FOR INFORMATION

To:	**Gina Sweetman, Planning Consultant**
From:	**Maxine Day, Environmental Planning Manager**
Date:	**27 June 2022**
SUBJECT:	**Update on the Nelson City Council's Environmental Planning programme**

PURPOSE

This memorandum provides an update on the Nelson City Council's Environmental Planning programme for the purpose of informing the Hearing Panel on private plan change 28.

Whakamahere Whakatū Nelson Plan (WWNP)

The WWNP is a full unitary plan, intended to replace the Nelson Regional Policy Statement, Nelson Resource Management Plan (NRMP), and Nelson Air Quality Plan. The WWNP has been in development for a number of years, and most recently was anticipated to be publicly notified in 2022.

In November 2021, Council resolved to pause the release of the WWNP, primarily due to the risk that anticipated new legislation will require significant changes to resource management plans in local government, particularly in the Top of the South Island where the three unitary councils are awaiting a decision on whether they will be required to produce 'one combined plan'. The WWNP has been paused until the release of the new legislation (anticipated in late 2022), at which time Council will consider how best to progress a new plan.

The WWNP is available on Council's website and had been consulted on in various stages, most recently in 2019-2021. As a draft, the WWNP does not have any legal status and can only be used as an indication of Council's intended direction on issues. These directions may change following the release of the new legislation.

While waiting for the new legislation, Council is progressing some key issues relating to housing, freshwater, coastal inundation and lower Maitai flooding, and air quality.

Housing Plan Change 29

A housing plan change to the NRMP is being prepared – Plan Change 29. Plan Change 29 is anticipated to provide for greater housing intensification in existing residential and business zones. The Plan Change will also propose updates to the NRMP natural hazard maps and associated planning provisions – this will include updates to flood and fault provisions and introduce new slope instability and liquefaction provisions.

As a Tier 2 council, there is not a requirement to apply the RMAA 2021 Intensification Streamlined Planning Process and associated 'Medium Density Residential Standards' – and Council has resolved not to apply to Government to use these provisions.

A notification date for Plan Change 29 has not yet been set by Council.

Freshwater Planning

The draft WWNP contained a comprehensive update to NCC's freshwater planning provisions and reflected the National Policy Statement for Freshwater Management (NPS FM) 2017. The NPS FM 2020 had not been included in the draft that was consulted on in 2020.

The NPS FM 2020 introduced some significant changes from earlier versions, particularly in relation to the hierarchy of needs and elevation of Te Mana o te Wai.

Following discussion with Te Tauihu iwi and the other unitary authorities within the rohe of Te Tauihu iwi the Council agreed to undertake an collaborative project to progress the freshwater planning provisions. Initial work by iwi to establish local meaning for Te Mana o te Wai has begun, and subsequently Council can progress work to update its draft freshwater planning provisions. Council is intending on meeting the NPS FM deadline for notification by the end of 2024, noting however that the timeframes will be heavily dependent on the capacity of iwi.

Coastal Hazards and Lower Maitai Flood Hazard Planning

Council has initiated a Dynamic Adaptive Pathways Planning (DAPP) programme to address coastal inundation and lower Maitai flood hazards planning. The DAPP programme is in the early stages. Council has engaged with the community several times in recent years on either coastal flooding or river flooding – first asking about people's experiences with the hazards and then in 2020, Council

released new hazard maps. In 2021, Council refined the flood mapping for streams and rivers, including the Maitai River, and released these to the community. At the same time, draft flood hazard plan provisions were released for feedback.

As Council moves through the stages of DAPP it is likely that a range of adaptation responses will be adopted – including a plan change to help manage the existing and future risks of inundation. At this point in time, there are no draft plan provisions for coastal inundation. Current applications for new development or buildings are guided by the Nelson Tasman Inundation Practice Note, which is a guidance note under the Nelson Tasman Land Development Manual. This guidance provides 'an acceptable methodology' for setting ground and floor levels to meet Building Act and RMA requirements. The IPN is expected to be due for review in 2022-2023 to reflect updated coastal inundation and flood model data.

Air Quality Plan

Nelson City Council has an operative Air Quality Plan.

The draft WWNP sets out the Council's intended direction of change for Air Quality Management. Council is, however, anticipating changes from central government to the National Environmental Standard for Air Quality (NES AQ). Following the release of the updated NES AQ, Council expects changes may be required to the Nelson Air Quality Plan to reflect the national requirements.