

rules airport zone

AIRPz rules

AIRPz.1 Rule table - rules

This section and the Rule Tables that follow contain rules applicable in this Zone.

Note that there may be relevant District-wide rules that appear in the Appendices. These rules will be linked to the Zone rules either by direct reference from within the Zone rules, through definitions, or through overlays or other notations on the maps. These rules must also be complied with.

AIRPz.2 Prohibited activities

The following activities are prohibited activities for which no resource consent shall be granted:

- a) Use, storage, or disposal of radioactive material with an activity exceeding 1000 terabecquerels.

AIRPz.3 Permitted activities

A permitted activity is one that is allowed without a resource consent if it complies with the conditions specified in the “permitted” column of the Rule Table. In this Zone, permitted activities also include all land uses that are not specifically mentioned in the rules.

Certain permitted activities are subject to a condition for the payment of Financial Contributions of the amounts, and for the purposes, set out in Chapter 6. The permitted activities subject to a condition for financial contributions are:

- a) Building work
- b) Connection to the Council’s water supply system
- c) Connection to the Council’s sewerage system for the purpose of disposing of trade waste
- d) As provided in rules

AIRPz.4 Controlled activities

A resource consent is required for a controlled activity. (See Chapter 3 for a fuller description of controlled activities.)

AIRPz.5 Discretionary activities/restricted discretionary activities

A resource consent is required for a discretionary activity. (See Chapter 3 for a fuller description of discretionary activities.)

AIRPz.6 Non-complying activities

A resource consent is required for a non-complying activity. (See Chapter 3 for a fuller description of non-complying activities.)

AIRPz.7 Controlled activities and restricted discretionary activities

In the Rule Tables every controlled activity, and every discretionary activity where discretion is restricted, contains a list of matters over which control is reserved, or discretion is restricted. The matters listed below are additional matters applicable to every controlled activity and restricted discretionary activity. They are stated here, rather than repeated in Rule Tables, in order to save space.

Matters over which control is reserved or discretion restricted:

- AIRPz.8.a Financial contributions in the form of money, land, works or services, or a combination of these. (See Chapter 6), and
- AIRPz.8.b Bonds or covenants or both, to ensure performance or compliance with any conditions imposed, and
- AIRPz.8.c Administrative charges to be paid to the Council in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of the Council’s functions under section

- 35 of the Act, and
AIRPz.8.d The duration of a resource consent, under section 123 of the Act, and
AIRPz.8.e Lapsing of a resource consent, under section 125 of the Act, and
AIRPz.8.f Change and cancellation of a consent, under sections 126 and 127 of the Act, and
AIRPz.8.g Notice that some or all conditions may be reviewed at some time in the future, under section 128 of the Act, and
AIRPz.8.h Whether any land use or subdivision consent should attach to the land to which it relates, and be enjoyed by the owners and occupiers for the time being, under section 134 of the Act.

AIRPz.8 Regional rules, and regional and district rules

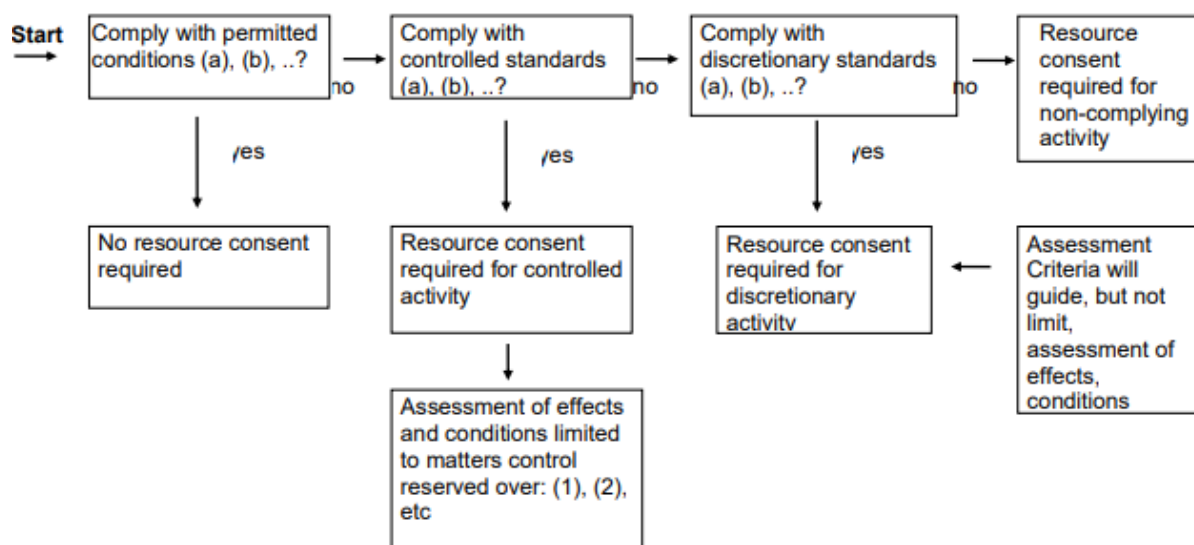
In the Rule Tables, a number of rules are indicated as being Regional rules, or Regional and District Rules. These are rules that derive in total or in part from the regional functions of the Council. Regional rules have a different impact on matters such as the Airport designation DAA1 (which must comply with regional rules).

AIRPz.9 Reading the rule table

Each row of the Rule Table presents rules that regulate or allow one activity, or type of activity, or effect. Read along the row from left to right to determine whether a proposed activity is permitted, controlled, discretionary or non-complying. This progression across the Rule Table is called a “cascade.” (See flow chart below.)

If an activity satisfies the conditions stated in the permitted activity column, then it is permitted. If not, look to the next column (controlled). If it satisfies the standards and terms in the controlled column, it is a controlled activity. If not, then look at the next column (discretionary) to see if it fits the standards and terms stated there. If the activity satisfies the standards and terms in the discretionary column it is discretionary. Otherwise it is a non-complying activity.

Further explanation of the Rule Table and cascade is contained in Chapter 3. The following flow chart illustrates the cascade across the Rule Table.



AIRPz.9.1 Note that there are some rules, generally relating to post-development conditions, which do not trigger the activity into requiring a resource consent. Where relevant, this is indicated in the explanation to those rules.

Contents of Airport zone rule table

<u>Rules relating to Activities</u>	
<u>AIRPz.20</u>	<u>Aviation Activity</u>
<u>AIRPz.21</u>	<u>Airport Related Activity</u>
<u>AIRPz.22</u>	<u>Activities Sensitive to Airport Noise (ASAN)</u>
<u>AIRPz.23</u>	<u>Industrial Activity</u>
<u>AIRPz.24</u>	<u>Educational facility and Education Activities</u>
<u>AIRPz.25</u>	<u>Office Facilities</u>
<u>AIRPz.26</u>	<u>Retail Activities</u>
<u>AIRPz.27</u>	<u>Recreation Activities</u>
<u>AIRPz.28</u>	<u>Farming</u>
<u>AIRPz.29</u>	<u>Aircraft Engine Testing</u>
<u>AIRPz.30</u>	<u>Compass Swings</u>
<u>Rules relating to Built Form and Environmental Effects Standards</u>	
<u>AIRPz.31</u>	<u>Buildings and Structures - Height</u>
<u>AIRPz.32</u>	<u>Set back from Trent Drive (access to the Airport terminal) and Bolt Road</u>
<u>AIRPz.33</u>	<u>Set back from Residential Zone boundaries</u>
<u>AIRPz.34</u>	<u>Building over or alongside drains and water mains</u>
<u>AIRPz.35</u>	<u>Signs</u>
<u>AIRPz.36</u>	<u>Outdoor storage</u>
<u>AIRPz.37</u>	<u>Parking and loading</u>
<u>AIRPz.38</u>	<u>Access</u>
<u>AIRPz.39</u>	<u>Noise (General)</u>
<u>AIRPz.40</u>	<u>Airport noise - Aircraft noise management</u>
<u>AIRPz.41</u>	<u>Construction Noise</u>
<u>AIRPz.42</u>	<u>Light Spill</u>
<u>AIRPz.43</u>	<u>Disposal of trade waste to sewer</u>
<u>AIRPz.44</u>	<u>Radiofrequency exposure levels</u>
<u>AIRPz.45</u>	<u>Network utility - Above ground and underground utilities</u>
<u>AIRPz.46</u>	<u>Earthworks</u>
<u>AIRPz.47</u>	<u>Landfill</u>
<u>Rules relating to Overlays on Planning Maps</u>	
<u>AIRPz.48</u>	<u>Building on low lying Sites</u>
<u>AIRPz.49</u>	<u>Services Overlay - Building</u>
<u>AIRPz.50</u>	<u>Coastal Environment Overlay - Activities near the coast</u>
<u>AIRPz.51</u>	<u>Inundation Overlays – Low lying ground susceptible to localised Stormwater ponding or tidal inundation</u>
<u>AIRPz.52</u>	<u>Heritage Buildings, Places and Objects - Alterations to Group B items</u>
<u>AIRPz.53</u>	<u>Heritage Buildings, Places and Objects – Demolition or removal of Group B items</u>
<u>Subdivision rules – Airport Zone</u>	
<u>AIRPz.54</u>	<u>Subdivision - General</u>
<u>Freshwater Rules</u>	
	<u>(Refer Appendix AP28.9 for freshwater rules)</u>

rule table

Item	Permitted	Controlled	Discretionary/Non-complying
<p><u>AIRPz.20</u> <u>Aviation Activity</u></p>	<p><u>AIRPz.20.1</u> <u>Aviation Activity is permitted in:</u></p> <ul style="list-style-type: none"> a) <u>PREC1 – Core Airport Precinct</u> b) <u>PREC2 – Airport Environs Precinct</u> c) <u>PREC3 – Airport Coastal Precinct –</u> <ul style="list-style-type: none"> (i) <u>Navigational and meteorological facilities and aids;</u> (ii) <u>Airport light structures;</u> (iii) <u>Transport infrastructure, including bridges, pedestrian and cycling facilities;</u> (iv) <u>Runway End Safety Areas;</u> (v) <u>Stormwater facilities and infrastructure;</u> (vi) <u>Fences used for security purposes, and consisting of no greater than 20% solid structure;</u> (vii) <u>Water body bank maintenance.</u> 	<p><u>AIRPz.20.2</u> <u>Structures associated with Aviation Activity in PREC3 – Airport Coastal Precinct:</u></p> <ul style="list-style-type: none"> a) <u>For natural hazard works landward of mean high-water springs.</u> <p><u>Control reserved over:</u></p> <ul style="list-style-type: none"> a) <u>The location of any equipment, material and structures;</u> b) <u>Effects on biodiversity values;</u> c) <u>Effects on public access and recreation; and</u> d) <u>Effects on the values of significance to tangata whenua including customary access; and</u> e) <u>The risk of adverse effects associated with coastal hazards and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need to hazard protection structures.</u> 	<p><u>AIRPz.20.3</u> <u>Aviation activities which contravene a permitted condition or Controlled condition are a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u></p> <ul style="list-style-type: none"> a) <u>The location of any equipment, material and structures;</u> b) <u>Effects on biodiversity values;</u> c) <u>Effects on public access and recreation; and</u> d) <u>Effects on the values of significance to tangata whenua including customary access; and</u> e) <u>The risk of adverse effects associated with coastal hazards and the impact the proposed activity may have in relation to the exacerbation of the hazard or increased or prolonged need to hazard protection structures.</u>
<p><u>AIRPz.21</u> <u>Airport Related Activity</u></p>	<p><u>AIRPz.21.1</u> <u>Airport Related Activity is permitted in:</u></p> <ul style="list-style-type: none"> a) <u>PREC1 – Core Airport Precinct;</u> b) <u>PREC2 – Airport Environs Precinct;</u> c) <u>PREC3 – Airport Coastal Precinct –</u> <ul style="list-style-type: none"> (i) <u>Servicing and Infrastructure.</u> 	<p><u>INr.21.2</u> <u>not applicable</u></p>	<p><u>INr.21.3</u> <u>Airport Related Activity which contravenes a permitted condition is a Discretionary activity in:</u></p> <ul style="list-style-type: none"> (i) <u>PREC3 – Airport Coastal Precinct</u>
<p><u>AIRPz.22</u> <u>Activities Sensitive to Airport Noise</u></p>	<p><u>AIRPz.22.1</u> <u>Activities Sensitive to Airport noise are permitted where:</u></p> <ul style="list-style-type: none"> a) <u>These are limited to, either:</u> <ul style="list-style-type: none"> (i) <u>Accommodation for personnel or trainees associated with aviation, and which is for short term stay of no more than the duration of the training course; and / or</u> (ii) <u>Visitor Accommodation; and</u> b) <u>Are located outside of the Airnoise Boundary; and</u> c) <u>Are located inside PREC2 – Airport Environs Precinct; and</u> d) <u>Habitable spaces associated with any Building are fully enclosed with no private outdoor space provided; and</u> e) <u>The building consent application is accompanied by a certificate from a suitably qualified and experienced acoustic engineer to demonstrate that the building design will reduce noise levels to no more than 40dB L_{dn} inside the new Habitable spaces, as</u> 	<p><u>AIRPz.22.2</u> <u>not applicable</u></p>	<p><u>AIRPz.22.3</u> <u>Activities Sensitive to Airport Noise which contravene a permitted condition are non-complying.</u></p>

	<u>based on the Future Aircraft Noise Contours in Appendix 19.1 and incorporates the ventilation measures in Appendix 19.1.</u>		
<u>AIRPz.23 Industrial Activity</u>	<u>AIRPz.23.1 Industrial activities are permitted where:</u> a) <u>Located inside:</u> (i). <u>PREC1 – Core Airport Precinct;</u> (ii). <u>PREC2 – Airport Environs Precinct.</u>	<u>AIRPz.23.2 not applicable</u>	<u>AIRPz.23.3 Industrial activities are a Non-complying activity in: PREC3 – Airport Coastal Precinct</u>
<u>AIRPz.24 Educational facility and Education Activities</u>	<u>AIRPz.24.1 Educational facilities and Education Activities, as excluded from the definition of Activities Sensitive to Airport Noise are permitted in:</u> a) <u>PREC1 – Core Airport Precinct; and</u> b) <u>PREC2 – Airport Environs Precinct.</u>	<u>AIRPz.24.2 not applicable</u>	<u>AIRPz.24.3 Educational facilities and Education Activities are a Discretionary activity in: PREC3 – Airport Coastal Precinct</u>
<u>AIRPz.25 Office Facilities</u>	<u>AIRPz.25.1 Office Facilities are permitted where:</u> a) <u>Located inside either:</u> (i). <u>PREC1 – Core Airport Precinct; or</u> (ii). <u>PREC2 – Airport Environs Precinct; and</u> b) <u>Ancillary to an Aviation Activity or Airport Related Activity, or</u> c) <u>Ancillary to a permitted activity in the Airport Zone.</u>	<u>AIRPz.25.2 not applicable</u>	<u>AIRPz.25.3 Activities which contravene a permitted condition are a restricted discretionary activity. Discretion restricted to:</u> i) <u>The compatibility and effects of the development with the existing and expected amenity values of the Airport zone and Aircraft Operations and any practicable measures that would be appropriate to manage those effects;</u> ii) <u>Benefits of Office Facilities being located in the Airport zone, including their compatibility and / or integration with Aviation Activity; and</u> iii) <u>The effects of the size, function and characteristics of Office Facilities on the function, role and amenity of the Central City.</u>
<u>AIRPz.26 Retail Activities</u>	<u>AIRPz.26.1 Retail activities are permitted where:</u> a) <u>Located within the Airport's terminal building; or</u> b) <u>Located within PREC2 – Airport Environs Precinct; and either:</u> (i). <u>A Food and Beverage outlet and less than 100m² GFA; or</u> (ii). <u>A service station; or</u> (iii). <u>A Trade Related Activity; or</u> (iv). <u>Ancillary to an Airport Related Activity.</u>	<u>AIRPz.26.2 not applicable</u>	<u>AIRPz.26.3 Activities which contravene a permitted condition are discretionary.</u>

<u>AIRPz.27</u> <u>Recreation Activities</u>	<u>AIRPz.26.1</u> <u>Recreation activities are permitted where located within:</u> a) <u>PREC1 – Core Airport Precinct;</u> b) <u>PREC2 – Airport Environs Precinct.</u>	<u>AIRPz.26.2</u> <u>not applicable</u>	<u>AIRPz.26.3</u> <u>Recreation activities are a Discretionary activity in: PREC3 – Airport Coastal Precinct</u>
<u>AIRPz.28</u> <u>Farming</u>	<u>AIRPz.28.1</u> <u>Farming is permitted where located within:</u> a) <u>PREC1 – Core Airport Precinct;</u> b) <u>PREC2 – Airport Environs Precinct.</u>	<u>AIRPz.28.2</u> <u>not applicable</u>	<u>AIRPz.28.3</u> <u>Activities which contravene a permitted condition are discretionary.</u>

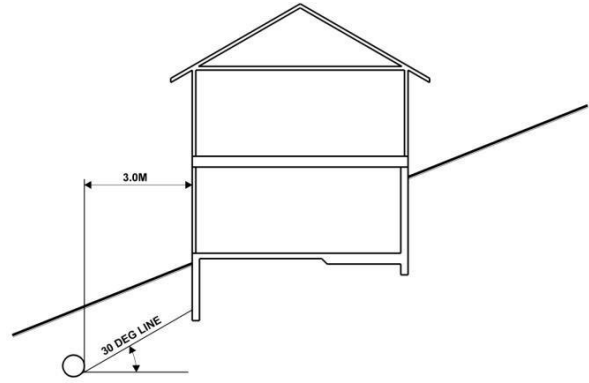
<u>AIRPz.29</u> <u>Aircraft Engine Testing</u>	<u>AIRPz.29.1</u> a) <u>Noise generated from Aircraft Engine Testing, measured at any point on land zoned Residential shall not exceed the levels set out in the table below:</u> <table border="1" data-bbox="464 790 746 1093"> <thead> <tr> <th><u>Time Period</u></th> <th><u>Noise Limit</u></th> </tr> </thead> <tbody> <tr> <td><u>6.00am – 10.00pm (all days)</u></td> <td><u>55dB L_{Aeq} (8 hour)</u></td> </tr> <tr> <td><u>10.00pm – 6.00am (all days)</u></td> <td><u>45dB L_{Aeq} (8 hour)</u> <u>75dBA L_{Amax}</u></td> </tr> </tbody> </table> <p><u>Except that:</u> <u>Essential unscheduled engine testing that exceeds these limits can be conducted for no more than 12 tests in any calendar year, where the time, duration, and other essential details shall be recorded and reported as soon as practicable to the Nelson Airport Noise Environment Advisory Committee as required in Designation DAA1 – Airport and Aerodrome Purposes</u></p> b) <u>Between 6am and 10pm Aircraft Engine Testing shall as far as practicable be carried out within an effective noise enclosure.</u> c) <u>Between 10pm to 6am aircraft engine testing shall be carried out within an effective noise enclosure.</u>	<u>Time Period</u>	<u>Noise Limit</u>	<u>6.00am – 10.00pm (all days)</u>	<u>55dB L_{Aeq} (8 hour)</u>	<u>10.00pm – 6.00am (all days)</u>	<u>45dB L_{Aeq} (8 hour)</u> <u>75dBA L_{Amax}</u>	<u>AIRPz.29.2</u> <u>not applicable</u>	<u>AIRPz.29.3</u> <u>Activities that contravene a permitted condition are discretionary.</u>
<u>Time Period</u>	<u>Noise Limit</u>								
<u>6.00am – 10.00pm (all days)</u>	<u>55dB L_{Aeq} (8 hour)</u>								
<u>10.00pm – 6.00am (all days)</u>	<u>45dB L_{Aeq} (8 hour)</u> <u>75dBA L_{Amax}</u>								

<p><u>AIRPz.30</u> <u>Compass Swings</u></p>	<p><u>AIRPz.30.1</u> a) <u>Noise generated from compass swings shall:</u> (i) <u>Only occur between 7am and 10pm; and</u> (ii) <u>Not exceed the following noise levels measured at any point on land zoned Residential.</u></p> <table border="1" data-bbox="424 383 762 638"> <thead> <tr> <th><u>Time Period</u></th> <th><u>Noise Limit</u></th> </tr> </thead> <tbody> <tr> <td><u>7.00am – 10.00pm (all days)</u></td> <td><u>80dB L_{Aeq(15 min)} 70dB L_{Aeq(15 hour)}</u></td> </tr> <tr> <td><u>Any consecutive 3 months</u></td> <td><u>60dB L_{dn}</u></td> </tr> <tr> <td><u>Any consecutive 12 months</u></td> <td><u>57dB L_{dn}</u></td> </tr> </tbody> </table> <p>(iii) <u>Except that essential compass swings following unplanned remedial work may exceed the 70dB L_{Aeq(15 hour)} limit on not more than 5 days in any calendar year (but must still comply with all other noise limits specified in the table above).</u></p> <p><u>Note:</u></p> <ul style="list-style-type: none"> <u>For the purpose of assessing compliance with the noise limits in the table above, the cumulative noise from compass swings on approved compass swing pads shall be included.</u> <u>The Nelson Airport Noise Management and Monitoring Plan required under Designation DAA2 shall set out the location, and the procedures for use, of compass swing pads, and the procedure for monitoring and reporting compliance with the noise limits in the table above.</u> 	<u>Time Period</u>	<u>Noise Limit</u>	<u>7.00am – 10.00pm (all days)</u>	<u>80dB L_{Aeq(15 min)} 70dB L_{Aeq(15 hour)}</u>	<u>Any consecutive 3 months</u>	<u>60dB L_{dn}</u>	<u>Any consecutive 12 months</u>	<u>57dB L_{dn}</u>	<p><u>AIRPz.30.2</u> <u>not applicable</u></p>	<p><u>AIRPz.30.3</u> <u>Activities that contravene a permitted condition are discretionary.</u></p>
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<p><u>AIRPz.31</u> <u>Buildings – Height</u></p>	<p><u>AIRPz.31.1</u> <u>Buildings and Structures are permitted where the maximum Height of the Building and / or Structure is:</u> a) <u>15m - PREC1 – Core Airport Precinct</u> b) <u>12m - PREC2 – Airport Environs Precinct</u> c) <u>3m – PREC3 – Airport Coastal Precinct, excluding navigational and meteorological facilities and aids, and light structures.</u></p>	<p><u>AIRPz.31.2</u> <u>not applicable</u></p>	<p><u>AIRPz.31.3</u> <u>Activities which contravene a permitted condition are a restricted discretionary activity. Discretion restricted to:</u> i) <u>Streetscape effects, including building dominance, character and amenity;</u> ii) <u>The adverse effects on any existing buildings within an adjoining Residential Zone or Open Space and Recreation Zone building dominance or visual amenity;</u> iii) <u>The operational or functional purpose of the building in terms of facilitating Aviation Activities.</u></p>								

<p><u>AIRPz.32</u> <u>Set back from Trent Drive (access to the Airport terminal) and Bolt Road</u></p>	<p><u>AIRPz.32.1</u> a) <u>Buildings must be set back a minimum of 2m from the road frontage; and</u> b) <u>A landscape strip of an average depth of not less than 1.5m must be established and maintained across the front of the site; and</u> c) <u>In the case of Trent Drive, the front of the site is considered to be the road frontage in front of a Building (excluding the terminal), including any leased area surrounding the Building.</u></p> <p><u>Conditions a, b and c shall not apply to:</u> (i) <u>Network utility facilities that are no more than 15m² in area and no more than 3.5m in height.</u> (ii) <u>Navigational and meteorological facilities and aids;</u> (iii) <u>Airport light structures; and</u> (iv) <u>Fences used for security purposes, and consisting of no greater than 20% solid structure.</u></p>	<p><u>AIRPz.32.2</u> <u>Buildings which contravene a condition for permitted activities are controlled, if:</u> a) <u>Not more than 25% of the area within 2m of the road frontage is occupied by Buildings.</u> <u>Control reserved over:</u> i) <u>Open space, design, appearance, and landscaping.</u></p> <p><u>Any application arising from this rule shall not be limited or publicly notified.</u></p>	<p><u>AIRPz.32.3</u> <u>Activities which contravene a permitted condition are a restricted discretionary activity.</u> <u>Discretion restricted to:</u> a) <u>The appearance of the Building from the street;</u> b) <u>The external appearance of vehicle manoeuvring, loading or carparking areas located within the Building setback area;</u> c) <u>The nature of mitigation measures proposed such as additional landscaping or any measures in place of landscaping where landscaping is not practicable, having regard to the operational requirements of the Airport;</u> d) <u>Alternative locations for landscaping, where practicable, and its visibility from the street.</u></p>
<p><u>AIRPz.33</u> <u>Set back from Residential Zone boundaries</u></p>	<p><u>AIRPz.33.1</u> a) <u>Buildings, storage yards, vehicle parking areas and vehicle accesses must be set back a minimum of 3m from a Residential Zone boundary;</u> b) <u>Provision must be made for landscaping, fences, walls or for a combination, to at least 1.8m in height along the length of the zone boundary, and</u> c) <u>Where landscaping is provided it must have an average depth of 1.5m along the boundary.</u></p> <p><u>Conditions a, b and c shall not apply to: Navigational and meteorological facilities and aids;</u> (i) <u>Airport light structures; and</u> (ii) <u>Fences used for security purposes, and consisting of no greater than 20% solid structure</u></p>	<p><u>AIRPz.33.2</u> <u>not applicable</u></p>	<p><u>AIRPz 33.3</u> <u>Activities which contravene a permitted condition are a restricted discretionary activity.</u></p> <p><u>Discretion restricted to:</u> a) <u>The nature of the activity proposed and its actual and potential effects on any existing or permitted activities (including permitted location of activities) in the Residential Zone.</u> b) <u>Any proposed mitigation measures.</u></p>
<p><u>AIRPz.34</u> <u>Building over or alongside drains and water mains</u></p>	<p><u>AIRPz.34.1</u> <u>Structures 3metres or greater from a drain (piped or open) are a permitted activity.</u> <u>Structures closer than 3metres to a piped drain or watermain are permitted provided that:</u></p> <p><u>For drains or watermains less than or equal to 300mm diameter:</u> a) <u>Any Structure must be located no closer than 1metre measured horizontally from the near side of any public unsleeved water main or common</u></p>	<p><u>AIRPz.34.2</u> <u>Structures: That contravene c) ii) to vi) only are controlled activities</u> <u>The matters of control are:</u> a) <u>Physical accessibility to the pipe;</u> b) <u>The ground/floor type and design used to provide quick and easy removal to provide the ability to access the pipes for maintenance and repair;</u> c) <u>The depth of concrete/permanent surface floor over the pipe; and</u></p>	<p><u>AIRPz.34.3</u> <u>Building over or alongside drains and water mains which contravene a permitted condition or Controlled condition are Discretionary.</u></p>

	<p><u>private or public sewer or stormwater drain; or</u></p> <p><u>For drains or watermains greater than 300mm in diameter:</u></p> <p>b) <u>Any Structure must be located no closer than 1.5metre measured horizontally from the near side of any public water main, or common private or public sewer or stormwater drain; or</u></p> <p><u>For drains 150mm or less in diameter:</u></p> <p>c) <u>Any Structure may be located within 1metre or directly over a common private or public drain if the diameter of the pipe is 150mm or less; providing that:</u></p> <p>i) <u>The length of pipe or drain built over is no more than 6 meters in length;</u></p> <p>ii) <u>There are no changes in direction or junctions in the portion of the drain built over;</u></p> <p>iii) <u>The length of drain built over is relaid using a continuous length of pipe without joints, sleeved inside a 225mm diameter class 4 concrete pipe;</u></p> <p>iv) <u>There is a minimum 6metre clear length and 3metre clear width and 1.8metre clear height at one end of the sleeve to allow replacement of the pipe;</u></p> <p>v) <u>The pipes are not water mains or pressurised pipelines;</u></p> <p><u>and in all cases</u></p> <p>d) <u>Any Structure may overhang the line of the pipe or drain, provided the Structure is cantilevered or is an eave and the height to the underside of the structure above ground level is not less than 1.8metres where the required pipe or drain is greater than 150mm in diameter or width; and</u></p> <p>e) <u>Any Structure located within 3metres, measured horizontally, from the near side of the pipe or drain must have the base of the foundations deeper than a line drawn at 30 degrees from the horizontal from the invert (bottom) of the pipe or drain (or between 30 degrees and 45 degrees if the design has been certified by a suitably qualified engineer)(see diagram).</u></p> <p><u>This rules excludes:</u></p> <p>(i) <u>Navigational and meteorological</u></p>	<p>d) <u>Alternative locations for the pipe and methods of emplacement.</u></p>	
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	<p><u>facilities and aids:</u></p> <p>(ii) <u>Airport light structures; and</u></p> <p>(iii) <u>Fences used for security purposes, and consisting of no greater than 20% solid structure</u></p>		
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<u>Assessment Criteria</u>	<u>Explanation</u>
<p><u>AIRPz.34.4</u></p> <p>a) <u>The nature of the Structure and whether access to the pipe or drain can be maintained;</u></p> <p>b) <u>Any measures taken to ensure that replacement of the pipe or drain can be undertaken;</u></p> <p>c) <u>The nature of the pipe or drain, taking into account materials of construction and any bends or joints;</u></p> <p>d) <u>The accessibility of the pipework or drain and the ease by which it could be extracted.</u></p>	<p><u>AIRPz.34.5</u></p> <p><u>This rule applies to piped and open drains.</u></p> <p><u>Limiting access to pipes and drains means that repair and maintenance may be very costly and may even result in pipes or drains having to be relocated. This rule seeks to preserve access to all pipes or rains where off-site facilities are likely to be affected.</u></p> <p><u>Alternative techniques for ensuring access for maintenance and repair purposes may be considered on a case by case basis through the resource consent process.</u></p> <p><u>At the time that application is made for building consent, a request shall be made in writing to waive the rule relating to “Building over or alongside drains, pipes and water mains” where one of these Techniques is proposed to apply.</u></p> <p><u>Diagram referred to in INr.32.1e:</u></p> 

<u>Item</u>	<u>Permitted</u>	<u>Controlled</u>	<u>Discretionary/Non-complying</u>
<u>AIRPz.35</u> <u>Signs</u>	<u>AIRPz.35.1</u> <u>Any sign must be designed and constructed in accordance with Appendix 20 (signs and outdoor advertising).</u>	<u>AIRPz.35.2</u> <u>not applicable</u>	<u>AIRPz.35.3</u> <u>See Appendix 20.</u>
<u>AIRPz.36</u> <u>Outdoor storage</u>	<u>AIRPz.36.1</u> <u>Outdoor storage of goods or materials with frontage to Trent Drive (access to the airport terminal), Bolt Road other than those for the storage of aircraft or for the hire of vehicles shall:</u> a) <u>Be screened by shrub planting capable of growing to a minimum height of 2m at maturity. The planting shall be spaced at a maximum of 3m centres with a gap between shrubs of no more than 1m; and</u> b) <u>Not be sited within the setbacks specified in Rule AIRPz.32.</u>	<u>AIRPz.36.2</u> <u>not applicable</u>	<u>AIRPz.36.3</u> <u>Activities which contravene a permitted condition are a restricted discretionary activity. Discretion restricted to:</u> a) <u>The visual impacts of the goods or materials;</u> b) <u>The nature of the surrounding area;</u> c) <u>The amount of traffic using any adjoining road, including whether it is a gateway route into the city;</u> d) <u>The operational or functional purpose of the storage facilities in terms of facilitating Aviation Activities;</u> e) <u>The effects of any planting on the safety</u>

			<u>of the Airport's operations (such as Bird Strike risk).</u>
<u>AIRPz.37</u> <u>Parking and loading</u>	<u>AIRPz.37.1</u> <u>Parking, loading, manoeuvring, queuing, and set down areas must be provided and maintained on each site in accordance with the standards set out in Appendix 10 (standards and terms for parking and loading).</u>	<u>AIRPz.37.2</u> <u>not applicable</u>	<u>AIRPz.37.3</u> <u>Activities that contravene a permitted condition are discretionary.</u>
<u>AIRPz.38</u> <u>Access</u>	<u>AIRPz.38.1</u> <u>Vehicle access must be provided and maintained for each site (except for small unstaffed network utility buildings) in accordance with the standards set out in Appendix 11 and the mandatory matters at Chapter 4, section 4.10 of the Nelson Tasman Land Development Manual 2019.</u>	<u>AIRPz.38.2</u> <u>not applicable</u>	<u>AIRPz.38.3</u> <u>Activities that contravene a permitted condition are discretionary.</u>
<u>AIRPz.39</u> <u>Noise (General)</u>	<u>AIRPz.39.1</u> <u>No limit at any point within the Airport Zone.</u> <u>This rule does not apply to noise from Aircraft Operations, bird scaring devices, Aircraft Engine Testing or Compass Swings.</u> <u>This rule does not exclude the requirement for noise generated from the airport (excluding Aircraft Operations, Aircraft Engine Testing or compass swings) from complying with adjoining zone Noise requirements.</u>	<u>AIRPz.39.2</u> <u>not applicable</u>	<u>AIRPz.37.39</u> <u>Not applicable.</u>
<u>AIRPz.40</u> <u>Airport noise</u> <u>Aircraft noise</u> <u>management</u>	<u>AIRPz.40.1</u> a) <u>Noise from Aircraft Operations shall meet the following activity standards:</u> <ul style="list-style-type: none"><u>(i) That the rolling three - month average 24 hour night- weighted sound exposure does not exceed 65dB L_{dn} at or beyond the Airnoise Boundary as shown on the Planning Maps, and</u><u>(ii) Between the hours of 12 midnight and 6am a single event noise limit from individual aircraft of 95dB L_{AE} must not be exceeded in any Residential zone except that a maximum of 24 movements (12 landings and 12 take-offs) in any 12 month period are permitted if they have the written approval of the Nelson Airport Noise Environment Advisory Committee, and</u><u>(iii) Noise from all aircraft in (ii) including any</u>	<u>AIRPz.40.2</u> <u>not applicable</u>	<u>AIRPz.40.3</u> <u>Activities that contravene a permitted condition are Discretionary.</u>

	<u>exemptions from the L_{AE} limit, must be included and assessed in accordance with (i) and the night weighting shall apply.</u>		
<u>AIRPz.41 Construction Noise</u>	<u>AIRPz.41.1</u> a) <u>Construction activities shall meet the relevant noise limits in Tables 1 and 2 of NZS6803:1999 Acoustics – Construction Noise, when measured and assessed in accordance with that standard.</u>	<u>AIRPz.41.2 not applicable</u>	<u>AIRPz.42.3</u> <u>Activities that contravene a permitted condition are Discretionary.</u>
<u>AIRPz.42 Light Spill</u>	<u>AIRPz.42.1</u> <u>Artificial lighting is permitted if:</u> a) <u>The spill of light onto any other site within the Airport Zone does not exceed 50 lux (horizontal and vertical) measured at the boundary of the other site; and</u> b) <u>The spill of light onto any site in the Residential Zone does not exceed 3 lux (horizontal and vertical), measured at the boundary of the other site, or at the boundary between the two zones, whichever is further from the light source; and</u> c) <u>The lighting does not create any light on roads which may distract traffic or interfere with any traffic aids or signals.</u> <u>Conditions a, b and c shall not apply to light spill and glare from navigation and safety aids and facilities.</u> <u>The standards for lux spill shall be measured and assessed in accordance with Standard AS4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting).</u>	<u>AIRPz.42.2 not applicable</u>	<u>AIRPz.42.3</u> <u>Activities which contravene a permitted condition are discretionary.</u>
<u>AIRPz.43 Disposal of trade waste to sewer</u>	<u>AIRPz.43.1</u> <u>Disposal of liquid trade waste to a public sewer is permitted if:</u> a) <u>Not more than 0.54 litres per second per hectare of site area is discharged to the sewer, and</u> b) <u>Financial contributions for new connections are made in terms of Chapter 6, or</u> c) <u>The discharge is permitted by way of a legal contract with the Nelson Regional Sewerage Business Unit, or its successor.</u>	<u>AIRPz.43.2 not applicable</u>	<u>AIRPz.43.3</u> <u>Disposal of liquid trade waste to a public sewer in a manner which does not meet the permitted condition is a restricted discretionary activity. Discretion restricted to:</u> i) <u>The nature and duration of the discharge;</u> ii) <u>The quantity of the discharge;</u> iii) <u>The period of the discharge;</u> iv) <u>The means by which adverse effects will be mitigated;</u> v) <u>The provisions in place for dealing with emergency discharges.</u>

<p><u>AIRPz.44</u> <u>Radiofrequency exposure levels</u></p>	<p><u>AIRPz.44.1</u> <u>Subject to the exclusions at the end of this rule, activities which produce radiofrequency fields are permitted activities if:</u></p> <p>i) <u>Radiofrequency exposures measured at any point where any person may reasonably and lawfully gain access (excepting those employed or engaged on the maintenance and operation of the radio communication or telecommunication facility), do not exceed the maximum non-occupational exposure level in New Zealand Standard NZS 2772.1:1999 Radiofrequency Fields: Part 1 – Maximum Exposure Levels 3kHz-300GHz (“the New Zealand Standard”), and</u></p> <p>ii) <u>Prior to establishing any facility that produces radio frequency fields at any site, the Planning and Consents Division of the Council are advised of the location and nature of the proposed facility, and</u></p> <p>iii) <u>Where radiofrequency exposure levels will exceed 25% of the maximum non-occupational exposure limit set in the New Zealand Standard, then, within three months of radio frequency emissions commencing or increasing, a report from the National Radiation Laboratory (or another appropriately qualified person/organisation) certifying compliance with the New Zealand Standard NZS 2772.1:1999 Radio Frequency Fields; Part 1 – Maximum Exposure Levels 3kHz-300GHz, based on measurements at the site in accordance with New Zealand Standard NZS 6609.2:1990 Radiofrequency Radiation: Part 2: Principles and Methods of Measurement 300kHz to 100GHz, will be lodged with the Planning and Consents Division of the Council.</u></p> <p><u>Exclusion</u> <u>Conditions (ii), and (iii) of this rule shall not apply to domestic transmitting equipment, including, but not limited to, cellular and cordless phones, microwave ovens, CB radios, garage door openers, security systems, licensed amateur radio installations, and radio-controlled toys.</u></p>	<p><u>AIRPz.44.2</u> <u>not applicable</u></p>	<p><u>AIRPz.44.3</u> <u>Activities that contravene permitted condition (a) (i) are non-complying.</u></p> <p><u>Activities that contravene any other permitted condition are discretionary.</u></p>
<p><u>AIRPz.45</u> <u>Network utility Above ground and underground utilities</u></p>	<p><u>AIRPz.45.1</u> <u>a) Any underground network utility is permitted except:</u></p> <p>i) <u>Any high pressure gas line exceeding a gauge pressure of 2000 kilopascals, and</u></p> <p><u>b) Any above ground network utility is not permitted except:</u></p> <p>i) <u>maintenance and operation of existing utilities, or</u></p> <p>ii) <u>network utility buildings and substations, or</u></p>	<p><u>AIRPz.45.2</u> <u>not applicable</u></p>	<p><u>AIRPz.45.3</u> <u>Activities that contravene a permitted condition are discretionary.</u></p>

	<ul style="list-style-type: none"> iii) <u>small above ground parts of an underground utility (eg. Junction boxes), or</u> iv) <u>as explicitly provided for elsewhere in this rule table.</u> 		
<u>Assessment Criteria</u>		<u>Explanation</u>	
<p><u>AIRPz.44.4</u></p> <ul style="list-style-type: none"> a) <u>The potential effects of any increase of radiofrequency exposures on the health of persons near the facility;</u> b) <u>The nature of any activities near the proposed site;</u> c) <u>having regard to their susceptibility to any exposures;</u> d) <u>The location of the site, and any potential for shielding from exposures;</u> e) <u>Any cumulative effects, particularly with regard to exposure to electromagnetic radiation from existing facilities in the area.</u> 		<p><u>AIRPz.44.5</u></p> <p><u>Certain utilities and other activities emit electromagnetic radiation. These activities are perceived to be a health concern to some people living near them.</u></p> <p><u>In developing the rules on radiofrequency exposures, Council has based its approach on that recommended in the “National Guidelines for Managing the Effects of Radiofrequency Transmitters” produced by the Ministry of Health and the Ministry for the Environment in December 2000. The key findings of the guidelines was that there are no established health effects from exposure to radiofrequency fields as long as they comply with the New Zealand Standard NZS 2772.1:1999 Radiofrequency Fields: Part 1 – Maximum Exposure Levels 3kHz-300GHz.</u></p> <p><u>The Council is to be notified of location and nature of any proposed facility. Should this predictive report anticipate and should exposure levels be greater than 25% of the New Zealand Standard level, monitoring to determine the actual exposure levels from the transmitting installation will be required.</u></p> <p><u>The rule contains an exception for domestic radiofrequency transmitting equipment. This is to ensure that these domestic transmitting devices can be used without the rules applying to their radiofrequency emissions.</u></p> <p><u>Radiofrequency emissions that exceed the exposure levels set within the New Zealand Standard are to be considered as non-complying activities.</u></p>	
<p><u>AIRPz.45.4</u></p> <ul style="list-style-type: none"> a) <u>Any hazard presented by the utility;</u> b) <u>The environmental setting of the structure, having regard to the general locality, topography, geographical features and adjacent land uses;</u> c) <u>The visual impacts of the structure on residential or recreational use of land in the vicinity, and on significant ridge lines and view planes from public places, including roads;</u> d) <u>The scale, bulk and height of the facility.</u> e) <u>Screening or landscaping of the utility and any modifications to its colour and design to reduce the visual effect of the utility on the surrounding environment; and</u> f) <u>Any constraints on placing the utility underground.</u> 		<p><u>AIRPz.45.5</u></p> <p><u>Provision is made for lower pressure gas lines as permitted activities, but high pressure lines which present a higher risk need to be assessed as discretionary activities.</u></p> <p><u>The electricity and telephone network is an important part of the city’s infrastructure. They, and similar facilities, are permitted if located underground. However, overhead lines have the potential to detract from the residential streetscape, and have to be dealt with as discretionary activities.</u></p> <p><u>Maintenance and operation of existing utilities is permitted in accordance with the definition of "maintenance" in Chapter 2.</u></p>	

<u>Item</u>	<u>Permitted</u>	<u>Controlled</u>	<u>Discretionary/Non-complying</u>
<u>AIRPz.46</u> <u>Earthworks</u> <u>[note – this rule is a regional and a district rule]</u>	<u>AIRPz.46.1</u> <u>Earthworks are a permitted activity if:</u> a) <u>The maximum height or depth of excavation or filling does not exceed 1.2m; or</u> b) <u>The Earthworks are for the purpose of installation and maintenance of utility service lines including the excavation of holes for supporting structures, back-filled trenches, mole ploughing or thrusting, providing the earthworks are no more than required to permit the activity;</u> <u>or</u> c) <u>The excavation or fill:</u> i) <u>is retained immediately by a structure authorised by a building consent; and</u> ii) <u>the maximum height or depth of the fill or excavation does not exceed 3m; and</u> iii) <u>the depth of any excavation adjacent to a property boundary does not exceed the distance from that boundary measured on a horizontal plane; and</u> d) <u>The Earthworks do not take place within 10m of the banks of any river identified in Appendix 6 (riparian and coastal margin overlays), or within 10m of the Coastal Marine Area, except for where required for the purpose of Aviation Activities where the following conditions are met:</u> i) <u>the activity must not be for the purpose of increasing the size of the Aviation Activity</u>	<u>AIRPz.46.2</u> <u>Earthworks that contravene a permitted condition are controlled if:</u> a) <u>The maximum height or depth of filling or excavation does not exceed 4m; and</u> b) <u>The site is not in the Land Management Overlay; and</u> c) <u>Earthworks do not take place within 10m of the banks of any river identified in Appendix 6 or within 10m of the Coastal Marine Area; and</u> d) <u>No soil is positioned where it may dam or divert any river or stream or adversely affect instream habitats; and</u> e) <u>All bare soil areas are, as soon as practicable but no later than six months from the date of disturbance, or the time specified in the sedimentation and erosion control plan for the site:</u> i) <u>stabilised so that no earth moves off-site or presents a danger to life or property; and</u> ii) <u>vegetated, paved, metalled or built over; and</u> f) <u>All formation surfaces with an inward cross fall are drained by a water table, and cut-offs or culverts are formed or installed so as to prevent erosion of the formed surfaces; and</u> g) <u>Material used for fill is cleanfill material.</u> <u>Control reserved over:</u> i) <u>Loss of topsoil or movement of soil down slope;</u> ii) <u>Damage to structures or adjoining properties;</u>	<u>AIRPz.46.3</u> <u>Earthworks that contravene a controlled standard other than g) are restricted discretionary activities. Where g) is contravened the activity is a discretionary activity.</u> <u>Discretion restricted to:</u> i) <u>Loss of topsoil or movement of soil down slope;</u> ii) <u>The potential for slope failure;</u> iii) <u>Damage to structures or adjoining properties;</u> iv) <u>Soil and vegetation entering rivers and coastal water;</u> v) <u>Damage to instream and coastal habitats;</u> vi) <u>Adverse effects on catchment stream flow;</u> vii) <u>Bank and coastal erosion;</u> viii) <u>Duration of bare soil to wind and rainfall;</u> ix) <u>Water quality, including suspended sediment load and increased stream bed load;</u> x) <u>The method and timing of the activity;</u> xi) <u>The area to be cleared at any one time;</u> xii) <u>The provision of structures to control soil erosion or sedimentation;</u> xiii) <u>The timing and techniques used for revegetation, and</u> xiv) <u>The long term management of the land cleared, and</u> xv) <u>The provision of appropriate resources to ensure that adverse effects arising from emergency or unforeseen circumstances are controlled or mitigated;</u>

	<p><u>and associated infrastructure; and</u></p> <p>ii) <u>the activity must not result in the formation of new pathways, boardwalks, or other accessways; and</u></p> <p>iii) <u>if the activity is vegetation clearance, Earthworks, or land disturbance, the activity, excluding any planting, must not occur over more than 500 m² or 10% of the area of the natural wetland, whichever is smaller; and</u></p> <p>iv) <u>if the activity is Earthworks or land disturbance, — trenches dug (for example, to maintain pipes) must be backfilled and compacted no later than 48 hours after being dug; and the activity must not result in drains being deeper, relative to the natural wetland's water level, than they were before the activity; and</u></p> <p>v) <u>The Airport Operator at least 10 working days prior to the works provides the Nelson City Council with formal information as to the nature and location of the activity, commencement and completion dates, and contact details.</u></p> <p>e) <u>No soil is positioned where it may dam or divert any river or stream or adversely affect instream habitats; and</u></p> <p>f) <u>All bare soil areas are, as soon as practicable but no later than six months from the date of disturbance;</u></p>	<p>iii) <u>Soil and vegetation entering rivers or coastal water;</u></p> <p>iv) <u>Damage to instream and coastal habitats;</u></p> <p>v) <u>Adverse effects on catchment stream flow, including stormwater;</u></p> <p>vi) <u>River bank and coastal erosion;</u></p> <p>vii) <u>Duration of exposure of bare soil to wind and rainfall;</u></p> <p>viii) <u>water quality, including suspended sediment load and increased stream bed load, and</u></p> <p>ix) <u>The method and timing of the activity;</u></p> <p>x) <u>The area to be disturbed at any one time;</u></p> <p>xi) <u>The provision of structures to control soil erosion or sedimentation;</u></p> <p>xii) <u>The timing and techniques used for revegetation;</u></p> <p>xiii) <u>The depth, height and volume of cut and fill and the finished ground level;</u></p> <p>xiv) <u>the quality of fill material and compaction methods;</u></p> <p>xv) <u>visual effects;</u></p> <p>xvi) <u>control of noise;</u></p> <p>xvii) <u>control of dust;</u></p> <p>xviii) <u>traffic and access issues.</u></p>	<p>xvi) <u>Visual effects;</u></p> <p>xvii) <u>The impact on privacy and on the admission of daylight and sunlight to neighbouring sites;</u></p> <p>xviii) <u>In the case of earthworks within the Landscape Overlays, compliance with the objectives;</u></p> <p>xix) <u>performance guidelines in Appendix 7 (Guide for Subdivision and Structures in the Landscape Overlay);</u></p> <p>xx) <u>Appendix 4 (marine ASCV overlay) and Table 6.1 in Appendix 6 (riparian and coastal margin overlays);</u></p> <p>xxi) <u>Appendix 9 (landscape components and views);</u></p> <p>xxii) <u>Control of noise;</u></p> <p>xxiii) <u>Control of dust;</u></p> <p>xxiv) <u>Traffic and access issues.</u></p>
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| <ul style="list-style-type: none">i) <u>stabilised so that no earth moves off-site or presents a danger to life or property; and</u>ii) <u>vegetated, paved, metalled or built over, and</u>g) <u>After reasonable mixing the activity does not result in any of the following:</u><ul style="list-style-type: none">i) <u>the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</u>ii) <u>a conspicuous change in colour or visual clarity;</u>iii) <u>an emission of objectionable odour;</u>iv) <u>the contamination of freshwater to the extent that it is not suitable for farm animals to drink;</u>v) <u>adverse effects on aquatic life that are more than minor.</u>h) <u>All formation surfaces with an inward cross fall are drained by a water table and cut-offs or culverts are formed or installed so as to prevent erosion of the formed surfaces; and</u>i) <u>Trenches formed for utility service lines are back filled, compacted and revegetated as soon as practicable; and</u>j) <u>Material used for fill is cleanfill material; and</u>k) <u>Soil is managed on the site during the construction period and after, such that there are no adverse effects on adjoining properties or any waterbodies.</u> | | |
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<p><u>AIRPz.47</u> <u>Landfill</u> <u>[Note: This rule is a regional and a district rule]</u></p>	<p><u>AIRPz.47.1</u> <u>Landfills are not a permitted activity</u></p>	<p><u>AIRPz.47.2</u> <u>Not applicable</u></p>	<p><u>AIRPz.48.3</u> <u>Landfill activities are restricted discretionary activities if:</u> a) <u>The maximum height of the landfill does not exceed 2m, and its total volume is less than 2,000m³; and</u> b) <u>The landfill accepts only cleanfill material.</u></p> <p><u>Discretion is restricted to those matters listed in AIRPz.46.3 plus:</u> i) <u>Visual and landscaping effects;</u> ii) <u>Leachate and runoff;</u> iii) <u>Fill brought on site;</u> iv) <u>Depth, height, volume of fill and finished ground level;</u> v) <u>Fill quality/compaction methods;</u> vi) <u>Effect on soil fertility/versatility;</u> vii) <u>Consequential stormwater characteristics such as ponding;</u> viii) <u>Cumulative effects of landfill activities.</u></p> <p><u>Activities that contravene a restricted discretionary condition are discretionary activities.</u></p>
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Rules relating to Overlays on Planning Maps

<u>Item</u>	<u>Permitted</u>	<u>Controlled</u>	<u>Discretionary/Non-complying</u>
<u>AIRPz.48</u> <u>Building on low lying sites</u>	<p><u>AIRPz.48.1</u> <u>Building is permitted if:</u></p> <p><u>a) The ground level (excluding water bodies) is 15.35m NCC Datum or above; or ground level is raised and compacted to at least those levels:</u></p> <p><u>i) in accordance with NZS 4431:1989 (Code of Practice for Earthfill for Residential Development); and</u></p> <p><u>ii) such that stormwater runoff from the site is not directed onto other sites or into any river or stream, and natural water flows from other sites are not obstructed; and</u></p> <p><u>iii) the finished ground level is not less than 400mm above the design hydraulic grade level of the storm water system serving the site; and</u></p> <p><u>b) The minimum finished floor level of the building is:</u></p> <p><u>i) concrete floor: 15.50m</u></p> <p><u>ii) timber floor: 15.65m</u></p>	<p><u>AIRPz.48.2</u> <u>not applicable</u></p>	<p><u>AIRPz.48.3</u> <u>Buildings that contravene a permitted condition are restricted discretionary activities.</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a) The ground level required to avoid the effects of anticipated flooding;</u></p> <p><u>b) The type of inundation likely to be experienced, whether it be stormwater ponding, tidal inundation, or some other combination of circumstances which could lead to surface flooding;</u></p> <p><u>c) The effects on neighbouring properties, especially with respect to stormwater runoff;</u></p> <p><u>d) Section 5.3.5 of the Nelson Tasman Land Development Manual (2019).</u></p>
<u>AIRPz.49</u> <u>Service Overlay Building</u>	<p><u>AIRPz.49.1</u> <u>Erection or extension of any Building in the Services Overlay is permitted if:</u></p> <p><u>a) Existing Council water, stormwater and wastewater connections are available to the site and have capacity to serve the Building and associated development; and</u></p> <p><u>b) The Building and associated development is connected through piped gravity outfalls to the Council wastewater and stormwater system, and supplied with water through a gravity system from a Council water supply.</u></p>	<p><u>AIRPz.49.2</u> <u>not applicable</u></p>	<p><u>AIRPz.49.3</u> <u>Erection or extension of buildings that contravene a permitted condition and propose to connect to public reticulated services are restricted discretionary.</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>i) Ensuring adequate capacity and availability exists in the Council water supply, stormwater and wastewater drain to cope with the demands of development of the site(s);</u></p> <p><u>ii) Ensuring all connections to Council services (excluding roading) are to gravity</u></p>

			<p><u>systems;</u></p> <p>iii) <u>In the absence of i) or ii) above, the ability of private infrastructure to ensure ongoing effectiveness, including the maintenance and monitoring of such systems;</u></p> <p>iv) <u>The location of building or development to ensure it does not impede the route or construction of any future road or utility services;</u></p> <p>v) <u>Whether the building or development can provide for on site servicing for the Bbuilding or development in accordance with APP28 - FWr.12 , FWr.14, FWr.25 and FWr.29</u></p> <p><u>Any application arising from this rule shall not be limited or publicly notified.</u></p> <p><u>Activities that propose to connect to on site services are discretionary.</u></p>
<p><u>AIRPz.50 Coastal Environment Overlay Activities near the coast</u></p>	<p><u>AIRPz.50.1 Within 20m of the boundary with the Coastal Marine Area the following are not permitted activities:</u></p> <p>a) <u>Erection or extension of any Building; or</u></p> <p>b) <u>Storage of goods, unless the activity is associated with maintenance of an existing network utility.</u></p> <p><u>This rule excludes:</u></p> <p><u>(i) Navigational and meteorological facilities and aids;</u></p> <p><u>(ii) Airport light structures; and</u></p> <p><u>(iii) Fences used for security</u></p>	<p><u>AIRPz.50.2 On land located within the Coastal Environment Overlay, within 20m of mean high water springs, extension of:</u></p> <p>(i) <u>An existing Structure or Utility service line or Structure;</u></p> <p>(ii) <u>The alteration or extension of transport infrastructure, including any road or parking area that adds no more than 20% in area in any twelve-month period;</u></p> <p>or</p> <p>(iii) <u>Reconstruction or replacement of hazard protection works,</u></p>	<p><u>AIRPz.50.3 The erection, placement, alteration, or extension of hazard protection works are restricted discretionary.</u></p> <p><u>Discretion is restricted to:</u></p> <p>i) <u>Appearance of the proposed Structure and/or works;</u></p> <p>ii) <u>Effects on public access;</u></p> <p>iii) <u>Discharge of contaminants;</u></p> <p>iv) <u>Remedial measures, including landscaping;</u></p> <p>v) <u>Whether the activity is likely to exacerbate coastal erosion;</u></p>

	<p><u>purposes, and consisting of no greater than 20% solid structure; and</u></p> <p>(iv) <u>Maintenance or upgrade of Transport infrastructure, including pedestrian and cycling facilities.</u></p>	<p><u>is controlled.</u></p> <p><u>Control reserved over:</u></p> <p>i) <u>Appearance of the proposed structure and/or works;</u></p> <p>ii) <u>Effects on public access;</u></p> <p>iii) <u>Discharge of contaminants; and</u></p> <p>iv) <u>Remedial measures.</u></p>	<p>vi) <u>Whether the activity is likely to lead to adverse effects from natural hazards on any other property, (where property has the same meaning as in Section 2 of the Building Act 1991); and</u></p> <p>vii) <u>Provision for the removal of any structure or parts of any structure that are rendered unusable through coastal erosion.</u></p> <p><u>Activities that contravene a permitted or controlled condition, or are not the erection, placement, alteration, or extension of hazard protection works, are discretionary.</u></p>
<p><u>AIRPz.51 Inundation Overlays Low lying ground susceptible to localised stormwater ponding or tidal inundation</u></p>	<p><u>AIRPz.51.1 In any Inundation Overlay, with the exception of Network utilities and Structures (which are permitted), the following are not permitted activities:</u></p> <p>a) <u>Erection of any Building or extension of the ground floor area by more than 20% (the restrictions in this clause do not apply where ground level on the building site has been filled according to a resource consent granted since the notification of this Plan and all floor levels are not less than 150mm above the approved ground level); or</u></p> <p>b) <u>Earthworks (except those associated with installation or maintenance of an underground Network utility where the profile of the land is not permanently altered).</u></p> <p><u>This rule excludes:</u></p> <p>(i) <u>Navigational and</u></p>	<p><u>AIRPz.51.2 In any Inundation Overlay, erection of any Building or extension of the ground floor area by more than 20%, or earthworks are controlled.</u></p> <p><u>Control reserved over:</u></p> <p>i) <u>Finished ground and floor levels;</u></p> <p>ii) <u>The nature of fill, its compaction and placement;</u></p> <p>iii) <u>The design of the building; and</u></p> <p>iv) <u>Stormwater management.</u></p>	<p><u>AIRPz.51.3 Activities that contravene a permitted condition or a controlled standard are discretionary.</u></p>

	<u>meteorological facilities and aids;</u> (ii) <u>Airport light structures; and</u> (v) <u>Fences used for security purposes, and consisting of no greater than 20% solid structure; and</u> (vi) <u>Maintenance or upgrade of Transport infrastructure, including pedestrian and cycling facilities.</u>		
<u>AIRPz.52</u> <u>Heritage Buildings, Places and Objects</u> <u>Alterations to Group B items</u>	<u>AIRPz.52.1</u> <u>Alteration to any Group B building, place or object listed in Appendix 1 is permitted, if: a)</u> i) <u>The work is redecoration, restoration or insignificant alteration of any existing fabric or detailing; and</u> ii) <u>It is carried out to the same scale as the original, including window scale, and with materials and details similar to, or having the same appearance to those originally used; or</u> b) <u>The work is on the interior of a building or its site surrounds (unless otherwise specified in Appendix 1 in which case (a) also applies).</u>	<u>AIRPz.52.2</u> <u>not applicable</u>	<u>AIRPz.52.3</u> – <u>Alteration to any Group B building, place or object listed in Appendix 1 which does not comply with a condition for a permitted activity is a restricted discretionary activity.</u> <u>Discretion restricted to:</u> i) <u>Design and appearance.</u> <u>Resource consent applications for restricted discretionary activities will be considered without limited or public notification.</u>
<u>AIRPz.53</u> <u>Heritage Buildings, Places and Objects</u> <u>Demolition or removal of Group B items</u>	<u>AIRPz.53.1</u> <u>Whole or partial demolition or removal of any Group B heritage building, place or object listed in Appendix 1 is not a permitted activity.</u>	<u>AIRPz.53.2</u> <u>not applicable</u>	<u>AIRPz.53.3</u> – <u>Whole or partial demolition or removal of any Group B heritage building, place or object listed in Appendix 1 is a discretionary activity.</u>

subdivision rules

<u>Item</u>	<u>Permitted</u>	<u>Controlled</u>	<u>Discretionary/Non-complying</u>
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<p><u>AIRPz.54</u> <u>Subdivision</u></p>	<p><u>AIRPz.54.1</u> <u>Subdivision is not a permitted activity</u></p>	<p><u>AIRPz.54.2</u> <u>Not applicable</u></p>	<p><u>AIRPz.54.3</u> <u>Subdivision in the Airport Zone as subject to the Services Overlay, is discretionary, where:</u></p> <p>a) <u>every allotment (other than an access lot) complies with the mandatory matters relating to stormwater and wastewater in Chapters 5 & 6 of the Nelson Tasman Land Development Manual 2019, and</u></p> <p>b) <u>every allotment (other than an access lot) is connected through gravity fed pipes to the Council water supply system.</u></p> <p><u>Subdivision in the Airport Zone which does not comply with the conditions in (a) and (b) above is a non-complying activity.</u></p>
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freshwater rules

Refer Appendix AP28.9 for freshwater rules.

Consequential Amendments

- Amendments to Planning Maps to insert the Airport Zone
- Amendments to Planning Maps to insert amended DAA1, DAA2 and DAA3