Nelson Resource Management Plan

Proposed Plan Changes

The following table provides a complete list of all proposed Plan Changes that affect the Nelson Resource Management Plan.

Proposed Plan Changes are indicated in the Nelson Resource Management Plan in one of two ways, either

1. by strikethrough or underline text (method currently being phased out), or

2. with a black octagon symbol showing the Plan Change number placed as near as practical to the title of the provision subject to change.

For full details of a proposed Plan Change and its current progress through the First Schedule RMA process please refer to Nelson City Council website: www.nelsoncitycouncil.co.nz (use plan change name as search phrase).

Nelson Resource Management Plan: Proposed Plan Changes

Plan Change	Type	Summary	Notified
05/01 **Nelson North**	Council	Restricts subdivision in Nelson North.	05 Mar 2005

5 district wide objectives and policies

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DO16	**Zones**
DO17	**Activities in the beds of rivers and lakes, and in wetlands**
DO18	**Freshwater abstraction and instream flows**
DO19	**Discharges to freshwater and freshwater quality**
DO20	**Freshwater management**

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

DO1 Tangata whenua

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

objective

DO1.1 Maori and resources

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

Explanation and Reasons

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

policy
DO1.1.1 relationship with ancestral resources

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

Explanation and Reasons

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

Methods

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

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

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

policy
DO1.1.2 treaty principles and kaitiakitanga

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

Explanation and Reasons

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

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

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

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

Methods

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

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

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

policy
DO1.1.3 management by tangata whenua

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

Explanation and Reasons

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

Methods

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

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

policy
DO1.1.4 traditional resources

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

Explanation and Reasons

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

Methods

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

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

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

policy
DO1.1.5 cultural activities

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

Explanation and Reasons

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

Method

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

policy
DO1.1.6 water management

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

Explanation and Reasons

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

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

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

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

DO1e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO1e.1 Resource management decision making that includes perspectives of Maori communities	**DO1e.1.1** Regular consultation between Maori and the Council.	Feedback from hui
DO1e.2 Increased management by iwi of their resources.	**DO1.e.2.1** Establishment of papakainga, taiapure or mahinga mätaitai.	Council records
DO1e.3 Iwi input into the present-day management of natural resources.	**DO1e.3** Evidence that iwi management plans have been taken into account in the Council's resource management plans	Nelson Resource Management Plan Section 32 reports Whakatu RMA Iwi Advisory Komiti

DO2 Natural hazards

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

Objective

DO2.1 natural hazards

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

Reasons

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

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

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

policy
DO2.1.1 health and safety

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

Explanation and Reasons

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

policy
DO2.1.2 property and environment

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

Explanation and Reasons

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

Methods (policies DO2.1.1 and DO2.1.2)

DO2.1.2.ii Rules in each zone controlling:
a) activities where hazard areas have been identified and avoidance or mitigation of effects
b) storage of hazardous substances
c) location of structures in relation to hazard areas
d) provision of water supply for containment of fires in
e) activities within a Hazard Overlay

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

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

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

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

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

DO2.1.2.viii Provision of information to the public

policy
DO2.1.3 aggravation of hazard

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

Explanation and Reasons

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

Methods

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

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

policy
DO2.1.4 flood mitigation

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

Explanation and Reasons

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

Methods

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

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

DO2e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO2e.1 Safer communities.	**DO2e.1.1** Low incidence of damage to property and risks to life from natural hazards.	Insurance claim, Council records.
DO2e.2 Low density of development and improved design and construction standards in areas where this Plan identifies major risks from natural hazards.	**DO2e.2.1** Consistent refusal of development proposals or increased design requirements when resource consents are applied for.	Council records, aerial photos.

DO3 Hazardous substances and waste

DO3.i The issues in regard to hazardous substances and waste are covered in Chapter 4 (particularly RI17).

objective

DO3.1 hazardous substances

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

Reasons

DO3.1.i Maintenance of the quality of the environment is regarded as one of the paramount issues for Nelson. Contamination by hazardous substances and waste has the potential to impact on values and activities both within and outside the District. Examples might be where contamination of water occurs, potentially affecting the coastal area and neighbouring districts. The Resource Management Act 1991 specifically charges councils (both Regional and Territorial) with the responsibility to prevent or mitigate effects of these activities.

DO3.1.ii The management of hazardous substances will also be controlled through the Hazardous Substances and New Organisms Act 1996.

policy

DO3.1.1 containment of hazardous substances

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

Explanation and Reasons

DO3.1.1.i The greatest risk of contamination comes from accidental loss or leakage of material from containers. It is highly important for the environmentally safe use of such substances that due care is taken to ensure that material does not escape, and that in all situations where the unexpected occurs and leakage or spillage occurs, that measures such as secondary containment and procedures be put in place to ensure that environmental damage is minimised.

DO3.1.1.ii This policy also seeks to make certain that hazardous substances are monitored to ensure that leakage is not occurring.

Methods

DO3.1.1.iii Rules regarding containment and location of storage of hazardous substances.

DO3.1.1.iv Requirements for contingency plans for management of emergency situations.

DO3.1.1.v Requirement for tracking of hazardous substances from acquisition to disposal or sale.

DO3.1.1.vi Abatement notices / enforcement orders where due care is not being taken in the management of hazardous substances.

policy
DO3.1.2 creation of hazardous substances

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

Explanation and Reasons

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

Methods

DO3.1.2.ii Implementation of Hazardous Substances and New Organisms Act 1996.
DO3.1.2.iii Assessment of resource consent applications.

policy
DO3.1.3 contaminated sites

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

Explanation and Reasons

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

Methods

DO3.1.3.ii In consultation with industry and affected parties, develop a system of investigation, assessment and registration of contaminated sites that determines appropriate remedial options for each site.
DO3.1.3.iii Impose conditions on consents where sought for any contaminated site.
DO3.1.3.iv Education, encouragement, and advice by the Council.

policy
DO3.1.4 use and storage

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

Explanation and Reasons

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

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

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

Methods

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

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

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

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

policy
DO3.1.5 transportation of hazardous substances

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

Explanation and Reasons

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

Methods

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

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

objective

DO3.2 waste

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

Reasons

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

policy

DO3.2.1 disposal of waste

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

Explanation and Reasons

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

Methods

DO3.2.1.ii Monitoring by the Council and consent holders.
DO3.2.1.iii Education, encouragement and advice by the Council.

DO3e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO3e.1 A generally low level of risk in the district from hazardous substances. Appropriate siting and control of hazardous facilities. Adoption of better site management and operational practices. Avoidance of contamination of the natural environment from hazardous facilities and activities. Improved community and industry awareness of risks posed by activities using, storing, or transporting hazardous substances.	**DO3e.1.1** Number of incidents of escapes of hazardous substances. Number of injuries and incidents of damage to property and ecosystems. Number of accidents and adverse environmental effects due to the release of substances stored and used at hazardous facilities.	OSH statistics on work accidents Insurance claim statistics Council prosecution and enforcement files Reports from Council inspections
DO3e.2 Reduced volumes of waste produced by industry and the community.	**DO3e.2.1** Volume of waste being disposed of at Council land fills and sewerage systems.	Land fill and sewerage system records. Records of recycling operators.

DO4 Heritage

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

objective

DO4.1 heritage values

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

Reasons

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

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

policy

DO4.1.1 heritage identification and classification

Heritage buildings, places, or objects, and important trees, should be identified in this Plan and classified according to the criteria set out in Appendices 1 and 2 in the following categories:
Buildings, Places or Objects
Group A - Protection and retention highly desirable
Group B - Protection and retention important
Group C - Protection and retention desirable
Trees
Heritage Trees - Protection and retention highly desirable
Landscape Trees - Protection and retention important
Local Trees - Protection and retention desirable

Explanation and Reasons

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

Methods

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

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

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

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

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

policy
DO4.1.2 demolition or removal of Group A heritage items

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

i) is a serious risk to human life or is in serious state of disrepair, and the cost of remedying the risk to life or the disrepair is prohibitive, or

ii) can be demolished in part without significant adverse effect on the heritage values for which the item was listed in Appendix 1, or

iii) can be reasonably relocated on the site, or another site in the District, without having a significant adverse effect on the heritage values of the item, or of adjacent items, or

iv) renders the site incapable of reasonable use, and places an unfair and unreasonable burden on the owner.

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

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

Explanation and Reasons

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

policy
DO4.1.3 demolition or removal of group B heritage items

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

Explanation and Reasons

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

policy
DO4.1.4 demolition or removal of group C heritage items

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

Explanation and Reasons

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

policy
DO4.1.5 archaeological sites and overlay

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

Explanation and Reasons

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

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

Method

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

policy
DO4.1.6 alterations and adjoining development

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

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

Explanation and Reasons

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

policy
DO4.1.7 heritage trees

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

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

Explanation and Reasons

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

policy
DO4.1.8 landscape trees

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

Explanation and Reasons

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

policy
DO4.1.9 local trees

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

Explanation and Reasons

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

policy
DO4.1.10 work on trees and adjacent development – Ngawhatu

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

Explanation and Reasons

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

policy
DO4.1.11 work on trees and adjacent development

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

Explanation and Reasons

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

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

policy
DO4.1.12 incentive for protection

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

a) the values for which the site or item was listed are not adversely affected by the development, and

b) any adverse effects on adjoining sites are minor, and

c) there is a resulting environmental benefit from protection of the item identified in the Heritage Overlay.

Explanation and Reasons

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

policy
DO4.1.13 heritage precincts

a) Where there are groupings of heritage buildings or objects which together have particular merit, the group should be managed as a heritage precinct.

b) The special heritage character and streetscape value of heritage precincts shall be preserved and enhanced, having regard to the contribution existing buildings make, or new buildings would make, to the character of the precinct as a whole.

Explanation and Reasons

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

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

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

DO4.1.13.iii Listing in Appendices 1, 2 and 3, and indicating on the Planning Maps heritage buildings, places, and objects, heritage precincts, protected trees, archaeological sites, and sites of significance to iwi.
DO4.1.13.iv Design guides for renovating and altering existing identified heritage buildings and for renovations, alterations, and new buildings within Heritage Precincts.
DO4.1.13.v The Council will contribute to the community funded Heritage Trust Fund. Owners of heritage items may apply to the Trust for assistance with such matters as building preservation, strengthening, or maintenance, or obtaining expert advice e.g. engineering or architectural advice.
DO4.1.13.vi Education of the location, history, and significance of Nelson's heritage features, including trees.
DO4.1.13.vii Consider using awards to recognise sympathetic new buildings or restoration, or subdivisions, or developments which take care to retain trees.
DO4.1.13.viii Provide information on restoration techniques for buildings, and on tree care.
DO4.1.13.ix Rules relating to:
a) demolition, removal, alteration, and subdivision of identified heritage items, trees, or features of significance to iwi.
b) the maintenance of the heritage significance of any buildings in relation to any proposed construction, alteration, demolition, or removal of buildings in heritage precincts.
DO4.1.13.x Favourably consider departure from plan rules on other aspects of development if trees or heritage items are protected.
DO4.1.13.xi Tree planting and landscaping, and provision of appropriate non-standard services in precincts e.g. street lights and paving appropriate to the heritage theme.
DO4.1.13.xii Provide free or reduced cost tree inspection and pruning service by the Council for Heritage Trees.
DO4.1.13.xiii Purchase trees, or require as part of a reserves contribution on subdivision.
DO4.1.13.xiv At Ngawhatu Valley (ex Ngawhatu Hospital site) identification and protection of essential and significant trees beyond trees individually listed in the Plan at the time of subdivision.

DO4e environmental results anticipated and performance indicators

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

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

DO5 Natural values

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

objective

DO5.1 natural values

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

Reasons

DO5.1.i In the past much development has been at the expense of natural values. This Plan seeks to move towards a situation where development is not at the expense of natural values, and where appropriate and achievable development complements natural features. In relation to the urban area this means promoting an urban form that respects and works in harmony with the natural environmental features and patterns of an area. Good urban design practice can preserve natural areas and values by appropriate ecological design, and at the same time potentially increase usable green space within and adjoining urban developments.

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

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

policy

DO5.1.1 areas with high natural values

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

Explanation and Reasons

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

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

Methods

DO5.1.1.iii Map areas of significant conservation value as Conservation Overlay and Marine Areas of Significant Conservation Value on the Planning Maps, and regulate by rules to protect and enhance the natural values of the area.
DO5.1.1.iv Assess all resource consent applications against the criteria in Table DO5.1, and where one or more of the criteria are relevant, place conditions on any resource consents granted in order to protect natural values.
DO5.1.1.v Prepare a Regional Pest Management Strategy which will, among other things, seek to prevent pest damage to areas of high natural value.
DO5.1.1.vi Encourage landowners, including the Department of Conservation, to fence off areas of high natural value, control pests and where appropriate consider providing assistance.
DO5 1.1.vii Where appropriate in the rural area assist landowners with the preparation of Property Plans having regard to the size of the property involved and the net environmental benefit to be achieved.
DO5.1.1.viii Schedule the values of sites mapped in the Conservation Overlay
DO5.1.1.ix Take into account any active protection of significant natural areas when considering proposals for development of properties and may consent to matters such as reduced minimum lot size or additional dwellings where active protection is resulting in a net environmental benefit.

policy

DO5.1.2 linkages and corridors

Promotion of linkages and corridors between areas of natural vegetation.

Explanation and reasons

DO5.1.2.i Areas of indigenous vegetation are often too small to support viable populations of animal and plant species. Linking pockets together, or providing new links from larger areas of habitat, can provide significant improvements to the biodiversity in any of the individual areas. This can also result in greater interaction between people and the environment and assist with the recognition of the cultural importance of native plantings. The maintenance of such connections is crucial to natural system sustainability and will enhance the Plan's ability to protect indigenous biodiversity. Rivers (and potentially wetlands) provide opportunity for continuous Biodiversity Corridors. Biodiversity Corridors can also be established through existing vegetation corridors, desired connectivity routes (currently vegetated or not), or by utilising the connectivity of publicly owned land.

DO5.1.2.ii Biodiversity Corridors are shown on various Structure Plans in association with areas identified for future urban growth or more intense development of Rural Zones. These have four primary functions:

- protection, enhancement or restoration of natural values and the capacity or natural functioning of ecosystems and their processes to support a range of life;
- protection, enhancement or restoration of the capacity for natural ecosystem processes (such as the migration of animals or dispersal of plants) to function between different parts of the environment ie connectivity between ecological areas;
- to increase the interaction between humans and the natural environment;
- recognition and assistance with preservation of the cultural significance of water, native vegetation and native aquatic flora and fauna to Maori.

By improving biodiversity features in urban design, working with the natural characteristics of a site, and enhancing or emphasising natural features such as riparian areas and mature vegetation, Biodiversity Corridors may also have a positive impact on the quality of the urban and peri-urban environment by:

- integrating built development within its landscape setting;
- encouraging people to connect with and interact with their local natural environment;
- shaping community identity or a sense of place;
- providing amenity to neighbourhoods;
- protecting water bodies from the undesirable effects of land development ie earthworks and sedimentation
- assisting in the management of stormwater discharges through retention and low-impact stormwater treatment;
- inclusion of public use and access;
- enhancing open space values.

DO5.1.2.iii Biodiversity Corridors are intended to preserve habitat that has functional connections with other existing natural communities. By showing Biodiversity Corridors on the planning maps / Structure Plans, there is potential to co-ordinate habitat preservation between properties and with regard to the wider ecosystem values. These corridors primarily recognise the presence of existing features of likely ecological value such as waterways and riparian margins, gullies, and existing trees or habitats, and the preservation, enhancement or restoration of inter-connectivity of these.

DO5.1.2.iv Biodiversity values can be integrated in urban and peri-urban environments at the three development stages of design, construction and post-construction. The Plan seeks that this is addressed as part of any application for subdivision consent, particularly for greenfield development. This requires an understanding of the site in terms of such matters as its water catchments, ecosystems type, and proximity to other existing and potential open space and conservation networks. Corridors and linkages should incorporate vulnerable areas such as waterways and reflect natural landscape connections where established, supported where possible and appropriate by human-made connections. Often streams and gullies will form natural boundaries within the landscape and therefore provide opportunity for restoration and access without unreasonably compromising development potential elsewhere. Areas must be large enough to maintain ecological processes for the health and integrity of the ecosystem and to buffer conflicting uses. The width of corridors will vary for this reason; a minimum width of 20m is required. Biodiversity Corridors are to be planted in predominantly eco-sourced native vegetation indigenous to the area. Some non-native vegetation can be planted for purposes such as to act as a nursery crop for the establishment of the native species referred to, or as a food source for fauna that utilise the corridor provided non-natives do not dominate and otherwise comply with provisions of the relevant Biodiversity Corridor rules. The resource consent process allows for the reduction in width of a Biodiversity Corridor to be considered where the intended functions of a Biodiversity Corridor are not compromised (see Policy Explanation and Reasons DO5.1.2.ii (Chapter 5 District Wide Objectives and Policies).

DO5.1.2.v Consideration also needs to be given to a Biodiversity Corridor's long-term management. There are a variety of management methods available to achieve the Council's objectives for natural values and biodiversity within urban and peri-urban subdivision design; for example consent notices, conservation or private covenants, esplanade and other reserves under the ownership and maintenance of the Council or other statutory body, or alternative design initiatives such as cluster development accompanied by preservation of natural open space or extension of tree planting into private property or the street network.

Methods

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

policy
DO5.1.3 work with landowners

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

Explanation and Reasons

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

Methods

DO5.1.3.ii Promote and where appropriate assist landowners with the establishment of protective covenants and other private protection initiatives.
DO5.1.3.iii Recognise and promote management practices undertaken by landowners to preserve and enhance significant natural areas.
DO5.1.3.iv Consider provision of rates relief, assistance with works, assistance with pest control and other incentives where active management to preserve and enhance significant natural areas is occurring.

policy
DO5.1.4 review provisions

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

Explanation and Reasons

DO5.1.4.i Protection and enhancement of significant natural areas under the provisions of the Resource Management Act has been the subject of considerable debate throughout the country. The debate has been wide ranging and consensus on what constitutes good practice is only now beginning to emerge. Central Government is currently preparing a National Policy Statement to provide additional guidance on matters related to protection of significant areas on privately owned land.
Council will review its Plan provisions related to significant natural areas and will initiate a Plan change to the Nelson Resource Management Plan within 5 years of provisions related to significant natural areas becoming operative. The change will include a review of all parts of the Plan related to significant natural areas and the Conservation Overlay.
The review and change will specifically address the following:

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

Methods

DO5.1.4.ii Establish a working group comprising representatives of Central and Local Government Agencies, Iwi, and landowners to review plan provisions related to significant natural areas and to recommend amendments to the Plan.
DO5.1.4.iii Consult with individual landowners and the public at large concerning the recommendations of the working group referred to above.
DO5.1.4.iv Initiate a review of Plan provisions related to significant natural areas, specifically the Conservation Overlay, and initiate a plan change within 5 years of these Plan provisions becoming operative.

table DO5.1

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

DO5e environmental results anticipated and performance indicators

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

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

DO6 Riparian and coastal margins

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

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

Riparian margins:-

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

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

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

objective

DO6.1 riparian and coastal margins

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

Reasons

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

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

policy

DO6.1.1 priority margins

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

Explanation and Reasons

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

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

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

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

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

table DO6.1.1

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

Methods

DO6.1.1.ii Show priority margins on the Planning Maps and list in Appendix 6.
DO6.1.1.iii Rules requiring the vesting of esplanade reserves and the creation of esplanade strips at the time of subdivision or on resource consent applications for land uses (refer to explanation in Appendix 6, Table 6.1).
DO6.1.1.iv Negotiating esplanade reserves, esplanade strips, or access strips on a voluntary basis where there is no mandatory requirement to acquire, or in advance of any mandatory requirement.
DO6.1.1.v Assess the appropriate width of esplanade strips and reserves during discretionary or non complying consents, or plan change applications where activities of a different scale or intensity to those normally provided for in the area are proposed.

policy
DO6.1.2 activities in margins

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

Explanation and Reasons

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

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

Methods

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

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

policy
DO6.1.3 existing undersize lots

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

Explanation and Reasons

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

Method

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

policy
DO6.1.4 management of margins

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

Explanation and Reasons

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

Method

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

policy
DO6.1.5 access to Coastal Marine Area

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

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

Explanation and Reasons

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

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

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

See also DO12.1.6

Methods

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

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

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

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

DO6e environmental results anticipated and performance indicators

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

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

DO7 Coastal environment

DO7.i The coastal environment spans land above and some land below mean high water springs and therefore transcends both the district and regional functions of Council. For administrative convenience (related to the plan's structure and administration of resource consents) the district parts of the Nelson Resource Management Plan include the Coastal Environment Overlay. This overlay with special exceptions, deals with the land above mean high water springs that is close to, or has a special relationship with the Coastal Marine Area.

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

objective

DO7.1 natural character

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

Reasons

DO7.1.i Council is required, by the Resource Management Act 1991, to safeguard the life-supporting capacity of water and ecosystems. The objective also reflects the requirements of section 6 of the Act and is consistent with the New Zealand Coastal Policy Statement.

policy

DO7.1.1 life supporting capacity

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

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

Explanation and Reasons

DO7.1.1.i Many activities can have the effects mentioned. The effects of an activity on land near the coast need to be assessed in terms of impacts on the Coastal Marine Area as well as on the land. Reclamation and drainage are particularly damaging to the life supporting capacity of the coastal environment because they result in permanent loss of habitats and biological productivity. The margins of Waimea Inlet and Nelson Haven have been substantially modified by reclamation. All future reclamation should require firm evidence of need, careful consideration of alternatives, and full assessment of effects on natural values and physical processes.

Methods

DO7.1.1.ii Rules which regulate activities with the potential to have significant adverse effects on the life-supporting capacity of the Coastal Marine Area.
DO7.1.1.iii Assessment of resource consent applications.

policy
DO7.1.2 adverse effects

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

Explanation and Reasons

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

Methods

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

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

policy
DO7.1.3 restoration

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

Explanation and Reasons

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

Methods

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

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

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

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

policy
DO7.1.4 Land use, development, and subdivision

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

Explanation and Reasons

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

policy
DO7.1.5 residential development

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

Explanation and Reasons

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

policy
DO7.1.6 coastal activities

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

a) any existing natural hazards, and

b) the potential to exacerbate natural hazards, and

c) the implications of future climate change (including the possibility of a 0.6m sea level rise and increasingly severe storms), and

d) policy CM8.2 on coastal protection works (including effects on, and arising from, coastal processes), and

e) the visual amenity of the coastal environment.

Explanation and Reasons

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

Methods

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

a) the rules relating to subdivision, use and development in rural, residential and industrial zones and in the Coastal Environment Overlay.

b) identifying areas for priority action (in consultation with the Department of Conservation) and taking action where the Council is the owner.

c) encouraging the Department of Conservation to take action where at risk areas are in Crown ownership.

d) advocating to the Department of Conservation that it purchase high value areas for reserves.

e) informing landowners of the values associated with particular sites or features, and the available protection options.

f) encouraging private landowners to enter into Queen Elizabeth II covenants or similar devices to protect significant features or areas.

g) where appropriate, offering incentives and/or compensation for entering into protective covenants or other initiatives aimed at protecting natural features e.g. fencing.

h) acquisition of significant areas at the time of subdivision or by negotiation.

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

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

objective

DO7.2 coastal water quality

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

Reasons

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

policy
DO7.2.1 discharges (general)

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

Explanation and Reasons

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

policy
DO7.2.2 stormwater discharges

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

Explanation and Reasons

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

policy
DO7.2.3 vessel waste management

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

Explanation and Reasons

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

policy
DO7.2.4 "non-point" discharges

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

Explanation and Reasons

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

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

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

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

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

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

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

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

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

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

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

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

DO7e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO7e.1 Preservation of the natural character of the coastal environment.	**DO7e.1.1** Maintained or enhanced water quality, maintained or enhanced natural vegetation and habitats.	Council records, especially aerial photos and water sampling records.
DO7e.2 Reduced building and development impacts on the coast.	**DO7e.2.1** Level of new building and development in the coastal environment. New building and development in sympathy with landscape character. Consistent treatment of resource consent applications for activities in coastal environment.	Media reports, Council records.
DO7e.3 Coastal water quality that supports community aspirations for use.	**DO7e.3.1** Trends in visual water quality. Uses continuing in terms of classification. Consistent enforcement of water standards.	Fishing catch records Inspection Council research and files

DO8 Signs

objective

DO8.1 signs

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

Reasons

DO8.1.i Signs can be useful in providing important information. However, signs if not properly controlled can be a hazard to people and to traffic, and can be visually intrusive both in the natural landscape and within the built landscape.

policy
DO8.1.1 minimising signs

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

Explanation and Reasons

DO8.1.1.i Nelson has an attractive natural environment which does not have a large number of signs. Similarly, the urban area is relatively uncluttered by excess signage. The policy aims to maintain this 'low sign' environment.

Methods

DO8.1.1.ii Rules regulating the number, size and other aspects of signs.
DO8.1.1.iii Rules controlling signs on heritage items.

policy
DO8.1.2 character and amenity

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

Explanation and Reasons

DO8.1.2.i The policy requires that the design of signs take account of the nature of the area into which they are to go. For example, greater use of signage is expected in industrial and commercial zones, compared to residential areas. Similarly, greater care may be needed in the design and placement of signs on a heritage building, or within some other sensitive environment such as the Coastal Marine Area.

Methods

DO8.1.2.ii Rules regulating the number, size and other aspects of signs.
DO8.1.2.iii Rules controlling signs on heritage items.

policy
DO8.1.3 safety

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

Explanation and Reasons

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

Methods

DO8.1.3.ii Rules regulating the number, size and other aspects of signs.
DO8.1.3.iii Rules controlling signs on heritage items.

DO9 Landscape

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

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

objective

DO9.1 landscape

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

Reasons

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

policy
DO9.1.1 significant features

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

Explanation and Reasons

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

policy
DO9.1.2 development

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

Explanation and Reasons

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

policy
DO9.1.3 primary road routes

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

Explanation and Reasons

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

policy
DO9.1.4 visual amenities

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

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

Explanation and Reasons

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

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

Methods (policies DO9.1.1 to DO9.1.4)

DO9.1.4.ii Planning maps that define Landscape Overlays and view shafts in respect of landscape values.
DO9.1.4.iii Rules that regulate activities by reference to effects on landscape and views.
DO9.1.4.iv Rules that regulate activities on Wakefield Quay (through the Wakefield Quay Precinct, and the Leisure Area).
DO9.1.4.v Rule requiring setback along Trent Drive (access to the airport terminal)
DO9.1.4.vi Conditions on resource consent relating to visual amenity where consent is required.

DO9e environmental results anticipated and performance indicators

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

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

DO10 Land transport

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

objective

DO10.1 land transport system

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

Reasons

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

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

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

policy
DO10.1.1 environmental effects of vehicles

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

Explanation and Reasons

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

Methods

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

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

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

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

policy
DO10.1.2 road network

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

Explanation and Reasons

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

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

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

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

Methods

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

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

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

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

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

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

policy
DO10.1.3 expansion of the road network

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

Explanation and Reasons

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

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

Methods

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

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

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

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

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

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

policy
DO10.1.4 traffic effects of activities

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

Explanation and Reasons

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

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

Methods

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

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

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

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

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

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

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

policy
DO10.1.5 access to sites

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

Explanation and Reasons

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

Methods

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

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

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

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

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

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

policy
DO10.1.6 parking, loading, and turning

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

Explanation and Reasons

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

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

Methods

DO10.1.6.iii Rules specifying requirements for loading, parking, and manoeuvring according to activity.
DO10.1.6.iv Front yard rules specifying the location of residential garaging.
DO10.1.6.v Specific rules for the City Centre (Inner City Zone), and provision of parking collectively in public car parks, through a special rate.

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

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

a) whether the reduction will support and facilitate the use of alternative modes of transport,

b) the provision of on-site bicycle stands, and accompanying change and shower facilities proportional to the reduction in on-site parking,

c) the proximity of the site to public transport, how the activity proposes to facilitate use of public transport, and the scope to provide additional bus stops in the vicinity,

d) the existence of a travel management plan for the site that the Council considers is likely to result in a lower demand for commuter parking through such initiatives as car-pooling, a bus or taxi transport system provided for staff, and the encouragement of cycling or walking,

e) the ability to establish an enduring and binding arrangement to share parking with a nearby site if the parking demands are complementary,

f) the proximity, availability and ease of access to on-street and off-street public car parks, and taking account of the time of the expected parking demand,

g) good evidence that the parking demand generated by the activity will be less than the on-site parking required by the Plan,

h) whether the parking demand, particularly peak demand, is likely to be infrequent, having regard to the practicality, economic efficiency and amenity impacts of providing for occasional peak demand,

i) any benefits in terms of improved urban design outcomes, including streetscape, more efficient use of land and a more compact city, provided that there must be no resultant adverse effect that is more than minor on the safety or movement functions of any Classified Road[1], or on the safety or residential character of any Unclassified Road[1] within the Residential Zone, and the safety and efficiency criteria in Policy DO10.1.6 (parking, loading and turning) are addressed.

Explanation and Reasons

DO10.1.6A.i The parking standards for different classes of activities in Appendix 10 are necessarily generic. There may often be good reasons to depart from them. For example, evidence may be provided that the particular activity will have a lower demand for parking than the generic class of activity. Alternatively, the parking demand may be at a time when on-street parking or parking on a nearby site is available.
DO10.1.6A.ii Required parking can occupy a lot of land or space within a building. As such it represents a significant cost, it can have significant effects on the economic viability of projects and the required parking can sometimes work against other objectives – for example, anti drink-drive objectives, urban design and amenity outcomes, heritage, a compact city, and promoting use of public transport, walking and cycling.

[1] Defined in Chapter 2 'Meanings of Words'

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

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

Methods

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

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

policy
DO10.1.7 pedestrian and bicycle traffic

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

Explanation and Reasons

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

Methods

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

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

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

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

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

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

DO10.1.7.viii Establishment of cycle parking facilities.

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

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

DO10e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO10e.1 Lower growth in the use of private cars, leading to less noise, pollution and other adverse effects.	**DO10e.1.1** Vehicle counts Journey to work records Vehicle occupancy	 Council records Census
DO10e.2 Improved safety for motorists, pedestrians and cyclists.	**DO10e.2.1** Casualty statistics	 New Zealand Transport Agency.
DO10e.3 Better access to and within the Inner City, for pedestrians and vehicles.	**DO10e.3.1** Vehicle and pedestrian counts. Public car park use.	 Council records, car park statistics.

DO11 Air transport

DO11.i The issues in regard to air transport arise from many of the issues discussed in Chapter 4, but are concentrated in the area close to the airport.
This Plan includes various regulatory and other methods to manage the effects of airport related noise including designation, rules, and methods such as environmental and noise management plans.

objective

DO11.1 air transport

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

Reasons

DO11.1.i Nelson Airport is a significant physical resource, and contributes to the well being of the people and community of Nelson and the adjacent regions, as well as to the New Zealand community as part of a national network of airports. Flight is an increasingly important method of transport, for both passengers and freight and it is projected that Nelson Airport will experience steady growth in the number of aircraft movements over the foreseeable future. The airport's present location, close to the urban area, has both positive and adverse effects. An important positive effect is the short travelling time from the airport to the urban area. The main potential adverse effect of airport activities is noise, although safety and traffic effects may also arise. If the effects of noise become excessive, the long term viability of the airport at its present location may be called into question.

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

policy
DO11.1.1 recognition of airport resource

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

Explanation and Reasons

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

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

Methods

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

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

policy
DO11.1.2 noise effects of aircraft

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

Explanation and Reasons

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

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

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

Methods

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

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

policy
DO11.1.3 management of receiving environment

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

Explanation and Reasons

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

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

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

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

Methods

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

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

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

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

policy
DO11.1.4 management, monitoring, and review

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

Explanation and Reasons

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

Methods

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

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

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

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

policy
DO11.1.5 noise management and mitigation

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

Explanation and Reasons

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

Methods

DO11.1.5.ii Establishment of standards for measurement and evaluation of effects.

DO11.1.5.iii Regular monitoring of airport noise.

DO11.1.5.iv Education and advocacy to minimise noise generation at the airport, and to encourage people to take voluntary steps to minimise noise effects.

DO11.1.5.v Identification on Planning Maps of areas likely to be subject to some airport noise, but not of a level to justify regulation, as an "Airport Effects Advisory Overlay."

DO11.1.5.vi Encouragement of consultative and other techniques which can result in integrated management of noise effects.

DO11.1.5.vii Five yearly independent compliance audits of aircraft noise management at Nelson Regional Airport (as set out in Designation DAA2 air noise boundary controls).

DO11e environmental results anticipated and performance indicators

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

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

DO12 Port Industrial Area

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

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

objective

DO12.1 the Port Industrial Area

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

Reasons

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

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

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

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

policy

DO12.1.1 recognition of port resource

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

Explanation and Reasons

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

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

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

Methods

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

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

policy
DO12.1.2 future expansion at the Port Industrial Area

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

Explanation and Reasons

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

Methods

DO12.1.2.iii Assessment criteria for resource consents.

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

policy
DO12.1.3 noise effects

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

Explanation and Reasons

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

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

Methods

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

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

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

a) minimising port noise as far as practicable,

b) mitigation of effects of port noise on noise-affected properties,

c) ongoing community consultation/liaison on port noise issues,

d) monitoring of port noise.

policy
DO12.1.4 management of noise receiving environment

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

Explanation and Reasons

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

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

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

Methods

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

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

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

policy
DO12.1.5 reduce disturbance arising from port operations

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

Explanation and Reasons

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

Methods

DO12.1.5.ii Support and participate in Port Environmental Consultative Committee.
DO12.1.5.iii Establish and operate a Port Noise Liaison Committee.
DO12.1.5.iv Prepare and operate a Port Noise Management Plan which includes methods to reduce noise emissions.

policy
DO12.1.6 public access in the port area

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

Explanation and Reasons

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

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

Methods

DO12.1.6.iii Assessment criteria for resource consents.
DO12.1.6.iv Environmental compensation where substantial areas are to be closed to the public.

DO12e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO12e.1 An effective and efficient Port Industrial Area, where adverse environmental effects are avoided, remedied or mitigated.	**DO12e.1.1** The number and significance of environmental issues arising from port activities.	Council records. Reports from Council inspections. The Port Operator's Issues Register and complaint records. Records of the Port Noise Liaison Committee.
DO12e.2 **An environment where people living in noise sensitive locations are protected from port noise through appropriate levels of acoustic insulation.**	**DO12e.2.1** **The number and proportion of residential units and other noise sensitive buildings within or adjacent to the Port Industrial Area with acoustic insulation.**	Resource consents granted. Council records. The Port Operator's records, including acoustic certificate register.
DO12e.3 A managed port noise environment where noise is minimised to the greatest extent practicable.	**DO12e.3.1** Level of port noise complaints from residents living near the Port Industrial Area.	Regular port noise monitoring. Audit of Port Operator's monitoring data. Council records.

DO13 Soil erosion and sedimentation

DO13.i The issues in regard to soil erosion and sedimentation are set out in Chapter 4 (particularly RI7 – soil and water). When this Plan becomes operative, this material will replace the Regional Plan for the NCC Land Disturbance Plan, notified in 1993. The following Objective and Policies are consistent with the Regional Policy Statement, section 10 (soils).

objective

DO13.1 soil erosion and sedimentation

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

Reasons

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

policy
DO13.1.1 soil erosion

Land uses should not accelerate soil erosion beyond natural levels.

Explanation and Reasons

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

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

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

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

policy
DO13.1.2 sedimentation

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

Explanation and Reasons

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

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

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

Methods (policies DO13.1.1 and DO13.1.2)

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

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

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

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

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

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

policy
DO13.1.3 research

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

Explanation and Reasons

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

Method

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

DO13e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO13e.1 Increased awareness and use of land management practices which avoid or minimise soil erosion and sedimentation.	**DO13e.1.1** Response to Council educational programmes. Water quality.	Council records.
DO13e.2 Reduced soil erosion and sedimentation.	**DO13e.2.1** Appearance of landscape. Land productivity, water quality.	Council records, aerial photos.

DO13A Urban design

DO13A.i Issues relevant to quality urban design are discussed in Chapter 4. Development and re-development activities in the urban area have potential to adversely affect the quality, functioning and sustainability of the urban environment. The design of and relationships between buildings, spaces and networks (e.g. streets) has a significant influence on people. Quality of everyday life is affected by the environments we share in the urban areas.

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

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

objective

DO13A.1 recognising the local context

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

Reasons

DO13A.1.i Design that makes distinctive use of space, form and materials, promotes Nelson's identity, and encourages diversity of cultural expression. It fosters local pride, civic engagement and confidence, and it stimulates innovation, creativity and economic opportunities. Subdivision and development design should place considerable emphasis on the strategic and contextual urban design objectives of the City and not just on individual site considerations. This particularly applies at the private to public space interface, such as street frontages and adjoining reserves, walkways, and coastal and riparian areas.

policy
DO13A.1.1 local context and environment

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

Explanation and Reasons

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

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

Methods

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

objective

DO13A.2 improving connections

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

Reasons

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

policy
DO13A.2.1 accessibility

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

a) safe and pleasant transport networks for all modes of movement, including pedestrians, cyclists, public transport and motor vehicles.

b) a variety of logical and effective connections between different transport networks and between different parts of the city and urban areas.

Explanation and Reasons

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

Methods

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

policy
DO13A.2.2 natural connectivity

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

Explanation and Reasons

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

Methods

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

policy
DO13A.2.3 public to private connections

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

Explanation and Reasons

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

Methods

DO13A.2.3.ii Rules and assessment criteria including those controlling yards, setback, and fence heights.
DO13A.2.3.iii Esplanade values and rules in Appendix 6.
DO13A.2.3.iv Comprehensive Housing Development provisions (Appendix 22).
DO13A.2.3.v NCC Residential Street Frontage Guide and the NCC Central City Streetscape Design Guide.
DO13A.2.3.vi Implement NCC Land Development Manual Reserves and Transport sections.
DO13A.2.3.vii Implement actions and policies of NCC 'Safer by Design' Crime Prevention through Environmental Design Guidelines (CPTED).

objective

DO13A.3 creating high quality public spaces

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

Reasons

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

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

policy
DO13A.3.1 high quality public spaces

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

a) landscape and streetscape design that is of high quality, is people rather than vehicle orientated and maintains or enhances social, cultural and amenity values.

b) a sense of human scaled elements at the interfaces of buildings, infrastructure and urban public spaces.

c) the public space to have a variety of distinctive spaces appropriate to the context that function well as places for a range of activities including meeting people, relaxing, playing and walking through them.

d) a range of public open spaces and parks that cater for the different needs of people both in terms of ages and abilities, and levels of recreational and leisure use.

Explanation and Reasons

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

Methods

DO13A.3.1.ii Implement the NCC Arts Policy for art in public spaces.

DO13A.3.1.iii Standards and guidance contained in the NCC Land Development Manual Reserves and Landscaping, and Transport sections.

DO13A.3.1.iv NCC Urban Design Panel.

DO13A.3.1.v Implement the NCC Street Tree Guidelines.

DO13A.3.1.vi Implement actions and policies in the NCC Parks and Reserves Management Plans.

DO13A.3.1.vii Rules, standards and terms, and assessment criteria.

DO13A.3.1.viii Implement actions and policies in the NCC 'Safer by Design' Crime Prevention through Environmental Design Guidelines (CPTED).

DO13A.3.1.ix Implement the Central City Strategy.

DO13A.3.1.x Create and implement a Strategic City Development Plan that programmes and prioritises growth areas, works and services required to ensure sustainable urban development.

DO13A.3.1.xi NCC Residential Street Frontage Guide and the NCC Central City Streetscape Design Guide.

policy
DO13A.3.2 multi use

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

Explanation and Reasons

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

Methods

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

policy
DO13A.3.3 prominent and public buildings and spaces

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

Explanation and Reasons

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

Methods

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

objective

DO13A.4 providing for diversity

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

Reasons

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

policy

DO13A.4.1 flexibility, choices and adaptability

Subdivision and development should facilitate, where appropriate:

a) mixed use developments that support a variety of compatible land uses and reflect local needs.

b) flexibility to adapt buildings and spaces to accommodate a range of uses both now and in the future.

c) a range of building types to provide accommodation and offer opportunities for all groups within the community.

d) a range of subdivision layouts that contribute to a diversity of neighbourhood types and identities.

Explanation and Reasons

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

Methods

DO13A.4.1.iii Undertake Residential Intensification Review to determine appropriate densities.

DO13A.4.1.iv Create and implement different Residential Zone density provisions.

DO13A.4.1.v Comprehensive Housing Development Provisions and Appendix 22.

DO13A.4.1.vi Implement Structure Plans in the NRMP.

DO13A.4.1.vii Provide for mixed use opportunities in certain zones.

DO13A.4.1.viii Rules and assessment criteria.

DO13A.4.1.ix Implement actions and policies in the Central City Strategy.

DO13A.4.1.x Implement the affordable housing measures in the Social Wellbeing Policy.

objective

DO13A.5 sustainable places & communities

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

Reasons

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

policy

DO13A.5.1 environmentally responsive

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

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

Explanation and reasons

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

Methods

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

objective

DO13A.6 urban design process

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

Reasons

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

policy
DO13A.6.1 policy and administration

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

Explanation and Reasons

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

Methods

DO13A.6.1.ii Rules and assessment criteria, particularly the restricted discretionary residential subdivision rules**.**
DO13A.6.1.iii Implement Appendix 14 Residential Subdivision Design and Information Requirements.
DO13A.6.1.iv Use of the Major Projects Team to review significant development proposals.
DO13A.6.1.v Review internal Council systems and processes to remove barriers and encourage integrated decision making.
DO13A.6.1.vi Undertake interdepartmental projects.
DO13A.6.1.vii Encourage the use of pre-application consultation between applicants and Council officers.
DO13A.6.1.viii Create an Urban Design Panel to provide design advice on private and public projects.

policy
DO13A.6.2 coordinated approaches

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

Explanation and Reasons

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

Methods

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

policy
DO13A.6.3 collaboration

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

Explanation and Reasons

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

Methods

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

DO13Ae environmental results anticipated and performance indicators

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

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

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

DO14 Subdivision and development

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

objective

DO14.1 city layout and design

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

Reasons

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

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

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

policy

DO14.1.1 landscape features

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

Explanation and Reasons

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

Methods

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

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

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

policy
DO14.1.2 type and intensity of development

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

Explanation and Reasons

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

Methods

DO14.1.2.ii Rule controlling development and subdivision, including allotment size and shape within each zone.
DO14.1.2.iii Assessment criteria for applications.
DO14.1.2.iv Comprehensive Housing Rules and provisions in Appendix 22 and requirements in Appendix 14.

policy
DO14.1.3 orderly development

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

Explanation and Reasons

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

Methods

DO14.1.3.ii Rules controlling extent of development, subdivision, allotment size, and shape within each zone, service overlays and extension of services.
DO14.1.3.iii Assessment criteria on applications.
DO14.1.3.iv Financial contributions for subdivision and developments.

objective

DO14.2 amenity values

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

Reasons

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

policy
DO14.2.1 allotments

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

Explanation and Reasons

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

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

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

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

Methods

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

DO14.2.1.vi Assessment criteria for applications.

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

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

objective

DO14.3 services

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

Reasons

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

policy
DO14.3.1 roading

Subdivision and development should provide for:

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

Explanation and Reasons

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

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

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

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

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

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

Methods

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

DO14.3.1.vi Assessment criteria on applications.

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

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

policy
DO14.3.2 drainage, water and utilities

Subdivision and development should provide for:

a) Water supplies of sufficient capacity and of suitable standard for the anticipated land uses on each lot or development, including fire fighting requirements, and

b) The disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of any land, and

c) The treatment and disposal of wastewater in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment, and

d) Connections from all new lots or buildings to a reticulated water supply, stormwater disposal system, and wastewater treatment and disposal system, where such systems are available, and

e) Supply of electricity, including street lighting, and telecommunication facilities for the anticipated land uses, using a method of supply appropriate to the amenity values of the area, and health and safety, and

f) Any necessary additional infrastructure for water supply, stormwater disposal or wastewater treatment and disposal or power and telecommunications, and

g) Provision of sufficient land and infrastructure with capacity to support the servicing requirements of future development on land in the vicinity that is in the Services Overlay.

h) New or upgraded infrastructure required in accordance with a) to f) above shall be funded and constructed by the consent holder, as part of the development. Provision of land or pipe capacity under g) above shall be funded by the Council, if the project is provided for in the LTP. In this case, the relevant works have to be constructed prior to the section 224(c) certificate being sought for the development. In all other cases it is expected that the necessary land and pipe capacity shall be funded by the consent holder (with costs shared between benefiting landowners, where relevant).

i) All wastewater, water and stormwater infrastructure specified in Section 3 of the NCC Land Development Manual 2010 to become public shall be vested in Council.

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

Explanation and Reasons

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

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

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

Methods

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

policy
DO14.3.3 areas without services

Development and subdivision of areas that do not have access to reticulated services, or where the existing services are operating at full capacity, should not proceed where:
a) it will result in significant adverse effects, or
b) the services listed in policy DO14.3.2 cannot be provided.

Explanation and Reasons

DO14.3.3.i Development and subdivision in unserviced or poorly serviced areas has potential to have adverse effects on the amenities of the area and on health and safety. The urban and Rural Zone High Density Small Holdings areas where there are greatest difficulties with servicing are shown on the Planning Maps as a Services Overlay. In other rural areas, on site services may be satisfactory.
DO14.3.3.ii The Council has developed a Long Term Plan to fund the servicing of parts of the urban area according to a timetable. As this proceeds, subdivision and development will become viable in new areas. This servicing timetable will be guided by the Nelson Development Strategy.

Methods

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

objective

DO14.4 network utilities

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

Reasons

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

policy
DO14.4.1 efficient use of network utilities

Management of network utilities that promotes their efficient use.

Explanation and Reasons

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

Methods

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

policy
DO14.4.2 transmission lines

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

Explanation and Reasons

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

Methods

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

policy
DO14.4.3 effects of network utilities

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

Explanation and Reasons

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

Methods

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

objective

DO14.5 community services and facilities

Appropriate provision for community services and facilities in the district.

Reasons

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

policy
DO14.5.1 community services and facilities

Subdivision and development should provide for or contribute towards:

a) The provision of land for the reasonably foreseeable community needs of present and future generations for recreational and cultural pursuits and amenity values, and

b) The development of land to provide for sport, play, recreation, culture and amenity for the community, and

c) The protection or preservation of areas or items of natural or cultural value.

Explanation and Reasons

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

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

Methods

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

DO14e environmental results anticipated and performance indicators

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

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

DO15 Peripheral urban expansion

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

objective

DO15.1 urban form

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

Reasons

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

policy
DO15.1.1 encouragement of infill

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

Explanation and Reason

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

policy
DO15.1.2 limiting effects of urban expansion

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

Explanation and Reason

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

policy

DO15.1.3 rural greenbelt

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

Explanation and Reasons

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

Methods (policies DO15.1.1 - DO15.1.3)

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

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

DO15e environmental results anticipated and performance indicators

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

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

DO16 Zones

DO16.i The pattern of land use in the District that has developed over time reflects the physical characteristics of the land and other resources, people's preferences from time to time, and planning decisions under former legislation. There are now easily identifiable areas of the District with distinctive environmental qualities. At the broadest level these can be defined in terms of landscape:

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

DO16.ii Within the built up area, historical patterns of development have led to areas with characteristics which are clearly residential, commercial, industrial or open space and recreational. Infrastructure, including roads, drains, water supply and other services, has been developed to reflect the needs of this existing pattern. Each distinct area, together with its infrastructure, represents a resource that is required to be sustainably managed under this Plan. Different sets of issues arise in the different areas and need to be addressed differently in the Plan.

DO16.iii The Plan recognises that areas have distinctive environmental characteristics, and what effects of activities are acceptable may differ between areas. The Plan applies a zoning approach to define the different environmental qualities sought for different areas and to control the actual and potential adverse effects of development within them.

DO16.iv The zones contain all of the land area of the District above mean high water springs. The Coastal Marine Area, although not called a zone, is dealt with in this Plan as a similar geographical unit. The issues affecting the Coastal Marine Area and the dry land area of the District are often related. This Plan takes an integrated approach to these, particularly by means of the Coastal Environment Overlay.

Overlays

DO16.v Zones are different from overlays. Overlays are areas of the District within which particular issues arise. Chapter 3 describes how overlays are presented in the Planning Maps and outlines the relevant issues. Overlay boundaries are usually determined by the physical extent of, or constraints on, resources and therefore do not coincide with zone boundaries, which often also reflect social conditions. No objectives or policies are stated for overlays, as they are simply a method of implementing particular policies, such as those relating to servicing or natural hazards.

objective

DO16.1 management of resources by location

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

Reasons

DO16.1.i Resource management issues do not arise uniformly throughout the District and provision for the varying needs of, and effects in, different parts of the District need to be addressed.

policy
DO16.1.1 zones (and areas)

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

1. Residential Zone

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

Explanation and Reasons

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

2. Inner City Zone

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

Explanation and Reasons

DO16.1.1.ii ***City Centre***

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

DO16.1.1.iii ***City Fringe***

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

3. Suburban Commercial Zone

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

Explanation and Reasons

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

4. Industrial Zone

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

Explanation and Reasons

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

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

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

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

a) the character of some commercial activities is incompatible with the function and amenity levels of the Commercial Zones

b) the scale of and foreseeable demand for some commercial activities is such that may be impractical for them to find adequate land in the Commercial Zones

c) the provisions will tend to reduce the trend to increasing widespread "commercialisation" of Industrial land, and its adverse economic consequences for industrial activities

d) the provisions are compatible with the objectives and policies for the Inner City and Suburban Commercial Zones

5. Open Space and Recreation Zone

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

Explanation and Reasons

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

6. Rural Zone

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

Explanation and Reasons

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

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

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

7. Conservation Zone

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

Explanation and Reasons

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

8. Coastal Marine Area

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

Explanation and Reasons

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

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

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

[05/01] Amendment 1 Notified 05/03/05

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

a) the life-supporting capacity of the coastal environment
b) significant indigenous vegetation, habitat, land forms, and other natural features
c) amenity values (including landscape, scenic, recreational, historical, cultural, and spiritual values)
d) water quality

Public access to the coast and natural hazards are dealt with elsewhere in this Chapter.

Methods (for Zones 1 - 8)

DO16.1.1.xvi Methods, including rules, as stated in the zone chapters that apply different methods to the various zones.
DO16.1.1.xvii Planning Maps that show the zones.

DO16e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO16e.1 A pattern of land use that reflects the varying needs and capabilities of the areas of the District.	**DO16e.1.1** Consistent treatment of resource consent applications.	Council records, media reports
DO16e.2 A pattern of land use that locates activities according to their effects on the environment.	**DO16e.2.1** Consistent treatment of resource consent applications.	Council records, media reports

DO17 Activities in the beds of rivers and lakes, and in wetlands

DO17.i The Resource Management Act (section 13) places special restrictions on the use of river beds. Any structures on, or disturbance in, river beds must be provided for by a rule in a regional plan or by resource consent.

DO17.ii Activities or uses of river beds include, fords, dams, weirs, water intake structures, gravel extraction, river control works, and vegetation planting and clearance. While important to the ongoing wellbeing of Nelson's people and communities, poorly constructed or maintained structures can cause adverse effects. These include erosion of river bed, build up of sediment, poor water quality, damage to aquatic habitats and obstacles to fish passage. In addition, vegetation and slash material left in river beds can cause obstruction of structures.

DO17.iii While Nelson's known wetlands are currently limited to Rush Pool, Dew Lakes the Wakapuaka and Whangamoa river flats at the river mouths, and the Wakapuaka sand flats at the head of the Haven, there is potential that more exist or will be created. Section 6(a) of the Act states that preservation of the natural character of wetlands and their protection from inappropriate subdivision, use, and development is a matter of national importance.

DO17.iv The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that waahi tapu (including those located in freshwater) are places that provide tangata whenua with a physical and spiritual link to their ancestors. Activities or management approaches which lead to the contamination, damage or destruction of waahi tapu results in both spiritual and physical loss to tangata whenua.

DO17.v Issues relevant to activities in the beds of rivers and lakes, and in wetlands, are discussed in section RI18 of the Plan.

objective

DO17.1 Effects of activities and structures in the beds and margins of rivers and lakes on the natural environment

Activities, works or structures within the beds of lakes and rivers and their margins, and in wetlands, are undertaken or constructed in a way which avoids, remedies or mitigates adverse effects on freshwater bodies and their associated uses and values.

Explanation and Reasons

DO17.1.i Activities within a watercourse can result in significant adverse effects, such as loss of water quality, destruction of habitats, or change the water conditions so that they are no longer suitable for aquatic ecosystems. These effects can be caused by a range of activities, structures, and works, including the introduction of plants. Many of Nelson's typical small shallow streams make them more vulnerable to changes in physical conditions than larger or swifter-flowing rivers. In accordance with the Nelson Regional Policy Statement, priority must be given to the natural functioning of the water body when managing river and lake beds.

policy
DO17.1.1 Disturbance of river and lake beds, excluding extraction of aggregate

Activities which disturb the bed of a river or lake, or a wetland, including vehicles and vehicle crossings, should be avoided, unless the disturbance is necessary:
a) for the maintenance of lawfully established structures or network utility operations, or
b) for the restoration or enhancement of any in-stream or out-of-stream values, or
c) where no practicable alternative vehicle crossing is available, and adverse effects can be mitigated.

Explanation and Reasons

DO17.1.1.i Activities and vehicles which disturb river and lake beds, and wetlands, can have direct adverse effects on the area in which they are undertaken, which may be important invertebrate habitat or spawning habitat for native fish or trout. In addition, they can have adverse effects downstream, such as loss of water quality, sedimentation, and potential for contamination through oil and fuel spills. As such, activities which disturb river and lake beds should be avoided.
DO17.1.1.ii There will, however, be occasions when activities do need to occur within the bed, such as routine maintenance of structures, or where there are no alternative crossing places for vehicles. It is appropriate to make some allowance for these situations, subject to certain conditions being met to avoid and mitigate adverse effects. (New structures are addressed in policies DO17.1.6 and DO17.1.7.)

Methods

DO17.1.1.iii Rules setting performance standards for crossings and controlling activities with potential to adversely affect the beds of rivers, lakes and wetlands.
DO17.1.1.iv Provide information on the values of rivers, lakes and wetlands, including monitoring results and ecological information.
DO17.1.1.v Advice on best practice.

policy
DO17.1.2 protection of natural character

Protect the natural character of rivers, lakes and wetlands, and their margins, and wetlands, from inappropriate subdivision, use and development.

Explanation and Reasons

DO17.1.2.i This policy reflects section 6(a) and 6(c) of the Act. Council recognises that, irrespective of the degree of modification that has taken place, all rivers, lakes and wetlands, and their margins, have some degree of natural character and the approach required by the Act is to protect those attributes which give an area its natural character from inappropriate subdivision, use and development. Council also recognises that the need to protect natural values may limit development opportunities.

Methods

DO17.1.2.ii Rules controlling activities which have the potential to adversely affect the natural character of rivers, lakes and wetlands, and their margins.
DO17.1.2.iii Advice on best practice to avoid adversely affecting existing natural character and rehabilitation and restoration of natural character where possible.
DO17.1.2.iv Provide information on the values of rivers, lakes and wetlands, including monitoring results and ecological information.

policy
DO17.1.3 flood damage

Structures in river beds and their margins should be constructed to allow for flood flows from significant storm events without causing or exacerbating flood damage to natural and physical resources.

Explanation and Reasons

DO17.1.3.i Examples of works that could make flooding worse if not constructed properly include:

- bank protection works and in particular groynes which redirect the force of the flow towards the other side of the river, and
- bridges and culverts which alter the hydraulic characteristics of the river and cause a backwater effect, and
- fords which can trap natural sediment movement during floods and subsequently impede fish passage, and
- walk bridges or service lines (pipes and cables) which are slung over the river but get caught up in flood flow and cause turbulence or, in worse cases, trap debris and dam the river, and
- works in the river bed which obstruct or restrict flow, cause backwater and therefore raise the height of the water surface, and
- fences over a river, which can trap debris and logs.

DO17.1.3.ii The Council is responsible for controlling the use of land in order to avoid and mitigate the adverse effects of flooding on people and property. The aim is to avoid adverse risks from the peak flow arising from a rainfall event which has the possibility of occurring once every 50 years (Q50) in most cases, and every 15 years (Q15) for others.

DO17.1.3.iii Q50 flood capacity is required for major rivers and their tributaries due to the volume of water that will flow down them during a 1 in 50 year flood. Q50 flood capacity is also required for smaller ones in built up areas where the risk of flood damage to properties is high. Q15 flood capacity is usually required for smaller and intermittent rivers where risk of damage during floods is low.

DO17.1.3.iv Climate change could affect rainfall patterns and intensity in Nelson. In the longer term this may lead to a change in the frequency of flood events. In future, if the Government's advice or legislation changes, the Council may need to change its flood protection requirements.

Methods

DO17.1.3.v Flood hazard overlays in the Nelson Resource Management Plan.
DO17.1.3.vi Engineering design standards for structures in river beds.
DO17.1.3.vii Advice on best practice and design of structures.

policy
DO17.1.4 planting in the beds of rivers and lakes

The introduction of plants in the beds of rivers and lakes should be avoided except where such planting is necessary to control erosion.

Explanation and Reasons

DO17.1.4.i Introducing plants into riverbeds has the potential to reduce the flood carrying capacity and natural functioning of the water body, by impeding water flow. Planting is a valuable way to stabilise river and stream banks. Plantings at river mouths can enhance whitebait spawning habitat, and plants naturally occur in, and enhance, wetlands. In no circumstances should the pest plants listed in the Tasman-Nelson Regional Pest Management Strategy be planted in the beds of rivers, lakes or wetlands.

DO17.1.4.ii Some plants which have shallow root structures or which are susceptible to wind throw or branch dropping, may affect flow capacity by falling into the water channel and impeding water flow, so it is preferable to use plants which do not easily detach themselves from the substrate. For example, Osier willow, commonly used to stabilise banks, is a nuisance which spreads readily. Brach drop sets up new growth which impedes water flow, especially in narrow waterways. 'Living Heritage – growing native plants in Nelson' provides guidance on the most suitable plants to use for riparian enhancement.

Methods

DO17.1.4.iii Rules controlling planting in the beds of rivers and lakes.
DO17.1.4.iv Advice on suitable plants to be used in river mouths and wetlands.
DO17.1.4.v Clearance of unsuitable plants in beds and on river banks.

policy
DO17.1.5 planting in riparian margins

The introduction of plants in the margins of rivers should be encouraged except where such planting involves pest plants or plants which are likely to spread into the bed of a river.

Explanation and Reasons

DO17.1.5.i The margin of rivers and streams is a crucial buffer between land use activities and the natural waterway. Planted waterway margins protect water quality by: filtering surface run off, taking up nutrients (through plant roots), removing nitrogen (through bacteria in wet riparian soils), and preventing stock access when they are fenced. The Council provides landowners with guidance on riparian management. In addition, the Council's publication 'Living Heritage – growing native plants in Nelson' provides guidance on the most suitable plants to use for riparian enhancement.

DO17.1.5.ii The shade created by plants is important for reducing water temperature and reducing the growth of nuisance plants in waterways. Plants also provide shelter, food and spawning areas. In most cases the planting of native species is preferred in order to enrich Nelson's natural ecosystems of plants and animals.

DO17.1.5.iii Planted margins can also provide benefits to rural landowners by stabilising banks, enhancing the rural landscape, and reducing the need to clear drains and streams.

DO17.1.5.iv Crack willow is regarded as a pest plant in riparian margins because it spreads easily and often tips into rivers, breaking the bank down and blocking the water course. Future maintenance of any willow plantings will be required to retain their effectiveness against bank erosion and to prevent them spreading to other places in the watercourse.

DO17.1.5.v The Tasman-Nelson Regional Pest Management Strategy provides Nelson's framework for pest management. It lists the weeds and animals considered to be pests in this region and details the pest management programme for each of them. Further information is available at Nelson City Council. Tasman District Council's biosecurity staff are available to help identify and control these pests.

DO17.1.5.vi Planting programmes in riparian areas need to consider the potential adverse effects on existing network utilities. For example, appropriate species should be selected for planting near transmission lines so that they do not grow into the lines.

Methods

DO17.1.5.vii Encourage and provide advice, and funding where appropriate, for the planting of suitable indigenous species in riparian margins.
DO17.1.5.viii Provide information on the values of Nelson's rivers, lakes, wetlands and riparian margins, including monitoring results and ecological information.
DO17.1.5.ix Support community planting projects.
DO17.1.5.x Encourage the planting of locally sourced harakeke. Consider allowing for the harvesting of it, as well as any windfall trees, on Council-owned land.
DO17.1.5.xi Provide for protection of watercress and harvesting of it where water is of sufficient quality to avoid health hazards.
DO17.1.5.xii Advice on alternative methods of erosion control.
DO17.1.5.xiii Develop and promote guidelines on best practice for riparian land management.

policy
DO17.1.6 structures in and under the beds of rivers and lakes, and wetlands

Structures in, on or under the beds of rivers and lakes, or in wetlands, should only be constructed where adverse effects can be avoided, remedied or mitigated.

Explanation and Reasons

DO17.1.6.i Structures, including bridges, which are located in, on or under the beds of rivers and lakes, or in wetlands, can cause adverse effects. These range from visual intrusion on natural character and amenity values, to permanent effects on ecology and biota by restricting fish passage upstream of the structure or affecting water flow and the natural functioning of a river, including increased turbulence.
DO17.1.6.ii Structures such as pipes and cables for network utilities, located in, on, or under the beds of rivers, can result in sewer spills and substantial bed disturbance whenever maintenance is required.
DO17.1.6.iii Provision should be made, however, for the routine maintenance of existing structures, or the removal of obsolete structures, provided there are no significant adverse effects. On rare occasions, obsolete structures can have heritage values.
DO17.1.6.iv Well designed bridges and culverts can reduce environmental effects on a river by avoiding vehicle and stock disturbance of the river bed, and providing shade. However, in most cases it is important that they are designed to allow a Q50 or a Q15 flow to pass through them.
DO17.1.6.v The advantage of bridges over culverts is that a natural river bed remains. Culverts may have an artificial base which can change flow dynamics and may impede fish passage if inappropriately installed. They also require a higher level of maintenance than bridges. Generally, fords result in discharge of sediment and a change to streambed gradients.

Methods

DO17.1.6.vi Rules controlling structures in and near waterbodies.
DO17.1.6.vii Advice on appropriate design and best practice.
DO17.1.6.viii Design requirements in section 5.6.5b) and Table 5-2, 5-6 and 5-7 in section 5 of the NCC Land Development Manual 2010.

policy
DO17.1.7 dams and reservoirs

The diversion and damming of surface water within the beds of rivers should not result in significant adverse effects.

Explanation and Reasons

DO17.1.7.i Dams and reservoirs are specific types of structures which can have significant adverse effects. Their potential for effects depends to a large degree on whether they are placed within the natural water course, or whether they are located as out-of-stream storage reservoirs, with diversion from the natural water providing the water recharge.

DO17.1.7.ii While dams and reservoirs have the potential to improve the efficient use of water (through water harvesting), as physical structures they also have the potential to: affect fish passage, disturb water quality (during construction), affect water chemistry (such as oxygen levels), trap sediment and starve the downstream reaches of sediment, induce turbulence, and cause a safety hazard if not engineered to specific standards.

DO17.1.7.iii The environmental effects of diversion of water for out-of-stream uses such as small hydro-electric pumps depend on factors such as the proportion of the flow diverted, the timing and place of the diversion and return of the water, as well as any change in the temperature or quality of the water as a result of the diversion.

Methods

DO17.1.7.iv Rules controlling installation of dams and reservoirs

DO17.1.7.v Provide information on the values of rivers and lakes, including monitoring results and ecological information.

DO17.1.7.vi Advice on appropriate design and best practice

DO17.1.7.vii Monitoring effects of dams and reservoirs

policy
DO17.1.8 obsolete structures in the beds of rivers and lakes

Structures located in the bed of a river or lake, and which are no longer used or required, should be removed, provided that the:

a) recognised heritage or cultural values are not greater than the environmental values to be enhanced by its removal, and

b) removal of the structure will not cause greater long term adverse effects than those caused by it remaining.

Explanation and Reasons

DO17.1.8.i Structures located in and under the beds of rivers and lakes, including dams, can cause adverse effects. These range from visual intrusion on natural character and amenity values, to permanent effects on ecology and biota by restricting fish passage upstream of the structure or affecting water flow and the natural functioning of a river.

DO17.1.8.ii A structure is considered to be obsolete if it is not required for its original use, or has not been used as intended for a continuous period of two years or more, and no future use is anticipated.

Obsolete structures should be removed to more closely restore the river or lake to its natural state, unless the structure has recognised heritage or cultural values, and removal of it will result in significant long term adverse effects. This may require an exception to be made where the scale or size of the structure is such that the long term adverse effects of removal will be greater than the effects of the structure remaining, or where protecting the heritage or cultural values is considered more important than the environmental improvements to be made from its removal. When weighing up these relative values a decision maker needs to recognise that, under the Nelson Regional Policy Statement, priority must be given to the natural functioning of the water body when managing river and lake beds. While removal may cause temporary disturbance, which may be locally significant, the long term benefits of removal will generally outweigh the short term disruption.

Methods

DO17.1.8.iii Permit the removal of instream obsolete structures without the need for a resource consent, subject to the general conditions for bed disturbance.

DO17.1.8.iv Require the compulsory removal of instream obsolete structures where the recognised heritage or cultural values are less than the environmental benefits arising from removal.

DO17.1.8.v Clarify that liability for removal of the structure lies with the last known person, agency, or entity with legal responsibility for the maintenance or upkeep of the structure.

DO17.1.8.vi Include a condition on resource consents for new structures requiring the removal of the structure if it becomes obsolete or the consent expires and is not renewed, provided that the general conditions of bed disturbance can be met. (This method implements Policy DO17.1.6.)

DO17.1.8.vii Advice on appropriate timing and methods of removal.

policy
DO17.1.9 extraction of aggregate from the beds of rivers

Provide for the extraction of aggregate from riverbeds where it is necessary to improve flood capacity, or the repair or maintenance of lawfully established structures, where there are no significant adverse effects on the stability, ecology, or functioning of the river or riparian margin.

Explanation and Reasons

DO17.1.9.i Aggregate is extracted to both source gravel and to reduce flooding and bank erosion. The benefits of extraction can be to: reduce the build up of gravel and therefore improve the flood carrying capacity of a waterway, increase water depth, and improve habitat (pools). Extraction of aggregate may also be necessary for the repair or maintenance of structures, or for their construction. However, over-extraction can destabilise the river channel and banks, or affect the functioning of the river or downstream coastal processes. The extraction process can also affect aquatic habitat if undertaken at the wrong time or in the wrong place, or in a way which damages the bed and margins. While it is recognised that some extraction may be beneficial, it is also necessary for Council to retain control of the process in order to avoid or reduce adverse effects. Aggregate extraction may sometimes be necessary to reduce bank erosion, and for the repair or maintenance of structures. Aggregate build up around structures occurs as a result of dynamic river systems. Refer to Appendix 28.1 for a list of NCC aggregate extraction sites for the purpose of maintaining flood capacity.

DO17.1.9.ii The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that instream gravel and sand extraction can lead to a loss of habitat, loss of culturally significant taonga (treasures) such as healing stones, water discolouration, or a drop in a river bed, which reduces habitat for aquatic species. Extraction of materials from within riverbeds can also lead to channelling and realignment of a water body, resulting in the destruction of indigenous fish habitat.

Methods (for policies DO17.1.8 and DO17.1.9)

DO17.1.9.iii The collection of data on aggregate build up in rivers.
DO17.1.9.iv Rules controlling aggregate extraction and conditions on resource consents.
DO17.1.9.v Advice on appropriate timing and methods of removal from an appropriately qualified and experienced person.

policy
DO17.1.10 deposition of material in the beds and on the banks of rivers and lakes

The deposition of material in the beds and banks of rivers and lakes, or in wetlands, should be avoided unless the material is necessary to protect the bed, banks or any structure from erosion, or where it is necessary for the repair, maintenance or construction of structures, in which case any adverse effects from depositing the material should be avoided or mitigated.

Explanation and Reasons

DO17.1.10.i Materials or substances deposited in the bed of a river change the physical condition of the river bed. Biological and chemical conditions can also be affected. Adverse effects can include: visual and amenity effects particularly where deposited material is out of character with the existing environment; changes to the water channel; bank and bed destabilisation; loss of riparian margin or bank habitat; and cumulative effects in the receiving environment.
DO17.1.10.ii Rock has been used for bank protection in all of Nelson's urban rivers and streams. Placement of rockwork in a watercourse has the potential to cause adverse effects in locations where the water is deflected and impinges on the opposite bank or causes turbulence which results in adjacent or downstream bank erosion. However, rocks can also be placed in a way that enhances whitebait and other freshwater fish habitat.
DO17.1.10.iii Flooding and bank erosion are only an issue when assets are threatened. With only a few exceptions, buildings in rural Nelson have been set far enough back from the rivers not to be threatened within the life time of the buildings. By far the most effective method of mitigating bank erosion is to keep high value assets a sufficient distance back from the river bank. That is why the Nelson Resource Management Plan places controls on buildings in the Riparian Overlay.
DO17.1.10.iv Riparian planting and reducing stock access to waterways also helps to prevent bank erosion.

Methods

DO17.1.10.v Rules controlling deposition of material in the beds and on the banks of rivers and lakes, and in wetlands.
DO17.1.10.vi Assessment matters for resource consent applications.
DO17.1.10.vii Provide information on the values of rivers including monitoring results and ecological information.

policy
DO17.1.11 realignment and piping

Avoid, remedy or mitigate the effects of realignment and piping of the bed of any river or lake, or wetland.

Explanation and Reasons

DO17.1.11.i Realignment and piping of the beds of rivers and lakes, or wetlands, should be discouraged wherever possible as it has significant adverse effects on the natural and human use values of rivers, lakes and wetlands, and can exacerbate flooding hazards by removing natural pools and meanders. This increases the energy of water flows and reduces habitat for invertebrates and fish. Therefore, where realignment is necessary, and where it is practicable, the realignment should mimic the natural form for a watercourse of that type.

Methods

DO17.1.11.ii Rules controlling realignment and piping of the beds of rivers and lakes, and wetlands.
DO17.1.11.iii Assessment matters for resource consent applications.
DO17.1.11.iv Provide information on the values of rivers and wetlands including monitoring results and ecological information.

policy
DO17.1.12 stock access and crossings

Stock crossings directly in the beds of rivers or lakes, and in wetlands, and unrestricted stock access to water bodies, should be avoided unless adverse effects can be adequately mitigated.

Explanation and Reasons

DO17.1.12.i Stock with unrestricted access to water bodies will ultimately contribute to water quality degradation. Research has found that:
- faecal indicator bacteria reside in the stream sediment, rather than the water column, and
- disturbance of the sediment (by swimming, flooding, wading, recreational use and earthworks) can remobilise the sediment and recontaminate the water column, and
- excluding stock from stream channels is likely to provide major water quality benefits, in addition to improved stock health.

DO17.1.12.ii There are many examples where stock have unrestricted access to Nelson's streams and rivers, often for extensive reaches, and on both sides of the watercourse. On some rivers (Lud, Teal, Wakapuaka and Whangamoa) it is possible that water is being abstracted for domestic use below areas where stock have access to rivers.
DO17.1.12.iii Adverse effects of stock access include trampling and damage to the banks and beds of water bodies, disturbance of aquatic habitats, increased sediment and effluent inputs, and an associated decrease in water quality. The damage caused is dependent on the type of stock and density of stocking, the length of time spent in the watercourse, and the physical make up of the watercourse and banks.
DO17.1.12.iv In addition to maintaining instream values such as freshwater fish and invertebrate habitat, good water quality is necessary in rural areas for domestic and stock water, irrigation, and amenity, so it is important that land users adopt best management practices in relation to stock, and as a minimum, ensure that stock are managed in a way that does not cause significant adverse effects on watercourses. This may require the placement of temporary or permanent fencing or alternative stock watering facilities in some areas.

Methods

DO17.1.12.v A rule controlling stock access and crossings.

DO17.1.12.vi Review the effectiveness of the Council's approach to stock access and crossings to ensure it is avoiding, remedying or mitigating adverse effects on water bodies.

DO17.1.12.vii Work with landowners to address the specific environmental issues of the property, including but not limited to:

Fencing and retirement of riparian margins

Using alternative means, including bridges and culverts, to move stock across rivers, streams and drains

Using appropriate methods to prevent stock access to the beds of rivers and wetlands, including but not limited to: riparian fencing and planting, and providing alternative stock water supplies so that direct access to surface water bodies is not required and

Pest and weed control.

DO17.1.12.viii Consider subsidising the cost of permanent fencing and replanting of riparian margins, where such fencing will avoid stock accessing rivers from existing access points, and there has not been a change in land use.

DO17.1.12.ix Where subdivision of rural land occurs, consider requiring fencing (and planting of riparian margins) of any remaining rural land to avoid stock accessing rivers.

DO17.1.12.x Formal agreements put in place to ensure funding achieves outcomes sought, including active weed control, and fences invested in are maintained by the owner as stock proof over time.

DO17.1.12.xi Consider facilitating a charitable trust in liaison with Landcare Trust, to attract funding and employment subsidies.

DO17.1.12.xii Provide advice on best practice methods of sustainable land and water management.

DO17.1.12.xiii Consider supplying plants for, or subsidising the cost of, riparian restoration projects involving the use of suitable, locally indigenous, plants.

DO17.1.12.xiv Encourage and promote the use of bridges or culverts as alternatives to stock crossings.

DO17.1.12.xv Provide information on the values of rivers including monitoring results and ecological information.

objective

DO17.2 Effects of activities and structures in the beds of rivers and lakes on infrastructure

Activities, works or structures within the beds of lakes and rivers and their margins undertaken or constructed in a way which avoids, remedies or mitigates adverse effects on lawfully established network utility operations.

Explanation and Reasons

DO17.2.i Network utility operations and their infrastructure provide essential services, such as telecommunications, power supply, transport links, or water supply. Nelson's rivers contain a range of such infrastructure. Activities and works in river and lake beds can have an adverse effect on important network utilities. For example, gravel extraction near a bridge abutment or pipeline may result in scouring around the base of the structure, potentially affecting its structural strength and integrity. Similarly, disturbance of a river bed may directly affect pipes or cables buried in the bed.

policy

DO17.2.1 Activities and structures in the beds of rivers and lakes which affect network utility operations

Activities or structures in the beds of rivers and lakes should not result in significant adverse effects on network utility operations.

Explanation and Reasons

DO17.2.1.i Activities and works in river and lake beds can have an adverse effect on important network utility operations. When assessing resource consents for activities in river and lake beds, consideration needs to be given to the potential effects of those activities on network utilities.

Methods

DO17.2.1.ii Include effects of infrastructure as a matter of assessment for activities and structures in the beds of rivers and lakes.

DO17.2.1.iii Advice on the location of network utility operations within the beds of rivers and lakes.

DO17e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO17e.1 Reduced impacts of activities on the natural values of waterbodies.	**DO17e.1.1** Diversity and numbers of fish and invertebrate species. New bridges or culvert for stock/vehicle crossings. Riparian fencing.	Stream health monitoring programme (NCC) Community monitoring programmes Fish surveys and other feedback (DoC, Fish & Game) Funding application approved
DO17e.2 Increased level of planting in river margins.	**DO17.e.2.1** New planting in riparian margins.	Observation Council records Council officer reports
DO17e.3 Reduced number of obstacles to fish passage.	**DO17e.3.1** Removal of obsolete structures. Modification of existing structures.	Council programme for removal of obstacles Council records Fish surveys (DoC)
DO17e.4 Reduced stock access to the beds of rivers, lakes and wetlands.	**DO17e.4.1** Proportion of landowners excluding stock from waterways.	Observation Council officer reports

DO18 Freshwater abstraction and instream flows

DO18.i Water is a limited resource in Nelson City. The erratic rainfall dictates the quantity of water in rivers and the length of periods of low flow. Low flows can result in unacceptable stress for fish and aquatic invertebrates.

DO18.ii The Maitai and Roding Rivers are used for public water supply, while many of the smaller streams are used for irrigation and private water supplies. Most rivers are also used directly or indirectly for stock drinking water. Keeping enough water in Nelson's rivers to maintain their healthy state is the reason for setting limits on how much water can be taken out of them for other uses.

DO18.iii Flow speeds and levels affect the physical quality and size of instream habitat for fish and aquatic invertebrates. All other factors (such as water quality) being equal, fish and aquatic invertebrate will, or potentially will, be most abundant where the physical habitat quality suits them best.

DO18.iv The Nga Taonga Tuku Iho ki Whakatu Management Plan explains that tangata whenua are concerned about over-allocation of water, which results in reduced flows and the inability of water bodies to sustain the indigenous communities within them.

DO18.v Issues relevant to freshwater abstraction and instream flows are discussed in section RI18 of the Plan.

objective

DO18.1 maintaining and enhancing flows and levels

Flow regimes and water levels within the region's water bodies maintained, and enhanced where necessary, to ensure a water level which:

a) provides for natural, intrinsic, cultural, and spiritual values, including aquatic ecosystems, natural character, native fishery habitats, existing trout and salmon habitats, and recreational values, and

b) provides for a range of uses, in particular reasonable domestic and stock water use and fire fighting, and

c) provides for the adequate dilution of contaminants arising from natural sources. while preserving the life-supporting capacity (the mauri) of the water.

Explanation and Reasons

DO18.1.i The maintenance of water flows and levels in Nelson's water bodies is necessary for a range of reasons. It is important that all of the reasons listed in this objective are recognised when making resource management decisions on water flows and levels.

DO18.1.ii All water has the potential to support life. Even small, seemingly inconsequential, streams contain values which cumulatively contribute to the life-supporting capacity of water. Over-use or over-allocation of water may degrade these in-stream values.

policy

DO18.1.1 flow regimes: specific rivers

Manage flows and levels for specific rivers in accordance with the minimum flows and trigger flows set out in Appendix 28.2.

Explanation and Reasons

DO18.1.1.i The values and priorities listed in objective DO18.1 were taken into account during the process of setting minimum flows. Water is taken out of all the rivers listed in Appendix 28.2 for out-of-stream uses. In order to leave enough water in the rivers and streams to protect instream values it is necessary to set a minimum flow below which no further water should be taken.

DO18.1.1.ii A minimum flow does not mean that flows will not sometimes naturally fall below this level. The minimum flow reflects the probability of a flow reaching that level, whether that is on average once a year (mean annual low flow) or once over a five year period. The aim is to avoid taking water out of these waterways during these very low flows to avoid causing extra stress for instream life. Minimum flow levels vary depending upon the management objectives established for each water body. These objectives are listed in the table in Appendix 28.2.

DO18.1.1.iii Trigger flows have also been set. When flow levels drop to this level, all non-essential abstraction from that river are suspended, except where an approved 'Water Conservation Plan' exists.

DO18.1.1.iv Wai (water) will be the starting point for the development of Iwi environmental indicators, using the Maitahi (Maitai) River as a case study. The literature review recently carried out as part of the Council initiated study of the Maitai will provide a resource for the Iwi indicators project.

policy
DO18.1.2 flow regimes: other rivers and streams

Manage water flows and levels in other rivers and streams not specified in Appendix 28.2 through allocation limits on resource consents.

Explanation and Reasons

DO18.1.2.i Minimum flow regimes or trigger flows have not been established for rivers and streams not specified in Appendix 28.2. Many of these water bodies are located in the Conservation Zone or in rural areas and contain high quality water and significant ecological communities. In addition, these rivers and streams are generally not under any pressure from water users, and are unlikely to be subject to abstraction in the future.

Methods (for policies DO18.1.1 and DO18.1.2)

DO18.1.2.ii Rules controlling water takes during periods of low flow.

DO18.1.2.iii Assessment matters for resource consent applications.

DO18.1.2.iv Monitoring of flow levels.

DO18.1.2.v Timely information to water users about current flow levels and options when low flow conditions occur.

DO18.1.2.vi Increase awareness of rural areas where water shortages are likely to occur.

policy
DO18.1.3 increased demands for water

Address increased demand for water created by population growth.

Explanation and Reasons

DO18.1.3.i This policy recognises that the population for the Nelson City Council area is expected to increase by 24% from 2001 to 2021. This has significant implications regarding increasing demand for out-of-stream uses of water.

DO18.1.3.ii Increased demand for water in both the urban and rural zones means that a number of measures will be necessary to avoid the cumulative effects of that population growth on water resources.

DO18.1.3.iii The Council recognises that as the city grows there will be an increased demand for water from the Maitai and Roding rivers. While the Council will be able to continue to meet the minimum flows established in the urban supply resource consent, the opportunities to leave more water in the Maitai and Roding rivers will reduce as urban water supply demands increase. For this reason, and in recognition that water is a precious resource, the Council will promote efficient use of water, rainwater storage, and water reuse.

Methods

DO18.1.3.iv Actively monitor water permits and instream flows, to ensure that:
a) consent conditions are adhered to, and
b) sufficient residual flows remain to provide for in-stream values, and
c) water is returned to the source where it is no longer needed for abstraction, and
d) accurate information is held on what water permits are held but not used, particularly for over-allocated rivers.

DO18.1.3.v Meter all consented water takes.

DO18. 1.3.vi Continue to monitor river flows and set up new monitoring sites, where necessary, to improve data flow.

DO18. 1.3.vii Set up a website to advise users of flow levels.

DO18. 1.3.viii Limit most water permits to 10 years to allow for regular review of allocations.

DO18.1.3.ix Change the conditions on existing water permits which do not meet allocation limits specified in Appendix 28.2 (refer to Policy DO18.3.1(b)).

DO18.1.3.x Require rainwater storage for new residential units in rural areas.

DO18.1.3.xi Promote efficient use of water, rainwater storage, and water reuse in the urban area.

DO18.1.3.xii State of the environment monitoring and reporting.

policy
DO18.1.4 water quantity (NPS – Freshwater Management 2014)

1. When considering an application for a discharge, the consent authority must have regard to the following matters:

(a) The extent to which the change would adversely affect safeguarding the life-supporting capacity of freshwater and of any associated ecosystem and

(b) The extent to which it is feasible and dependable that any adverse effect on the life supporting capacity of freshwater and of any associated ecosystem resulting from the change would be avoided.

2. This policy applies to:

(a) Any new activity and

(b) Any change in the character, intensity of scale of any established activity – that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity of the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).

3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

Explanation and Reasons

DO18.1.4.i This policy has been included (under section 55 RMA) as directed by the National Policy Statement for Freshwater Management 2014.

objective

DO18.2 underground flows and levels

Water levels and flows within the region's groundwater sufficient to maintain a range of uses and sustain underground aquatic life, and groundwater levels and flows are enhanced where uses and values have been degraded as a result of modified levels or flows.

Explanation and Reasons

DO18.2.i In Nelson there are a small number of groundwater takes for a variety of uses. Groundwater abstractions need to occur in a way which does not adversely affect flow levels in aquifers and associated surface water.

policy
DO18.2.1 managing underground abstractions

The effects of underground abstractions on aquifer levels and on surface flows and levels will be considered on a case-by-case basis, having regard to the precautionary principle.

Explanation and Reasons

DO18.2.1.i The potential effects of groundwater abstractions need to be carefully assessed due to the lack of information on groundwater resources. The link between groundwater and surface flow, including wetlands, should be given particular consideration. Where the outcome of a proposed groundwater take is unknown or there is insufficient information to enable a reasonable assessment, abstraction should be avoided.

DO18.2.1.ii Unless there is information to the contrary, groundwater takes adjacent to rivers listed in Appendix 28.4 will be taken as having a one to one effect on river flows, for the purposes of water allocation and implementing water restrictions.

Methods

DO18.2.1.iii Rules controlling quantity of water taken for domestic uses in the rural area.

DO8.2.1.iv Rules controlling installation and decommissioning of bores and wells.

objective

DO18.3 providing for water abstraction

Provided that objectives DO18.1 and DO18.2 can be met, allocate water for abstraction in a way which:

- ***provides a reliable supply under normal flow conditions, and***
- ***is equitably distributed between all water users while taking into account the priority uses of fire fighting, reasonable domestic use (including reticulated urban domestic use), and reasonable stock water use, and***
- ***provides for and promotes efficiency in water use.***

Explanation and Reasons

DO18.3.i This objective recognises that abstraction of water is a value in itself. While provision needs to be made for water allocation, including permitted abstractions, this needs to be balanced against the long term life supporting capacity of water and the associated ecosystems. Efficient water use is particularly important in Nelson, where the small size of the rivers and streams means that abstraction has the potential for a proportionally greater effect on the overall river or stream values.

policy
DO18.3.1 water permits

Implement a water permit system for any water take based on the following criteria:

a) Single-class permit system for all rivers and streams.

b) All existing water permits which do not meet any new flows, levels, or allocation limits specified in the Plan will be required to meet 80% of the new flows, levels, or allocation limits within 2 years of the freshwater plan change becoming operative, and fully comply within 5 years of the freshwater plan change becoming operative.

c) All applications for water permits, including renewals of existing permits, will be treated as new applications and assessed on a case by case basis. Physical resources relating to a previous water permit are an assessment matter which can be considered as part of the application process. The RMA Amendment Act 2005 requires the efficiency of the applicant's use of the resource to be considered when determining applications from existing water permit holders.

d) Consider declining an application to take water where taking from an alternative water source on the applicant's property or through an

alternative available supply is likely to have less adverse effect on the water resource, or result in more equitable water allocation.

e) review water permits and allocation limits where:

i) the water is surplus to the actual annual water requirements of the existing activity (at a 1 in 5 year low flow), or

ii) the activity has changed such that the full allocation is no longer required, or

iii) flow records show the water resource available for allocation is less than originally thought.

Explanation and Reasons

DO18.3.1.i Under a single class water permit system all permits have equal security of water supply. Policy D018.3.5 (allocation limits for specified rivers) specifies how existing water permits are dealt with during periods of low flow.

DO18.3.1.ii "Existing water permits" includes any permit to dam or divert water as well as takes and uses, and includes every permit which was lawfully established and in use at 9 October 2004 (the notification of these Freshwater Plan Change).

DO18.3.1.iii In order to achieve sustainable flow levels in all water bodies it is necessary to review all existing water permit allocations and to reduce the effect of those allocations where they do not meet the new standards for minimum flows.

DO18.3.1.iv This policy is inserted in accordance with sections 68(7) and 128 of the Resource Management Act which states that:

a) where a regional plan includes a rule relating to maximum or minimum levels of flows or rates of use of water, the plan may state whether the rule shall affect the exercise of existing resource consents for activities which contravene the rule and that the holders of resource consents may comply with the terms of the rule, or rules, in stages over specified periods, and

b) in order to enable minimum flow levels set in an operative regional water plan to be met, a consent authority may serve notice of its intention to review the conditions on a resource consent. However, changes made to a consent in accordance with section 128 cannot render a consent inoperable.

policy
DO18.3.2 monitoring water abstraction

Monitor new and existing water abstraction to improve knowledge of total water takes and manage the allocation of water so that the cumulative effects of water abstraction do not exceed:

i) any flow regimes, or

ii) any allocation limit for a water body, or

iii) the sustainable yield of an aquifer.

Explanation and Reasons

DO18.3.2.i In order to comply with the conditions of water allocation, water users need to know how much water they are actually taking. Monitoring water takes through water meters provides accurate information, enabling the water resource to be used sustainably.

Methods

DO18.3.2.ii Require water meters to be installed for all new and existing consented abstractions, and require records to be kept to enable accurate monitoring of actual water take and use.

DO18.3.2.iii Undertake annual monitoring of all water permits by 1 October each year.

policy
DO18.3.3 expiry and duration of water permits

[Note – this policy applies to new water permits only]
In general, apply a common expiry date for all new consents to take water, and existing water take consents without expiry dates, within the same catchment unless there are matters relating to the activity which are best dealt with by granting a shorter or longer term.

Explanation and Reasons

DO18.3.3.i In the past the duration of water permits has ranged from five to 35 years. Where there was no time limit specified the duration was five years. However, where no expiry date has been specified, the applicant may be unaware of the date their permit expires. This system is difficult and costly to administer, and creates uncertainty for consent holders.

DO18.3.3.ii A common expiry date for each catchment will allow easier and more equitable management of water resources where there is high demand as the Council will be able to assess all renewals at the same time. It also provides a higher level of certainty for consent holders.

policy
DO18.3.4 transfer of water permits

Resource consent will be required for the transfer of a water permit for any water take as a restricted ***discretionary activity.***

Explanation and Reasons

DO18.3.4.i Monitoring of Nelson's water permits has highlighted that there may be a demand for the transfer of water permits. Restricting discretion in the resource consent process (and therefore simplifying the process) for transfers may provide an incentive for self-management of water allocation and improved efficiency. See rule FWr.16 for further detail.

policy
DO18.3.5 allocation limits for specified rivers

Manage the abstraction of water from any river or stream specified in Appendix 28.2 so that the total abstraction does not exceed the allocation limits listed in that Appendix.

Explanation and Reasons

DO18.3.5.i The take, use, damming and diversion of surface water is important for social and economic reasons, but can have significant adverse effects on the instream values of water bodies. The extent of the adverse effects is dependent on the characteristics of a particular surface water body, the values associated with it, and the amount of water taken, dammed or diverted.

DO18.3.5.ii The Council has set the following allocation limits: 10% of 1 in 5 year mean low flow for water bodies where ecological values are high and abstraction does not yet occur; and 33% of 1 in 5 year mean low flow for other water bodies. The exception is the Wakapuaka, which has an allocation limit of 20% of 1 in 5 year mean flow in recognition of both its ecological and abstractive values. Adopting these figures will also ensure an integrated regional approach because it is consistent with Tasman District Council's water allocation provisions, as well as those of other regional councils around New Zealand.

policy
DO18.3.6 Allocation limits for the Maitai and Roding rivers

Avoid any water takes or uses from the Maitai and Roding Rivers which are additional to existing allocations at 9 October 2004.

Explanation and Reasons

DO18.3.6.i Continued and reliable urban water supply allocation is Nelson City Council's priority out-of-stream use for both the Maitai and Roding rivers. The urban water supply resource consents for both the Maitai and Roding Rivers are intended to retain sufficient minimum flows in the rivers for in-stream uses. Any water taken downstream of the Maitai and Roding dams may adversely affect the ability of the reticulated water supply to provide water to urban areas, and may require water stored for town supply to be released in order to maintain minimum flows. For these reasons, and in order to conserve stored water for future use, new water takes should not be permitted.

policy
DO18.3.7 Allocation limits for unspecified rivers

Manage the abstraction of water from any river or stream not specified in Appendix 28.2 so that the total abstraction does not exceed 10% of the 1 in 5 year (7 day) mean low flow.

Explanation and Reasons

DO18.3.7.i The take, use, damming and diversion of surface water is important for social and economic reasons, but can have significant adverse effects on the instream values of water bodies. The extent of the adverse effects is dependent on the characteristics of a particular surface water body, the values associated with it, and the amount of water taken, dammed or diverted.

DO18.3.7.ii The Council has set an allocation limit of 10% of 1 in 5 year mean low flow for unspecified water bodies. There is little or no demand for water takes from these water bodies and therefore a low allocation limit is appropriate.

policy
DO18.3.8 over-allocated rivers

Where a river is considered to be over-allocated no further water permits will be issued except that where existing water permits are relinquished the Council may consider either leaving the water as part of the instream resource or re-allocating any available water.

Explanation and Reasons

DO18.3.8.i Water needs to be allocated in a way that allows activities dependent on water to have access to an adequate and reasonably reliable supply. This means that limits will need to be set on the amount that is allocated in order to maintain this reliability as well as to ensure adequate flow levels remain in the river. These allocation limits are listed in Appendix 28.2.

DO18.3.8.ii Where the Council considers that too much water is already allocated from a particular water body, it may take the opportunity to review and reduce allocation levels of a catchment at any time when existing water permits expire. Examples of over-allocated rivers in the Nelson area are: Lud River, Maitai River and Todds Valley Stream.

policy
DO18.3.9 water restrictions

Restrict water abstraction during periods of low flow using the following criteria:

a) Require all water takes to cease where any trigger flows in Appendix 28.2 are reached and where:
i) the take is not for domestic, stock water, or fire fighting purposes, and
ii) a water conservation plan has not been approved by the Council.

b) Require all water takes to cease when the minimum flow is reached, except for fire fighting purposes.

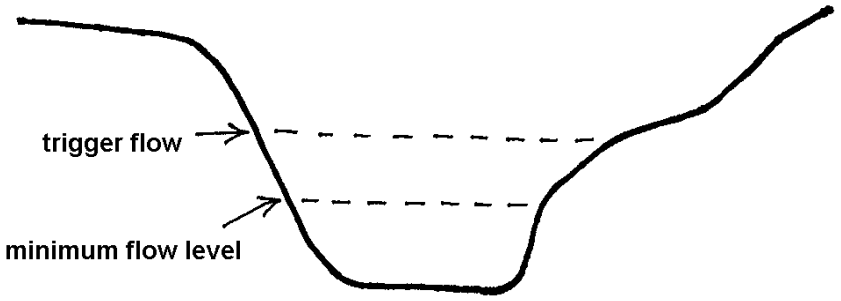
c) Water shortage directions to safeguard instream flows will be issued as a last resort.

Explanation and Reasons

DO18.3.9.i Trigger flows provide a point at which water rationing begins. Minimum flows set the level of flow that is necessary to meet the freshwater objectives of sustaining aquatic life and maintaining recognised in-stream uses and values.

DO18.3.9.ii When trigger flows are reached, a pro-rata basis of restricting water takes for those uses which are allowed to continue, is seen as the fairest and easiest water rationing method to administer. It would work in the following way: if only 75% of the flow required to meet everyone's needs was available, then all water takes would be cut back to 75% of their allowable take.

DO18.3.9.iii When trigger flow is reached, reasonable domestic use does not include watering of lawns or amenity planting. Domestic use needs to be provided by storage tanks or tankering of water once minimum flow is reached. (Refer to Appendix 28.3 for more detail.)



Cross-section of waterbody

Note: This diagram is for illustrative purposes only.
Trigger flow and minimum flow are defined in Chapter 2, and the specific levels for each water body are listed in Appendix 28.2.
For all flows greater than trigger flow no restrictions will apply.
For all flows less than the trigger flow and greater than the minimum flow restrictions will apply to both domestic takes and consented takes.
For all flows equal to or less than the minimum flow, all abstractions must cease, except for fire fighting purposes.

policy
DO18.3.10 Permitted abstractions

Abstractions from surface water and groundwater will be permitted for:

a) reasonable domestic water needs in the Rural Zone, and

b) reasonable stock water needs for drinking water

c) fire fighting

but domestic takes should not occur in areas where reticulated supply is supplied to the site.

Explanation and Reasons

DO18.3.10.i As water is scarce and there are existing or potential competing demands for its use, it is necessary to impose a limit on permitted domestic abstractions in order to avoid over-abstraction. One cubic metre per household per day is considered a realistic and easily monitored limit to apply to each household and will provide a more than adequate amount of water for an average household.

DO18.3.10.ii Consent for urban water use is applied for by Council's Infrastructural Assets department on behalf of all urban water users. For this reason it is not necessary to provide for urban domestic water abstraction.

DO18.3.10.iii Nelson's urban streams are very small and would be greatly impacted by water takes for irrigating gardens, particularly in the summer months. In addition, no water should be taken out of the Maitai River as this is already fully allocated.

policy
DO18.3.11 rate of water takes

The rate of water take should be as low as practicable for permitted and consented water takes. Where practicable, the take should be uniformly distributed over 24 hours.

Explanation and Reasons

DO18.3.11.i In general it is possible to lower the stress on the ecosystems of a stream, resulting from a large abstraction over a short period, by abstracting the same volume over a longer period at a lower abstraction rate. It is of particular importance in streams or in the case of large volume takes.

policy
DO18.3.12 monitoring fee

Require all water permit holders for water takes to provide a monetary contribution or fee for the purposes of monitoring.

Explanation and Reasons

DO18.3.12.i Monitoring can be used to ensure water is used efficiently, resource consents are complied with, and that minimum flow levels are maintained. The fee will be established through the annual fees and charges process managed by the Planning & Consents Division. This is advertised at the end of each financial year, with opportunity for public input.

DO18.3.12.ii The Infrastructure Division of the Council holds the consent for the urban water supply. A condition of that consent is monitoring, and the costs of that are already passed on to urban water users.

policy
DO18.3.13 water user management groups

Encourage and support the establishment and functioning of water user groups with representatives, as appropriate, to:

- ***assist the Council to prepare a water conservation plan, and***
- ***assist the Council in managing water usage during drought periods, including assistance with rationing or rostering, and***
- ***assist the Council in implementing programmes of education and advocacy for good practice methods in water use.***

Explanation and Reasons

DO18.3.13.i Water user groups are an opportunity for those people most affected or interested in a river or stream to take part in the management of it.

DO18.3.13.ii Conservation plans prepared by water user groups can be used to manage the rationing of water during water restrictions. Where such a plan is approved by the Council, water takes may continue after trigger flow levels have been reached (see Policy DO18.4.5 – allocation limits for specific rivers). A water conservation strategy is already in place for the Maitai River and another has been prepared for Todds Valley Stream.

Explanation and Reasons for all of the water allocation policies

DO18.3.13.iii The water allocation policies are intended to set out a water management process for:

- allocating water takes and uses, and
- monitoring the use of water, and
- rationing water during low flows.

DO18.3.13.iv For the water permit system to be effective, it needs to be actively managed. This requires a certain level of regulation and commitment to monitor by the Council, and also relies on the co-operation of water users, particularly in respect of monitoring use and rationing during low flows.

DO18.3.13.v The water allocation policies separate those rivers for which flow regimes and allocation limits have been specified, and all other rivers and streams for which no flows, levels or allocation have been set. Water takes are anticipated from the specified rivers.

DO18.3.13.vi The policies are intended to provide a reasonable certainty of supply for users, while still placing limits on the amount of water which can be abstracted. This is necessary in order to avoid and mitigate adverse effects on in-stream values. Balancing water takes with retention of in-stream flows is particularly important in the Nelson region, where the small size of the water bodies means that any water takes have a proportionally larger effect on the remaining flow.

DO18.3.13.vii In setting the flow regimes, the Ministry for the Environment's in-stream flow guidelines were considered, and an expert panel was set up to derive flow regimes which best achieved the balance between abstraction and in-stream flow, having regard to a range of values and the relevant objectives and policies in the Regional Policy Statement.

DO18.3.13.viii The water management process assumes active management by the Council and may require a change in thinking for some water users. It is anticipated there will be a "settling in" period during the implementation of the water management system and review of existing water permits.

Methods (for policies DO18.3.1 – DO18.3.13)

DO18.3.13.ix Rules controlling water takes.
DO18.3.13.x Resource consent conditions on water permits.
DO18.3.13.xi Metering of water permits.
DO18.3.13.xii A flow regime for periods of low flow.
DO18.3.13.xiii Increase instream monitoring.
DO18.3.13.xiv Encourage the formation of water user groups for the purpose of managing the distribution of water takes.
DO18.3.13.xv Assessment matters for resource consent applications.
DO18.3.13.xvi Increase awareness of water management issues in rural areas
DO18.3.13.xvii Promote water conservation including efficient use of water, rainwater storage, and water reuse.
DO18.3.13.xviii Monitoring fees charged to all water permit holders.

objective

DO18.4 diversion of water

The natural functioning of ecosystems is not disrupted by the diversion of surface water.

Explanation and Reasons

DO18.4.i It is necessary to ensure that diversion of surface freshwater does not cause environmental stress. Stress can arise from reduced flows if the water is diverted for any length of time or not returned near to the source from which it was taken. Stress can also be caused by chemical or physical changes to the quality of the water during the period of diversion.

policy
DO18.4.1 diversion of water

Require any water that is diverted from a surface water body to be returned as near as possible to the source from which it is taken, and in the same state or better than when it was diverted.

Explanation and Reasons

DO18.4.1.i Diversion can modify naturally variable flow regimes which may adversely affect natural values as well as other people using the river.

Methods

DO18.4.1.ii Rules controlling diversion of freshwater.
DO18.4.1.iii Advice on freshwater values to be protected.
DO18.4.1.iv Advice on best methods of diversion.

DO18e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO18e.1 Sufficient flows of surface water to support the natural values of rivers and lakes.	**DO18e.1.1** Flow levels. Compliance with water restrictions during periods of low flow.	Flow monitoring. Metering of water use.
DO18e.2 Allocation of water in a way which enables sustainable use.	**DO18.e.2.1** Compliance with allocation limits.	Water permits. Metering of water use.
DO18e.3 Protection of groundwater resources.	**DO18e.3.1** Quantity of groundwater abstracted.	Metering of water use.

DO19 Discharges to freshwater & freshwater quality

DO19.i Water quality in rivers is strongly linked to activities in their surrounding catchments. Contaminants such as nutrients, heavy metals, fine sediments and faecal bacteria enter water bodies via direct, point source, discharges (such as urban stormwater and industrial discharge pipes) and indirect, non-point source, discharges (such as runoff from agricultural or cleared land).

DO19.ii These contaminants can have a variety of adverse effects on water quality. For example, high nutrient levels (nitrates and phosphates) can lead to increased growth of algal slimes. As well as being visually unappealing, prolific growth takes oxygen out of the water, further degrading the living conditions of invertebrates and fish communities.

DO19.iii Fish activity and spawning, and survival of pollution-sensitive aquatic invertebrates (such as mayfly larvae) can be affected by changes in water chemistry and habitat. When the invertebrates which are most sensitive to poor water quality diminish, so too do the native fish and trout that feed on them. In addition, many Nelson rivers discharge into sensitive estuaries. Rivers which discharge water of poor quality into these sensitive receiving environments will cause adverse effects.

DO19.iv The Nga Taonga Tuku Iho ki Whakatu Management Plan (Nelson Iwi Management Plan) explains that every water body has its own mauri (life force). Only a water body with an intact mauri can sustain healthy ecosystems. Activities which reduce water quality also reduce the mauri of the water body.

DO19.v Issues relevant to freshwater takes and in-stream flows are discussed in section RI18 of the Plan.

objective

DO19.1 highest practicable water quality

All surface water bodies contain the highest practicable water quality.

Explanation and Reasons

DO19.1.i Water quality is a key factor in the character and health of all ecosystems, terrestrial as well as aquatic. However, monitoring undertaken to date indicates some of Nelson's urban and rural streams are highly degraded as a result of historical and present practices.

DO19.1.ii Healthy water bodies are valued for ecological, recreational, cultural and spiritual reasons. The entire region benefits from having unpolluted swimming holes, good quality habitat for fish and other aquatic life and clean water for water supplies, irrigation and industrial use.

DO19.1.iii This objective is adopted to ensure that the uses and values of Nelson's rivers can continue. The most effective way to meet this objective is to:

- avoid further degradation, and
- identify priority rivers or streams for restoration or enhancement, and
- develop a restoration programme which involves all stakeholders (and local communities) and which includes non-regulatory methods.

policy
DO19.1.1 classification

To classify Nelson's water bodies based on water quality standards.

Explanation and Reasons

DO19.1.1.i The water quality of Nelson's rivers has been assessed and classified into five categories from Class A (excellent) to Class E (very degraded).

DO19.1.1.ii In order to set clear management objectives for each water body it is necessary to establish the current water quality of Nelson's rivers and then set minimum standards for maintaining that level of water quality. Classification standards provide a "baseline" below which water quality should not be degraded.

DO19.1.1.iii Freshwater quality classifications have been specifically developed for Nelson's water bodies using the quantitative ANZECC guidelines (Australian and New Zealand Guidelines for Fresh and Marine Water Quality) and the narrative water quality standards in the Resource Management Act 1991. This process is also in line with the Nelson Regional Policy Statement policy WA1.3.1 regarding classification of water bodies based on their values.

policy
DO19.1.2 Class A freshwater – natural state

Preserve Class A water bodies in their current state.

Explanation and Reasons

DO19.1.2.i Freshwater ecosystems in their natural state have excellent water quality which meet the Class A standard. Class A water is suitable for the most sensitive of uses such as primary contact recreation, drinking water, and sustaining a very high diversity of aquatic ecosystems.

DO19.1.2.ii Nelson's Class A water bodies are mostly in the Conservation Zone and occur in the upper reaches of the Roding, Maitai and Whangamoa rivers as well as the Oananga and Omokau Bay streams near Cape Soucis. As this land is largely under some form of protection, either administered by the Department of Conservation or by Nelson City Council as a waterworks reserve, it is achievable to protect the existing high quality water bodies. Only discharges which meet Class A quality standards should occur in these water bodies. (See Appendices 28.4 – 28.7 for the classification of Nelson water bodies and discharge standards.)

policy
DO19.1.3 Class B freshwater – slightly disturbed

Maintain Class B water bodies in their current state.

Explanation and Reasons

DO19.1.3.i Class B water bodies are slightly disturbed but still healthy. They typically occur in areas which are slightly to moderately cleared of vegetation and/or have reasonably intact riparian vegetation. Maintaining the good quality of these water bodies will ensure they are still available for sensitive uses such as primary contact recreation and are able to sustain a very high diversity of aquatic ecosystems. Class B water is not considered of sufficiently high quality to be used untreated as drinking water for human consumption.

DO19.1.3.ii Class B water bodies currently occur where the Conservation Zone changes to the Rural Zone but land use is not intense, such as the upper to mid reaches of the Maitai, Wakapuaka and Whangamoa rivers.

DO19.1.3.iii These are mainly rural streams where wild animal and livestock numbers are generally low and plantation and indigenous forests are the dominant vegetative cover. There is also potential for urban streams with intact or extensive riparian planting and/or esplanade reserves to meet this classification.

DO19.1.3.iv It is important to maintain water quality in Class B water bodies to retain their high values. Reducing faecal contaminant and nutrient inputs to water are two of the main ways to maintain the quality of Class B water bodies. (See Appendices 28.4 – 28.7 for the classification of Nelson water bodies and discharge standards.)

policy
DO19.1.4 Class C freshwater – moderately affected

Upgrade Class C water bodies to Class B where practicable.

Explanation and Reasons

DO19.1.4.i Class C water bodies still retain healthy ecosystems overall but improvement is desirable where possible. In some instances it will be unrealistic to upgrade water quality in Class C water bodies. Class C water bodies are moderately affected by human activity such as rural streams receiving some contamination from grazing or urban streams receiving runoff from paved surfaces. They are suitable for secondary contact recreation, stock drinking water, and sustaining fish species and aquatic invertebrates.

DO19.1.4.ii Class C water bodies are moderately affected by human activity, plantation forestry, pastoral farming, runoff from roads and streets and other similar effects arising from concentrated urban activities. These water bodies currently include the mid to lower reaches of the Maitai, Wakapuaka, and Whangamoa rivers as well as many of the tributaries of these rivers. The urban mid reach of Brook Stream and lower reach of Maitai River are also classified as Class C.

DO19.1.4.iii Where steps are taken, and Class C water bodies are improved to Class B quality, they will then be considered suitable for contact recreation such as swimming. Two of the factors which distinguish Class B and C water quality are the amount of faecal material and the amount of sediment entering the water body. Reducing the amount of faecal material entering water bodies is critical to ensuring compliance with both stock drinking water and contact recreation standards.

DO19.1.4.iv Rivers carrying a high sediment loading have a downstream adverse effect on estuaries as well as adversely affecting the habitat quality for native fish and trout. Reducing the amount of sediment entering water bodies through best land management practices will help to address these issues.

DO19.1.4.v Improvement of water quality in Class C water bodies will also assist with improving water quality in the coastal receiving environments of Nelson Haven, Delaware Inlet, Whangamoa Estuary and Omokau Bay. (See Appendices 28.4 – 28.7 for the classification of Nelson water bodies and discharge standards.)

policy
DO19.1.5 minimum quality

No water bodies which are of a quality less than Class C. Top priority for improvement will be those waterbodies listed as first priority in Appendix 28.4.

Explanation and Reasons

DO19.1.5.i Class C water quality is considered to be suitable for secondary contact recreation (such as boating), stock water, irrigation, and some aquatic ecosystems. It is also aesthetically acceptable. Below this quality, values begin to be significantly affected. Water quality below 'C' is therefore undesirable.

DO19.1.5.ii Many of Nelson's urban streams are currently below this standard. All of the water bodies in the Stoke area are currently Class D and E, as are the Atawhai and Glen water bodies and the lower reaches of Brook Stream.

DO19.1.5.iii This means they have diminished aesthetic values, and are not suitable for any contact recreation, as drinking water for human consumption (if untreated), stock water or irrigation. Class D water will only support the less sensitive species of fish and a low diversity of aquatic invertebrates. Class E water does not support any fish life and very few types of aquatic invertebrates.

DO19.1.5.iv Class D and E waters often have high nutrient levels. This causes nuisance algal growths which can make a water body undesirable for swimming, degrade benthic invertebrate communities and impair spawning habitat for native fish.

DO19.1.5.v Higher contaminant levels can directly harm the health of humans, domestic animals including stock, and/or aquatic life. Contamination can occur either through the levels of contaminants in a specific discharge or through the cumulative build up of contaminants in the water and/or bed sediment from multiple sources. Organic matter can have toxic effects on aquatic life when it builds to levels that decrease available oxygen in the water. High concentrations of ammonia, heavy metals and poisons are examples of other contaminants that can have toxic effects. These rivers can also adversely affect the Haven and Waimea estuaries.

DO19.1.5.vi Section 5 of the Resource Management Act requires the Council to safeguard the life supporting capacity of water, and ecosystems. Improvement of Class D and E water bodies to a Class C level, which would enable them to support fish and a moderate diversity of invertebrates, is considered an appropriate objective. Three methods to improve degraded urban water bodies are to plant the margins, improve the quality of discharges entering freshwater, and to improve the fish passage in any instream structures. Council is committed to undertaking such improvements on all urban streams, but it is a long term and extensive programme and progress will be gradual.

DO19.1.5.vii In some cases it may not be practicable to achieve Class C water quality in a particular waterbody, due to conditions beyond the Council's control or ability to fund. Ongoing assessment of stream health will be carried out through the state of the environment monitoring and reporting programme. Where Class C is not attainable this will be reported, and explanation will be provided.

DO19.1.5.viii Wetlands which have been specifically constructed to improve water quality are exempt from this policy and related rules.

policy
DO19.1.6 enhancing water quality

To identify and take opportunities to enhance existing water quality.

Explanation and Reasons

DO19.1.6.i Appendix 28.4 (classification of Nelson water bodies) lists the current classification of each water body from A to E (from excellent to very degraded). This classification draws on the monitoring undertaken since 2000 and the key factors which are influencing each classification are listed. The table also shows what uses and values the water body currently has. Appendix 28.4 is included in the Plan to assist applicants and decision-makers to assess the potential effects of proposed activities.

DO19.1.6.ii The first priority is to avoid further degradation and to maintain the qualities of mid to higher value watercourses. However, a guide of priorities for improvement is also listed. Top priority has been assigned to those water bodies where the classification is not appropriate for the uses and values of it. For example, the mid and lower reaches of the Maitai River are high priority for improvement because they have a Class C water quality but some uses and values associated with it, including swimming, require Class B quality water. The priorities for enhancement which are listed in Appendix 28.4 are a guide only, and all improvement projects will need to be considered on a case by case basis.

DO19.1.6.iii This table should be taken into consideration whenever someone applies for a resource consent to discharge to water bodies or land because there is an opportunity, particularly with new resource consents for existing discharges, to achieve an enhancement in water quality. This can occur when the consent holder re-examines the discharge activity and makes use of technological advances in the reduction, recycling or treatment of contaminants. There will also be opportunities outside of the resource consent process to enhance water quality.

DO19.1.6.iv Contaminants include any substance which, when discharged into a water body, changes or is likely to change the physical, chemical or biological condition of the water.

DO19.1.6.v The Council will have regard to Appendix 28.4 when considering resource consents to discharge contaminants to water bodies from either specific or diffuse sources, which include the following activities:

i) the discharge of sediment, and
ii) contaminant levels in stormwater runoff, including from industrial or trade processes, and
iii) inappropriate storage, handling, spill management and application of agrichemicals, and
iv) the excessive application of fertilisers to land, and
v) discharges from contaminated land, and
vi) discharges from landfills, and
vii) contaminant levels in wash water and wastewater from industrial and trade processes.

DO19.1.6.vi This policy is adopted to ensure that opportunities are taken to achieve improved water quality in Nelson's rivers and streams.

Methods (for policies DO19.1.1 – DO19.1.6)

DO19.1.6.vii Consider the classification and priorities for improvement listed in Appendix 28.4 as an assessment matter during the resource consent process.

DO19.1.6.viii The priorities for improvement listed in Appendix 28.4 should be used to guide Council's consideration of its stormwater and roading asset management plans.

DO19.1.6.ix When considering new applications for discharges to water bodies or land, Council will require an applicant to provide information about the quality of a proposed discharge (what Class it is) based on the water quality and sediment quality standards in Appendix 28.6. When preparing environmental effects assessments, this information will provide applicants with an indication of the approach which the Council will take to assess the acceptability of a discharge to a water body or with potential to reach a water body.

DO19.1.6.x Have regard to the water quality classifications of Nelson's rivers and streams when assessing discharge and land use applications with the potential to impact on waterbodies.

DO19.1.6.xi Set consent conditions that ensure freshwater resources are being managed in accordance with agreed objectives.

DO19.1.6.xii Require best practicable option for mitigating and avoiding the effects of discharges.

DO19.1.6.xiii Assessment matters for resource consent applications and conditions on consents.

policy
DO19.1.7 effect of land use activities on surface water bodies

To control land use activities which have potential to adversely affect surface water quality and to encourage land use activities that minimise and filter contaminants entering water bodies.

Explanation and Reasons

DO19.1.7.i This policy is adopted to minimise and, as far as possible, avoid the potential for contamination of surface water bodies from leaching liquid contaminants. It is important to maintain existing water quality to provide for the existing and potential uses of that water.

(Cross references: RUr.24, RUr.25, RUr.26, RUr.27, RUr.31, RUr.58, RUr.63, RUr.78)

Methods

DO19.1.7.ii Promote establishment of riparian vegetation as a means to filter contaminants and prevent sediment and contaminants from entering water bodies.

DO19.1.7.iii Regional rules and compliance monitoring, supported by enforcement action as required.

DO19.1.7.iv Assessment matters for resource consent applications and conditions on consents, including the setting aside of esplanade reserves and strips alongside waterbodies specified in Appendix 6.

DO19.1.7.v Develop a programme of funding and support to assist landowners with management of riparian margins.

DO19.1.7.vi Provide advice on methods of agrichemical and fertiliser use that avoid effects on water bodies.

policy
DO19.1.8 stormwater discharges

The level of contaminants in point source stormwater discharges to water bodies will be avoided or remedied.

Explanation and Reasons

DO19.1.8.i Stormwater is generated by runoff from land or hard surfaces. In urban areas of Nelson City, stormwater is reticulated through stormwater drains to receiving waters such as channels, streams, rivers or coastal margins. Urban stormwater typically contains a wide variety of contaminants, with the potential to adversely affect aquatic life, amenity or cultural values (including oil and other hydrocarbons, heavy metals, sediment, microbes and nutrients). Stormwater may be contaminated by unauthorised discharges of water directly into stormwater pipes or channels, either accidental or deliberate. In residential areas, stormwater drains frequently receive soapy water from washing cars, residues from cleaning paint brushes and oil spilt during oil changes. Process wastes or industrial chemicals may be illegally discharged into stormwater drains servicing industrial or trade premises.

DO19.1.8.ii In Nelson, the extent and effects of stormwater discharges to urban rivers and streams is still being analysed. However it is likely, on the basis of experience elsewhere, that the "first flush" of stormwater discharged from urban areas after a rainstorm will contain large quantities of contaminants. Existing monitoring results also suggest stormwater is adversely impacting on the health of Nelson's urban water bodies.

DO19.1.8.iii This policy and corresponding rule for discharges to water bodies requires the best practicable option to be used to minimise the level of contaminants in stormwater discharges. This means using the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to:

i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects, and
ii) the financial implications, and the effects on the environment, of that option when compared with other options, and
iii) the current state of technical knowledge and the likelihood that the option can be successfully applied.

policy
DO19.1.9 improvements to stormwater discharges

When further work has been carried out to assess the quality of stormwater discharges, and practicable options for improvement have been identified by the Council, a plan change, requiring more specific water quality standards to be met, will be considered.

Explanation and Reasons

DO19.1.9.i It is expected that the prime means of improving stormwater discharges in the long term will be through adopting best management practices and/or best practicable options to prevent contaminants entering the stormwater system.

DO19.1.9.ii Specific water quality standards have not been set for stormwater discharges in recognition of the complexity of diffuse and wide-ranging sources of stormwater contamination. By April 2006 the Reticulated Stormwater Quality Improvement Plan will be completed. This plan will include proposals and procedures to reduce contamination of stormwater discharges from: Council owned pipes, existing industrial and commercial activities, and from residential properties, controlled through the development of the NCC Stormwater Bylaw 2006.

DO19.1.9.iii Bylaws are considered an effective way to control diffuse discharges to the Council's stormwater system. By the time those diffusely collected stormwater discharges reach natural water, the opportunity to control the source of contamination is lost.

Methods (for policies DO19.1.8 and DO19.1.9)

DO19.1.9.iv a) Seek advice on the practicable options for changes in the Council's land use provisions in order to work towards stormwater infiltration to pre-development levels while maintaining secondary stormwater system with Q15 capacity and a tertiary stormwater overland flow with Q100 capacity.

b) Assess the costs and benefits of those options.

c) Refer to sections 5.16.1c), 5.16.4a) to b), 5.16.4d) to m), 5.16.5a), 5.16.6a), 5.17.7a) to c) and Table 5-13 in section 5 "Stormwater" of the NCC Land Development Manual 2010.

d) Consider a remissions policy for low impact design within the Council's policy on development contributions.

DO19.1.9.v The priorities for improvement of waterbodies listed in Appendix 28.4 should be used by the Council when considering its stormwater and roading asset management plans.

DO19.1.9.vi Develop and implement the Reticulated Stormwater Quality Improvement Plan and the programmes associated with it.

DO19.1.9.vii Control discharges to the Council's stormwater system.

DO19.1.9.viiii Promote awareness of stormwater issues.

DO19.1.9.ix Place conditions on resource consents for stormwater discharges.

policy
DO19.1.10 new development

Maintain existing water quality by requiring use of techniques to limit both non-point discharges and control point source stormwater discharges caused by land disturbing activities such as forestry, subdivisions and land development, increased impervious surfaces, and commercial and industrial activities.

Explanation and Reasons

DO19.1.10.i These activities can cause sedimentation and contamination of waterways. For this reason Council has erosion and sediment control guidelines and requirements which are incorporated into section 9.3 of the NCC Land Development Manual 2010. They control land disturbing activities on areas of land greater than 0.3ha.

DO19.1.10.ii Nelson's population is predicted to increase by 24% from 2001 to 2021. The impacts of the population increase on stormwater are varied and significant. These include:

- increase in the amount of land covered in impervious surfaces which increase stormwater runoff and contamination, and
- increase in contamination and sedimentation from building activity, and commercial and industrial activity, and
- increase in urban transport resulting in increased pollution.

Methods

DO19.1.10.iii Promote and assist with establishment of riparian vegetation as a means to filter contaminants and prevent sediment and contaminants from entering water bodies.

DO19.1.10.iv Promote and assist with low impact design options for stormwater management.

DO19.1.10.v Conditions and enforcement on earthworks consents.

DO19.1.10.vi Council will work with stakeholders to establish a memorandum of understanding regarding erosion and sediment controls and compliance monitoring procedures for forestry activities, including earthworks, roading, and harvesting.

DO19.1.10.vii Review the effectiveness of the Council's approach to forestry activities to ensure it is avoiding, remedying or mitigating adverse effects on water bodies.

policy
DO19.1.11 new and existing discharges to water

To review all existing discharge permits (other than stormwater) by January 2006 and apply a standard condition so that the new water quality discharge standards are fully complied with within five years of the freshwater plan change becoming operative.

Explanation and Reasons

DO19.1.11.i "Existing discharge" is defined as a discharge which was lawfully established and in use at the date of public notification of these freshwater provisions. In order to achieve best practicable water quality it is necessary to review discharges currently entering Nelson's water bodies and to reduce the impacts of those discharges where they do not meet the standard expected of new discharges.

DO19.1.11.ii This is consistent with sections 68(7) and 128 of the Resource Management Act which state that:
a) where a regional plan includes a rule relating to minimum standards of water quality, the plan may state whether the rule shall affect the exercise of existing resource consents for activities which contravene the rule, and that the holders of resource consents may comply with the terms of the rule, or rules, over specified periods, and
b) in order to enable minimum water quality standards set in an operative regional water plan to be met, a consent authority may serve notice of its intention to review the conditions on a resource consent. [Note: stormwater has been excluded from this policy as it is covered in Policy DO19.1.8 (stormwater discharges) and Policy DO19.1.9 (improvements to stormwater discharges).]

Methods

DO19.1.11.iii Education about appropriate disposal methods and options, particularly for swimming pool water, car wash water and water used to wash buildings using detergents or chemicals. In most cases this water should be discharged to the sewerage system.
DO19.1.11.iv Include a standard condition on each new discharge permit which provides for review of the conditions of any resource consent for discharging a contaminant to water bodies or land.

policy
DO19.1.12 Water Quality (NPS – Freshwater Management 2014)

1. When considering any application for a discharge, the consent authority must have regard to the following matters:

(a) the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water; and

(b) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with freshwater, resulting from the discharge would be avoided; and

(c) the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and

(d) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with freshwater resulting from the discharge would be avoided.

2. This policy applies to the following discharges (including diffuse discharge by any person or animal):

(i) ***a new discharge; or***

(ii) ***a new change or increase in any discharge of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.***

3. Paragraphs (a) and (b) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

4. Paragraphs (c) and (d) of this policy do not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 4 July 2014.

Explanation and Reasons

DO19.1.12.i This policy has been included (under section 55 RMA) as directed by the National Policy Statement for Freshwater Management 2014.

objective

DO19.2 contamination of groundwater

Contamination of groundwater is avoided to ensure the highest practicable water quality.

Explanation and Reasons

DO19.2.i A range of activities have the potential to degrade groundwater including fertiliser and pesticide use, irrigation and septic tank effluent, and hazardous substances storage and use (including petrol and diesel tanks).

DO19.2.ii By the time contamination has been detected it is usually too late to carry out preventative measures. Cleaning up contaminated groundwater can be expensive and in some cases it may not be technically feasible. Contaminants remain in groundwater for a long time (years) and can affect many existing uses. Therefore, the priority for groundwater contamination should be avoidance rather than mitigation.

policy
DO19.2.1 Effect of land use activities on groundwater

Ensure that land use activities are managed so that groundwater quality is not adversely affected.

Explanation and Reasons

DO19.2.1.i This policy is adopted to minimise and, as far as possible, avoid the potential for long term contamination of groundwater resources from leaching liquid contaminants. It is important to maintain existing groundwater quality in Nelson's aquifers to provide for the existing and potential uses of that water.

Methods

DO19.2.1.ii Require applicants to provide information about the quality of any proposed discharge (what Class it is) based on the water quality standards in Appendices 28.5 – 28.7.

DO19.2.1.iii Best practicable option for mitigating and avoiding the effects of discharges.

DO19.2.1.iv Provide information on minimising use of pesticides, oils, and other potential contaminants to people in key recharge areas.

DO19.2.1.v Ensure that land use activities are managed so that groundwater quality is not adversely affected.

DO19.2.1.vi Increase Council knowledge of groundwater sources by compiling current information and, as a condition on consents for new bores, requiring new information to be provided to the Council.

DO19e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO19e.1 No decline in water quality.	**DO19e.1.1** Water quality classifications.	Stream health monitoring programme
DO19e.2 New land uses with impacts on surface water bodies.	**DO19.e.2.1** Monitoring of consents.	Council inspections
DO19e.3 Improvement of the quality of stormwater discharges.	**DO19e.3.1** Analysis of stormwater discharges and sediment contamination.	Stormwater samples Sediment samples
DO19e.4 Groundwater maintained in its natural state.	**DO19e.4.1** Monitoring of the quality of abstracted groundwater.	Groundwater samples

DO20 Freshwater management

DO20.i The issues in regard to freshwater management are discussed in Chapter 4 (particularly RI18).

objective

DO20.1 integrated water management

A management approach that integrates the expertise of relevant statutory authorities and manawhenua iwi and other stakeholders in the community, and recognises the responsibilities they have for the protection and use of freshwater resources.

Explanation and Reasons

DO20.1.i Water resource knowledge and information links are fundamental to the assessment of freshwater resources and subsequent management decisions. Without knowledge and information, water management decisions may be inaccurate or ineffective. Building a comprehensive knowledge base requires the development of working relationships and effective data exchange between people and agencies working in different fields of expertise and for different organisations such as Federated Farmers, New Zealand Forest Owners Association, New Zealand Farm Forestry Association and the rural land owners of the district.
Examples of collaboration include:

- Nelson City Council and Tasman District Council have combined website technology to provide the public with up to date river flow data for all catchments.
- The Department of Conservation monitors and provides the Council with information on fish species occurring in Nelson rivers.
- Iwi, Department of Conservation, Tasman District Council and Nelson City Council collectively provide 'Waimaori', a monitoring, education and action programme that encourages schools and communities to become kaitiakitanga (guardians) of their local streams.
- Currently forestry owners Weyerhaeuser and Hancock Forest Management both have environmental committees or forums which provide opportunities for sharing knowledge and experience between the forestry companies and Department of Conservation, Fish and Game Council, and territorial authorities Tasman District Council and Nelson City Council.
- Rural land owners and the Council are working together to recreate habitats along river margins.

policy

DO20.1.1 other management plans

Decisions on water management are made having regard to relevant management plans prepared by manawhenua iwi and statutory authorities such as the Department of Conservation, Nelson Marlborough Fish & Game Council and Nelson City Council.

Explanation and Reasons

DO20.1.1.i The Department of Conservation and the Nelson Marlborough Fish & Game Council both have statutory responsibilities to advocate for water quality and aquatic habitats. Manawhenua iwi also have a key role as kaitiaki (guardians) of water resources. Any management plans prepared by such agencies need to be considered when making decisions affecting freshwater resources because it is important for all water management agencies and iwi to work in an integrated and co-operative way to achieve sustainable management of freshwater resources.

policy
DO20.1.2 liaison with neighbours

Liaise and consult with Tasman District Council over resource management cross-boundary issues.

Explanation and reasons

DO20.1.2.i There is the potential for cross boundary resource management issues to arise with neighbouring local authorities. In general, it is preferable to adopt a whole catchment approach for river management, rather than considering only isolated issues without taking into account the effects on the whole catchment. However, parts of the Roding River are currently managed separately. The present boundary on the Roding River between Nelson City Council and Tasman District Council was established in 1989 by the Local Government Commission to ensure that the Roding waterworks lay within the Nelson City Council territorial area.

Policy
DO20.1.3 liaison with stakeholders

Decisions on water management are made having regard to the knowledge and experience of stakeholders actively involved in water use and water management.

Explanation *and reasons*

DO20.1.3.i Many people and organisations, particularly in the Rural Zone, have first hand knowledge of the water issues facing their community. Building a comprehensive understanding of the effect of freshwater policies and consent decisions requires the development of working relationships and effective information exchange between the Council and the people most directly affected by water management decisions.

Methods *(for policies DO20.1.1, DO.1.2 and DO20.1.3)*

DO20.1.3.ii Consultation with water management agencies and authorities such as Tasman District Council, Department of Conservation, Nelson Marlborough Fish & Game Council and manawhenua iwi.

DO20.1.3.iii Rules requiring liaison with water management agencies and authorities where activities will disturb the beds of rivers and lakes.

DO20.1.3.iv Consultation with the affected community when making water management decisions.

DO20e environmental results anticipated and performance indicators

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

Anticipated environmental results	Indicators	Data source
DO20e.1 Activities involving freshwater resources being carried out in a manner which avoids adverse effects.	**DO20e.1.1** Degree to which relevant management plans are integrated into statutory Council processes.	Council documents
DO20e.2 Freshwater management rules and resource consent conditions which avoid adverse effects on neighbours.	**DO20e.2.1** Monitoring of consents.	Community feedback Council inspections

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rural

RUd Description

RUd.1 The rural area administered by Nelson City Council represents an important resource. It contains much of the District's productive land resources, and hence is important to the local economy. It contains water supply dams, treatment facilities, pipe lines, sewers and oxidation ponds servicing the urban area. It is also of cultural significance to both tangata whenua and to the community as a whole, containing cultural sites, significant areas of indigenous flora and fauna, recreation areas, and rivers and streams which are important fisheries, habitats, and water sources. Most importantly, this zone forms the immediate and intermediate backdrop to the city in terms of the landscape. The landscape setting, together with the character of the zone defines Nelson and gives it a sense of place within the Council's administrative area.

RUd.2 The location of the zone is generally that area between the north-eastern edge of the urban area and the boundary with Marlborough District, plus the area behind and to the south of the urban area of the city to the boundary with Tasman District Council. It comprises largely the hilly area of the Council's administrative area, but includes those flats in the lower Wakapuaka, the Glen, and in the Whangamoa River area.

RUd.3 Residential development occurs at the Glen, at Cable Bay, and to a limited extent at Hira. Cable Bay and The Glen have a number of natural and physical constraints to further growth such as servicing, the requirements of the Act, and the New Zealand Coastal Policy Statement. The Glen is zoned Residential as it does have some opportunities for growth within existing boundaries and the constraints of servicing.

RUd.4 The Rural Zone is primarily serviced by the State Highway, which runs from the boundary with Marlborough District to the urban area. Other minor roads service the rural area directly from the urban area, or branch off the State Highway.

RUd.5 Little of the Rural Zone is serviced for water and sewage. The entire area is relatively well served with power and telecommunication links.

RUd.6 The Rural Zone can be defined as the area largely used for productive purposes, mainly for forestry and farming, excluding major conservation areas (mainly owned by the Council and the Department of Conservation). The zone includes a Small Holdings Area. The Small Holdings Area comprises mainly valley floors, along with the lower and mid slopes of a number of valleys including the Wakapuaka, and the Teal, Lud, and Marsden Valleys. Higher Density Small Holdings areas have been provided to the rear of the Residential Zone at Ngawhatu, Marsden and Enner Glynn Valleys, adjoining the Rural farmland on the southern boundary of the land at Ngawhatu and near the entry to Marsden Valley. This zoning recognises the limited productive potential of these areas due to their topography and small size, and in the case of the Higher Density Small Holdings area in upper Marsden Valley, the maintenance of the open character of this visible slope. The zoning also allows for clustering of housing to mitigate visual amenity effects, and/or enables a transition from Residential to Rural Zoning. The Small Holdings Area in Enner Glynn Valley will enable a level of development that is compatible with the rural amenity values of the valley, and does not impact on the important regional resources (the landfill site and quarry) in York Valley.

RUd.7 See also the objectives and policies relating to zones in Chapter 5. The Plan should always be considered as a whole.

RUd.8 **Future changes anticipated:**

As a consequence of the rapid uptake of the remaining residential land at the southern margin of the city, an increasing demand is anticipated for residential development is anticipated to the north of the city between the end of the existing residential area and Todds Valley. The demand for residential development to extend to higher contours through the northern residential area is also anticipated. Prior to extension of the residential zoning, issues such as water supply and sewer, property access, conflict with the State highway and natural hazards including slope stability will need to be addressed. Council anticipates that future proposals to extend the Residential Zone will be dealt with by way of privately promoted plan changes.

Hira is an area which has been identified as being a potential village, due to the location of community facilities there such as service activities, schooling, and a church. The issue of potential conflict with the State Highway would need to be addressed. While no village exists at the time this Plan was drafted, a village is anticipated. The expectation is that such a village will relate to its environment in form and style, and be unique, not simply being an extension of a suburb of Nelson. Again, the Council anticipates that future options will be dealt with by way of privately promoted plan changes.

objective

RU1 protect resources and capacities

Land used in a manner which will protect the life-supporting capacity, versatility and availability of land, soil, rock, aggregate, other natural resources, and ecosystems. Management must therefore be in a responsible manner which will sustain the potential of resources to meet the reasonably foreseeable needs of future generations.

Reasons

RU1.i The soil and the land base of the rural area represent much of the natural resources of Nelson. It is of high importance that the ability of these resources to support life is not undermined, as such an outcome would limit both the health of natural systems and of economic land use systems. While Nelson does not have a large resource of high quality land, it nevertheless depends on the primary products derived from the use of that land, particularly animal and forest products. It is not therefore in the long term interests of the community, nor is it a sustainable use of the resource, to allow the land to be degraded or used in a manner which will limit the choices of future generations.

policy
RU1.1 rehabilitation of land

Where temporary activities disturb land, that land should be rehabilitated to a level of capability as close as practicable to what it was before the activity commenced.

Explanation and Reasons

RU1.1.i Some activities will inevitably cause disruption of the land surface, such as mineral or aggregate extraction, or land filling. This policy seeks to ensure that where those activities occur, those carrying out the activity are required to rehabilitate the land, once the activity or parts of the activity has ceased, or in the case of a long term operation, that progressive rehabilitation is made. See also policies on landscape and amenity.

Methods

RU1.1.ii Rules requiring reinstatement of land, including revegetation.
RU1.1.iii Conditions on resource consents as required.

policy
RU1.2 range of activities

A wide range of activities which are compatible with the objectives and policies and in particular policy RU1.1 should be allowed to occur.

Explanation and Reasons

RU1.2.i Providing that activities do not conflict with the overall objectives and policies for the Zone, they will generally be permitted. This philosophy means that while there will be no lists of activities which will generally be provided for in the Zone, any activity which can be demonstrated not to have the adverse effects this Plan is seeking to avoid, can proceed.

Method

RU1.2.ii Structure this Plan to focus on effects and avoid the listing of activities.

policy
RU1.3 management of effects of connections on structure plans

The provision for, and development of, road, walkway and cycleway linkages within Rural Zones where these have been identified on Structure Plans, at a time and in a manner that does not result in unreasonable reverse sensitivity effects with other land use activities.

Explanation and Reasons

RU1.3.i Indicative roads and walkways/cycleways have been identified on Structure Plans where these have been determined to be important in achieving enhanced transportation and recreational outcomes, both within rural areas and/or between urban neighbourhoods. It is not the intention that these unreasonably impact on farming, rural industry or other legitimate rural land use practices. The Council will work closely with land owners and developers to ensure the timely setting aside of land and/or construction of such linkages. Conversely, it is anticipated that land owners will not undertake works, activities or place structures within these potential corridors of a nature, or in a manner, that will compromise the attainment of those future connections.

Methods

RU1.3.ii Exercise discretion when considering the timing of land to be set aside and/or constructed for road, walkway or cycleway purposes within those indicative alignments shown on a Structure Plan.

RU1.3.iii Rules to avoid subdivision layout, structures or activities that may compromise the achievement of those indicative road, walkway or cycleway connections shown on a Structure Plan.

RU1.3.iv For additional methods, refer Policy DO10.1.7.

objective

RU2 rural character

Maintenance or enhancement of an environment dominated by open space and natural features.

Reasons

RU2.i The natural character on which the rural character is based relies on the maintenance of natural ecosystems such as riparian, riverine and estuarine systems, and on the remnants of original vegetation together with significantly regenerated areas. Should these be removed from the Nelson area, the rural area would lose much of its unique qualities which differentiate it from many other parts of the country. In addition to natural features, pastoral agriculture and forestry contribute to the rural character.

RU2.ii The rural environment can be separated into three distinct areas. These are as follows:

a) The **main area of the Rural Zone**, being the steeper hill areas, away from the coast and generally separated from the urban environment. This area tends to form the secondary backdrop to the city, and has a low level of apparent modification to the landscape. It does however contain significant areas of exotic forest development, which will remain a dynamic environment as varying age classes of forest are harvested and replanted. It also contains smaller areas of pastoral farming, and areas of land in various states of reversion to exotic, and in the longer term, indigenous vegetation. The area contains a very low level of development in terms of structures, as properties tend to be large, with a high degree of separation between clusters of buildings.

b) The **Small Holdings Area** is generally contained within valley floors or between urban development and the Rural Zone. The pattern of development is much greater in this area, with structures at more regular intervals, but still at a low level of density with significant areas of land in between. Small holdings are not rural residential areas, but are large enough to provide the opportunity for a range of rural activities. The character is predominantly rural rather than residential. Use of the land within this area is far more varied, with horticultural activities interspersed in between areas of grazing, and occasionally areas of indigenous vegetation particularly in the Lud and Teal Valleys. Part of the Nelson South area (land accessed off Champion Road and Hill St North) has been identified as a Rural – Higher Density Small Holding Area, because of its location adjacent to the Residential Zone, its small size and its role as a buffer to adjoining Rural Zone Land.

Parts of the Marsden and Enner Glynn Valley area have also been identified as a Rural Zone – Higher Density Small Holding Area, because of the limited productive potential of these areas due to their topography and small size, and in the case of upper Marsden Valley, the ability to cluster development to mitigate visual amenity effects in relation to the open rural character of the visible slopes. The Higher Density Small Holdings Area, as it relates to land within Schedule I (Marsden Valley, eastern area Rural Zone – Higher Density Small Holdings Area), Schedule V (Marsden Hills), Schedule E (Ngawhatu Residential Area) to the rear of the Residential Zone and adjoining part of the Rural Zoned farmland along the Southern boundary, and Schedule W (Enner Glynn and Upper Brook Valley) provides for allotments of an average of 1 ha, but with a minimum subdivision area of 2,000m^2 subject to the provision of reticulated services. This zoning will provide a transition between Residential and Rural areas and, as it relates to the more visually prominent area just below the Barnicoat Range, with development sensitive landscape values. This significant variation in the average density, and the minimum lot size, is to encourage small enclaves/clusters of serviced development with significant open space separating these. Geotechnical constraints within this area will also restrict development to a limited number of enclaves of settlement. In Marsden Valley (Schedule I, Chapter 7, Residential Zone) the western Rural Zone – Higher Density Small Holdings Area has a site size requirement of 6000m^2 average and 2000m^2 minimum with a requirement for reticulated services. This recognises that this area is surrounded by Residential zoning and is therefore not located in a rural or rural to residential transition environment. As per other specified areas of Rural Zone – Higher Density Small Holdings Areas the provisions allow for clustering of development.

Within the Maitai Valley, adjoining the existing urban area, a high density Small Holdings Area has been defined. This is an extension of similar existing development.

Since the plan was notified in 1996, there has been a trend of undersize subdivisions in the North Nelson Rural Zone and Rural Small Holdings area. A plan change was notified in 2005 to make undersize subdivisions between The Glen Road and Whangamoa Saddle non-complying activities. This is an interim measure to halt this trend and avoid further adverse effects on rural character, until such time as a more structured and coordinated framework for subdivision is in

place.[05/01]

c) The **coastal environment** is that area between the coast and generally the first ridgeline to the landward side of the coast. The pattern of development in this area has generally been very low key, with a low level of development of structures and patterns of development. Two areas of close subdivision occur within this overlay, being the settlement at the Glen, and a cluster of dwellings at Cable Bay. It is seen as a matter of priority through the Act, the New Zealand Coastal Policy Statement and of this Plan that these areas remain limited in extent.

RU2.iii Management of the character of the various parts of the rural environment is important to maintain Nelson's image as a pleasant green environment where there is ready access to passive and recreational activities. The rural area also contains significant natural and cultural features, and significant areas of indigenous flora and fauna which form part of Nelson's heritage, and in some cases represent only remnants of what Nelson once possessed. Protection, and preferably preservation, is seen as important to maintain Nelson's heritage for present and future generations, and for scientific as well as cultural reasons.

policy
RU2.1 density - subdivision

Subdivision patterns should ensure that sufficiently large separations are maintained between clusters of buildings, or be designed such that any adverse effects on the rural character are avoided or mitigated, provided that a site meets a subdivision size permitted in this Plan.

Explanation and Reasons

RU2.1.i Maintaining large site sizes in the extensive rural area will ensure that the rural character is not compromised by numerous clusters of buildings dotted across the landscape as each individual property establishes a dwelling and associated outbuildings. Within the Small Holdings Area, it is also important to retain the open space character, although obviously more densely settled, to provide a rural feel which distinguishes the area from the densely settled urban environment. There may, however, be a range of ways in which the open space character may be maintained, other than the use of minimum site size, depending on the circumstances. There is opportunity to consider clusters of dwellings, which may be appropriate in some situations for reasons of landscape amenity, stability or local servicing for example, providing that the general landscape character is not compromised.

RU2.1.iA For objectives and policies relevant to the Rural Zone – Higher Density Small Holdings Area (Schedule I) refer to RE4 Marsden Valley (Schedule I), Chapter 7.

RU2.1.iB Clustering of development with open space separating clusters in the Rural Zone - Higher Density Small Holdings Area is encouraged in order to avoid dispersed development dominating the landform.

Method

RU2.1.ii Rules for minimum site size.

policy
RU2.2 density - small holdings

Small land holdings should be of sufficient size to provide for:

a) maintenance of general rural character and amenities, and
b) being visually unobtrusive, utilising topography to avoid visual impacts, and
c) servicing from existing infrastructure, especially roads, and
d) privacy and separation of dwellings, and

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e) containment of the adverse effects on site, especially to provide for on site sewage disposal, and

f) avoidance or mitigation of natural hazards,

and should be in close proximity to the urban area of Nelson, to promote transport efficiency.

Explanation and Reasons

RU2.2.i Small rural land holdings can disrupt and destroy the rural values where open space and natural features predominate. The presence of small holdings may conflict with adjoining land used for productive purposes. Structures and new road construction particularly have adverse effects. Areas where the effects are not so marked, such as small valleys which can not be readily viewed by the public, if roads are already in place, are more likely to comply with this policy than elsewhere.

RU2.2.iA For objectives and policies relevant to the Rural Zone – Higher Density Small Holdings Area (Schedule I) refer to RE4 Marsden Valley (Schedule I), Chapter 7.

Methods

RU2.2.ii Map Small Holdings Area where smaller holdings will be accepted as complying with the policy.

RU2.2.iii Rules regulating allotment sizes in Small Holdings Area to allow smaller size.

RU2.2.iv Exercise discretion on applications for subdivisions and building additional residential units.

policy RU2.3 scale, height and density of structures

The scale, height, and density of structures should be such that they do not compromise the character of the area, or where the character of an area is already compromised by development, do not detract further from the amenity of the area.

Explanation and Reasons

RU2.3.i Buildings and structures which are not in harmony with the rural landscape have the potential to almost permanently affect the appearance and rural character of the Zone. An example might be a large silo located in a dominant part of the landscape (which might not be a problem tucked under a spur).

Method

RU2.3.ii Rules for maximum building heights, bulk and location.

policy RU2.4 alteration of the contour of the land

Any adverse visual effects of activities which alter the contour of the land, such as filling, land contouring, and excavation should be avoided, remedied, or mitigated.

Explanation and Reasons

RU2.4.i Land recontouring activities have the potential to permanently alter the appearance of the landscape. Such effects may not be limited to the areas actually disturbed, but may relate to the loss of integrity of an adjacent or nearby feature. While there will be circumstances where such effects are unavoidable, they can be mitigated against by ensuring they do not affect any areas which can be readily viewed by the public as a whole, such as from traffic corridors and public open space, or remedied by ensuring that affected areas are restored or at least rehabilitated to an acceptable level from a landscape perspective.

Methods

RU2.4.ii Rules relating to land disturbance.

RU2.4.iii Exercise discretion where any land recontouring occurs.

policy
RU2.5 structure planning[05/01]

Subdivision of the Rural Zone and Rural Small Holdings area between The Glen Road and Whangamoa Saddle which do not meet the minimum site sizes should be restricted as non-complying activities until such time as the Council has developed a strategic plan for further development in this area.

Explanation and reasons

RU2.5.i Since the Plan was notified in 1996, there has been a clear trend towards undersized rural residential subdivisions in the Nelson North area. For example, 45% of all subdivisions granted in the Rural Small Holdings are in Nelson North between 1996 and 2002 were non-complying. A further 90% in the Rural Zone were less than half the permitted minimum lot size. The 2002 Hira Village and the Nelson Urban Growth Strategy 2004 both identified subdivisions and re-subdivision in Nelson North as cause for concern as they are changing the character of the area to one not anticipated in the Plan.

- These concerns centre around:
- Loss of rural character
- Adverse effects precedent
- Cumulative effects
- Form, function and efficiency of dispersed rural-residential development

Left unabated, there is the potential for continued undersize subdivision to create a rural community and character more consistent with dispersed large residential holdings rather than rural small holdings.

Given this, and the continuing trend and demand for undersize rural lots, Council has identified the need for a more structured and coordinated approach to rural residential development in Nelson North. This will allow future development and subdivision to be undertaken within a framework which takes into account the future long term form and function of this type of development. However, until such a framework is in place, further land fragmentation by rural residential development will be more tightly controlled.

Method

Making undersize rural and small holdings subdivision in Nelson North a non-complying activity.

objective
RU3 protection of amenity

Recognise and maintain the local rural amenity experienced within the Rural Zone including the local noise environment.

Reasons

RU3.i Local amenity within and surrounding any particular site is highly important for those who live and work in this environment. The environment is however that of a working Rural Zone, and while people live in the Zone, they cannot expect the same residential level of amenity that would be expected in residentially zoned land.

RU3.ii Activities which characterise the rural environment, such as farming and forestry, may have effects arising from normal everyday operations which can adversely affect other activities such as residential living, recreation and tourism. These effects include matters such as traffic, long hours of operation, noise, dust, and landscape effects (such as forest harvesting). There may also be situations where emergency services temporarily exceed noise limits.

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RU3.iii Experience has shown, in particular, that mixing small-site residential activities with rural activities creates pressure on those rural activities to cease parts of their operation which may have these impacts. For this reason this Plan seeks to exclude the continuing ingress of residential-only activities into the rural environment, and control the location of small holdings in order to minimise these conflicts. Promoters of other activities which require a rural location should locate in this area with full awareness that these effects exist.

RU3.iv This objective is not, however, intended to allow unreasonable uncontrolled effects such as chemical trespass, or activities carried out in a manner which disregards the rights and reasonable expectations of any other rural activity or property owner.

policy RU3.1 location of structures

Structures should be located on a property in such a way as effects on adjacent sites are minimised.

policy RU3.2 location of trees and shelter

Plantation forests and dense evergreen shelterbelts should not be planted so as to unduly shade or adversely affect adjacent properties.

Explanation and Reasons (policies RU3.1 and RU3.2)

RU3.2.i Care should be exercised when locating structures, particularly residential buildings, or dense planting of trees to ensure that adverse effects of one activity on another are minimised to an acceptable degree.

Method (policies RU3.1 and RU3.2)

RU3.2.ii Rules for separation distances - trees and buildings from boundaries.

policy RU3.3 avoidance of effects

Activities should not give rise to unreasonable adverse effects which compromise the amenity of adjacent properties, services and zones such as undue levels of noise, smell, traffic and dust.

Explanation and Reasons

RU3.3.i Activities in and adjacent to the Rural Zone should be able to function without being unreasonably compromised by another activity. The Rural Zone is generally seen as a quiet, peaceful environment, although from time to time there are bursts of high activity such as forest harvesting, aerial spraying and topdressing, stock movements, and cultivation among others, which should be seen as normal. Rural properties are, for many, their homes as well as a place of work, and as such are entitled to a reasonable level of protection against adverse effects of adjoining or nearby activities. Issues such as preservation of privacy, both aural and visual, and protection from effects such as dust from operations, and odour from stock, need to be addressed in order to maintain acceptable levels of amenity on each property. It is acknowledged that emergency services such as fire stations may occasionally need to exceed noise limits in the interests of public health and safety and this is recognised in the definition of noise.

Methods

RU3.3.ii Rules for maximum noise levels.

RU3.3.iii Controls on groups of activities which have potential to create these effects such as factory farming, and rural servicing activities.

RU4 Marsden Valley (Schedule I)

For objectives and policies relevant to the Rural Zone – Higher Density Small Holdings Area which is contained within the Schedule I area refer to RE4 Marsden Valley (Schedule I), Chapter 7.

RUe environmental results anticipated and performance indicators

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

Anticipated Environmental Result	Indicators	Data Source
RUe.1 Maintenance of present levels of diversity and health of soils and ecosystems	**RUe.1.1** a) Change in land cover, use, and areas of bare ground b) Numbers of resource consents and types of conditions of consents	5 yearly aerial photography run across the Council's administrative area Compliance monitoring on a case by case basis
RUe.2 Maintenance of the green surroundings of urban Nelson	**RUe2.1** a) Change in density of subdivision patterns and built structures b) Complaints received about developments in the Rural Zone	5 yearly aerial photography run across the Council's administrative area Monitoring of building and subdivision consent numbers Council's complaints register
RUe.3 Adverse effects of use and development in the Rural Zone which are controlled to acceptable levels of environmental quality	**RUe3.1** a) Changes in ambient noise levels and other environmental effects at selected locations b) Complaints received about adverse effects	Data collected at selected sites Council's complaints register

appendix 6 riparian and coastal margin overlays

AP6 overview

AP6.i This appendix lists all those riparian and coastal margins identified as having riparian values.

AP6.1 riparian and coastal margins with identified riparian values

AP6.1.i Table 6.1 contains a listing of identified riparian values of the rivers and streams throughout the Nelson City Council area. The purpose of the table is to provide information on relevant riparian values of particular margins, to be taken into account at the time any resource consent or plan change is considered.

AP6.1.ii Riparian values identified in tables 6.1 and 6.2 include conservation, access, hazard mitigation, and recreation. Conservation values are further defined under AP6.1.iii, and the remaining values are further defined as follows:

Access – includes both people and wildlife. Public access in the form of public ownership, walkways, cycle ways and where appropriate residential roading are all values associated with access. Access for wildlife is provided through biodiversity corridors provided by riparian and coastal margins.

Hazard Mitigation – includes flooding, ponding and the low impact management of stormwater.

Recreation – includes water sports as well as recreational walkway, cycleway connections and passive recreation opportunities (e.g. viewing and seating areas).

AP6.1.iii Conservation values are assigned into three categories dependent on the size and nature of the river concerned.

Priority 1 conservation values

These include the main stem of larger rivers. These reaches have a range of values including:

a) Trout fishing, swimming, walking, passive recreation, kayaking and other boating
b) Identified wildlife corridors/significant native riparian vegetation
c) Flood management zones
d) Water quality being managed for fishery and contact recreation purposes

Priority 2 conservation values

These include smaller rivers and significant tributaries of larger rivers. Management of these areas is primarily to protect habitats of fish and fowl and for water quality purposes. These reaches have a range of values including:

a) Identified trout spawning streams, whitebait spawning streams, wildlife habitat streams especially for waterfowl, waterbodies with rare species
b) Permanently flowing streams greater than 3 m bank width as native fish habitat (unless lacking fishery values confirmed by survey)
c) Spring fed creeks or any having high water clarity
d) Water quality being managed for aquatic ecosystems or water supply purposes

Priority 3 conservation values

These include small first order streams which may need some protection to maintain water quality. The degree of protection is largely dependent on slope. There is little benefit in protecting stream margins on high slope angles where suitable land use controls are more appropriate.

Where appropriate, conditions may be placed on resource consents to avoid, remedy or mitigate adverse effects on the values identified. Such conditions could include, but would not be restricted to matters such as:

a) Timing of earthworks.
b) Revegetation following earthworks.
c) Control of stormwater and other discharges.
d) Location of structures.
e) Protection of significant vegetation.
f) Protection of instream habitats.
g) Water Quality.

AP6.1.iv Esplanade reserves or strips not specified in Table 6.2 of Appendix 6 will only be required as a condition of a resource consent or plan change where they are the only practical means of avoiding, remedying or mitigating the adverse effects from an activity to which the consent relates. Examples of situations where this could occur include:

a) A resource consent or plan change for a hotel or tourism development next to a river reach of high value for access or conservation purposes.

b) The rezoning of an area from rural to residential or a resource consent, or plan change creating lots of a smaller size than provided for in the area as a controlled activity and adjoining a riparian margin of significant value for conservation, access or hazard mitigation purposes.

Table 6.1 riparian values

River	Reach	Values
Coastal margins	All coastal margins including Waimea Inlet, Nelson Haven, Delaware Inlet, and Whangamoa Inlet but excluding the active Port area comprising the existing Port Commercial Zone	Conservation Access Hazard mitigation For further details regarding coastal margins see Appendix 4 (marine ASCV overlay)
Roding River	City boundary to waterworks reserve caretakers house	Conservation (aquatic habitat) priority 2 Access
	Caretakers house upstream to headwaters including Champion and United Creeks	Conservation (aquatic habitat) priority 1 Access Recreation
Saxton Creek	Coast inland including first tributary to Champion Road and main stream above first tributary to next confluence	Conservation (aquatic habitat) priority 3 Access coast to Champion Road Hazard mitigation flood capacity Recreation
Orphanage Creek	Coast to Saxton Road	Hazard mitigation flood capacity Access through urban development Conservation (aquatic habitat) priority 3
	Saxton Road to Suffolk Road	Hazard mitigation flood capacity Access through urban development Conservation (aquatic habitat) priority 3
	Suffolk Road to headwaters	Hazard mitigation flood capacity Access where/when urban development occurs Conservation (aquatic habitat) priority 3
Orchard Creek	Coast to Nayland Road	Access when urban development occurs Hazard mitigation flood capacity
	Nayland Road to headwaters	Hazard mitigation flood capacity
Poorman Valley Stream	Coast to Marsden Valley Reserve	Conservation (aquatic habitat) priority 3 Access to coast and through urban area Hazard mitigation flood capacity
	Marsden Valley Reserve to headwaters	Conservation (aquatic habitat) priority 3 Access to reserve
Arapiki Stream	Junction with Jenkins Creek to Quarantine Road second crossing upstream	Conservation (enhancing aquatic habitat) Hazard mitigation flood capacity
	Quarantine Road second crossing upstream to the Ridgeway	Hazard mitigation flood capacity
Jenkins Creek	Coast to confluence with Poorman Valley Stream	Access to coast
	Confluence with Poorman Valley Stream to Quarantine Road	Conservation enhancing aquatic habitat Access to coast Hazard mitigation flood capacity
	Quarantine Road to Annesbrook Drive	Conservation enhancing aquatic habitat Access along river Recreation Hazard mitigation flood capacity
	Annesbrook Drive to Gracefield Street	Access along river Hazard mitigation flood capacity
	Gracefield Street to Newman Drive	Hazard mitigation flood capacity
	Newman Drive to Enner Glynn Road head	Access where urban development occurs Hazard mitigation flood capacity
	Tributary to forest remnant	Access along stream

River	Reach	Values
York Stream	St Vincent Street to Waimea Road	Hazard mitigation flood capacity
	York Dam to headwaters	Hazard mitigation flood capacity
Brook Stream	Maitai confluence to above Brook Motor Camp grid 027(346 871)	Conservation (aquatic habitat and water quality) priority 1 and 2 Access where urban development occurs Hazard mitigation flood capacity
	Tantragee Road to Tantragee Saddle	Public access along river Conservation (water quality) priority 3
	Side creeks	Conservation (aquatic habitat) priority 3 Access along river Recreation
Maitai River	The Haven to Pole Ford Bridge	Conservation (aquatic habitat and water quality) priority 1 Access along river Recreation Hazard mitigation flood capacity
	Pole Ford Bridge to headwaters	Conservation (aquatic habitat and water quality) priority 1 Access along river Recreation
	Side creeks including Kaka Hill tributary, Sharlands and Packers Creeks	Conservation (aquatic habitat and water quality) priority 2 and 3 Access along river Recreation Hazard mitigation flood capacity
Oldham Creek	Main channel from Corder Pond to Hodgson Place east boundary	Conservation (water quality) priority 3 Hazard mitigation flood capacity
	Main channel from Hodgson Place east boundary up true left branch to tributary confluence	Conservation (water quality) priority 3 Access through urban development Hazard mitigation flood capacity
	Tributary from Werneth Place to forest remnant	Access along river
	Main channel confluence east of Hodgson Place east boundary up true right tributary	Conservation (water quality) priority 3 Access through urban development Hazard mitigation flood capacity
	Strathaven Place branch from Naumai Street through Strathaven Place (both tributaries)	Conservation (water quality) priority 3 Hazard mitigation flood capacity
Todds Valley Stream	Mouth to SH6	Conservation (aquatic habitat priority 2)
	SH6 main valley including Little Todds Valley	Conservation (aquatic habitat and water quality) priority 2 and 3 Hazard mitigation flood capacity
Wakapuaka flats drains	Haven to Rural Zone boundary	Conservation (water quality) priority 3 Access to wildlife areas and public land
Waihi Creek	Coast to above Cable Bay Walkway	Conservation (water quality) priority 2
Delaware Inlet	Inlet margins	Conservation (see Appendix 4 – marine ASCV overlay) Access along coast Recreation
	Minor creeks draining to Delaware Inlet excluding Wakapuaka Main Stem	Conservation (aquatic habitat) priority 2 and 3
Wakapuaka Main Stem	Delaware Inlet to headwaters including Swift Stream and Slater Creek	Conservation (aquatic habitat and water quality) priority 1 Access along river Recreation Hazard mitigation flood capacity
	Major side streams between Delaware Inlet and Hira township	Conservation (aquatic habitat and water quality) priority 2 and 3

River	Reach	Values
Lud River	SH6 to Lud Valley Road end	Conservation (aquatic habitat and water quality) priority 2 Access where land use intensifies Hazard mitigation flood capacity
	Lud Valley Road end to grid O27 413 940, Sharlands Road	Conservation (aquatic habitat and water quality) priority 3 Access (to Maitai)
	Headwaters, streams	Conservation (aquatic habitat and water quality) priority 3
Teal Valley	SH6 to headwaters including main side streams	Conservation (aquatic habitat and water quality) priority 2 Access where land use intensifies Hazard mitigation flood capacity
	Upper headwaters	Conservation (aquatic habitat and water quality) priority 3
Whangamoa Inlet	Inlet margins	Conservation (see Appendix 4 – marine ASCV overlay) Access to coast and along coast Recreation
	Frenchman's Stream and Toi Toi Stream	Conservation (aquatic habitat and water quality) priority 2
Whangamoa River	Main stream inlet to Graham Stream confluence	Conservation (aquatic habitat) priority 1 Access along river and to coast Recreation
	True right tributaries: Elizabeth Stream, Dencker Creek, Collins River (including Blunder Creek), and Graham Stream	Conservation (aquatic habitat and water quality) priority 2 and 3 Access where land use intensifies
	Mainstream from Graham Stream confluence to grid 027 (472 967)	Conservation (aquatic habitat and water quality) priority 2
	Unnamed tributaries on the true right	Conservation (aquatic habitat and water quality) priority 3
Omokau Bay Stream		Conservation (aquatic habitat and water quality) priority 2
Oananga Bay Stream		Conservation (aquatic habitat and water quality) priority 2

AP 6.2 riparian or coastal areas with priority values

AP6.2.i Table 6.2 identifies riparian and coastal land with priority values. Esplanade reserves will be set aside, or esplanade strips created, in these areas upon subdivision and road stopping. Land uses in esplanade areas are also regulated by zone rules.

AP6.2.ii The esplanade requirements column indicates whether an esplanade reserve or esplanade strip is required and its width from the river bank or mean high water springs in metres (eg. 20 m). One or both banks may be indicated.

AP6.2.iii Where land that is referred to in the Table is in the Coastal Environment Overlay, the requirements for that Overlay prevail over any other requirements in the Table. Where land referred to in the Table is in the Small Holdings Area, the requirements for that Area prevail over any requirements stated for the Rural Zone.

AP6.2.iv Where the taking of an esplanade reserve or creation of an esplanade strip results in an unworkable severance of land (for example a residual narrow strip between the reserve or strip to be created and the property boundary), Council will consider rationalising the esplanade requirements contained within Table 6.2 to take into account an such severance.

Table 6.2 priority values

River	Reach	Values	Esplanade requirements
Coastal margins	NCC/TDC boundary to Songer St	Conservation Access Hazard Mitigation	All zones and overlays
Roding River	City boundary to Conservation Zone boundary	Conservation Access	Rural Zone Strip 20m - both river banks
Saxton Creek	From south eastern boundary of Saxton Creek Recreation Reserve to Champion Road.	Conservation Access Hazard mitigation Recreation	As shown on the Saxton Creek Survey Plans dated 11 March 2015 included in this appendix except: • in the case of the property formerly legally described as Lots 120 and 121 DP 429225, which has a subdivision approval (RM065150**V3**) then as set out in that resource consent and its supporting plans. • in the case of the approved subdivision of Lot 2 DP 447598 as shown on the scheme plan for RM125264 (Plan A).
Orphanage Creek	Coast to Main Road Stoke	Hazard mitigation Access	Coastal Environment Overlay Reserve 15m - both river banks Industrial Zone Reserve 15m - both river banks
	Saxton Road to Suffolk Road	Access Conservation Hazard mitigation	Residential Zone Reserve corridor of 25m including the river bed and both river banks
	Suffolk Road to headwaters	Hazard mitigation Access	Residential Zone Reserve corridor of 25m including the river bed and both river banks Small Holdings Overlay Strip 5m both river banks
Orchard Creek	Coast to Nayland Road	Access Hazard mitigation	Coastal Environment Overlay Reserve 25m corridor Residential Zone Reserve - 25m corridor

River	Reach	Values	Esplanade requirements
Poorman Valley Stream	Seaview Road to Christian Academy	Access Conservation Hazard mitigation	Residential Zone Strip 10m - both river banks Suburban Commercial Zone Strip 10m - both river banks
	Christian Academy to Marsden Valley Reserve	Access Conservation Hazard mitigation	Marsden Valley Small Holdings Area Reserve 20m – both river banks Marsden Valley Residential Area Reserve 20m – both river banks Other Small Holdings Area Reserve 5m - both river banks
	Marsden Valley reserve to road head	Access	Rural Zone Strip 5m - both river banks
Arapiki Stream	Jenkins Creek confluence to Quarantine Road second crossing	Conservation Hazard mitigation	Coastal Environment Overlay Reserve 10m both river banks Industrial Zone Reserve 10m both river banks Southpine site (Pt Lot 1 DP4905 and Lot 1 DP5375) requirements as per Appendix 6 Diagram 6.1
	Quarantine Road to Ridgeway	Hazard mitigation	Industrial Zone Strip 5m - both river banks Residential Zone Strip 5m - both river banks
Jenkins Creek	Confluence with Poorman Valley Stream to Quarantine Road	Access Conservation Hazard mitigation	Coastal Environment Overlay Reserve 10m - both river banks Residential Zone Reserve 10m - both river banks Industrial Zone Reserve 10m - both river banks
	Quarantine Road to Annesbrook Drive	Conservation Access	Industrial Zone Reserve 10m - both river banks
	Annesbrook Drive to Gracefield Street	Access Hazard mitigation	Residential Zone Strip 5m - both river banks
	Gracefield Street to Beatson Road	Hazard mitigation	Residential Zone Strip 10m - both river banks
	Beatson Road to Newman Drive	Hazard mitigation	Residential Zone Strip 5 m - both river banks
	Newman Drive to Enner Glynn Road head (grid 027 323885	Access Conservation Hazard mitigation	Residential Zone Reserve 20m - both river banks Small Holdings Area Strip 5m - both river banks Rural Zone Strip 5m - both river banks
York Stream	St Vincent Street/Totara Street corner to Waimea Road	Hazard mitigation	Residential Zone Strip 5m - both river banks
	York Dam to headwaters	Hazard mitigation	Rural Zone Strip 10m - both river banks
Brook Stream	328 Brook Street to above Brook Motor Camp (grid 027 346871)	Hazard mitigation Conservation Access	Residential Zone Reserve Corridor of 30m including the river bed and both river banks
	Tributary Brook confluence to Tantragee Saddle	Access	Rural Zone Strip 5m - both river banks

River	Reach	Values	Esplanade requirements
Maitai River	The Haven to Jickells Bridge (with the exception of the true left bank between Paru Paru Road and Trafalgar Street)	Conservation Access Hazard mitigation	All zones and overlays Reserve 10m true left bank Reserve 5m true right bank
	The true left bank between Paru Paru Road and Trafalgar Street	Conservation Access Hazard Mitigation	Inner City Fringe and Inner City Centre Reserve averaging 7.5m with a minimum width of 5m
	Jickells Bridge to Conservation Zone boundary	Conservation Access Hazard mitigation	Small Holdings Area Reserve 20m - both river banks Rural Zone Reserve 20m - both river banks
	Sharlands Creek Maitai confluence to headwaters and lower Kaka Hill tributary	Conservation Access Hazard mitigation	Rural Zone Strip 20m – both river banks
	Groom Creek/Maitai confluence to Tantragee Saddle	Access Conservation	Rural Zone Strip 5m - both river banks
Oldham Creek	Corder Pond to Hodgson Place east boundary	Hazard mitigation Conservation	Coastal Environment Overlay Reserve 5m - both river banks Residential Zone Reserve 5m - both river banks
	Strathhaven Place branch from Naumai Street through Strathhaven Place (both branches)	Hazard mitigation Conservation	Residential Zone Reserve 5m - both river banks
	Werneth Place to forest remnant (grid 027 375965)	Access	Suitable access to be negotiated with the landowners concerned
Todds Valley Stream	SH6 main valley (Todds Bush Road only) through the residential zone to the Small Holdings Area/Rural Zone boundary	Hazard mitigation Conservation	Residential Zone Reserve corridor 20m wide including the stream bed
	Mouth to SH6	Conservation Water quality	Coastal Environment Overlay Reserve 20m - both river banks Conservation Zone/Rural Zone Strip 20m - both river banks
	Lower and Central Reaches	Hazard mitigation access conservation	Adjacent to or in a Residential Zone a reserve 5m wide on the southern side in addition to the stream bed width designed to a Q50 level (50 year return flood event) for access purposes together with 1m wide reserve on the northern side for stream vegetation protection and enhancement purposes the measurement to be taken from a point allowing for a 400mm freeboard for waterway.

River	Reach	Values	Esplanade requirements
Todds Valley Stream	Todd Valley East Reach	Hazard mitigation access conservation	Adjacent to or in a Residential Zone a reserve 5m wide on the southern side in addition to the stream bed width designed to a Q15 level (15 year return flood event) for access purposes together with 1m wide reserve on the northern side for stream vegetation protection and enhancement purposes the measurement to be taken from a point allowing for a 400mm freeboard for waterway.
Wakapuaka Drains	Haven to edge of Rural Zone boundary	Conservation Access	Coastal Environment Overlay Strip 5m - both river banks
Delaware Inlet	Inlet margins	Conservation Access	Coastal Environment Overlay Reserve 20m
	Minor creeks draining to Delaware Inlet excluding Wakapuaka Main Stream	Conservation	Coastal Environment Overlay Strip 10m - both river banks
Wakapuaka Main Stream	Delaware Inlet to Hira township	Conservation Access Hazard mitigation	Coastal Environment Overlay Strip 10m true left, 5m true right Rural Zone Strip 10m true left, 5m true right Small Holdings Area Reserve 20m true left, 5m true right
	Hira township to Ross Road turnoff	Conservation Access	Small Holdings Area Reserve all land between the road reserves of Ross Road and SH6
	Ross Road turnoff to last Whangamoa layby	Conservation Access	Small Holdings Area Reserve 20m true right, 5m true left Rural Zone Strip 10m true right, 5m true left
Teal River	SH6 to Small Holdings Area boundary	Hazard mitigation Access Conservation	Small Holdings Area Strip 5m both river banks
Lud River	SH6 to Small Holdings Area boundary	Conservation Access Hazard mitigation	Small Holdings Area Strip 5m - both river banks
Whangamoa Inlet	Inlet margins	Conservation Access	Coastal Environment Overlay Reserve 20m Rural Zone Reserve 20m
	Frenchman's Stream and Toi Toi Stream	Conservation	Coastal Environment Overlay Strip 20m - both river banks Rural Zone Strip 20m - both river banks
Whangamoa River	Whangamoa Main Stream inlet to Graham Stream confluence	Conservation Access	Coastal Environment Overlay Strip 10m true right, 5m true left Rural Zone Strip 10m true right, 5m true left -
Omokau Bay Stream		Conservation	Coastal Environment Overlay Strip 20m - both river banks Rural Zone Strip 20m - both river banks

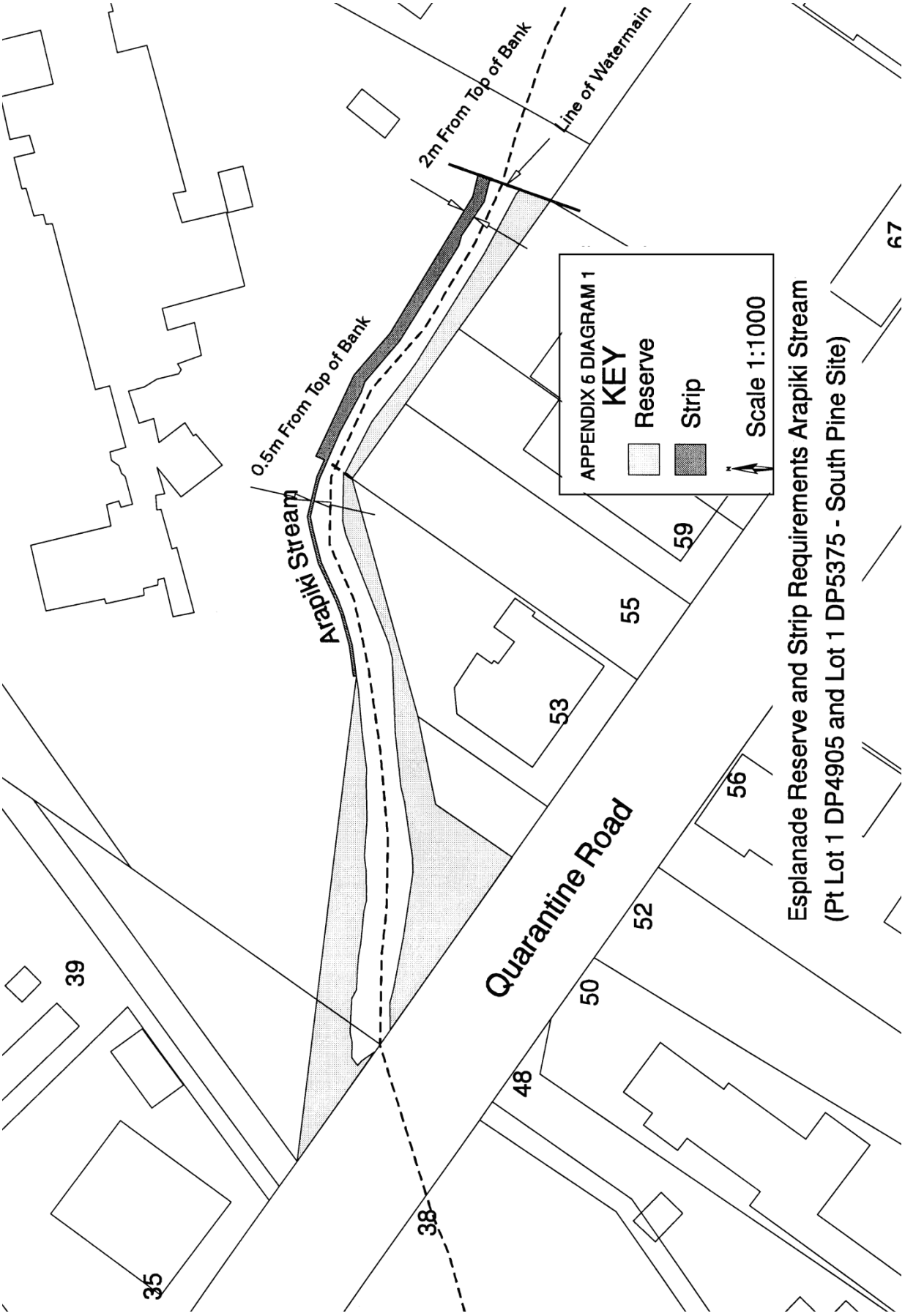
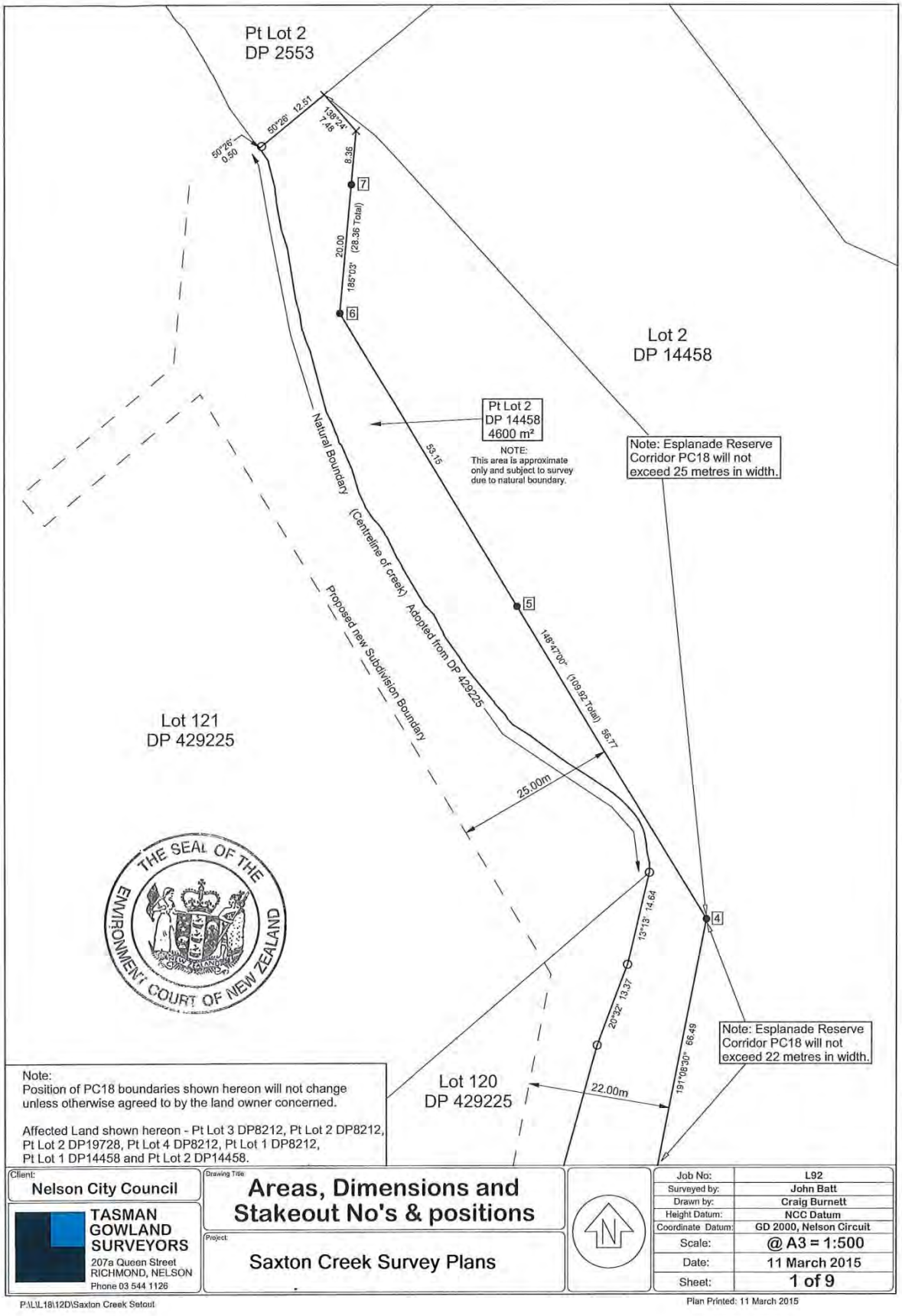
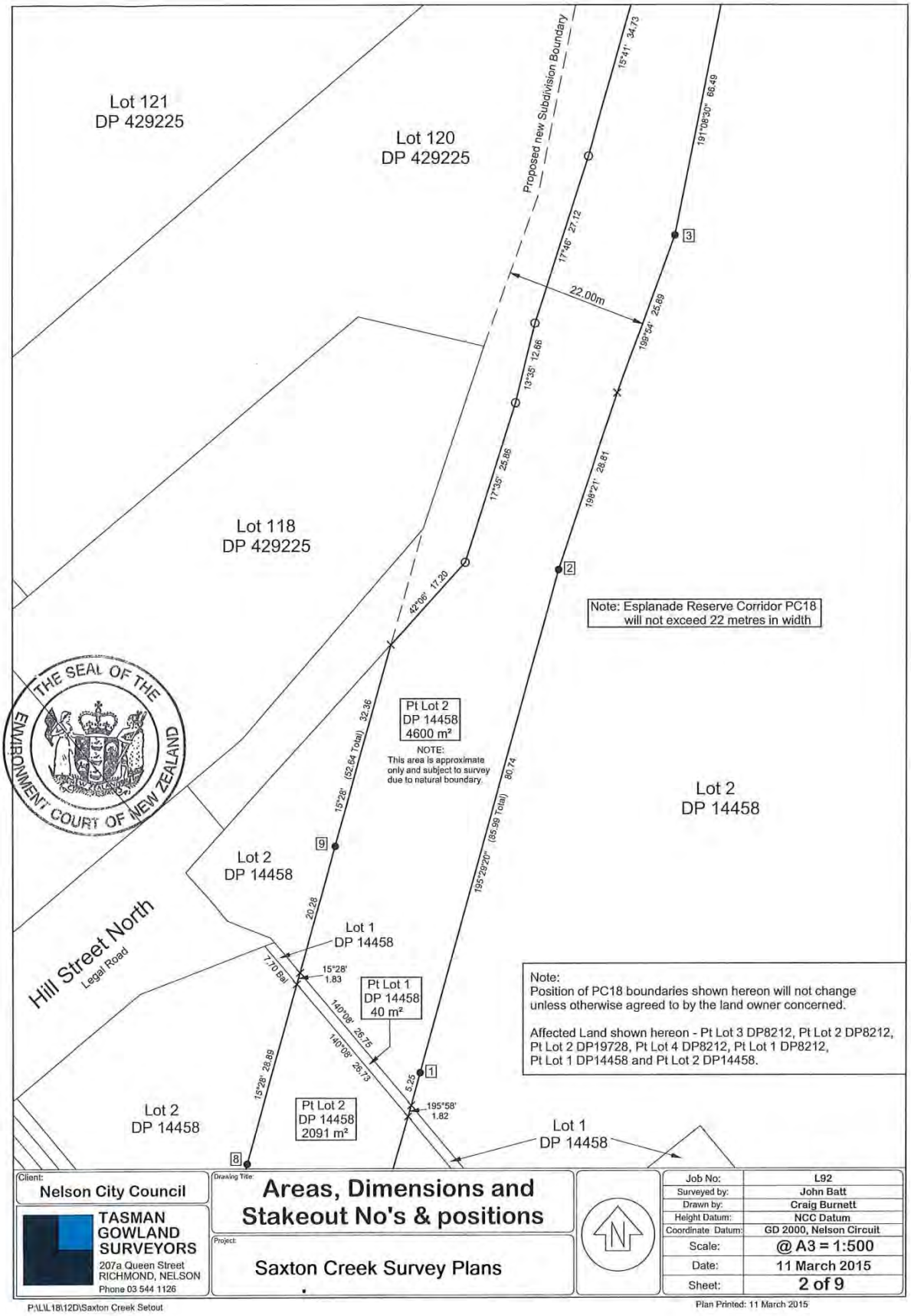

Esplanade Reserve and Strip Requirements Arapiki Stream
(Pt Lot 1 DP4905 and Lot 1 DP5375 - South Pine Site)
APPENDIX 6 DIAGRAM 1
KEY
Reserve
Strip
Scale 1:1000
2m From Top of Bank
0.5m From Top of Bank
Line of Watermain
Arapiki Stream
Quarantine Road
67
59
55
53
56
52
50
48
39
38
35

Diagram6.


Pt Lot 2
DP 2553
50°26' 12.51
138°24' 7.48
50°26' 0.50
8.36
7
20.00
185°03' (28.36 Total)
6
Lot 2
DP 14458
Pt Lot 2
DP 14458
4600 m²
NOTE:
This area is approximate only and subject to survey due to natural boundary.
53.15
Note: Esplanade Reserve Corridor PC18 will not exceed 25 metres in width.
Natural Boundary (Centreline of creek) Adopted from DP 429225
Proposed new Subdivision Boundary
5
148°47'00" (109.92 Total) 55.77
Lot 121
DP 429225
25.00m
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
13°13' 14.84
20°32' 13.37
191°08'30" 66.49
4
Note: Esplanade Reserve Corridor PC18 will not exceed 22 metres in width.
Lot 120
DP 429225
22.00m
Note:
Position of PC18 boundaries shown hereon will not change unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon - Pt Lot 3 DP8212, Pt Lot 2 DP8212, Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212, Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
207a Queen Street
RICHMOND, NELSON
Phone 03 544 1126
Drawing Title:
Areas, Dimensions and Stakeout No's & positions
Project:
Saxton Creek Survey Plans
N
Job No: L92
Surveyed by: John Batt
Drawn by: Craig Burnett
Height Datum: NCC Datum
Coordinate Datum: GD 2000, Nelson Circuit
Scale: @ A3 = 1:500
Date: 11 March 2015
Sheet: 1 of 9
P:\L\L18\12D\Saxton Creek Setout
Plan Printed: 11 March 2015


Lot 121
DP 429225
Lot 120
DP 429225
Proposed new Subdivision Boundary
15°41' 34.73
191°08'30" 68.49
17°46' 27.12
22.00m
198°34' 25.89
13°35' 12.66
17°35' 25.66
198°21' 28.81
Lot 118
DP 429225
42°06' 17.20
Note: Esplanade Reserve Corridor PC18 will not exceed 22 metres in width
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
Pt Lot 2
DP 14458
4600 m²
NOTE:
This area is approximate only and subject to survey due to natural boundary.
15°28' (52.64 Total) 32.36
Lot 2
DP 14458
195°29'20" (85.99 Total) 80.74
Lot 2
DP 14458
Hill Street North
Legal Road
20.28
Lot 1
DP 14458
7.70 Bal
15°28' 1.83
Pt Lot 1
DP 14458
40 m²
140°08' 26.75
140°08' 26.73
15°28' 28.89
5.25
195°58' 1.82
Pt Lot 2
DP 14458
2091 m²
Lot 2
DP 14458
Lot 1
DP 14458
Note:
Position of PC18 boundaries shown hereon will not change unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon - Pt Lot 3 DP8212, Pt Lot 2 DP8212, Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212, Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
1
2
3
8
9
Client:
Nelson City Council
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Date: 11 March 2015
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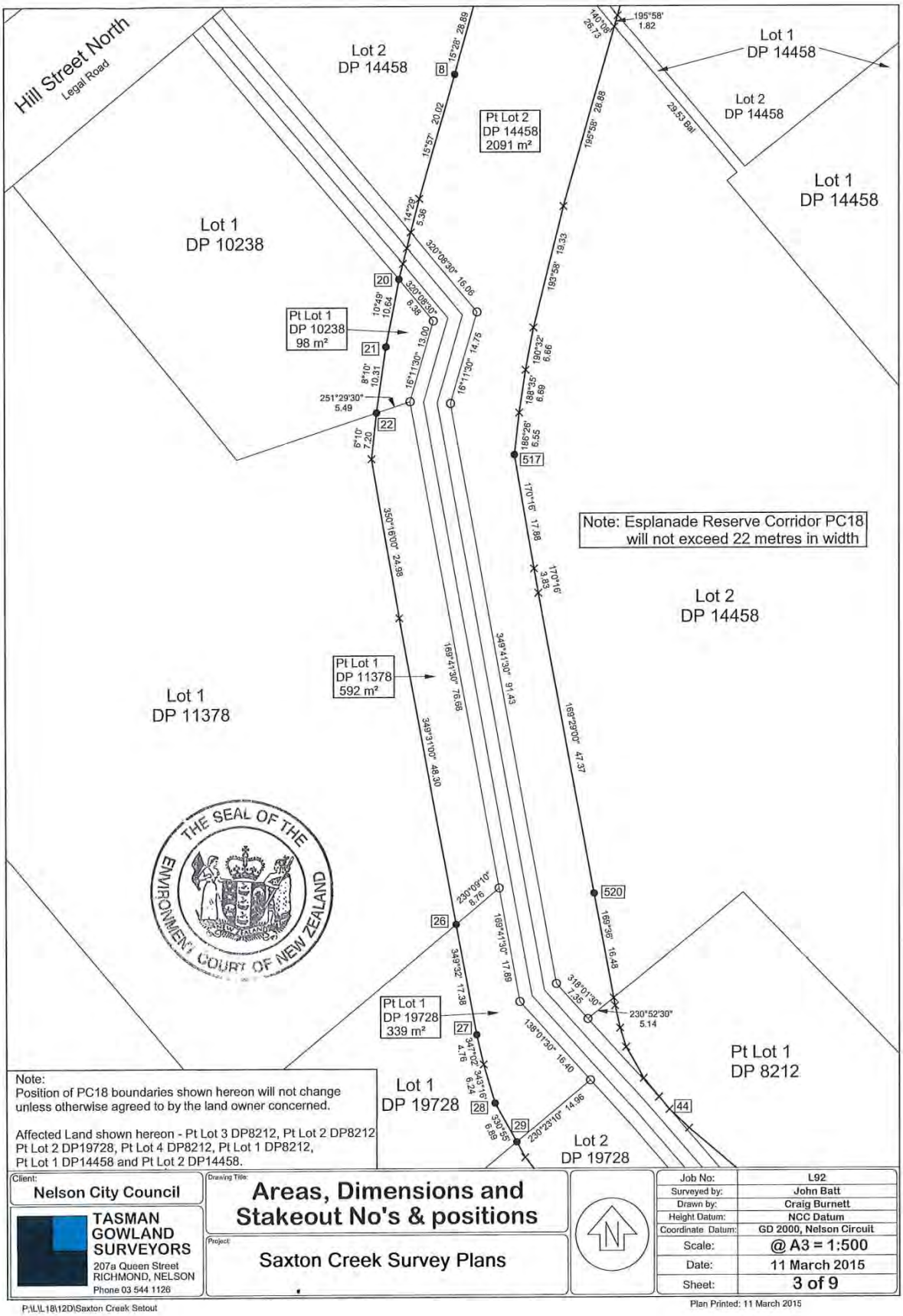
Hill Street North
Legal Road
Lot 2
DP 14458
Lot 1
DP 14458
Lot 2
DP 14458
Lot 1
DP 14458
Lot 1
DP 10238
Pt Lot 2
DP 14458
2091 m²
Pt Lot 1
DP 10238
98 m²
Note: Esplanade Reserve Corridor PC18
will not exceed 22 metres in width
Lot 2
DP 14458
Pt Lot 1
DP 11378
592 m²
Lot 1
DP 11378
Pt Lot 1
DP 19728
339 m²
Lot 1
DP 19728
Lot 2
DP 19728
Pt Lot 1
DP 8212
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
Note:
Position of PC18 boundaries shown hereon will not change unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon - Pt Lot 3 DP8212, Pt Lot 2 DP8212 Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212, Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
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RICHMOND, NELSON
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Project:
Saxton Creek Survey Plans
Job No: L92
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Coordinate Datum: GD 2000, Nelson Circuit
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Date: 11 March 2015
Sheet: 3 of 9
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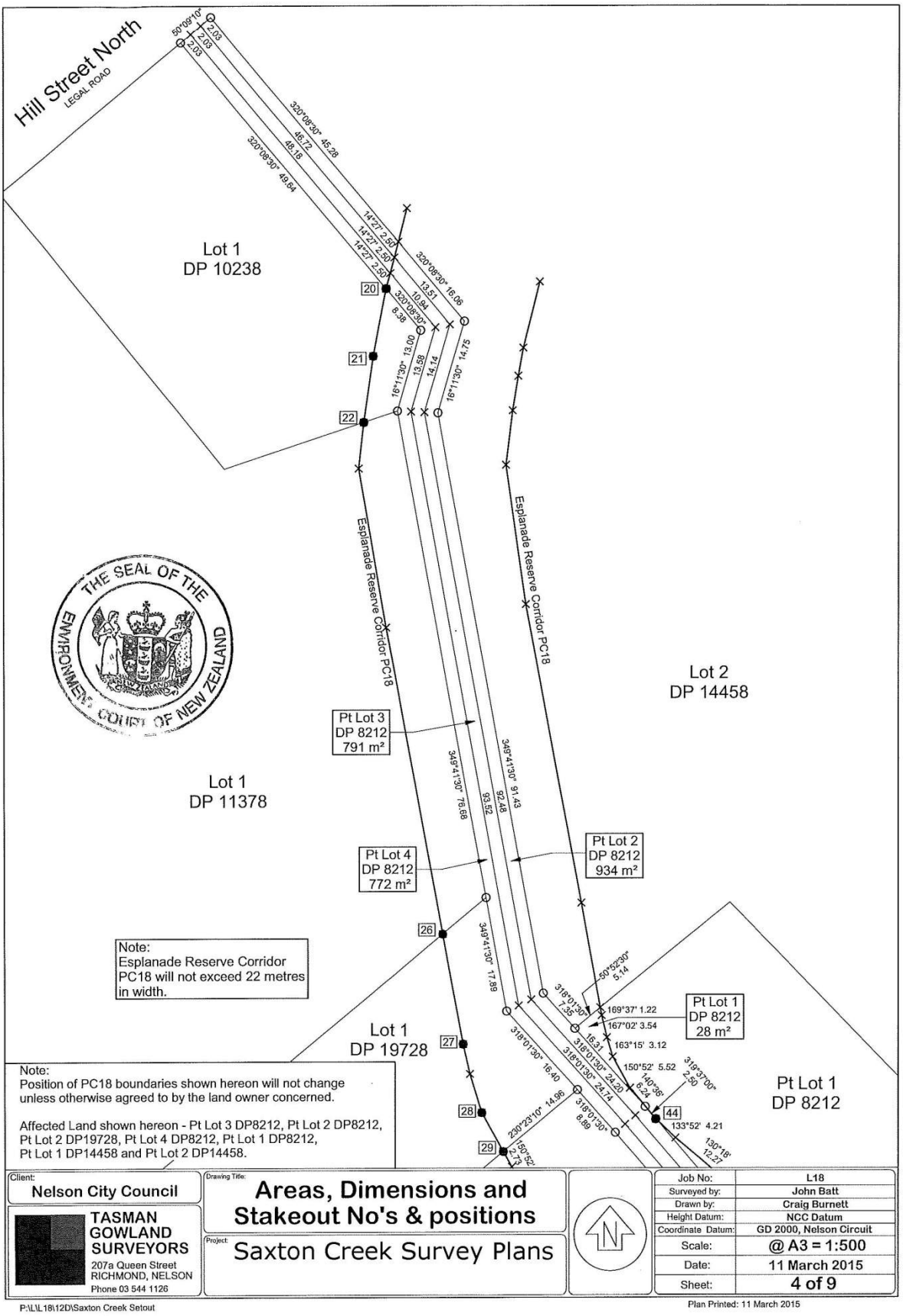
Hill Street North
LEGAL ROAD
Lot 1
DP 10238
Lot 1
DP 11378
Lot 1
DP 19728
Lot 2
DP 14458
Pt Lot 1
DP 8212
Esplanade Reserve Corridor PC18
Esplanade Reserve Corridor PC18
Pt Lot 3
DP 8212
791 m²
Pt Lot 4
DP 8212
772 m²
Pt Lot 2
DP 8212
934 m²
Pt Lot 1
DP 8212
28 m²
20
21
22
26
27
28
29
44
Note:
Esplanade Reserve Corridor
PC18 will not exceed 22 metres
in width.
Note:
Position of PC18 boundaries shown hereon will not change
unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon - Pt Lot 3 DP8212, Pt Lot 2 DP8212,
Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212,
Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN
GOWLAND
SURVEYORS
207a Queen Street
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Phone 03 544 1126
Drawing Title:
Areas, Dimensions and
Stakeout No's & positions
Project:
Saxton Creek Survey Plans
Job No: L18
Surveyed by: John Batt
Drawn by: Craig Burnett
Height Datum: NCC Datum
Coordinate Datum: GD 2000, Nelson Circuit
Scale: @ A3 = 1:500
Date: 11 March 2015
Sheet: 4 of 9
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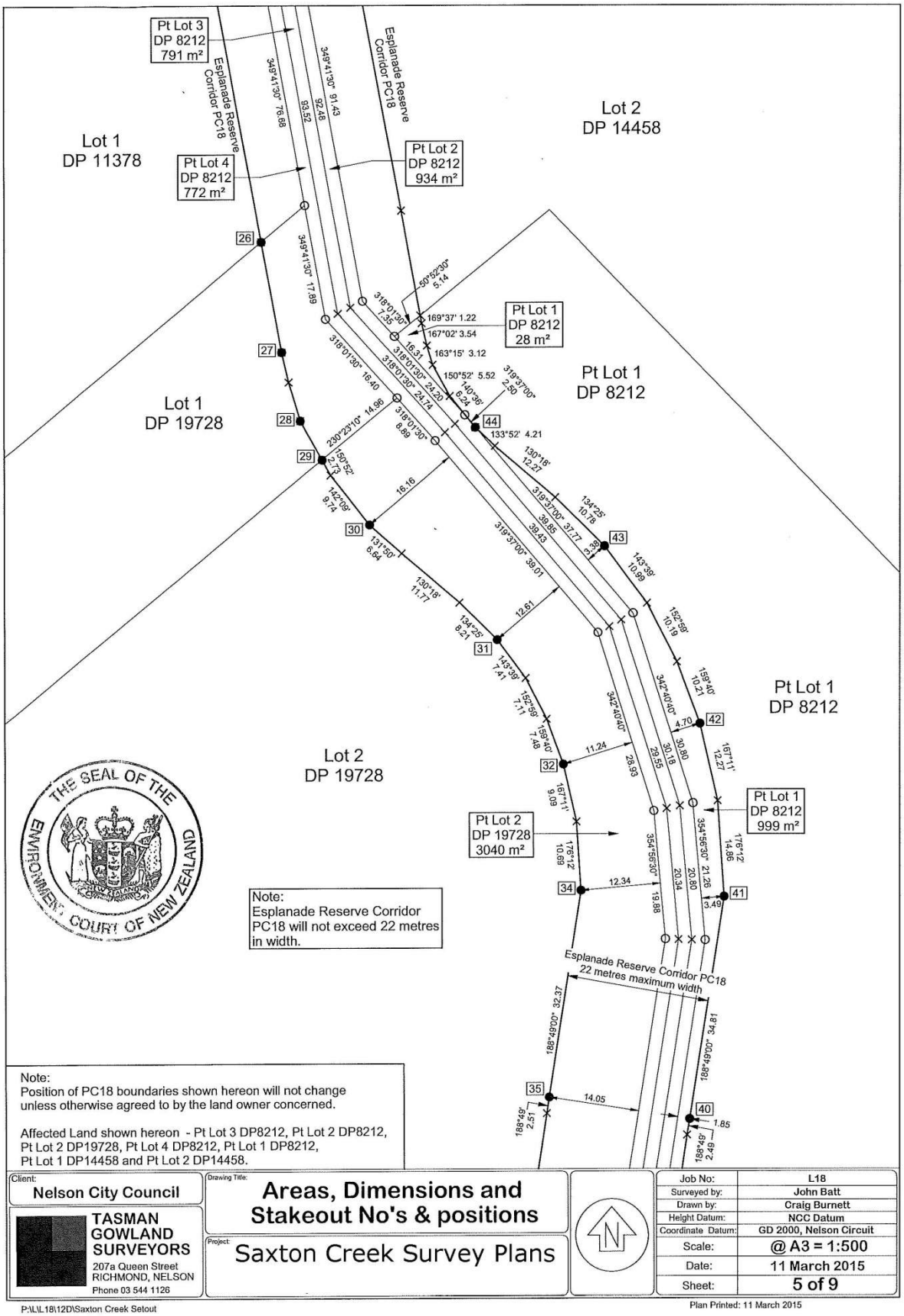
Pt Lot 3
DP 8212
791 m²
Esplanade Reserve
Corridor PC18
Lot 1
DP 11378
Pt Lot 4
DP 8212
772 m²
Pt Lot 2
DP 8212
934 m²
Lot 2
DP 14458
Pt Lot 1
DP 8212
28 m²
Lot 1
DP 19728
Pt Lot 1
DP 8212
Lot 2
DP 19728
Pt Lot 1
DP 8212
999 m²
Pt Lot 2
DP 19728
3040 m²
Note:
Esplanade Reserve Corridor
PC18 will not exceed 22 metres
in width.
Esplanade Reserve Corridor PC18
22 metres maximum width
Note:
Position of PC18 boundaries shown hereon will not change
unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon - Pt Lot 3 DP8212, Pt Lot 2 DP8212,
Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212,
Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN
GOWLAND
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207a Queen Street
RICHMOND, NELSON
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Stakeout No's & positions
Project:
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Job No: L18
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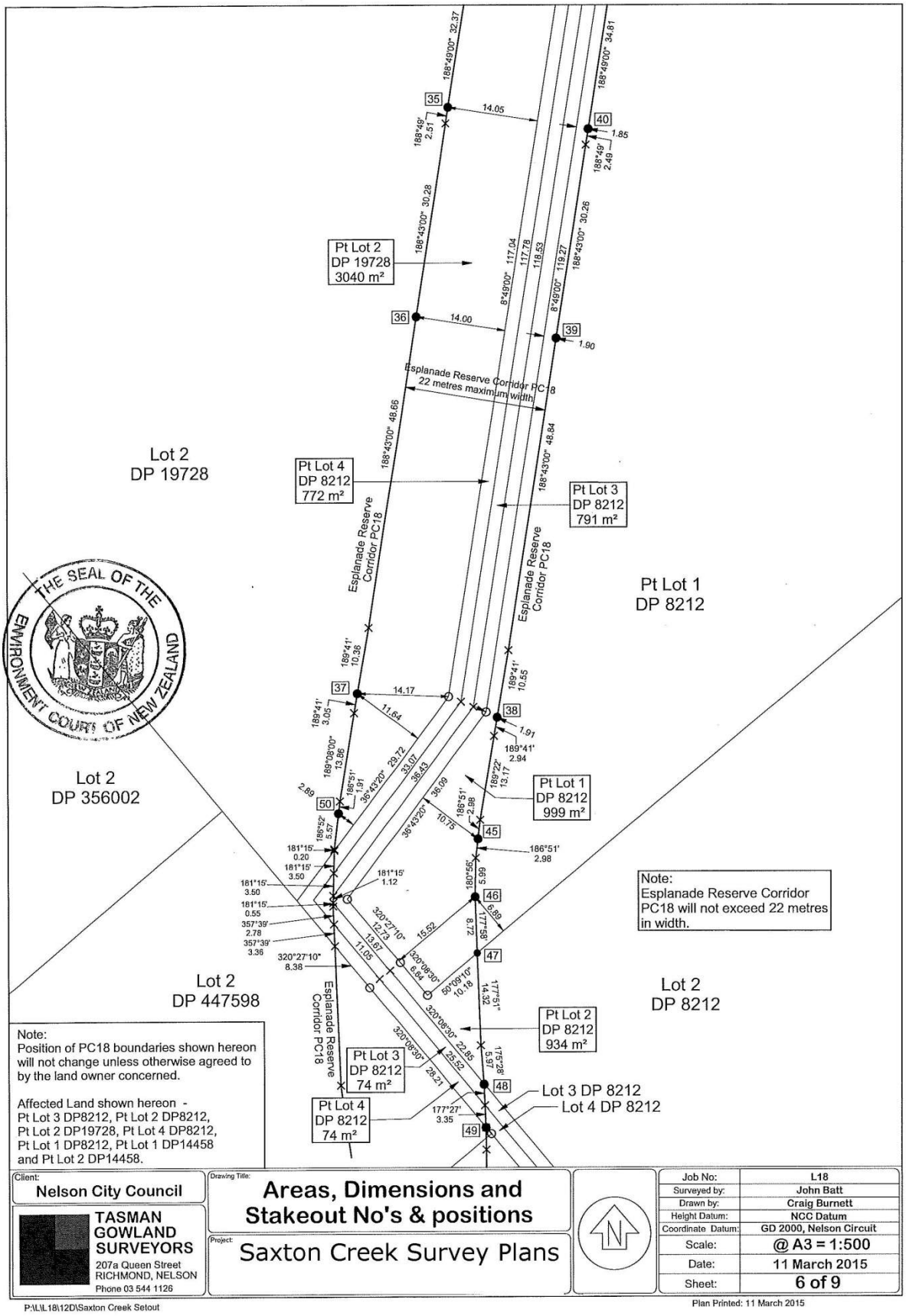
Pt Lot 2
DP 19728
3040 m²
Lot 2
DP 19728
Pt Lot 4
DP 8212
772 m²
Pt Lot 3
DP 8212
791 m²
Esplanade Reserve Corridor PC18
22 metres maximum width
Esplanade Reserve Corridor PC18
Esplanade Reserve Corridor PC18
Pt Lot 1
DP 8212
Lot 2
DP 356002
Pt Lot 1
DP 8212
999 m²
Lot 2
DP 447598
Esplanade Reserve Corridor PC18
Pt Lot 2
DP 8212
934 m²
Pt Lot 3
DP 8212
74 m²
Pt Lot 4
DP 8212
74 m²
Lot 3 DP 8212
Lot 4 DP 8212
Lot 2
DP 8212
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
Note:
Esplanade Reserve Corridor PC18 will not exceed 22 metres in width.
Note:
Position of PC18 boundaries shown hereon will not change unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon -
Pt Lot 3 DP8212, Pt Lot 2 DP8212,
Pt Lot 2 DP19728, Pt Lot 4 DP8212,
Pt Lot 1 DP8212, Pt Lot 1 DP14458
and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
207a Queen Street
RICHMOND, NELSON
Phone 03 544 1126
Drawing Title:
Areas, Dimensions and Stakeout No's & positions
Project:
Saxton Creek Survey Plans
Job No: L18
Surveyed by: John Batt
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Height Datum: NCC Datum
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Date: 11 March 2015
Sheet: 6 of 9
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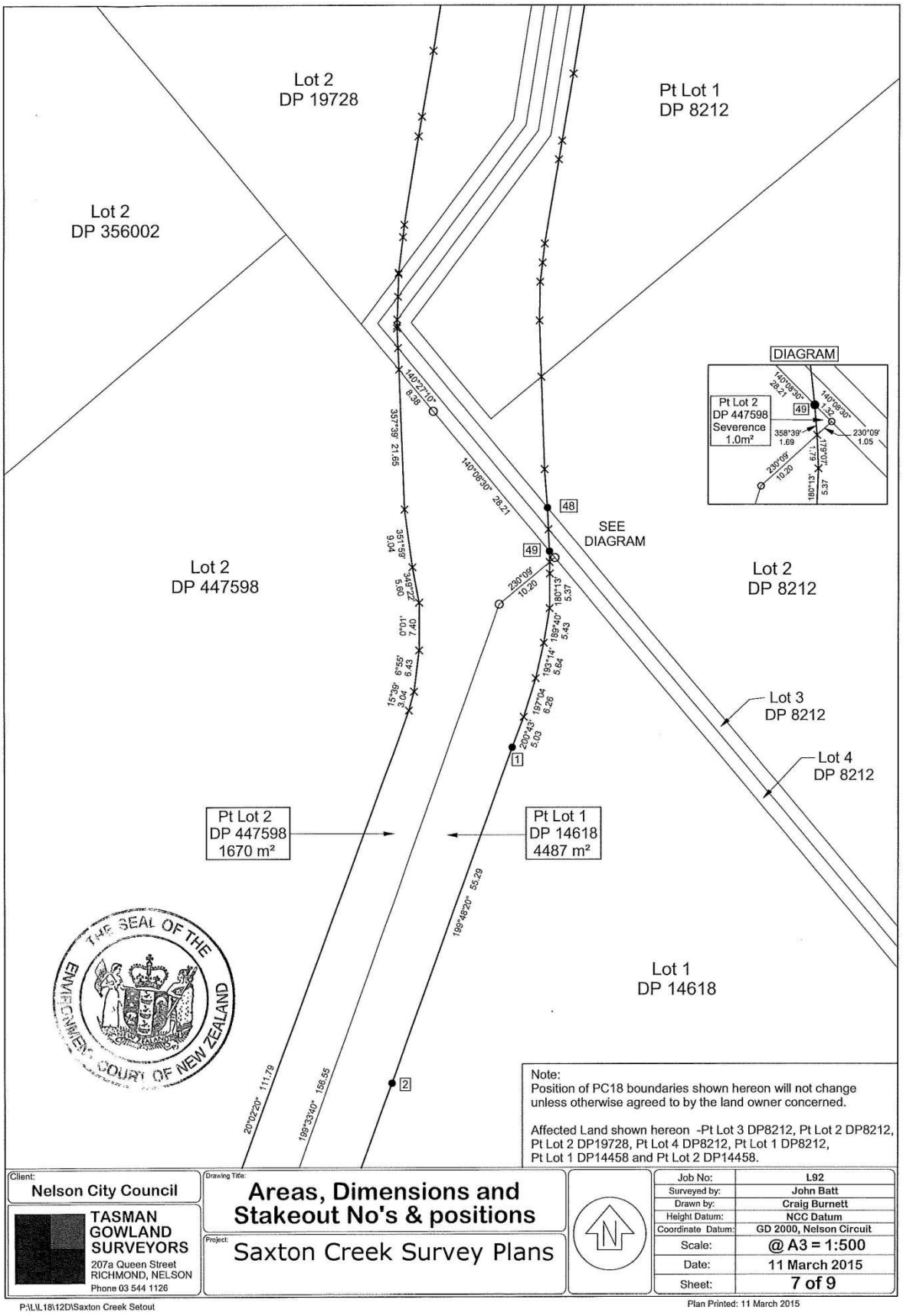
Plan Printed: 11 March 2015


Lot 2
DP 19728
Pt Lot 1
DP 8212
Lot 2
DP 356002
DIAGRAM
Pt Lot 2
DP 447598
Severence
1.0m²
SEE
DIAGRAM
Lot 2
DP 447598
Lot 2
DP 8212
Lot 3
DP 8212
Lot 4
DP 8212
Pt Lot 2
DP 447598
1670 m²
Pt Lot 1
DP 14618
4487 m²
Lot 1
DP 14618
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
Note:
Position of PC18 boundaries shown hereon will not change unless otherwise agreed to by the land owner concerned.
Affected Land shown hereon -Pt Lot 3 DP8212, Pt Lot 2 DP8212, Pt Lot 2 DP19728, Pt Lot 4 DP8212, Pt Lot 1 DP8212, Pt Lot 1 DP14458 and Pt Lot 2 DP14458.
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
207a Queen Street
RICHMOND, NELSON
Phone 03 544 1126
Drawing Title:
Areas, Dimensions and Stakeout No's & positions
Project:
Saxton Creek Survey Plans
Job No: L92
Surveyed by: John Batt
Drawn by: Craig Burnett
Height Datum: NCC Datum
Coordinate Datum: GD 2000, Nelson Circuit
Scale: @ A3 = 1:500
Date: 11 March 2015
Sheet: 7 of 9
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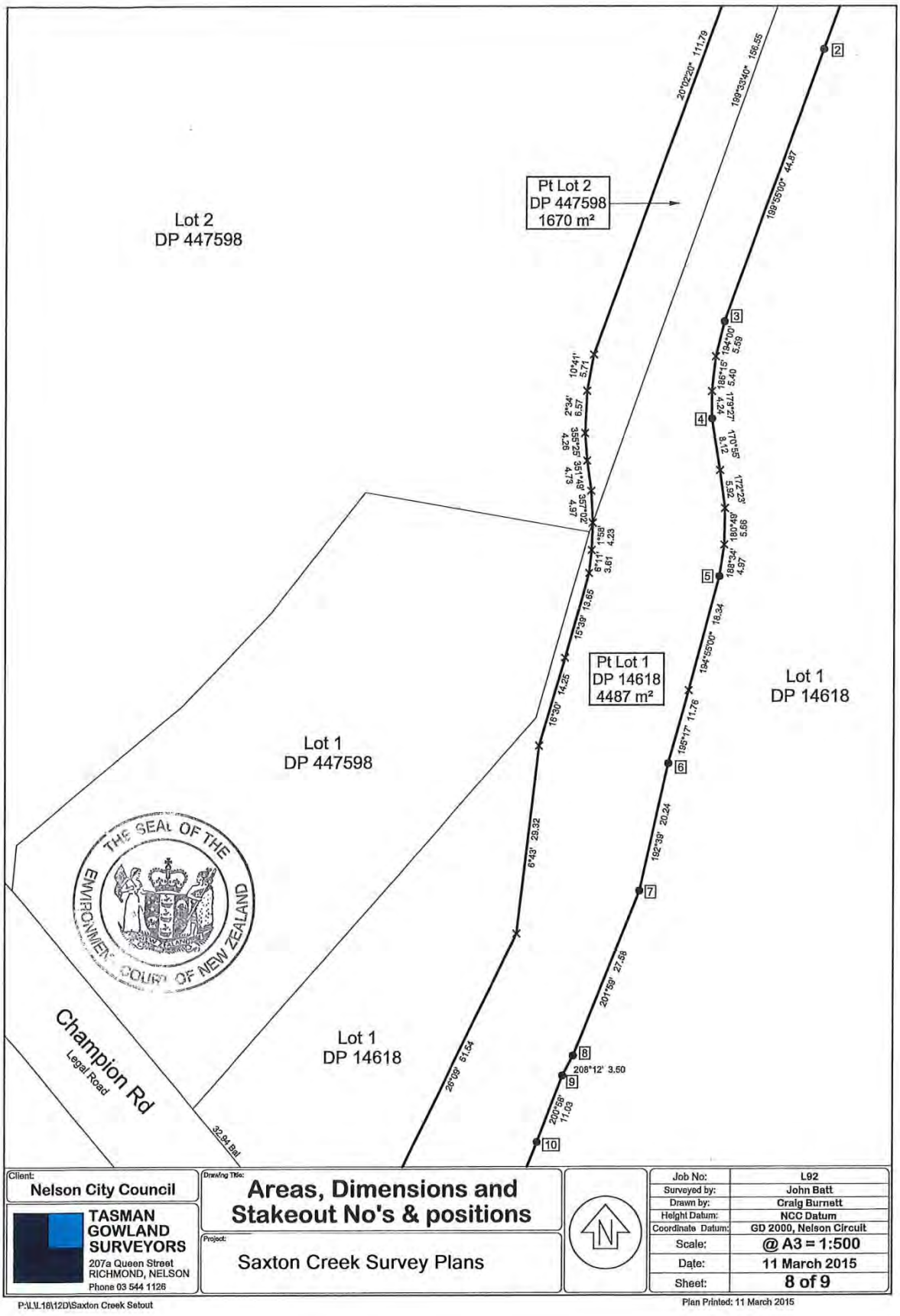
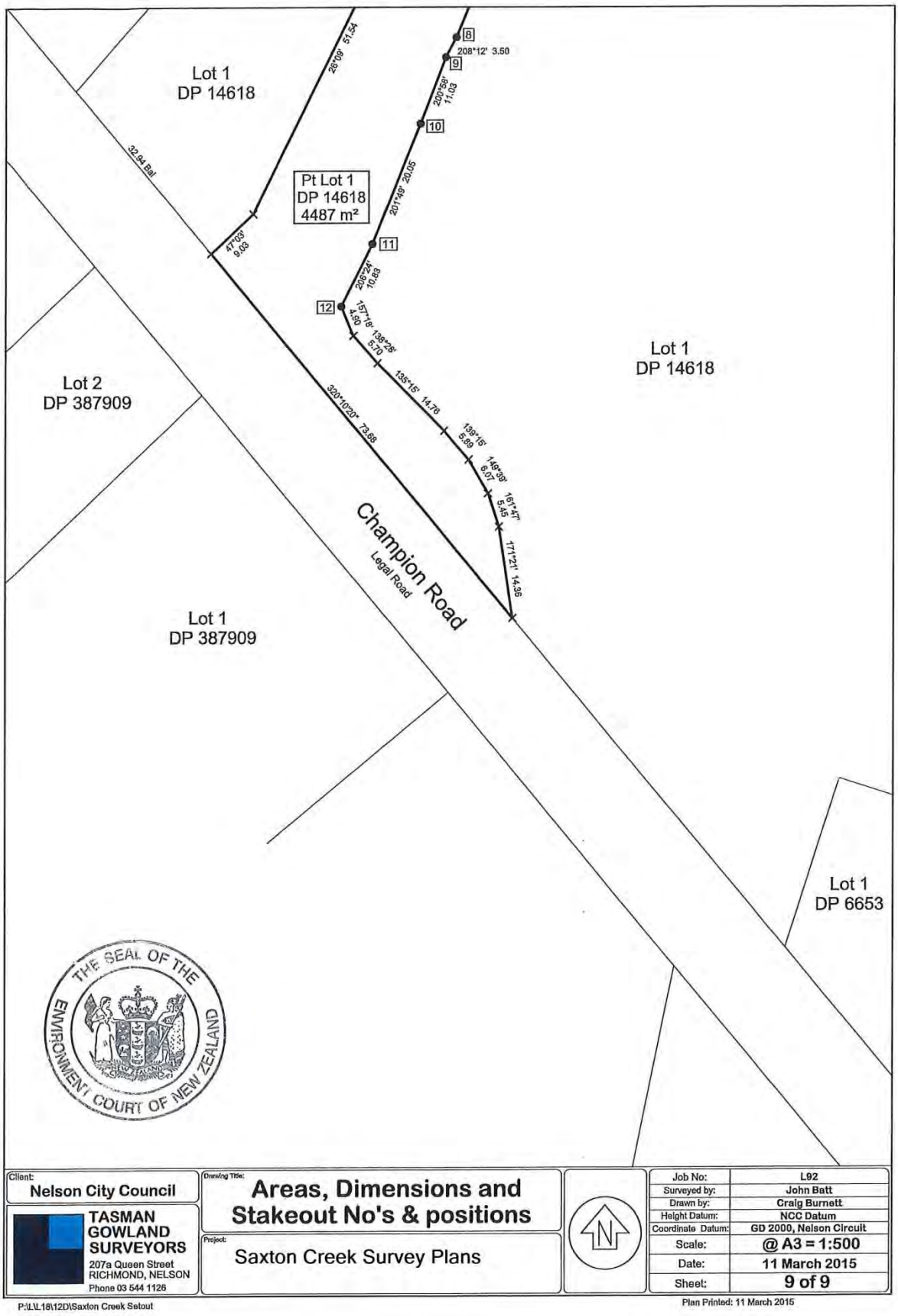

Lot 2
DP 447598
Pt Lot 2
DP 447598
1670 m²
Lot 1
DP 447598
Pt Lot 1
DP 14618
4487 m²
Lot 1
DP 14618
Lot 1
DP 14618
Champion Rd
Legal Road
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
20°02'20" 111.79
199°33'40" 156.55
199°55'00" 44.87
10°41' 5.71
2°34' 6.57
355°25' 4.26
351°49' 4.73
357°20' 4.97
1°58' 4.23
6°11' 3.61
15°39' 13.65
16°30' 14.25
6°43' 29.32
26°09' 51.54
208°12' 3.50
200°58' 11.03
201°59' 27.58
192°39' 20.24
196°17' 11.76
194°55'00" 18.34
188°34' 4.97
180°49' 5.66
172°23' 5.92
170°55' 8.12
179°27' 4.24
188°16' 5.40
194°10' 5.69
32.94 Bal
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
207a Queen Street
RICHMOND, NELSON
Phone 03 544 1126
Drawing Title:
Areas, Dimensions and Stakeout No's & positions
Project:
Saxton Creek Survey Plans
N
Job No: L92
Surveyed by: John Batt
Drawn by: Craig Burnett
Height Datum: NCC Datum
Coordinate Datum: GD 2000, Nelson Circuit
Scale: @ A3 = 1:500
Date: 11 March 2015
Sheet: 8 of 9
P:\L\L18\12D\Saxton Creek Setout
Plan Printed: 11 March 2015


Lot 1
DP 14618
Pt Lot 1
DP 14618
4487 m²
Lot 2
DP 387909
Lot 1
DP 387909
Lot 1
DP 14618
Lot 1
DP 6653
Champion Road
Legal Road
8
9
10
11
12
208°12' 3.50
200°58' 11.03
207°49' 20.05
205°24' 10.83
157°18' 4.90
138°28' 5.70
135°15' 14.78
139°15' 5.59
149°09' 6.07
151°47' 5.45
171°21' 14.35
320°10'20" 73.68
28°09' 51.54
47°09' 9.03
32.94 Bal
THE SEAL OF THE ENVIRONMENT COURT OF NEW ZEALAND
Client:
Nelson City Council
TASMAN GOWLAND SURVEYORS
207a Queen Street
RICHMOND, NELSON
Phone 03 544 1126
Drawing Title:
Areas, Dimensions and Stakeout No's & positions
Project:
Saxton Creek Survey Plans
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Sheet: 9 of 9
P:\LL\18\12D\Saxton Creek Setout
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appendix 24 designations

AP24 overview

AP24.i This appendix describes all designations contained within this resource management plan.

AP24.1 introduction

AP24.1.i A Minister of the Crown, a local authority with financial responsibility for a public work, or a network utility operator approved as a requiring authority under section 167 of the Act may require land to be designated within the Plan. The designations are indicated on the planning maps.

AP24.1.ii The effect of a designation is that the requiring authority responsible for the designation may do anything that is in accordance with the designation, irrespective of the ordinary district plan rules in the Plan that might otherwise control the activity and sec 9(1) of the Act. Other people may not, without the prior written consent of the requiring authority, do anything in relation to the designated land that would prevent or hinder the project or work to which the designation relates. The zone rules regulate activities that are not covered by the designation. Section 176A of the Act applies to all new works on a designated site.

AP24.1.iii Requiring authorities, like everyone else, are bound by the Act to avoid, remedy, or mitigate adverse effects on the environment in relation to their activities.

AP24.1.iv Most of the designations incorporated in the Plan have been 'rolled over' from earlier plans with minor modifications under Clause 4 of the First Schedule to the Act. Most of these works have been given effect to. Designations that did not appear in previous plans are listed as "new" in the Schedules.

AP24.1.v Designations are subject to sections 9(3), and 11 to 15 of the Resource Management Act (refer section 176 of the Act). This plan contains regional rules relating to earthworks, soil disturbance and other matters covered under section 30 and the Second Schedule to the Resource Management Act. Requiring authorities, before exercising their designation must ensure that aspects subject to sections 9(3), and 11 to 15 of the Act, comply with this plan and other relevant legal requirements.

AP24.1.vi Designations for works that have not been given effect to lapse after five years, unless a longer period has been specifically identified in the Schedules or the designated work is given effect to in the specified time period.

AP24.1.vii The following organisations are requiring authorities which have designations in this Plan.

Table (Code)	Requiring Authority and designation	Page	Planning Map
DA	**Airways Corporation of New Zealand Ltd**	**4**	
DA1	Nelson Airport Approach Lights	4	17
DAA	**Nelson Airport Ltd**	**6**	
DAA1	Aerodrome (Nelson Airport)	7	17, 21, 22
DAA2	Airnoise boundary controls	8	A4.1
DAA3	Airport height restrictions	11	A3.1, A3.2
DC	**Minister for Courts**	**13**	
DC1	Nelson Courthouse	13	10, 14
DD	**Minister of Defence**	**14**	
DD1	Army Drill Hall	14	1, 14
DE	**Minister of Education**	**16**	
DE1	Nelson Marlborough Institute of Technology	19	1, 14
DE2	Nayland College	19	22, 27
DE3	Nelson College	20	19
DE4	Nelson College for Girls	20	14
DE5	Auckland Point School	21	10
DE6	Birchwood Primary School and Birchwood Kindergarten	22	26, 27
DE7	Broadgreen Intermediate and Nayland Free Kindergarten	22	27
DE8	Enner Glynn School	23	23, 28
DE9	Clifton Terrace School	24	3
DE10	Nelson Central School	24	14, 15
DE11	Hampden Street School	25	18
DE12	Maitai IHC School	25	14
DE13	Nayland Primary School	26	27
DE14	Nelson Intermediate School and Early Childhood Education Facility	26	19
DE15	Stoke School and Stoke Playcentre	27	30
DE16	Tahunanui Primary School	28	18
DE17	Victory School and Early Childhood Centre	28	14, 19
DE18	Nelson College playing fields	29	19
DE19	Nelson College for Girls (Bronte Street)	30	14
DE20	Nelson College for Girls playing fields (Waimea Road)	30	14
DE21	Hira Primary School	31	40
DE22	Victory Square Kindergarten	31	14
DE23	Garin College	32	32
DF	**Minister of Fisheries**	**33**	
DF1	Store, laboratory and office	33	6
DM	**Meteorological Service of New Zealand Ltd**	**34**	
DM1	Nelson Automatic Weather Station	34	21
DN	**Nelson City Council**	**35**	
DN1	York Valley Landfill	36	24, 55
DN2	Refuse Transfer Station and Recycling Depot	40	17, 22
DN3	*Conservation Zone* - Water Supply purposes *Rural Zone* - Water supply purposes and works	42	52, 53, 55, 56, 57, 58
DN4	The Ridgeway/Songer Street reservoir	43	30
DN5	Walters Bluff reservoir	43	7, 11
DN6	Observatory Hill reservoir	44	18
DN7	Sewage treatment - Boulder Bank Drive	45	39

Table (Code)	Requiring Authority and designation	Page	Planning Map
DN8	Stream control works - Orphanage Creek	45	29, 30, 32
DN9	Railway Reserve	48	27, 29, 30
DN10	NCC Nursery	49	7
DN11	Carpark - NW and SE corner Montgomery Square	50	1
DN12	Carpark and access - Stoke firestation	51	27
DN13	Service lane - SE corner Montgomery Square	53	1
DN14	Service lane - NE corner Montgomery Square	55	1
DN15	Recreation reserve - The Glen	56	2, 38
DN16	Saxton Park extension	58	32
DN17	Isel Park extension	59	27
DN18	Blackhorse Quarry	60	39
DP	**Minister of Police**	**61**	
DP1	Stoke Community Policing Centre	61	27
DP2	Nelson Police Station	62	1, 14
DR	**Radio New Zealand Limited**	**63**	
DR1	Main Road Stoke	63	32
DRN	**The Radio Network Limited**	**64**	
DRN1	314 Trafalgar Square	64	1, 14
DRN2	Main Road Stoke	65	32
DTA	**Network Tasman Ltd**	**664**	
DTA1	188 Songer Street	66	25
DTA2	106 - 302 Annesbrook Drive	67	17, 22, 23
DTA3	SH6 Atawhai Drive	67	3
DTA4	Marsden Road	68	31
DTA5	769 Hira Road	68	40
DTDC	**Tasman District Council**	**69**	
DTDC1	Saxton Park extension	69	32
DTE	**Telecom New Zealand Ltd**	**71**	
DTE1	Atawhai Exchange	72	4
DTE2	Grampian Microwave Station	73	24
DTE3	Halifax Street and Achilles Avenue – Nelson exchange	74	1
DTE4	380 Main Road - Stoke exchange	75	22, 27
DTE5	47 Tahunanui Drive – Tahunanui exchange	76	13, 18
DTE6	Fringed Hill Landmobile Site	77	55
DTE7	Grampians VHF Landmobile Site	79	24
DTE8	Maungatapu Microwave Station	80	56
DTP	**Trans Power NZ Ltd**	**82**	
DTP1	Stoke Electricity Substation	82	27, 30
DTR	**NZ Transport Agency**	**83**	
DTR1	643 Rocks Road and off Bisley Walk and Tahunanui Drive	83	13
DTR2	Queen Elizabeth II Drive	84	10
DTR3	Adjacent to Rocks Road and north of Magazine Point	85	13
DTR4	All parts of State Highway 6	85	Various
DTR5	Whakatu Drive (Stoke Bypass), between Waimea Road and Annesbrook Drive	86	17, 22, 23
DTR6	Whakatu Drive (Stoke Bypass), between Annesbrook Drive and Saxton Road	87	22, 26, 27, 29
DTR7	Whakatu Drive (Stoke Bypass), between Saxton Road and Richmond Deviation	88	23, 24, 32

Table (DA) - Airways Corporation of New Zealand Ltd

Details of each designation follow this table.

ID	Site name/ Location of site	Purpose of designation	Legal description/valuation no.	Area
DA1	Nelson Airport approach lights, NE of Runway 20 on bearing N40° 51'50"	Navigational aid (airport approach lights)	Pt Sec 85 CT 14/119	2250m^2

DA1 designation DA1

DA1.i Navigational Aid (Airport Approach Lights).

DA1.1 designating authority

DA1.1.i Airways Corporation of New Zealand Ltd.

DA1.2 reason for designation

DA1.2.i The reason for this requirement is that the approach lights are currently established and have for many years provided visual guidance to aircraft pilots approaching the airport from the north.

DA1.3 nature of the works

DA1.3.i The approach lights are an integral part of the operation of Nelson Airport. The lights allow pilots to identify the location of the runway from the north and 'line up' the aircraft into the approach flight path. The approach lights therefore provide for the safe and efficient approach of aircraft into Nelson airport.

DA1.4 environmental effects/mitigation measures

DA1.4.i The environmental effects of retaining and operating the approach lights will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DA1.4.ii The approach lights will not have any significant visual adverse effects on the golf course or surrounding landscape. This consideration is based on the approach light structures being between a low height range of 30cm - 347cm. Therefore the lights will most likely not be seen from beyond the immediate area of the site.

DA1.4.iii Airways will carry out all responsibilities of an authorised requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for the approach lights.

DA1.5 explanatory statement

DA1.5.i Airways is responsible for providing and servicing telecommunication and navigational aids throughout New Zealand. This service provides for the safe and efficient movement of aircraft in New Zealand air space. The Nelson Airport northern approach lights therefore have a strategic and operational importance to Airways.

DA1.5.ii There are six approach lights which extend out to the northeast (bearing N40º 51' 50") from the end of Runway 20 and align with the centre line of the runway. The lights are spaced approximately 76m apart and a red light is fixed to the top of each pole structure. The height of each structure varies subject to the contour of the ground, however, the height of the approach light structures varies between 30cm - 347cm.

DA1.5.iii The approach lights are located on land labelled 'Nelson Golf Links' which has an underlying zone of Open Space and Recreation Zone in the City Plan.

DA1.5.iv In view of the operational importance of the approach lights, Airways wishes to designate a 450m long x 5m wide rectangular area of land that in effect, will cover all six approach lights. Airways considers designation to be the most appropriate means of ensuring its interests in this navigational aid is protected.

DA1.5.v No consultation has been undertaken because the approach lights are presently administered by Airways and the activities are already established. Notwithstanding this, Airways has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on the approach lights.

Table (DAA) - Nelson Airport Ltd

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DAA1	Nelson Airport, area presently occupied by Nelson Regional Airport and includes part of the Airport peninsula and land along Bolt Road. It also includes sections along Point Road owned by NRAA.	Aerodrome (Nelson Airport)	Lot 1 DP18320, Lot 1 DP18321, Lot 1 DP19886, Lot 10 DP18321, Lot 2 DP18320, Lot 2 DP18321, Lot 3 DP18320, Lot 3 DP18321, Lot 4 DP18320, Lot 4 DP18321, Lot 5 DP18320, Lot 5 DP18321, Lot 6 DP18321, Lot 7 DP18321, Lot 8 DP18321, Lot 9 DP18321, Sec 123 Sub Sth SO 9301, Pt Sec 85 SO14214, Sec 114 Sub Sth SO10100, Sub Sth SO 10127, Pt Sec 111 SO 14214.	145ha
DAA2	Nelson Airport, Airport land, residential properties at the southwestern end of main runway, part of the golf course, and part of Point and Grace Roads.	Airnoise boundary controls	Land owned by NRAA and described as: Lot 1 DP17638, Lot 1 DP18320, Lot 1 DP18321, Lot 10 DP18321, Lot 2 DP18320, Lot 2 DP18321, Lot 3 DP18320, Lot 3 DP18321, Lot 4 DP18320, Lot 4 DP18321, Lot 5 DP18321, Lot 6 DP18321, Lot 7 DP18321, Lot 8 DP18321, Lot 9 DP18321, Pt Sec 85 SO 14214, Sec 114 Sub Sth SO 10100, Pt Sec 111 SO 14214 Residential properties at the southwestern end of main runway 02/20 and described as: Pt Sec IV DP3140, Lot 2 DP4561, Lot 7 DP4561, Lot 8 DP4561, Lot 9 DP4561, Lot 2 DP7586, Lot 1 DP7850, Lot 2 DP7850, Lot 1 DP18628, Lot 1 DP7586, Lot 3 DP4561, Lot 1 DP362535, Lot 2 DP362535 Land in other ownership: (Golf course: Lot 1 DP18323, Lot 2 DP17638, Pt Sec 85 Sub Sth SP 9198, Pt Sec 111 SO 9526) Part of Point Road and part of Grace Street. Also Lot 1 DP10689, Pt Sec IV DP1288, and Pt Sec IV Sub Sth DP 599	
DAA3	Nelson Airport	Airport height restrictions		

DAA1 designation DAA1

DAA1.i Aerodrome (Nelson Airport).

DAA1.1 designating authority

DAA1.1.i Nelson Airport Ltd.

DAA1.2 reason for designation

DAA1.2.i The Aerodrome designation is defined to protect the operational capability of the existing airport and provide for associated airport development for a minimum planning period to year 2020.

DAA1.3 nature of the works

DAA1.3.i Existing and future aerodrome development includes aircraft operations: domestic and occasional international jet aircraft traffic, rotary wing aircraft operations, aircraft servicing and maintenance, fuel storage and general aviation, together with associated activities, buildings and infrastructure, navigational aids and lighting. Secondary uses are aviation related industries and businesses necessary to meet the functional needs of the airport or businesses for freight distribution purposes or passenger transit. Ancillary uses of the buildings are for airport associated recreation, conference and function purposes or storage. The grassed areas are managed and maintained to avoid aggregation of birds and to satisfy airport operational requirements. Erosion, silting and flood management systems are provided for within the designation.

DAA1.3.ii Future aerodrome development involves provision for improvements, upgrading and expansion of the following elements:

a) landside facilities in the form of terminal, hangar, cargo and handling areas, access and parking areas, fuel storage, aircraft servicing and maintenance facilities and consolidation of airport and helicopter operations
b) airside facilities in the form of apron requirements and parallel taxiway improvements, together with required separation distances.

DAA1.3.iii The nature and layout of activities shall be in general accordance with Aerodrome Designation – General Development Plan Figure I which forms part of this designation.

DAA1.4 environmental effects/mitigation measures

DAA1.4.i The area now occupied by the aerodrome is designated as a public work in terms of the Transitional District Plan. It is part of the existing environment. This designation covers a greater land area through the inclusion of 15 Point Road properties which are affected by airport operations. It is modified in its terminology to reflect the functions of the requiring authority.

DAA1.4.ii The Nelson Airport Environmental Management Plan has confirmed that the aerodrome will exist at its present location at least until the year 2020. The future development strategy is based on sustaining the function of the aerodrome as a regional strategic resource. Sustainability will be based on mitigation of the effects of natural hazards on the aerodrome site and avoiding or mitigating adverse effects of aerodrome operations on the community, in particular noise, and maintaining sufficient runway length to meet the requirements of a range of aircraft capable of principally domestic operations.

DAA1.4.iii Consideration of alternative sites, routes and methods is included in the Nelson Airport Environmental Management Plan (October 1996). Cost of relocation has been identified as the single most significant factor supporting continued use of the existing airport site. The Nelson Airport Environmental Management Plan sets out mitigation measures which can reduce the risk of natural hazards impacting significantly on the resource and also measures which can mitigate against environmental effects of airport operations.

DAA1.5 explanatory statement

DAA1.5.i The extent of the Aerodrome designation is shown on the Planning Maps.

DAA1.5.ii This designation is for a period up to and including year 2020 pursuant to Section 184(i) (c) of the Act, to the extent not given effect to before the end of that period.

DAA1.5.iii Civil Aviation Authority and Airways Corporation of New Zealand have been consulted on a continuing basis. Consultation has been undertaken with Air New Zealand Link, Helicopters NZ Ltd, Ansett NZ and adjoining landowners. Consultation with iwi, Department of Conservation and Nelson City Council has occurred as part of the Nelson Airport Environmental Management Plan.

DAA2 designation DAA2

DAA2.i Airnoise boundary controls

DAA2.1 designating authority

DAA2.1.i Nelson Airport Ltd

DAA2.2 reason for designation

DAA2.2.i An airnoise boundary has been defined around Nelson Airport to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise on the community.

DAA2.2.ii The purpose of the airnoise boundary is to identify the area of aerodrome operations where noise sensitive activities are prohibited.

DAA2.3 nature of the works

DAA2.3.i Noise from aircraft operations at Nelson Airport will be managed so that the rolling three month average 24 hour night-weighted sound exposure does not exceed 65 Ldn (109 Pasques) at or outside the airnoise boundary. This approach is in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning, which will apply to airport operations.

DAA2.3.ii Ldn is the primary measurement adopted to conform with the methods of sound measurement to be adopted for an indicative monitoring system to ensure ongoing compliance. The equivalent Pasques measurements are also cited for transparency and ease of alternative calculation. Monitoring and reporting shall be in accordance with an Airport Noise Monitoring Plan.

DAA2.3.iii Airport Noise Monitoring Plan means a plan developed by the Airport Authority in consultation with the Nelson Airport Noise Environment Advisory Committee for the measurement of aircraft noise levels for the purposes of assessing compliance with noise limits. The plan shall be lodged with the Council, and shall be reviewed and updated as necessary. Principally, the plan shall contain information on:

a) Noise measurement procedures and Standards
b) Procedures for calculating and assessing compliance for rules DAA2.3.i and DAA2.6.ii
c) Reporting of compliance assessment to Nelson Airport Noise Environment Advisory Committee and Council
d) Timeframes for implementation and review of the monitoring plan

DAA2.3.iv Aircraft operations which involve:

a) aircraft landing in an emergency or the operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs or medical personnel in a medical emergency
b) aircraft using the airport due to unforeseen circumstances as an essential alternative to landing at a scheduled airport
c) flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983
d) flights certified by the Minister of Defence as necessary for reasons of National Security in accordance with section 4 of the Act.

shall be excluded from the calculation of the three month average.

DAA2.4 restrictions

DAA2.4.i Any new activity, other than an airport related activity or golf course, shall not be permitted inside the Ldn 65 (109 Pasques) airnoise boundary.

DAA2.4.ii New or relocated residential, school, hospital and other noise sensitive activities are prohibited inside the Air Noise Boundary.

DAA2.4.iii No alterations or additions to existing residential unit shall be permitted inside the Air Noise Boundary without appropriate acoustic insulation to ensure a satisfactory internal noise environment. Such insulation shall be certified by a suitably qualified and experienced acoustic engineer.

DAA2.5 environmental effects/mitigation measures

DAA2.5.i The imposition of an airnoise boundary at Nelson Airport is intended to protect the operational capability of the aerodrome and to manage the noise environment to maintain and, where possible, enhance community health and welfare. The airnoise boundary is a mitigation measure to protect noise sensitive activities from the adverse effects of aircraft noise. A detailed Assessment of Environmental Effects (AEE) is incorporated in a separate document entitled Nelson Regional Airport Environmental Management Plan (October 1996) which evaluates all the resource management issues and assesses environmental effects for airport activities.

DAA2.5.ii An alternative to designation of the Airnoise boundary is its inclusion as part of an airport protection zone in the Planning Maps and incorporation of appropriate planning controls as part of this Plan. This procedure has been proposed as part of the District Plan process in other districts where the airport is in a rural locality or where the airport authority owns all the land inside the Airnoise Boundary. However, where there are existing residential properties inside the Ldn 65 (109 Pasques) contour, as in this case, it is considered that the designation procedures afford private property owners maximum protection in terms of buy out rights and compensation in relation to existing properties under the flight path at the western end of the runway. Furthermore, designation retains

the area affected by airport operations in the control of the Airport Authority whose function is to manage airport operations in a safe and efficient manner. Alternative time frames for the designation were evaluated and a period up to and including Year 2020 is deemed reasonable in view of existing and projected growth figures, the long term unsuitability of residential use at Grace Street and the amount of existing zoned residential land which has been identified as being noise affected by the year 2020.

DAA2.6 night aircraft movements noise restrictions

DAA2.6.i Noise restrictions for night aircraft movements are to apply at Nelson airport. For the purposes of these restrictions "night movements" are defined as a flight to or from the airport occurring between the hours of 12:00 midnight and 6:00 am and not comprising aircraft operations permitted under DAA2.3.iv. All other flights shall be included in calculation of aircraft noise in accordance with DAA2.3.i.

DAA2.6.ii Aircraft taking off or landing at the Airport between the hours of 12 midnight and 6am shall not exceed SEL 95 dBA in any residential zone outside of the Airnoise Boundary. Compliance with this rule shall be assessed in accordance with the procedures set out in the Airport Noise Monitoring Plan.

DAA2.6.iii Exemptions for individual flights from the requirements of DAA2.6.ii may be given by the Nelson Airport Noise Environment Advisory Committee to be constituted and maintained under the Nelson Regional Airport Environmental Management Plan (October 1996). Such exemptions are intended to be granted for special events requiring additional air services to accommodate members of the public attending. Requirements for grant of exemptions are:

a) An application in writing to the Committee, detailing the event and additional air service proposed.
b) Such application is to be publicly notified by the Committee which shall take into account any submissions or representations made in writing in relation to the application in determining whether it shall be granted and any terms that shall apply.
c) Exemption may be granted for a maximum of 24 movements (12 landings and 12 takeoffs) in any 12 month period.

DAA2.7 independent air noise compliance audit

DAA2.7.i There shall be an independent compliance audit of aircraft noise management by the Nelson Airport Ltd at Nelson airport to be conducted at five yearly intervals during the continuance of this designation. The audit will review compliance with the terms of this air noise designation and the adoption and implementation of ongoing best management practices to minimise air noise in the environs of the airport and its surrounding area and to review the methods and procedures set out in the Airport Noise Monitoring Plan.

DAA2.7.ii The audit shall be conducted by such party or parties as the Noise Environment Advisory Committee may unanimously nominate, but failing such a nomination then by such party as may be nominated by the Director of Civil Aviation.

DAA2.7.iii The audit shall be publicly notified and opportunity shall be given to all interested parties to make submissions or representations to the party conducting the audit for consideration as part of such audit process. Nelson Airport Ltd will facilitate and fully co-operate with the audit process and meet all reasonable audit costs incurred.

DAA2.7.iv The audit findings and recommendations shall be publicly notified and Nelson Airport Ltd will use its best endeavours to observe and implement any findings or recommendations that may be made by the auditor.

DAA2. 8 explanatory statement

DAA2.8.i The extent of the airnoise (65 Ldn) (109 Pasques) boundary is shown on Planning Map A4 of the Nelson Resource Management Plan, comprising land owned by Nelson Airport Ltd and residential properties at the southwestern end of main runway 02/20.

DAA2.8.ii This designation is for the period up to and including Year 2020 pursuant to Section 184(i)(c) of the Act to the extent not given effect to before the end of that period.

DAA2.8.iii Consultation occurs on a continuing basis with Nelson City Council, Civil Aviation Authority, Airways Corporation of New Zealand, and airline operators.

DAA3 designation DAA3

DAA3.i Airport height restrictions

DAA3.1 designating authority

DAA3.1.i Nelson Airport Ltd

DAA3.2 reason for designation

DAA3.2 The designation is needed to protect aircraft approach and takeoff paths and horizontal and conical surfaces to ICAO standards. If obstacles pierce the required approach and takeoff paths and horizontal and conical surfaces then Civil Aviation approval for the use of the runway for some services may be withdrawn. The Airport Height Restriction Designation is in line with CAA and ICAO requirements.

DAA3.3 nature of the works

DAA3.3.i An airspace protection envelope which covers an area of land and airspace where obstacles (trees, buildings, waterborne craft, or structures) are restricted in height.

DAA3.4 environmental effects/mitigation measures

DAA3.4.i The imposition of the Airport Height Restrictions are intended to protect the operational capability of the aerodrome and provide for the safety of aircraft approaching or taking off from the aerodrome. Detailed assessment of environmental effects is incorporated into a separate document called Nelson Airport Environmental Management Plan which evaluates all resource management issues and assesses environmental effects of airport activities. The document is available from the Nelson City Council.

DAA3.5 explanatory statement

DAA3.5.i Proposed restrictions:

a) no structure, building, object or vegetation nor any part of a waterborne craft, shall be permitted to protrude into the airspace above an airspace protection envelope formed by connecting the Air Height Contours shown on Planning Map A3.1 or A3.2.
b) where terrain penetrates the envelope, fences and structures in the form of residential and farm buildings up to 14 m high and production forestry up to 30m high will be permitted.
c) where terrain penetrates the envelope aerials, masts and other structures will be permitted to be erected only with the prior written consent of Nelson Airport Ltd.

DAA3.5.ii Alternate methods available are severely restricted by Civil Aviation Authority Advisory Circular 139-06A which details the obstacle limitation surfaces that are required to be adopted by an airport authority.

DAA3.5.iii Consultation occurs on a continuing basis with Nelson City Council, Civil Aviation Authority, Airways Corporation of New Zealand, and airline operators.

DAA3.5.iv This designation is intended to apply and continue, when incorporated in the District Plan, for a specified period up to and including Year 2020, pursuant to section 184(1)(c) of the Act, to the extent not given effect to before the end of that period.

Table (DC) – Minister for Courts

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DC1	Bridge Street	Nelson Courthouse	Secs 201 and 203 City of Nelson	

DC1 designation DC1

DC1.i Nelson Courthouse (Bridge Street).

DC1.1 designating authority

DC1.1.i Minister for Courts.

DC1.2 reason for designation

DC1.2.i To clearly show the part of the Bridge Street site (Nelson Courthouse) for which the Minister for Courts retains responsibility and to provide for the continued operation of that facility.

DC1.3 nature of the works

DC1.3.i Criminal and civil trials are considered and adjudicated at Nelson Courthouse. Associated administrative activities.

DC1.4 environmental effects/mitigation measures

DC1.4.i The environmental effects of operating a Courthouse are minor and are principally related to the flow of people to and from the site. This flow of people takes place during the hours of operation which are typical of many activities carried out in this zone.

DC1.5 explanatory statement

DC1.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in the Proposed Nelson City District Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

Table (DD) - Minister of Defence

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DD1	Army Drill Hall, 55 Hardy Street	Defence purposes	Pt Sec 153, 1208, Sec 1130A, Sec 1130, Pt Sec 1208, Pt Sec 669, Pt Lot 4 DP1460, being Pt Sec 152 C of N and Lot 2 DP566 being Pt Sec 153 C of N.	2663m^2

DD1 designation DD1

DD1.i Defence purposes.

DD1.1 designating authority

DD1.1.i Minister of Defence.

DD1.2 reason for designation

DD1.2.i Continuation of existing uses of the site.

DD1.3 nature of the works

DD1.3.i The New Zealand Defence Force currently uses the Nelson Army Hall for administrative support for Regular and Territorial Force units in the area, search and rescue functions, the storage of military vehicles and equipment, as a repair and maintenance facility, and for military, weapon and physical training. The facility provides storage capacity, an armoury, lecture rooms, temporary accommodation and ablutions. Logistical support for Civil Defence activities occurs from this site. Use by Cadet Force units also occurs. The command of military operations, sea, air and land, may be conducted from this site.

DD1.4 explanatory statement

DD1.4.i The designation applies to a Defence Area. The Defence Area is administered by the New Zealand Defence Force and is currently occupied by the New Zealand Army. The area is a Defence Work and may be utilised for any or every purpose required by section 5 of the Defence Act 1990, which are as follows:

a) the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any act
b) the protection of the interests of New Zealand, whether in New Zealand or elsewhere
c) the contribution of forces under collective security treaties, agreements or arrangements
d) the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or states and in accordance with the principles of the charter of the United Nations
e) the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency
f) the provision of any public service

DD1.4.ii This designation applies to a Defence Area, and its function is to provide for the following functions of the New Zealand Defence Force (including visiting forces and third parties contracted to the New Zealand Defence Force):

a) Defence Force command of land operations, sea operations, air operations, training, logistic support, construction, repair, maintenance, munitions handling and storage, administration, and communication, and for the acquisition and improvement of the skills necessary for such functions
b) resources, accommodation and facilities for these functions
c) accommodation for members of the New Zealand Defence Force and any visiting force, training, and recreational, welfare and medical facilities for them
d) facilities for the storage of material, food and fuel, and the conservation and display of historic material
e) facilities for the construction, repair and maintenance of vehicles and other equipment, including vehicles and equipment of forces of other nations
f) to provide for the rapid and efficient deployment of the New Zealand Defence Force

DD1.4.iii Consultation has not occurred as this requirement relates only to existing activities and land which has already been designated.

Table (DE) - Minister of Education

Details of each designation follow this table.

ID	Site name/ Location of site	Purpose of designation	Legal description/valuation no.	Area
DE1	Nelson Marlborough Institute of Technology, 312 Hardy Street and others	Polytechnic	Part Section 427 SO 12092 (Part CT 10B/248), Lots 1 and 2 DP 949, Part Section 427 A197, Lot 3 DP 15517 (Part CT 10B/248), Part Section 426 (CT 57/72), Part Section 426 (CT 57/73), Part Section 426 (CT 18/1173), Part Lot 2 DP 5485, Part Section 426 (Bal CT 74/151), Part Section 426 A479, Part Section 426 (CT 9C/793), Part Sections 1 and 3 DP 185 (Gazettes 1989 p1865 and 1978 p2589), Lot 2 DP 15517, SO 11049 (Gazette 1972 p11), Lots 1 and 2 DP 1134 (Gazette 1986 p 1662), Lot 1 DP 15517, Part Section 434 (Part CT 9C/791), Part Section 434 (CT 57/43), Part Section 434 (Part CT 9C/791), Lot 1 DP 8334, Part Section 435 (CT 9C/792), Part Sec 435 (CT 9C/794), Part Section 178 DP 9616 (CT 5A/999), Part Sections 202 SO 9938 (CT 10B/172). Lot 1 DP 5485, Lot 2 DP 185, Part Lots 1 and 3 DP 185 (CT 169/93), Part Section 426 SO 12140, Pt Sec 431 SO 13318	
DE2	Nayland College, Nayland Road	Secondary school	Pt Sec 78 DP1866	1.815ha
DE3	Nelson College, Waimea Road	Secondary school	Part Section 1022, Sections 1024, 1026, 1028, 1030, 1032, 1034, 1036, (CT 6D/849), Section 1161 GN 285896.1, Section 1037, 1035, 1033 (CT 163/2 LTD), Part Section 1078, 1077 DP 1768 (CT 7B/876), Lot 2 DP 6020 (CT 90/155), Section 13 DP1623, Part Section 1064A DP1623 (CT 63/9), Section 1217 (CT 119/91), Section 1074, 1073, 1072, 1075, 1076, (CT 54/132 LTD), Lot 1 DP 10123 (CT 5D/105), Part Section 1071 Res DI 2/405, Section 1196 (CT 67/116), Section 1023, 1025, 1027, 1029, 1031 (CT 6D/849), stopped portion of Ngatiawa Street (SO 15422)	12.418ha

ID	Site name/ Location of site	Purpose of designation	Legal description/valuation no.	Area
DE4	Nelson College for Girls, Trafalgar Street	Secondary school	Part Section 472 (CT22/28), Part Sections 472, 466, Sections 470, 468 (CT 163/1 Ltd), Part Section 464 (CT 19/298), Part Section 464 (CT 56/257 Ltd), Lots 6-9 DP 59, Part Lot 5 GN 219903.2 DP 59, Part Lot 5 GN 141156 DP 59, Lots 1 and 2 DP 3303, Lots 1 and 2 DP2238, Part Lot 4, Lots 5-7 (DP1683), Lots 2 and 3 DP92	5.23ha
DE5	Auckland Point School, kindergarten and teenage parent unit, Haven Road	Primary School, kindergarten, and teenage parent unit.	Part Section 60 City of Nelson (NL8A/11 & NL8B/993), Part Section 61 City of Nelson (NL46/211 & NL54/62), Part Section 62-65MR City of Nelson (NL51/18), Lot 1 DP 2931, Lot 1-6 DP1441 (NL86/153, 277699), Part Section 1192 City of Nelson (NL51/221)	1.77ha
DE6	Birchwood Primary School and Birchwood Kindergarten, Seaview Road	Primary school and preschool facilities	Pt Lot 2 DP7222	2.53ha
DE7	Broadgreen Intermediate and Nayland Free Kindergarten, Nayland Road	Intermediate school and preschool facilities	Pt Lot 2 DP2073	4.9ha
DE8	Enner Glynn School, The Ridgeway	Primary school	Lot 16 DP3438, Lot 1 DP5662, Pt Sec 42 DP4269, Pt Sec42 SO10329.	2.28ha
DE9	Clifton Terrace School, Atawhai Drive (SH6)	Primary school	Lots 1 - 3 DP1839, Lot 1 DP7667	2.13ha
DE10	Nelson Central School, Nile Street	Primary school	Secs 504 and 506 (CT 57/33) Secs 1201,505,503 and Pt Sec 499 SO9107.	1.84ha
DE11	Hampden Street School, corner Hampden and Ngatiawa Streets, and 37 Waimea Road	Primary school	Part Section 643 (CT 1C/542), Part Section 1044 SO 8558, Part Section 1042 A 282, Part Section 1040 (CT 16/103), Part Section 1040 A 163, Pt 1038 (CT 54/104), Part Section 1040 A 433, Pt Sec 1042 (CT 9/298), and Part Section 1042 A 698, Pt Sec 1042 (CT 1D/788)	1.52ha
DE12	Maitai IHC School, Tasman Street	Special school	Pt Sec 205 SO 12848, Sec 1281	0.43ha
DE13	Nayland Primary School, Nayland Road	Primary school	Pt Lot 3 DP2073	2.38ha

ID	Site name/ Location of site	Purpose of designation	Legal description/valuation no.	Area
DE14	Nelson Intermediate School and Early Childhood Education Facility, Tipahi Street	Intermediate school and Early Childhood Education Facility	Section 873 SO 11084, Part Sections 874, 876 DP 3534, Part Section 874 SO 10126, Section 872 SO 112, Part Lot 1 DP 2845, Lot 2 DP 1937	4.49ha
DE15	Stoke School and Stoke Playcentre, Main Road Stoke	Primary school and Early Childhood Education	Lot 38 DP2905 (NL86/49), Part Lot 2 DP 2905 (NL94/165), Part Section 53 District of Subuarban South (NL59/258), Part Section 53 Suburban South (NL48/181), Part Section 53 District of Suburban South (NL33/147), Part Lot 2 DP 2641 (NL80/169), Lot 15 DP5252	2.68ha
DE16	Tahunanui Primary School, 65 Muritai Street	Primary school	Part Lots 1 and 2 DP 3112, Lot 3 DP 1566, Lots 3, 9 and 10 Part Lots 2 and 9 DP 3692, Lot 1 DP 979, Lot 47-52 DP 144	2.07ha
DE17	Victory School, Vanguard Street	Primary school	Lot 1 DP 3805, Lot 2 DP 3461, Part Lot 1 DP 2753, Part Section 846 (CT 52/214), Part Sections 846, 847 (CT 52/207), Part Section 847 (CT 52/213), Part Sections 847, 848 (CT 52/210), Lot 2 DP 3805, Part Section 849, Part Section 9 of Blk E (CT 52/204), Lot 2 DP 2753, Part Section 848 (CT 52/209)	2.1107ha
DE18	Nelson College, Franklyn/Tipahi/ Vanguard Streets	Secondary school playing field	Sections 883, 885, 887, 889, 891 DP 1230 (CT 49/169), Section 892, 890 and Part Section 888 City of Nelson (CT 6B/1176), Part Section 888 City of Nelson, Section 886 DP 1485 (CT 53/155), Section 884 DP 1390 (CT 51/167)	1.2141ha
DE19	Nelson College for Girls, (Bronte Street)	Secondary school	Lot 1 DP 2196, Part Section 617 (CT 33/276), Part Section 617 DP 843, Lot 2 DP 2675, Lots 1 and 2 DP 2313, Lots 1 and 2 DP 2429, Lot 1 DP 2675, Pt sec 615 City of Nelson A437, Lot 2 DP2196	0.9705ha
DE20	Nelson College for Girls, Waimea Road	Secondary school playing field	Part Section 654 (CT 18/248), Part Section 654 (CT 20/159), Part Section 653 (CT 52/258 Ltd), Section 655 (CT 6/139), Part Section 653 (CT 52/260 Ltd)	0.3138ha
DE21	Hira Primary School, Wakapuaka Road (SH6) Hira	Primary school	Various Secs 113-115 SO 13731, Sec 27A DP2709, Sec 27A (Ct 62/189), Lot 1 DP6009.	0.98ha
DE22	Victory Square Kindergarten, 166 St Vincent Street	Preschool	Lot 5 DP4432	0.1504ha
DE23	Garin College 35 Champion Road	Secondary School	Part Lot 1 DP7514 (CT 3A/1277)	Approx 5.37ha

DE1 designation DE1

DE1.i Nelson Marlborough Institute of Technology

DE1.1 designating authority

DE1.1.i Minister of Education.

DE1.2 reason for existing designation

DE1.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE1.3 nature of the works - Nelson Marlborough Institute of Technology

DE1.3.i The structures/works associated with the Nelson Marlborough Institute of Technology include teaching facilities, staff and student facilities, administration facilities, recreation facilities, support facilities including retailing and supply of food and beverages, and vehicle and cycle parking.

DE1.4 conditions for the Nelson Marlborough Institute of Technology

DE1.4.i Provisions of the Resource Management Plan in relation to parking (Appendix 10) will be complied with.

DE1.5 environmental effects/mitigation measures

DE1.5.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE1.6 explanatory statement

DE1.6.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE2 designation DE2

DE2.i Nayland College, Nayland Road

DE2.1 designating authority

DE2.1.i Minister of Education.

DE2.2 reason for existing designations

DE2.2.i The public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE2.3 nature of the works

DE2.3.i The structures/works associated with a secondary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE2.4 environmental effects/mitigation measures

DE2.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE2.5 explanatory statement

DE2.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE3 designation DE3

DE3.i Nelson College, Waimea Road

DE3.1 designating authority

DE3.1.i Minister of Education.

DE3.2 reason for existing designations

DE3.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE3.3 nature of the works

DE3.3.i The structures/works associated with a secondary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE3.4 environmental effects/mitigation measures

DE3.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE3.5 explanatory statement

DE3.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE4 designation DE4

DE4.i Nelson College for Girls, Trafalgar Street

DE4.1 designating authority

DE4.1.i Minister of Education.

DE4.2 reason for existing designations

DE4.2.i Existing designation - this public work have been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE4.3 nature of the works

DE4.3.i The structures/works associated with a secondary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE4.4 environmental effects/mitigation measures

DE4.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE4.5 explanatory statement

DE4.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE5 designation DE5

DE5.i Auckland Point School, kindergarten, and teenage parent unit, Haven Road.

DE5.1 designating authority

DE5.1.i Minister of Education.

DE5.2 reason for existing and alteration to designations

DE5.2.i Existing designation (Auckland Point School) - this public work, being a primary school, has been given effect to. This designation was altered on 14 March 2013 to allow for the establishment and operation of a teenage parent unit and operation of an already established kindergarten. The designation provides for ongoing operation of education facilities in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE5.3 nature of the works

DE5.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE5.3.ii The structures/works associated with a kindergarten may include one main building for education and care of pre-schoolers, kitchen and toilet facilities, a staff room; ancillary buildings such as storage sheds; an outdoor play area; parking and access, and site fencing.

DE5.3.iii The structures/works associated with a teenage parent unit may include one main building containing two classrooms for education of teenage students, kitchen and toilet facilities, a staff room; ancillary buildings such as storage sheds; an outdoor area; and vehicle parking.

DE5.4 environmental effects/mitigation measures

DE5.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE5.4.ii Designation DE5 was altered on 14 March 2013 to allow for the establishment and operation of a teenage parent unit and operation of an existing kindergarten within the designation and these will result in result in no more than minor changes to the effects on the environment compared with the operation of the Auckland Point School.

DE5.5 restrictions

DE5.5.i A teenage parent unit and/or a kindergarten may be established and operated without lodgement of an outline plan under section 176A of the Resource Management Act 1991 provided:

i) The number of children attending the kindergarten at any one time does not exceed 50 (being 40 children in the main kindergarten building and 10 children in the kindergarten room adjacent to the Teenage Parent Unit).
ii) The number of staff at the kindergarten at any one time does not exceed eleven (being eight staff members located at the main kindergarten building and three staff members in the kindergarten room adjacent to the Teenage Parent Unit).
iii) The hours of operation for children attending the kindergarten do not extend outside the period 7:30 am to 5:30 pm, Monday to Friday (inclusive).
iv) The number of students attending the teenage parent unit at any one time does not exceed 20.
v) The number of staff at the teenage parent unit at any one time does not exceed two.
vi) The hours of operation for students attending the teenage parent unit do not extend beyond the period 9:30 am to 3:30 pm, Monday to Friday (inclusive).
vii) No changes are made to the external building envelopes or layout and traffic arrangements on the site from those existing as at 14 March 2013.

DE5.6 explanatory statement

DE5.6.i As the proposed modifications will not result in any significant change to the existing activity on the site (no physical works are proposed, both the kindergarten and teenage parent unit will operate from existing facilities), consultation has been limited to land owners only.

DE6 designation DE6

DE6.i Birchwood Primary School and Birchwood Kindergarten, Seaview Road

DE6.1 designating authority

DE6.1.i Minister of Education.

DE6.2 reason for existing designations

DE6.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE6.3 nature of the works

DE6.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE6.3.ii The structures and works associated with a preschool facility usually involve one main building for the education and care of preschoolers, kitchen and toilet facilities, a staff area; ancillary buildings such as storage sheds and an outdoor play area. The site is fenced.

DE6.4 environmental effects/mitigation measures

DE6.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE6.5 explanatory statement

DE6.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE7 designation DE7

DE7.i Broadgreen Intermediate and Nayland Free Kindergarten, Nayland Road

DE7.1 designating authority

DE7.1.i Minister of Education.

DE7.2 reason for existing designations

DE7.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE7.3 nature of the works

DE7.3.i The structures/works associated with an intermediate school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE7.3.ii The structures and works associated with a preschool facility usually involve one main building for the education and care of preschoolers, kitchen and toilet facilities, a staff area; ancillary buildings such as storage sheds and an outdoor play area. The site is fenced.

DE7.4 environmental effects/mitigation measures

DE7.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE7.5 explanatory statement

DE7.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE8 designation DE8

DE8.i Enner Glynn School, The Ridgeway

DE8.1 designating authority

DE8.1.i Minister of Education.

DE8.2 reason for existing designations

DE8.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE8.3 nature of the works - primary schools

DE8.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE8.4 environmental effects/mitigation measures

DE8.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE8.5 explanatory statement

DE8.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE9 designation DE9

DE9.i Clifton Terrace School, Atawhai Drive

DE9.1 designating authority

DE9.1.i Minister of Education.

DE9.2 reason for existing designations

DE9.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE9.3 nature of the works

DE9.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE9.4 environmental effects/mitigation measures

DE9.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE9.5 explanatory statement

DE9.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE10 designation DE10

DE10.i Nelson Central School, Nile Street

DE10.1 designating authority

DE10.1.i Minister of Education.

DE10.2 reason for existing designations

DE10.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the

most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE10.3 nature of the works

DE10.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE10.4 environmental effects/mitigation measures

DE10.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE10.5 explanatory statement

DE10.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE11 designation DE11

DE11.i Hampden Street School, corner Hampden and Ngatiawa Streets

DE11.1 designating authority

DE11.1.i Minister of Education.

DE11.2 reason for existing designations

DE11.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE11.3 nature of the works

DE11.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE11.4 environmental effects/mitigation measures

DE11.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE11.5 explanatory statement

DE11.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE12 designation DE12

DE12.i Maitai IHC School, Tasman Street

DE12.1 designating authority

DE12.1.i Minister of Education.

DE12.2 reason for existing designations

DE12.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE12.3 nature of the works

DE12.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE12.4 environmental effects/mitigation measures

DE12.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE12.5 explanatory statement

DE12.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE13 Designation DE13

DE13.i Nayland Primary School, Nayland Road

DE13.1 Designating authority

DE13.1.i Minister of Education.

DE13.2 Reason for existing designations

DE13.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE13.3 Nature of the works

DE13.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE13.4 Environmental effects/mitigation measures

DE13.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE13.5 Explanatory statement

DE13.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE14 designation DE14

DE14.i Nelson Intermediate School and Early Childhood Education Facility, Tipahi Street

DE14.1 designating authority

DE14.1.i Minister of Education.

DE14.2 reason for existing designations

DE14.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE14.3 nature of the works

DE14.3.i The structures/works associated with an intermediate school and early childhood education facility may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE14.4 environmental effects/mitigation measures

DE14.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE14.5 explanatory statement

DE14.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE15 designation DE15

DE15.i Stoke School and Stoke Playcentre, Main Road Stoke

DE15.1 designating authority

DE15.1.i Minister of Education.

DE15.2 reason for existing designations

DE15.2.i Existing designation - the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE15.3 nature of the works

DE15.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE15.3.ii The structures/works associated with a Playcentre include one main building for education and care of preschoolers, kitchen and toilet facilities, a staff room; ancillary buildings such as storage sheds; an outdoor play area; parking and access, and site fencing.

DE15.4 environmental effects/mitigation measures

DE15.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE15.4.ii The proposed alteration involves no more than a minor change to the effects on the environment associated with the use or proposed use of the land concerned.

DE15.5 explanatory statement

DE15.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE16 designation DE16

DE16.i Tahunanui Primary School, 65 Muritai Street

DE16.1 designating authority

DE16.1.i Minister of Education.

DE16.2 reason for existing designations

DE16.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE16.3 nature of the works

DE16.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE16.4 environmental effects/mitigation measures

DE16.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE16.5 explanatory statement

DE16.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE17 designation DE17

DE17.i Victory School, Vanguard Street

DE17.1 designating authority

DE17.1.i Minister of Education.

DE17.2 reason for existing designations

DE17.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education

facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE17.3 nature of the works - primary school and early childhood centre

DE17.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE17.3.ii The structures and works associated with an early childhood centre usually involve one main building for the education and care of preschoolers, kitchen and toilet facilities; a staff area; ancillary buildings such as storage sheds and an outdoor play area.

DE17.4 environmental effects/mitigation measures

DE17.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE17.5 explanatory statement

DE17.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE18 designation DE18

DE18.i Nelson College playing fields, Franklyn/Tipahi/Vanguard Streets

DE18.1 designating authority

DE18.1.i Minister of Education.

DE18.2 reason for existing designations

DE18.2.i Existing designations - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE18.3 nature of the works

DE18.3.i The structures/works include recreation facilities such as playing grounds and fields, and vehicle parking.

DE18.4 environmental effects/mitigation measures

DE18.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE18.5 explanatory statement

DE18.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in this Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

DE19 designation DE19

DE19.i Nelson College for Girls, (Bronte Street)

DE19.1 designating authority

DE19.1.i Minister of Education.

DE19.2 reason for existing designations

DE19.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE19.3 nature of the works

DE19.3.i The nature of the works at this site include sealed, multi-use sports courts and a gymnasium, a caretakers residence, a teachers residence, sheds and gardens, and open grassed areas.

DE19.4 environmental effects/mitigation measures

DE19.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE19.5 explanatory statement

DE19.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE20 designation DE20

DE20.i Nelson College for Girls playing fields, Waimea Road

DE20.1 designating authority

DE20.1.i Minister of Education.

DE20.2 reason for existing designations

DE20.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE20.3 nature of the works

DE20.3.i The nature of the works at this site is a grassed sports field.

DE20.4 environmental effects/mitigation measures

DE20.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE20.5 explanatory statement

DE20.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE21 designation DE21

DE21.i Hira Primary School, Wakapuaka Road

DE21.1 designating authority

DE21.1.i Minister of Education.

DE21.2 reason for existing designations

DE21.2.i Existing designation - this public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE21.3 nature of the works

DE21.3.i The structures/works associated with a primary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretakers room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE21.4 environmental effects/mitigation measures

DE21.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE21.5 explanatory statement

DE21.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

DE22 designation DE22

DE22.i Victory Square Kindergarten, 166 St Vincent Street

DE22.1 designating authority

DE22.1.i Minister of Education.

DE22.2 reason for designation

DE22.2.i Although the Victory Square Kindergarten site has been used for educational purposes for a number of years, it has never been designated. Designating the Victory Square Kindergarten site is the most effective means of ensuring that the Ministry of Education's interests in the site are protected.

DE22.3 nature of the works

DE22.3.i Victory Square Kindergarten was established and built in 1987 and has continued to operate since. The only facilities are the kindergarten building. There are no proposals to modify or alter the existing site or operation.

DE22.3.ii The structures and works associated with a preschool facility usually involve one main building for the education and care of preschoolers, kitchen and toilet facilities, a staff area; ancillary buildings such as storage sheds and an outdoor play area. The site is fenced.

DE22.4 environmental effects/mitigation measures

DE22.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE22.5 explanatory statement

DE22.5.i Consultation has not been undertaken as this requirement relates only to an existing activity.

DE23 designation DE23

DE23.i Garin College, 35 Champion Road.

DE23.1 designating authority

DE23.1.i Minister of Education.

DE23.2 reasons for existing designations

DE23.2.i The public work has been given effect to. Retaining the designation will provide for the ongoing operation of the education facility in terms of the Resource Management Act. Designation is considered to be the most effective means of ensuring that the Ministry of Education's interest in the site is protected.

DE23.3 nature of the works

DE23.3.i The structures/works associated with a secondary school may include buildings such as classrooms, a staff room and administration block, a hall, ablution blocks, caretaker's room, a boiler room, storage sheds and other ancillary buildings; recreation facilities such as playing grounds and fields, a swimming pool; and vehicle parking.

DE23.4 environmental effects/mitigation measures

DE23.4.i There will be no proposed changes to the use of the site that will change the present state of the environment, on or in the vicinity of the site.

DE23.5 explanatory statement

DE23.5.i As the proposed modifications will not result in any significant change to the existing activity on the site, no consultation has been undertaken.

Table (DF) - Minister of Fisheries

Details of each designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DF1	Port Nelson	Store, laboratory and office	Lot 3 DP 11882	

DF1 designation DF1

DF1.i Minister of Fisheries - Port Nelson Store, Laboratory and Office.

DF1.1 designating authority

DF1.1.i Ministry of Fisheries.

DF1.2 reason for designation

DF1.2.i The designation is existing and has been given effect to. The designation is needed to authorise, operate and maintain the Ministry of Fisheries Port Nelson Base.

DF1.3 nature of the works

DF1.3.i The Ministry of Fisheries buildings consist of: offices, a laboratory, general and gear stores, ancillary facilities and a wharf and wharfing area. Site works include - sealed car parks, vehicle manoeuvring areas, site landscaping and perimeter walls and gates.

DF1.4 environmental effects/mitigation measures

DF1.4.i The existing designation has been given effect to. Operation and maintenance of the facilities will not adversely affect the present state of the environment.

DF1.5 explanatory statement

DF1.5.i Consultation was undertaken at the time of the original designation. As the designation is in existence and has been given effect to, no further consultation was undertaken.

Table (DM) - Meteorological Service of New Zealand Ltd

Details of each designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DM1	Nelson Automatic Weather Station, Nelson Airport	Meteorological activities	Sec 1114 Dist Sub Sth CT 4D/323	

DM1 designation DM1

DM1.i Meteorological activities (Nelson Automatic Weather Station, Nelson Airport).

DM1.1 designating authority

DM1.1.i Meteorological Service of New Zealand Ltd.

DM1.2 reason for designation

DM1.2.i The responsibility for meteorological activities has been transferred from the Crown to Met Service so the designation has been modified to appropriately reflect Met Service's activities. It is also to ensure that the purpose of the designation more specifically describes the activities concerned, clearly defines the land, and identifies any likely effects.

DM1.3 nature of the works

DM1.3.i The nature of the works concerned is meteorological installations and ancillary activities for the purpose of observing, collecting and communicating weather information. Such an installation has the following physical and activity nature:

a) small equipment buildings
b) masts up to 10 m, poles up to 6m, aerials, antennas
c) cable and line connections, radio and satellite links
d) security fencing
e) continuous automated observation of weather conditions and transmission of information

DM1.4 environmental effects/mitigation measures

DM1.4.i Environmental effects - visual impact of utilitarian buildings, masts and poles.

DM1.4.ii Mitigation measures - any environmental impacts should be offset by importance of maintaining an essential component of the network

DM1.5 explanatory statement

DM1.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in this Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

Table (DN) - Nelson City Council

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DN1	York Valley Landfill	Refuse disposal	Part Section 7 District of Suburban South (part CT3D/421) and parts of Lots 34 and 37 DP210 (CT166/76), Lot 1 DP 13488, Lot 1 DP 14284	65ha
DN2	54 - 68 Pascoe Street	Refuse Transfer Station and Recycling Depot	Lot 2 DP12881, Lot 3 DP12881 and Lot 7 DP17113	1.24ha
DN3	Various, as per Planning Maps	*Conservation Zone:* Water supply purposes *Rural Zone:* Water supply purposes and works		
DN4	The Ridgeway/ Songer Street reservoir	Water supply/storage	Part of Section 6 SO14979	
DN5	Walters Bluff reservoir, Pearce Way	Water supply/storage	Lot 76 DP 17700	7541m^2
DN6	Observatory Hill reservoir, Princes Drive	Water supply/storage	Lot 26 DP 14687	0.43ha
DN7	Boulder Bank Drive	Sewage treatment	Lot 3 DP 7530, Lot 1 DP 7276, Lot 1 DP 13614	81.043 8ha
DN8	15 m from top of Westward bank of Orphanage Creek	Stream control works	Pt 55 and 56 Surb Sth, Pt 55 DP1003, Lot 4 DP 1574, Pt 3 DP 1574	
DN9	Railway reserve, Quarantine Road to Saxton Road	Walkway and cycleway	Sec 146, 147, 148, 149, 150 Surb Sth SO 12047, Sec 139 Surb Sth SO 111969, Sec 1 and 2 SO 14813, Sec 1 and 2 SO 14814, Sec 1,2,3,4,5, and 6 SO 14878.	
DN10	NCC Nursery	Plant production nursery and community facility	Pt Lot 2 DP 3202, Pt Lot 3 DP 3202, Pt Lot 1 DP 3583	
DN11	Land at the north western and south eastern corners of Montgomery Square	Car park	North western: Lot 2 DP 15736 and Lot 1 DP 8251 South eastern: Lots 1, 2 and 3 DP 1539	
DN12	Stoke firestation public car park, northern side of Putatai Street and on the western most side of Main Road Stoke	Car park and car park access	Pt Lot 11 DP 5048 SO 14677 and Part of: Lot 1 DP 8109, Lot 7 DP 5048, Lot 8 DP 5048, Lot 9 DP 5048 and Lot 10 DP 5408	
DN13	Lane at south eastern corner of Montgomery Square	Service lane	Lot 4 DP 8456, Lot 2 DP 12749, Lot 1 DP 12468, Lot 1 DP 7299, Pt Sec 164 City of Nelson SO 112	

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area (ha)
DN14	Lane at north eastern corner of Montgomery Square	Service lane	Pt Lot 2 DP 1504, Pt Lot 1 DP 1504, Pt Sec 163 City of Nelson DP 4255	
DN15	Seafield Terrace, The Glen	Recreation reserve	Part Sec 1 DP960 CT45/129	
DN16	Saxton Park extension	Recreation reserve	Pt Lot 1 DP 3173, Pt Lot 2 DP 2553	
DN17	Isel Park extension	Recreation reserve		
DN18	Black Horse Quarry, Wakapuaka Road (SH6)	Quarry	Pt Sec 57A Sub. North District	2ha

DN1 designation DN1

DN1.i Refuse disposal - York Valley Landfill.

DN1.1 designating authority

DN1.1.i Nelson City Council.

DN1.2 reason for designation

DN1.2.i The continued designation of the refuse disposal site is to ensure that this important existing installation is suitably protected by the Plan, and that its future operation, maintenance and upgrading is appropriately provided for.

DN1.3 nature of the works

DN1.3.i Refuse - includes waste materials from residential, commercial and industrial properties, of a putrescible, organic, chemical, or mineral nature, and also soil and hardfill.

DN1.3.ii Sanitary landfill - means the excavation and reshaping of the area, backfilling with refuse and covering with soily material in a controlled manner to enable the stabilisation, reshaping and rehabilitation of the area, including protection planting of trees, shrubs and grasses. The operation may include the sorting including resource recovery and composting of materials.

DN1.4 environmental effects/mitigation measures

DN1.4.i The landfill will be controlled to appropriate standards so as to ensure avoidance of any tendency to erosion, the control of stormwater run off and any significant leachates, the prevention of vermin and any other nuisances.

DN1.4.ii Once a stage of landfill is completed the area shall be resown in grass or planted with trees to enable a continuance of use permitted in the underlying Rural Zone.

DN1.5 explanatory statement

DN1.5.i Some of the extra designated land (Lot 1 DP 14284) is not currently being used for landfill. The property has been purchased and the former property owners were aware what the land would be used for. They have use of the land, rent free, for the next 50 years. Nelson City Council will only be using a corner of the new land for landfill purposes, so adjoining land owners will not be affected.

DN1.6 conditions

DN1.6.i An outline plan exists for Stage I (Pt Sec 7 Suburban South SO1210, parts of Lots 34 and 37 DP210), currently being filled.

DN1.6.ii Before any filling commences in other areas of the designation, an outline plan for excavation and works in conformity with the conditions that follow shall be submitted to the Council for its consideration:

DN1.6.iii The plan for landfill and rehabilitation will include the following sequence of activities:

a) screen planting as part of the overall landscape plan, especially along the northwest boundary adjacent to the retention dam and the face of the landfill
b) the clearing and preparation of the base in such a manner that it is free from any seepage and drained to a suitable outlet for the collection of any water-borne leachate
c) the containing embankments across the end of the landfill will be constructed so that the height is above the current landfill, at the completion of each layer of landfill
d) the planting programme and resowing of completed surfaces of previous landfill areas will be completed concurrently with the establishment of new areas
e) suitable boundary and temporary fencing and gates
f) location and form of permanent signs
g) all necessary resource consents for effluents and diversion of stormwater shall be maintained

DN1.6.iv Refuse, other than hardfill, shall not be placed in such a manner that it would lie in contact with the water table or in permanent contact with any ponded water. Suitable provision shall be made for stormwater and for the control of effluents arising during storm conditions.

DN1.6.v At the base of the valley a suitable area shall be prepared to act as a settling pond so that all stormwater which has come in contact with exposed soil surfaces, excavations and filling will pass through this ponding area before entering the York Stream system.

DN1.6.vi The plan to be prepared for the consideration of the Council will include provision for the phasing of the landfill and indicate staging that could be anticipated from time to time. It will also include a suitable landscape plan and planting programme.

DN1.6.vii The exposed area of landfill shall be kept to a minimum at all times and refuse placed in the landfill will be compacted using suitable compactor equipment and shall be covered as soon as practicable by clay bound fill materials. Nelson City Council will ensure that there is no wind-blown refuse or objectionable elements from the presence of birds, vermin or smell. Refuse shall not be left uncovered following each day's closure of the landfill.

DN1.6.viii As a safeguard against possible accumulation of gases within the landfill, suitable gravel filters will be brought up through the landfill to enable the free escape of any such gases.

DN1.6.ix The management of the area may include sorting and stockpiling of sand, soil, gravel, compostable material (if necessary covered to contain decomposition and any smells), all for the purpose of regular covering of deposited refuse and improvements in the quality of the cover of the finished levels so as to sustain further growth of trees, shrubs and grasses.

DN1.6.x The finished landfill shall be shaped and graded with soil or similar materials of no less than 300mm in thickness so that in the storm periods excess rainwater shall be shed to the side of the landfill and into the valley side stormwater system.

DN1.6.xi A suitable water supply shall be available at all times, both for the operation of the landfill and also adequate to assist with any fire fighting at the landfill or within the adjacent locality.

DN1.6.xii Suitable fences and screens shall be placed around the working areas to prevent windblown materials from leaving the immediate locality. Collection of materials that might be blown beyond the immediate workings will be undertaken.

DN1.6.xiii The site layout plan includes wheel wash facilities on the exit driveway.

DN1.6.xiv Nelson City Council will conscientiously enforce all Acts, Regulations, Bylaws and Conditions relating to litter control. It will make such inspections of the roads in the locality as are necessary to ensure the speedy discovery of any litter or refuse which may have fallen from vehicles and shall attend promptly to reasonable complaints. Where any litter or refuse is discovered on the roads in the locality or arising from the use of such roads by vehicles carrying refuse or litter, such litter or refuse shall be removed as soon as possible and the area left tidy.

DN1.6.xv The landfill shall be operated to avoid needless attraction of birds and vermin and, if necessary, extermination programmes shall be carried out as required.

DN1.6.xvi The following substances will only be permitted where approval has first been given by Nelson City Council and suitable arrangements made for its proper placing and immediate covering in the landfill:

a) loads of fish and animal wastes
b) any scheduled poisons or other hazardous chemicals
c) any dangerous goods or other hazardous materials
d) any liquid waste

DN1.6.xvii Approval for the disposal of these substances will only be granted where there is not a satisfactory alternative method available to the industries concerned and in the case of substances referred to in DN1.6.xvi (b) and DN1.6.xvi (c) only in an approved area of the landfill.

DN1.6.xviii The burning of refuse in the landfill area will not be permitted and should any fire be accidentally started, it will be extinguished immediately.

DN1.6.xix Periodic testing of the stream waters leaving the area for contaminants and leachates shall be arranged in conformity with the conditions of the Water Right or resource consent. In the event that stream waters leaving the landfill site become contaminated by contact with refuse, waste or other deleterious material as a result of the operation of the landfill, Nelson City Council shall undertake immediate remedial measures to effectively remove the contamination.

DN1.6.xx The hours for operation of the landfill will fall within 7am and 5.30pm on week days and Saturdays, 1pm to 5.30pm Sundays and public holidays. Refuse will not be accepted for disposal at the landfill earlier than 8am weekdays and Saturdays and later than 4.30pm on any day on which the landfill is operating. The above will apply save in the case of emergency. Nelson City Council may determine to close the facility on some days, or reduce the hours from time to time as appropriate.

DN1.6.xxi Access to the landfill site will not be permitted for cars, cars and trailers, or other vehicles carrying refuse except as set out below.

Access will be permitted for:

a) vehicles carrying solid refuse or other material not considered by Nelson City Council to be acceptable at transfer stations
b) heavy commercial vehicles approved by Nelson City Council carrying substantial loads where a direct destination to the landfill site gives greatest economy of vehicle operation
c) local authority vehicles carrying compacted or other refuse or covered materials
d) vehicles carrying wastes approved under DN1.6.xvi above

DN1.6.xxii General public access to the landfill site will be permitted during times of emergency when due to breakdown or destruction transfer facilities are unable to operate.

DN1.6.xxiii All refuse shall be transported either in a suitable container or covered or secured so that there is no possibility of material falling on any public roads, or the approach road and this requirement is to be pre-requisite of permission to enter the site.

DN1.6.xxiv

a) Noise levels, when measured at or within any site in a Residential Zone must not exceed:

Day time
55 dBA (L10)
Other times
45 dBA (L10)
75 dBA (Lmax)

Day time means 7am - 10pm Monday to Friday, and 9am - 10pm Saturdays, Sundays and Public Holidays

b) Noise levels measured at or within the notional boundary of any rural dwelling must not exceed:

Day time
55 dBA (L10)
Other times
45 dBA (L10)
75 dBA (Lmax)

Day time means 6am - 10pm Monday to Sunday

c) All measurements and assessment in accordance with NZS6801:1991 and NZS6802:1991

DN1.6.xxv No equipment or processes shall be employed on the site that give rise to annoying vertical or horizontal vibration at the nearest residentially zoned property boundary.

DN1.6.xxvi As the landfill is an existing activity consultation was not necessary in order to include this designation. Regarding the extra land, the landowner was aware at the time of purchase what the land would be used for. As only a small portion of the land will be used for landfill purposes, neighbouring properties will not be affected by the use, so no consultation was necessary.

DN2 designation DN2

DN2.i Refuse Transfer Station and Recycling Depot

DN2.1 designating authority

DN2.1.i Nelson City Council.

DN2.2 reason for designation

DN2.2.i The purpose of the designation is to provide authorisation for the Council to use the sites referred to for the purpose of establishing, operating and managing refuse transfer and recycling.

DN2.3 nature of the works

DN2.3.i The Refuse Transfer Station is equipped with buildings and equipment to receive refuse from commercial, industrial and domestic site.

DN2.3.ii The Recycling Centre is a depot for the collection and short term storage of paper, cardboard, metals, glass, plastic and other materials salvaged from municipal refuse. The depot includes storage buildings and a sale outlet.

DN2.4 environmental effects/mitigation measures

DN2.4.i The environmental effects of the refuse transfer station and recycling centre are mitigated by the conditions outlined in the explanatory statement below.

DN2.5 explanatory statement

DN2.5.i Transfer Station/Refuse Transfer Facility - a facility for the management of refuse - collection, processing, treatment and transfer.

DN2.5.ii Modification - the area of the designation has been increased to include the recycling centre which has a resource consent and the site to the north which is being held on bare land rental for future expansion of the transfer station.

DN2.5.iii The following conditions apply to Lot 2 DP 12881. These conditions are additional to and shall not be substituted for relevant performance standards in this Plan applicable to the site.

DN2.6 litter

DN2.6.i Suitable fences and screens shall be erected to prevent wind blown materials from leaving the site. Daily inspection and where necessary, collection of materials that are on the site and blown beyond the immediate vicinity of the transfer station building shall be undertaken.

DN2.6.ii Nelson City Council shall police all available traffic and litter legislation controlling litter, and shall make regular inspections of roads in the locality to collect any litter or refuse which has fallen from vehicles.

DN2.6.iii Refuse shall be transported from the transfer station to the landfill in suitable containers covered or secured so that no material falls onto public roads.

DN2.7 health

DN2.7.i The site shall be operated at all times in a clean and tidy manner so that no nuisance is caused by dust, odour, flies, rodents, birds and noise, beyond the boundaries of the site.

DN2.7.ii The normal hours for a vehicle access to the site will fall within 8am to 4.30pm each day, and 6pm to 8pm on Tuesday nights during daylight savings months, save in exceptional circumstances. Nelson City Council may determine to close the facility on some days or vary the hours from time to time as appropriate.

DN2.7.iii Toxic, chemical or liquid wastes shall be separated and stored in safe, secure containers until suitable disposal can be arranged.

DN2.7.iv No refuse shall remain in the dumping area overnight. Any refuse remaining on the site at the end of the working day shall be stored in sealed containers pending its transfer to the landfill site.

DN2.7.v The dumping area and surround shall be thoroughly cleaned down at the cessation of each day's operation.

DN2.7.vi Inspections of the site shall be made for any indications of rodent activity and rodent-baiting programme shall be instituted if and when necessary.

DN2.7.vii Insecticide sprays, having residual power, shall if necessary be used to ensure fly and other insect activity is eliminated as far as practicable.

DN2.7.viii The refuse compartment of every transfer vehicle shall be thoroughly cleaned of all refuse remains after emptying refuse at the landfill site and before returning to the transfer station.

DN2.8 recycling

(The following conditions of operation of the Recycling Centre apply to Lot 7 DP17113):

DN2.8.i All materials accepted on site for recycling shall basically be uncontaminated, nuisance free materials containing or composing no noxious chemical, liquid or other wastes which could cause a nuisance.

DN2.8.ii No materials accepted for recycling shall be stacked outside the recycling building and compound area nor allowed to accumulate in an unsightly manner.

DN2.8.iii All surfaces on which materials are to be deposited or stored shall be sealed, and the seal maintained so as to prevent the escape of leachate to soils and ground water. Any materials which may cause contamination of stormwater runoff if exposed to the weather shall be stored under cover of permanent roofing. Any liquids collected for recycling shall be sorted within a bunded area to prevent spillage entering the stormwater system.

DN2.8.iv The boundary fence adjoining the property of Printpac-UEB Ltd shall be reconstructed in a form and to a height sufficient to prevent windblown materials from leaving the site and prevent public access to the Printpac-UEB Ltd site.

DN2.8.v The site shall be managed in such a way as to cause no discernible odour at the boundary of the site.

DN2.8.vi It shall be ensured that the site does not create a rodent nuisance, and any rodent nuisance shall be immediately reported to the owners of adjoining properties, together with advice as to the control programme implemented.

DN2.8.vii No material shall be stored in a position where it will come into contact with the boundary fence or wall of any adjoining property.

DN2.8.viii The conditions forming part of this designation shall be binding on and shall form part of any agreement to assign the management of the site to an agent or contractor.

DN2.8.ix Landscaping in the form of screen planting is to be provided, in the manner shown on the site works plan No. 08015501.

DN2.8.x That an oil separator be installed at an appropriate place to avoid any washdown liquids containing oil based products or similar entering the stormwater system.

DN3 designation DN3

DN3.i Water supply purposes, Water supply purposes and works (Nelson's water supply is sourced from surface water runoff from significant areas of the Conservation and Rural Zones).

DN3.1 designating authority

DN3.1.i Nelson City Council

DN3.2 reason for designation

DN3.2.i The designation for Water supply purposes / Water supply purposes and works is to ensure that important water supply catchments are suitably protected by this designation and that the construction, operation, maintenance and upgrading of existing and future water supply installations is provided for.

DN3.3 nature of the works and restrictions

DN3.3.i Water Supply Purposes - Nelson City's water supply is abstracted from the surface run off from these areas. No activities will be permitted that are not compatible with this purpose. The level of water treatment provided could eventually allow some flexibility but at present the only treatments provided is coarse screening (1.5mm mesh) followed by chlorination.

DN3.3.ii Water Supply Purposes and Works - this land is held for water supply related purposes. This includes the construction, operation, maintenance and upgrading of pump stations, treatment plants, dams, reservoirs, storage tanks, intakes, pipework, roads, tracks and other similar or related structures or facilities necessary to abstract, treat, store, supply or convey water for the City Supply.

DN3.4 environmental Effects/Mitigation Measures

DN3.4.i The water supply catchments have high conservation values because of the long term protection provided by Nelson City Council and to maximise water quality.

DN3.4.ii Catchment Management Plans are being prepared to ensure this mutual benefit continues while still recognising that the main purpose of the land is for water supply.

DN3.5 explanatory Statement

DN3.5.i Consultation has not been undertaken as this requirement relates only to land already owned by Nelson City Council and generally used for the purposes described.

DN3.5.ii Extensive consultation is being carried out in conjunction with the preparation of Catchment Management Plans.

DN4 designation DN4

DN4.i Water supply/storage - The Ridgeway/Songer St

DN4.1 designating authority

DN4.1.i Nelson City Council.

DN4.2 reason for designation

DN4.2.i The continued designation of The Ridgeway/Songer Street reservoir is to ensure that this important existing installation is suitably protected by the Plan and that its future operation, maintenance and upgrading is appropriately provided for.

DN4.3 nature of the works

DN4.3.i The Council constructed a 2500m^3 reservoir on this site in 1997. It is proposed to construct a second similar sized reservoir on the site.

DN4.3.ii Apart from construction work, on-site activities include regular inspections, water quality monitoring and periodic maintenance and upgrading of equipment and facilities.

DN4.3.iii Water supply reservoirs generally consist of one or more concrete reservoirs ranging in size up to 33m diameter and 2.4m height to 33m diameter and 7m height, together with associated remote monitoring and control equipment.

DN4.4 environmental effects/mitigation measures

DN4.4.i In some cases the visual aspect is improved by on site landscaping.

DN4.4.ii Traffic to and from the sites is infrequent but may be at any time of the day or night.

DN4.5 explanatory statement

DN4.5.i The Ridgeway/Songer Street reservoir is an essential element of the public water supply system as it helps to cope with peaks in demand and provide security of supply in the event of a major pipe failure.

DN5 designation DN5

DN5.i Water supply/storage - Pearce Way

DN5.1 designating authority

DN5.1.i Nelson City Council.

DN5.2 reason for designation

DN5.2.i The continued designation of Walters Bluff reservoir at Pearce Drive is to ensure that this important existing installation is suitably protected by the Plan and that its future operation, maintenance and upgrading is appropriately provided for.

DN5.3 nature of the works

DN5.3.i The Council constructed a 2500m^3 reservoir on this site in 2001/2002.

DN5.3.ii Apart from construction work, on-site activities include regular inspections, water quality monitoring and periodic maintenance and upgrading of equipment and facilities.

DN5.3.iii Water supply reservoirs generally consist of one or more concrete reservoirs ranging in size up to 33m diameter and 2.4m height to 33m diameter and 7m height, together with associated remote monitoring and control equipment.

DN5.3.iv The designation is subject to the conditions of resource consent number 005348 granted by an appointed Commissioner on 15 July 2001.

DN5.4 environmental effects/mitigation measures

DN5.4.i In some cases the visual aspect is improved by on site landscaping.

DN5.4.ii Traffic to and from the sites is infrequent but may be at any time of the day or night.

DN5.5 explanatory statement

DN5.5.i Reservoirs are an essential element of the public water supply system as they help cope with peaks in demand and provide security of supply in the event of a major pipe failure.

DN6 designation - DN6

DN6.i Water supply/storage - Princes Drive

DN6.1 designating authority

DN6.1.i Nelson City Council.

DN6.2 reason for designation

DN6.2.i The continued designation of Observatory Hill reservoir on Princes Drive is to ensure that this important existing installation is suitably protected by the Plan and that its future operation, maintenance and upgrading is appropriately provided for.

DN6.3 nature of the works

DN6.3.i There is an existing 330m^3 reservoir on the site. It is expected that a second similar sized reservoir will be required.

DN6.3.ii Apart from construction work, on-site activities include regular inspections, water quality monitoring and periodic maintenance and upgrading of equipment and facilities.

DN6.3.iii Water supply reservoirs generally consist of one or more concrete reservoirs ranging in size up to 33m diameter and 2.4m height to 33m diameter and 7m height, together with associated remote monitoring and control equipment.

DN6.4 environmental effects/mitigation measures

DN6.4.i Traffic to and from the sites is infrequent but may be at any time of the day or night.

DN6.5 explanatory statement

DN6.5.i Reservoirs are an essential element of the public water supply system.

DN7 designation DN7

DN7.i Sewage treatment (Boulder Bank Drive).

DN7.1 designating authority

DN7.1.i Nelson City Council.

DN7.2 reason for designation

DN7.2.i The continued designation of the sewerage works site listed in Schedule (DN) is to ensure that these important existing installations are suitably protected by the Plan and that their future operation, maintenance and upgrading is appropriately provided for.

DN7.3 nature of the work

DN7.3.i Sewage Treatment Sites includes oxidation ponds, aeration basins, treatment plants, wetland treatment sites, effluent irrigation/disposal sites, pipework and other similar or related structures or facilities necessary to treat or dispose of sewage.

DN7.4 environmental effects/mitigation measures

DN7.4.i The site is located away from public view to minimise the visual impact and possible noise and smell problems. The visual impact of any additional facilities would be minimised by on site landscaping and painting any structures in colours which blend in with the surrounding environment. Because of the importance of wind to oxidation pond operation screen planting may not be an option.

DN7.5 explanatory statement

DN7.5.i The site has been in use for many years and forms an essential element of the public sewage disposal system.

DN7.5.ii The additional piece of land was purchased from the Harbour Board in 1987 to provide for an additional oxidation pond. The location was chosen because it is beside the Council's existing pond and the sewer pumping main runs alongside the site.

DN7.5.iii No consultation was undertaken as the use of the area is already established as predominantly sewage treatment.

DN8 designation DN8

DN8.i Stream control works (Orphanage Creek).

DN8.1 designating authority

DN8.1.i Nelson City Council.

DN8.2 reason for designation

DN8.2.i The designation is needed to authorise, subject to section 176 of the Act, the construction, establishment and maintenance of the remainder of the Orphanage Creek stream protection works on the westernmost bank of Orphanage Creek. The designation will also prevent activities, subdivision or works covered under section 176(1)(b) of the Act, from intruding into the line of the flood protection works.

DN8.2.ii The existing designation is modified by the exclusion of that part of the existing designation over which the stream protection works have been constructed and made operational.

DN8.3 nature of the works

DN8.3.i Construction of a flood channel, formation of the access lane and planting strip on the westernmost bank of Orphanage Creek. Part of the work is subject to a special design, carried forward from the existing designation, and is attached as a diagram to this designation.

DN8.4 environmental effects/mitigation measures

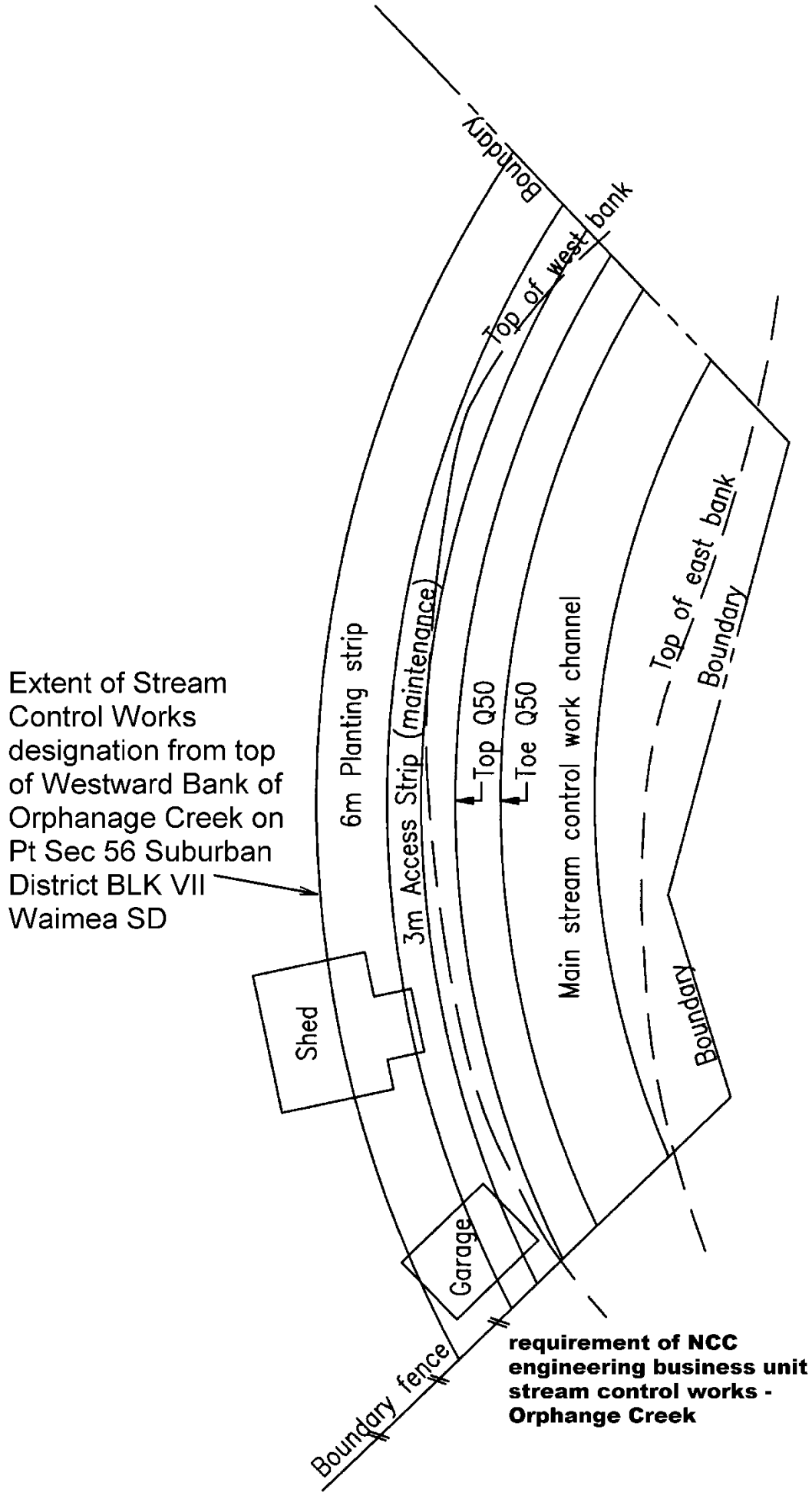
DN8.4.i The modification, reduction in the amount of land designated, will not adversely affect the present state of the environment.

DN8.5 explanatory statement

DN8.5.i The proposed work is a continuation of an existing work, which is designed to work as one system. This reduces possible alternatives that could be employed at this stage.

DN8.5.ii Consultation was undertaken at the time of the original designation and resulted in a specific design for part of the channel which is carried forward to this designation. As the proposed modification will not result in any significant change to the proposed work, no further consultation was undertaken.

DN8.5.iii The work will be subject to section 176 of the Act, and some resource use consents may be required, under section 9 and 13 of the Act.


Extent of Stream Control Works designation from top of Westward Bank of Orphanage Creek on Pt Sec 56 Suburban District BLK VII Waimea SD
Boundary
Top of west bank
6m Planting strip
3m Access Strip (maintenance)
Top Q50
Toe Q50
Main stream control work channel
Top of east bank
Boundary
Shed
Garage
Boundary fence
requirement of NCC engineering business unit stream control works - Orphange Creek

DN9 designation DN9

DN9.i Walkway and Cycleway (Railway Reserve from Quarantine Road to Saxtons Road West).

DN9.1 requiring authority

DN9.1.i Nelson City Council.

DN9.2 reason for designation

DN9.2.i The designation is existing. The designation is needed to secure, authorise, operate and maintain the walkway and cycleway and to:

a) ensure Nelson City residents and visitors continue to have walkway and cycleway access across the designated land
b) to provide a corridor for essential services (subject to restrictions listed in this designation)
c) to establish landscaping form to the surrounding residential area

DN9.3 nature of works

DN9.3.i Passive recreation on the land including accessibility by the public for walking, pedestrian exercise, cycling, horse riding and dog walking.

DN9.3.ii The physical works of this designation are:

a) maintenance work including:
    i) track and road formation and maintenance including links to external parks and roads
    ii) landscape maintenance, planting and mowing
    iii) maintenance of services and waterways
    iv) repair of buildings, structures, fences, barricades etc.
b) formation work including:
    i) track and road formation including links to external parks and roads
    ii) landscaping and planting including land recontouring
    iii) establishment of services and waterways
    iv) erection of buildings, structures, fences, seats, barricades, etc.

DN9.4 environmental effects/mitigation measures

DN9.4.i Positive effects - the railway reserve enhances the recreational opportunities of Nelson residents. The designation is in existence, and operation and maintenance of the facilities will not adversely affect the present state of the environment.

DN9.4.ii Adverse effects - planting programmes have the potential to conflict with essential services. This conflict is mitigated by the proposed restriction to keep new or relocated essential services underground and on the opposite side of the park to the majority of landscaping.

DN9.5 explanatory statement

DN9.5.i Restrictions - public use and access - where existing legal easements permit neighbours to take vehicles on to this land they may continue to do so. Apart from this, except with the prior written consent of the requiring authority, no part of the designated area shall be accessible by motor vehicles, except reserve maintenance and emergency services vehicles.

DN9.5.ii Restrictions - buildings - playgrounds and service buildings (including changing rooms, ablutions, toilets and storage buildings for maintenance and other reserve equipment) are permitted if:

a) they do not exceed $50m^2$
b) they are less than 3m in height from the ground level, as defined in this Plan
c) they comply with the daylight restrictions set out in Appendix 15 (daylight admission – residential) of this Plan.

DN9.5.iii Restrictions - essential services - no new essential service may be routed through the designated land except with the prior written consent of the requiring authority. Essential services include water, electricity, telecommunications, sewers and storm water drains. (It is preferable that any new or replaced essential service be underground and, wherever possible, located on the eastern side of the designated land. The reason for this is that landscaping will be chiefly established on the western side so avoiding service/landscaping conflicts.)

DN9.5.iv Consultation was undertaken at the time of the original designation. As the designation is in existence, no further consultation was undertaken.

DN10 designation DN10

DN10.i Plant production nursery and community facility.

DN10.1 designating authority

DN10.1.i Nelson City Council.

DN10.2 reason for designation

DN10.2.i The reason for the designation is to ensure the Council continues to have the right to use the land as a plant production nursery and community facility.

DN10.3 nature of the works

DN10.3.i Propagation of plants.

DN10.3.ii The nursery facility is also used by community groups such as the tree planters group, and Keep Nelson Beautiful Society, as well as being available for school visits and planting projects.

DN10.4 environmental effects/mitigation measures

DN10.4.i Positive effects - the community benefits from the training the facility offers in plant propagation.

DN10.5 explanatory statement

DN10.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated.

DN11 designation DN11

DN11.i Car parking - Montgomery Square

DN11.1 designating authority

DN11.1.i Nelson City Council, Engineering Business Unit - Roading.

DN11.2 reason for designation

DN11.2.i The designation is needed to provide for authorisation to secure, maintain and operate the Montgomery Square public car park over land not in Nelson City Council ownership. The modification to the existing car park designation is a reduction in the area of the designation to the land listed. The land concerned is not owned, but leased, by Nelson City Council and is formed as public car park as part of Montgomery Square.

DN11.3 nature of the works

DN11.3.i Proposed works

a) maintenance and construction of vehicular parking and access and pedestrian access and facilities, and
b) erection and operation of service buildings within Montgomery Square subject to the rules contained in this Plan (Inner City Zone) relating to "Buildings in Montgomery Square"

DN11.3.ii Operational works

a) access by vehicles and pedestrians to and from Montgomery Square, loading and unloading of goods to and from adjoining properties and service lanes, and
b) flea market and from time to time festivals, displays, bazaars, fairs, galas, exhibitions, ceremonies and outdoor performances

DN11.4 environmental effects/mitigation measures

DN11.4.i Positive effects - the operation and maintenance of the Montgomery Square Public Car Park contributes to the safe operation of the inner city road network by allowing goods loading and unloading off the road network, avoidance of traffic congestion and enhancement of the operation of business activity in the City Centre.

DN11.4.ii Adverse effects - temporary noise and dust effects during car park and ancillary works, construction, reconstruction or maintenance.

DN11.4.iii Mitigation - no mitigation is necessary because the identified adverse effects will be temporary being limited to normal construction work at the time of construction or reconstruction and from time to time for maintenance.

DN11.4.iv No alternative sites have been considered as the requirement relates only to part of an existing designation carried forward from the Transitional District Plan and the car park is formed over the affected land.

DN11.5 explanatory statement

DN11.5.i Consultation has not been undertaken as the car park is in existence and operation and the requirement relates to existing activities on the affected land.

DN12 designation DN12

DN12.i Car park and car park access (Stoke Fire Station Public Car Park).

DN12.1 designating authority

DN12.1.i Nelson City Council.

DN12.2 reason for designation

DN12.2.i The designation is needed to provide for authorisation to secure, maintain and operate the Stoke Fire Station public car park over land not in Nelson City Council ownership.

DN12.3 nature of the works

DN12.3.i Proposed works

a) maintenance and construction of vehicular parking and access and pedestrian access and facilities
b) erection and operation of service buildings on the land subject to the rules contained in the Suburban Commercial Zone of the Nelson Resource Management Plan relating to "Structures in the Road Reserve"

DN12.3.ii Operational works

a) access by vehicles and pedestrians to and from Strawbridge Square, loading and unloading of goods to and from adjoining properties and service lanes, and
b) from time to time festivals, displays, bazaars, fairs, galas, exhibitions, ceremonies and outdoor performances

DN12.4 environmental effects/mitigation measures

DN12.4.i Positive effects - the operation and maintenance of the Stoke Fire Station Public Car Park contributes to the safe operation of the Stoke road network by allowing goods loading and unloading off the road network, avoidance of traffic congestion and enhancement of the operation of business activity in the Stoke Shopping Centre.

DN12.4.ii Adverse effects - temporary noise and dust effects during car park and ancillary works, construction, reconstruction or maintenance.

DN12.4.iii Mitigation - no mitigation is necessary because the identified adverse effects will be temporary being limited to normal construction work at the time of construction or reconstruction and from time to time for maintenance.

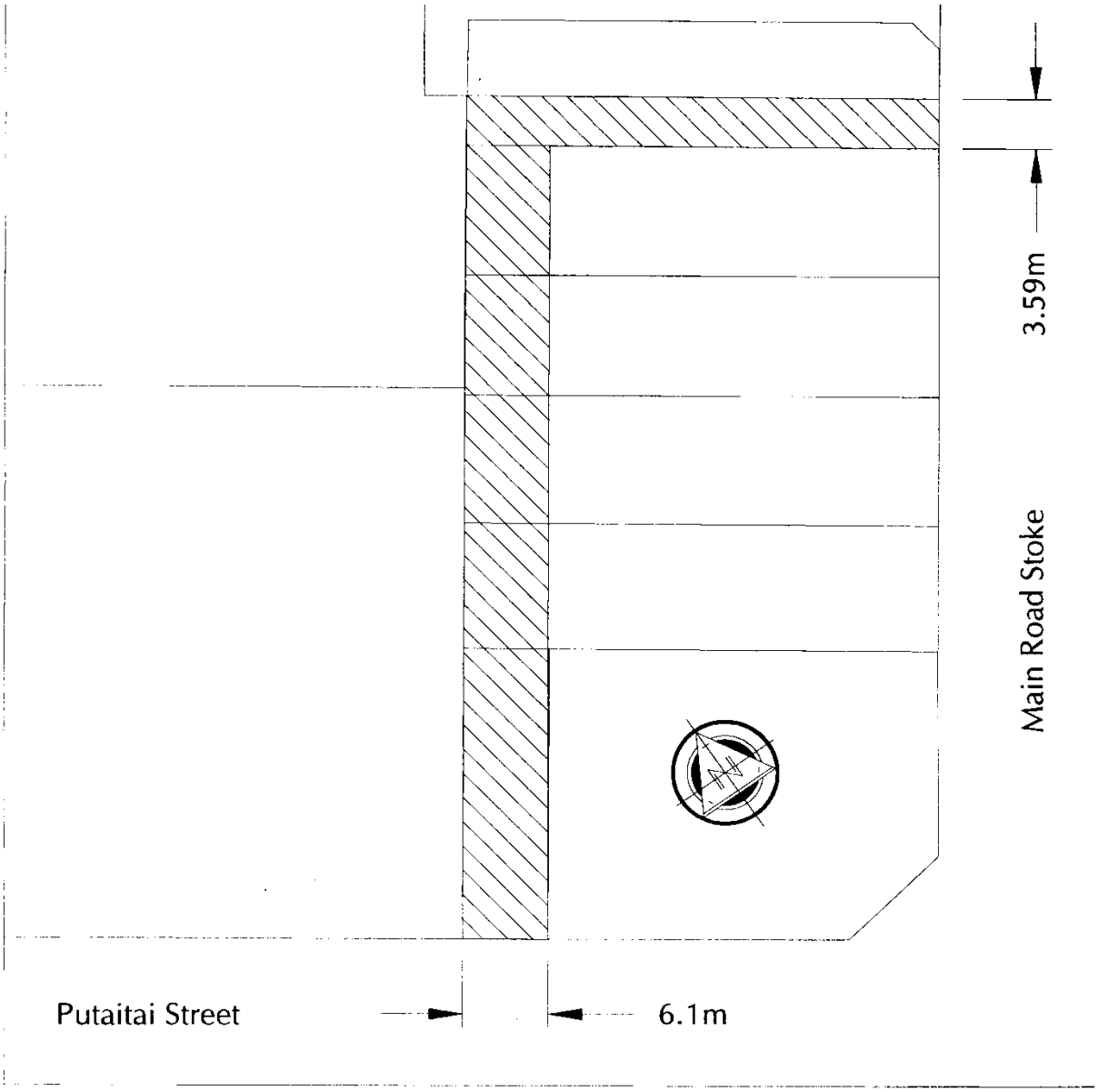
DN12.5 explanatory statement

DN12.5.i No further consultation has been undertaken as the designation is carried forward from the Transitional District Plan.

DN12.5.ii The modifications to the existing Proposed Car Park designation are:

a) change in the description of the designation to reflect that the primary activity of the subject land will be access to and from the Stoke Fire Station public car park, and
b) a reduction in the area of the existing designation to the land. The land concerned is not owned by Nelson City Council but is formed as, and used as, car park and car park access.

Map of Designation DN12



DN13 designations DN13

DN13.i Service lane - Montgomery Car Park (south eastern corner)

DN13.1 designating authority

DN13.1.i Nelson City Council.

DN13.2 reason for designation

DN13.2.i To provide for authorisation to secure, construct, maintain and operate the service lane for loading and unloading of goods.

DN13.2.ii The service lane will provide goods loading and unloading to sites without direct frontage to Montgomery Car Park (south eastern corner).

DN13.3 nature of the works

DN13.3.i Montgomery Square (south eastern corner) service lane - proposed works:

a) construction and reconstruction of a permanently surfaced carriageway and any necessary pedestrian access
b) maintenance of the access from time to time

DN13.3.ii Operational works: Access by vehicles and pedestrians to and from Montgomery Square, loading and unloading of goods from the service lane to adjoining properties.

DN13.4 environmental effects/mitigation measures

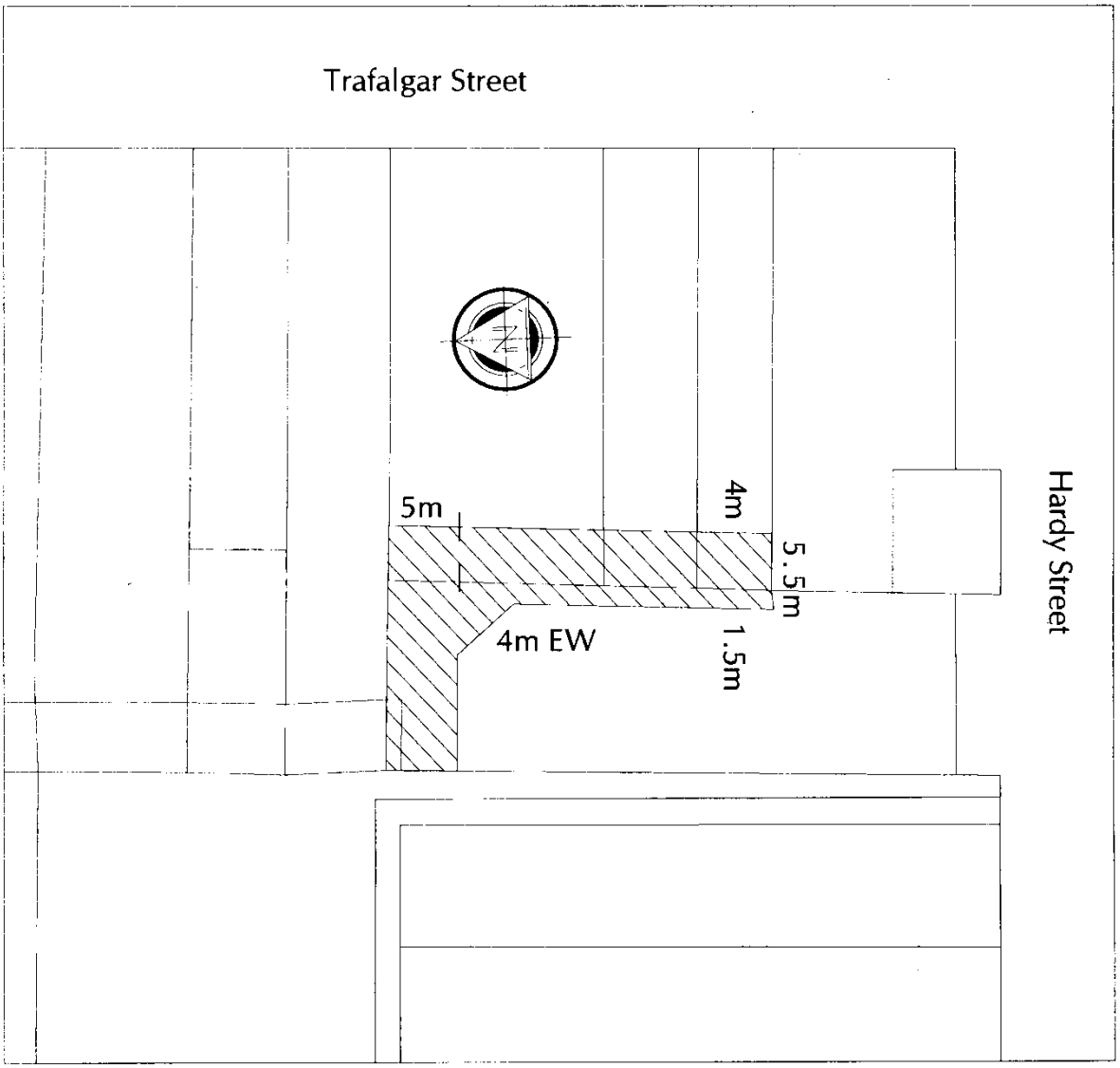
DN13.4.i Montgomery Square (south eastern corner) service lane - positive effects - the construction and operation of the service lane is expected to contribute to the safe operation of the inner city road network by allowing goods loading and unloading off the road network. The only alternate goods loading would otherwise be from Trafalgar Street or Hardy Street.

DN13.4.ii Adverse effects - temporary noise and dust effects during service lane construction, reconstruction or maintenance.

DN13.4.iii Mitigation - no mitigation is necessary because the identified adverse effects will be temporary, being limited to normal permanent access construction work at the time of formation, and from time to time for maintenance.

DN13.5 explanatory statement

DN13.5.i Consultation regarding the Montgomery Square (south eastern corner) service lane has not been undertaken as this requirement relates only to existing activities.



Map of Designation DN13

DN14 designation DN14

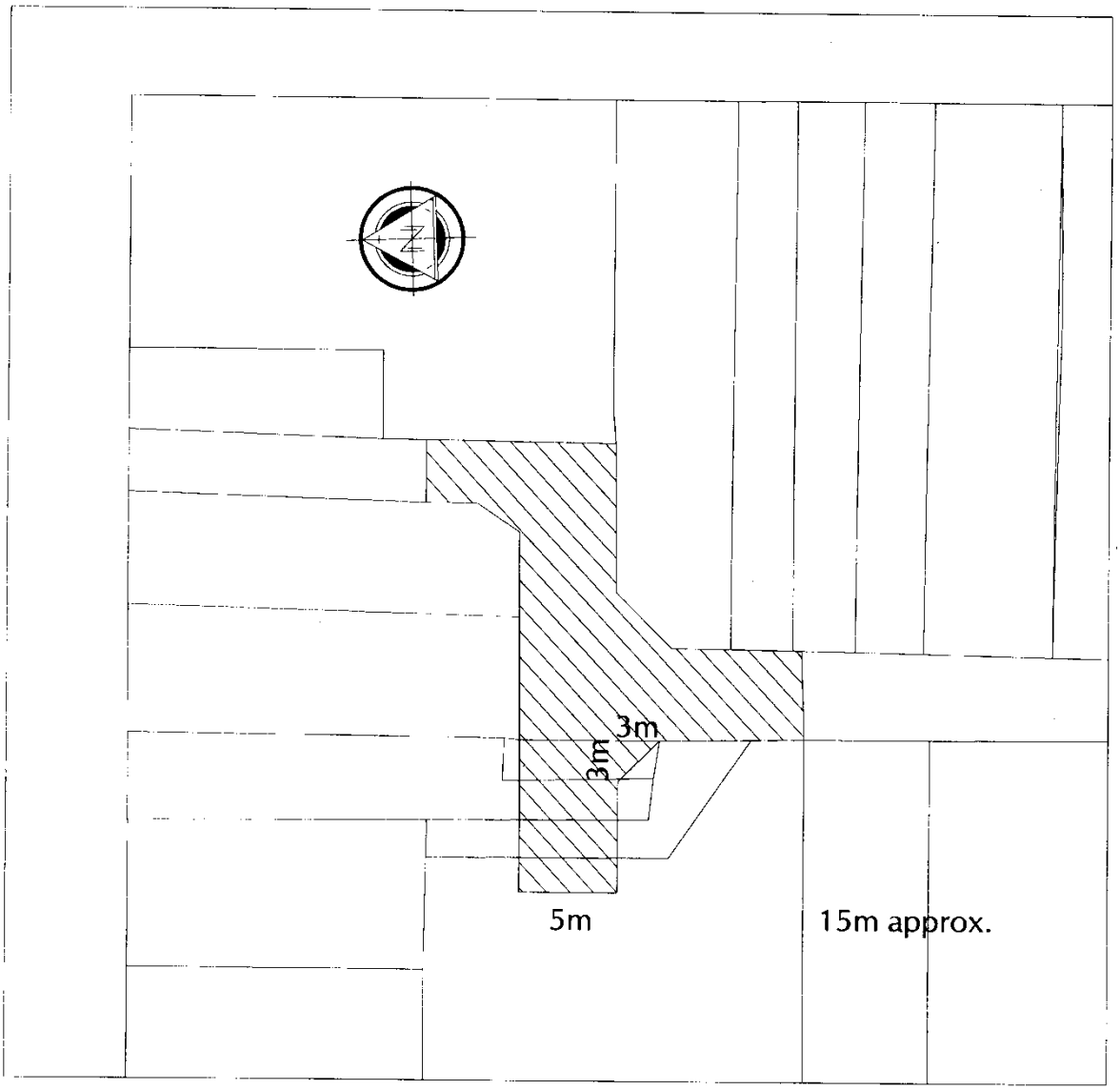
DN14.i Service lane - Montgomery Car Park (north eastern corner)

DN14.1 designating authority

DN14.1.i Nelson City Council.

DN14.2 reason for designation

DN14.2.i The service lane will provide goods loading and unloading to sites without direct frontage to Montgomery Car Park (north eastern corner).



Map of Designation DN14

DN14.3 nature of the works

DN14.3.i Montgomery Square (north eastern corner) service lane proposed works:

a) construction and reconstruction of a permanently surfaced carriageway and any necessary pedestrian access of part of the Service Lane not already in existence
b) maintenance of the access from time to time

DN14.3.ii Operational works - access by vehicles and pedestrians to and from Montgomery Square, loading and unloading of goods from the service lane to adjoining properties.

DN14.4 environmental effects/mitigation measures

DN14.4.i Montgomery Square (north eastern corner) service lane - positive effects - the construction and operation of the service lane is expected to contribute to the safe operation of the inner city road network by allowing goods loading and unloading off the road network. The only alternate goods loading would otherwise be from Trafalgar Street or Bridge Street.

DN14.4.ii Adverse effects - temporary noise and dust effects during service lane construction, reconstruction or maintenance.

DN14.4.iii Mitigation - no mitigation is necessary because the identified adverse effects will be temporary, being limited to normal permanent access construction work at the time of formation and from time to time for maintenance.

DN14.5 explanatory statement

DN14.5.i Consultation regarding the Montgomery Square (north eastern corner) service lane has not been undertaken as this requirement relates only to existing activities and land which has already been designation. In relation to the additional area, the modification is in line with requests from adjoining owners.

DN15 designation DN15

DN15.i Recreation reserve - Seafield Terrace, The Glen.

DN15.1 requiring authority

DN15.1.i Nelson City Council.

DN15.2 reason for designation

DN15.2.i The purpose of designating new reserve areas is to ensure Nelson City residents and visitors continue to have access to public land for passive and active recreation.

DN15.3 nature of the works

DN15.3.i The proposed park at Seafield Terrace, The Glen is to cater for:

a) passive recreation including erection and use of play equipment
b) organised playing of sports and recreational activities
c) community focus recreation including festivals, displays, bazaars, fairs, galas, exhibitions, ceremonies and performances

DN15.3.ii Maintenance work will include:

a) track and road formation and maintenance including links to external parks and roads
b) landscape maintenance, planting and mowing
c) maintenance of services and waterways
d) repair of buildings, structures, fences, barricades and the like

DN15.3.iii Formation and establishment work will include:

a) track and road formation including external links
b) formation of carparking and access
c) landscaping and planting including land recontouring
d) establishment of services and waterways
e) erection of buildings, structures, fences, seats, barricades and the like

DN15.4 environmental effects/mitigation measures

DN15.4.i Seafield Terrace environmental effects - noise and visual effects during construction and from time to time for maintenance.

DN15.4.ii Mitigation measures - these impacts are temporary and are offset by the benefit of recreational areas to the nearby community, residents and visitors of the City. Moreover, the land is in a rural area, and visual effects of construction and maintenance are not likely to be out of keeping with the normality of a working rural area. To reduce the impact of construction or maintenance noise to nearby properties, such works will, where practicable, only be carried out during daylight hours.

DN15.4.iii Environmental effect - visual effect of a community building.

DN15.4.iv Mitigation measures - it is envisaged that a community centre will be built and operated on site. The building will change the rural and natural view of some residents of The Glen area. However, there is a farm building already on this site and the visual impact of the community centre is likely to be no less than that of the existing farm building. It is envisaged that the community centre should have no more impact than a normal residential building. Proposed restrictions reflect this wish. Landscaping will also help to soften the site and merge the works into the landscape.

DN15.4.v Cultural effects - the site is in an area known to be rich in archaeological sites and which may be of importance to tangata whenua.

DN15.4.vi Mitigation measures - to avoid possible damage to any actual or potential archaeological site the proposed restrictions for this designation restrict ground disturbance without consultation with iwi.

DN15.5 explanatory statement

DN15.5.i Proposed restrictions - Seafield Terrace

a) construction or alteration of any building or other structure involving any soil disturbance, or any earthworks, requires the prior written consent of the requiring authority. Before granting such consent, the requiring authority will require the applicant to obtain written advice from the relevant iwi that the proposed activity will not adversely affect the cultural values of the site. This restriction shall also apply to works undertaken by or on behalf of the requiring authority.
b) in addition to (a) above, in the case of accidental discovery of an archaeological or cultural site, the relevant iwi should be contacted immediately so that they can decide what action should be taken. In addition, the Historic Places Trust and the requiring authority should be notified.
c) the proposed community centre building shall be limited to 200m^2 (ground floor area) and be limited to a height of no more than 7.5m.
d) service buildings are limited to 50m^2 (ground floor area) and a height of no more than 4.5m.
e) playground structures are limited to 3m in height.

DN15.5.ii For clauses (c) to (e) measurement of height will be done in accordance with this Plan.

DN15.6 consultation

DN15.6.i Consultation has been carried out with landowners where additional reserve land has been purchased.

DN16 designation DN16

DN16.i Recreation greenbelt and open space - Saxton Park extension (between Saxton Field and Saxton Creek).

DN16.1 requiring authority

DN16.1.i Nelson City Council.

DN16.2 reason for designation

DN16.2.i To provide for future recreation needs of Tasman and Nelson District and to further provide open 'green' space between the urban areas of Stoke and Richmond.

DN16.3 nature of the works

DN16.3.i Establishment and maintenance of:

a) contouring and terracing of land and drainage to provide sports fields, stadiums, parks and open space
b) provision of ponds for wildlife and recreation
c) provision for roads, car parks, cycleways, paths and trails
d) provision of large scale amenity plantings of trees and shrubs and large areas of mown grass
e) provision for recreation, and utility buildings as and where required
f) services and waterways
g) flood and park lighting

DN16.4 environmental effects/mitigation measures

DN16.4.i Noise and visual effects during construction and from time to time for maintenance.

DN16.4.ii Mitigation measures - these impacts are temporary and are off set by the benefit of recreational areas to the residents and visitors of the City. To reduce the impact of construction or maintenance noise to nearby properties, such works will, where practicable, only be carried out during daylight hours.

DN16.5 environmental effects/mitigation measures

DN16.5.i Positive effects

Enhancing the aesthetic and recreational environment for citizens and providing for wildlife habitat and corridors, especially along streams.

DN16.5.ii Adverse effects

a) construction effects
b) possible light spill, from flood and park lighting, to the residential neighbourhood and roadway
c) Cross boundary and reverse sensitivity effects rising from the use or potential use of the land zoned industrial to the north-west of the Main Road Stoke and across the road from the Park.

DN16.5.iii Mitigation

a) keep construction disturbance where possible to daylight hours
b) flood lighting focus and damping units where practicable, and landscape screening
c) The Nelson City Council (and any subsequent owner or occupier) will, on the strip of land being part of CT 90/4 and CT 90/5 fronting the Main Road, Stoke to a depth of 10 meters ("strip of land") establish and thereafter maintain a buffer strip of land. For the purposes of the clause "buffer strip" shall mean appropriate landscape features established for the express purpose of limiting the visibility from Saxton Field of industrial type activities being undertaken on the land across the Main Road, Stoke. Such landscape features may comprise earth mounds, tree and shrub plantings. No buildings will be erected on the strip of land except where the building drainage of storm water and sewage, electricity, telecommunications and radio communication provided that such utility building does not require permanent manning for operational purposes.

DN16.6 explanatory statement

DN16.6.i Proposed restrictions - Saxton Park extension

a) living quarters for a custodian will meet the normal performance requirements for residential sites in this Plan
b) service buildings (excluding stadiums) will not, as far as practicable, exceed 50m^2 each, in area and exceed 18m in height
c) playground structures will not, as far as practicable, exceed 3m in height

DN16.6.ii For (a) to (c) above height will be measured in accordance with this Plan.

DN16.6.iii Some utilities cross over the area to be designated. Further installations and relocations would require the prior written consent of the controlling authority.

DN16.6.iv The land to be designated is considered to be vital for strategic recreation planning for future urban growth in both Nelson City and Tasman District. As it is an addition to an existing regional park, alternative sites are limited.

DN16.6.v Consultation is underway with landowners. Alliance Group Limited have been consulted.

DN17 designation DN17

DN17.i Recreation reserve - Isel Park extension

DN17.1 requiring authority

DN17.1.i Nelson City Council.

DN17.2 reason for designation

DN17.2.i The purpose of designating new reserve areas is to ensure Nelson City residents and visitors continue to have access to public land for passive and active recreation.

DN17.3 nature of the works

DN17.3.i Nelson City Council has first option to buy a residential property adjacent to the Park for the purpose of an extension to Isel Park. When this land is owned by the Council it will be used for informal recreation activities, festivals, displays, bazaars, fairs, galas, exhibitions, ceremonies and outdoor performances.

DN17.4 environmental effects/mitigation measures

DN17.4.i Environmental effects (Saxton Park extension, Isel Park extension) - noise and visual effects during construction and from time to time for maintenance.

DN17.4.ii Mitigation measures - these impacts are temporary and are offset by the benefit of recreational areas to the residents and visitors of the City. To reduce the impact of construction or maintenance noise to nearby properties, such works will, where practicable, only be carried out during daylight hours.

DN17.5 explanatory statement

DN17.5.i Isel Park Extension - no specific restrictions.

DN17.6 consultation

DN17.6.i Consultation has been carried out with landowners where additional reserve land has been purchased.

DN18 designation DN18

DN18.i Quarry (Black Horse Quarry, Wakapuaka Rd, SH6).

DN18.1 designating authority

DN18.1.i Nelson City Council.

DN18.2 reason for designation

DN18.2.i The reason for the designation is to ensure the Council continues to have the right to take gravel from the quarry.

DN18.3 nature of the works

DN18.3.i Gravel is sometimes extracted from the rock quarry for roadwork purposes and general Council works.

DN18.4 environmental effects/mitigation measures

DN18.4.i The work will have the same or similar effects on the environment to the effects which the existing quarry currently has. These effects are minimal.

DN18.5 explanatory statement

DN18.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated.

Table (DP) - Minister of Police

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DP1	3 Bail Street	Stoke Community Policing Centre	Lot 2 and Part Lot 3 DP 3129 CT 9B/58	1152m^2
DP2	317 Hardy Street	Police Station	Pt Secs 178 and 180 C of N. Included in CTs 10B/663, 94/185, 9B/424, 9B/425, 17/244, 25/289, 13/90, 13/191 and proc.	2987m^2

DP1 designation DP1

DP1.i Stoke Community Policing Centre

DP1.1 designating authority

DP1.1.i Minister of Police.

DP1.2 reason for designation

DP1.2.i Designation of New Zealand Police's properties is a mechanism used nationally to ensure that interests in current assets are adequately protected.

DP1.3 nature of the works

DP1.3.i Stoke Community Policing Centre

a) Community Policing Centres comprise office space, a watch house, a public counter, kitchen, toilet and storeroom, and on site car parking.

DP1.4 environmental effects/mitigation measures

DP1.4.i The Community Policing Centre provides significant benefits to the community of enhanced safety and security, through the education and neighbourhood watch programmes it runs, and through its presence in the community.

DP1.5 explanatory statement

DP1.5.i Stoke Community Policing Centre - conditions placed on the Stoke Community Policing Centre are:

a) any future work shall comply with a parking provision of one car park per 50m^2 of gross floor area, and
b) any telecommunications or other aerials shall comply with the standards required in this Plan

DP1.5.ii Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in this Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

DP2 designation DP2

DP2.i Nelson Police Station

DP2.1 designating authority

DP2.1.i Minister of Police.

DP2.2 reason for designation

DP2.2.i Designation of New Zealand Police's properties is a mechanism used nationally to ensure that interest in current assets are adequately protected.

DP2.3 nature of the works

DP2.3.i Nelson Police Station

a) the main building consists of a cell block (18-20 cells), public inquiries counter, social room/bar, community relations section, CIB offices, operational room, watch house, two admin offices and two kitchens.
b) ancillary buildings include a garage, store rooms, handyman's room, armed defenders squad storage room, found property room, gym, engineering services room (includes PABX) and a carport.

DP2.4 environmental effects/mitigation measures

DP2.4.i The Police Station provides significant benefits to the community of enhanced safety and security, through the education and neighbourhood watch programmes it runs and through its presence in the community.

DP2.5 explanatory statement

DP2.5.i Nelson Police Station - operation of the Nelson Police Station involves general policing work including incident and offence response, CIB, found property, community policing, general inquiries and some administrative work.

DP2.5.ii The areas of the Government Administration Centre which are used for Police Purposes are now designated specifically because the broad categorisation of 'government activities' did not adequately define the nature and scope of the activities undertaken on site by all users.

DP2.5.iii Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in this Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

Table (DR) - Radio New Zealand Limited

Details of the designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DR1	Main Road Stoke SH6	Radiocommunication telecommunication and ancillary purposes	Pt DP3154 and Pt Sec 75 and 76 Dist Waimea East CT 1A/883	7.1452ha

DR1 designation DR1

DR1.i Radiocommunication, telecommunication and ancillary purposes (Main Road Stoke).

DR1.1 designating authority

DR1.1.i Radio New Zealand Limited

DR1.2 reason for designation

DR1.2.i Radio New Zealand Ltd's existing radiocommunication and telecommunication facilities and operations on the Main Road Stoke site is an integral and important part of Radio New Zealand's communications network. Radio New Zealand wishes to ensure that continued operation, maintenance and improvement of its network is able to be undertaken.

DR1.3 explanatory statement

DR1.3.i Consultation with neighbouring land owners regarding the designation has not occurred because radiocommunication and telecommunication facilities and operations already exist on the site.

DR1.4 nature of the works

DR1.4.i The installation, operation, maintenance, replacement and removal of radiocommunication and telecommunication equipment and works and activities ancillary to such installation, operation, maintenance, replacement and removal.

DR1.5 environmental effects/mitigation measures

DR1.5.i The work will have the same or similar effects on the environment to the effects which the existing facilities currently have. These effects are minimal.

Table (DRN) - The Radio Network Limited

Details of each designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DRN1	314 Trafalgar Square	Radiocommunication telecommunication and ancillary purposes	Part Section 445 (City of Nelson) Part Section 446 (City of Nelson)	1118m^2
DRN2	Main Road Stoke SH6	Radiocommunication telecommunication and ancillary purposes	Pt DP3154 and Pt Sec 75 and 76 Dist Waimea East CT 1A/883	7.1452ha

DRN1 designation DRN1

DRN1.i Radiocommunication, telecommunication and ancillary purposes (314 Trafalgar Square).

DRN1.1 designating authority

DRN1.1.i The Radio Network Limited

DRN1.2 reason for designation

DRN1.2.i The Radio Network Limited's existing radiocommunication and telecommunication facilities and operations on the 314 Trafalgar Square site is an integral and important part of The Radio Network Limited's communications network. The Radio Network Limited wishes to ensure that continued operation, maintenance and improvement of its network is able to be undertaken.

DRN1.3 explanatory statement

DRN1.3.i Consultation with neighbouring land owners regarding the designation has not occurred because radiocommunication and telecommunication facilities and operations already exist on the site.

DRN1.4 nature of the works

DRN1.4.i The installation, operation, maintenance, replacement and removal of radiocommunication and telecommunication equipment and works and activities ancillary to such installation, operation, maintenance, replacement and removal.

DRN1.5 environmental effects/mitigation measures

DRN1.5.i The work will have the same or similar effects on the environment to the effects which the existing facilities currently have. These effects are minimal.

DRN2 designation DRN2

DRN2.i Radiocommunication, telecommunication and ancillary purposes (Main Road Stoke).

DRN2.1 designating authority

DRN2.1.i The Radio Network Limited

DRN2.2 reason for designation

DRN2.2.i The Radio Network Limited's existing radiocommunication and telecommunication facilities and operations on the Main Road Stoke site is an integral and important part of The Radio Network Limited's communications network. The Radio Network Limited wishes to ensure that continued operation, maintenance and improvement of its network is able to be undertaken.

DRN2.3 explanatory statement

DRN2.3.i Consultation with neighbouring land owners regarding the designation has not occurred because radiocommunication and telecommunication facilities and operations already exist on the site.

DRN2.4 nature of the works

DRN2.4.i The installation, operation, maintenance, replacement and removal of radiocommunication and telecommunication equipment and works and activities ancillary to such installation, operation, maintenance, replacement and removal.

DRN2.5 environmental effects/mitigation measures

DRN2.5.i The work will have the same or similar effects on the environment to the effects which the existing facilities currently have. These effects are minimal.

Table (DTA) - Network Tasman Limited

Details of each designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DTA1	188 Songer Street	Network Tasman network utility operation	Sec 141 R/W Sec 139 Sub Sth Dist.	
DTA2	106 - 302 Annesbrook Drive	Network Tasman network utility operation - (substations)	Quarantine Road: DP 4031, Lot 11 Pt 10 DP 2824, Pt Sec 82. Crown Land abutting Pt DP 2099 and DP 2824	
DTA3	SH6 Atawhai Drive	Network Tasman network utility operation (switching and regulator)	Lot 1 DP 10000	2703m^2
DTA4	Marsden Road	Network Tasman network utility operation (ripple transmitter)	Lot 1 DP 13647	146m^2
DTA5	769 Hira Road	Network Tasman network utility operation - (substation)	Lot 2 DP445122	4499m^2

DTA1 designation DTA1

DTA1.i Network Tasman Network Utility Operation - substation (188 Songer Street)

DTA1.1 designating authority

DTA1.1.i Network Tasman Ltd

DTA1.2 reason for designation

DTA1.2.i To accurately identify the title of the requiring authority and the purposes served by the designation.

DTA1.3 nature of the works

DTA1.3.i A 33/11KV substation including a fenced compound and concrete block building.

DTA1.4 environmental effects/mitigation measures

DTA1.4.i The environmental effects of this activity are minimal. Any noise is mitigated by the planting of trees.

DTA1.5 explanatory statement

DTA1.5.i The site is used to facilitate the distribution of electricity to the community. It is an existing activity therefore no resource consents are required and no consultation has taken place as none is needed.

DTA2 designation DTA2

DTA2.i Network Tasman Network Utility Operation- substation (106 - 302 Annesbrook Drive)

DTA2.1 designating authority

DTA2.1.i Network Tasman Ltd

DTA2.2 reason for designation

DTA2.2.i To accurately identify the title of the requiring authority and the purposes served by the designation.

DTA2.3 nature of the works

DTA2.3.i A 33/11KV substation including a fenced compound and concrete block building.

DTA2.4 environmental effects/mitigation measures

DTA2.4.i The environmental effects of this activity are minimal. Any noise is mitigated by the planting of trees.

DTA2.5 explanatory statement

DTA2.5.i The site is used to facilitate the distribution of electricity to the community. It is an existing activity therefore no resource consents are required and no consultation has taken place as none is needed.

DTA3 designation DTA3

DTA3.i Network Tasman Network Utility Operation - switching and regulator site (State Highway 6 Atawhai Drive).

DTA3.1 designating authority

DTA3.1.i Network Tasman Ltd

DTA3.2 reason for designation

DTA3.2.i To accurately identify the title of the requiring authority and the purposes served by the designation.

DTA3.3 nature of the works

DTA3.3.i A switching and regulator site

DTA3.4 environmental effects/mitigation measures

DTA3.4.i The environmental effects of this activity are minimal. The site is bounded by the State Highway and the mudflats with a residence at the southern boundary.

DTA3.5 explanatory statement

DTA3.5.i The site is used to facilitate the distribution of electricity to the community. As the activity is existing, no consultation has occurred.

DTA4 designation DTA4

DTA4.i Network Tasman Network Utility Operation - ripple transmitter (Marsden Rd).

DTA4.1 designating authority

DTA4.1.i Network Tasman Ltd.

DTA4.2 reason for designations

DTA4.2.i To accurately identify the title of the requiring authority and the purposes served by the designation.

DTA4.3 nature of the works

DTA4.3.i A concrete block building containing a ripple transmitter.

DTA4.4 environmental effects/mitigation measures

DTA4.4.i The environmental effects of this activity are minimal. There are no residences close by and any noise is contained within the building.

DTA4.5 explanatory statement

DTA4.5.i The site is used to facilitate the distribution of electricity to the community. As the activity is existing, no consultation has occurred.

DTA5 designation DTA5

DTA5.i Network Tasman Network Utility Operation – substation (769 Hira Road)

DTA5.1 designating authority

DTA5.1.i Network Tasman Ltd.

DTA5.2 reason for designation

DTA5.2.i To enable the requiring authority to meet its obligations under the Electricity Act and to provide a secure supply of electricity to North Nelson.

DTA5.3 nature of works

DTA5.3.i A 33kV/11kV substation. The substation will receive a 33kV feed and by way of transformers will step this voltage down to 11kV for local reticulation. The substation will be located within a building that will have the appearance of a residential dwelling. All equipment will be contained entirely within the building and cabling for incoming and outgoing electricity will be underground. The designation shall lapse in 15 years on 13 May 2024 unless it is given effect to before the end of that period.

DTA5.4 environmental effects/ mitigation measures

DTA5.4i Positive Effects

Provision of a secure supply of electricity to North Nelson.

DTA5.4.ii Adverse Effects

a) Effects on visual amenity

b) Noise effects (construction noise, noise associated with cooling fans and noise emitted by transformers)

c) Traffic effects (traffic generation from construction and for inspection purposes)

d) Effects on Health and Safety (effects from electromagnetic radiation and contaminants)

e) Earthquake Risk (associated with locating a structure in a Fault Hazard Zone)

DTA5.5.iii Mitigation

a) The visual effects are mitigated by housing the substation in a building with residential appearance.

b) Prior to the substation being constructed, the consent holder shall provide a noise management plan to the Council's Manager Resource Consents that addresses the steps to be taken to mitigate noise emissions from the activity on the site. This plan shall include, but not be limited to, specific measures relating to construction-related noise, noise monitoring once the transformers are commissioned and measures to be implemented to comply with the noise performance standards of the Plan.

c) Keep construction disturbance where possible to daylight hours.

d) The application site shall be fully fenced.

e) i) The proposed substation and associated cabling shall be located fully outside of the recommended building exclusion zone as shown on Plan A, dated 1 May 2009.

ii) Site development shall be carried out under the supervision of a chartered professional engineer practising in civil engineering and experienced in foundation design.

iii) All excavations for building foundations and trenches for buried utilities shall be inspected by a qualified engineering geologist or geotechnical engineer, recognised as such by Nelson City Council. The engineering geologist or geotechnical engineer shall forward to Council's Manager Resource Consents a report summarising the ground conditions exposed and confirming that ground conditions are as anticipated in the report provided by Geo-logic Ltd.

iv) The inferred position of the Waimea Fault as per the Geo-Logic Ltd. report provided shall be re-examined within the 6 months prior to applying for a Building Consent to incorporate any more definite location information on the position of the Waimea Fault. A report summarising the results of this re-examination shall be included with the building consent application.

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Table (DTDC) – Tasman District Council

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area (ha)
DTDC1	Saxton Park extension	Recreation reserve	Lot 1 DP 20000. Lot 1 DP8366, CT NL4C/239. Lot 2 DP8366, CT NL 4C/240. Lot 1 DP326169. Pt Lot 1 DP3173. Part of Lot 4 DP8366, CT NL 108/898	

DTDC1 designation DTDC1

DTDC1.i Recreation greenbelt and open space - Saxton Park extension (between Saxton Creek and Champion Road).

DTDC1.1 requiring authority

DTDC1.1.i Tasman District Council.

DTDC1.2 reason for designation

DTDC1.2.i To provide for future recreation needs of Tasman and Nelson District and to further provide open 'green' space between the urban areas of Stoke and Richmond.

DTDC1.3 nature of the works

DTDC1.3.i Establishment and maintenance of:

a) contouring and terracing of land and drainage to provide sports fields, stadiums, parks and open space
b) provision of ponds for wildlife and recreation
c) provision for roads, car parks, cycleways, paths and trails
d) provision of large scale amenity plantings of trees and shrubs and large areas of mown grass
e) provision for recreation, and utility buildings as and where required
f) services and waterways
g) flood and park lighting

DTDC1.4 environmental effects/mitigation measures

DTDC1.4.i Noise and visual effects during construction and from time to time for maintenance.

DTDC1.4.ii Mitigation measures - these impacts are temporary and are off set by the benefit of recreational areas to the residents and visitors of the City. To reduce the impact of construction or maintenance noise to nearby properties, such works will, where practicable, only be carried out during daylight hours.

DTDC1.5 environmental effects/mitigation measures

DTDC1.5.i Positive effects

Enhancing the aesthetic and recreational environment for citizens and providing for wildlife habitat and corridors, especially along streams.

DTDC1.5.ii Adverse effects

a) construction effects
b) possible light spill, from flood and park lighting, to the residential neighbourhood and roadway

c) Cross boundary and reverse sensitivity effects rising from the use or potential use of the land zoned industrial to the north-west of the Main Road Stoke and across the road from the Park.

DTDC1.5.iii Mitigation

a) keep construction disturbance where possible to daylight hours
b) flood lighting focus and damping units where practicable, and landscape screening
c) The Tasman District Council (and any subsequent owner or occupier) will, on the strip of land being Pt Lot 1 DP3173 and Lot 2 DP8360 fronting the Main Road, Stoke to a depth of 10 meters ("strip of land") establish and thereafter maintain a buffer strip of land. For the purposes of the clause "buffer strip" shall mean appropriate landscape features established for the express purpose of limiting the visibility from Saxton Field of industrial type activities being undertaken on the land across the Main Road, Stoke. Such landscape features may comprise earth mounds, tree and shrub plantings. No buildings will be erected on the strip of land except where the building drainage of storm water and sewage, electricity, telecommunications and radio communication provided that such utility building does not require permanent manning for operational purposes.

DTDC1.6 explanatory statement

DTDC1.6.i Proposed restrictions - Saxton Park extension

a) living quarters for a custodian will meet the normal performance requirements for residential sites in this Plan
b) service buildings (excluding stadiums) will not, as far as practicable, exceed 50 m^2 each, in area and exceed 18 m in height
c) playground structures will not, as far as practicable, exceed 3 m in height

DTDC1.6.ii For (a) to (c) above height will be measured in accordance with this Plan.

DTDC1.6.iii Some utilities cross over the area to be designated. Further installations and relocations would require the prior written consent of the controlling authority.

DTDC1.6.iv The land to be designated is considered to be vital for strategic recreation planning for future urban growth in both Nelson City and Tasman District. As it is an addition to an existing regional park, alternative sites are limited.

DTDC1.6.v Consultation is underway with landowners. Alliance Group Limited have been consulted.

Table (DTE) - Telecom New Zealand Ltd

Details of each designation follow this table.

	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DTE1	Atawhai Exchange, 633 Atawhai Drive	Telecommunication and radiocommunication and ancillary purposes		1093m^2
DTE2	Grampian microwave station, Motueka Road	Telecommunication and radiocommunication and ancillary purposes	Sec 30.31 & Pt 19 Block D Wakatu. Road Reserve CT 3C/218. 3C/332, 3C/881, 13 1/10/	5627m^2
DTE3	Halifax Street and Achilles Avenue	Telecommunication and radiocommunication and ancillary purposes	Lot 1 DP14732 CT 9B/326	1360m^2
DTE4	380 Main Road Stoke	Telecommunication and radiocommunication and ancillary purposes	Pt Sec 46 Sub Sth Block IV Waimea SD CT 9A/673	1045m^2
DTE5	47 Tahunanui Drive	Telecommunication and radiocommunication and ancillary purposes	Pt Lot 1 DP 1039. Pt Sec 2&5 Sub Sth Cof N. CT 141/54	1224m^2
DTE6	Fringed Hill Landmobile site	Telecommunication and radiocommunication and ancillary purposes	Lot 1 DP 5884 CT 3B/955 and CT 9D/58	5200m^2 (approx)
DTE7	Grampians VHF Landmobile site, Motueka Road	Telecommunication and radiocommunication and ancillary purposes	Sec 18 DP 1637 Block D Wakatu SD CT 3C/218	5m^2
DTE8	Maungatapu Microwave Station	Telecommunication and radiocommunication and ancillary purposes	Pt Mt Richmond Forest Park Block III Maungatapu SD.CT 74/230	3000m^2

DTE1 designation DTE1

DTE1.i Telecommunication and Radiocommunication and Ancillary Purposes - Atawhai Exchange

DTE1.1 designating authority

DTE1.1.i Telecom New Zealand Ltd.

DTE1.2 reason for designation

DTE1.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE1.2.ii The site was previously the subject of Ministerial Requirements which provided a statutory and lawful basis for the activities undertaken by Telecom New Zealand Ltd and the former New Zealand Post Office on this site.

DTE1.2.iii In terms of maintaining a nationwide telecommunication network, there is a need to be able to protect areas of land occupied by telecommunication/radiocommunication facilities. Continuing this designation is the most appropriate means of ensuring Telecom's interest in this property is protected.

DTE1.3 nature of the works

DTE1.3.i The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE1.3.ii This site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE1.3.iii The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE1.4 environmental effects/mitigation measures

DTE1.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE1.4.ii Telecom will carry out all responsibilities of an authorised Requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE1.5 explanatory statement

DTE1.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on this site.

DTE2 designation DTE2

DTE2.i Telecommunication and Radiocommunication and Ancillary Purposes - Grampians Microwave Station

DTE2.1 designating authority

DTE2.1.i Telecom New Zealand Ltd.

DTE2.2 reason for designation

DTE2.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE2.2.ii The site was previously the subject of Ministerial Requirements which provided a statutory and lawful basis for the activities undertaken by Telecom New Zealand Ltd and the former New Zealand Post Office on this site.

DTE2.2.iii In terms of maintaining a nationwide telecommunication network, there is a need to be able to protect areas of land occupied by telecommunication/radiocommunication facilities. Continuing this designation is the most appropriate means of ensuring Telecom's interest in this property is protected.

DTE2.3 nature of the works

DTE2.3.i The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. This existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE2.3.ii This site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE2.3.iii The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE2.4 environmental effects/mitigation measures

DTE2.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE2.4.ii Telecom will carry out all responsibilities of an authorised Requiring Authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE2.5 explanatory statement

DTE2.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on this site.

DTE3 designation DTE3

DTE3.i Telecommunication and Radiocommunication and Ancillary Purposes - Nelson Exchange

DTE3.1 designating authority

DTE3.1.i Telecom New Zealand Ltd.

DTE3.2 reason for designation

DTE3.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE3.2.ii The site was previously the subject of Ministerial Requirements which provided a statutory and lawful basis for the activities undertaken by Telecom New Zealand Ltd and the former New Zealand Post Office on this site.

DTE3.2.iii In terms of maintaining a nationwide telecommunication network, there is a need to be able to protect areas of land occupied by telecommunication/radiocommunication facilities. Continuing this designation is the most appropriate means of ensuring Telecom's interest in this property is protected.

DTE3.3 nature of the works

DTE3.3.i The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE3.3.ii This site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications.

The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE3.3.iii The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE3.4 environmental effects/mitigation measures

DTE3.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE3.4.ii Telecom will carry out all responsibilities of an authorised requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE3.5 explanatory statement

DTE3.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on this site.

DTE4 designation DTE4

DTE4.i Telecommunication and Radiocommunication and Ancillary Purposes - Stoke Exchange

DTE4.1 designating authority

DTE4.1.i Telecom New Zealand Ltd.

DTE4.2 reason for designation

DTE4.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE5.2.ii The site was previously the subject of Ministerial Requirements which provided a statutory and lawful basis for the activities undertaken by Telecom New Zealand Ltd and the former New Zealand Post Office on this site.

DTE5.2.iii In terms of maintaining a nationwide telecommunication network, there is a need to be able to protect areas of land occupied by telecommunication/radiocommunication facilities. Continuing this designation is the most appropriate means of ensuring Telecom's interest in this property is protected.

DTE4.3 nature of the works

DTE4.3.i The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE4.3.ii This site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE4.3.iii The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE4.4 environmental effects/mitigation measures

DTE4.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE4.4.ii Telecom will carry out all responsibilities of an authorised Requiring Authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE4.5 explanatory statement

DTE4.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on this site.

DTE5 designation DTE5

DTE5.i Telecommunication and Radiocommunication and Ancillary Purposes - Tahunanui Exchange

DTE5.1 designating authority

DTE5.1.i Telecom New Zealand Ltd.

DTE5.2 reason for designation

DTE5.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE5.2.ii The site was previously the subject of Ministerial Requirements which provided a statutory and lawful basis for the activities undertaken by Telecom New Zealand Ltd and the former New Zealand Post Office on this site.

DTE5.2.iii In terms of maintaining a nationwide telecommunication network, there is a need to be able to protect areas of land occupied by telecommunication/radiocommunication facilities. Continuing this designation is the most appropriate means of ensuring Telecom's interest in this property is protected.

DTE5.3 nature of the works

DTE5.3.i The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE5.3.ii This site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE5.3.iii The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE5.4 environmental effects/mitigation measures

DTE5.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE5.4.ii Telecom will carry out all responsibilities of an authorised Requiring Authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE5.5 explanatory statement

DTE5.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all Resource Management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on this site.

DTE6 designation DTE6

DTE6.i Telecommunication and Radiocommunication and Ancillary Purposes - The Fringed Hill Landmobile Station

DTE6.1 designating authority

DTE6.1.i Telecom New Zealand Ltd.

DTE6.2 reason for designation

DTE6.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE6.3 nature of the works

DTE6.3.i The Fringed Hill Landmobile Station consists of two wooden huts and three slim line steel poles. Two of the poles are 21.3m high and one pole is 15.25m high. All poles have omni antenna fixed at the top of the pole. One wooden building is located approximately 8m to the east of the Fringed Hill trig and is approximately 6m x 8m x 3.5m high. The other building is located approximately 60m to the northeast of the Fringed Hill Trig and is approximately 5m x 8m x 6m high. Both buildings house necessary telecommunication and radiocommunication equipment. The site was established as a telecommunication radiocommunication site in 1976.

DTE6.3.ii The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE6.3.iii The site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE6.3.iv The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE6.4 environmental effects/mitigation measures

DTE6.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE6.4.ii Telecom will carry out all responsibilities of an authorised requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE6.5 explanatory statement

DTE6.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all resource management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on the site.

DTE7 designation DTE7

DTE7.i Telecommunication and Radiocommunication and Ancillary Purposes - The Grampians VHF Landmobile Station

DTE7.1 designating authority

DTE7.1.i Telecom New Zealand Ltd.

DTE7.2 reason for designation

DTE7.2.i The site currently and for many years has contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE7.3 nature of the works

DTE7.3.i The Grampians VHF Landmobile Station consists of a wooden hut (approximately 2m x 2m x 2.5m high) and a wooden telephone pole. Approximately 2.5m up the pole is a VHF antenna.

DTE7.3.ii The nature of the existing and future works on the site represents the continued operation of existing telecommunication and radiocommunication projects and works. The existing site and associated works will continue to operate in a similar manner to that currently in place.

DTE7.3.iii The site is an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE7.3.iv The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE7.4 environmental effects/mitigation measures

DTE7.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE7.4.ii Telecom will carry out all responsibilities of an authorised requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE7.5 explanatory statement

DTE7.5.i No consultation has been undertaken since the site is presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all resource management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on the site.

DTE8 designation DTE8

DTE8.i Telecommunication and Radiocommunication and Ancillary Purposes - The Maungatapu Microwave Station

DTE8.1 designating authority

DTE8.1.i Telecom New Zealand Ltd.

DTE8.2 reason for designation

DTE8.2.i The three sites currently and for many years have contained a variety of telecommunication and radiocommunication facilities which are of strategic and functional importance to Telecom.

DTE8.3 nature of the works

DTE8.3.i The Maungatapu Microwave Station consists of a lattice tower approximately 25m high and a building approximately 7m x 12m x 3.5m high, which houses telecommunication and radiocommunication equipment. The site is used by several operators, namely Broadcasting Communications Ltd, television stations etc. There are a variety of antenna fixed to the tower, i.e. gridpak and solid dish antenna, yagi and omni antenna and several types of aerial. The site is owned by Nelson City Council.

DTE8.3.ii The nature of the existing and future works on each site represents the continued operation of existing telecommunication and radiocommunication projects and works. These existing sites and their associated works will continue to operate in a similar manner to that currently in place.

DTE8.3.iii These sites are an integral part of a wide network of communication activities and services including: subscriber telephone, cellular telephone, data communications, and computer and video linking. The network is used for a wide range of purposes including personal and commercial communications, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control facilities and communications and other emergency communications. The safe, reliable and efficient functioning of a national and international telecommunication and radiocommunication system is in the public interest.

DTE8.3.iv The structures/works associated with these activities include buildings (of a range of sizes and shapes) for housing equipment and plant and undertaking operations; transmitting and receiving devices such as lines, aerials, antenna and dishes; and support structures for these, such as towers, masts and poles, as well as other ancillary structures.

DTE8.4 environmental effects/mitigation measures

DTE8.4.i The environmental effects of retaining and operating existing telecommunication and radiocommunication facilities will be minor. The principal effects relate to the continued maintenance and servicing of these facilities and they are unlikely to change significantly in the future in terms of character, scale or intensity.

DTE8.4.ii Telecom will carry out all responsibilities of an authorised requiring authority and will give proper regard to the interests of those affected and to the environment by complying with all duties and obligations of the Resource Management Act and all other legal requirements in terms of any new works proposed for these sites.

DTE8.5 explanatory statement

DTE8.5.i No consultation has been undertaken since the sites are presently administered by Telecom and the activities are already established on the site. Notwithstanding this, Telecom has a commitment on all resource management issues to consult with affected parties, tangata whenua and local authorities as appropriate. This policy will be implemented in respect of any relevant new works on these sites.

Table (DTP) - Trans Power NZ Ltd

Details of this designation follow this table.

D	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area
DTP1	Stoke Electricity Substation, The Ridgeway and Marsden Valley Road	Electricity substation	Sec 1 and Sec 2 SO14979	5.748ha

DTP1 designation DTP1

DTP1.i Electricity substation (Stoke Substation, The Ridgeway and Marsden Valley Road).

DTP1.1 designating authority

DTP1.1.i Trans Power NZ Ltd.

DTP1.2 reason for designation

DTP1.2.i When ownership of the substation was transferred from the Crown to Trans Power, those assets required for the immediate or foreseeable future development, operation and maintenance of the National Grid were allocated to the company, and this transfer of ownership makes Trans Power the responsible authority in respect of this designation. The amendment to the designation schedule gives an exact reference to the area over which Trans Power wishes its designation to apply.

DTP1.3 nature of the works

DTP1.3.i Transforming electricity from 220KV and 110KV transmission towers down to local distribution voltages which are then sent out by smaller distribution lines (up to 11KV).

DTP1.3.ii The substation receives electricity from high voltage transmission lines and reduces the voltage to a point where the electricity can be distributed to consumers by the local power company, via its own distribution lines. A telecommunication system is required to co-ordinate and control the operations and structures of the substation. The telecommunications system is monitored from the South Island Control Centre which is located in Christchurch.

DTP1.3.iii The ancillary structures within the designated area which are necessary to maintain and operate the facility are control buildings, storage sheds and yards, a depot, garages, water tanks, security fencing, landscaping/screening and access ways. These structures have existed within the designated area for several years and no changes to any of the structures associated with this designation are proposed as part of the notice to carry over the designation in the City Plan.

DTP1.4 environmental effects/mitigation measures

DTP1.4.i There will be no proposed changes to the use of the sites that will change the present state of the environment, on or in the vicinity of the site.

TP1.5 explanatory statement

DTP1.5.i Consultation has not been undertaken as this requirement relates only to existing activities and land which has already been designated. The modifications required concern the purpose of the designation as to be notated in this Plan and are to clarify the requiring authority responsible for the works and clearly identify the land concerned.

Table (DTR) – NZ Transport Agency

Details of each designation follow this table.

ID	Site name/ location of site	Purpose of designation	Legal description/valuation no.	Area (ha)
DTR1	643 Rocks Road and off Bisley Walk and Tahunanui Drive	State Highway purposes	Lot 1 DP 7075 CT2B/1147 and SO 11010	
DTR2	Queen Elizabeth II Drive	State Highway purposes	various	
DTR3	Adjacent to Rocks Road and north of Magazine Point	State Highway purposes	Pt Lot 1 DP 10723 Block IV	1301m^2
DTR4	All those parts of State Highway 6 identified on the location map in the Planning Maps	State Highway purposes		
DTR5	Proposed Whakatu Drive, between Waimea Road and Annesbrook Drive	Proposed Limited Access Road - Arterial Purposes		
DTR6	Proposed Whakatu Drive, between Annesbrook Drive and Saxtons Road	Proposed Limited Access Road - State Highway Purposes		
DTR7	Whakatu Drive, between Saxtons Road and the Richmond Deviation	Limited Access Road		

DTR1 designation DTR1

DTR1.i State Highway purposes - 643 Rocks Road and off Bisley Walk and Tahunanui Drive

DTR1.1 designating authority

DTR1.1.i NZ Transport Agency.

DTR1.2 reason for designation

DTR1.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR1.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR1.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR1.3 nature of the works

DTR1.3.i 643 Rocks Road and off Bisley Walk and Tahunanui Drive,

DTR1.4 environmental effects/mitigation measures

DTR1.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR1.5 explanatory statement

DTR1.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR2 designation DTR2

DTR2.i State Highway purposes - Queen Elizabeth II Drive

DTR2.1 designating authority

DTR2.1.i NZ Transport Agency.

DTR2.2 reason for designation

DTR2.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR2.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR2.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR2.3 nature of the works

DTR2.3.i Queen Elizabeth II Drive

DTR2.4 environmental effects/mitigation measures

DTR2.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR2.5 explanatory statement

DTR2.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR3 designation DTR3

DTR3.i State Highway purposes (adjacent to Rocks Road north of Magazine Point).

DTR3.1 designating authority

DTR3.1.i NZ Transport Agency.

DTR3.2 reason for designation

DTR3.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR3.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR3.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR3.3 nature of the works

DTR3.3.i Stabilising an unstable steep hill slope adjacent to Rocks Road to ensure that it does not slip onto State Highway 6.

DTR3.4 environmental effects/mitigation measures

DTR3.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR3.5 explanatory statement

DTR3.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR4 designation DTR4

DTR4.i State Highway purposes - All those parts of State Highway 6 identified on the location map in the Planning Maps

DTR4.1 designating authority

DTR4.1.i NZ Transport Agency.

DTR4.2 reason for designation

DTR4.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR4.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR4.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR4.2.iv Alteration to the Whakatu Drive designation is required to provide for the full extent of the proposed road design, drainage works and landscaping. It is also required to satisfy the requirements of previous designations with respect to landscaping and noise amelioration.

DTR4.3 nature of the works

DTR4.3.i The Whakatu Drive, 643 Rocks Road and off Bisley Walk and Tahunanui Drive, Queen Elizabeth II Drive and the Whangamoa Deviation.

The designation shall lapse in 5 years on 1 September 2014 unless it is given effect to before the end of that period.

DTR4.4 environmental effects/mitigation measures

DTR4.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR4.5 explanatory statement

DTR4.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR4.6 restrictions/conditions

DTR4.6.i The Rai Saddle realignment and associated activities as proposed in NCC application RM145080 may be undertaken without lodgement of an outline plan under section 176A of the Resource Management Act 1991 provided:

i) The conditions of RM145214, RM145214A, RM145214B and RM145214C, or any subsequent variations of these consents, are complied with.

DTR5 designation DTR5

DTR5.i State Highway purposes - Whakatu Drive, between Waimea Road and Annesbrook Drive

DTR5.1 designating authority

DTR5.1.i NZ Transport Agency.

DTR5.2 reason for designation

DTR5.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR5.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR5.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR5.2.iv Alteration to the Whakatu Drive designation is required to provide for the full extent of the proposed road design, drainage works and landscaping. It is also required to satisfy the requirements of previous designations with respect to landscaping and noise amelioration.

DTR5.3 nature of the works

DTR5.3.i Whakatu Drive

DTR5.3.ii The general location of the areas affected by the alteration to the Whakatu Drive designation are:

a) around the intersection of Annesbrook Drive, extending along the Bypass designation to approximately 100m west of Nayland Road. There is also a small area of additional land (NZ Transport Agency owned) required on the northern side of the existing railway reserve behind Cawthron Crescent

DTR5.4 environmental effects/mitigation measures

DTR5.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR5.5 explanatory statement

DTR5.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR6 designation DTR6

DTR6.i State Highway purposes – Whakatu Drive, between Annesbrook Drive and Saxtons Road

DTR6.1 designating authority

DTR6.1.i NZ Transport Agency.

DTR6.2 reason for designation

DTR6.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR6.2.ii The designation provides for NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR6.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR6.2.iv Alteration to the Whakatu Drive designation is required to provide for the full extent of the proposed road design, drainage works and landscaping. It is also required to satisfy the requirements of previous designations with respect to landscaping and noise amelioration.

DTR6.3 nature of the works

DTR6.3.i Whakatu Drive

DTR6.3.ii The general location of the areas affected by the alteration to the Whakatu Drive designation are:

a) around the intersection of Annesbrook Drive, extending along the Bypass designation to approximately 100m west of Nayland Road. There is also a small area of additional land (NZ Transport Agency owned) required on the northern side of the existing railway reserve behind Cawthron Crescent
b) around the intersection of Songer Street with the existing Whakatu Drive designation
c) in the vicinity of the intersection of Saxton Road with the existing Whakatu Drive designation

DTR6.4 environmental effects/mitigation measures

DTR6.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR6.5 explanatory statement

DTR6.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

DTR7 designation DTR7

DTR7.i For the purposes of a road and proposed limited access - Whakatu Drive, between Saxtons Road and the Richmond Deviation

DTR7.1 designating authority

DTR7.1.i NZ Transport Agency.

DTR7.2 reason for designation

DTR7.2.i The existing State Highway No 6 network through Nelson City is the responsibility of the NZ Transport Agency.

DTR7.2.ii The designation provides for the NZ Transport Agency, either itself, or through its agents, to control, manage, and improve the State Highway network, including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

DTR7.2.iii Designation of State Highways is the most appropriate mechanism nationally of protecting the NZ Transport Agency's interests, with regard to the safe and efficient functioning of these works.

DTR7.2.iv Alteration to the Whakatu Drive designation is required to provide for the full extent of the proposed road design, drainage works and landscaping. It is also required to satisfy the requirements of previous designations with respect to landscaping and noise amelioration.

DTR7.3 nature of the works

DTR7.3.i Whakatu Drive

DTR7.3.ii The general location of the areas affected by the alteration to the Whakatu Drive designation are:

a) around the intersection of Songer Street with the existing Whakatu Drive designation
b) in the vicinity of the intersection of Saxton Road with the existing Whakatu Drive designation

DTR7.4 environmental effects/mitigation measures

DTR7.4.i There will be no change to the effects on the environment resulting from the modification to the notations or the new requirement. These modifications will allow this Plan to show the status of the existing highways in a clear and consistent manner.

DTR7.5 explanatory statement

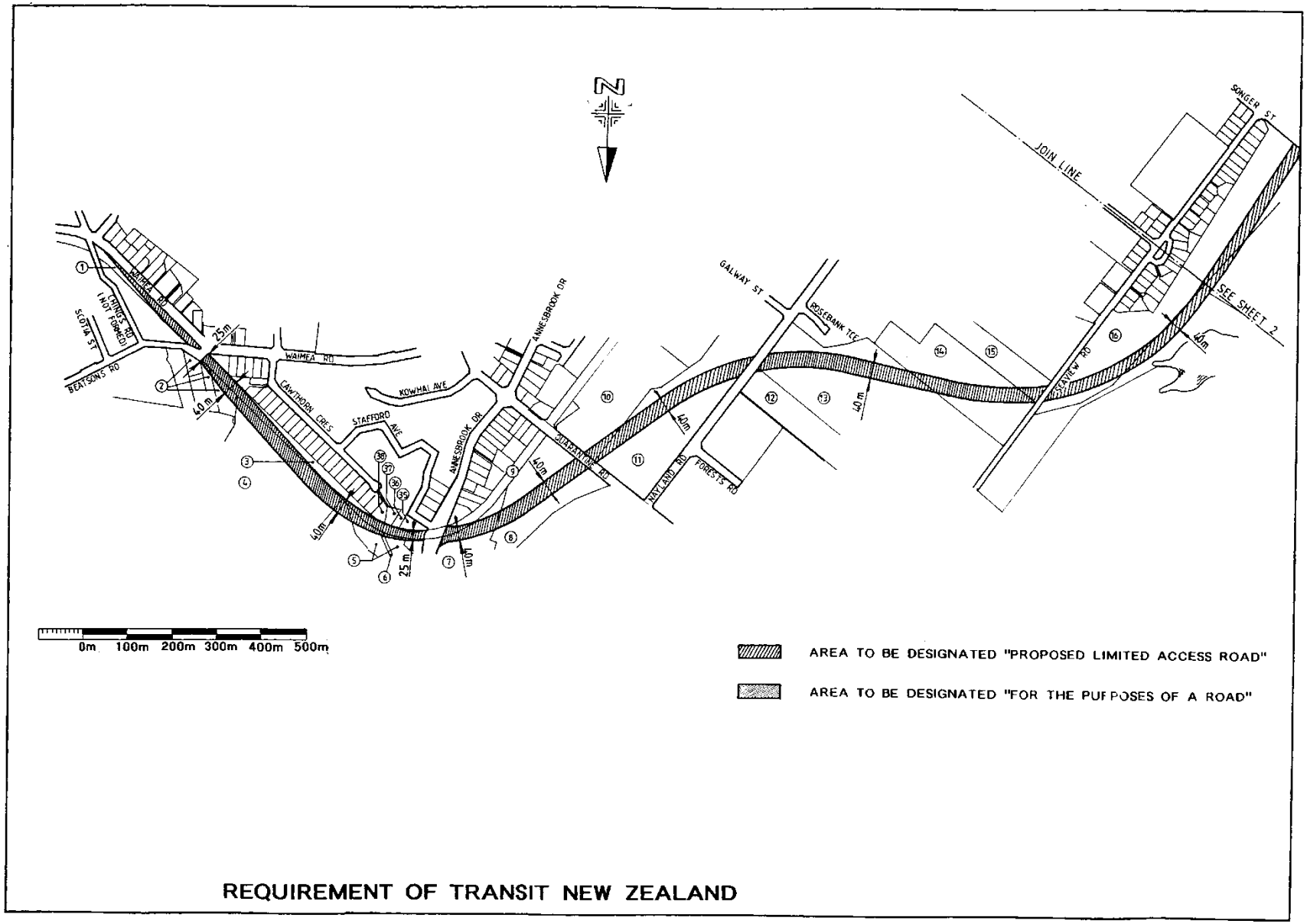
DTR7.5.i As the requirement relates to carrying forward the existing State Highway designation into this Plan, consultation is not considered necessary.

Resource Management Act 1991

Requirement of the NZ Transport Agency

Designation ID reference: DTR 6, 7 and 8

Label	Legal description	Owner	Area (m^2)
A1	Pt 18, Gaz, 1974 p61	Crown	261
A2	Lot 21 DP2382, CT 78/183	Crown	300
A3	SO11507, Gaz 1974 p61	Crown	461
A4	Pt 3a, DP2385, Gaz 1965 p1597	Crown	3078
A5	Pt 1, DP72, CT 9C/1232	Crown	1446
A6	Pt 1, DP37, CT 78/182	Crown	305
A7	Lot 21, DP2382, CT 78/182	Crown	158
A8	Lot 21, DP2383, CT 78/182	Crown	360
A9	Pt 20, DP2312, CT 75/261	SC Petrie	125
A10	Lot 2, DP15246	Norgate Estate	1102
A11	Lot 2, DP15246	Norgate Estate	194
A12	Pt 1, DP72, CT 9C/1232	Crown	318
B1	Pt1, DP4389, CT 122/116	Crown	638
B2	Gaz 1970, p2194	Crown	1213
B3	Gaz 1965 p490	Crown	9934
B4	Gaz 1965 p490	Crown	1313
B5	Gaz 1965 p490	Crown	5370
C1	Gaz 1967 p1379	Crown	669
C2	Gaz 1969 p2335	Crown	14500
C3	Gaz 1967 p1379	Crown	335
C4	Gaz 1967 p1379	Crown	2121
C5	Gaz 1967 p1379	Crown	1359
C6	Gaz 1967 p1379	Crown	2178
C7	Gaz 1967 p1379	Crown	971
C8	Gaz 1967 p1379	Crown	32
C9	Gaz 1967 p1379	Crown	731 (843 originally)
C10	Gaz 1969 p2335	Crown	9040
D1	Legal road	Crown	809
D2	Lot 1, DP9657, CT 5C/554	Crown	721
D3	Pt 79, Gaz, 1966 p641	Crown	4840
D4	Pt 79, Gaz 1966 p641	Crown	404
D5	Pt 79, Gaz 1966 p641	Crown	7057
E1	Lot DP6261, CT 1A/1344	RW and BD Stephens	24
E2	Lot 5, DP6853, CT 2B/991	Crown	290
E3	Lot 5, DP6853, CT 2B/991	Crown	330
E4	Sec 1 SO15086	Aldinga Synd.	147.5
E5	Legal road	Crown	440
E6	Pt 76, SO7050, Gaz 1967 p657	Crown	5630
E7	Sec 2, SO14945	CDL Limited	1133.5
E8	Sec 1, DP5939	Nelson City Council	20
E9	DP3532, Gaz 1977 p561	Crown	2800
E10	Sec 1, SO14945	Landcorp	3387.5
E11	Sec 2, SO14945	Landcorp	1920
F1	Lot 2, DP5453, CT 132/24	NZ Apple and Pear Marketing Board	517
F2	Sec 61, DP436, CT 3D/1227	Nelpac Group Limited	530

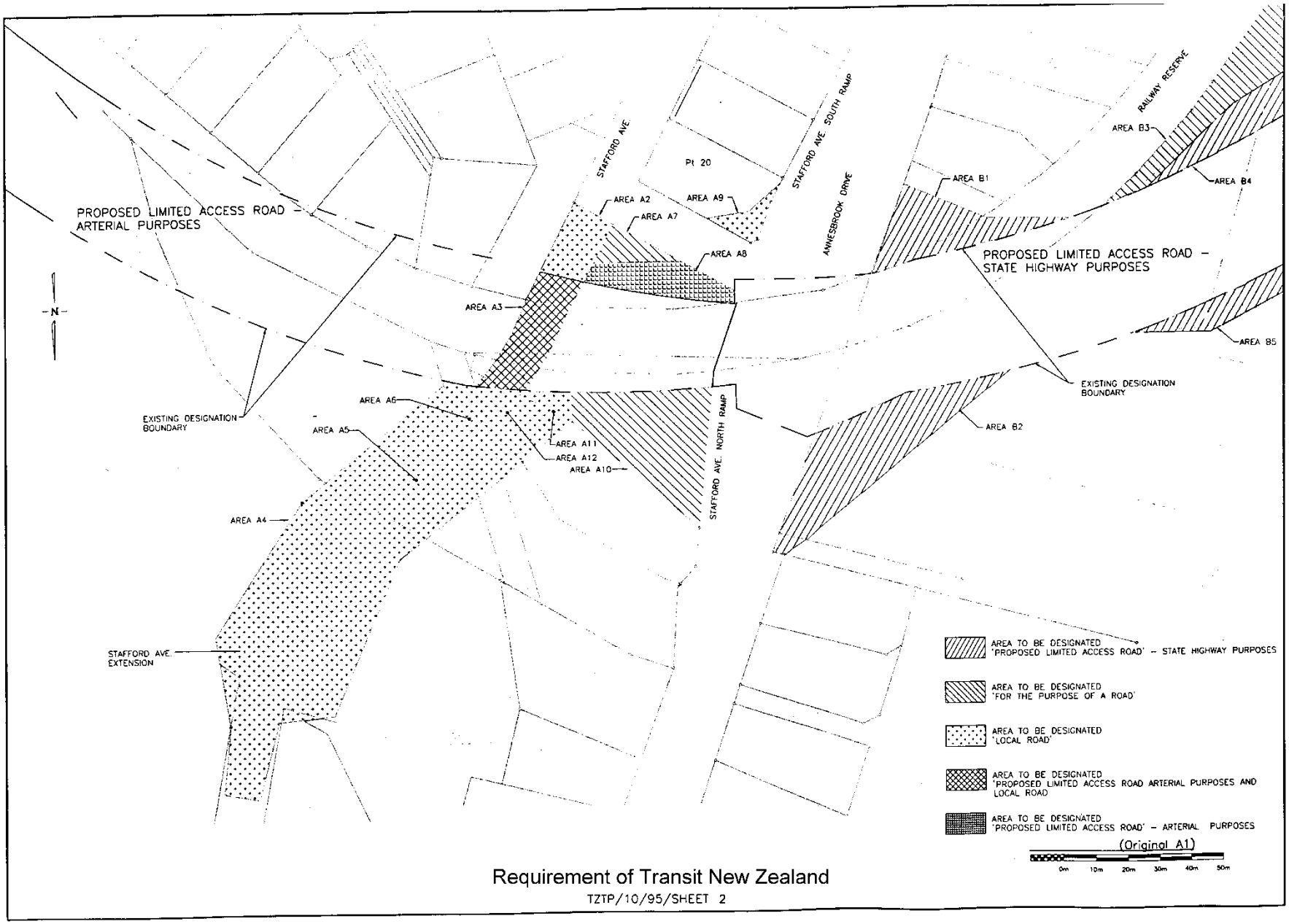


REQUIREMENT OF TRANSIT NEW ZEALAND

TZTP/10/90/3

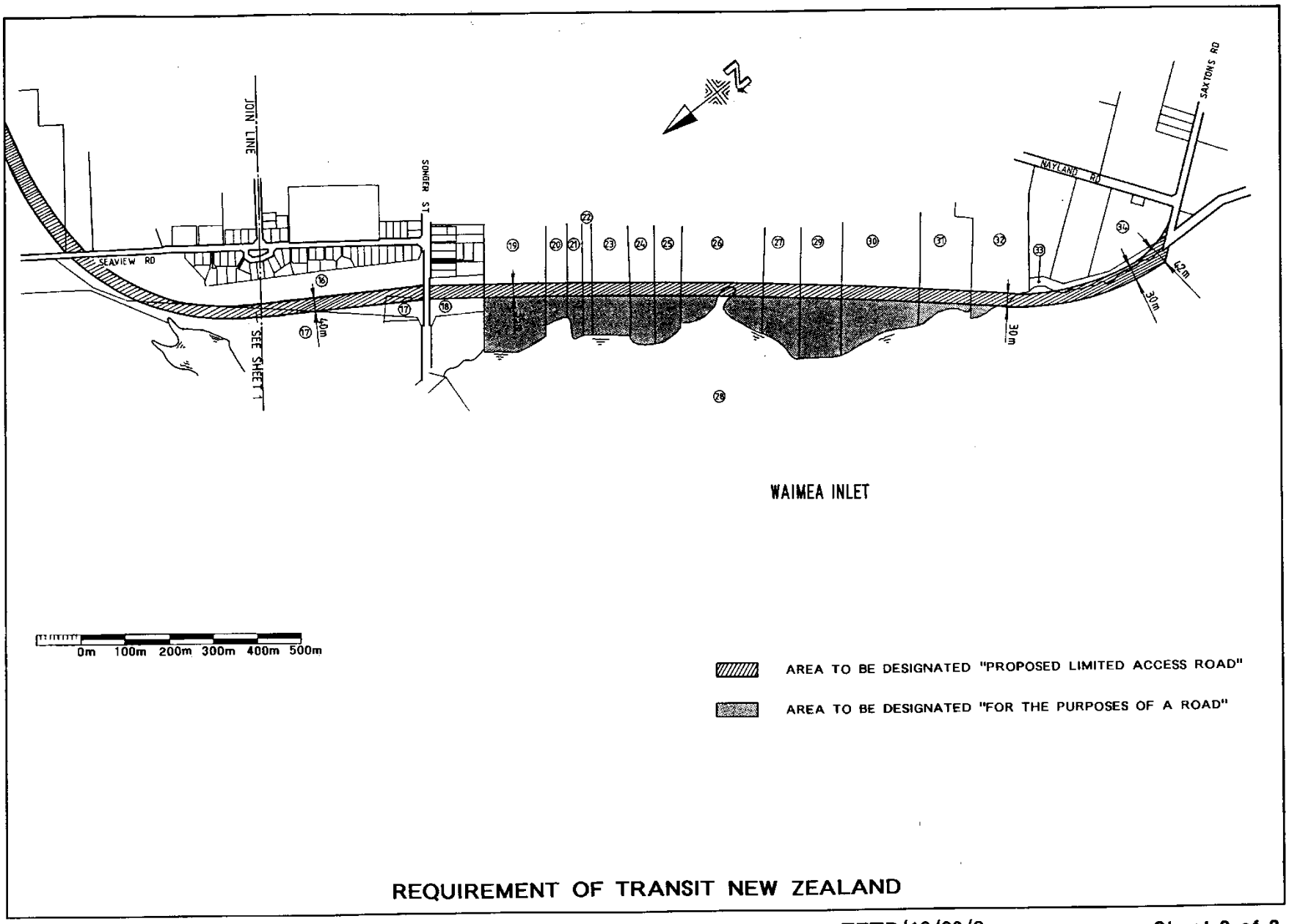
Sheet 1 of 3

REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 1
(Original A1)
0m 10m 20m 30m 40m 50m
EXISTING DESIGNATION BOUNDARY
AREA A1 TO BE DESIGNATED "PROPOSED LIMITED ACCESS ROAD - ARTERIAL PURPOSES"
PROPOSED LIMITED ACCESS ROAD -
ARTERIAL PURPOSES
CANTHRON CRES
WAINUI ROAD
N



Requirement of Transit New Zealand

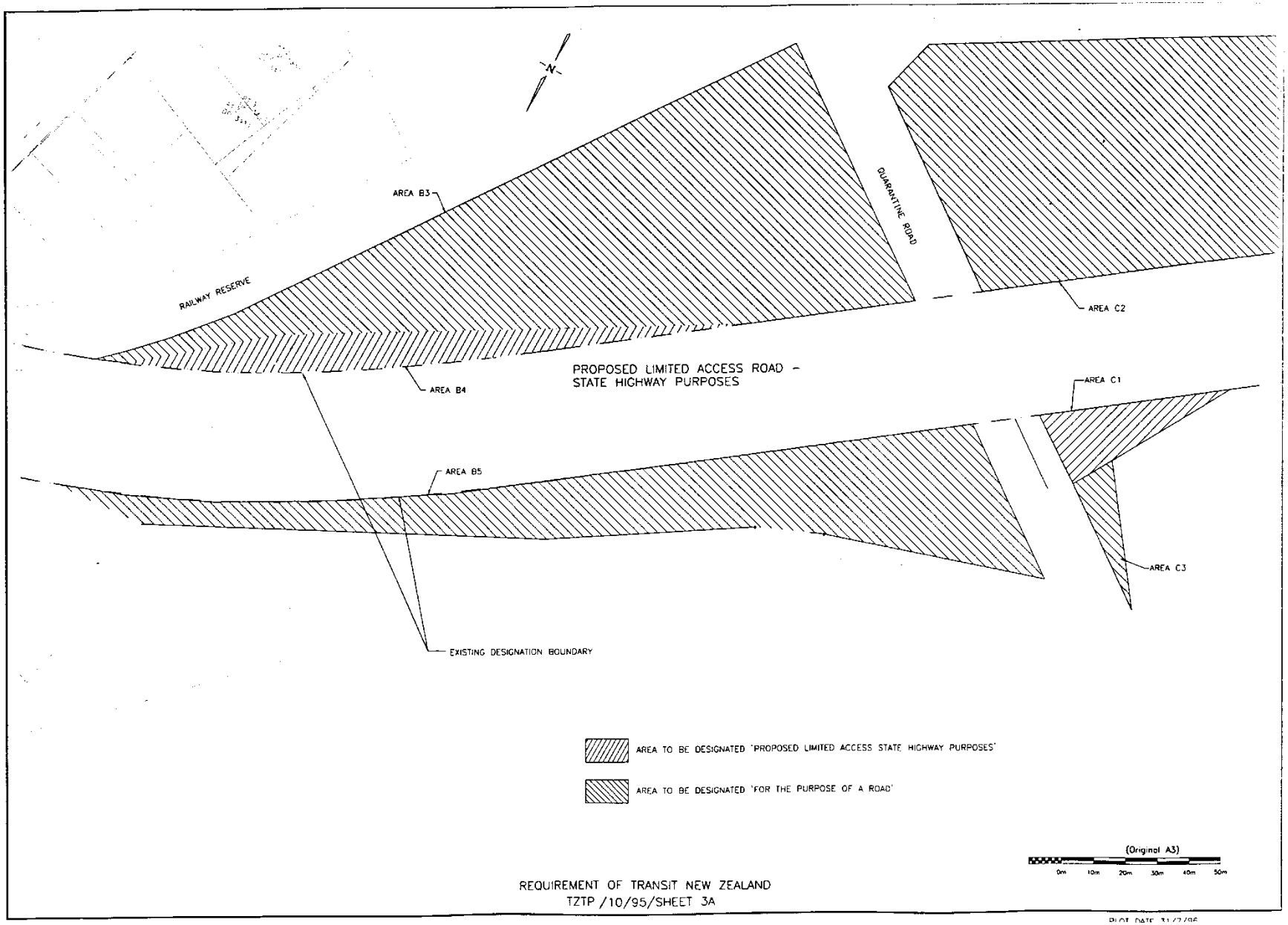
TZTP/10/95/SHEET 2



REQUIREMENT OF TRANSIT NEW ZEALAND

TZTP/10/90/3

Sheet 2 of 3


N
AREA B3
RAILWAY RESERVE
QUARANTINE ROAD
AREA C2
PROPOSED LIMITED ACCESS ROAD -
STATE HIGHWAY PURPOSES
AREA B4
AREA C1
AREA B5
AREA C3
EXISTING DESIGNATION BOUNDARY
AREA TO BE DESIGNATED 'PROPOSED LIMITED ACCESS STATE HIGHWAY PURPOSES'
AREA TO BE DESIGNATED 'FOR THE PURPOSE OF A ROAD'
(Original A3)
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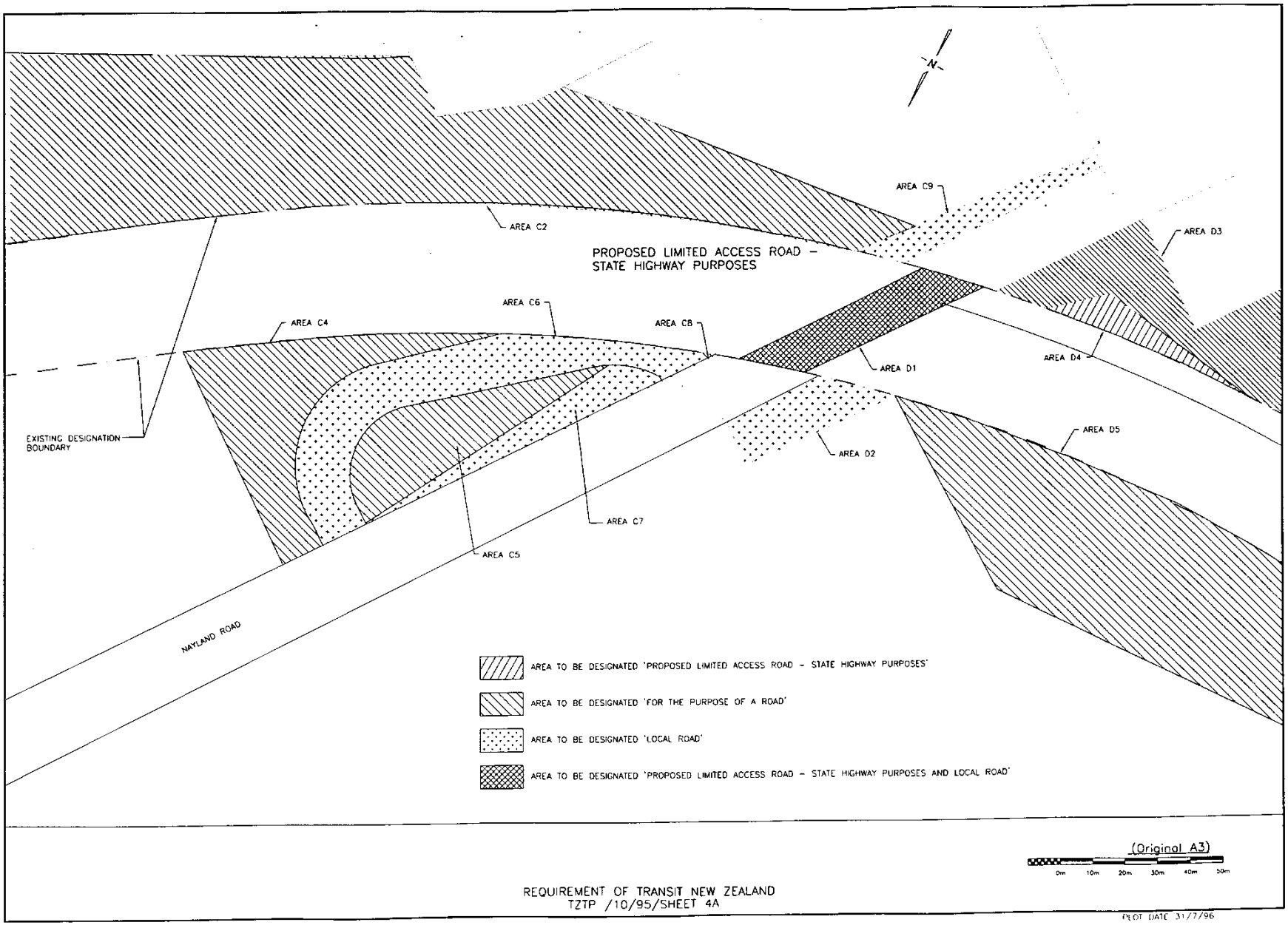
REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 3A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AREA C2
AREA D3
PROPOSED LIMITED ACCESS ROAD –
STATE HIGHWAY PURPOSES
AREA C6
AREA C4
AREA C8
AREA D1
AREA D4
EXISTING DESIGNATION
BOUNDARY
AREA D5
AREA D2
AREA C7
AREA C5
NAYLAND ROAD
AREA TO BE DESIGNATED 'PROPOSED LIMITED ACCESS ROAD – STATE HIGHWAY PURPOSES'
AREA TO BE DESIGNATED 'FOR THE PURPOSE OF A ROAD'
AREA TO BE DESIGNATED 'LOCAL ROAD'
AREA TO BE DESIGNATED 'PROPOSED LIMITED ACCESS ROAD – STATE HIGHWAY PURPOSES AND LOCAL ROAD'
(Original A3)
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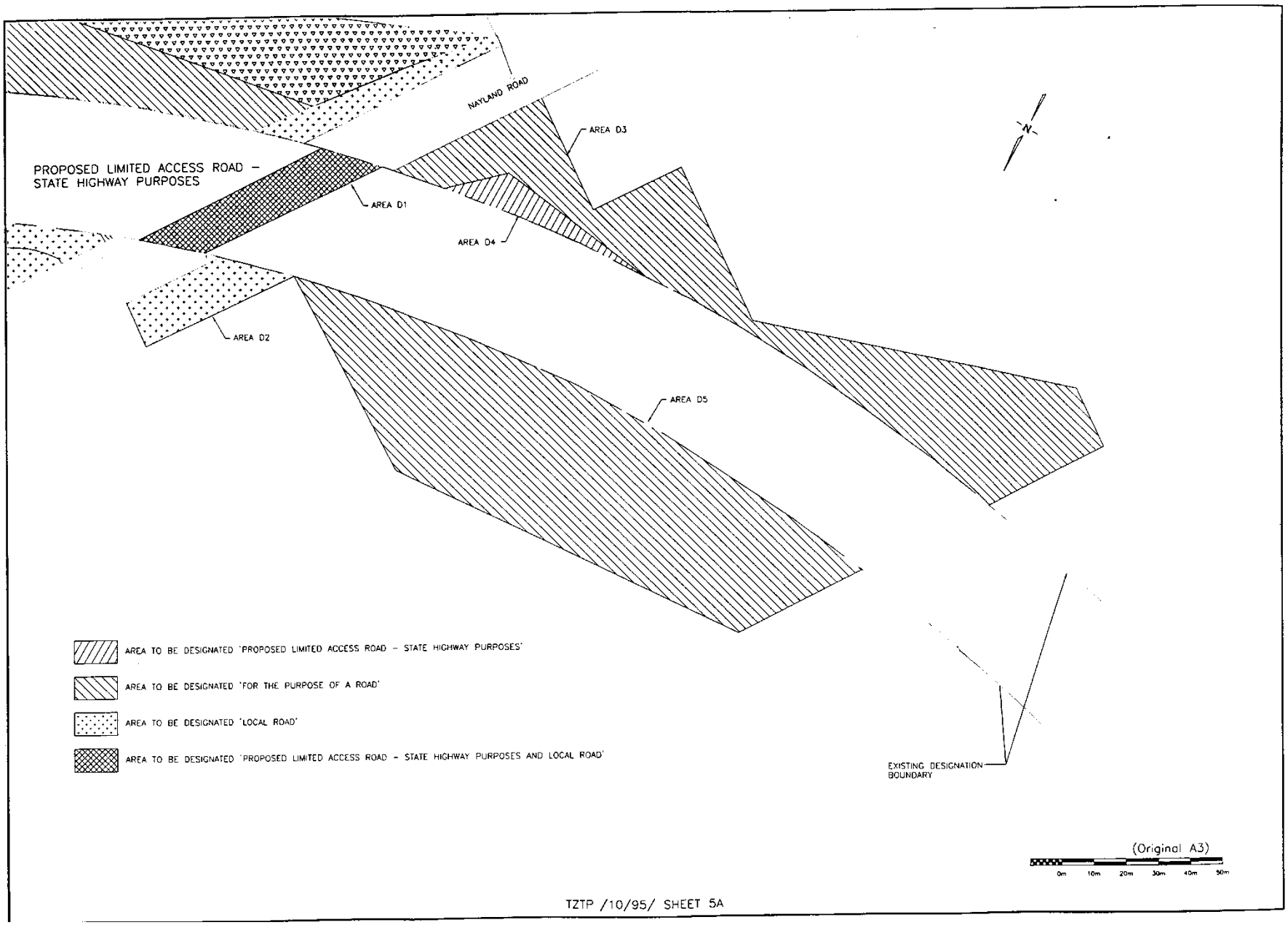
REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 4A
PLOT DATE 31/7/96



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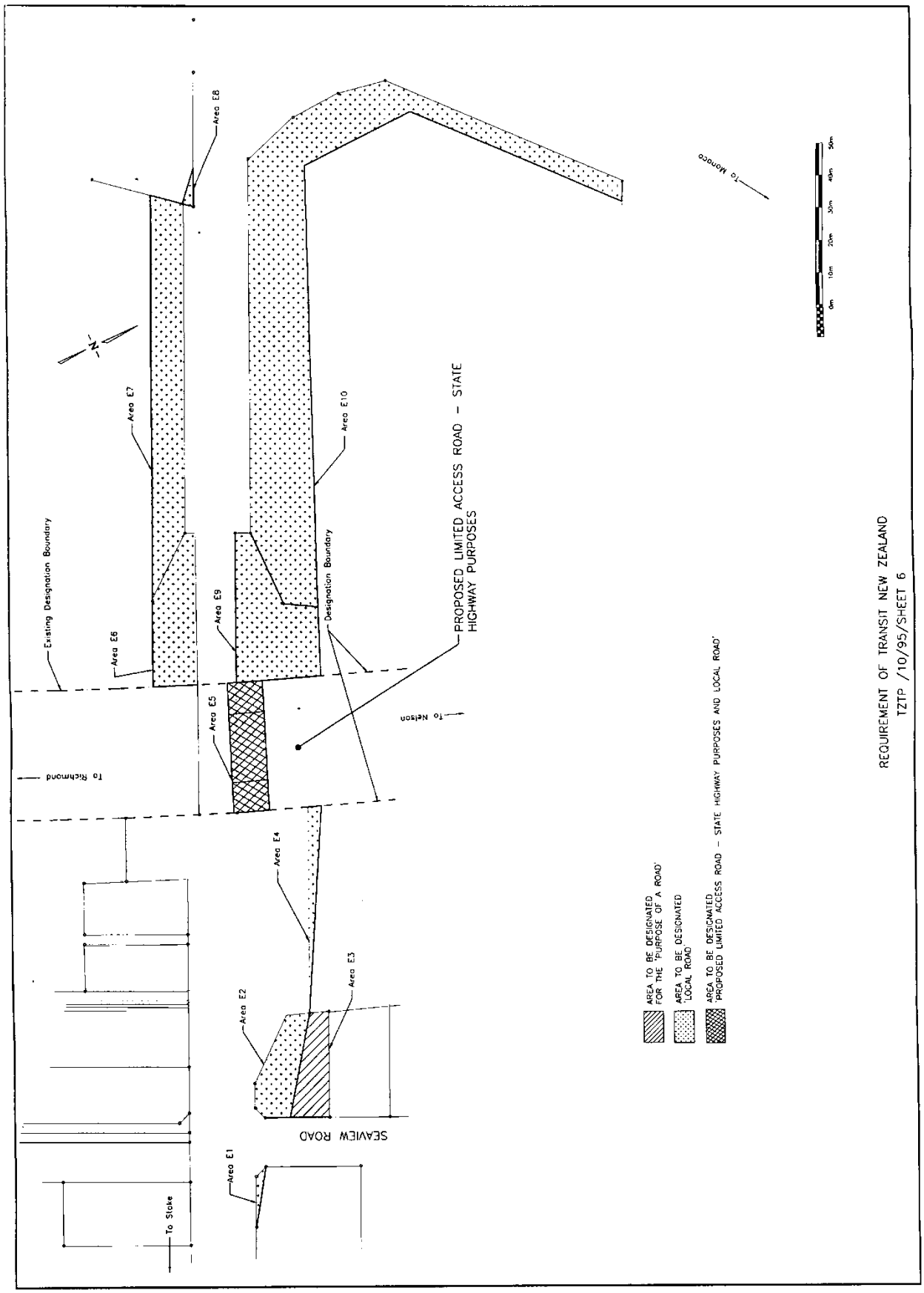
REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 6
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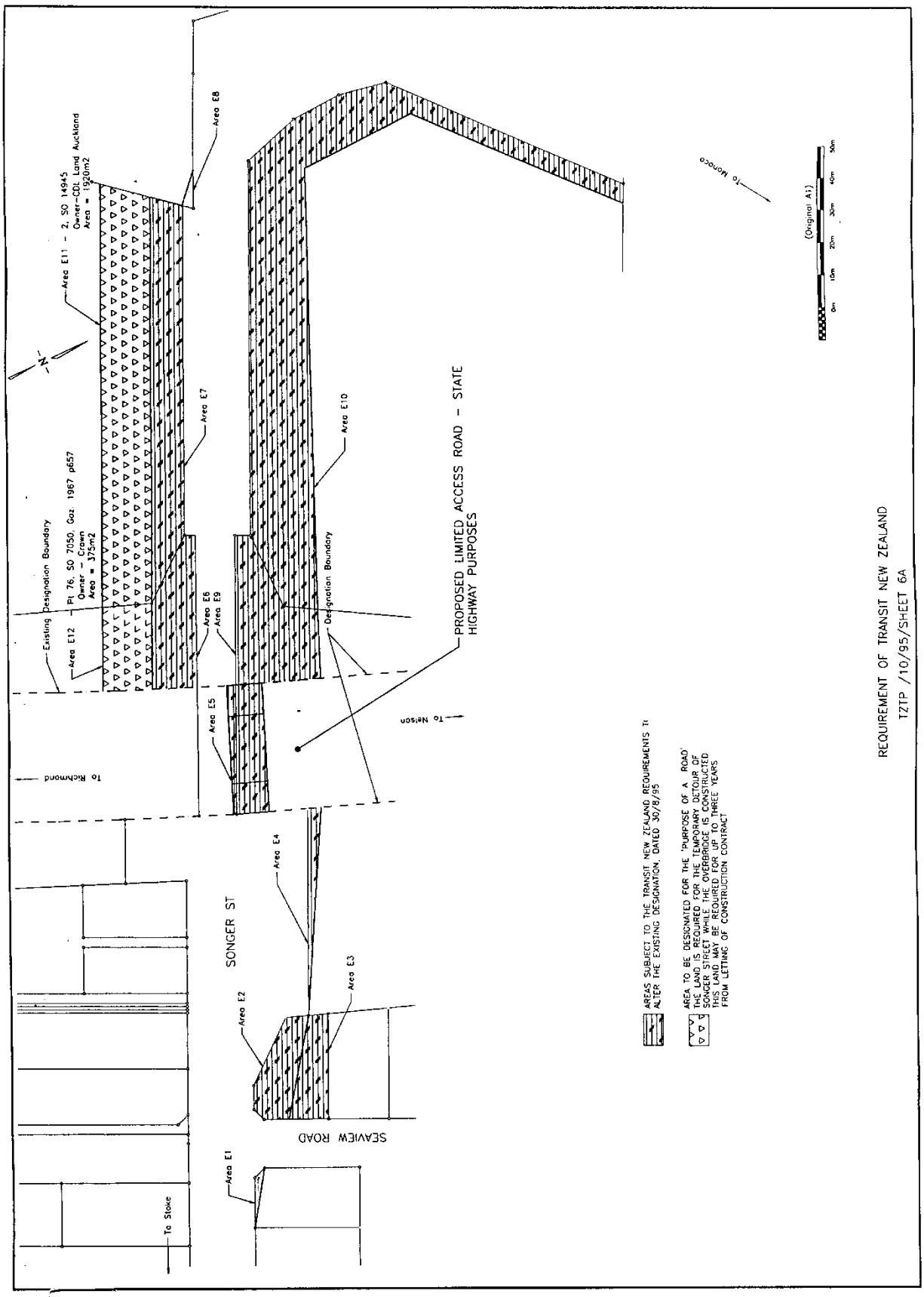
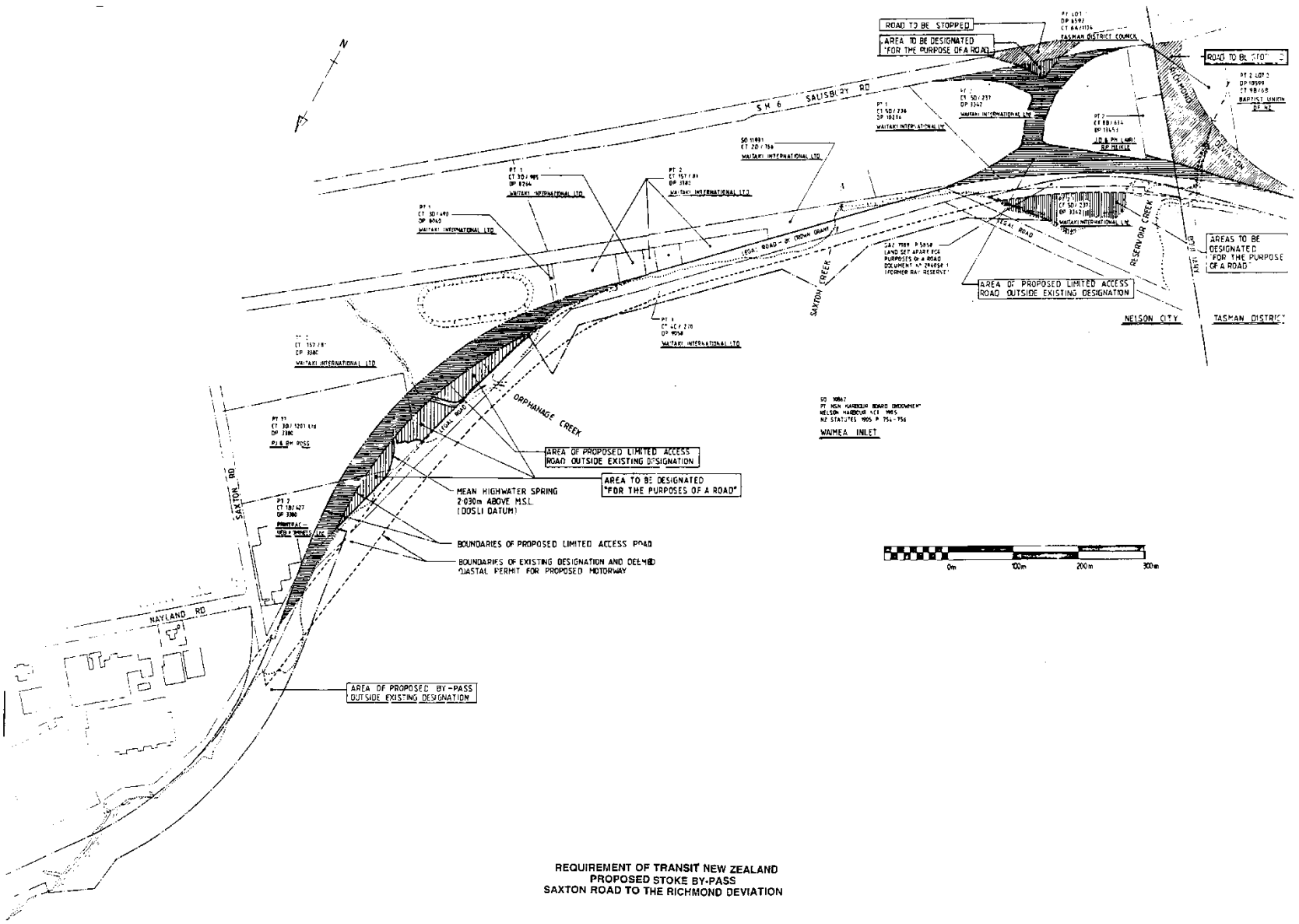
Existing Designation Boundary
Designation Boundary
Area E1
Area E2
Area E3
Area E4
Area E5
Area E6
Area E7
Area E8
Area E9
Area E10
SEAVIEW ROAD
To Stoke
To Richmond
To Nelson
To Motueka
AREA TO BE DESIGNATED FOR THE PURPOSE OF A ROAD
AREA TO BE DESIGNATED 'LOCAL ROAD'
AREA TO BE DESIGNATED 'PROPOSED LIMITED ACCESS ROAD - STATE HIGHWAY PURPOSES AND LOCAL ROAD'
0m
10m
20m
30m
40m
50m


REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 6A
PROPOSED LIMITED ACCESS ROAD - STATE HIGHWAY PURPOSES
SONGER ST
SEAVIEW ROAD
Area E1
Area E2
Area E3
Area E4
Area E5
Area E6
Area E7
Area E8
Area E9
Area E10
Area E11 - 2, SO 14945 Owner-CDL Land Auckland Area = 1920m2
Pt 76, SO 7050, Gaz. 1967 p657 Owner - Crown Area = 375m2
Area E12
Existing Designation Boundary
Designation Boundary
To Richmond
To Nelson
To Stoke
To Monaco
AREAS SUBJECT TO THE TRANSIT NEW ZEALAND REQUIREMENTS TO ALTER THE EXISTING DESIGNATION, DATED 30/8/95
AREA TO BE DESIGNATED FOR THE 'PURPOSE OF A ROAD' THE LAND IS REQUIRED FOR THE TEMPORARY DETOUR OF SONGER STREET WHILE THE OVERBRIDGE IS CONSTRUCTED THIS LAND MAY BE REQUIRED FOR UP TO THREE YEARS FROM LETTING OF CONSTRUCTION CONTRACT
(Original A1)
0m 10m 20m 30m 40m 50m

REQUIREMENT OF TRANSIT NEW ZEALAND
TZTP /10/95/SHEET 7
0m
10m
20m
30m
40m
50m
SAXTON ROAD
NAYLAND ROAD
Sec 61 DP 436
CT 3D/1227
Area F2
Lot 2
DP 5453
CT 132/24
Area F1
N
AREA TO BE DESIGNATED
LOCAL ROAD



REQUIREMENT OF TRANSIT NEW ZEALAND
PROPOSED STOKE BY-PASS
SAXTON ROAD TO THE RICHMOND DEVIATION

appendix 28 freshwater

AP28.1 NCC aggregate extraction sites for the purpose of maintaining flood capacity

River	Location	Activity
Maitai River	Concrete ford by golf club (access to golf course, between car park and course) for a distance 20m upstream and 20m downstream of ford	Up to 300m³ after each high flood event. Note: excavation is below river level and required excavator in river bed.
	Almond Tree flats ford for a distance of 75m above and 50m below the ford.	Up to 800m³ after each high flood event. Note: a) 100m³ of extracted aggregate redeposited on downstream side of ford each year. b) excavation is below river level and requires excavator in river bed.
	Black Hole for a distance of 100m downstream.	Up to 600m³ after each high flood event. Note: excavation is at river level and requires excavator in river bed.
Brook Stream	By OK Corral for a distance of 50m upstream	Up to 500m³ after each high flood event. Note: excavation is to river level and requires excavator and trucks in river bed.
	Behind reserve at 26 Brook St for a distance of 50m also a grit chamber at end of concrete channel.	Up to 500m³ after each high flood event. Note: excavation is below river level and requires excavator and trucks in river bed
	Manuka Street ford for a distance of 20m above ford and 50m below the ford.	Up to 100m³ after each high flood event. Note: excavation is below river level and requires excavator in river bed, downstream only
	Downstream of Nile St culvert there is a grit chamber plus a distance of 20m downstream	Up to 600m³ after each high flood event. Note: excavation is below river level and requires excavator and trucks in river bed

River	Location	Activity
	At Brook Street / Maitai river confluence for a distance of 100m upstream of Dommet St bridge	Up to 500m³ after each high flood event. Note: excavation is at river level and requires excavator in river bed
Wakapuaka River	Maori Pa Road bridge For a distance of 60m above bridge	As per Resource Consent 985158 and associated Environment Court ruling, up to 600m³ after each high flood event. Note: excavation is below river level and requires excavator in river bed.
Poorman Stream	Open channel Up to 75m upstream of SH6 culvert and 20m downstream of SH6.	Up to 500m³ after each high flood event. Note excavation is to river level and requires excavator in river bed.
Orphanage Creek	Detention pond above Main Rd Stoke culvert and for a distance of 100m above pond.	Up to 800m³ every 2 years. Note: excavation is below river level and requires excavator in river bed.
Jenkins Stream	Two grit traps. (1) by SH6 at end of concrete culvert and (2) below the bridge over SH6	Catch pit structures, up to 400m³ after each high flood event. Note: excavation is below river level and requires excavator in river bed.
	Upstream of Annesbrook Drive for a distance of 100m	Up to 200m³ after each high flood event. Note: excavation is to river level.
Arapiki Stream	In ditch upstream of SH6 culvert for a distance of 50m	Up to 60m³ after each high flood event. Note: excavation is to river level
All intake structures	Council stormwater reticulation system intake structures	Volumes and situations vary as required.

AP28.2 Flow regime for specific rivers

River	Reason for minimum flow	Minimum flow basis	Trigger flow basis	Allocation limit
Whangamoa River and tributaries **Measured at:** Upper reaches (Hippolite site): 027: 4966-0091 Lower reaches (Kokoroa): 027: 554-085	Very good water quality with high ecological values. **Management objective:** ecological values	Mean annual low flow	Mean annual low flow	10% of 1 in 5 year (7 day) mean low flow
Wakapuaka River – headwaters above Teal Confluence	Relatively good water quality. Some abstraction occurring with potential for future abstraction. **Management objectives:** - ecological values - downstream water supply	Mean annual low flow	Mean annual low flow	10% of 1 in 5 year (7 day) mean low flow
Wakapuaka River – main stem **Measured at:** Upper reaches (Hira): 027:431991 Lower reaches (Maori Pa Road): 027: 4539-0202	Relatively good water quality. Some abstraction occurring with potential for future abstraction. **Management objectives:** - enhancement (for ecological, public access and recreation values) - abstraction for irrigation	1 in 5 year (7 day) mean low flow	Mean annual low flow	20% of 1 in 5 year (7 day) mean low flow
Teal **Measured at:** Upper reaches (road end): 027: 435960 Lower reaches (Teal Lud intake): 027: 433971	Relatively high abstraction rates with potential for future abstraction. Good water quality with high ecological values. **Management objectives:** - ecological values - abstraction	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Lud **Measured at:** Upper reaches (Murdochs): 027: 420951 Lower reaches (Omahanui): 027: 4315-9869	Some existing abstraction with potential for future abstraction. **Management objectives:** - enhancement (for ecological and recreation values) - abstraction for irrigation	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow

River	Reason for minimum flow	Minimum flow basis	Trigger flow basis	Allocation limit
Todds **Measured at:** Upper reaches: 027:386980 Lower reaches (SH6): 027: 3780-9928	High level of existing abstraction and limited capacity for future abstraction. **Management objectives:** - flood control - riparian enhancement (through ecologically sensitive channel works, fencing upstream in the side valleys of Little Todds and the Biggsburn Way area) - rationalisation of the abstraction permits	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Maitai – main stem **Measured at:** Upper reaches (Forks): 027: 407907 Lower reaches (Riverside): 027:3441-9264	Important freshwater resource which provides for a wide range of competing uses and values including ecological values, Tangata Whenua values, recreational values and domestic water supply for Nelson City. **Management objectives:** - public water supply - enhancement (for ecological values) - recreational use	**Upper reaches (Forks) minimum flow:** From 1 November to 30 April (summer): 175 litres per second From 1 May to 31 October (winter): i) when the South Branch instantaneous flow exceeds 140 litres per second, the minimum instantaneous flow at the Forks shall be 300 litres per second, and ii) when the South Branch instantaneous flow is less than or equal to 140 litres per second, the minimum flow at the Forks shall be 225 litres per second. This minimum flow shall remain effective until the south branch mean daily flow exceeds 140 litres per second and the water level in the Maitai reservoir exceeds the level shown in figure 1 of the resource consent (RM025151), and iii) when the South Branch instantaneous flow is less than or equal to 130 litres per second, the minimum instantaneous flow at the forks shall be 190 litres per second. **Minimum flow (lower reaches):** 10% of mean annual low flow as measured at Riverside. **Trigger flow** There is no trigger flow for the Maitai. **Allocation limit:** No additional water permits will be approved to take water from the Maitai River.		

River	Reason for minimum flow	Minimum flow basis	Trigger flow basis	Allocation limit
Hillwood – upper catchment **Measured at:** Unique Creek: 027: 409987	Some abstraction with potential for future abstraction. **Management objectives:** - water supply (domestic and irrigation for horticulture - ecological values - enhancement of mid-stretch (of upper catchment) through revegetation	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Hillwood – lower catchment **Measured at:** Water supply intake: 027: 409987	Some abstraction with potential for future abstraction. **Management objectives:** - flood control - riparian enhancement - potential ecological values (with change in land use and wetland enhancement) - potential for irrigation if change in land use from dairy to cropping	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Poormans Valley Stream **Measured at:** Upper reaches (Barnicoat): 027: 3202-8644 Lower reaches (Seaview Road): N27:2940-8887	Some abstraction with potential for future abstraction. Relatively good water quality and in-stream values. **Management objectives:** - irrigation - ecological values, including threatened native fish species (giant kokopu) - recreational and amenity values - stock drinking water	**For all of the stream above Seaview Road:** Mean annual low flow **Stream below Seaview Road:** 1 in 5 year (7 day) mean low flow	Mean annual low flow	**Upper reaches (Barnicoat):** 10% of 1 in 5 year (7 day) mean low flow **Lower reaches (Seaview Road):** 33% of 1 in 5 year (7 day) mean low flow

River	Reason for minimum flow	Minimum flow basis	Trigger flow basis	Allocation limit
Saxton Creek **Measured at:** N27:273862	Some abstraction with potential for future abstraction. **Management objectives:** - irrigation - future amenity/recreation value - enhancement of ecological values(new freezing works, change of land use from horticulture to extension of Saxton Field)	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Oldham Creek **Measured at:** Upper reaches: 027: 372960 Lower reaches (Corder): 027: 3668-9668	Some abstraction with potential for future abstraction. **Management objectives:** - flood control - domestic water supply - amenity values - enhancement of ecological values	1 in 5 year (7 day) mean low flow	Mean annual low flow	33% of 1 in 5 year (7 day) mean low flow
Roding – main stem **Measured at:** Opposite caretakers house: 027: 318833	Important freshwater resource which provides for a wide range of competing uses and values including ecological values, Tangata Whenua values, recreational values and domestic water supply for Nelson City. **Management objectives:** - public water supply - enhancement (for ecological, amenity and recreation values)	**Minimum flow:** From 1 October 2001: 51 litres per second From 1 July 2008: 100 litres per second **Trigger flow:** There is no trigger flow for the Roding. **Allocation limit:** No additional water permits will be approved to take water from the Roding River.		
Default for unspecified rivers		**Allocation limit:** 10% of 1 in 5 year (7 day) mean low flow.		

In all cases, an advisory flow level will be set at 10% above the trigger flow to give ample warning to abstractors of upcoming restrictions.

AP28.3 Water allocation rules

AP28.3.i Water allocation - general rules

a) Water intake structures

The water intake structures of water takes in the Rural Zone shall be designed and constructed in a way that prevents fish entering the structures. Methods to achieve this include:

i. a maximum water velocity into the structure that is no greater than 0.5l/s, and
ii. screening the intake with mesh spacing that is no larger than 1.5mm in one dimension, and
iii. locating the intake screen at least 0.5m into the water column.

b) Water meters

Water meters shall be installed and maintained on the outlet of the pump for all consented water abstractions in any zone.

Explanation:

All water takes which require resource consent will be metered. Water metering provides the only feasible and practical method of monitoring total abstraction from rivers. Without metering there is no practical way Council can accurately monitor abstraction from rivers and groundwater, or know how much water remains in the river or aquifer for either in-stream uses or for other abstraction. Metering may also provide useful information on hydraulic linkages between rivers, aquifers, wetlands and springs during droughts and high rainfall events.

c) Monitoring fee

A monitoring fee, as established through the annual fees and charges process managed by the Planning & Consents Division, shall be paid to the Council by all water permit holders for the purposes of monitoring water flows, levels and abstractions.

AP28.3.ii Basis and methods for water rationing

Water abstraction during periods of low flow will be restricted using the following criteria:

a) all water takes must cease where any trigger flows in Appendix 28.2 are reached and where:
   i) the take is not for domestic, stock water, or fire fighting purposes, and
   ii) a water conservation plan has not been approved by the Council, and

b) all water takes must cease, except for fire fighting purposes, when the minimum flow is reached, and

c) water shortage directions will be issued as a last resort.

Rationing for all take, use, or abstraction of water which is not a permitted activity will be implemented on a catchment by catchment basis, as follows:

Flow	Basis for rationing/requirement	Methods of monitoring/advising affected parties	Methods of rationing
Trigger flow and above	No rationing	Website	N/a
Between minimum flow and trigger flow	a) For permit holders with a Water Conservation Plan approved by the Council: surplus flow above the minimum flow, apportioned amongst users based on a % equal to the % of cumulative permitted allocation. e.g. if an abstractor holds 25% of the cumulatively allocated water, they may abstract 25% of the available flow above the minimum flow OR as set out in the Water Conservation Plan. b) For permit holders without an approved Water Conservation plan abstraction must cease. c) For domestic water abstractions, no watering of lawns or amenity plantings.	- Notice in paper - Website	- Flow restricters on pump outlets - Pumping roster - Water meter monitoring - Water user groups - Water shortage directions
Minimum flow and below	All takes other than for fire fighting purposes and stock drinking water must cease.	- Phone calls to affected persons - Website	-Water shortage directions - Abstraction ceases
No minimum flow specified	% of residual flow being abstracted.		- Consent conditions - Flow restricters on pump outlets - Pumping roster - Water meter monitoring - Water user groups - Water shortage directions

AP28.3.iii Expiry and duration of water permits

a) In most cases, new water permits granted after 9 October 2004, and existing water permits without expiry dates, will expire as follows:

Catchment	Permit Expiry	Permit Duration
Whangamoa	30 June 2013	10 yrs
Wakapuaka	30 June 2013	10 yrs
Glenduan and Atawhai from Gentle Annie to Atawhai Drive	30 June 2014	10 yrs
Maitai	30 June 2017	20 yrs
Stoke Fan and York Stream	30 June 2014	10 yrs
Roding River	30 June 2017	20 yrs
Groundwater	30 June 2013	10 yrs

Exceptions to this rule will occur where a shorter term is necessary to monitor effects, or where a longer term is considered by the Council to be justified. The following assessment criteria will apply: efficiency of water use, use of good industry practice by the applicant, and the level of investment associated with the use of water.

b) Permits granted within 2 years of an expiry date shall expire on the second common expiry date after the permit is granted (e.g. where the expiry dates are 2010 and 2020, and an application is granted in 2009, the expiry date will be 2020), and the conditions of these existing consents will be reviewed to bring them into line with new consents issued in the same catchment.

Explanation:
A longer permit duration has been set for the Maitai and Roding catchments. This reflects the importance of the water permit for urban water supply, the extensive infrastructure involved, and the need for a greater level of certainty when planning for provision of a water supply for the City.

AP28.4 Classification of Nelson water bodies

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Roding River	City boundary to Conservation Zone boundary	Conservation Access	• urban water supply • native fisheries • swimming • amenity and recreation values • iwi values	B	Third
Saxton Creek	all	Conservation (aquatic habitat priority 3) Access Hazard mitigation	• water storage dam (private) • irrigation • stock water • stormwater drainage • sensitivity of Waimea Inlet receiving environment	E	Second
Orphanage Creek	Coast to Main Road Stoke	Hazard mitigation Access	• future industrial use in the lower catchment (Nayland South) • stormwater drainage • Iwi values • native fisheries • high value for amenity and recreation (Saxton Field and nearby residential area) • sensitivity of Waimea Inlet receiving environment	D	Second
	Saxton Road to Suffolk Road	Access Conservation Hazard mitigation			
	Suffolk Road to headwaters	Hazard mitigation Access			
Orchard Creek	Coast to Nayland Road	Access Hazard mitigation	• stormwater drainage • Iwi values • sensitivity of Waimea Inlet receiving environment • high amenity and recreation values in residential area	E	First
	Nayland Road to headwaters	Hazard mitigation Flood capacity			
Poorman Valley Stream	Seaview Road to Christian Academy	Access Conservation Hazard mitigation	• Residential Zone • stormwater drainage • Iwi values • native fisheries • high amenity and recreation values • sensitivity of Waimea Inlet receiving environment	E	First

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
	Christian Academy to Marsden Valley Reserve	Access Conservation Hazard mitigation	• rural/ unmodified • stormwater drainage • fords and structures • native fisheries – koura, eels, banded kokopu • domestic abstractions • watercress • trout fisheries • Iwi values • amenity and recreation values • sensitivity of Waimea Inlet receiving environment	C	Second (Maintain C quality or upgrade to B where practicable)
	Marsden Valley reserve to road head	Access			
Arapiki Stream	Jenkins Creek confluence to Quarantine Road second crossing	Conservation Hazard mitigation	**lower reaches – industrial areas** • stormwater drainage • native fisheries • amenity and recreation values • sensitivity of Waimea Inlet receiving environment	E	First
	Quarantine Road to Ridgeway	Hazard mitigation			

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Jenkins Creek	Confluence with Poorman Valley Stream to Quarantine Road	Access Conservation Hazard mitigation	**lower reaches – industrial areas** • stormwater drainage • native fisheries • amenity and recreation values • sensitivity of Waimea Inlet receiving environment	D	Second
	Quarantine Road to Annesbrook Drive	Conservation Access			
	Annesbrook Drive to Gracefield Street	Access Hazard mitigation	**upper reaches - rural/ unmodified** • stormwater drainage • fords and structures • native fisheries • domestic abstractions • amenity and recreation values • sensitivity of Waimea Inlet receiving environment	D	Second
	Gracefield Street to Beatson Road	Hazard mitigation			
	Beatson Road to Newman Drive	Hazard mitigation			
	Newman Drive to Enner Glynn Road head (grid 027 323885)	Access Conservation Hazard mitigation			
York Stream	St Vincent Street/Totara Street corner to Waimea Road	Hazard mitigation	• intractable upper catchment issues: quarry and two landfills (one private, one public) **mid reaches** – residential/commercial areas **lower reaches** – industrial (but these are culverted) • stormwater drainage • native fisheries	D	Second
	York Dam to headwaters	Hazard mitigation			

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Brook Stream	Maitai confluence to 328 Brook Street		**Lower** (measured at Manuka St ford) • stormwater drainage • recreation and aesthetics • Iwi values • native fisheries	D	First
			Mid (measured at Blick Tce) • swimming • stock water • trout spawning • limited trout fishing • watercress gathering • native fishery • stormwater discharges • Iwi values • high recreation and amenity values	C	
	328 Brook St to above Brook Motor Camp	Hazard mitigation Conservation Access	• native fishery • old reservoir • Iwi values • high recreation and amenity values	A	Second Maintain

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Maitai River	The Haven to Jickells Bridge	Conservation Access Hazard mitigation	**Lower** (Riverside to seaward boundary) • stormwater drainage • swimming (health issue) • trout, whitebait and eel fishing • dog swimming • kayaking • whitebait spawning • Iwi values • high amenity and recreational value • walkway	D	First
			Mid (from Riverside to Almond Tree Ford) • stormwater drainage • swimming (health issue) • dog-swimming • trout and eel fishing • Iwi values • native fisheries • high amenity and recreational value • walkway	C	First
	Jickells Bridge to Conservation Zone boundary	Conservation Access Hazard mitigation	**Mid-Upper** (from Almond Tree ford to Motor camp) • swimming • trout and eel fishing • dog-swimming • native fisheries • trout fisheries • walkway • Iwi values	C	Third Maintain Upgrade to B where practicable

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Maitai River	Sharlands Creek/Maitai confluence to headwaters	Conservation Access Hazard mitigation	**Upper** (from Maitai camp and upstream - South branch) • native fisheries • urban water supply • trout and eel fishery • trout spawning • Iwi values	A (South Branch only) B (other reaches)	Preserve
	Groom Creek/Maitai confluence to Tantragee Saddle	Access Conservation			
Groom Creek			• native fisheries • Iwi values • affects Maitai River quality for swimming (health issue)	B	Second
Sharlands Creek			• trout spawning and rearing • native fisheries • Iwi values	C	First Upgrade to B where practicable
Oldham Creek	Corder Pond to Hodgson Place east boundary	Hazard mitigation Conservation	**Lower** • amenity and recreation value • Iwi values • native fisheries • discharges into Nelson Haven (sensitive environment)	D	Second
	Strathhaven Place branch from Naumai Street through Strathhaven Place (both branches)	Hazard mitigation Conservation	**Upper** • amenity and recreation value • Iwi values • native fisheries • discharges into Nelson Haven (sensitive environment)	D	Second
	Werneth Place to forest remnant (grid 027 375965	Access			

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Todds Valley Stream	Lower and Central Reaches	Hazard mitigation access conservation	**Lower** • irrigation abstraction • reservoir storage • stock water • channel upgrade and major in-stream works planned • native fisheries • Iwi values • discharge into Wakapuaka wetland (sensitive receiving environment)	D	First
	Upper reaches	Hazard mitigation Conservation	**Upper** • irrigation abstraction • reservoir storage • stock water • channel upgrade and major in-stream works planned • native fisheries • Iwi values	C	Second
Hillwood Valley Stream			• stock water • native fisheries • Iwi values • discharge into Wakapuaka wetland (sensitive receiving environment)	D	Second
Waihi Creek			**Lower reaches** (north from Cable Bay walkway entrance) • significant native fisheries • domestic and stock abstraction • Iwi values	D	Second

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Wakapuaka River	Delaware Inlet to Hira township	Conservation Access Hazard mitigation	• domestic supply • stock water • fishing – trout and whitebait (fisheries and spawning) • native fisheries • swimming • irrigation • gravel extraction (Maori Pa Road) • Iwi values – particularly Delaware Inlet • high amenity and recreation value	C	Second
	Hira township to Ross Road turnoff	Conservation Access	• domestic abstraction • swimming • trout spawning and rearing • native fisheries • Iwi values	A	Second Maintain
	Ross Road turnoff to last Whangamoa layby	Conservation Access	• domestic abstraction • swimming • trout spawning and rearing • native fisheries • Iwi values	A	Third Maintain
Teal River	SH6 to Small Holdings Area boundary	Hazard mitigation Access Conservation	**Lower** • domestic abstraction • swimming (health issue) • trout spawning and rearing • native fisheries • Iwi values	C	Second
			Upper • domestic abstraction • swimming • trout spawning and rearing • native fisheries	B	Third Maintain

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Lud River	SH6 to Small Holdings Area boundary	Conservation Access Hazard mitigation	**Lower** • domestic abstraction • swimming • trout spawning and rearing • native fisheries • Iwi values	C	First
			Upper • domestic abstraction • swimming • trout spawning and rearing • native fisheries • Iwi values	C	First
Pitcher's Stream			• native fishery • Iwi values	A	Third Maintain
Whangamoa River	Whangamoa Main Stem inlet to Graham Stream confluence	Conservation Access	**Lower** • native fisheries • trout fishing • drinking water • vehicles crossings • Iwi values • sensitive coastal receiving environment	A	Third Maintain
			Mid • native fisheries • trout fishing • drinking water • vehicle crossings • Iwi values	C	Third Upgrade to Class B where practicable
	Whangamoa Main Stem above Graham Stream		**Upper** • native fisheries • trout spawning • drinking water • vehicle crossings • Iwi values	A	Third Maintain

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

River	Reach	Riparian margin management values (from Appendix 6)	Associated land uses and values	Water quality classif-ication (2007)*	Priority for improve-ment
Graham Stream	-	-	• native fisheries (unknown values) • trout spawning and fishing • drinking water • vehicle crossings • Iwi values • sensitive coastal receiving environment	A	Third Maintain
Collins River	-	-	• native fisheries • trout spawning and fishing • Iwi values	B	Third Maintain
Dencker Creek			• native fisheries • drinking water • vehicle crossings • Iwi values	A	Third Maintain

* Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No. 774 (October 2002). The revised classifications and the reasons for them are shown in Cawthron Report No. 1349 (September 2007).

AP28.5 Water quality standards - freshwater

Class A Excellent (high conservation / ecological value)	
General Characteristic	Water quality of this class markedly and uniformly exceeds the requirement for all or substantially all uses
Characteristic uses	Characteristic uses include but are not limited to the following: Spiritual and cultural Water supply (untreated domestic, industrial, irrigation, livestock). Human consumption of aquatic biota. Aquaculture Aquatic ecosystem (including migration) Wildlife habitat Recreation and Aesthetics (primary and secondary contact recreation, visual use, fishing, boating, aesthetic enjoyment)
Water Quality Criteria	
Waterborne Disease Risk	Faecal coliforms: at least 98% of samples contain no faecal coliforms or E. coli in 100ml. Viruses: no enteric viruses are detectable in 100l of sample. Protozoa (pathogenic e.g. Giardia and Cryptosporidium): not detectable in 100l of sample. Helminths (pathogenic): not detectable in 100l of sample
Toxic Algae	No toxic algae detectable in 100l of sample.
Dissolved Oxygen	Rivers and streams: median or mean dissolved oxygen measured under low flow conditions in daytime is within the range of 99 – 103% saturation. Lakes and reservoirs: dissolved oxygen is in the range of 90-110% saturation.
Turbidity	Turbidity (mean or median) in rivers and streams does not exceed 1.0 NTU.
Clarity	Clarity (median) – Rivers and streams (black disc) is not less than 6.0m. Lakes and reservoirs (secchi disc) is not less than 7m.
Colour	Colour – hue does not change by more than 5 points on the Munsell scale.
Temperature	Temperature in rivers and streams does not exceed a daily mean of 18^0C or a daily maximum of 20^0C due to human activities.
pH	pH is within the range of 7.2 and 9.0.
Periphyton (rivers and streams)	Maximum cover of diatoms and cyanobacteria: more than 0.3cm thick in gravel/cobble bed streams does not exceed 60% and filamentous algae more than 2cm long does not exceed 30% unless there have been no significant freshes (> 6x baseflow) for a period longer than 50 days.
Nutrients	Phosphorus and nitrogen. Rivers and streams: mean monthly concentrations of soluble inorganic phosphorus (SIP) and soluble inorganic nitrogen (SIN) measured under low flow conditions are less than 5 and 80ug/l respectively. Lakes and reservoirs: mean monthly concentrations of total phosphorus (TP) and total nitrogen (TN) are less than 5 and 80ug/l respectively.
Toxicants	Toxic, radioactive or deleterious material concentrations are below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon these waters and bed sediments, or adversely affect public health, as determined by the 99% level of protection for toxicants in water (AP28.6.i in Appendix 28) and the ISQG-Low Trigger Value for toxicants in sediments (AP28.6.ii in Appendix 28.6)
Objectionable material	Waters are free from: floating debris, oil, grease and other objectionable material, excluding those of natural origin.
Aesthetic	Aesthetic values are not impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, taste or touch.

Macroinvertebrates (rivers and streams)	Species richness of the predominant invertebrate assemblages in gravel/cobble bed rivers and streams, as measured by the macroinvertebrate community index (MCI), are not less than 120, and/or the semi-quantitative MCI (SQMCI) is not less than 6.00.
Aquatic habitat	Aquatic habitat, including riparian habitat, is not impaired by the activities of humans, either directly or indirectly.
Class B Very Good	
General Characteristic	Water quality of this class markedly and uniformly exceeds the requirement for all or substantially all uses
Characteristic uses	Characteristic uses include but are not limited to the following: Spiritual and cultural Water supply (treated domestic, industrial, irrigation, livestock). Human consumption of aquatic biota. Aquaculture Aquatic ecosystem (including migration) Wildlife habitat Recreation and Aesthetics (primary and secondary contact recreation, visual use, fishing, boating, aesthetic enjoyment)
Water Quality Criteria	
Waterborne Pathogens	E.coli.: running median (estimated monthly) of E.coli. is less than 126/100ml. Single sample is not more than 410 E. coli per 100ml. Faecal coliforms:(estimated monthly) no greater than 20% of samples will exceed 400/100ml. Median value does not exceed 100 FC/100ml
Toxic algae	No criteria.
Dissolved oxygen	Rivers and streams: median or mean dissolved oxygen measured under low flow conditions in daytime is within the range of 98 – 105% saturation. Lakes and reservoirs: dissolved oxygen is in the range of 90-110% saturation.
Turbidity	Turbidity (mean or median) in rivers and streams does not exceed 2.0 NTU
Clarity	Clarity (median) in rivers and streams (black disc) shall not be less than 4m. In lakes and reservoirs (secchi disc) clarity shall not be less than 5m.
Colour	Colour: hue does not change by more than 5 points on the Munsell scale.
Temperature	Temperature in rivers and streams: does not exceed a daily mean of 20 degrees C or a daily maximum of 24 degrees C due to human activities.
pH	pH is within the range of 7.2 and 9.0.
Periphyton (rivers and streams)	Maximum cover of diatoms and cyanobacteria: more than 0.3cm thick in gravel/cobble bed streams does not exceed 60%, and for filamentous algae more than 2cm long, cover does not exceed 30% unless there have been no significant freshes (more than 6x baseflow) for a period longer than 30 days.
Nutrients	Phosphorus and nitrogen. Rivers and streams: mean monthly concentrations of soluble inorganic phosphorus (SIP) and soluble inorganic nitrogen (SIN) measured under low flow conditions are less than 9 and 120ug/l respectively. Lakes and reservoirs: mean monthly concentrations of total phosphorus (TP) and total nitrogen (TN) are less than 9.0 and 160ug/l respectively.
Toxicants	Toxicants – toxic, radioactive or deleterious material concentrations shall be below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon these waters and bed sediments, or adversely affect public health, as determined by the 95% level of protection for toxicants in water (AP28.6.i in Appendix 28) and the ISQG-Low Trigger Value for toxicants in sediments (AP28.6.ii in Appendix 28).
Objectionable material	Waters are free from: floating debris, oil, grease and other objectionable material, excluding those of natural origin.
Aesthetic	Aesthetic values are not impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, taste or touch.
Macroinvertebrates (rivers and streams)	Species richness of the predominant invertebrate assemblages in gravel/cobble bed rivers and streams, as measured by the macroinvertebrate community index (MCI), are not less than 100, and/or the semi-quantitative MCI (SQMCI) is not less than 5.00.

Aquatic habitat	Aquatic habitat, including riparian habitat, is not impaired by human activities, either directly or indirectly.
Class C Moderate	
General Characteristic	Water quality of this class markedly and uniformly exceeds the requirement for most uses
Characteristic uses	Characteristic uses include but are not limited to the following: Water supply (industrial). Human consumption of aquatic biota. Aquaculture Aquatic ecosystem (including migration) Wildlife habitat Recreation and Aesthetics (secondary contact recreation, visual use, fishing, boating, aesthetic enjoyment)
Water Quality Criteria	
Waterborne Pathogens	E.coli. running median (estimated monthly): less than 500/100ml. Faecal coliforms (estimated monthly): no greater than 20% of samples exceed 400/100ml.
Toxic algae	No criteria.
Dissolved oxygen	Rivers and streams: minimum dissolved oxygen measured under low flow conditions over 24 consecutive hours is not less than 90% saturation. Lakes and reservoirs: dissolved oxygen is in the range of 90-110% saturation..
Turbidity	Turbidity (mean or median) in rivers and streams does not exceed 3.0 NTU.
Clarity	Clarity - Natural visual clarity not reduced by more than 33%. Or Clarity (median) - rivers and streams (black disc) shall not be less than 2.5m. Lakes and reservoirs (secchi disc) shall not be less than 4m.
Colour	Colour – hue is not changed by more than 10 points on the Munsell scale.
Temperature	Temperature in rivers and streams, does not exceed a daily mean of 22^0C or a daily maximum of 27^0C due to human activities.
pH	pH is within the range of 6.5 and 8.5.
Periphyton (rivers and streams)	Maximum cover of diatoms and cyanobacteria: more than 0.3cm thick in gravel/cobble bed streams does not exceed 60% cover and filamentous algae more 2cm long does not exceed 30% cover unless there have been no significant freshes (more than 6x baseflow) for a period longer than 20 days.
Nutrients	Phosphorus and nitrogen. Rivers and streams: mean monthly concentrations of soluble inorganic phosphorus (SIP) and soluble inorganic nitrogen (SIN) measured under low flow conditions are less than 26 and 295ug/l respectively. Lakes and reservoirs: mean monthly concentrations of total phosphorus (TP) and total nitrogen (TN) are less than 20 and 250ug/l respectively.
Toxicants	Toxicants – toxic, radioactive or deleterious material concentrations are below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon these waters and bed sediments, or adversely affect public health, as determined by the 95% level of protection for toxicants in water (AP28.6.i in Appendix 28) and the ISQG-Low Trigger Value for toxicants in sediments (AP28.6.ii in Appendix 28).
Objectionable material	Waters are free from: floating debris, oil, grease and other objectionable material, excluding those of natural origin.
Aesthetic	Aesthetic values are not reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use or taint the flesh of edible species.
Macroinvertebrates (rivers and streams)	Species richness of the predominant invertebrate assemblages in gravel/cobble bed rivers and streams, as measured by the macroinvertebrate community index (MCI), are not less than 80, and/or the semi-quantitative MCI (SQMCI) is not less than 4.00.
Aquatic habitat	No criteria.

Class D Degraded	
General Characteristic	Water quality of this class meets or exceeds the requirements of selected and essential uses.
Characteristic uses	Characteristic uses includes but are not limited to the following: Water supply (industrial). Human consumption of aquatic biota Aquaculture Aquatic ecosystem (including migration) Wildlife habitat Recreation and Aesthetics (secondary contact recreation, visual use, fishing, boating, aesthetic enjoyment) Commerce
Water Quality Criteria	
Waterborne Pathogens	No criteria
Toxic algae	No criteria.
Dissolved oxygen	Rivers and streams: minimum dissolved oxygen measured under low flow conditions over 24 consecutive hours is not less than 80% saturation. Lakes and reservoirs; no measurable decrease from natural conditions.
Turbidity	Turbidity (mean or median) in rivers and streams does not exceed 5.0 NTU.
Clarity	Clarity: natural visual clarity is not reduced by more than 33%. Alternatively, clarity (median) of rivers and streams (black disc) is not less than 0.6m. Lakes and reservoirs (secchi disc) is not less than 3m.
Colour	Colour: hue is not changed by more than 10 points on the Munsell scale.
Temperature	Temperature in rivers and streams does not exceed a daily mean of 25^0C or a daily maximum of 30^0C due to human activities.
pH	pH is within the range of 6.5 and 9.0.
Periphyton	No criteria.
Nutrients	Phosphorus and nitrogen. Rivers and streams; mean monthly concentrations of soluble inorganic phosphorus (SIP) and soluble inorganic nitrogen (SIN) measured under low flow conditions should be less than 30 and 350ug/l respectively. Lakes and reservoirs: mean monthly concentrations of total phosphorus (TP) and total nitrogen (TN) are less than 20 and 337ug/l respectively.
Toxicants	Toxicants – toxic, radioactive or deleterious material concentrations are below those which have the potential either singularly or cumulatively to adversely affect characteristic water uses, cause acute or chronic conditions to the most sensitive biota dependent upon these waters and bed sediments, or adversely affect public health, as determined by the 90% level of protection for toxicants in water (AP28.6.i in Appendix 28) and the ISQG-Low Trigger Value for toxicants in sediments (AP28.6.ii in Appendix 28).
Objectionable material	Not applicable.
Aesthetic	Aesthetic values are not interfered with by the presence of obnoxious wastes, slimes, aquatic growths, or materials which taint the flesh of edible species.
Macroinvertebrates (rivers and streams)	No criteria.
Aquatic habitat	No criteria.

Class E Very Degraded	
General Characteristic	Water quality of this class meets or exceeds the requirements of selected and essential uses.
Characteristic uses	Characteristic uses include but are not limited to the following: Treated water supply (industrial).
Water Quality Criteria	
Waterborne Pathogens	No criteria.
Toxic algae	No criteria.
Dissolved oxygen	No criteria.
Colour	No criteria.
Temperature	No criteria.
pH	No criteria.
Periphyton	No criteria.
Nutrients	No criteria.
Toxicants	No criteria.
Objectionable material	No criteria.
Aesthetic	No criteria.
Aquatic habitat	No criteria.

AP28.6 Surface water and sediment quality standards for toxicants - freshwater

AP28.6.i **Surface Water Quality Criteria for Toxicants:** Recommended trigger values for toxicants for different classes of water bodies (derived from ANZECC 2000).
These are chronic or long term toxicity criteria (>4 days exposure) which are designed to be met at the edge of a mixing zone.

Chemical	Trigger values for surface freshwater (µgL-1)			
	Level of protection			
	Class A	Class B	Class C	Class D
METALS & METALLOIDS				
Aluminium pH >6.5	27	55	80	150
Arsenic (As III)	1	24	94 C	360 C
Arsenic (AsV)	0.8	13	42	140 C
Boron	90	370 C	680 C	1300 C
Cadmium H	0.06	0.2	0.4	0.8 C
Chromium (CrVI)	0.01	1.0 C	6.0 A	40 A
Copper H	1	1.4	1.8 C	2.5 C
Lead H	1	3.4	5.6	9.4 C
Manganese	1200	1900C	2500C	3600C
Mercury (inorganic) B	0.06	0.6	1.9 C	5.4 A
Nickel H	8	11	13	17 C
Selenium (Total) B	5	11	18	34
Silver	0.02	0.05	0.1	0.2 C
Zinc H	2.4	8.0 C	15 C	31 C
NON-METALLIC INORGANICS				
Ammonia D	320	900 C	1430 C	2300 A
Chlorine E	0.4	3	6.0 A	13 A
Cyanide F	4	7	11	18
Nitrate J	17	700	3400 C	17000 A
Hydrogen sulfide G	0.5	1	1.5	2.6
ORGANIC ALCOHOLS				
Ethanol	400	1400	2400 C	4000 C
CHLORINATED ALKANES				
Chloroethanes				
1,1,2-trichloroethane	5400	6500	7300	8400
Hexachloroethane B	290	360	420	500
ANILINES				
Aniline	8	250 A	1100 A	4800 A
2,4-dichloroaniline	0.6	7	20	60 C
3,4-dichloroaniline	1.3	3	6 C	13 C
AROMATIC HYDROCARBONS				
Benzene	600	950	1300	2000
o-xylene	200	350	470	640
p-xylene	140	200	250	340
Polycyclic Aromatic Hydrocarbons				
Naphthalene	2.5	16	37	85
Nitrobenzenes				
Nitrobenzene	230	550	820	1300
Nitrotoluenes				
2,4-dinitrotoluene	16	65 C	130 C	250 C
2,4,6-trinitrotoluene	100	140	160	210
Chlorobenzenes and Chloronaphthalenes				
1,2-dichlorobenzene	120	160	200	270
1,3-dichlorobenzene	60	260	350	520C

Chemical	Class A	Class B	Class C	Class C
1,4-dichlorobenzene	40	60	75	100
1,2,3-trichlorobenzene B	3	10	16	30 C
1,2,4-trichlorobenzene B	85	170C	220C	300C
Polychlorinated Biphenyls (PCBs) & Dioxins				
Aroclor 1242 B	0.3	0.6	1	1.7
Aroclor 1254 B	0.01	0.03	0.07	0.2
PHENOLS and XYLENOLS				
Phenol	85	320	600	1200 C
2-chlorophenol T	340 C	490 C	630 C	870 C
4-chlorophenol T	160	220	280 C	360 C
2,4-dichlorophenol T	120	160 C	200 C	270 C
2,4,6-trichlorophenol T,B	3	20	40	95
2,3,4,6- tetrachlorophenol T,B	10	20	25	30
Pentachlorophenol T,B	3.6	10	17	27 A
Nitrophenols				
2,4-dinitrophenol	13	45	80	140
PHTHALATES				
Dimethylphthalate	3000	3700	4300	5100
Diethylphthalate	900	1000	1100	1300
Dibutylphthalate B	9.9	26	40.2	64.6
MISCELLANEOUS INDUSTRIAL CHEMICALS				
Poly(acrylonitrile-co-butadiene-costyrene)	200	530	800 C	1200 C
ORGANOCHLORINE PESTICIDES				
Chlordane B	0.03	0.08	0.14	0.27 C
DDT B	0.006	0.01	0.02	0.04
Endosulfan B	0.03	0.2 A	0.6 A	1.8 A
Endrin B	0.01	0.02	0.04 C	0.06 A
Heptachlor B	0.01	0.09	0.25	0.7 A
Lindane	0.07	0.2	0.4	1.0 A
Toxaphene B	0.1	0.2	0.3	0.5
ORGANOPHOSPHORUS PESTICIDES				
Azinphos methyl	0.01	0.02	0.05	0.11 A
Chlorpyrifos B	0.00004	0.01	0.11 A	1.2 A
Diazinon	0.00003	0.01	0.2 A	2.0 A
Dimethoate	0.1	0.15	0.2	0.3
Fenitrothion	0.1	0.2	0.3	0.4
Malathion	0.002	0.05	0.2	1.1 A
Parathion	0.0007	0.004 C	0.01 C	0.04 A
CARBAMATE & OTHER PESTICIDES				
Carbofuran	0.06	1.2 A	4.0 A	15 A
Methomyl	0.5	3.5	9.5	23
PYRETHROIDS				
Esfenvalerate	ID	0.001*	ID	ID
HERBICIDES & FUNGICIDES				
Bypyridilium herbicides				
Diquat	0.01	1.4	10	80 A
Phenoxyacetic acid herbicides				
2,4-D	140	280	450	830
2,4,5-T	3	36	100	290 A
Thiocarbamate herbicides				
Molinate	0.1	3.4	14	57
Thiobencarb	1	2.8	4.6	8 C
Thiram	0.01	0.2	0.8 C	3.0 A
Triazine herbicides				
Atrazine	0.7	13	45 C	150 C
Simazine	0.2	3.2	11	35

Chemical	Class A	Class B	Class C	Class D
Urea herbicides				
Tebuthiuron	0.02	2.2	20	160 C
Miscellaneous herbicides				
Glyphosate	370	1200	2000	3600 A
Trifluralin B	2.6	4.4	6	9.0 A
GENERIC GROUPS OF CHEMICALS				
Surfactants				
Linear alkylbenzene sulfonates (LAS)	65	280	520 C	1000 C
Alcohol ethoxyolated sulfate (AES)	340	650	850 C	1100 C
Alcohol ethoxylated surfactants (AE)	50	140	220	360 C

Notes: Refer to Table 3.4.1 in ANZECC (2000) and sections referred to below for guidance on application of these criteria.

* High reliability figure for esfenvalerate derived from mesocosm NOEC data (no alternative protection levels available).
A = Figure may not protect key test species from acute toxicity (and chronic) — check Section 8.3.7 for spread of data and its significance. 'A' indicates that trigger value > acute toxicity figure; note that trigger value should be <1/3 of acute figure (Section 8.3.4.4).
B = Chemicals for which possible bioaccumulation and secondary poisoning effects should be considered (see Sections 8.3.3.4 and 8.3.5.7).
C = Figure may not protect key test species from chronic toxicity (this refers to experimental chronic figures or geometric mean for species) — check Section 8.3.7 for spread of data and its significance. Where grey shading and 'C' coincide, refer to text in Section 8.3.7.
D = Ammonia as TOTAL ammonia as [NH3-N] at pH 8. For changes in trigger value with pH refer to Section 8.3.7.2.
E = Chlorine as total chlorine, as [Cl]; see Section 8.3.7.2.
F = Cyanide as un-ionised HCN, measured as [CN]; see Section 8.3.7.2.
G = Sulfide as un-ionised H2S, measured as [S]; see Section 8.3.7.2.
H = Chemicals for which algorithms have been provided in table 3.4.3 to account for the effects of hardness. The values have been calculated using a hardness of 30 mg/L CaCO3. These should be adjusted to the site-specific hardness (see Section 3.4.3).
J = Figures protect against toxicity and do not relate to eutrophication issues. Refer to Section 3.3 if eutrophication is the issue of concern.
ID = Insufficient data to derive a reliable trigger value. Users advised to check if a low reliability value or an ECL is given in Section 8.3.7.
T = Tainting or flavour impairment of fish flesh may possibly occur at concentrations below the trigger value. See Sections 4.4.5.3/3 and 8.3.7.

AP28.6.ii **Sediment quality criteria[a]** (for all waterbody classes)

Contaminant	ISQG Low (Trigger value)	(ISQG-High)
METALS (mg/kg dry wt)		
Antimony	2	25
Cadmium	1.5	10
Chromium	80	370
Copper	65	270
Lead	50	220
Mercury	0.15	1
Nickel	21	52
Silver	1	3.7
Zinc	200	410
METALLOIDS (mg/kg dry wt)		
Arsenic	20	70
ORGANOMETALLICS		
Tributyltin (ug Sn/kg dry wt.)	5	70
ORGANICS (ug/kg dry wt)[b]		
Acenaphthene	16	500
Acenaphthalene	44	640
Anthracene	85	1100
Fluorene	19	540
Naphthalene	160	2100
Phenanthrene	240	1500
Low Molecular Weight PAHs[c]	552	3160
Benzo(a)anthracene	261	1600
Benzo(a)pyrene	430	1600
Dibenzo(a,h)anthracene	63	260
Chrysene	384	2800
Fluoranthene	600	5100
Pyrene	665	2600
High Molecular Weight PAHsC	1700	9600
Total PAHs	4000	45000
Total DDT	1.6	46
p.p'-DDE	2.2	27
o,p'- + p,p'-DDD	2	20
Chlordane	0.5	6
Dieldrin	0.02	8
Endrin	0.02	8
Lindane	0.32	1
Total PCBs	23	–

a Primarily adapted from Long et al. (1995);
b Normalised to 1% organic carbon;
c Low molecular weight PAHs are the sum of concentrations of acenaphthene, acenaphthalene, anthracene, fluorene, 2-methylnaphthalene, naphthalene and phenanthrene; high molecular weight PAHs are the sum of concentrations of benzo(a)anthracene, benzo(a)pyrene, chrysene, dibenzo(a,h)anthracene, fluoranthene and pyrene.

AP28.7 Reasonable mixing zone

AP28.7.i The following apply for permitted, controlled and discretionary activities:
For all discharges excluding stormwater, in determining the size of the zone of reasonable mixing, the following conditions will apply:

a) the maximum size of the mixing zone, singularly or cumulatively in combination with other mixing zones, shall be the most restrictive combination of the following:

- the mixing zone does not extend in a downstream direction from the discharge point(s) for a distance greater than 100m plus the depth of water at the discharge point(s), or extend upstream for a distance of more than 30m, or
- the mixing zone does not utilise more than 25% of the flow, or
- the mixing zone does not occupy more than 25% of the width of the water body.

b) all known, available and reasonable methods of prevention, control and treatment have been applied, and

c) water quality standards as set out in Appendix 28.5 are not exceeded outside of the boundary of the proposed mixing zone as a result of the discharge, and

d) the size of a mixing zone and the concentrations of pollutants present are minimised, and

e) there is no lethal toxicity to biota exposed to the diluted effluent within the mixing zone for periods less than or equal to 1 hour (i.e. they are unlikely to die if moving through the mixing zone).

AP28.7.ii For all stormwater discharges to a watercourse, or sedimentation associated with bed disturbance, the point of reasonable mixing will be considered to be that point which is 30 times the receiving water channel's width at the point of discharge downstream of the discharge.

AP28.8 Obsolete structures - rules

AP28.8.i Removal of obsolete structures in the beds of rivers and lakes:

Rule
Obsolete structures must be removed unless:

a) they are identified as having heritage or cultural values by a suitably qualified and experienced person approved by the Council, and

b) retaining the structure meets the following criteria:

i. fish passage is not obstructed or is provided for, and

ii. gravel movement is not restricted, and

iii. flood capacity is not compromised, and

iv. there are no significant adverse effects on aquatic life.

Retention of obsolete instream structures that contravene the above conditions is non-complying.

Explanation
Obsolete structures are any structures which are not required for their original use, or which have not been used as intended for a continuous period of two years or more, and for which no future use is anticipated. Liability for removal of the structure lies with the last known person, agency, or entity with legal responsibility for the maintenance or upkeep of the structure.

The following district wide policies are relevant to this rule:

DO17.1.8 (obsolete structures in the beds of rivers and lakes)

DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations)

The following rule is also relevant: FWr.7 (removal of obsolete structures in the beds of rivers and lakes).

AP28.9 Freshwater Rules for All Zones (except Coastal Marine Area)

Contents of freshwater rule table

Freshwater rules	
FWr.1	Disturbance of river and lake beds, and wetlands
FWr.2	Vehicle crossings in the beds of rivers and lakes, and wetlands
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FWr.4	Maintenance, replacement, upgrade and removal of structures in the beds of rivers and lakes and their margins (excluding dams)
FWr.5	Bridges, culverts and fords
FWr.6	Instream dams
FWr.7	Removal of obsolete structures in the beds of rivers and lakes
FWr.8	Aggregate extraction in the beds of rivers and lakes
FWr.9	Deposition of material in the beds and banks of rivers and lakes, and in wetlands
FWr.10	Realignment and reclamation of beds of rivers and lakes, and wetlands
FWr.11	Activities on the surface of water bodies
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FWr.14	Take, use, and diversion of groundwater
FWr.15	Take, use, or abstraction of water from ponds, reservoirs or dams
FWr.16	Transfer of water permits
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FWr.20	Point source discharges to freshwater bodies (other than stormwater)
FWr.21	Discharges from the public sewerage system to freshwater bodies
FWr.22	Point source stormwater discharges to water
FWr.23	Discharge of agrichemicals in and near waterbodies
FWr.24	Fertiliser discharges to land where it may enter water
FWr.25	General discharges to land where it may enter water
FWr.26	Stock fences
FWr.27	Stock access and crossings
FWr.28	Discharges of stock effluent onto or into land
FWr.29	Establishment of, and discharges to, effluent disposal fields

freshwater rules

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.1 **Disturbance of river and lake beds, and wetlands** [note that this rule is a regional rule]	FWr1.1 a) The disturbance of beds associated with: i) the removal of vegetation and flood debris which has been deposited into or on the bed, including trees, or ii) the removal of pest plants and litter is permitted. b) The disturbance of the beds of rivers and lakes, and wetlands, for the purpose of: - restoration or enhancement of natural in-stream or out-of-stream values, including fish passage, or - cleaning of discharge outlets and energy dissipaters, or - the use of vehicles in river beds (does not apply to vehicle crossings – see rule FWr.2) associated with lawfully established activities is permitted if the following general conditions are met. **General conditions** i) the activity: - shall not affect sediment levels or vegetation in all lower tidal reaches of waterbodies during the main spawning period of inanga (15 March to 31 May), and - shall not be carried out between 1 April and 15 August in all water bodies upstream of the tidal reach (which extends for a length 5 times the width of the river mouth) for the protection of koaro and kokopu species spawning habitat, unless ambient levels of sediment are returned within 48 hours of construction commencing within the waterbody, and - shall not be carried out during the trout spawning period (1 May to 30 September) in the Maitai, Brook, Whangamoa, Wakapuaka, Lud and Teal rivers and Poorman Stream, and ii) there shall be no storage, mixing or refuelling of fuel, oil, paints, agrichemicals or other similar substances within the bed or within 5m of the banks of any flowing river, or any wetland, and iii) any activity associated with bed disturbance shall not, after reasonable mixing, give rise to any of the following effects in the receiving waters: - the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or - any conspicuous change of colour or visual clarity, or - any emission of objectionable odour, or - any significant adverse effects on aquatic life, and iv) the use of vehicles and machinery in the wetted bed shall be avoided where possible, and v) fish passage shall be maintained, both during construction and afterwards, and vi) any riparian areas which are disturbed are rehabilitated to the same state or better than that which existed prior to the disturbance, except for the direct approaches to the crossing, and vii) the bed disturbance activity shall not impede legal right to foot access to and along the waterbody, where it exists, unless public notice has been given in accordance with a health and safety plan.	FWr.1.2 1. The disturbance of the bed of a river for the purpose of maintaining: a) peak flow capacity, or b) surrounding land stability, or c) public safety is a controlled activity if: i) the general conditions in Rule FWr.1.1 are met, and ii) any plantings are of native species or exotic species suitable to the conditions, and iii) any rocks used look similar to those naturally occurring in the area, and iv) the work is undertaken in such a way that habitats are maintained in the beds and margins of rivers and lakes. 2. Control is reserved over the following matters: i) disturbance to riverbanks, and ii) the timing and duration of the activity, and iii) the method of undertaking the activity, and iv) the avoidance, remedying, or mitigation of adverse effects and any alternative options which would result in less adverse effects, and v) maintenance of existing structures including bridges within streams and roads adjacent to water bodies (margins). The application need not be notified, the written approval of affected parties will not be necessary and notice of applications need not be served on any person.	FWr.1.3 **Discretionary** Activities that are not specified as permitted or controlled (including pipes and cables for network utilities), or which contravene the conditions for permitted or controlled activities, are discretionary. **Non-complying** Activities that disturb the bed of any wetland, other than as provided for as a permitted activity, are non-complying.

Assessment Criteria	Explanation
FWr.1.4 a) effects on existing natural character. b) degree to which natural character is retained or enhanced. c) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, an Assessment of Environmental Effects, containing sufficient information to allow an adequate evaluation of the effects of the activity will have to be supplied when an application is made for a discretionary activity. d) the potential to avoid, remedy or mitigate any effects through planting/landscaping. e) any cumulative effects. f) any effects of the activity on network utilities. g) in the case of wetlands, whether it is naturally occurring or artificially created. If it was artificially created, the purpose for which it was created (eg stormwater management or wastewater treatment). h) any taonga in the waterbody, as advised by Iwi.	FWr.1.5 Activities and vehicles which disturb river and lake beds and wetlands have direct adverse effects on the area in which they are undertaken, which may be important invertebrate habitat or spawning grounds for native fish or trout. In addition, they can have adverse effects downstream, such as loss of water quality, sedimentation, and potential for contamination through oil and fuel spills. For these reasons, activities which disturb river and lake beds should be avoided, including driving vehicles along them. However there will be occasions when activities do need to occur within the bed, such as routine maintenance of structures, or where there are no alternative crossing places for vehicles. It is appropriate to make some allowance for these situations, subject to certain conditions being met to avoid and mitigate adverse effects. Note: Iwi, Department of Conservation, and Fish & Game Council have an interest in bed disturbance and consultation with these parties at an early stage of the consent process is good practice. However, this is at the discretion of the applicant and the Council because section 36A of the Resource Management Act clarifies that neither an applicant nor a consent authority has a duty to consult any person in respect of applications for resource consent. The following policies are relevant to this rule: DO17.1.1 (disturbance of river and lake beds, and wetlands) DO17.1.2 (protection of natural character) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations) Activities adjoining a Riparian Overlay are also regulated by the 'Riparian Overlay – activities on land identified with riparian values' rule in each zone.

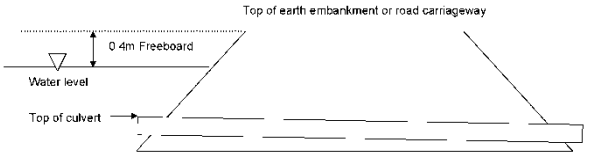
Item	Permitted	Controlled	Discretionary/Non-complying
FWr.2 **Vehicle crossings in the beds of rivers and lakes, and wetlands** [note that this rule is a regional rule]	FWr.2.1 Direct vehicle access to a river bed for the purpose of crossing a river is permitted if a) the activity does not, after reasonable mixing (as defined in Ap28.7.ii), give rise to any of the following effects in the receiving waters: i) any conspicuous change of colour or visual clarity (more than 30%), measured above and below the crossing, or ii) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, or iii) any significant adverse effects on aquatic life, and b) the activity does not result in a worse water quality classification than that listed in Appendix 28.4.	FWr.2.2 not applicable	FWr.2.3 a) Vehicles driving along the beds of rivers and lakes, and in wetlands, and b) all other vehicle crossings which do not comply with the permitted activity rule, are discretionary. The application may be considered without the need to: i) be notified, or ii) gain written approval of affected parties, but notice of applications may be served on any person.
FWr.3 **Planting in river beds and margins, and in wetlands** [note that this rule is a regional rule]	FWr.3.1 a) The planting or replacement of indigenous and exotic plants, (excluding pest plants), is permitted if: i) *Salix fragilis* (Crack Willow), *Salix cinera* (Grey Willow) and *Salix vimnalis* (Osier willow) is not planted within 5m of a waterbody, and ii) plantation forest is not planted within 5m of any river mapped as riparian overlay in the RM Plan maps and within 10m of those rivers which have conservation priority 1 and 2 (as listed in Table 6.1 of Appendix 6), and iii) there are no adverse effects on existing network utilities, and iv) no vegetation is established that is likely to give rise to debris entering the river or lake in a way that may result in: - diversion or damming, or - bed or bank erosion, or - adverse effects on ecosystems that are more than minor. b) The planting of suitable indigenous vegetation in wetlands, and the planting of exotic plants in constructed wetlands, is permitted.	FWr.3.2 not applicable	FWr.3.3 **Discretionary activities** a) The planting in, on or under the **bed** of any river or lake, and b) the planting of plantation forest within 5m of any river mapped as riparian overlay in the RM Plan maps, and within 10m of those rivers which have conservation priority 1 and 2 (as listed in Appendix 6 of the Nelson Resource Management Plan), and c) the planting of vegetation that contravenes the permitted activity standards and which is not specified as non-complying or prohibited, is discretionary. **Non-complying activities** The planting of exotic plants in natural wetlands is non-complying. **Prohibited** a) The planting of *Salix fragilis* (Crack Willow), *Salix cinera* (Grey Willow) and *Salix vimnalis* (Osier Willow) within 5m of a waterbody, and b) the introduction or planting of any of the total control, progressive control, boundary control and regional surveillance pests identified in the operative Tasman-Nelson Regional Pest Management Strategy is prohibited.

Assessment Criteria	Explanation
FWr.2.4 a) frequency of crossings. b) number of vehicles. c) duration of the activity. d) timing of the activity. e) type of vehicle. f) location and layout of the crossing point. g) cumulative effects of the number of crossing points over a river. h) purpose for the crossing. i) the degree to which the activity affects the classification and values of the waterbody (see Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will have to be supplied when an application is made for a discretionary activity.	FWr.2.5 Vehicles can have adverse effects on the area where the crossing occurs. Crossing can also have adverse effects downstream, such as loss of water quality, sedimentation, and potential for contamination through oil and fuel spills. Recreational driving along the length of river beds is not a permitted activity because of the impacts on invertebrate habitat and fish spawning grounds. The following policy is relevant to this rule: DO17.1.1 (disturbance of river and lake beds, and wetlands)
FWr.3.4 **For planting in margins** a) the degree to which the activity affects the classification and values of the waterbody (see Appendix 28.4 and Appendix 6). b) any effects of the activity on network utilities. **For planting in riverbeds/wetlands** a) whether it will provide spawning habitat. b) invasive properties of the plants. c) potential to interfere with flow capacity. d) in the case of wetlands, whether it is naturally occurring or artificially created. If it was artificially created, the purpose for which it was created (eg stormwater management or wastewater treatment). **For plantation forestry where it is a discretionary activity** a) effects of harvesting on water quality. b) sediment control. c) loss of shade.	FWr.3.5 Planting in **riparian margins** is to be encouraged because planted waterway margins protect water quality by: filtering surface run off, taking up nutrients (through plant roots), removing nitrogen (through bacteria in wet riparian soils), and preventing stock access when they are fenced. The shade created by plants is important for reducing water temperature and reducing the growth of nuisance plants in waterways. Plants also provide shelter, food and spawning areas. In most cases the planting of native species is preferred in order to enrich Nelson's natural ecosystems of plants and animals. Planting in the **beds** of rivers should be avoided in most cases because introducing plants into river beds has the potential to reduce the flood carrying capacity and natural functioning of the water body, by impeding water flow. However, plantings at river mouths can enhance whitebait spawning habitat, and plants naturally occur in, and enhance, wetlands. The following district wide policies are relevant to this rule: DO17.1.4 (planting in the beds of rivers and lakes) DO17.1.5 (planting in riparian margins) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.4 **Maintenance, replacement, upgrade and removal of structures in the beds of rivers and lakes and their margins (excluding dams)** [note that this rule is a regional rule]	FWr.4.1 a) Maintenance or replacement of any lawfully established structure (and associated deposition and armouring) on, under, over or in the bed of a river or lake, and b) removal, demolition, or decommissioning of a structure or any part of a structure on, under, over or in the bed, of a river or lake, and c) the upgrade of any network utility higher than 5m over or above the bed of a river or lake is permitted if: i) the general conditions in Rule FWr. 1.1 are met, and ii) the site is rehabilitated, and iii) any plantings are of native species, or exotic species suitable to the conditions, and iv) and rocks look similar to those naturally occurring in the area, and v) the work is undertaken in such a way that habitats are maintained in the beds and margins of rivers and lakes.	FWr.4.2 The extension or upgrade of a utility service line or a utility structure on, under, in, or within 5m horizontally or vertically of the bed of a river or lake is controlled. Control is reserved over the following matters: i) damage to indigenous vegetation and habitats, and ii) discharge of contaminants, and iii) disturbance of riverbanks or river beds, and iv) timing of the works (to avoid fish spawning and migration periods), and v) the size of the structures required for extension work, and vi) maintenance of access, and vii) remedial measures.	FWr.4.3 a) Maintenance, replacement, upgrade and removal of structures on, under, over or in the bed of a river or lake which is not specified as permitted or controlled, or b) which cannot meet the conditions for a permitted activity, is discretionary.

Assessment Criteria	Explanation
FWr.4.4 a) effects on water quality. b) effects on aquatic ecosystems. c) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will have to be supplied when an application is made for a discretionary activity. d) disturbance of the bed. e) the method and timing of works f) duration of consent. g) monitoring and reporting requirements. h) review of consent conditions and the timing and purpose of the review. i) any effects of the activity on network utilities. j) flood capacity. k) any effects on historic heritage including an archaeological site or a site where archaeological or cultural material is discovered.	FWr.4.5 Structures located in and under the beds of rivers and lakes can cause adverse effects. These range from visual intrusion on natural character and amenity values, to permanent effects on ecology and biota by restricting fish passage upstream of the structure or affecting water flow and the natural functioning of a river. For these reasons, instream structures should generally not be a permitted activity so the Council has the opportunity to assess potential effects, and to require appropriate measures to be undertaken to avoid or reduce adverse effects. Where the effects are significant and cannot be adequately avoided or reduced, the structure should not be erected. The following district wide policies are relevant to this rule: DO17.1.3 (flood damage) DO17.1.6 (structures in and under the beds of rivers, lakes and wetlands) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations) Activities adjoining a Riparian Overlay are also regulated by the 'Riparian Overlay – activities on land identified with riparian values' rule in each zone.

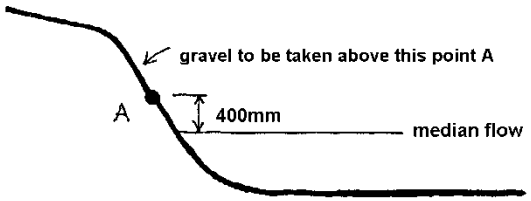
Item	Permitted	Controlled	Discretionary/Non-complying
FWr.5 **Bridges, culverts and fords** [note that this rule is a regional rule]	FWr.5.1 a) The placement or erection of a bridge over the bed of a river or lake is a permitted activity if: i) any abutments are stabilised and protected against erosion, and ii) the approaches to the bridge are constructed and maintained to minimise the discharge or runoff, and iii) the bridge and its associated design structures is designed to convey a 1:50 year flood event (and 0.4m freeboard) in the following rivers: Reservoir Creek, Saxton Creek, Orphanage Creek, Orchard Creek, Poormans Valley Stream, Arapiki Stream, Jenkins Creek, York Stream, Maitai River, The Brook Stream, Oldham Creek, Todds Valley Stream, Wakapuaka River and its named tributaries and Whangamoa River and its named tributaries, and in any other rivers, the bridge and its associated design structures is designed to convey a 1:15 year flood event (with 0.4m freeboard). b) An existing culvert or ford which was lawfully established prior to the freshwater plan change being made operative is a permitted activity if the structure does not adversely affect: i) fish passage, or ii) water quality, or iii) flood capacity. c) Placement or erection of a new culvert is a permitted activity [in the rural zone] if: i) the catchment area above the culvert does not exceed 50ha in a forested catchment or 10ha in other rural catchments, and ii) the culvert is not associated with a residential development, and iii) the downstream floor of the culvert is set below the river bed level, and iv) the culvert is no greater than 20m in length and v) the general conditions in FWr.1.1 are met, and vi) detail of the site and culvert dimensions is forwarded to the Council within one month of construction, and vii) the culvert and its associated design structures is designed to convey a 1:50 year flood event (with 0.4m freeboard) in the following rivers: Reservoir Creek, Saxton Creek, Orphanage Creel, Orchard Creek, Poormans Valley Creek, Arapiki Stream, Jenkins Creek, York Stream, Maitai River, The Brook Stream, Oldham Creek, Todds Valley Stream, Wakapuaka River and its named tributaries and Whangamoa River and its named tributaries, and in any other rivers, the bridge and its associated design structures is designed to convey a 1:15 year flood event (with 0.4m freeboard).	FWr.5.2 a) The placement or erection of a new culvert, and associated armouring, is controlled if: i) the general conditions in Rule FWr.1.1 (excluding controls on aggregate extraction) are met, and ii) the culvert is positioned so that the gradient and alignment are the same as the river, and iii) the downstream floor of the culvert is set below the river bed level, and iv) erosion immediately below the culvert is avoided by use of armouring materials such as rocks, and v) the culvert is maintained so it does not become blocked by debris, and vi) the culvert and its associated design structures is designed to convey a 1:50 year flood event (and 0.4m freeboard) in the following rivers: Reservoir Creek, Saxton Creek, Orphanage Creek, Orchard Creek, Poormans Valley Stream, Arapiki Stream, Jenkins Creek, York Stream, Maitai River, The Brook Stream, Oldham Creek, Todds Valley Stream, Wakapuaka River and its named tributaries and Whangamoa River and its named tributaries, and in any other rivers, the culvert and its associated design structures is designed to convey a 1:15 year flood event (with 0.4m freeboard). b) Installation of a new ford is controlled if: i) the general conditions in Rule FWr.1.1 are met, and ii) the ford will raise the level of the bed by no more than 300mm, and iii) the ford does not impede fish passage. Control is reserved over the following matters: i) damage to indigenous vegetation and habitats, and ii) disturbance of river banks and river beds, and iii) adverse effects on fish passage, and iv) flood capacity. In this rule applications for controlled activities may be considered without notification and without the need to obtain written approval of affected persons, under section 94 of the Act.	FWr.5.3 **Discretionary** a) A bridge, culvert or ford which cannot meet the conditions for a permitted activity, and b) a culvert or ford which cannot meet the conditions for a controlled activity is a discretionary activity. In this rule applications for discretionary activities may be considered without notification and without the need to obtain written approval of affected persons, under section 94 of the Act.

Assessment Criteria	Explanation
FWr.5.4 a) effects on water quality. b) effects on aquatic ecosystems. c) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will be required as part of the Assessment of Environmental Effects for discretionary activities. d) disturbance of the bed. e) the method and timing of works. f) duration of consent. g) monitoring and reporting requirements. h) review of consent conditions and the timing and purpose of the review. i) any effects of the activity on network utilities. j) flood capacity. k) payment of a monitoring charge to allow for an inspection of the structure. l) agreement that any required maintenance is carried out by the owner of the structure. m) commitment to remove the structure if it becomes obsolete or if the consent for it expires and is not renewed. n) legal access issues	FWr.5.5 When structures such as bridges and culverts are well designed they can mitigate environmental effects on a river by avoiding vehicle and stock disturbance of the river bed, and providing shade. However, it is important that in the case of the Wakapuaka and Whangamoa rivers and their tributaries, that a 1 in 50 year flood can pass through them, and in the case of other rural streams and drains that structures are designed to allow a 1 in 15 year high flow to pass through them, and that a natural river bed remains. The advantage of bridges over culverts is that bridges, unlike culverts, do not have an artificial base which tends to change flow dynamics and impede fish passage. Generally, fords and culverts result in the discharge of sediment, change streambed gradients, are not conducive to fish passage, and require a higher level of maintenance than bridges. The following district wide policies are relevant to this rule: DO17.1.3 (flood damage) DO17.1.6 (structures in and under the beds of rivers, lakes and wetlands) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations) As outlined in the figure below, in relation to culvert installations "freeboard" refers to the distance between the top of earth embankment or road carriageway (at the lowest point where water will overtop the structure) and the water surface at the design flow (Q15 or Q50) measured immediately upstream of the embankment. For clarity, the water surface may in fact be above the top of the culvert (pipe soffit) at the design flow. Figure FWr.5.5 

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.6 **Instream dams** [note that this rule is a regional rule]	FWr.6.1 Not applicable.	FWr.6.2 Not applicable	FWr.6.3 **Discretionary** a) An instream dam (of any height) on the Roding River or Maitai rivers, for the purpose of reticulated urban water supply, is a discretionary activity. b) An instream dam is discretionary if: i) it is 2m or less in height (measured from base to crest), and ii) it is not located on the Whangamoa, Wakapuaka or Teal Rivers **Non-complying** An instream dam is non-complying if: i) it exceeds 2m in height (measured from base to crest), or ii) it is located on the Whangamoa, Wakapuaka or Teal rivers, or iii) it is located on the Roding, or Maitai rivers and is not for the purpose of a reticulated urban water supply.
FWr.7 **Removal of obsolete structures in the beds of rivers and lakes** [note that this rule is a regional rule]	FWr.7.1 Removal of instream obsolete structures is permitted if the general conditions for bed disturbance in Rule FWr.1.1 are met.	FWr.7.2 The removal of instream structures is a controlled activity if it does not comply with the general conditions for bed disturbance in Rule FWr.1.1 Control is reserved over the following matters: i) rehabilitation of the site, and ii) disturbance to riverbanks, and iii) the timing and duration of the activity, and iv) the method of undertaking the activity, and v) the avoidance, remedying, or mitigation of adverse effects	FWr.7.3 Not applicable.

Assessment Criteria	Explanation
FWr.6.4 a) safety considerations b) the size and scale of the structure c) effects on water quality and water flow regimes d) effects on aquatic ecosystems, including fish passage and residual flow. e) mitigation measures, such as riparian planting and refuge areas during low flow. f) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, an Assessment of Effects, containing sufficient information to allow an adequate evaluation of the effects of the activity, will have to be supplied when an application is made for a discretionary activity. g) disturbance of the bed. h) the method and timing of works. i) duration of consent. j) monitoring and reporting requirements. k) review of consent conditions and the timing and purpose of the review. l) any effects of the activity on network utilities. m) flood capacity. n) commitment to remove the structure if it becomes obsolete or the consent for it expires and is not renewed.	FWr.6.5 A dam on the Roding River is listed as discretionary rather than as a non-complying activity to acknowledge that there is an existing designation on the land adjacent to the Roding River for water supply purposes in the Conservation Zone and water supply purposes and works in the Rural Zone. The reason for dams on some rivers being listed as a non-complying activity is that a more rigorous consent process is considered necessary for construction of dams where rivers have high ecological values. Dams less than two metres are generally less likely to have adverse effects than larger dams. The effects of dams depend on what fish are in a river, but generally out-of-bed dams are more acceptable than those in river beds. While dams and reservoirs have the potential to improve the efficient use of water (through water harvesting), as physical structures they also have the potential to: affect fish passage, disturb water quality (during construction), affect water chemistry (such as oxygen levels), trap sediment and starve the downstream reaches of sediment, and cause a safety hazard if not engineered to specific standards.
FWr.7.4 a) the nature of any fill or rock material used. b) the time of year the work is proposed c) recreational, stock, drinking water, and fisheries or instream values of the water body d) effects on water quality. e) effects on aquatic ecosystems. f) the degree to which the activity affects the existing classification and values of the waterbody (see Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will have to be supplied when an application is made for a discretionary activity. g) disturbance of the bed. h) the method and timing of works. i) notification of affected parties. j) any effects of the activity on network utilities	FWr.7.5 Obsolete structures are any structures which are not required for their original use, or which have not been used as intended for a continuous period of two years or more, and for which no future use is anticipated. Liability for removal of the structure lies with the last known person, agency, or entity with legal responsibility for the maintenance or upkeep of the structure. The following district wide policies are relevant to this rule: DO17.1.8 (obsolete structures in the beds of rivers and lakes) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations) The following appendix is relevant to this rule: Appendix 28.8.i (Obsolete structures – rules)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.8 **Aggregate extraction** **[note that this rule is a regional rule]**	FWr.8.1 Extraction of aggregate by Nelson City Council from the sites listed in Appendix 28.1 for the purposes of maintaining the flood carrying capacity of the listed rivers is permitted if: a) the general conditions in Rule FWr.1.1 are met, and b) the schedule of the next year's planned aggregate extraction out of Nelson rivers is not inconsistent with the schedule in Appendix 28.1, and c) the Consents Manager, Department of Conservation, Fish & Game Council and Iwi are advised of the amount and the area from which the aggregate is taken at least 5 working days prior to the work being carried out, and d) associated river bed disturbance is avoided where possible, and e) there is no increase in bed sediment downstream, and f) the activity does not exceed the quantities specified in Appendix 28.1.	FWr.8.2 not applicable	FWr.8.3 **Restricted discretionary** Extraction of aggregate from river beds is a restricted discretionary activity if: a) the general conditions in Rule FWr.1.1 are met, and b) the total volume of excavation or extraction does not exceed $20m^3$ in any 12 month period, and c) no aggregate is taken from below a point 400mm above the median water level of the river (see diagram in FWr.8.5), and d) no machinery is operated within the wetted bed. Discretion is restricted to: i) the volume of aggregate that can be taken, and ii) the location at which extraction is to occur, and iii) the duration of the extraction, and iv) the timing of the extraction, and v) the method of extraction, and vi) the avoidance, remediation or mitigation of any adverse effects. In this rule applications for restricted discretionary activities need not be notified in terms of section 93(1) of the RMA. **Discretionary** Extraction of aggregate which cannot: i) meet the conditions for a permitted activity, or ii) meet the conditions a), b) and d) for a restricted discretionary activity is a discretionary activity. **Non-complying** Extraction of aggregate which does not meet condition c) for a restricted discretionary activity is a non-complying activity.

Assessment Criteria	Explanation
FWr.8.4 a) disturbance of the bed. b) the location and volume of the extraction. c) effects on river morphology and dynamics (including erosion and deposition), aquatic ecosystems and habitat. d) the method and timing of the extraction. e) the cumulative volume that has been extracted from the river and cumulative effects. f) any effects of the activity on network utilities. g) potential effects on downstream flooding.	FWr.8.5 Over-extraction can destabilise the river channel and banks, or affect the functioning of the river. The extraction process can also affect aquatic habitat if undertaken at the wrong time or in the wrong place, or in a way which damages the bed and margins. However, aggregate extraction is necessary on a regular basis to avoid the risk of flooding in the urban area. These areas in urban streams where extraction is regularly required have been scheduled and accorded permitted status provided the general conditions regarding timing and bed disturbance are strictly complied with. Note: clearance of gravel around structures is a permitted activity. Refer to rule FWr.4 and the definition of maintenance in Chapter 2 for more detail. The following diagram clarifies condition c) of the restricted discretionary category:  The following district wide policies are relevant to this rule: DO17.1.9 (extraction of aggregate from the beds of rivers) DO17.2.1 (activities and structures in the beds of rivers and lakes which affect network utility operations)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.9 **Deposition of material in the beds and on the banks of rivers and lakes, and in wetlands** [note that this rule is a regional rule]	FWr.9.1 a) The placement or deposition of rock and associated geotextile fabric or other suitable material in, or directly above or below an out of stream structure, for the purpose of protecting that structure, is permitted if: i) the general conditions in Rule FWr.1.1 are met, and ii) any rocks used look similar to those naturally occurring in the area, and iii) the rocks are clean and free of contaminants including sediment, and iv) whenever possible work is undertaken in such a way that habitats are maintained (in both the margin and river bed), and v) there is no increase in bed sediment downstream of any crossing or protection works, and iv) no more than 30 lineal metres per 100 metre stretch of waterway is rock lined. b) The deposition of material in the beds and banks of rivers, lakes and wetlands for the purpose of habitat enhancement is permitted if: i) the general conditions in Rule FWr.1.1 are met, and ii) any rocks used look similar to those naturally occurring in the area, and i) the rocks are clean and free of contaminants including sediment. a) Deposition of forestry slash is a permitted activity if best practicable option is taken to avoid slash entering a river, and any slash deposited in the bed of a river does not: - cause flooding or blockages of any downstream structure, or - adversely affect water quality, or - adversely affect aquatic habitats	FWr.9.2 not applicable	FWr.9.3 **Restricted discretionary** The placement or deposition of rock and associated geotextile fabric or other suitable material for the purposes of erosion protection, flood control or river enhancement is restricted discretionary activity if: i) the general conditions in rule FWr.1.1 are met, and ii) rocks look similar to those naturally occurring in the area, and iii) rocks are clean and free of contaminants including sediment, and iv) wherever possible work is undertaken in such a way that habitats are maintained (in both the margin and river bed), and v) associated river bed disturbance is avoided where possible, and vi) there is no increase in bed sediment downstream of any crossing or protection works, and vii) there is no reduction in the ability of the river to accommodate flood flows, or in a lake or wetland to store flood volumes. **Non-complying** The placement or deposition of any other material is non-complying if: i) it is not specified as a discretionary or prohibited activity, or ii) the activity is specified as discretionary and it contravenes a specified condition. **Prohibited** The placement or deposition of any waste or toxic or radioactive material.

Assessment Criteria	Explanation
FWr.9.4 a) effects on water quality. b) effects on aquatic ecosystems. c) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will have to be supplied when an application is made for a discretionary activity. d) visual effects e) any effects of the activity on network utilities. f) in the case of wetlands, whether it is naturally occurring or artificially created. If it was artificially created, the purpose for which it was created (eg stormwater management or wastewater treatment).	FWr.9.5 Materials or substances deposited in the bed of a river change the biological or chemical condition of the river or stream bed or, more commonly, its physical condition. Adverse effects can include: visual and amenity effects, changes to the water channel, bank and bed de-stabilisation, loss of riparian margin or bank habitat, and cumulative effects in the receiving environment. However, rocks can also be placed in a way that enhances fish habitat by providing areas to rest and hide. Flooding and bank erosion are only an issue when assets are threatened. With only a few exceptions, buildings in rural Nelson have been set far enough back from the rivers not to be threatened within the life time of the buildings. By far the most effective method of mitigating bank erosion is to keep high value assets a sufficient distance back from the river bank. In contrast, structures and private property boundaries in Nelson's urban area have been built close to rivers. For this reason, it is necessary to provide for a higher level of erosion control. The following district wide policies are relevant to this rule: DO17.1.10 (deposition of material in the beds and on the banks of rivers and lakes) DO17.2.1(activities and structures in the beds of rivers and lakes which affect network utility operations)

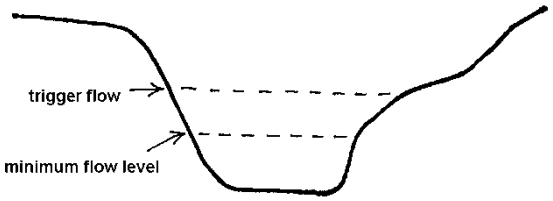
Item	Permitted	Controlled	Discretionary/Non-complying
FWr.10 **Realignment and piping of beds of rivers and lakes, and wetlands** [note that this rule is a regional rule]	FWr.10.1 The realignment or piping of the bed of a river which does not have a continuous base flow is permitted if: i) it is necessary to avoid flooding risk to downstream properties, and ii) there are no practicable alternative flood control methods available, and iii) it is not undertaken as part of any subdivision or land use consent approved after 9 October 2004, and iv) it is carried out when there is no water in the bed, and v) the flood capacity requirements in table 5-2, section 5 of the NCC Land Development Manual 2010, and vi) the channel is stabilised prior to allowing water back into a realigned channel, and vii) natural character is maintained where practicable.	FWr.10.2 Not applicable	FWr.10.3 **Discretionary** a) The realignment or piping of the bed of a river is discretionary if: i) the river does not have a continuous base flow and the activity does not comply with the conditions in FWr.10.1, or ii) the river has a continuous base flow. b) The realignment or piping of the bed of a lake, or a wetland, is discretionary if it does not comply with the conditions in FWr.10.1 and the general conditions in FWr.1.1 are met.

Assessment Criteria	Explanation
FWr.10.4 a) the scale, extent and design (curved rather than straight) of the realignment or piping. b) effects on the natural functioning of aquatic ecosystems c) effects on natural character d) effects on fish passage e) the degree to which the activity affects the existing classification and values of the waterbody (refer to Appendix 28.4 and Appendix 6). Where insufficient information is available, and for unspecified rivers, a site assessment will have to be supplied when an application is made for a discretionary activity. f) visual effects g) effects on water quality h) the potential to avoid, remedy or mitigate any effects through planting/landscaping and rehabilitation. i) the method and timing of works j) any effects of the activity on network utilities k)flood capacity and cumulative effects on downstream flow velocity and catchment hydrology l) in the case of wetlands, whether it is naturally occurring or artificially created. If it was artificially created, the purpose for which it was created (eg stormwater management or wastewater treatment).	FWr.10.5 Realignment and piping of the beds of rivers and lakes, and wetlands, should be discouraged wherever possible as it has significant adverse effects on the natural and human use values of rivers, lakes, and wetlands, and can exacerbate flooding hazards. Retaining streams in their natural condition and place is the best option. Realigned streams may be a better option than piped streams. Careful management of the re-installation of the stream after subdivision and/or earthworks is necessary. In most cases it is more desirable to realign than to pipe a river, but in some situations piping may result in better outcomes. For example, in built up areas, piping of intermittently flowing streams, with few ecological values, is sometimes preferable in order to avoid damage to downstream properties. The following district wide policies are relevant to this rule: DO17.1.2 (protection of natural character) DO17.1.3 (flood damage) DO17.1.11 (realignment and piping) DO19.1.10 (new development)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.11 **Activities on the surface of water bodies** [note that this rule is a regional rule]	FWr.11.1 a) Maintenance activities on the surface of sewer ponds, water reservoirs, and other ponds is permitted. b) Any activity on the surface of a water body which is not listed as controlled or discretionary is permitted.	FWr.11.2 Non-motorised commercial activities on the surface of a water body is controlled. Control is reserved over the following matters: a) number of craft or structures, and b) scale of activity, and c) time and location of activity, and d) effects on visual amenity, and e) effects on the ecology and habitat of species.	FWr.11.3 The use of motorised water craft on the surface of any river or lake on the landward side of the coastal marine area is discretionary.

Assessment Criteria	Explanation
FWr.11.4 a) the scale of the activity. b) any visual or noise effects. c) safety considerations. d) the effect of the proposal on non-commercial recreational activities.	FWr.11.5 While personal recreation activities such as kayaking have no adverse effects, commercial and motorised activities could adversely affect the amenity and natural values of surface waters.

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.12 **Take, use, or diversion of surface water** [note that this rule is a regional rule]	FWr.12.1 a) The take, use, or diversion of surface water for reasonable domestic use is permitted if: i) the relevant conditions in Appendix 28.3 are met, and ii) the volume of the take does not exceed 1m^3 per residential unit per day (plus 300 litres per bedroom for short term living accommodation) and there are no adverse effects on the water source, and iii) the rate of take does not exceed 0.5 litres per second, and iv) there is no take below any minimum flow specified in Appendix 28.2, and v) the Council's reticulated water supply is not available to the site. b) The take or use of surface water for stock drinking water is permitted if the rate of take does not exceed 0.5 litres per second. c) The take or use of surface water for fire fighting or the filling of fire ponds is permitted.	FWr.12.2 not applicable	FWr.12.3 **Restricted Discretionary Activity** Any take, use or diversion of surface water that contravenes a permitted condition is a restricted discretionary activity if: i) the relevant conditions in Appendix 28.3 are met, and ii) the take or use does not exceed, individually or cumulatively, the allocation limits specified in Appendix 28.2, and iii) the diversion does not cause any river to drop below the minimum flow specified in Appendix 28.2, and iv) the distance between intake and return of the water does not exceed 500 metres, and v) the diversion of water is not from one waterbody to another. Discretion restricted to: i) the design and location of the intake structure, and ii) access to pipework for maintenance, and iii) the volume and rate of take iv) reliability of supply v) effects on water source and values (as identified in Appendix 28.4), and vi) effects on other lawfully established abstractions, and vii) the quality of the water returned to a river by a diversion. In this rule applications for restricted discretionary activities will be considered without notification, the written approval of affected persons will not be necessary, and notice of the application need not be served on any person, provided it can be shown that the building can be located in such a way as to ensure that access to the drain or pipe for maintenance or replacement purposes, can be achieved without causing adverse financial or physical effect on neighbouring properties or persons who are served by the same pipe or drain. **Discretionary** a) The take or use of surface water, for uses other than those listed as permitted, and b) any activity specified as restricted discretionary which contravenes the restricted discretionary conditions, is discretionary. **Non-complying** a) A take or use of surface water which exceeds the allocation limits specified in Appendix 28.2, and b) a take or use below any specified minimum flow regime, except for permitted uses, and c) a take, use, or diversion of water from wetlands or drainage of naturally occurring wetlands, is non-complying. **Prohibited** All takes downstream from the NCC urban water supply intakes in the Maitai River and in the downstream reach of the Roding River within the NCC boundary, which did not exist prior to 9 October 2004 are prohibited.

Assessment Criteria	Explanation
FW12.4 a) the volume of the water take b) measures to minimise the rate of take, and the practicality of the take being uniformly distributed over 24 hours. c) the effect on river flows and the consequential effects on those values identified in Appendix 28.4 and Appendix 6 (riparian and coastal margin overlays). d) the effect of the take on other water users. e) the appropriateness of the water measuring device to be used f) Appendix 28.3 g) alternative water sources h) physical resources relating to a previous water permit provided water is needed and is being used efficiently. i) the distance between the intake and the outlet of any diversion, and the intermediate flow of the water body. j) the effect of the term of the permit. k) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem. l) the extent to which it is feasible and dependable that any adverse effect on the life supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.	FWr.12.5 As water is scarce and there are existing or potential competing demands for its use, it is necessary to impose a limit on permitted domestic abstractions in order to avoid over-abstraction. One cubic metre per household per day is considered a realistic and easily monitored limit to apply to each household. Failure to comply with the permitted activity conditions may result in the Council requiring the installation of meters and enforcement of the $1m^3$ allocation limit. Abstractions need to be balanced against the ecological bottom line and providing for other values. Efficient water use is particularly important in Nelson, where the small size of the rivers and streams means that a water take has the potential for a proportionally more significant effect on the overall river or stream values. Minimum flows, trigger flows and allocation limits have been set for specific rivers. Minimum flows, below which no further water should be taken, have been set in order to leave enough water in the rivers and streams to protect instream values. Trigger flows are set at 10% above minimum flow. When flow levels drop to this level, all non-essential water takes from that river will be suspended, except where an approved water conservation plan exists.  Cross-section of waterbody Note: This diagram is for illustrative purposes only. Trigger flow and minimum flow are defined in Chapter 2, and the specific levels for each water body are listed in Appendix 28.2. i) For all flows greater than trigger flow no restrictions will apply ii) For all flows less than the trigger flow and greater than the minimum flow restrictions will apply to both domestic takes and consented takes. iii) For all flows equal to or less than the minimum flows, all abstractions must cease except for fire fighting purposes. The following policies set out the process to be followed for water abstraction from surface water: DO18.1.1 and DO18.1.2 (flow regimes) DO18.3.1 (water permits) DO18.3.2 (monitoring water abstraction) DO18.3.3 (expiry and duration of water permits) DO18.3.5 – DO18.3.8 (allocation limits) DO18.3.9 (water restrictions) DO18.3.10 (permitted abstractions) DO18.3.12 (monitoring fee) DO18.4.1 (diversion of water) Note: Assessment criteria FW12.4 k) and l) have been inserted from Policy B7 - National Policy Statement for Freshwater Management 2014 (under section 55 RMA)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.13 **Temporary diversion of surface water** [note that this rule is a regional rule]	FWr.13.1 Temporary diversion of water during works carried out in a stream is a permitted activity if: i) the quality of the diverted water returned to the water body is at least as high as the water when it was abstracted, and ii) the flow, and fish passage, is maintained at all times, and iii) the diversion does not continue for more than one month, and iv) the length of the diversion is no longer than 50m, and v) the diversion: - does not affect sediment levels or vegetation in the lower tidal reaches of water bodies during the main spawning period of inanga (15 March to 31 May), and - is not carried out between 1 April and 15 August in all water bodies upstream of the tidal reach (which extends for a length 5 times the width of the river mouth) for the protection of kokaro and kokopu species spawning habitat, and - is not carried out during the trout spawning period (1 May to 30 September) in the Maitai, Brook, Whangamoa, Lud, Teal rivers and Poorman Stream.	FWr.13.2 not applicable	FWr.13.3 Temporary diversion of water that contravenes a permitted condition is discretionary.

Assessment Criteria	Explanation
FWr.13.4 a) the effect on river flows and the consequential effects on those values identified in Appendix 28.4 and Appendix 6 (riparian and coastal margin overlays). b) the distance between the intake and the outlet of any diversion, and the intermediate flow of the water body. c) any effects of the diversion on water users.	FWr.13.5 Temporary diversions of water are a method to avoid sedimentation of downstream water during works that involve disturbance of the river bed.

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.14 **Take, use, or diversion of groundwater** [note that this rule is a regional rule]	FWr.14.1 The take, use, or diversion of groundwater for: a) reasonable domestic use, or b) stock drinking water, or c) pump testing limited to a duration cumulatively no longer than 48 hours for any one bore, is permitted if: i) the relevant conditions of Ap28.3 are met, and ii) the volume of the water take does not exceed 1 m^3 per residential unit per day (plus 300L per bedroom for visitor accommodation), and iii) the rate of the water take does not exceed 0.5 l/s, and iv) the bore or well is not located closer than 50m to any coastal marine area or any adjacent bore, and v) the bore or well is not located closer than 25m to any surface waterbody, and vi) the bore or well is not located closer than 50m of any effluent treatment pond, septic tank, sewage treatment or disposal area, or silage stack or pit, and vii) the Council's reticulated water supply is not available to the site. d) The take of groundwater for dewatering a site during construction or earthworks is permitted if: i) the take does not lower groundwater to more than 8 m below the ground level of the site, and ii) the take does not create a significant risk of subsidence. e) The take or use of groundwater for fire fighting is permitted.	FWr.14.2 not applicable	FWr.14.3 a) The take or use of underground water, for uses other than those listed as permitted, and b) Any activity specified as permitted which contravenes any of the permitted conditions is discretionary **Prohibited** Any take from groundwater in the Maitai catchment which is downstream from the NCC urban water supply intake in the Maitai River, or within the reach of the Roding River that is within the NCC boundary, and which did not exist prior to 9 October 2004, is prohibited.

Assessment Criteria	Explanation
FWr.14.4 a) the volume of the water take. b) the likely depletion effect on nearby streams, springs and wetlands. c) the effect of the take on existing water users. d) measures to minimise the rate of take, and the feasibility of the take being uniformly distributed over 24 hours. e) the risk of contamination due to water takes, uses or diversion. f) the distance between the intake and the outlet of any diversion, and the intermediate flow of the water body. g) the appropriateness of the water measuring device to be used. h) Appendix 28.3 i) alternative water sources.	FWr.14.5 The lack of information on groundwater resources means that it is important for the potential effects of groundwater abstractions to be carefully assessed. The link between groundwater and surface flows should be given particular consideration. Where the outcome of a proposed groundwater take is unknown or there is insufficient information to enable a reasonable assessment, the take should be avoided. Unless there is information to the contrary, groundwater takes adjacent to or near potentially affected rivers listed in Appendix 28.4 should be assumed to have a one to one effect on river flows, for the purposes of water allocation and implementing water restrictions. Failure to comply with the permitted activity conditions may result in the Council requiring the installation of meters and enforcement of the $1m^3$ allocation limit. The following policies set out the process to be followed for water abstraction from groundwater: DO18.2.1 (managing underground abstractions) DO18.3.2 (monitoring water abstraction) DO18.3.3 (expiry and duration of water permits) DO18.3.5 – DO18.3.8 (allocation limits) DO18.3.9 (water restrictions) DO18.4.10 (permitted abstractions) DO18.4.12 (monitoring fee) DO18.4.1 (diversion of water)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.15 **Take or use of water from ponds, reservoirs or dams** [note that this rule is a regional rule]	FWr.15.1 The take or use of water from an out-of-stream lawfully constructed pond, reservoir, or dam is permitted if the take or use from those sources does not reduce the flow in any natural water body.	FWr.15.2 Not applicable.	FWr.15.3 The take or use of water from an out-of-stream lawfully constructed pond, reservoir, or dam that contravenes the permitted condition is discretionary.
FWr.16 **Transfer of water permits for any water take** [note that this rule is a regional rule]	FWr.16.1 Not applicable.	FWr.16.2 Not applicable.	FWr.16.3 **Restricted discretionary** The transfer of water permits for any water take from one site to another site within the same catchment is a restricted discretionary activity. Discretion is restricted to: i) the effects of the water take at the new site, and ii) efficiency of water use, and iii) reasonable need for water, and iv) water metering requirements, and v) the volume of water allocated. In this rule, applications for restricted discretionary activities will be notified, the written approval of affected persons will be necessary, and notice of the application will be served on affected persons. **Non-complying** The transfer of water permits for any water take from one catchment to another is a non-complying activity.

Assessment Criteria	Explanation
FWr.15.4 Conditions for water intake structures in Appendix 28.3	FWr.15.5 Rainwater storage and use, or out of stream dams, is encouraged. The benefits of rain water usage are: • reduced demand for mains water and corresponding reduction in usage, storage and treatment costs, and • reduced peak stormwater flows by roof water detention, thereby reducing the risks of property damage caused by flooding, and • reduced ground infiltration intensity to streets without stormwater and therefore reduced likelihood of sewer overflows, and • hydrologically neutral developments which maintain the natural water balance as much as possible.
FWr.16.4 a) the rate and volume of the water take. b) the effect on river flows and the consequential effects on the existing classification and values identified in Appendix 28.4 and Appendix 6. c) the effect of the take on other water users. d) the appropriateness of the water measuring device to be used. e) Appendix 28.3.	FWr.16.5 Monitoring of Nelson's water permits has highlighted that there may be a demand for the transfer of these types of water permits. Restricting discretion in the resource consent process (and therefore simplifying the process) for transfers may provide an incentive for self-management of water allocation and improved efficiency. Note that section 136(1) of the Act provides for a holder of a water permit for damming or diverting water to transfer the whole of the permit to any owner or occupier of the site in respect of which the permit is granted, but may not transfer the permit to any other person, or from site to site. The following district wide policy is relevant to this rule: DO18.3.4 (transfer of water permits).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.17 **Drilling** **of a bore or well** [note that this rule is a regional rule]	FWr.17.1 Not applicable	FWr.17.2 The drilling or construction of any bore or well is controlled if: a) the bore or well is not located closer than 50m to any coastal marine area or any adjacent bore or well, and b) the bore or well is not located closer than 25m to any surface water body, and c) the bore or well is not located closer than 50m to any effluent treatment pond, septic tank, sewage treatment or disposal area, or silage stack or pit, and d) the head works of the bore or well incorporates a backflow prevention device to prevent contaminants entering the structure, and e) the drilling or construction of the bore complies with NZS 4411:2001 (Environmental Standard for Drilling of Soil and Rock), and f) the driller and/or supervising engineer or geologist forwards a drilling log to the Council which includes all the information required by the Standard NZS 4411: 2001 within one month of construction. Control is reserved over: i) method of drilling, and ii) casing material, and iii) method of backflow prevention. In this rule, applications for controlled activities will not be notified, the written approval of affected persons will not be necessary, and notice of the application need not be served on any persons.	FWr.17.3 Drilling of any bore or well which does not comply with any of the standards specified for the controlled activity is discretionary.

Assessment Criteria	Explanation
FWr.17.4 a) the risk of contamination of groundwater. b) distance from the sea. c) distance from other bores. d) effects on other users. e) effects on ecosystems, including surface flows and wetlands	FWr.17.5 The reason for making the drilling of a bore a controlled activity, with required separation distances, is to avoid water contamination and to avoid contaminated water being drawn from the bore in future. Bores should be a certain distance away from the sea to avoid saltwater intrusion. They should be a sufficient distance from other bores to avoid interference with that bore, and away from surface water bodies to avoid a reduction of water levels in adjacent surface waters. Sinking bores can create pathways for contaminants to migrate from the land surface into aquifers, or create a pathway for contaminants in shallower aquifers to be drawn down into deeper aquifers. Sinking a bore can also reduce the upward pressure gradient in confined aquifers, adversely affecting existing groundwater supplies. For these reasons, it is necessary for Council to monitor the effects of the activity. The New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411:2001) sets out the minimum national environmental performance requirements for drilling of soil and rock, the design, construction, testing and maintenance of bores, the decommissioning of holes and bores, and record keeping. The Standard was developed in order to be referenced in contracts and in resource consents and plans developed pursuant to the Resource Management Act 1991. Copies of the Standard are available from the Council, on request. The following district wide policy is relevant to this rule: DO18.2.1 (managing underground abstractions). The following rule is relevant: FWr.19 (abandonment or decommissioning of a bore or well).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.18 **Investigative drill holes** [note that this rule is a regional rule]	FWr.18.1 The construction of any exploratory drill hole for monitoring purposes or to obtain geotechnical information, is permitted, if: a) the activity is carried out in accordance with Environmental Standard for Drilling Soil and Rock (NZS 4411:2001) b) the drill hole is secured and backflow prevention measures are provided to ensure that no foreign material is allowed to enter the ground and in particular any aquifer, or the drill hole is backfilled with material of similar composition and properties to the surrounding land, and c) the driller and/or supervising engineer or geologist forwards a drilling log to the Council which includes all the information required by the Environmental Standard NZS 4411:2001 within one month of construction, and d) decommissioning and sealing of the drill hole is carried out within six months so that: i) the bore or well is backfilled and sealed at the surface, and ii) the bore or well is sealed to prevent vertical movement of groundwater and to confine the groundwater to the specific zone in which it originally occurred, and iii) decommissioning complies with NZS 4411:2001 (Environmental Standard for Drilling of Soil and Rock), and iv) materials used for backfill are of similar composition and properties to the surrounding land and no less than two metres of the drill hole near the surface is sealed with a cement grout.	FWr.18.2 Not applicable.	FWr.18.3 The construction of any exploratory drill hole for monitoring purposes or to obtain geotechnical information, that contravenes a permitted condition, is discretionary.

Assessment Criteria	Explanation
FWr.18.4 a) the risk of contamination of groundwater.	FWr.18.5 Investigative drill holes, for purposes other than abstraction of groundwater, include activities such as testing levels of contamination, groundwater pressure gradients, and geotechnical investigations, are a permitted activity because they do not have the same potential to cause adverse effects as permanent bores, used for groundwater abstraction. The New Zealand Environmental Standard for Drilling of Soil and Rock (NZS 4411:2001) sets out the minimum national environmental performance requirements for drilling of soil and rock, the design, construction, testing and maintenance of bores, the decommissioning of holes and bores, and record keeping. The Standard was developed in order to be referenced in contracts and in resource consents and plans developed pursuant to the Resource Management Act 1991. Copies of the Standard are available from the Council, on request. The following district wide policy is relevant to this rule: DO19.2.1 (effects of land use activities on groundwater).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.19 **Abandonment or decommissioning of a bore or well** [note that this rule is a regional rule]	FWr.19.1 Not applicable	FWr.19.2 Abandonment or decommissioning of a bore or well is controlled if: a) the bore or well is backfilled and sealed at the surface, and b) the bore or well is sealed to prevent vertical movement of groundwater and to confine the groundwater to the specific zone in which it originally occurred, and c) decommissioning complies with NZS 4411:2001 (Environmental Standard for Drilling of Soil and Rock). Control is reserved over: i) materials used for sealing, and ii) method of sealing, and iii) materials used for backfilling.	FWr.19.3 Abandonment or decommissioning of any bore or well which does not comply with any of the standards specified for the controlled activity is discretionary.

Assessment Criteria	Explanation
FWr.19.4 a) the risk of future contamination of groundwater. b) potential for leakage from the surface.	FWr.19.5 When a bore is abandoned or decommissioned it is important to avoid ongoing issues with contamination of groundwater. For this reason, it is necessary for Council to monitor the effects of the activity. The following district wide policy is relevant to this rule: DO18.2.1 (managing underground abstractions).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.20 **Point source discharges to freshwater bodies (other than stormwater)** [note that this rule is a regional rule]	FWr.20.1 Any discharge to water is permitted if: a) after reasonable mixing it meets Appendix 28.7 and Class A water quality standards (see Appendices 28.5 to 28.7), or b) it is a discharge of dye or tracer material for investigative purposes, or c) it is a discharge of water from the testing or emptying of pipelines, tanks or bunds if no welding residues or other contaminants contained within the pipeline will be discharged to the receiving water body, or d) it is a discharge of overflow bore water to surface water bodies, if the rate of discharge is no more than five litres per second and the discharge has not been contaminated prior to discharge, or e) it is a discharge from a swimming pool (excluding swimming pool filter backwash water) which is free of chemicals, algae, leaves, dirt or other debris. (Any discharge with these contaminants must be discharged to the sewerage system) Swimming pool water is considered free of chemical contaminants when it has been left open to sunlight for 14 days, the level of chlorine does not register on any home testing kit, and no smell of chlorine remains.	FWr.20.2 a) Any discharge which, after reasonable mixing, meets Class B water quality standards (see Appendices 28.5 to 28.7), and b) any discharge of wastewater or wash water into water bodies arising from the maintenance and repair of buildings and structures, is controlled if: i) the discharge does not, after reasonable mixing, cause: - the production of conspicuous oil or grease, film, scum, or foam, or floatable or suspended material, or - any conspicuous change in colour or visual clarity, or - any objectionable odour, or - any significant adverse effects on aquatic life, and ii) all practicable measures (eg oil separation, screening, filtering or settlement devices, or diversion to the sewerage system or a combination of these options), are taken at source to ensure that the contamination of stormwater is avoided. Control reserved over: i) the volume and level of contamination, and ii) the method of discharge and effects arising from the method chosen, and iii) the provision and adequacy of equipment for the collection, treatment and disposal of any discharge.	FWr.20.3 **Restricted discretionary** Any discharge which, after reasonable mixing, meets Class C water quality standards (Appendices 28.5 to 28.7) is a restricted discretionary activity if it is not a discharge into Class A or B water bodies (see Appendix 28.4). Discretion restricted to: i) classification of the water body (see Appendix 28.4), and ii) a reasonable mixing zone. **Discretionary** Any discharge that contravenes the conditions for permitted or standards for controlled or restricted discretionary activities, is discretionary. **Non-complying** Any discharge not specified as permitted, controlled, discretionary or prohibited is non-complying Note: see rule FWr.21 for the rule on raw sewerage discharges from the public sewerage system. **Prohibited** Any discharge of: a) untreated sewage to a water body (other than as an emergency work pursuant to section 330 of the Act), and b) untreated stock effluent to a water body, and c) liquid wastes or hazardous substances directly into groundwater, and d) hazardous substances into surface water, and e) solid waste into surface water is prohibited.

Assessment Criteria	Explanation
FWr.20.4 Assessment matters (for controlled, restricted discretionary and discretionary activities)**:** a) whether the discharge has a reasonable potential to result in a loss of sensitive or important habitat, substantially interfere with the existing or characteristic uses of the water body, result in damage to the ecosystem, or adversely affect public health. b) whether the discharge will create a barrier to the migration or movement of native species and trout to a degree that has the potential to cause damage to the ecosystem. c) the classification of the water body and the priority for its enhancement (see Appendix 28.4). d) the sensitivity of the receiving environment. e) in the case of wetlands, whether it is naturally occurring or artificially created. If it was artificially created, the purpose for which it was created (eg stormwater management or wastewater treatment). f) provision for review of consent conditions if the discharge has unforeseen effects on water quality g) whether the discharge will contribute to a waterbody continuing to have a Class D or E water quality standard. **Assessment criteria for non-complying activities** a) methods of prevention, control and treatment appropriate to the discharge b) siting, technological, and management options c) loss of sensitive or important habitat d) interference with the existing or characteristic uses of the water body e) any damage to the ecosystem, or adverse effects on public health f) whether the discharge existed prior to notification g) whether the volume of water in the effluent is providing a greater benefit to the existing or characteristic uses of the water body due to flow augmentation h) whether the exceedance is necessary to accommodate important economic or social development.	FWr.20.5 The water quality of Nelson's rivers has been assessed and classified into five categories from Class A (excellent) to Class E (very degraded). Detail of the qualities and values of these classes is in Appendix 28.5. The 2002 classification of Nelson waterways is in Appendix 28.4. Where a water body is not listed in Appendix 28.4, its water quality classification should be determined by assessing a range of physical, chemical and biotic parameters as described in Cawthron Report No.774 (October 2002). In order to set clear management objectives for each water body it is necessary to establish the current water quality of Nelson's rivers and streams and then set minimum standards for maintaining that level of water quality. Classification standards provide a "baseline" below which water quality should not be degraded. Control of discharges is necessary to work towards Policy DO19.1.5, which is that no water bodies should be of a quality less than Class C and Policy 19.1.12, and meets the National Objective Framework of the National Policy Statement – Freshwater Management. Note: swimming pool water is considered free of chemicals when a pool has been left open to sunlight for 14 days, the level of chlorine does not register on any home testing kit, and no smell of chlorine remains. The following district wide policies are relevant to this rule: DO19.1.1 – DO19.1.5 (policies for classes A to E) DO19.1.11 (new and existing discharges to water)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.21 **Discharges from the public sewerage system to freshwater bodies** [note that this rule is a regional rule]	FWr.21.1 Not applicable.	FWr.21.2 Not applicable.	FWr.21.3 **Discretionary** 1) Any reasonably foreseeable discharge from the sewerage system to freshwater (via the stormwater system, discharged to land or directly to freshwater) as outlined in the NCC Wastewater Asset Management Plan is a discretionary activity if there are: a) no more than 10 discharges in any 12 month period, and b) no more than five individual discharges in any single event, and c) the medical officer of health, the Divisional Manager Planning and Consents and the public are formally notified of the discharge, including its location, within four hours of the emergency response officer first being notified of the discharge. 2) The following information must be provided in the discharge application: a) identification of the source of contamination, and b) the frequency of occurrence of discharges, and c) identification of the known and potential effects of the discharge, including: i) public health risks, and ii) aesthetic and odour adverse effects, and iii) receiving environment water quality degradation (both freshwater and coastal), and iv) adverse effects on freshwater and coastal ecology, and d) the proposed methods to avoid, remedy or mitigate the actual and potential effects, and e) the effective measures designed to prevent effluent discharging to surface water or onto land where it may enter surface water, from the network in the event of a system failure or overloading the system beyond its design capacity. Together with the contingency planning and system design to provide temporary storage, and back up systems for pumps and power supplies in the event of maintenance, system failure, or a natural event, and f) how the emergency response to blocked sewers will be managed, and g) an integrated catchment management plan and a wastewater network environmental management plan which must propose methods to reduce risk, and h) the prioritised programme for implementation of the methods, and i) the monitoring and reporting to be carried out. In accordance with s330 of the RMA, the Divisional Manager Planning and Consents must **also** be notified of individual discharges within seven working days of each event. **Non-complying** Any discharge from the sewerage system to freshwater (via the stormwater system, discharge to land or directly to freshwater) which contravenes the conditions for a discretionary activity is non-complying.

Assessment Criteria	Explanation
FWr.21.4 a) risk to public health and the environment b) the sensitivity of the receiving environment c) effects on existing uses of any waterbody affected by the discharge d) practicable methods to decrease the potential for discharges	FWr.21.5 Sewage discharges to freshwater can occur from a sewage system overflow from a stormwater system, a discharge to land, or directly to freshwater. This rule applies to all of these overflow discharges. Discharge of raw sewerage to waterbodies is unacceptable for public health, cultural and environmental reasons. However, overflows sometimes occur during heavy rain events due to inflow or infiltration of stormwater into the sewerage system, and when sewers block. In this rule wastewater network discharges are a discretionary activity in recognition of the fact that they do happen, that it is an expensive problem to avoid, to provide certainty of conditions and the ability to prioritise works. The following district wide objective and policy are relevant to this rule: Objective: DO19.1 (highest practicable water quality) Policy: DO19.1.5 (minimum quality)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.22 **Point source stormwater discharges to water** [note that this rule is a regional rule]	FWr.22.1 Point source stormwater discharges directly to a river are permitted if: a) the discharge is from the roof of a residential property, and b) the discharge does not i) contain any chemicals, paint, oil, grease, pesticides, fertiliser, tannins, detergent, grass clippings, rubbish, litter, or heavy metals that are, or are likely to be, toxic to the aquatic ecosystem, or ii) cause the production of conspicuous oil or grease films, scums or foams, or floatable material, or iii) cause a conspicuous change of colour or visual clarity, or iv) cause an emission of objectionable odour, or v) cause adverse effects on aquatic life, or vi) contain suspended solid concentrations in excess of 100g/litre, or vii) contain any hazardous substances, waste water or trade wastes.	FWr.22.2 1) Nelson City Council's point source stormwater discharges to water are a controlled activity if a reticulated stormwater quality improvement plan is provided in the discharge application which outlines how best practicable options will be used to control discharges to Council's stormwater infrastructure. 2) Point source stormwater discharges directly to a river which are not from the Council's stormwater infrastructure, and are not a permitted activity, are controlled if a) they do not: i) contain any chemicals, paint, oil, grease, pesticides, fertilizer, tannins, detergent, grass clippings, rubbish, litter, or heavy metals that are, or are likely to be, toxic to the aquatic ecosystem, or ii) cause the production of conspicuous oil or grease films, scums or foams, or floatable material, or iii) cause a conspicuous change of colour of visual clarity, or iv) cause an emission of objectionable odour, or v) cause adverse effects on aquatic life, or vi) contain suspended solid concentrations in excess of 100mg/litre, or vii) contain any hazardous substances, waste water or trade wastes, or b) the best practicable option (eg oil separation, screening, filtering or settlement devices, or diversion to the sewerage system or a combination of these options) is taken at source to ensure that contamination of stormwater is minimised. Compliance with the NCC Stormwater Bylaw 2006 will be deemed to be complying with condition b) of this rule, with the exception that the bylaw will be administered as a guide, and approval will be through the Consents process rather than through authorisation by the Manager Infrastructural Assets. Control reserved over: i) the volume and level of contamination, and ii) the method of discharge and effects arising from the method chosen, and iii) the provision and adequacy of equipment for the collection, treatment and disposal of any discharge.	FWr.22.3 A point source stormwater discharge directly to a river that contravenes a permitted or controlled condition is discretionary.

Assessment Criteria	Explanation
FWr.22.4 a) the degree to which any discharge of stormwater to a river does not comply with the NCC Stormwater Bylaw or section 9.3 in the NCC Land Development Manual 2010. A site assessment will have to be supplied when an application is made for a discretionary activity to discharge stormwater to a river. This assessment must include: i) detail of how and why the stormwater discharge contravenes the permitted or controlled conditions, and ii) a plan showing the site layout that identifies all actual and potential sources of stormwater pollution, and iii) identification of best practicable options to ensure that actual and potential contamination of stormwater is minimised at source. b) whether the best practicable option has been used. This means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to: i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects (see Appendix 28.4), and ii) the financial implications, and the effects on the environment, of the option when compared with other options, and iii) the current state of technical knowledge and the likelihood that the option can be successfully applied. c) whether the discharge has a reasonable potential to result in a loss of sensitive or important habitats, substantially interfere with the existing or characteristic uses of the water body, result in damage to the ecosystem, or adversely affect public health. d) whether the discharge will create a barrier to the migration or movement of native species and trout to a degree that has the potential to cause damage to the ecosystem. e) the classification and sensitivity of the receiving water body and the priority for its enhancement (see Appendix 28.4) f) application of technical publications on stormwater treatment devices and low impact design. g) in the case of discharges from the Council's stormwater system, level of implementation of the Council's Reticulated Stormwater Quality Improvement Plan. h) provision for review of consent conditions if the discharge has unforeseen effects on water quality.	FWr.22.5 **Scope of this rule**: This rule covers all point source stormwater discharges directly entering waterways. Stormwater discharges into the Council's stormwater pipes are not covered by this rule but are permitted in terms of FWr.25 (discharge to land) if they comply with the NCC Stormwater Bylaw 2006. Diffuse stormwater discharges are not covered by this rule. They are controlled through section 9.3 in the NCC Land Development Manual 2010 and through the Plan rule controlling discharges to land (FWr.25). Specific water quality standards have not been set for stormwater discharges in recognition of the complexity of diffuse and wide-ranging sources of stormwater contamination. The development of a reticulated stormwater quality improvement plan (RSQIP) is a condition of a Council consent for its own stormwater discharges. The RSQIP is a strategic plan which sets out the framework for the following programmes: i) the stormwater bylaw, which will control the quality of discharges to the Council's stormwater infrastructure. It also provides guidelines for 'best practicable option' for discharges to natural water ii) installation of interceptors (or equivalent low impact design methods) on Council's stormwater discharges from identified 'hot spots' on Council land, such as car parks, to comply with the stormwater bylaw iii) an education programme with the aim of preventing contaminants entering residential stormwater. The following district wide policies are relevant to this rule: DO19.1.8 (stormwater discharges) DO19.1.9 (improvements to stormwater discharges) DO19.1.10 (new development) In residential areas, stormwater drains frequently receive soapy water from washing cars, residues from cleaning paint brushes and oil split during oil changes. Process wastes or industrial chemicals may be illegally discharged into stormwater drains servicing industrial or trade premises. These waterbodies are often small streams where the impacts can be greater than if greater mixing capacity was available.

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.23 **Discharge of agrichemicals in and near waterbodies** [note that this rule is a regional rule]	FWr.23.1 Discharge of agrichemical to air or land near water is permitted if: a) it is not discharged directly into a water body, and b) it complies with the mandatory requirements of NZS8409:2004 Management of Agrichemicals, and c) it complies with the requirements of Rule AQr.56 and Appendix AQ7 in the Nelson Air Quality Plan.	FWr.23.2 1) A direct discharge of an agrichemical into a water body for the purposes of pest plant or fish control is controlled if: i) the discharge does not exceed the quantity, concentration or rate required for that purpose, and ii) the agrichemical, and any associated additive, is authorised for aquatic use in New Zealand, and is used in accordance with the authorisation, and iii) the discharge is carried out in accordance with any manufacturer's directions and is carried out by a person who is a registered chemical applicator, and iv) no lawful take of water will be adversely affected as a result of the discharge, and v) the discharger notifies every household taking water for domestic supply, and every holder of a water permit within 1km downstream of the proposed discharge, at least one week before commencing the discharge. 2) Control is reserved over the following matters: i) location and area of discharge ii) timing of discharge iii) signage requirements iv) adverse effects on non-pest or non-target freshwater organisms.	FWr.23.3 Any discharge of agrichemicals in and near waterbodies that contravenes a permitted condition or a controlled standard is discretionary.

Assessment Criteria	Explanation
FWr.23.4 a) whether the discharge can be done effectively without risk to human health or the environment. b) the experience and track record of the discharger. c) compliance with NZS8409:1999 Management of Agrichemicals.	FWr.23.5 Agrichemicals can be toxic to aquatic animals and indigenous plants, and are a risk to humans and stock if they enter drinking water supplies. Agrichemicals also have the potential to degrade groundwater. The following district wide policy is relevant to this rule: DO19.1.7 (effect of land use activities on surface water bodies) The following district wide method is relevant to this rule: DO19.1.7.vi (advice on fertiliser and agrichemical use) Note: In all cases for the application of agrichemicals Rule AQr.56 in the Nelson Air Quality Plan must also be complied with.

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.24 **Fertiliser discharges to land and air where it may enter water** [note that this rule is a regional rule]	FWr.24.1 Discharge of fertiliser onto land is permitted if: a) the fertiliser is registered in New Zealand at the time of application under the Agricultural Compounds and Veterinary Medicines Act 1997, and b) all practicable steps are taken to ensure that fertilizer applied by ground-based methods does not enter any river or lake, or the bed of any river or lake, either directly or via overland runoff, and c) the application complies with the Code of Practice for Fertiliser Use (2002)	FWr.24.2 Not applicable.	FWr.24.3 **Restricted discretionary** Any discharge of fertiliser onto land that contravenes a permitted condition is a restricted discretionary activity. Discretion restricted to: a) type and volume of fertiliser, and b) nature and sensitivity of receiving environment, and c) cumulative effects of fertiliser use.

Assessment Criteria	Explanation
FWr.24.4 a) type and volume of fertilizer. b) nature and sensitivity of receiving environment c) current levels of phosphate and nitrate in the receiving water body as recorded in the Council's water monitoring programme.	FWr.24.5 Fertiliser entering waterways, either directly or through runoff, can increase growth of algae and decrease oxygen levels in water. At high levels, fertiliser can be toxic to all freshwater organisms. The following district wide policy is relevant to this rule: DO19.1.7 (effect of land use activities on surface water bodies) The following district wide method is relevant to this rule: DO19.1.7.vi (advice on fertiliser and agrichemical use) Note: In all cases for the application of agrichemicals (including fertiliser) Rule AQr.56 in the Nelson Air Quality Plan must also be complied with.

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.25 **General discharges to land where it may enter water** [note that this rule is a regional rule]	FWr.25.1 a) Discharge of water from swimming pools, and b) discharge of swimming pool filter backwash water where discharge to the sewerage system is not practicable, and c) discharge of dead animals, offal and household organic waste to offal pits in the Rural Zone, and d) discharge of grey water or sediment-laden water to land is permitted if: i) the discharge does not result in surface ponding or runoff of any contaminant into a surface water body, and ii) there is no direct discharge of any contaminant into any surface water body, and iii) the discharge is not within 25m of a surface water body or within any Flood Overlay, and iv) the discharge is not within 50m of any bore, well, or spring used for water supply, and v) the discharge is not noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have a significant adverse effect on the environment, and vi) the water is contained on the site so that there are no adverse effects on adjoining properties. e) The discharge of water from a sediment treatment pond or impoundment area onto land where it may enter a surface water body is permitted if: i) there is no point source discharge of any contaminant into any water body, and ii) the water is not discharged onto adjoining properties f) Discharge of point source stormwater to land is permitted if: i) the discharge is not within 25m of a surface water body, and ii) the discharge is not within 50m of any bore, well or spring used for water supply, and iii) the discharge is not noxious, dangerous, offensive or objectionable to such an extent that it has, or is likely to have, an adverse effect on the environment, and iv) the water is not discharged onto adjoining properties. g) Discharges into the Council's stormwater infrastructure are permitted if they comply with: i) the conditions in the NCC Stormwater Bylaw 2006, and ii) section 9.3 of the NCC Land Development Manual 2010, and iii) all other stormwater management requirements in the Plan.	FWr.25.2 Not applicable.	FWr.25.3 **Discretionary** Any discharge that contravenes a permitted activity, and is not listed as a non-complying or prohibited activity, is discretionary. **Non-complying** Discharge of dead stock, offal and inorganic household waste within: i) any zone other than the Rural Zone, or ii) 25m of a river or lake in the Rural Zone is non-complying. **Prohibited** Discharge of untreated sewage is prohibited unless it is a discharge from the public sewerage system (see rule FWr.21)

Assessment Criteria	Explanation
FWr.25.4 a) location and area of discharge. b) risk of contamination of surface or groundwater. c) the degree to which any discharge of stormwater to Council stormwater infrastructure does not comply with the NCC Stormwater Bylaw or section 9.3 of the NCC Land Development Manual 2010. A site assessment will have to be supplied when an application is made for a discretionary activity to discharge stormwater into the Council's stormwater infrastructure. This assessment must include: i) detail of how and why the stormwater discharge contravenes the permitted conditions, and ii) a plan of the site layout that identifies all actual and potential sources of stormwater pollution, and iii) identification of best practicable options to ensure that actual and potential contamination of stormwater is minimised at source.	FWr.25.5 This rule aims to minimise and, as far as possible, avoid the potential for contamination of surface water bodies and groundwater from leaching liquid contaminants. It is important to maintain existing water quality to provide for the existing and potential uses of that water. In other areas of New Zealand discharges to a stormwater pipe have been regarded as a discharge to land, and regulated under section 15(1)(b) of the RMA. Nelson City Council intends to primarily use bylaws under the Local Government Act to control the quality of discharges to stormwater infrastructure. However, it is necessary to include discharges to stormwater infrastructure in this rule, as a permitted activity, in order to clearly signal how the bylaw and the Nelson Resource Management Plan will work together to manage stormwater discharges and avoid duplication of process. The following district wide policy is relevant to this rule: DO19.1.7 (effect of land use activities on surface water bodies).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.26 **Stock fences** [note that this rule is a regional rule]	FWr.26.1 The erection, maintenance, placement or replacement of any stock fence over or within the bed or margin of any river, lake or wetland is permitted if: a) the fence does not impede the legal right to any foot access for public use, or lawfully established vehicle access, along a water body, and b) the fence does not cause any flood waters to be diverted outside the river channel or banks, and c) associated river bed disturbance is avoided where possible, and d) the activity does not, after reasonable mixing, give rise to any of the following effects in the receiving waters: i) the production of any conspicuous oil or grease films, scums, foams or floatable or suspended materials, or ii) any conspicuous change of colour or visual clarity, or iii) any emission of objectionable odour, or iv) any adverse effects on aquatic life.	FWr.26.2 Not applicable.	FWr.26.3 Any stock fence that contravenes a permitted condition is discretionary. The application need not be notified, the written approval of affected parties will not be necessary and notice of applications need not be served on any person.

Assessment Criteria	Explanation
FWr.26.4 a) legal foot access. b) flood issues. c) disturbance of the river bed. d) effects on the values of the water body.	FWr.26.5 A stock fence across a river may be necessary to control stock movements. It is important that this fence does not contribute to flood damage during periods of high flow by trapping debris and logs. The following district wide policy is relevant to this rule: DO17.1.6 (structures in and under the beds of rivers and lakes)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.27 **Stock access and crossings** [note that this rule is a regional rule]	FWr.27.1 Stock entering or crossing part of the bed or bank of a river, and any associated discharge of suspended solids, is permitted if: i) the activity does not, after reasonable mixing (as defined in Ap28.7.ii), cause a reduction in visual clarity of more than 30%, measured above and below the site of the activity, and ii) any erosion occurring, that leads to a breach of condition i) of this rule, as a result of stock entering or crossing the beds or banks of a river or lake is remedied as soon as practicable, and iii) the amount of time stock spend crossing water bodies is minimised by providing crossing sites, and iv) any stock crossing used by cattle is used no more than four times per week, and v) the activity does not result in a worse water quality classification than that listed in Appendix 28.4.	FWr.27.2 Not applicable.	FWr.27.3 **Discretionary** a) any stock access or crossing which contravenes a permitted condition, and b) any stock access or crossing which is not specified as permitted, non-complying or prohibited is discretionary. **Non-complying** Stock access to a lake or wetland is non-complying. **Prohibited** The use of beds of rivers, lakes or wetlands for supplementary feeding, or stock standing areas, is prohibited.

Assessment Criteria	Explanation
FWr.27.4 a) effects on water quality b) effects on aquatic ecosystems c) the degree to which the activity affects the existing classification and values of the water body (see Appendix 28.4 and Appendix 6)	FWr.27.5 Stock with unrestricted access to water bodies will ultimately contribute to water quality degradation. Research has found that: - faecal bacteria reside in the stream sediment rather than the water column, and - disturbance of the sediment (by swimming, flooding, wading, recreational use and earthworks) can remobilise the sediment and recontaminate the water column, and - excluding stock from stream channels is likely to provide major water quality benefits, in addition to improved stock health. Practical means of compliance with this rule include, but are not limited to: a) the use of bridges and culverts b) fencing of riparian areas c) the use of gates in conjunction with fencing d) provision of troughs for livestock watering in adjacent fenced pasture areas e) construction of crossings to be as direct a route across the bed of a river as is practicable f) construction of hard entry and exit points at livestock crossings. Where long term monitoring of a waterbody reveals a worse water quality classification than that listed in Appendix 28.4, Council will investigate the cause of the contamination and work with the landowners to remedy the problem. The following district wide policy is relevant to this rule: DO17.1.12 (stock access and crossings)

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.28 **Discharge of stock effluent onto or into land** [note that this rule is a regional rule]	FWr.28.1 Discharge of stock effluent onto or into land is permitted if: a) the best practicable option is adopted to prevent or minimise any adverse effect of the discharge or discharges on the environment, and b) the discharge does not: i) result in any contaminant entering surface water, and ii) occur within 50m of any bore, well, or spring used for water supply purposes, and iii) occur within 50m of a wetland, and iv) occur within 50m of a river or the coastal marine area, and vi) occur within 50m of any dwelling on an adjoining property, and vii) exceed a nitrogen loading rate of 200kg of nitrogen per hectare per year by itself or in combination with any other applied fertiliser, and applications of effluent shall not exceed 100kg of nitrogen per hectare per year within any three month period. (Note: factory supply cows produce 6.5kg of nitrogen each year), and c) contingency measures are in place to avoid discharges to water in the event of a power or system failure, and d) any effluent storage facilities are lined so as to prevent any contamination of groundwater by seepage, and e) discharge of effluent is only onto land with a vegetative cover over 90 percent of the ground surface or immediately prior to sowing a crop, and f) the application of effluent is not at a rate which results in ponding on the land surface, and g) the Council is provided with the following information in order to monitor that the above conditions are being met: i) volume of effluent to be discharged on an annual basis from the number and type of stock, and ii) number of hectares and location over which the stock effluent is to be discharged, and iii) a back up plan if the pumps and irrigation system fail so that the discharge of effluent to any natural waterways is avoided as far as practicable.	FWr.28.2 Not applicable.	FWr.28.3 **Discretionary** Discharges of farm effluent to land which do not meet the conditions for permitted activities are discretionary.

Assessment Criteria	Explanation
FWr.28.4 a) location and area of disposal, including distance from any bore, well, or spring, and any rivers, lakes and wetlands. b) design, construction, location, operation and maintenance of effluent storage, treatment or disposal system. c) effluent quality and volume. d) risk of contamination of surface or groundwater. e) potential for health risk. f) potential for effects on aquatic ecosystems.	FWr.28.5 Disposal of dairy waste onto land is encouraged, and promoted as a more sustainable option than discharge to water. The following district wide policy is relevant to this rule: DO19.1.7 (effect of land use activities on surface water bodies).

Item	Permitted	Controlled	Discretionary/Non-complying
FWr.29 **Establishment of, and discharges to, effluent disposal fields** [note that this rule is a regional rule]	FWr.29.1 1) Discharges to existing on-site effluent disposal fields, which were lawfully established prior to the freshwater plan change being made operative, are permitted providing that: i) the on-site wastewater management system is maintained in an efficient operating condition at all times in accordance with manufacturer's specifications, and ii) the discharge does not adversely affect surface water, coastal water, or groundwater quality, or adjacent properties. 2) Discharges to new effluent disposal fields for single residential units on lot sizes 15ha or greater if: a) the effluent fields are located no closer than i) 20m from the bank of any permanently flowing watercourse, or from any lake, wetland, or coastal water, and ii) 20m from a boundary other than a road boundary, and iii) 10m from a road boundary, and iv) 50m from any bore or domestic water supply if an evapotranspiration system is being used or 300m from any bore or domestic water supply if any other type of system is being used, and b) the volume of effluent discharged is not more than a weekly averaged flow of 2000 litres per day, and c) there is no discharge run-off of effluent into surface water, and d) there is a minimum of 600mm vertical separation distance above groundwater, and e) there is no discharge of effluent from the disposal field to the ground surface, and f) the septic tank is regularly desludged so that the liquid volume (excluding sludge and scum) is maintained at not less than one-third the tank volume, and g) the discharge does not create an offensive or objectionable odour discernable beyond the property boundary, and h) the discharge meets the requirements of the Australian/New Zealand standard for On-site Domestic Wastewater Management (AS/NXS 1547:2000), and i) the discharge does not adversely affect the stability of the lot or any buildings.	FWr.29.2 Discharges to new community effluent disposal fields associated with multi-lot subdivisions of 10 or more lots are controlled. Control is reserved over the following matters: i) the location of the effluent field ii) the volume and quality of the effluent iii) the method of discharge and the effects arising from the proposed method iv) the maintenance plan for both the infrastructure and the quality assurance of the discharge v) the potential effect of the effluent disposal field on water quality in any river, lake, wetland, or coastal water.	FWr.29.3 **Discretionary** In the rural zone: a) Discharges to new on-site effluent disposal fields for single residential units on lot sizes smaller than 15ha are a discretionary activity. b) New on-site wastewater discharges associated with commercial or industrial activities, are a discretionary activity. The application may be considered without the need to: i) be notified, or ii) gain written approval of affected parties, or iii) serve notice of applications on any person. Any establishment or extension of, or discharge to, effluent disposal fields that does not meet the conditions for permitted activities is a discretionary activity. In all zones except the Rural Zone: Discharges to new on-site effluent disposal fields for residential, commercial or industrial activities of less than 10 lots are a discretionary activity. **Non-complying** Discharges to new individual effluent disposal fields associated with multi –lot subdivisions of 10 or more lots are non-complying.

Assessment Criteria	Explanation
FWr.29.4 a) the proximity of the discharge to any adjacent properties, surface water, groundwater or coastal water and any actual or potential adverse effects of the discharge on water quality,. b) the proximity of the discharge to other discharges of domestic wastewater and the potential for cumulative effects,. c) the potential for the discharge to initiate instability or make existing instability worse,. d) the extent to which the proposed on-site wastewater management system complies with the Australian/New Zealand for On-site Domestic Wastewater Management (AS/NZS 1547:2000). e) the soil characteristics of the site and surrounding area, including hydraulic capacity and ability to treat contaminants present within the domestic wastewater. f) the capacity of the treatment unit and the level of treatment. g) the rate and method of discharge. h) the size of the land application area and alternative locations for the land application area. i) the necessity for monitoring the performance of the on-site wastewater management system. j) the management and maintenance of the on-site wastewater management system, including the ability to access the system for maintenance purposes. k) cumulative effects relating to the proximity and number of other effluent fields in the area. l) size constraints including geology, topography, slope, lot size and shape, climate, and existing structures. m) the need for a reserve field. n) the way in which stormwater is managed on site and the potential for stormwater to impair the performance of the on-site wastewater management system. o) any odour.	FWr.29.5 The rule requires measures such as a buffer to contain and trap any possible contaminants from effluent disposal fields. Compliance with the NZ standards for on-site domestic wastewater management will help ensure compliance with the above standards. NZ standards for on-site domestic wastewater management do not recommend the use of rubbish grinders with septic tank treatment units, nor account for their use in the design of on-site wastewater disposal systems. Therefore, Council may require evidence that the design of the effluent treatment disposal system takes into account the effects of a rubbish grinder, where one is proposed to be installed in any new building. Multi-lot subdivisions of 10 or more lots should install and manage a community effluent treatment system to avoid cumulative effects of numerous systems. It is also necessary that lots smaller than the minimum lot size prove they can absorb the effluent on-site or connect to a reticulated effluent treatment system. The following district wide policy is relevant to this rule: DO19.1.7 (effect of land use activities on surface water bodies).