Key:
Amendments to the NRMP proposed in the notified version of PC29 are shown with black underline and ~~strikethrough~~.
Amendments to the notified PC29 recommended in the S42A reports are shown with red underline and ~~strikethrough~~.
Amendments proposed in the S42A Addenda and Joint Witness Statements are shown in red underline and ~~strikethrough~~ with yellow highlight.
Amendments proposed by the S42A Author from the Hearing are shown in red underline and ~~strikethrough~~ with green highlights.
Comment boxes have been used to indicate the submission that provides scope for the recommended amendment. The S42A author initials indicate which S42A report addresses the change.

Note:
Minor editorial changes have been made to the text under RMA Schedule 1, Clause 16 shown in red underline and ~~strikethrough~~.

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 and planned built character 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 hazard~~

DO16.vi Chapter 5 identifies objectives and policies relevant to the different overlays and the issues associated with them including those relating to servicing, natural hazards, heritage, Port Effects Control Overlay and Airport Effects Control Overlay.

Commented [RD1]: JWS Infrastructure Part 3, 3.1 - 7Aug2024

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 Zones

Commented [RD2]: Minor change In DO16.1.1 Heading and CO16.1.1v-vii Heading to relate them

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 Zones 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. Over time, the appearance of neighbourhoods will change as new development occurs, to achieve the planned built character of the zones as described briefly below and in more detail in the objectives and policies for the zone.

DO16.1.1.ii ***General Residential Zone***

The primary goal of the General Residential Zone is to provide the opportunity for residential accommodation within a suburban setting. The zone enables a range of housing types, including detached and attached residential units, and achieves a suburban residential character by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space.

DO16.1.1.iii ***Medium Density Residential Zone***

The primary goal of the Medium Density Residential Zone is to provide the opportunity for medium density housing ~~on land with good accessibility to a range of commercial activities, community facilities, public open space and employment opportunities walking distance to commercial services, public open space, and community facilities~~. The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and low rise apartments. The zone achieves a medium density residential character by generally limiting the scale and form of buildings to three storeys and requiring useable and accessible on site landscaped areas and private open space. Medium density residential development is more intensive than typical low density areas and will result in a moderate degree of visual change to neighbourhoods. Subject to assessment through the resource consent process, the zone provides for small-scale commercial activities, and other community facilities reflecting that an increasing residential population requires convenient access to services to meet their day-to-day needs.

Commented [RD3]: Correction to align with the proposed amendments to Policy RE1.7 set out in the S42A Addendum - Residential and Subdivision.

Commented [CB4]: S709.062 & S361.003

Commented [CB5]: S709.061

Commented [CB6]: S881.008

~~DO16.1.1.iv~~ ***~~High Density Residential Zone~~***

Commented [CB7]: S3.001 (and others)

~~The primary goal of the High Density Residential Zone is to provide the opportunity for high density housing in close walking distance to commercial services and community facilities. The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and apartments at a variety of scales. The zone achieves a high density residential character by generally enabling residential buildings up to six storeys and requiring on site landscaped areas and private open space suitable to the housing types enabled. High density residential development is more intensive than typical low density areas and will result in a high degree of visual change to neighbourhoods. Subject to assessment through the resource consent process, the zone provides for small-scale commercial activities, reflecting that an increasing residential population requires convenient access to services to meet their day-to-day needs.~~

DO16.1.1.iv ***Residential Zone - Standard Area***

This zone maintains the opportunity for residential accommodation within a suburban setting, while acknowledging that the area is at risk from natural hazards including sea level rise due to climate change. This zone manages that risk with development specific assessment through the resource consent process. The zone continues to enable a range of housing types, including detached and attached residential units, and achieves a suburban residential character by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space.

DO16.1.1.v~~i~~ ***Residential Zone - Comprehensive Area***

This zone maintains opportunities for comprehensive developments where such developments manage risk from natural hazards and incorporate quality urban design principles (refer to DO13A District Wide Objectives and Policies), where they are located in close proximity to services, shops, transport routes, open space and other urban amenities.

The zone framework acknowledges that the area is at risk from natural hazards including sea level rise due to climate change. This zone manages that risk with development specific assessment through the resource consent process.

DO16.1.1.vi~~i~~ ***Residential Zone - Lower Density Area***

This zone maintains the opportunity for residential accommodation within a suburban setting, while acknowledging that the area is at risk from natural hazards including sea level rise due to climate change. This zone manages that risk with development specific assessment through the resource consent process. The zone continues to enable a range of housing types, including detached and attached residential units, and achieves a suburban residential character with open spaciousness of development by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space.

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~~.i ***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~~.~~ix~~ii ***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~~City Fringe provides for a range of complementary commercial activities as well as residential above ground floor level. A good standard of urban design and amenity is expected, while having regard to the functional requirements for the activities enabled in the ~~Fringe will be pleasant, but of a lower standard of amenity than the City Centre~~zone. ~~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.i~~v~~ 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~~ .i 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~~.ii 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~~ iii 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~~.iii(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; and
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; *and*
c. the provisions will tend to reduce the trend to increasing widespread “commercialisation” of Industrial land, and its adverse economic consequences for industrial activities; and
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.~~ i 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.~~ i 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.~~ ii 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.~~ iii 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.

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

7. Conservation Zone

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

Explanation and Reasons

DO16.1.1.~~xii~~ .i 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 Māori, 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~~ .i The Resource Management 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~~.ii The Resource Management 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); and

b. areas of significant indigenous vegetation and significant habitats of indigenous fauna, unique and vulnerable ecosystems (NZCPS policy 1.1.2); and

c. landscapes, seascapes, land forms, characteristics of special, spiritual, historical or cultural significance to Māori; and significant places or areas of historic or cultural significance (NZCPS policy 1.1.3); and

d. water quality (NZCPS, chapter 5.0).

DO16.1.1.~~xv~~ .iii 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; and

b. significant indigenous vegetation, habitat, land forms, and other natural features; and

c. amenity values (including landscape, scenic, recreational, historical, cultural, and spiritual values); and

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.~~i. Methods, including rules, as stated in the zone chapters that apply different methods to the various zones.

DO16.1.1.~~xvii.~~ii. 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