19; and c. Design Solutions 5.5.1 – 5.5.1.5 and 5.5.2 – 5.5.16; and d. Construction and Installation 5.6.1 – 5.6.8; and e. Inspection and Testing 5.6.9 – 5.6.12. 	<ul style="list-style-type: none"> 2. The nature, character and intensity of any adverse effects of the non-compliance. 3. Location. 4. Design and layout. 5. Alternative locations and methods. 6. The relevant matters in Chapter 5 Stormwater of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes, mandatory matters and good practice notes.

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
<p>NOSZ-S10</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements:</p> <p>Wastewater</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. All provided wastewater infrastructure must comply with the following mandatory standards in Chapter 6 Wastewater of the Nelson Tasman Land Development Manual 2019:</p> <ul style="list-style-type: none"> a. Reticulation Design 6.3.1 – 6.3.3; and b. Layout and Alignment of Reticulation 6.4.1 – 6.4.5; and c. Pipe Design 6.5.1 – 6.5.8; and d. Seismic Design and Liquefaction 6.6.1; and e. Access Points 6.7.1 – 6.7.4; and f. Pumping Stations 6.8.1 – 6.8.6; and g. Reticulation Construction and Installation 6.9.1 – 6.9.10; and h. Trenchless Technology 6.10.1; and i. Manhole Construction 6.11.1 – 6.11.2; and j. Tracer Tape 6.12.1 – 6.12.3; and k. Valve Painting 6.13; and l. Testing 6.14.1 – 6.14.7. 	<ul style="list-style-type: none"> 2. The nature, character and intensity of any adverse effects of the non-compliance. 3. Location. 4. Design and layout. 5. Alternative locations and methods. 6. The relevant matters in Chapter 6 Wastewater of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes, mandatory matters and good practice notes.
<p>NOSZ-S11</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements:</p> <p>Water</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. All provided water infrastructure must comply with the following mandatory standards in Chapter 7 Water of the Nelson Tasman Land Development Manual 2019:</p> <ul style="list-style-type: none"> a. Reticulation Design 7.3.1 – 7.3.11; and b. Pipe Specifications 7.4.1 – 7.4.9; and c. Fittings 7.5.1 – 7.5.14; and d. Water Supply Connections 7.6.1 – 7.6.12; and 	<ul style="list-style-type: none"> 2. The nature, character and intensity of any adverse effects of the non-compliance. 3. Location. 4. Design and layout. 5. Alternative locations and methods. 6. The relevant matters in Chapter 7 Water of the Nelson Tasman

Activity	Standard	Matters that discretion is restricted to where the activity does not comply with this standard
	<ul style="list-style-type: none"> e. Pumping and Storage 7.7.1 – 7.7.7; and f. Construction and Installation 7.8.1 – 7.8.11; and g. Trenchless Technology 7.9.1 – 7.9.6.4. 	Land Development Manual 2019 including the stated performance outcomes, mandatory matters and good practice notes.
<p>NOSZ-S12</p> <p>Nelson Tasman Land Development Manual 2019 mandatory requirements:</p> <p>Telecommunications, Electrical and Streetlighting</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<ul style="list-style-type: none"> 1. All provided telecommunications and electrical and streetlighting infrastructure must comply with the following standards in Chapter 9 Telecommunications, Electrical and Streetlighting of the Nelson Tasman Land Development Manual 2019: <ul style="list-style-type: none"> a. Cable Protection 9.3; and b. Pipe and Duct Installation 9.4; and c. Access Points 9.5; and d. Approvals and Records 9.6.1.1 – 9.6.1.2; and e. Electrical Reticulation Design 9.7.1 – 9.7.4.3; and f. Electrical Reticulation Easements and Subdivision 9.8; and g. Easements 9.9; and h. Cabling, Ducting and Service Boxes 9.11.1 – 9.11.4.5; and i. Streetlighting 9.12.1 – 9.12.3. 	<ul style="list-style-type: none"> 2. The nature, character and intensity of any adverse effects of the non-compliance. 3. Location. 4. Design and layout. 5. Alternative locations and methods. 6. The relevant matters in Chapter 9 Telecommunications, Electrical and Streetlighting of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes, mandatory matters and good practice notes.