

# residential

<b>REd</b>	<b>Description</b>
REd.1	Nelson's residential areas are characterised by low rise dwelling houses on individual lots. Past architectural styles, settlement periods and geographic factors have determined residential character and form, with the varying topography of the city resulting in a range of individual neighbourhoods.
REd.2	Although Nelson was occupied by Maori for generations before colonial times, little physical evidence remains within the residential area of traditional Maori settlement patterns, apart from the significant "Matangi Awhio" Pa site above Auckland Point School.
REd.3	The settlement pattern of Nelson is reflected in its geographic setting. The earliest settled parts are within the lower flood plains of the Maitai River, and The Brook and York Valley Streams. Initial development of these areas occurred in the 1840s, with a number of buildings from the 19th century still remaining. This Plan recognises that the development of some parts of older Nelson have an open spaciousness, such as the area between the Cathedral and the Grampians. There are also several streets, precincts, and many individual buildings within Nelson that have heritage significance, and this Plan seeks to encourage their preservation and enhancement.
REd.4	As Nelson's population has grown, new residential areas have been developed to the north and south of the city. In more recent years there has been a move towards infill development, where existing residential areas have been redeveloped - such as in Stoke, Tahunanui, and The Wood. Land to the south, as far as Saxton Road, has been developed since 1990 into new greenfield subdivisions.
REd.5	The character of residential areas is also determined by the presence of non-residential activities and community facilities that usually operate from purpose-built buildings. These activities tend to provide essential community services including convenience shops, churches, schools, doctors' surgeries, day care centres, and public halls. In some residential areas, activities such as hospitals, tourist accommodation, hotels, or parks have been established which serve wider city or regional populations. Non-residential activities and community facilities can be accepted within residential areas provided they do not give rise to significant adverse effects.
REd.6	Residential areas provide the place where most people sleep and enjoy their leisure time, and quiet, peaceful surroundings are expected.
REd.7	With the closure of health care facilities in the Ngawhatu Valley and the identification of this land for development, the future use of the land between the Ngawhatu Valleys became a resource management issue. Given the shape of the Valleys, the future use of the land between is inextricably linked because servicing of the land between the Valley can only be through the Valleys. Lack of planning now for the future use of this land will result in this land being landlocked. The land has been identified as suitable for a range of densities of development, and planning for the future development of this land must be integrated, particularly from a servicing perspective, with the Ngawhatu Valley land.

REd.8	In Marsden Valley there is provision on the valley floor for higher density residential development, a Suburban Commercial Zone, and for residential development on the hills surrounding the valley provided consideration is given to the landscape context of the area. There is also provision for residential development on the hills adjacent to Ngawhātu, including the area referred to as the Marsden Plateau. The area has been identified as suitable for a range of densities of development, provided that the special landscape values of the Marsden Plateau, in particular, are recognised.
REd.9	<u>As a part of meeting some of the significant demand and need for additional residential land, the Kaka Valley and adjoining Bayview property is identified within Schedule X (Maitahi Bayview). This also includes land for Rural-Higher Density Small Holdings subdivision and development. The future residential development enabled by Schedule X is ideally located to meet a range of needs, while adding positively to community recreational opportunities increasing connectivity and resilience, being culturally sensitive, and enhancing ecological and freshwater values.</u>
PPCR28	
REd.910	See the objectives and policies relating to zones in Chapter 5 (district wide objectives and policies). The Plan should always be considered as a whole.

## objective

### RE1 living style

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*The option of a diversity of residential styles based on the differing characteristics of areas of the city, and differing community needs.*

#### Reasons

RE1.i Flexibility in the design and location of residential developments can lead to an interesting and attractive street scene, while also meeting the varying needs of the community.

#### policy

### RE1.1 densities

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*A choice of building densities should be provided within the city, taking into account people's preferences, the existing character of neighbourhoods, topography, townscape, the capacity of infrastructure, and the constraints of the land resource.*

#### Explanation and Reasons

RE1.1.i Four separate housing densities are provided within the Residential Zone which recognise different living environments and seek to provide diversity of housing choice. These areas are shown on the Planning Maps as lower density, lower density (Stoke), standard density, and higher density. Density refers to the number of residential units in a given area, together with the relationship between buildings and open space on sites. It affects the potential number of people living in an area, the area occupied by buildings, driveways and parking spaces, as well as the available space for gardens, and particularly, for large trees. The density provisions provide a degree of certainty to residents by not allowing fundamental changes to the existing patterns of development in particular areas.

RE1.1.ii In addition to the residential densities referred to above, specific areas have different density provisions. This has usually been determined on account of the existing amenity and physical constraints of land, services and roading in the area concerned and is usually shown on a Structure Plan and through associated plan provisions.

#### Method

RE1.1.iii Rules providing a range of minimum site sizes and levels of permitted building coverage, to cater for a variety of living styles.

**policy**  
**RE1.2 flexibility in development**

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*Flexibility in density, building form, and site development below that specified in the rules should be allowed, provided that the development:*

- a) integrates the design of residential units and any subdivision, and that all required resource consents are applied for concurrently, along with any building consent or building sketch plans, and
- b) presents a high standard of on site and off site amenity, and
- c) does not diminish the amenity of neighbouring sites, and
- d) is designed with regard to the character of the area, and
- e) does not significantly affect the views or outlook from adjacent properties, and
- f) the cumulative effects of such developments do not significantly change the density of the area or detrimentally affect its character, and
- g) does not diminish the streetscape of adjacent roads, and
- h) represents quality urban design (refer to section DO13A District Wide Objectives and Policies) in particular a diversity of building forms and co location of activities.

**Explanation and Reasons**

**RE1.2.i** This policy recognises that different built forms and layouts may be appropriate, other than the traditional house and section. This can be the case particularly for higher density developments, where a scaled down suburban house and section may not be the most appropriate or attractive way of providing for higher density living. The policy signals that other approaches will be considered and that they will be judged on their merits, and the quality and standard of environment they provide. The primary considerations will be the living environment provided, and any impacts on the amenity of the area, including on adjoining development. This policy applies primarily to proposals which are not considered under the Comprehensive Housing provisions of rule REr.22 and Appendix 22. See also Policy RE1.2A. The policy does not provide for the creation of sites which are below the minimum size specified in the Plan where the application is not accompanied by a proposal for a residential unit. In other words, departure from the standards in the Plan depends on consideration of an integrated package of a specific building on a specific site in order to judge the effects of the proposal.

**RE1.2.ii** Where land is close to open space, such as a park, or the sea, there is potential for less restrictive development control in relation to density, as public open space may substitute for open space on the property being developed.

**Methods**

**RE1.2.iii** Using the discretionary activity consent procedure to provide for more innovative housing proposals, under rules REr.23 'Minimum Site Area' and REr.24 'Site Coverage'.

**RE1.2.iv** Assess other proposals beyond the standard for a discretionary activity as non-complying activities.

**RE1.2.v** Controlled activity provisions in rule REr.22 allowing conversion of identified existing redundant buildings in Ngawhatu Valley to apartments.

**RE1.2.vi** Development opportunities specific to individual areas are identified by way of Structure Plan.

## **policy**

### **RE1.2.A comprehensive housing**

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*Encourage and promote higher density developments where such developments incorporate quality urban design principles (refer section DO13A District Wide Objectives and Policies), and where they are located in close proximity to services, shops, transport routes, open space and other urban amenities.*

#### **Explanation and Reasons**

RE1.2A.i Well designed higher density living in areas with suitable amenities is an efficient use of the residential land resource. This style of development also supports local facilities, commercial centres, neighbourhood shops and public transport. It can also reduce the number of vehicle trips undertaken and improve the safety of central areas by having more people living nearby. Comprehensive Housing Developments can come in a variety of forms such as apartments, attached and detached dwellings and mixed-use commercial and residential developments. The specific rule and appendix for Comprehensive Housing Developments requires that quality urban design principles are used to provide for a high standard of living and design on a smaller property. Every proposal is assessed holistically to ensure that the entire design proposal achieves the outcome expected by the Plan.

#### **Methods**

RE1.2A.ii Using the Comprehensive Housing Development provisions of the Plan to achieve quality on-site and off-site living and design standards through the use of best practice architectural and urban design techniques.

RE1.2A.iii Applying a flexible approach to implementing the Comprehensive Housing provisions to allow design to respond to each individual site and environment.

RE1.2A.iv Providing for developments to be a restricted discretionary activity, with a non-notification provision, provided they are located in the Residential Zone - Higher Density Area.

RE1.2.A.v Use of council's 'Urban Design Panel' and 'Major Projects Team' to assess, advise and coordinate Comprehensive Housing Developments.

## **policy**

### **RE1.3 Wakefield Quay precinct**

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*Development in the Wakefield Quay Precinct must maintain the established features that contribute to the character and amenity of the Precinct, while allowing the opportunity for future higher density residential development, together with compatible uses, provided that the development is consistent with Appendix 23 'Design Guide and rules for Wakefield Quay Precinct'.*

#### **Explanation and Reasons**

RE1.3.i The reasons for the special treatment of the Wakefield Quay Precinct are set out in Ap23.1.3 of Appendix 23 (design guide and rules for Wakefield Quay). The objectives and policies in Chapter 5 (district wide objectives and policies), and in this Chapter also apply but this policy and Appendix 23 represent additional matters specific to the Wakefield Quay Precinct.

#### **Method**

RE1.3.ii Specific bulk and location rules for Wakefield Quay with guidelines to control design and appearance and related matters.

## **policy**

### **RE1.4 lower density areas**

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*The open spaciousness of development should be maintained within those areas identified on the Planning Maps for lower density development.*

#### **Explanation and Reasons**

RE1.4.i The residential area at the northern foot of the Grampians, the Tahunanui Hills, and the Ardilea Avenue subdivision in Stoke have a low level of building density and corresponding open spaciousness of development compared with most other residential areas in Nelson. These areas have developed a certain character as a result of past patterns of development, and in the case of the Tahunanui Hills and Grampians area, past restrictions on infill because of a slope risk hazard have helped maintain the open character. The Glen has a lower building coverage limit to recognise the rural setting. The townscape variety, and opportunities for larger sections including ability to sustain larger trees, that these areas offer is protected through a stricter limitation on building density than elsewhere in the city. The purpose of the lower density areas adjacent to the airport and the Port Industrial Area (the Airport and the Port Effects Control Overlays) is to minimise the number of residences exposed to noise from the airport and the Port Industrial Area, rather than to preserve visual or related characteristics. The low density residential land on Main Road, Stoke, was rezoned from Rural, in part to provide a greater level of protection from industrial type activities. The density has been kept low to preserve some measure of its former character, while at the same time recognising that the area will eventually be fully developed for residential purposes.

#### **Method**

RE1.4.ii Rules controlling minimum site size, and lower allowable level of building coverage.

## **objective**

### **RE2 residential character**

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*An environment that is principally residential in character.*

#### **Reasons**

RE2.i The primary purpose of the residential zoning is to provide an environment that is suitable for the accommodation of people. The essential components of a principally residential environment include access to an adequate amount of daylight, minimal disturbance from nuisances, and a reasonable degree of privacy.

This objective provides the opportunity for home occupations and non-residential activities, provided any adverse effects are kept to an appropriate level.

## **policy**

### **RE2.1 noise**

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*Noise levels received at adjacent site boundaries should be consistent with a predominantly residential environment.*

#### **Explanation and Reasons**

RE2.1.i Noise is a particularly important amenity consideration in urban areas where people are living in close proximity. This policy aims to ensure noise received on or from an adjacent site is reasonable for a residential zone.

#### **Methods**

RE2.1.ii Information about rights and responsibilities of neighbours in terms of noise complaints.

RE2.1.iii Enforcement provisions of the Resource Management Act and Health Act.

RE2.1.iv Rules relating to maximum noise levels.

RE2.1.v The Council's 24 hour noise control service.

RE2.1.vi Rules requiring provision of a landscaped bund along the residential/industrial interface in the Nayland Road South area at the time of subdivision adjoining this zone interface.

RE2.1.vii Rules requiring the erection of an acoustic fence along the residential/industrial interface in Main Road, Stoke (within the Industrial Zone) prior to any industrial activity taking place.

RE2.1.viii Rules requiring acoustic insulation in new residential units and alterations to existing residential units, in areas specifically affected by noise from the Port Industrial Area.

RE2.1.ix Rules requiring minimum site areas for subdivision in areas affected by noise from the Port Industrial Area.

RE2.1.x Rules requiring the adoption of noise minimisation techniques to reduce noise effects.

## **policy**

### **RE2.2 nuisances**

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*The pleasant qualities of residential areas should not be adversely affected by glare, light spill, dust, vibration, or odour.*

#### **Explanation and Reasons**

RE2.2.i Glare, light spill and similar adverse effects within residential areas can compromise the use and enjoyment of people's property for residential purposes. Where such effects arise the Council or members of the public may take enforcement action under the provisions of the Resource Management Act 1991.

#### **Methods**

RE2.2.ii Information about rights and responsibilities of neighbours.

RE2.2.iii Enforcement provisions of the Resource Management Act and Health Act.

RE2.2.iv Rules relating to light spill, and vibration.

## **policy**

### **RE2.3 daylight and sunlight**

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*Buildings and structures should be designed and sited so that adjoining sites are not unduly shaded, and there is reasonable access to daylight.*

#### **Explanation and Reasons**

RE2.3.i The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

#### **Method**

RE2.3.ii Rules setting daylight recession planes.

**policy**  
**RE2.4 privacy and outlook**

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*The location and design of buildings should not unduly compromise outlook and privacy of adjoining development, having regard to the character of the area and the reasonable expectations for development.*

**Explanation and Reasons**

RE2.4.i Privacy is an important component of amenity. However, not everyone requires privacy to the same degree. Indeed some relish an open outlook where they can keep in touch with the community. Where people do want privacy, however, they should be able to have it to a reasonable degree. Height of buildings and closeness to boundaries are key determinants of privacy, outlook, and views. The location of outdoor areas, such as decks and balconies are also important.

**Methods**

RE2.4.ii Information about rights and responsibilities of neighbours eg. trees, fences.

RE2.4.iii The Building Act controls windows in walls of buildings on or close to boundaries.

RE2.4.iv Rules on proximity of decks, balconies and similar structures to boundaries, rules allowing reasonably generous fence heights, and building height controlled by height rule, and daylight admission rules.

RE2.4.v Comprehensive Housing Development provisions, backed up by conditions of resource consent.

**policy**  
**RE2.5 scale**

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*The size and scale of buildings, structures, and activities should be compatible with the character and amenity of the residential areas.*

**Explanation and Reasons**

RE2.5.i Buildings, sites, and activities need to be of a size or type that might be expected in the neighbourhood. This is not solely a matter of size. Schools, hospitals, or churches can be large, but are probably more readily accepted in a residential area than warehouses or shops of a similar scale. Structures may include such things as masts and towers which again should be of a scale appropriate to the Residential Zone. The overall aim is to ensure that the Zone retains an essentially residential character, and that activities relate to the surrounding locality.

**Methods**

RE2.5.ii Rules relating to maximum building height and coverage of site.

RE2.5.iii Rule making non-residential activities discretionary.

RE2.5.iv Rules controlling the height of structures such as masts and aerials.

RE2.5.v Rules setting daylight angles which control building height in relation to closeness to boundary.

**policy**  
**RE2.6 non-residential activities**

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*No activity should have effects significantly greater than the normal residential use of any property, unless they can be adequately avoided, remedied or mitigated.*

**Explanation and Reasons**

RE2.6.i Non-residential activities are generally accepted as part of residential areas provided the adverse effects are contained within the site. As these activities tend to attract people to residential environments for non-residential purposes, it needs to be ensured that suitable controls over potential adverse effects are in place to protect residential amenity. Activities which occur at night can be a particular problem in terms of noise, and concerns about security. Where the activity involves the sale and consumption of alcohol there may be concerns about the likelihood of disorderly behaviour.

Maintenance and alteration of existing non-residential activities is provided for under the existing use rights of the Resource Management Act (section 10). No resource consent is needed if the use was lawfully established before the Proposed Plan was notified, and the effects of the use are the same or similar in character, intensity, and scale.

#### Methods

**RE2.6.ii** Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.

**RE2.6.iii** Rules regulating home occupations eg. hours of operation, maximum number of persons involved.

**RE2.6.iv** Use of existing rights provisions under s10 RM Act to allow for maintenance and alteration to existing non-residential activities.

### **policy**

#### **RE2.7 community dislocation**

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*Activities should avoid breaking up community and neighbourhood coherence, having particular regard to the cumulative effects of activities.*

#### Explanation and Reasons

**RE2.7.i** Non-residential activities in particular can lead to a loss of residential neighbours which can affect the coherence, security, and general friendliness of neighbourhoods. Many non-residential activities such as medical rooms are often unoccupied at night and the weekend. This can weaken the role of the neighbourhood in providing mutual support. Non-residential activities may also detract from amenity values if there is no one next door to have a chat to over the fence. Having said that, it is recognised that some non-residential activities can support residential areas during the day.

**RE2.7.ii** The policy could be implemented by two opposite strategies, both of which would be effective. One approach is to locate non-residential activities in areas where the residential character is already compromised (i.e. to have clusters of such activities). The other approach is to ensure non-residential activities are dispersed within the residential zone. This approach could ensure, for example, that residential sites where possible have other residential neighbours. It would not generally be acceptable for a residence to be isolated between two non-residential activities. With either approach, particular attention needs to be paid to the incremental and cumulative effects on residential areas, so that the overall residential character and function is retained. Both strategies are acceptable approaches.

#### Method

**RE2.7.iii** Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.

### **policy**

#### **RE2.8 community benefit**

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*It is recognised:*

*that certain non-residential activities need to locate in the Residential Zone, and that some existing non-residential activities may need to be explicitly provided for in the zone, and*

*that some non-residential activities may enhance the amenity and sense of community of residential areas.*

#### Explanation and Reasons

**RE2.8.i** Non-residential activities such as schools generally need to be located in the Residential Zone to suit their pupils, and in order to obtain a standard of amenity suitable for a school environment. Schools and churches can also provide a community and neighbourhood focal point. In addition, they are a resource that can be used for other community activities.



Some other non-residential activities, such as early childhood education centres, may also enhance the amenity and sense of community of a neighbourhood. Emergency service facilities, retail outlets, neighbourhood parks (generally accepted to be 4ha/1000 people) and other activities in some instances may also increase the amenity and service to the community. Each case has to be judged on its merits. In some cases the community may be willing to accept some adverse effects, if there are compensating benefits to their neighbourhood.

#### Methods

RE2.8.ii Rule making non-residential activities discretionary so that the effects of each proposal can be assessed on a case by case basis.

RE2.8.iii Schedules to provide for existing non-residential activities such as Nelson Hospital, the Polytechnic on the former 'Griffins site', Bishopdale Potteries, and BP Annesbrook.

## objective

### RE3 streetscape, landscape, and natural features

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*Attractive streetscapes, and the maintenance and enhancement of those significant public views, natural features, and landscapes that contribute to Nelson's character and setting.*

#### Reasons

RE3.i Nelson's location, between the coast and the backdrop hills, provides the city with its landscape setting. The Council has identified a number of important aesthetic components within this landscape setting that make Nelson such an attractive and appealing city to live in and to visit. Within the wider context, the appearance and attractiveness of the streets is an important factor in Nelson's appeal. This includes the public part of the streets, and the way private land presents to the road, i.e. the appearance of the buildings, planting and landscaping.

#### policy

##### RE3.1 landscape values

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*Roads, buildings and other structures should not dominate landforms and vegetation, and should minimise intrusiveness into the landscape, so as to retain amenity values and the pleasant and natural appearance of the hills.*

#### Explanation and Reasons

RE3.1.i Landscape Overlays identified on the Planning Maps form the immediate backdrop to urban Nelson. They are the most visible ridgelines from the City Centre and the major transportation corridors into and out of the District. They have been identified because of their importance in terms of the landscape and backdrop to Nelson. Because of their high visibility they are sensitive to development. The underlying natural features should not be compromised by development. In some instances intrusive structures such as masts or aerials may be inappropriate, or may need to be extremely limited and carefully controlled, for example limited to small structures which need such a location. Even then they would need to be carefully sited and designed in order to comply with the policy.

#### Methods

RE3.1.ii Significant ridgelines and landscapes defined as overlays on the Planning Maps.

RE3.1.iii Rules making intrusive above ground network utility structures discretionary in the landscape overlays.

RE3.1.iv Rules making subdivision in the landscape overlays controlled with special regard to visual impacts.

RE3.1.v Guide on Subdivision in Landscape Overlays (Appendix 7).

RE3.1vi Acquire key sites where feasible, either by purchase or reserve contribution.

- RE3.1.vii Use of covenants, easements, or consent notices under section 221 of the Act to protect visual amenity.
- RE3.1.viii Provision of a specific schedule to address the special landscape values of the Marsden Plateau - see Schedule U, and landscape values of the Malvern Hills and Botanical Hill - see Schedule X - Maitahi Bayview.

## policy

### RE3.2 view shafts and gateways

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*View shafts and gateways which contribute significantly to Nelson's visual amenity should be protected and enhanced.*

#### Explanation and Reasons

RE3.2.i A number of significant view shafts and gateways within the residential area provide the community with pleasant views and urban open spaces, while also confirming an identity or sense of place. Gateways refer to the key transition points when moving from one landscape setting to another eg. the bridge on Trafalgar Street, Rocks Road to Tahunanui, the Bishopdale Hill, Hays Corner, Saxton Field and the opposite side of Main Road Stoke, Wakapuaka Road/Atawhai Drive/Queen Elizabeth Drive. The protection and enhancement of these community attributes will provide for the enjoyment of present and future generations.

#### Methods

- RE3.2.ii Acquire key sites where feasible, either by purchase or reserve contribution.
- RE3.2.iii Protect as a condition of resource consent where consent is required.
- RE3.2.iv Define key views on the Planning Maps and in Appendix 9.

## policy

### RE3.3 vegetation

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*Trees and vegetation which contribute to the amenity values of the area should be retained where this is compatible with site development.*

RE3.3.i Established trees are important elements of the Nelson landscape which often add significantly to the character of a neighbourhood. The policy seeks to retain as much of the existing vegetation as possible where subdivision or other residential development is proposed.

#### Methods

- RE3.3.ii Identify significant trees in the District and provide rules to protect them (see Appendix 2).
- RE3.3.iii Acquire key sites where feasible, either by purchase or reserve contribution.
- RE3.3.iv Conditions of resource consents to retain vegetation.
- RE3.3.v Use of covenants, easements, or consent notices under section 221 of the Act.
- RE3.3vi Rules controlling subdivision in respect of effects on trees and vegetation.
- RE3.3.vii All the above matters apply in respect of Ngawhatu Valleys - Highland and York Valley.

## policy

### RE3.4 indigenous vegetation

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*Indigenous vegetation should be preserved if it contributes to the amenity values of the area, except for the minimum area reasonably necessary for the safe development and use of a site.*

#### Explanation and Reasons

RE3.4.i Indigenous vegetation is an important part of the character of New Zealand and Nelson. The policy seeks to retain as much of the existing vegetation as possible where subdivision or other residential development is proposed. The policy recognises that safety issues such as fire risk also need to be considered.

This policy applies to indigenous vegetation which does not meet the criteria listed in Table DO5.1, for an area of significant indigenous vegetation.

#### Methods

- RE3.4.ii Identify significant trees and areas in the District and develop rules to protect them.
- RE3.4.iii Acquire key sites where feasible, either by purchase or reserve contribution.
- RE3.4.iv Conditions of resource consents to retain vegetation.
- RE3.4.v Use of covenants, easements, or consent notices under section 221 of the Act.
- RE3.4.vi Rules controlling subdivision in respect of removal of indigenous vegetation.

### policy

#### RE3.5 streetscape

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*Sites, buildings, fences and landscaping fronting onto roads should present an appearance which enhances the overall streetscape, and maintains the open, landscaped character of front yards that is typical of Nelson. Hard landscaping including car parking, should be minimised. The design of buildings, structures (including fences), roads and parking spaces (in front yards and on the street) should assist in making streets safer environments by enhancing informal surveillance, enabling community interaction, and being people-orientated.*

#### Explanation and Reasons

RE3.5.i Building setbacks from the front boundary have been traditional in Nelson. These were used to assist with privacy, and for landscaping and beautification. Garages and carports were the only buildings allowed in the front yard areas, and then only with a resource consent. The policy was changed to be more flexible and focused on whether the end result was attractive when viewed from the street. This led to the option of locating garages and carports closer to the front boundary if appropriately landscaped. Consequently the front yards of newly developed residential sites tended to become dominated by garaging, parking and manoeuvring areas which had adverse effects on the streetscape despite landscaping requirements.

RE3.5.ii The policy now aims to ensure that streetscapes are people orientated not vehicle orientated, that they maintain or enhance social, cultural and amenity values and are consistent with the urban design approach of the District Wide Objectives and Policies in section DO13A of the Plan. There are two different types of streetscapes anticipated, according to whether or not the road is classified or unclassified. For unclassified roads, an open relationship between houses and the street is the common pattern found in the city, and hence low fences are appropriate. For classified roads, it is reasonable to expect some solid fencing to maintain residential privacy and mitigate road noise. However continuous high, solid fences reduce the safety and amenity of the street for pedestrians and disable community interaction. A mix of solid and visually permeable materials ensures that these two outcomes can be integrated.

RE3.5.iii Subdivision and development should not perpetuate existing streetscape patterns and character that is not representative of the urban design outcomes sought progressively through the urban design objectives and policies and the rolling review of the Plan.

#### Methods

- RE3.5.iv Rules providing that residential front yards are characterised by low fencing, landscaping and the presence of the residential dwelling before the garage, carport, or accessory building.
- RE3.5.v Rules encouraging the use of local residential streets for vehicle manoeuvring rather than the front yard being dominated by permanent surfacing for parking and manoeuvring.
- RE3.5.vi NCC Residential Frontage Design Guide.

**policy**  
**RE3.6 signs and advertising**

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*Signs and other advertising devices in residential areas should not adversely affect the residential amenity of the neighbourhood, or traffic safety.*

**Explanation and Reasons**

RE3.6.i Signs and other advertising devices can detract from the amenity of residential areas through being obtrusively visible from nearby properties. The adverse effects of signs and advertising are controlled so that the level of enjoyment of each property is not compromised.

**Method**

RE3.6.ii Rule controlling sign size and form.

**policy**  
**RE3.7 Ngawhatu residential area**

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*The landscape values of the Ngawhatu site should be maintained in providing for residential neighbourhoods in the area. Subdivision design, including roading layout, must give priority to significant tree protection, while ensuring road safety and efficiency is not compromised.*

**Explanation and Reasons**

RE3.7.i Large areas of open space and established vegetation contribute to the amenity of Ngawhatu. These areas need to be given special recognition in any future development strategy for the site to encourage an urban residential environment of high landscape amenity. Even within the residential neighbourhoods, the siting of development and design of subdivisions will influence this. Retention of as much established vegetation as practicably possible should be encouraged. There will be occasions when roading layout and widths need to be adjusted to maintain significant vegetation. An example of this is near the entry to Ngawhatu Valley where the Local Purpose Reserve created on this stage of subdivision required a narrowing of the legal width of the road to ensure the protection of a mature avenue of specimen trees. Design layouts should seek to address vegetation protection while providing road safety and efficiency. The example noted, achieved this by separating the footpath from the road carriageway and placing the footpath behind the specimen trees within the Local Purpose Reserve rather than within the Road Reserve.

**Methods**

RE3.7.ii Protection of specific Heritage and Landscape trees by listing in Appendix 2.

RE3.7.iii Conditions on subdivision consents to protect established vegetation, and to control landscaping.

**policy**  
**RE3.8 Marsden/Ngawhatu pedestrian and cycle linkages**

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*Pedestrian, and where practical, cycle linkages, should be provided between Marsden and Ngawhatu Valleys, connecting residential neighbourhoods and open space areas. Pedestrian linkages from Marsden Valley and Ngawhatu Valley should be provided to connect up to the Barnicoat Walkway.*

**Explanation and reasons**

RE3.8.i This policy seeks to ensure that, as subdivision and development progresses within the Ngawhatu Valley and Marsden Valley, pedestrian and cycle linkages are an integral part of the design as the Council and Community seek, over time, to achieve links from the "sea to the sky". The Structure Plans for these areas show "indicative" locations for walkways and/or cycle paths. There is flexibility in the exact location and route of the walkways and cycle paths, provided that the connections are made, i.e. connection between Ngawhatu and Marsden Valley and connection to the Barnicoat Range.

**policy****RE3.9 Maitahi Bayview Area (Schedule X)**

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*The landscape values (as identified in Appendix 9 AP9.6) of the skyline and backdrop areas which are part of the Malvern Hills shall be maintained through:*

- *Subdivision design and layout which is consistent with the existing pattern of residential development on the north-east side of the hills.*
- *Design, location and mitigation of earthworks.*
- *Placement of building sites.*
- *Built form and finish of future buildings.*
- *Provision of landscaping to mitigate earthworks and built form.*

**Explanation and reasons**

**RE3.9.i** The Malvern Hills have been identified as an area within Nelson which can absorb a relatively large amount of development. However, to maintain the character and landscape values of the Malvern Hills controls are proposed over building form, finish and landscaping requirements. This will ensure the pattern of development will be consistent with the existing residential development on the north-east side of the hill.

**Methods**

**RE3.9.ii** Identification of Malvern Hills area within the Maitahi Bayview Structure Plan.

**RE3.9.iii** Specific rules to control building height, colour, and landscaping.

**objective****RE4 Marsden Valley (Schedule I)**

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*Subdivision and development of Marsden Valley (Schedule I area) that results in a high level of residential amenity built around a village centre as the focal point.*

**Reasons**

**RE4.i** The Nelson Urban Growth Strategy 2006 (NUGS) identified the Stoke Foothills, including Marsden Valley, as suitable for accommodating some of the future residential growth of Nelson. This Schedule and Structure Plan are to ensure residential development can be achieved to give effect to the direction provided by NUGS. It will allow for an integrated and planned system of walkways, roading and servicing across multiple properties, and will recognise landscape features including prominent slopes and ridgelines, waterways and significant vegetation/tree groupings.

**policy****RE4.1 Marsden Valley Development (Schedule I area)**

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*Development of Marsden Valley shall generally accord with the Structure Plan for this area, as identified in Schedule I, Figure 1.*

**Explanation and Reasons**

**RE4.1.i** Development of Marsden Valley which generally accords with the Structure Plan (Schedule I) and Marsden Valley Commercial Zone Overall Design Principles will ensure this area is integrated with adjacent developments, provides a sense of community, and can achieve best practice urban design outcomes. This approach ensures continuity of public amenity such as walkways, reserves and open spaces, and ensures integrated servicing and roading patterns. The Structure Plan has been designed in accordance with urban design principles which take into account the landforms and landscape amenity values of the valley and surrounding hills. This will help meet the future residential needs of Nelson through a mix of residential and rural housing densities with an overall layout guided by a Structure Plan.

## Methods

- RE4.1.ii Schedule Marsden Valley to ensure integrated development and servicing in accordance with a Structure Plan.
- RE4.1.iii Specific rules within the Schedule which control the adverse effects of development.
- RE4.1.iv Development of Marsden Valley in accordance with best practice urban design.
- RE4.1.v Zoning and subdivision rules which provide sufficient flexibility to achieve the desired urban design outcomes.

## policy

### RE4.2 vegetation

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*Subdivision and development should be designed to ensure that vegetation patterns (existing and new) are incorporated to enhance the visual amenity, important landscape features and landscape forms of Marsden Valley. New and existing areas of vegetation should promote biodiversity and enhance habitat for flora and fauna.*

#### Explanation and Reasons

RE4.2.i Vegetation planting and protection will provide a strong and attractive landscape setting for residential development and will also act to reduce the visual effect of development within Marsden Valley. The establishment of Biodiversity Corridors, 'greenspace', a landscape strip along the north-eastern side of Marsden Valley Road, esplanade reserves along Poorman Valley Stream and subdivision and roading design which allows for additional planting will enable this to be achieved and will strengthen recreational linkages and biodiversity within the valley. It will also help to provide a transition from Residential to Rural Zones.

A number of established trees on the north eastern side of Marsden Valley Road that are considered to be important in softening the visual effect of residential development in Marsden Valley have been specifically protected.

#### Methods

- RE4.2.ii Protection of Heritage and Landscape trees by listing in Appendix 2 or by requiring that they be protected by covenant on titles at the time of subdivision.
- RE4.2.iii Specifying within Appendix 6, that 20m wide esplanade reserves are required along the banks of this portion of Poormans Valley Stream.
- RE4.2.iv Structure Plans or other Plan provisions requiring the provision of 'greenspace' and Biodiversity Corridors at time of subdivision.

## objective

### RE5 Marsden Valley Plateau and Hills (Schedules U and V)

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*Subdivision and development within the Marsden Valley Plateau Area (Schedule U) that recognises the special landscape values of the area as an important part of the backdrop to Stoke.*

*Subdivision and development within the Residential (Lower Density) Area of Marsden Valley (Schedule V) that provides for the efficient use and uptake of development opportunities on the adjoining Small Holdings Area, and the adjoining Schedule U area, in terms of integration of access and servicing.*

#### Reasons

RE5.i The Marsden Plateau forms part of an important backdrop to Stoke. While the land has potential for urban development, the special landscape values of the area must be considered in any design. Development of the Marsden Hill area needs to ensure that infrastructure linkages are provided to the Marsden Plateau and the Small Holdings Area. Road access options from Marsden Valley Road are limited because of the restricted length of road frontage. A Structure Plan sets out the indicative road position in Schedule V.

## **Policy**

### **RE5.1 Marsden Valley Plateau Landscape**

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*Urban Development on the Marsden Valley Plateau that maintains an appropriate balance between levels of built development and open space so that the built form does not dominate the landform by:*

- a) Restricted spatial location of development;*
- b) Locating development on the Plateau with a vegetated foreground following the natural landform, to provide a context/location for development within the landscape;*
- c) Development of the Plateau follows an overall development plan that may be progressed in stages.*

#### **Explanation and reasons**

**RE5.1.i** The Marsden Plateau is part of a sensitive visual landform when viewed from various public spaces, in particular parts of Stoke, Monaco and the Airport. The Plateau offers highly attractive urban development options with expansive views to the coast, but these opportunities must be balanced against the importance of this area as a landscape backdrop to Stoke. Development needs to be carefully designed to ensure the attractive visual landscape outlook remains, both internally and externally, to and from the site. The Objective and Policies for the Marsden Valley Plateau are sought to be achieved through a Schedule (see Schedule U) specifically designed to achieve the appropriate balance between built development and retention of open/vegetated space.

#### **Methods**

**RE5.1.ii** Scheduling of the Marsden Valley Plateau to contain design criteria and rules tailored to promote the special landscape values of the Plateau.

**RE5.1.iii** Requiring subdivision to be a Restricted Discretionary Activity, maintaining controls over earthworks and dwellings.

## **Policy**

### **RE5.2 Marsden Hills**

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*Subdivision and development within the Residential Area of Marsden Hills covered by Schedule V, must be generally in accordance with the Structure Plan for this area.*

#### **Explanation and reasons**

**RE5.2.i** Schedule V provides a Structure Plan setting out an indicative road network and walkway and/or cycleway network. Compliance with this will ensure integration of roading and walkways between the area of Schedules U and V, the Small Holdings Area on Marsden Hills and Ngawhatu.

#### **Method**

**RE5.2.ii** Scheduling of Marsden Hill Residential Area to ensure integration of roading and walkways and/or cycleways.

## **objective**

PPCR28

### **RE6 Maitahi Bayview Area (Schedule X)**

*Enabling greenfield subdivision and development of the Maitahi/Bayview Area (Schedule X) to contribute to Nelson's urban development capacity in a manner that:*

- a) *Provides for a range of residential densities appropriate to different parts of the Maitahi/Bayview area;*
- b) *Gives effect to Te Mana o te Wai and involves Tangata Whenua throughout the subdivision and development process;*
- c) *Enhances ecological and biodiversity values;*
- d) *Minimises the effects of urban development on the freshwater values of the Maitahi River and its tributaries;*
- e) *Results in a well-functioning urban environment;*
- f) *Involves the provision of full servicing infrastructure;*
- g) *Provides for transport connectivity and alternative transport modes;*
- h) *Avoids and mitigates the effects on local landscape values;*
- i) *Enhances recreational opportunities.*

#### **Reasons**

**RE6.i** The Nelson Tasman Future Development Strategy has identified the Maitahi Bayview area as being suitable for accommodating future development as an expansion of Nelson to provide for growth and meeting housing demand. Schedule X and the associated Structure Plan are to ensure that a range of residential development can occur. The Schedule rules and guidance will ensure development is culturally sensitive whilst allowing for enhanced community recreational opportunities and ecological values through best practice Freshwater guidance. The Structure Plan also provides for road, cycle and pedestrian linkages which will benefit properties outside of the Maitahi Bayview Area. Landscape values are recognised through building control rules and overall design guidance around landscaping and use of recessive colours for buildings.

#### **Policy**

##### **RE6.1 Maitahi Bayview Area (Schedule X)**

*Development of the Maitahi Bayview area shall generally accord with the Structure Plan identified within Schedule X by providing:*

- *A range of housing densities and forms to meet the diverse needs of Whakatū Nelson's community.*
- *Sustainable development which achieves high quality urban design principles*
- *Comprehensive housing which is consistent with the requirements of Appendix 22.*
- *Consistency with the requirements of Appendix 9 (where appropriate) and Appendix 14.*
- *Protection of heritage and cultural values.*
- *Freshwater management which is consistent with the NPS Freshwater.*
- *Recreational opportunities to meet the needs of current and future residents.*
- *Connectivity through road, cycleway and pedestrian linkages.*
- *Sustainable servicing infrastructure including low impact stormwater design treatment and disposal.*

#### **Explanation and reasons**

**RE6.1.i** Development within the Maitahi Bayview area in general accordance with the Schedule and Structure Plan will ensure that the area is developed in a manner which provides for a diversity of housing choice to meet the needs of Nelson. The provisions of Schedule X are designed to ensure development occurs in a manner which achieves best practice urban design principles and maintains landscape values. The provision for ongoing



Iwi involvement in development of the site respects cultural values and the best practice freshwater guidance within the Schedule ensures recreational opportunities and ecological values are enhanced. The Structure Plan provides for continuity of public amenity through provision of road, cycleway and pedestrian linkages and reserves all of which are designed to integrate development into the surrounding environment. The Schedule and Structure Plan have been designed in accordance with urban design principles which take account of the existing landforms and landscape amenity values of the valley, surrounding hills, and ridgelines.

#### Methods

RE6.1.ii Schedule Maitahi Bayview area to ensure integrated development and servicing in accordance with the Structure Plan.

RE6.1.iii Specific rules within the Schedule which control the adverse effects of development.

RE6.1.iv Development of Maitahi Bayview area in accordance with best practice landscape and urban design principles and freshwater outcomes whilst allowing for Iwi involvement.

RE6.1.v Zoning and rules which provide for diversity of housing choice, size and style in a manner which achieves the desired urban design outcomes.

### **Policy**

PPCR28

#### **RE6.2 Cultural Values**

Development of the Maitahi Bayview area shall include consideration of cultural values through:

- Protection of identified historic places (MS56 and MS58).
- Consultation with Iwi on issues relating to the relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga.
- Management of natural and physical resources in a manner which respects and takes account of the principles of the Treaty of Waitangi. Consistency with the requirements of Appendix 9 (where appropriate) and Appendix 14.
- Enable Whakatū Nelson tāngata whenua to exercise kaitiakitanga of freshwater.

#### Explanation and reasons

RE6.2.i Section 5 of the Resource Management Act requires that social, cultural and economic well being of people and communities and their health and safety be addressed in the process of sustainable management of CCKV / BNL - PPCR Updated 24 August 2021 Page 39 of 159 resources. In recognition of the cultural values associated with the site through historic occupation, freshwater values and the two significant places (MS57 and MS58) identified within the Maitahi Bayview area the Schedule rules require ongoing consultation with Iwi through each development phase to ensure development respects cultural values.

#### Methods

RE6.2.ii Rule within the Schedule to require provision of a cultural impact assessment for any resource consent application involving earthworks, freshwater, discharges, subdivision or comprehensive housing.

RE6.2.iii Consultation with Iwi on issues relating to the relationship of Maori with their ancestral lands, water, sites, waahi tapu and other taonga.

### **Policy**

PPCR28

#### **RE6.3 Sensitive Environmental Design**

Ensure subdivision and development enhance freshwater and terrestrial ecological values through:

- Promotion of land management which minimises nutrient loss and does not accelerate soil erosion.

- Maintenance or enhancement of ecosystem health, water quality and quantity including through appropriate management of stormwater.
- Management of surface water and ground water in an integrated manner.
- Protection and enhancement of Kaka stream and its tributaries by minimising stream loss, protecting springs and seeps including their flow paths and provide for (1:100yr) flood flow within the stream, including its riparian margin.
- Conservation and reuse of water resources.
- Identification, protection and enhancement of natural wetlands.
- Preservation, and where degraded, restoration of natural character of freshwater bodies.
- Protection of threatened species habitats within Kaka stream.
- Maintenance of ecological values to ensure development does not result in a net loss and removal of indigenous vegetation and habitat for indigenous fauna is avoided.
- Realignment of the lower section of the Kaka stream to enhance freshwater ecological and biodiversity values.

#### Explanation and reasons

RE6.3.i Subdivision and Development within the Maitahi Bayview area provides an opportunity for protection and enhancement of freshwater and terrestrial ecology values on the site. The Schedule provides guidance on best practice principles which should be utilised in all subdivision and development design processes to align with the objectives and intent of the NPS-FM and NES 2020. The Schedule provides practical guidance around engineering solutions to meet best practice guidelines and proposes a codesign with nature approach to integrated and regenerative urban development..

#### Methods

RE6.3.ii Development will incorporate best practice guidance contained within the Schedule which promotes subdivision and development design which enhances freshwater and ecological values.

RE6.2.iii Use of nature based or green infrastructure engineering solutions where possible.

RE6.3.iv Identification, protection and enhancement of all remaining natural wetlands.

RE6.3.v Provide for ecological linkages with other areas with ecological values.

## REe environmental results anticipated and performance indicators

REe.i The following results are expected to be achieved by the above objectives, policies and methods. The means of monitoring whether the plan achieves the necessary changes are also detailed below:

Anticipated Environmental Result	Indicators	Data Source
REe.1 Reduction in number of minor consents e.g. for buildings in front yards	REe.1.1 Number of resource consent applications by type	Resource consent data
REe.2 Better quality infill development	REe2.1 a) Reduction in number of low quality or inappropriate infill subdivisions. b) Increase in the number of quality higher density residential developments	Resource consent data Valuation NZ data Public and Councillor comments
REe.3 An attractive and interesting streetscape	REe.3.1 a) Number of heritage buildings lost b) Number of heritage buildings, and other buildings in heritage precincts that are enhanced c) Improvement in style of development in Landscape Overlays	Resource consent data Photographic records