

RMA Submission Form for Publicly Notified Plan Change 29



Return your submission by 4pm on
Tuesday 31 October 2023 to:

Senior Planning Administrator
RMA Plan Submissions
Nelson City Council
PO Box 645
Nelson 7040

(Hand delivery or courier to: Ground Floor, Civic House, 110 Trafalgar Street,
Nelson 7010 or email to: environmental.planning@ncc.govt.nz with plan
change no.29 in the subject line)

OFFICE USE
Submission No: 9701
Date Received Stamp: RECEIVED 25 OCT 2023
Customer Service NDOCs No: 539570224-17693

*Required

Submitter Details

Full Name*	Susan Hamilton & David Macdonald		
Organisation			
Contact Person	David Macdonald		
Postal address*			
Telephone*		Email*	dave@opoet.co.nz

Trade Competition*

If you are a person who could gain an advantage in trade competition through the submission your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act 1991.

- ☒ I/we could not gain an advantage in trade competition through this submission.
- ☐ I/we could gain an advantage in trade competition through this submission. If yes, please complete the following:
- ☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
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Council Hearing*

- ☐ I/we do not wish to be heard in support of my/our submission.
- ☒ I/we wish to be heard in support of my/our submission. If yes:
- ☐ I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Public information

Please note that your name and address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as council.

Signature of Submitter*

(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

Date*

25/10/23

RMA Submission Form for Publicly Notified Plan Change 29

The specific provisions of the Proposed Plan Change that my submission relates to are as follows:

- | | |
|---|--|
| ☒ Entire Plan Change | ☐ Papakāinga |
| ☐ Residential | ☐ Transport |
| ☐ Inner City and City Fringe | ☐ Mapping |
| ☐ Industrial | ☐ Infrastructure |
| ☐ Suburban Commercial | ☐ Area outside of Plan Change |
| ☐ Natural Hazards/Climate Change | ☐ Subdivision |
| ☐ Heritage | ☐ Other |

- | | | |
|--------|--|--|
| I/we*: | ☐ Oppose the Plan Change in part | ☒ Oppose the Plan Change |
| | ☐ Support the Plan change in part | ☐ Support the Plan Change |
| | ☐ Are Neutral about the Plan Change | ☐ Request amendments to the Plan Change |

My submission is*:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

As per attached submission

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

(Give precise details, where amendments are sought, provide details below of what changes you would like to see).

See attached Submission.

Note:

- 1) This form is only for the purpose of making a submission on Proposed Plan Change 29 to the Nelson Resource Management Plan. It is NOT for making a further submission (i.e., in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
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 - a. is frivolous or vexatious.
 - b. discloses no reasonable or relevant case.
 - c. would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
 - d. contains offensive language.
 - e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission from Susan Hamilton and David Macdonald

Our submission is:

We **oppose** the Proposed Plan Change 29 in its entirety.

Reasons

1. Public Engagement and Consultation

- 1.1. Proposed Plan Change 29 is significantly different in nature from the existing Nelson Resource Management Plan (NRMP) and the changes are certainly far greater than 'less than minor'. Mayor Nick Smith has stated publically that Plan Change 29 is "the biggest changes in Nelson's planning rules in a generation" and would have a "huge impact on the shape of the city". It is therefore imperative that this trigger the Higher Significance requirement of Council's Significance and Engagement Policy due to the impact on the community, how many people are affected and by how much. Council would have had a reasonable expectation that this change would generate public interest and needs to adhere to its Principles of Engagement as set out in that policy by, in particular listening and considering views in an open and honest way and respecting everyone's point of view.

2. Legal requirement

- 2.1. We understand that Council is not legally required under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (the Act) as a Tier 2 Council, to implement intensification and densification changes to its District Plan (Nelson Resource Management Plan).

3. Definition of Environment

- 3.1 We understand that:

- a) The Resource Management Act 1991 (RMA) defines "..... Environment to include:—
(a) ecosystems and their constituent parts, including people and communities; and

- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.”

The Purpose of the RMA is

“(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

Plan Change 29 does not seem to have considered in full the requirement of 2 (c) above as it relates to the Act's definition of the Environment.

The current Nelson Resource Management Plan (NRMP) contains both objectives and policies that ensure this definition is considered in the Council's consideration of resource consent applications.

4. Visual and physical dominance effects

4.1. We live in and daily frequent the current Lower Density Zone that the Plan Change proposes to alter to a High Density Residential Zone.

We wish to live in an attractive and spatially well designed City which reflects and protects its heritage and is consistent with the objectives and policies of the current

NRMP for our site. These specifically relate to a resource consent we obtained in March 2022 for a new single level dwelling at 149 Tasman Street.

- **Objective RE2 (Residential Character):** “An environment that is principally residential in character.”
- **Policy RE2.4 (Privacy and Outlook):** “The location and design of buildings should not unduly compromise outlook and privacy of adjoining development and should have regard to the character of the area.”
- **Policy RE2.5 (Scale):** “The size and scale of buildings should be compatible with the character and amenity of the residential area.”
- **Objective RE3 (Streetscape, landscape, and natural features):** “Attractive streetscapes, and the maintenance and enhancement of those significant public views, natural features, and landscapes that contribute to Nelson’s character and setting.”
- **Policy 3.5 (Streetscape):** “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.”

Council’s consideration of current resource consents applications in the Lower Density Area review the potential for adverse visual and physical dominance effects. That which is proposed by Plan Change 29 will have substantial visual and physical dominance effects and not retain the streetscape and residential amenity of the wider environment.

We believe that Plan Change 29 is not consistent with these objectives and policies which have over time led to the development of Nelson as we know it today, as a City with its unique and highly valued character, a place that current residents enjoy and future residents will value.

5. Risk management

5.1. The probability of developments occurring that affect us personally is likely (based on the information provided by Council of a development occurring is 15% of the rezoned residential areas) but the consequence is major. This creates a high risk profile for us that we should be able to manage but are unable to as complying developments will not require a resource consent. The only way that this risk can be managed under the proposed Plan Change is by the Council and you are proposing free rein to developers. We see this as a form of "Russian Roulette" that we would be made to live with knowing that anytime our lives could be changed without notice.

6. Non-notification issues

6.1. One of the Council's core responsibilities is to manage infrastructure capability to enable development within their district while protecting the unique character, environment and amenity for both current and future residents and not enabling third parties to make these decisions.

We consider that if the proposed High Density Zoning is confirmed it would enable a large development capacity as of right. Any applications for more intensive development should be publicly notified to affected neighbours and in some instances to the wider public..

7. Delivery of a well-designed City

7.1. We appreciate that the City's population will grow over time and the impacts and requirements from this need to be managed and enabled in a planned way and suggest consideration by Council of the following:

- a) The highly regarded Pareto Management Principle (80:20 rule) appears to have been ignored, in that the proposal looks for a 15% take-up of potentially suitable sites for multi-level buildings over a large area of the City. Aligned management using this principle should look for 20% of the area where 80% of the developments occur. This leads to development being managed centrally within the current Inner City Zone and not covering a wide area as proposed. This provides higher residential accommodation close to commercial activity and the Nelson Transport Hub. There will be some specific sites outside this Zone where the remaining 20% of development can occur. These unique sites will be chosen by their location where the developments' negative effects can be mitigated using specific actions by the developer and requirements provided through a resource consent process. The parameters for identifying such sites should be included in the NRMP. This could occur through a scheme change when more robust work has been carried out to identify appropriate sights and the rate and impacts of increased population is more certain.
- b) There appears to be no spatial planning concept behind the proposed Plan Change. We will not end up with a well-designed City by pure chance. The proposed change enables high rise buildings to be placed at locations of developers' choice with impacts such as:
- no mitigation of effects on adjacent properties e.g. daylight reduction and privacy imposition
 - traffic and parking intensification
 - loss of existing well established flora and fauna and;
 - un-intended consequences e.g. health and safety issues of footpaths on the southern side of developments covered in ice in winter for the majority of the day.
- c) Any rational change would concentrate higher buildings in the Inner City and quickly reduce building heights as you radiate out from the Inner City. This would

lead to general alignment with the height limits that currently exist under the NRMP and enable growth in those areas through increased coverage with compliant design, adequate yard and light angles etc for site specific allowed development.

8. Retaining City's unique character

- 8.1. For the majority of homeowners investment in their home is by far their largest asset. To propose changes that will occur randomly and potentially affect the value of their asset is an action of the Council which ignores the needs of the existing residents.
- 8.2. We and the majority of other Nelson residents that we have spoken with confirm that they live in Nelson because of its unique character. That consists of a mix of heritage buildings, generally low rise (maximum 2 storeys) residential development, flora and fauna in abundance and access to sunshine in their homes throughout the year.

9. Good quality urban design

- 9.1. Nelson's unique character needs to be considered along with the proposed intensification. To do this good quality design led solutions need to occur that match as best it can with the current character. To have some independence in this process an Urban Design Panel should be established that works with developers from the project initiation stage and throughout the process to achieve this outcome.

10. Our property – 149 Tasman Street

- 10.1. Issues specific to our property at 149 Tasman Street are:

Dominance

- We already have a Council heritage Woodland (W50) of protected trees consisting of Pohutukawa and Rata approximately 37 metres (Length) by 15-20 metres (Height) trees across the road to the north-west (148 Tasman Street) that creates extensive shade of our house for various periods of time during the year.

Any further reduction of sunlight by future built development is unacceptable to us.

- In addition, the contours of our site mean that we are approximately 1 storey lower than the adjoining properties to the East (#147) and to the South East (#151). Both these properties have homes that are two storeys high (effectively 3 storeys from our site). If you consider these buildings at the yard allowances of PC 29 the physical and privacy dominance effects are unacceptable. The home to the East already shadows our property for periods during the summer months.
- Effectively we are dominated by current adjoining properties homes and landscaping, and the protected woodland. If multi storey development (greater than two levels) occurred to the north of our site that complied with PC 29 the amenity value of our property would be severely compromised.

Parking

- We live on a narrow street with limited parking (often taken up by NMIT and Manuka Street hospital overflow parking). Any future development with no parking provision would severely exacerbate this issue.

Appropriateness for intensification

- The local area is generally developed on small sites (with single and two storey development) that are inappropriate for larger scale development (unless sites are amalgamated). Managed two storey additional infill housing could occur on a very limited number of sites without affecting the character of the area.

Heritage character

- Apart from the two Council heritage listed buildings (135, 151) in our block (135 to 155) of Tasman Street there are a number of historic cottages which the owners should be encouraged to maintain for their attractive streetscape and benefit to

local residents and people travelling through this section of Tasman Street to and from the Brook.

Natural hazards

- This portion of Tasman Street has natural hazards overlays (refer Council maps for water inundation, earthquake faults and liquefaction hazards).

Walking catchments

- Walking distances from our house are:
 - 1.3km walking distance from the City Market (approximate City Centre)
 - 1.4km from the proposed Transport Hub in Halifax Street

These distances are further than those proposed in the walking catchments that support intensification.

We seek the following decision from the Council:

- a) Reconsider Proposed Plan Change 29 densification and intensification of the City and whether the Council (as a Tier 2 council) has a legal obligation to make this Plan Change 29 at this time.
- b) Amend the proposed residential zones to two zones (one High Density Zone and the other General Residential Zone) i.e. a much smaller area for higher density residential construction centred in the current Inner City Centre and City Fringe areas.
- c) Align management of intensification and densification of development using the Pareto Management Principle by looking for 20% of the area where 80% of the developments will occur. This leads to development being managed centrally within the current Inner City Zone and not covering a wide area of the proposed Medium and High Density Zones. This provides higher residential accommodation close to commercial activity and the Nelson Transport Hub. There will be some specific sites

outside this Zone where the remaining 20% of development can occur. The parameters for identifying such sites should be included in the NRMP.

- d) Create a General Residential Zone that includes the remaining areas with the NRMP current rules and allow for 3 unit intensification up to two storeys on some adequately sized sites. There will be specific sites throughout the City where effects can be mitigated and where higher buildings can be accommodated and developed following resource consent approval with the opportunity for any affected parties to make submissions. This is all about Council managing the development of the City (one of its core tasks), not passing the initiative to other parties, and therefore minimising unintended or unacceptable consequences.
- e) Complete a Residential Spatial Plan that concentrates higher buildings in the Inner City and quickly reduces building heights as you radiate out from the Inner City. Generally align with the height limits that currently exist under the NRMP and enable growth of compliant development in those areas through increased coverage or site specific allowed higher development. For this process consider using a Collaborative Process that involves representatives with diverse views (e.g. Twyfords collaborative governance process “the Power of Co”), that tests the aims and objectives of the proposed Plan Change, using independent urban designers with input from the community (not just the Planners, community focus groups and others previously involved in preparation of this Plan Change 29).
- f) Consider and take account of the effect of Plan Change 29 outcomes as it affects the environment through avoiding, remedying, or mitigating any adverse effects of activities on the environment and in particular those effects on people and communities.
- g) Introduce an Urban Design Panel to work with and assist developers create good quality design outcomes in keeping with the City's form.
- h) Include planning for development in areas excluded from Plan Change 29 e.g. The Wood by enabling development to occur that considers and mitigates the effects of

known natural hazards and provides appropriate residential solutions that enable intensification and densification in these zones also. This development would support greater use of bus transport due to its close proximity to the Inner City and the relocated Bus Hub at the river's edge.

- i) Take a progressively phased approach by firstly allowing intensification in the Inner City Centre and City Fringe area (where 80 % of such development will occur) and allow increased two storey development on appropriate sized sites throughout the rest of the city. Opportunities for greater high rise development in the Residential Zone (greater than two storeys) could be introduced when these type of developments are known to be required. This would occur following more robust assessment to define specific areas and appropriate controls for this type of development.

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change no.29 in the subject line)

OFFICE USE
Submission No: <i>5702</i>
Date Received Stamp: <i>26/10/23</i>
NDOCs No: <i>539570224</i> <i>-17689</i>

*Required

Submitter Details

Full Name*	<i>MARK JOHN PATTINSON</i>		
Organisation			
Contact Person	<i>MARK</i>		
Postal address*	<i>1</i>		
Telephone*		Email*	<i>mark.angela@outlook.co.nz</i>

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[Signature]
Signature of Submitter*

(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

24/10/23
Date*

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The specific provisions of the Proposed Plan Change that my submission relates to are as follows:

- ☒ Entire Plan Change
- ☐ Residential
- ☐ Inner City and City Fringe
- ☐ Industrial
- ☐ Suburban Commercial
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My submission is*:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

PLEASE SEE ATTACHED

Submission to Plan Change 29

This submission is to oppose the proposed plan changes due to the negative effects this will have on existing properties.

I strongly oppose changes to daylight angles/recession planes, and boundary adjustments in the general residential zones.

My wife and I proceeded with our build in 2013 safe in the knowledge that the current rules including recession planes, sunshine and daylight hours would not have any negative effect on our surrounding neighbours, and that any future development would afford us the same protections.

I feel that a blanket approach is not wise given the completely different land contours within the suggested zones. Furthermore, properties on a back section have an added disadvantage in relation to daylight angles/recession planes due to development in front.

While I understand the Council's need for housing intensification, I believe this can be easily achieved within the existing regulations in specific areas.

I offer our property as an example:

Valuation No. 19710-44104

Location 104D Princes Drive, Nelson

Legal Description LOT 4 DP 19716

Certificate of Title 13A/1036

Ward No.1

Zone 9B

Use 91

Category

RD201

TORAS 111000

Property Area (hectares) 0.0839

The parcel of substantial land on the north west boundary of our property and several other properties in the area can and should be developed within the current regulations.

Should the proposed plan changes be implemented our current daylight hours and recession planes could be grossly diminished causing loss of quality of living, loss of value to our property and negative impact to our mental health, restricted light for solar energy for natural heating via windows, and to vegetable gardens. These effects are life changing to a cohesive neighbourhood that will inevitably create division amongst residents.

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I seek the following decision from the Council*:

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 - e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

We seek the following decision from the Council:

I strongly urge council to reconsider these changes and allow any future development under the existing regulations and ask Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

We ask that any resource consents required for breach of restricted discretionary activity must require written approval/consultation from neighbours.

I ask that the inner city should be the starting point to have the most significant intensification, before considering any changes to the residential neighbourhoods.

RECEIVED

25 OCT 2023

PLAN CHANGE 29 SUBMISSION

Name: Mike Hawes

Address:

Email contact: 1234mikhaw@gmail.com

Phone contact:

Customer Service

SWB NO: 5703

NRCS: 539570224

-17702.

I do not oppose the principle of housing intensification in Nelson but do have significant concerns about aspects of Plan Change 29 in its current form. I do not appear to be directly affected by the Plan Change, and have no commercial interest, but am concerned by the potential outcomes of the change on the wider city that I value dearly. I wish to document my views via this submission but do not wish to speak at a hearing. Apologies if I've misinterpreted any aspects, but it is not easy to wade through the detail.

1. **Building height.** I oppose the potential to develop up to 6 storey apartment blocks in urban areas that are currently 1 to 2 storey design without neighbour consultation and resource consent requirements. In some areas it may be appropriate, e.g. the waterfront apartments where they are set back against a hillside and can actually visually benefit an area, but other areas, e.g. in the middle of a generally flat area of low-rise buildings, it seems inappropriate.

Although this wouldn't automatically mean a flood of 6-storey high-rises appearing in our residential areas it would certainly open the door for that to occur.

If we look at neighbouring Richmond, their proposed Richmond Spatial Intensification Plan allows for up to 4 storeys in the town centre with retail and office space on the ground floor and residential above, medium density apartments and townhouses up to 2-3 storeys around the edges of the town centre, and medium density townhouses up to 2 storeys in some urban areas. This appears to be a much more sensible option. Nelson runs the risk of becoming the less desirable area to live.

Outcome sought: Remove the 6 storey maximum allowance as potentially of right and adopt a Plan more along the lines of the Richmond proposal.

2. **Design.** I have major concerns about the lack of design standards and design vision for communities affected by the Plan Change.

It is stated "For all new buildings in the commercial zones, a resource consent will be required. This will ensure quality design outcomes for new buildings in the city centre and suburban commercial areas." What about the urban/suburban residential areas outside the city centre? There doesn't appear to be consideration for quality design in these zones. Why would we be concerned about quality design in the city centre and commercial areas but not for residential high-rise development in suburban areas? New buildings in the city area would have much less visual impact and other effects amongst similar height/use buildings than high-rise apartments would in low-rise residential areas. In a residential area a new (ugly) building affects the tone of an area for the foreseeable future and surrounding houses are looking at it 24 hours a day whereas inner city areas are generally passed through by people and city buildings are constantly changing, i.e. citiscapes tend to be more dynamic and evolving.

Betts Apartments at 4 storeys and the waterfront apartments at 4-6 storeys are good examples of what development could look like. On the other hand, Franklyn Village, which has to be one of the ugliest buildings in Nelson, at 5 storeys, is not what we as a city should be aspiring to build more of. I fear that if it is left up to the developers without the need for resource consent or agreed design

standards in place then more of the Franklyn Village style design is what will eventuate. Why would developers of intensive accommodation (as opposed to high-end apartments), catering to a market that has fewer affordable options, opt for more expensive construction to make buildings look more appealing, e.g. balconies or upper floors set back, or go for a wider mix of unit options than 1-2 bedroom, which would reduce the number of saleable units (and therefore profit), if they are not required to? I despair an image of something akin to the building estates in Britain. Is this the model we want to aspire to in Nelson? Once the buildings are up, it is too late. We have the opportunity to do this well, for the present and the future.

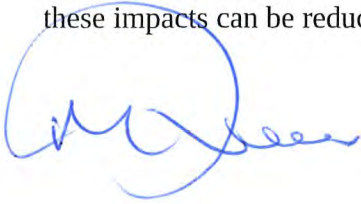
Outcome sought: I'm not entirely sure what is practical, but something along the lines of: reconsider the changes around the need for resource consent, establish community design plans, determine minimum building design standards to ensure quality design outcomes in our residential areas as well as the city centre. Don't give developers open slather on developing high-rise monstrosities without local community input, and adopt a broader view on what the community wants living spaces to look like within the urban and central city environment.

3. Impacts on neighbours and residents of high-rise buildings. I have concerns about the range of impacts that could occur from potentially poorly executed high-rise development, not only on those who live nearby but also those who will live within such buildings.

It would be interesting to do a property value overlay compared to the proposed new zones. It looks like the restrictions are reduced and the building heights, and subsequent impacts, increase as the property values decrease i.e. the most impact will occur in the least financially well-off areas.

- Land values: In some situations, property values may fall but land values increase leading to a rise in rates which will become unaffordable for more households. The only option may be to sell for a lesser value to developers, to produce more high-rise buildings, not necessarily in the short-term but in the long-term.
- Loss of sunlight: This appears to be a major concern for communities that may be affected by the Plan Change. The response has been that building design and placement rules protect daylight angles for neighbours. This relates to access to daylight (not sunlight) between 10am and 2pm in the middle of winter, being the most extreme time of the year, so that there's not a need to turn your lights on in the middle of the day. Access to sunlight (as opposed to daylight) is a significant 'quality of life' factor and will be a tragic loss for those who currently enjoy this.
- Parking: It appears that provision of on-site parking by developers will be voluntary. Whilst this would almost certainly be provided in the high end development it would very likely not occur for any low-end housing development. Although the intention may be to attract people close to town without vehicles this may well not occur. The only option would be to park in the surrounding streets. This would seriously impact existing properties that have no on-site parking and rely on parking on the street.
- Green space: Distance from boundaries and relative proportion of building footprint to section size are required to allow for 'green space'. Is it mandatory or voluntary for developers to develop this green space?
- E-charging: I strongly feel allowance must be made for electric car and e-bike charging (and secure bike storage). This is an important part of reducing emissions in the city.
- Social implications and quality of life: If buildings are too large and poorly designed it not only affects those people in the surrounding area but also affects the quality of life for those who reside in those buildings. For high occupancy 'tenancy' occupation as opposed to lesser 'ownership' occupation, the risk is that it can result in a lack of respect for the building space and surrounding community, leading to damage, graffiti, rubbish, social disruption, etc.

Outcome sought: Ensure that the above impacts are addressed through tighter rules and compulsory standards, rather than left to the discretion of developers. Whilst adding to the cost of building, these considerations are critical not just for the current communities but for the future. Many of these impacts can be reduced if design and execution are done well.

A handwritten signature in blue ink, consisting of a large, stylized 'M' followed by a series of loops and a long horizontal stroke.

(Signature)

A handwritten date in blue ink, written as '24/10/23'.

(Date)

RMA Submission Form for Publicly Notified Plan Change 29

Return your submission by 4pm on
Tuesday 31 October 2023 to:

Senior Planning Administrator
RMA Plan Submissions
Nelson City Council
PO Box 645
Nelson 7040

(Hand delivery or courier to: Ground Floor, Civic House, 110 Trafalgar Street,
Nelson 7010 or email to: *with plan*
change no.29 in the subject line)

OFFICE USE
Submission No: <i>5704</i>
Date Received Stamp: <i>26/10/23</i>
NDOCs No: <i>639570224</i> <i>-17705</i>

*Required

Submitter Details

Full Name*	<i>MARK JOHN PATTINSON</i>		
Organisation			
Contact Person	<i>MARK</i>		
Postal address*			
Telephone*	Email*	<i>mark.angela@outlook.co.nz</i>	

Trade Competition*

If you are a person who could gain an advantage in trade competition through the submission your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act 1991.

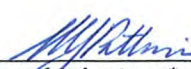
- ☒ I/we **could not** gain an advantage in trade competition through this submission.
- ☐ I/we **could** gain an advantage in trade competition through this submission. *if yes, please complete the following:*
- ☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- ☐ I/we are not directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Council Hearing*

- ☐ I/we **do not** wish to be heard in support of my/our submission.
- ☒ I/we wish to be heard in support of my/our submission. If yes:
- ☒ I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Public information

Please note that your name and address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as council.


Signature of Submitter*

(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

24/10/23
Date*

RMA Submission Form for Publicly Notified Plan Change 29

The specific provisions of the Proposed Plan Change that my submission relates to are as follows:

- | | |
|---|--|
| ☒ Entire Plan Change | ☐ Papakāinga |
| ☐ Residential | ☐ Transport |
| ☐ Inner City and City Fringe | ☐ Mapping |
| ☐ Industrial | ☐ Infrastructure |
| ☐ Suburban Commercial | ☐ Area outside of Plan Change |
| ☐ Natural Hazards/Climate Change | ☐ Subdivision |
| ☐ Heritage | ☐ Other |

- | | | |
|--------|--|--|
| I/we*: | ☐ Oppose the Plan Change in part | ☒ Oppose the Plan Change |
| | ☐ Support the Plan change in part | ☐ Support the Plan Change |
| | ☐ Are Neutral about the Plan Change | ☐ Request amendments to the Plan Change |

My submission is*:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

PLEASE SEE ATTACHED

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

(Give precise details, where amendments are sought, provide details below of what changes you would like to see).

PLEASE SEE ATTACHED

Note:

- 1) This form is only for the purpose of making a submission on Proposed Plan Change 29 to the Nelson Resource Management Plan. It is NOT for making a further submission (i.e., in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
- 2) It is not mandatory to use either the cover or content sheet of this form, however your submission must be in writing and provide the necessary information as indicated on the form, e.g., what is supported or opposed, the reason why and the decision sought, full contact details, etc.
- 3) Council cannot accept a submission that does not clearly indicate what a submitter wishes Council to do (i.e., Council to make a decision to refuse, amend or accept the Plan Change). Please indicate specific recommendations if amendments are sought. Council also cannot accept a submission that does not relate specifically to the Plan Change. In these cases, the submission may be considered 'Out of Scope' and may not be considered further.
- 4) Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - a. is frivolous or vexatious.
 - b. discloses no reasonable or relevant case.
 - c. would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
 - d. contains offensive language.
 - e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission to Plan Change 29

This submission is to oppose the proposed plan changes due to the negative effects this will have on existing properties.

I strongly oppose changes to daylight angles/recession planes and boundary adjustments in the general residential zones.

My wife and I purchased this property in 2016 safe in the knowledge that the current rules including recession planes, sunshine and daylight hours, and boundaries would protect us against any future development in the area.

I feel that a blanket approach is not wise due to the diversity within the suggested zones. Furthermore, properties on a back section have an added disadvantage in relation to daylight angles/recession planes due to development in front.

While we understand the Council's need for housing intensification, we believe this can be easily achieved within the existing regulations in specific areas.

Should the proposed plan changes be implemented the current daylight hours and recession planes could be grossly diminished causing loss of quality of living, loss of value to our property and negative impact to our mental health, restricted light for solar energy and to vegetable gardens. These effects are life changing to a cohesive neighbourhood that will inevitably create division amongst residents.

We seek the following decision from the Council:

We strongly urge council to reconsider these changes and allow any future development under the existing regulations and ask Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

We ask that any resource consents required for breach of restricted discretionary activity must require written approval from neighbours.

We ask that the inner city should be the starting point to have the most significant intensification, before considering any changes to the residential neighbourhoods.

RMA Submission Form for Publicly Notified Plan Change 29



Return your submission by 4pm on
Tuesday 31 October 2023 to:

Senior Planning Administrator
RMA Plan Submissions
Nelson City Council
PO Box 645
Nelson 7040

(Hand delivery or courier to: Ground Floor, Civic House, 110 Trafalgar Street,
Nelson 7010 or email to: environmental.planning@ncc.govt.nz with plan
change no.29 in the subject line)

OFFICE USE
Submission No: 5705
Date Received Stamp: 12 October 2023
NDOCs No: 539570224 -17707

*Required

Submitter Details

Full Name*	Caroline Sarah Vine		
Organisation	-		
Contact Person	-		
Postal address*			
Telephone*		Email*	carolinevine1095@gmail.com

Trade Competition*

If you are a person who could gain an advantage in trade competition through the submission your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act 1991.

- ☒ I/we could not gain an advantage in trade competition through this submission.
- ☐ I/we could gain an advantage in trade competition through this submission. if yes, please complete the following:
- ☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
- ☐ I/we are not directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Council Hearing*

- ☒ I/we do not wish to be heard in support of my/our submission.
- ☐ I/we wish to be heard in support of my/our submission. If yes:
- ☐ I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Public information

Please note that your name and address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as council.


Signature of Submitter*
(or person authorised to sign on behalf of submitter - a signature is not required if you make your submission by electronic means)

9/10/23
Date*

RMA Submission Form for Publicly Notified Plan Change 29

The specific provisions of the Proposed Plan Change that my submission relates to are as follows:

- | | |
|--|--|
| ☒ Entire Plan Change | ☐ Papakāinga |
| ☒ Residential | ☒ Transport |
| ☒ Inner City and City Fringe | ☐ Mapping |
| ☐ Industrial | ☒ Infrastructure |
| ☐ Suburban Commercial | ☐ Area outside of Plan Change |
| ☒ Natural Hazards/Climate Change | ☒ Subdivision |
| ☒ Heritage | ☐ Other |

I/we*: ☐ Oppose the Plan Change in part
☐ Support the Plan change in part
☐ Are Neutral about the Plan Change

☒ Oppose the Plan Change
☐ Support the Plan Change
☐ Request amendments to the Plan Change

My submission is*:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

I think this would be very detrimental as neighbours may lose their sun, view, privacy.

We think there is not enough Consultation taking place before plans are drawn up - Need to have input if beside your property.

would spoil the character of Nelson and perhaps create land instability now we have ~~the~~ floods ^ climate change with additional structures.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

(Give precise details, where amendments are sought, provide details below of what changes you would like to see).

Note:

- 1) This form is only for the purpose of making a submission on Proposed Plan Change 29 to the Nelson Resource Management Plan. It is NOT for making a further submission (i.e., in support or opposition to an original submission) or for making a submission on a resource consent or on Council's Annual Plan.
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 - b. discloses no reasonable or relevant case.
 - c. would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
 - d. contains offensive language.
 - e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on Publicly Notified Plan Change 29

29 October, 2023

Submitter: Gwendolyn Struik (Bray) (Dr.)

To: Senior Planning Administrator OFFICE USE

RMA Plan Submissions Submission Number:

Nelson City Council Date Received Stamp

Email: fishbooknz@gmail.com

PO Box 645, Nelson 7040

Submitter Details

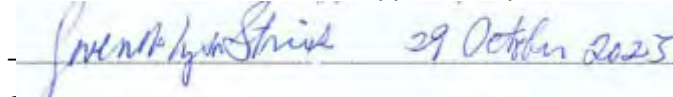
Full Name Gwendolyn Struik (Bray) (Dr.)

Organization None, Individual

X - I could NOT gain an advantage in trade competition through this submission

Council Hearing

X - YES, I wish to be heard in support of my submission



Signature Date

The provisions of the Proposed Plan Change that my submission relates to are:

X-Entire plan change

X-Residential

X- Other (process)

X- Request amendments to the Plan Change

I object to and oppose Plan Change 29 (CP29) in its present form.

These objections are based on (a) some very readable submissions I have had access to and (b) the excellent verbal statements I have heard at three CP29 public meetings. Navigating the Plan document Table of Contents or Index was beyond my technical ability. My submission is based on these two major sources of information - plus my own training in scientific research and writing for peer-reviewed and more popular journals.

It appears to me that there has been a lack of sufficient thoughtful planning, in the first place, perhaps due to a lack of knowledge of Nelson/Whakatu history, followed by a process that left it to a few individuals (self-appointed, independent, i.e. volunteers) to sound the alarm and bring out public interest and expertise. It turns out the expertise is considerable and previously untapped.

This submission is based on my own background:

My PhD is in plant and animal Ecology with published research and teaching experience at university, polytech, high school and pre-school level. I have been a resident and ratepayer in Nelson/Whakatu at the same address for 55 years, i.e. since 1968. I have been involved in efforts to

save both the natural and built environment. Collectively, we have experienced both success and failure, i.e. "you win a few and you lose a few". I shall describe a few of some of the successes, which likely are now taken for granted, but involved hard-won serious public input in each case. Without these efforts, initiated by dedicated volunteers, these heritage sites would not exist today.

A. Heritage of the Natural and Built Environment

1. Natural Environment. In 1973 (fifty years ago) Nelson City Council planned to fill in what remained of Nelson Haven (Paroroa) - the mouth of the Maitai River and the very reason both Polynesians and European settled at this site. (Estuaries provide fresh water, instant high quality protein and access to the hinterland.) A group of people gathered, and with 6 weeks of planning, publicity and education a public meeting was organised in the School of Music and the in-filling was dramatically stopped. This event, plus the subsequent and current history of Friends of Nelson Haven & Tasman Bay (Friends) can be accessed on the web or in hard copy booklet (www.nelsonhaven.org.nz).

The Boulder Bank, which is geomorphologically rare in the world, has taken decades to get protected status. Again, public awareness mainly by Friends was essential, and hard won from the Nelson Harbour Board.

A member of the organising group for Friends was Perrine Moncrieff who had, among many other things, inspired, named, and gave the initial land for Abel Tasman National Park in the 1940s. She also gave Haulashore Island to the people of Nelson/Whakatu.

These above areas should not be taken for granted and are only in the public domain due initially to the action of a few volunteers. Other areas, of former commons, have been lost to public use.

2. Built Environment. Both Melrose House and Fairfield House exist and are open to public use due to the volunteer efforts, initially, of a few people who were able to inspire and gather others in support. Melrose was gifted to Nelson City Council in early 1970s and the Council planned to demolish it for developers to garner private profit. Similarly Fairfield House was allowed to deteriorate in the hands of the Department of Education, when a single person, Alan Stanton, squatted there, got the title of "caretaker", and worked tirelessly for two decades to restore it to the marvellous public amenity we know today. The story is in the very readable book by Alan "Anything is Possible" available with a koha at Fairfield. Two of the public meetings which resulted in the present interest in CP29 were held at Fairfield. Having a community owned public space is essential for every neighbourhood.

3. The take from these few examples is that once gone it can't be taken back - this applies to the natural and built environment. Respect is essential. Decisions are now being made mainly with money, profit and "bottom line" for the individual in mind. The above examples interestingly have resulted both as money spinners for many people and businesses, and have made Nelson/ Whakatu attractive to tourists and residents alike over the long term. Keeping the Commons in public control is actually a long term investment, while private profit is a short term anti-social activity.

B. Building Community

It seems to me that the function of planning is to build community. Any group of homes needs to have community amenities, such as a school, public hall, coffee shop, parks for recreation and sport, community garden and gathering space both indoor and outside - all within a reasonable walking distance. I have walked through some recently built housing areas which were formally "green belt" between Whakatu and Richmond and found not a single public amenity and hence no people. The

only exception was service vehicles, but no residents. I could only assume everyone was either hiding inside or had gotten in their cars to go elsewhere. The street areas were devoid of human or even birdlife. Where is the planning, for these lifeless areas ?

When there is an emergency, such as a flood or human tragedy, and where some or all normal power, water, food are lacking we all look to neighbours and community, i.e. people to help. This needs to be built into planning and seems to be lacking in newly built areas of Whakatu-Richmond.

In Aotearoa, we are fortunate that we have a model in the indigenous people who build community around a common space - the Marae. I note that often when there is a disaster, people in the area gather and live in a local Marae or school, or public place. These public spaces are essential.

An opportunity to build a community was recently lost when the Rebel/Briscoe building went into a large open space near the Whakatu CBD. That was an ideal space to put a high rise building and use the open land for community park and flower/vegie garden. Living so close to most amenities means there need not have car space for all units, although secure biking space would be a nice-to-have. As a 91 year old, living bike/walk distance to most amenities, I can testify to the lack of need for a car. A trundler when walking and large paniers when biking provides carrying capacity of most needed items - with the bonus of keeping me active and healthy.

C. Well-Being

It seems to me that one of the bases of good planning is to provide for human well-being. Basic essentials for human well-being are: breathable air, drinkable water, healthy food from healthy soil, appropriate exercise, community amenity and contact with nature. The latter two are especially important for mental health and need to be part of any urban planning. Tiny urban forests such as Miyawaki style forests can be planted on any open areas such as road reserves and school grounds as is done in denser cities in Japan, Malaysia, UK and Belgium. These are important also in sequestration of Carbon. We are fortunate in Nelson is having Colin Davis' efforts with tiny forests.

D. Limits to Growth. Nelson sewage capacity as an example.

The two main treatment plants for Nelson are at Sewerside (Boulder Bank) Drive in former Haven area (part of a massive infill when the Drive was put in as part of the reticulation of Atawhai), and at Bell Island in the Waimea Inlet (jointly with Tasman District Council and includes Wakefield and Mapua). Both have had odour problems and are at capacity - if not already over capacity. Both rely on electricity for pumping stations. With heavy rainfall, raw sewage goes directly into coastal waters, and salt water intrusion has also occurred. New land is needed for long term viability (Nelson Weekly 6 September 2023 p9). As an ecologist, I am also concerned for the nutrient load sent to the detriment of the coastal zone. These nutrients belong on land where they were generated.

A possible consideration to reduce sewage to sea is to encourage onsite sewage methods such as septic tanks, composting toilets, bio digesters either for individual houses or groups of dwellings.

E. Necessity for Permeable Surfaces and rainfall retention

With climate change, it is necessary to plan for heavy rainfall events so permeability of as many surfaces as possible is necessary. The obvious place to start is when streets, car parks and footpaths are re-paved. This is not cheap, but will save gazillions in reduced flood and slip damage. Water tanks on houses or in communities of houses would also reduce overloaded waterways in times of excess rainfall. This also helps build resilience of neighbourhoods in times of stress.

NELSON CITY COUNCIL PLAN CHANGE 29 SUBMISSION – JUNE LAIRD

I am a resident of Nelson and have lived here for 20 years. My submission relates to the portion of Plan Change 29 (PC29) relating to urban intensification, with some concerns relating to the new medium density zoned areas.

Positives

- The need for residential development in Nelson to provide for growth is clear and PC29 would allow for more housing within Nelson. Particularly the new high intensity zoning in Nelson's CBD appears to be a good use of space.
- Building 'up and not out' in the CBD increases housing opportunities without increasing the numbers of people commuting into Nelson. This is good to both limit any increase in traffic congestion and carbon dioxide emissions.
- PC29 also does not make changes to increase housing density in areas at risk of flooding or other climate related events.

Concerns

- I do have concerns about the intensification outside of the CBD in zones proposed to be 'medium intensity'. This mostly relates to the effect that building three storey properties of up to 12 metres would have on the light accessible by (and following value of) neighbouring properties.
- I acknowledge the restrictions in medium density zones that properties can only cover up to 50% of the site and that the maximum allowable building height decreases as the building gets closer to the side and rear boundaries of the site in order to leave space for daylight to get to neighbouring properties (in medium density zones being 4m + 60 degree angle).
- However, with buildings up to 12m, I think that this will still limit the sunlight available to properties in a way that is detrimental to both enjoyment and value of the neighbouring properties. I would also note here the significant mental health benefits from access to sunlight and the potential for this policy change to negatively impact people's mental health in this way.
- I am also aware that new resource management legislation has recently been enacted, that sets a new structure for planning in New Zealand, and it may be some time before the impacts of that new legislation are fully understood (including any impacts on that legislation coming out of the change in Government).

Suggestions

I would suggest delaying the changes related to medium density zoning to allow for:

- further policy development and consideration of options in relation to access to light;
- further consultation; and
- more time to understand the new resource management legislation (including the Natural and Built Environment Act, Spatial Planning Act and proposed National Planning Framework), as well as what changes the incoming Government may propose to that legislation.

I could not obtain an advantage in trade competition through this submission.

Thank you for the opportunity to submit on PC29 – I do not wish to make an oral submission.

June Laird

email: junelairdnz@gmail.com

29 October 2023

Rev 0.1

MUST be sent or delivered by 31/10/23 4pm to:

Senior Planning Administrator
RMA Plan Submission
Nelson City Council
PO Box 645
Nelson 7040
Environmental.planning@ncc.govt.nz

Submitter

Full Name: Harold John Pearson

Address:

Telephone: (

Email: pearsonharry@yahoo.co.nz

Signature of Submitter: 

Date: 30 October 2023

I **COULD NOT** obtain an advantage in trade competition through this submission.

I **WISH** to be heard in support of my submission.

I **OPPOSE** Plan Change 29 (PC29) in its entirety,
AND SEEK the withdrawal of the Plan Change by Council prior to the calling of Further Submissions,
AND (if Council does not withdraw it accordingly) **SEEK** dismissal / cancellation by the Commissioner
and/or Council.

If such opposition / withdrawal be not accepted / agreed, then these are some, but not all, of my
points...

1) The Plan Change 29 Process. I want to acknowledge...

- a) That I have found it difficult to digest the total effect of the proposed PC 29 and its supporting documentation due to its size and complexity.
- b) That access to a paper copy of PC 29 and the Section 32 reports has not been made available for residents who do not have access to, or the ability to use a computer.
- c) That I have found PC 29 lack of early public engagement and consultation by Council, with its severe implications towards the well-being of existing rate paying residents enjoyment of their properties, extremely stressful and unnecessary.
- d) That I have been put in a position of hoping more qualified citizens than I, will make more comprehensive submissions covering my concerns as to the future of Nelson and its ratepaying residents.
- e) That Council Planning Staff have stated at numerous meetings "This is a 'Broad Brush approach' that requires public submissions to refine the plan". Such a statement implies PC 29 has been prematurely put out for public submissions in an incomplete and inaccurate state that requires the public to learn and understand its entirety, so they can re-design it.
 - i) I am asking Council to withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public submissions.

- f) Despite numerous requests, Nelson City Council (NCC) has refused to contact by email or letter, all its ratepayers. We will all be affected, either directly or indirectly, by PC29 and so it is essential that all property owners are notified directly. At the very least, those property owners who will be directly affected by their property's zone being changed, should be notified by email or letter. My reason for requesting this, which I stated in my requests, is that many property owners were in other parts of the country or overseas, when PC29 was publicly notified and are therefore likely to be unaware that their property is to be rezoned. This is even more likely this year, as we have a multi-cultural population, and following years of restricted overseas travel, this has been the first winter that people have been able to easily travel abroad to have a holiday or visit friends and family. Essentially, not all Nelson property owners are aware of PC29, or its implications, on their property and their tenants.
- g) Over 19 submissions (313367, 31432, 31483, 31518, 31541, 31641, 31612, 31619, 31621, 31631, 31651, 31672, 31694, 31698, 31722, 31741, 31746, 31781, 31794, 31355) were lodged opposing the Nelson Tasman Future Development Strategy (NTFDS) proposal that areas in Tahunanui be zoned suitable for 6 storey buildings. All these submissions have obviously been ignored, as PC 29 proposes HDZ for that part Tahunanui. Also, I could not find 1 submission supporting the construction of buildings over 2 storeys on the Tahunanui Hills. As a resident, without a professional qualification in making submissions, I can't help wondering if my submission, and those made by many other people in our community, will also be ignored, despite the amount of personal time and effort we have spent making them.
- h) We have often been told at public meetings on PC 29 held by Nelson City Council, that PC 29 is based on the NTFDS and the submissions received on that. It is therefore surprising when reading those submissions to find that in addition to the above mentioned 19 submissions opposing multistorey buildings in Tahunanui, there were at least a further 11 submissions (31522, 31525, 31543, 31545, 31557, 31599, 31646, 31716, 31720, 31777, 31830) on the NTFDS, opposing buildings over 4 storeys being built anywhere in Nelson and I could not find 1 submission supporting 5 and 6 storey buildings.

2) Hearing Panel

- a) I strongly disagree with the make-up of the hearing panel, because of its 'biased' public perception following the vote on Councillor Courtneys proposal to withdraw PC29 at the 14th September Council meeting.
- b) Some members of the panel that will hear submissions from the public on PC29 are apparently not unbiased or impartial, as required by the New Zealand Bill of Rights. The New Zealand Bill of Rights, under the heading 27 Right to Justice, states:

27 Right to justice

- (1) Every person has the right to the observance of the principles of natural justice by any tribunal or other public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law.

The key principles of "natural justice" in circumstances like the proposed Pan Change 29 are:

1) No one should be a judge in their own cause 4

2) A party should be informed of the allegations against it and be given an opportunity to answer those allegations

3) A party is entitled to have its case heard by an unbiased and impartial tribunal

Principle (1), otherwise known as *Nemo iudex in causa sua* appears relevant in this context because some members of the panel, in their capacity as City Councillors, are also decision-makers on Plan Change 29. As principle (3) notes, parties to a hearing such as on Plan Change 29 under the RMA, are entitled to be heard by an unbiased and impartial tribunal. However, some Councillors who are panel members have indicated a pre-existing bias by voting in support of PC29.

- c) I therefore request that:
 - i) Council appoints an independent Hearing Panel (i.e., no current Councillors) to hear the Submissions, and if that is not possible;
 - ii) I ask the Council to appoint Councillors from either side of the Sept 14th vote, and if that is not possible;
 - iii) I request that at least 2 additional, well qualified people, who are not current Councillors, are added to the Hearing Panel (For example, a demographer, someone familiar with the social impact of / demand for different housing styles or a professional member of Nelson Tasman 2050).

3) NCC's Population forecasts

- a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth. The forecasts used by NCC are not Statistics NZ medium projections but are over inflated projections that require the scale of intensification to be greater than those of Statistics NZ.
 - i) I ask the Council to use Statistics NZ medium projection forecasts, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.
 - ii) I fully support the entire submission on PC 29 by Dr Geoffrey Hayes, as his submission outlines in detail why the population forecasts which NCC is basing PC 29 on, are flawed and exaggerated.

4) Design Led and Not Developer Led Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations. Therefore, Nelson has been a cherished holiday destination for many New Zealanders and international travellers, and this is an important part of the local economy.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.
- d) Contemporary, Black Iron Clad Boxes built only a few metres from 120-year-old Historic Homes is a thoughtless lack of long-term vision for maintaining the attraction of Nelson for all the future residents and visitors.

- e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson. This must all be considered when developing plans for the growth of Nelson.
- i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts that still have historic character value from the early settlement years of Nelson.
- ii) I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.
- f) I ask Council to consider advice from Nelson Tasman2050, <https://nelsontasman2050.org.nz/> which 'is an independent think tank of built environment professionals sketching pathways towards a better future. Our mission is to help create vibrant communities through advocating, promoting and supporting our transition to resilient, sustainable, affordable, equitable and community-focussed urban environments through Quality Intensification'.

5) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is called the 'Sunshine Capital of NZ' for a very good reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege. When people purchase a property in Nelson, the cost is often directly related to the amount of sunshine that that property gets and so it is abhorrent that this sunshine could be taken away without a property owners consent.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - i) Increased levels of mental health illness, anxiety, and stress.
 - ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
 - iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
 - iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing being old, and so have un-insulated walls and single glazing which were legislated out of use many years ago.
 - v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
 - vi) Residents, struggling with the cost-of-living crisis, and especially those who depend on passive solar heating, may not be able to afford to heat their home.
 - vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units if they **COULD** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
- (1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties unless the owner gives written approval to the contrary.

- (2) I strongly support the inclusion of Daylight and Sunlight policy statement Para 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.
- viii) If a property gets less sunshine, it will be more expensive to maintain, and landlords will find it more difficult to attract suitable tenants.
 - ix) PC29 is supposed to be based on the Nelson Tasman Future Development Strategy (NTFDS). As part of that strategy, the 'Housing Preference Survey 2021' shows that the **most** important feature of a dwelling, after 'Safe from Crime', was 'Freehold Title' and 'Sunny'. For renters, after Safety, 'Sunny' was the highest-ranking property feature. Over 97% of people rated 'Sunny' as being the top property feature.
 - x) There is a Nelson home that is one of the most sustainable in the country: <https://www.stuff.co.nz/nelson-mail/nelson-top-stories/132536829/nelson-home-one-of-most-sustainable-in-the-country> There could be many more homes like this in Nelson, and we could be a world showcase for such homes, but this won't happen and homes like this won't be built if there is a risk that a property will lose some of its sunshine hours.
 - xi) As a qualified horticulturalist, I'm aware that Nelson is one of New Zealand's prime areas for fruit and vegetable production due to its climate (especially sunshine) and soils. By reducing the sunshine hours that people get on their property, you reduce the ability for people, and especially families, to grow their own food. You therefore take away an essential part of sustainable living. By taking away this right, not only do you affect people's ability to live sustainably, but you also impact on their overall health, and in particular, their mental health, as gardening is renowned for having many mental health benefits.
 - xii) I, and most Nelson residents, bought our homes in an area where we knew that there was existing legal protection of residential amenities (in particular as to height and sunlight); and we reasonably expected that to continue.

6) Privacy and Outlook

- a) Privacy is a critical part of enjoying a property.
 - i) I support the inclusion of RE2.4.iii but ask Council to add the following [bracketed] words. 'The building Act controls windows in walls of buildings on or close to boundaries and the outlook rules ensure that residential units [and their neighbours] have a reasonable degree of privacy as well as encourage residential units to be orientated towards the street or public open space'.

7) Intensification

- a) I strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate.
 - i) I ask Council to remove HDRZ from the plan completely.
 - ii) I ask Council to apply the new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.
- b) I am strongly opposed to all new 'Green Field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification.
 - i) I ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. Eg Golden Elms in Toi Toi, Ngawhatu Valley, Tasman Heights, Marsden Valley, and Bayview in Atawhai.
- c) Building holiday apartments that sit empty for long periods, does not solve our intensification, growth, and affordability dilemma, and yet it locks up our valuable housing resource. Eg Rocks Road, Haven Road, and the Ocean View Apartments on Beach Road, have many empty apartments, that are used solely, or mainly, for Air BnB and other holiday accommodation.
 - i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.
- d) I oppose the increase of residential units beyond 4, as a **restricted discretionary** activity that does **NOT** require notification and written approval from neighbours.
 - i) I ask Council to ensure that more than 4 units requires notification, to restrict large 'out of character' accommodation blocks spanning multiple sections and taking up lots of on-street car parking spaces, popping up in a residential street, without warning.
- e) Bigger, older properties could be better utilised and help with our growth if they were more easily allowed to be divided into multi-dwellings.
- f) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy. The 'retired' occupants may also be less likely to be reliant on a vehicle, which may more closely suit the growth model desired.
- g) Designing Inner-City roof gardens and balconies with green spaces for commercial hospitality use or places for apartment living residents to relax and enjoy the Nelson Sun.
- h) Incentivise rate paying residents to demolish or relocate their house in favour of replacing more units on the same section providing they comply with the suitable character or heritage of the neighbourhood.
- i) There is no equity with PC29.
 - Large developers, social housing providers and government organisations (e.g. Kainga Ora), are the only ones that can afford to take advantage of PC29 allowing multiple storied buildings.
 - Homeowners and small property investors will be too scared to invest in their properties and build affordable additional dwellings if there is any risk of a developer building a multi-storey building without their consent on a neighbouring property and thus reducing the value and desirability of that investment. As an example, as a landlord, I

have 3 investment properties between Stoke and Tahunanui that could easily have one or more additional dwellings added to them if the cost and time involved in getting resource and building consents for them was not too high. However, I won't be investing in providing additional homes for people if there is any risk of the neighbouring property owners building higher buildings and taking away the sunlight and views without my consent, as this would make them less desirable and therefore more difficult to rent or eventually sell.

- Property owners will also be reluctant to invest in property upgrades, such as garden and solar power or heating systems, if their property's sunshine hours could be reduced by nearby developments (which would make these improvements inefficient and therefore worthless).
- j) I do not oppose multistorey residential buildings in the centre of Nelson, and perhaps up to 3 or 4 storeys in the commercial zoned area of Stoke, but these should ideally be permitted on a case-by-case basis, requiring a resource consent application and approval from neighbours.
- k) The implications of future garaging and carparking, which is not included in site coverage, taking up green space, needs to be assessed, as this will potentially have a dramatic affect on stormwater discharge from properties.

8) Progressively Phased Intensification

- a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods, this can give more time to complete a better design vision for our residential neighbourhoods.
 - i) Task Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces.
 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.
- b) Secondly, City Fringe would be the next zone to phase in for intensification.
 - i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land, from that which can be better used for residential units.
- c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
 - i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) **if required and over time**, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

9) Intensification in hazard zones

- a) I ask Council to apply no greater than General Residential Zoning rules in all Hazard overlays, because these areas have been assessed as vulnerable and given that we are in a climate crisis, with increasing record-breaking weather events, affecting increasing areas of Nelson in ways not seen before then, I believe those areas should be treated with caution.

10) On-street carparking

- a) Increased intensification will result in more on-street car parking and the narrow streets of Nelson will become a hazard to pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles. This will cause fracturing of neighbourly relations and communities.
 - i) I ask Council to provide a 'Comprehensive car parking management plan' as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against these issues.
 - ii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces e.g. Speed Humps, instead of Choke Points.
 - iii) I ask Council to utilise smaller 6m long buses in as many areas as possible, as opposed to the current 12.5m long buses being used, to minimise the amount of car parking that is lost to bus stops, and bus access to those stops. E.g., On Moana Ave, which only has parking on one side of the road, 7 carparks are lost to just 1 bus stop.

11) Social Housing

- a) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.
- b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.
- c) Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.
 - i) I would like to see Council working closely with Kainga Ora, to provide a 'transparent' way of creating new Social Housing Developments that 'Fit' with the long-term design vision of Nelson.
 - ii) I would like to see Council have more fit for purpose controls for antisocial behaviour that affects the existing neighbour's enjoyment of their property.
- d) The impacts on mental health of living in multistorey buildings providing social housing need to be considered prior to multistorey social housing developments being given consent, as studies have found that multistorey buildings can have a detrimental effect on residents mental health. E.g., <https://www.mdpi.com/2078-1547/10/2/34> High-Rise Apartments and Urban Mental Health—Historical and Contemporary Views

12) Infrastructure

- a) I ask the Council to include a plan to mitigate against future drought situations with a greater demand on the same amount of water from the Maitai Dam, for a greater population.
- b) I ask the Council to include a plan to mitigate against the increased capacity requirements for our wastewater systems.
- c) I ask the Council to include a plan to mitigate against the increased capacity requirements for storm water.
- d) If Council does not or is unwilling to provide the infrastructure required to allow for intensification, and instead stipulates that this must be paid for by developers, then the opportunities for development and intensification will not be equitable. This is because only large developers, social housing providers and government organisations like Kainga Ora, will

be able to meet this extra cost. Other ratepayers will generally not be able to afford such a surcharge and therefore will not be able to develop their properties to help meet the need for intensification.

13) Social Impact Study

I ask that Council identify and assess the social impact of PC29 and identify strategies that might mitigate any potential effects associated with proposed Plan Change 29 on people's wellbeing and Nelson society in general.

14) Section 32 Evaluation Report is inadequate.

This report does not fully consider the risk and impact to people's health, lifestyle and property value if a multistorey building, and especially one over 2 stories, is built next to them.

15) Affordable Housing For many reasons, including those already mentioned and due to the broad-brush approach of PC29, it is less likely to provide healthy affordable housing than a more fit-for-purpose plan change that has resulted from community consultation and advice from professionals from many different professions, including but not limited to, property investors, developers, builders, architects, social housing providers, engineers, climate change specialists, demographers and social impact specialists.

16) My wife and I oppose the proposed Tahunanui High Density Zone and here are our reasons:

1. Slope instability

It is apparent that there has been no consideration of geotechnical issues when deciding on the proposed zoning of the area. Our biggest concern is that high density development will increase the potential severity of future slips on the Tahunanui Hills. The proposed HDZ in the Tahunanui Hills is an area potentially affected by the significant natural hazard of slope instability. Plan change 29 Housing and Hazards on the Nelson City Council website stated that intensification should not include areas potentially affected by significant natural hazards:

"Enabling the intensification of development on land currently zoned for residential and commercial uses (Residential Zone, Inner City Zone, and Suburban Commercial Zone), that is not within areas potentially affected by significant natural hazards"

There is an instability hazard overlay on 8 of the properties out of the 44 in the new proposed HDZ for Tahunanui Hills. This includes 4 Tamaki Street, 113 and 111 Tahunanui Drive, and 13, 15, 17, 23 and 19 Tosswill Rd. Beca's 2022 report on slope instability said that damage observed along these old sea wall slopes post-August 2022 indicate they pose an elevated risk due to over-steepened slope profile and weathering.

Furthermore, all of the properties covered by the proposed HDZ (including our house) have a condition (Condition 1) on their property title with the Council. Condition 1 is on the NCC NRMP register and states that the land may be of suspect stability and conditions must be in place including geotechnical reports for any developments. This has resulted in geotechnical reports being completed where property owners have undertaken development. Geotechnical reports have recognised the instability of the steep hill and required extensive foundations and work even for single story buildings. The proposed hazard overlays for slope stability do not include these Condition 1 properties but that does not mean there is no risk now especially with higher intensity of rainfall and intensification of the

land. Beca produced a slope stability report in 2021 that stated regarding the Tahunanui Hills that (emphasis added):

"The distribution of mapped landslide deposits identifies locations of deep-seated landslides which may be re-activated during heavy rainfall, seismic events, and/or due to construction activities.

Triggers for slope movement may include rainfall, earthquakes, physical and/or chemical weathering, and land development"

Many properties in the proposed HDZ have already experienced slips, such as at Tosswill Road where slips have blocked Tosswill Road several times. Many owners have geotechnical reports that show areas unsuitable for building and where remedial action may be needed.

Dr M. R. Johnston Consulting Geologist (in a 2018 report) recommends that all developments in hill areas other than minor structures and earthworks involving cut and fill faces less than 1m in height and thickness and/or fill comprising no more than 3m³, on sloping ground be subject to geotechnical input so as to minimise the risk of slope instability:

"It is recommended that the Hill area is requiring geotechnical assessment or Geotechnical assessment requirements for hillsides..."

One specific geotechnical condition is C418 that applies to the abandoned sea cliff that extends along the former waterfront from Annesbrook to Tahunanui. These cliffs are cut in relatively weak rock whose stability is decreasing as weathering progresses. The areas referred to in C418 could be, subject to a revision of its boundaries, incorporated into a slope risk overlay".

We have observed in dry weather large cracks on the dirt and grass around our house and other houses on the hill. We have cracks in our concrete and in neighbours concrete due to movement on the hill.

During our time living on Tamaki Street, we have experienced high rainfall events where access to our home has been cut off after slips have occurred on Tosswill Road. We have often watched water pour down steep Tamaki Street after a storm. We have observed weeping coming through new seal in lower Tamaki Street from small springs after heavy rain, and the amount of water and frequency of this seepage appears to have increased following the building of just 1 new home. Seismic activity combined with a storm event in a high-density area could be a disaster as mentioned in several reports on the Tahunanui slump.

There has been no geotechnical input into what intensification (of up to six-storeys) will do to the stability of the Tahunanui Hills. Climate change will increase adverse weather events with even greater potential to create slips on the hill.

The Beca Report on slope stability zones (dated 9/12/2021) recommended future work for land earmarked for future development as follows (underlines added):

1. The physical extent of the slope instability overlay may additionally be expanded to include areas of interest outside those included in this study, such as land earmarked for future development.
2. The overlay set out in the Beca report has been prepared from desk study only. refinement of the instability and run-out zones may be completed from field mapping.

This step may be applicable for developed areas on land particularly prone to landslides and/or land earmarked for future development.

3. Report does not identify full extent of areas impacted by slope instability across hillslopes.
4. Risk assessments require additional considerations, including likelihood of slope failure and the potential consequences to a particular element at risk. Neither of these are considered in our susceptibility overlay given its primary purpose is to inform the need for further geotechnical assessment.
5. Does not show deep seated failures (i.e. Tāhunanui Slump), nor areas of hill creep. The maximum downslope extent of solid debris difficult to determine.
6. Tāhunanui - An extensive scarp formed along the head scarp of the Tāhunanui slump core below Princes Drive. Deep seated movement impacting multiple residential properties was recorded in this area. Shallow slope failures were additionally observed along the abandoned sea cliff along Tāhunanui Drive and near Port Nelson

2. Amenities

The NCC planning team stated that the Tāhunanui Hills were chosen for the proposed high-density development because of their closeness to amenities. The amenities referred to (being the school and shops) are down a steep set of stairs and across State Highway 1, not easily accessible for young families, the elderly, or the mobility impaired without a vehicle. There are no supermarkets within walking distance of the proposed HDZ in Tāhunanui which would be a serious issue for all the HDZ residents with no vehicles.

3. Traffic

The Tāhunanui Hills is serviced by narrow, winding streets which in our opinion are inappropriate to service high traffic volumes. NCC recently installed speed bumps along Tosswill Road to slow down traffic which uses this road as a thoroughfare to and from Nelson City. The road is very narrow and from our time living here, we have seen several incidents and near misses due to the narrow winding nature of the road where cars often cross the centre line. In addition, accessing Tāhunanui Drive from Tosswill Road can be very difficult and dangerous and would need significant upgrading before this scale of development could be accommodated on the hill. We consider that the potential traffic produced by high-density development in this area has not been considered in enough detail as to whether it is appropriate. The same is likely for other infrastructure provisions to the area, such as Three Waters servicing. There are several reoccurring slip zones onto Tosswill Rd that make it even more dangerous.

4. Sunlight and Shading Effects

Sunlight is an essential part of living in Nelson and why we chose to live on the Tāhunanui Hills. Our house has been built for the sun and for the garden to receive sun. It will be subjected to the loss of sunlight by neighbouring intensification with the following possible effects:

- All 5 edges of our property could have 6 story high apartments one metre from the boundary completely enclosed our property in a very high box of buildings. This could compromise our health.
- Hill properties like ours already have additional shading issues directly from the hill which is another reason for not having high density development on hills.
- The lack of sunlight could result in existing homes becoming dark and damp with associated mould and mildew.
- The value of our house is likely to decrease if it is surrounded by apartments.
- Privacy and outlook are a critical part of enjoying a property and we would lose both of these if apartments of 3 or more storey were built next to us.

5. Trees and Gardens in the Tāhunanui Hills HDZ

There are many established large trees (over 6 metres high) in this Tāhunanui Hill HDZ that are helping stabilise the ground and providing a habitat for our native birds. These will be lost when there is no sun to support their growth or removed to make way for intensive development.

There are approximately 1200 trees over 6 metres in height in the Tāhunanui Hill high density zone. They form part of the green garden canopy. There are direct benefits for maintaining and increasing the leaf area index, or green spaces, in our suburb particularly with climate change increasing temperatures and heat extremes. Access to green spaces leads to an improvement in mental and physical wellbeing. Trees help with air pollution. They also play a vital role in storing and filtering water which helps prevent slips on the hill.

Trees provide a habit for our native birds, thus improving biodiversity in our urban setting. The Tāhunanui community has actively been killing rats and we now have established communities of Weka, Tui, Kereru and Piwakawaka. We see these birds every day on our property. Their habit could be destroyed with high density development. Most Tāhunanui Hill residents have productive gardens with fruit and nut trees and vegetables which will no longer be viable with the shading.

6. Recreation

Tamaki Street is one of the steepest streets in New Zealand and it has over 400 steps at the top to Princess Drive. Many walkers, runners, tourists and locals walk daily from the bottom of Tamaki Street up the hill for fitness, well-being and to enjoy the peaceful beautiful view down the hill to the sea. We estimate around 100 walkers a day walk up and down Tamaki Street. They enjoy the established gardens and birdlife. This city walking trail would lose some of its amenity value and views, whilst also becoming more shaded and dangerous with the increase in traffic from any intensification.

7. Intensification

It will be expensive for developers to fulfil the requirements to build 6 storey buildings on the hill. The resulting apartments therefore would be fewer in number and expensive to buy. The Tāhunanui HDZ could easily become developments of expensive holiday apartments that sit empty for long periods. This does not solve our intensification, growth, and affordability dilemma, and yet it locks up our valuable housing resource. Such developments can only be achieved by large development companies or government agencies and are at the expense of other residents who cannot afford to compete with the height and size of neighbouring developments.

We are opposed to new 'green field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification without affecting existing suburbs. The inner city should be the starting place for the most significant intensification before moving onto existing residential neighbourhoods.

I SEEK the following decision:

- 1 Rejection of the whole Plan Change 29;

and if that is not accepted, I SEEK

- 2 the deletion of the HDZ from PC 29;

and if that is not accepted, I SEEK

- 3 the inclusion in PC 29 of a maximum height of 10 metres in the areas proposed to be HDZ;
- 4 the amendment of PC 29 to ensure that all Recession Planes (and commencement height and degree angle of the same) remain as detailed in the NRMP.

and

- 5 An amendment to ensure that any non-compliance with Rules REr.18J or REr.19J (both as to height), and/or REr.18K or REr.19K (both as to daylight admission) be considered as “non-complying” – and not as Restricted Discretionary or Discretionary;
- 6 an amendment to ensure that, if at least one car park is not provided for each residential unit in the areas presently proposed to be zoned HDZ or MDZ; any failure to comply strictly with all other Rules in Rules REr.18 or REr.19 set out in the PC 29 will mean that the proposal is to be considered as “non-complying”;
- 7 an amendment to ensure that height limitations for developments in Inner City Fringe ensure that properties actually adjoining a Residential Zone are obliged to meet the height limitation applicable within such Residential zone together with a re-drafting of Objectives and Policy portions of the Plan Change to appropriately reflect all the foregoing;
- 8 The complete removal of MDZ and HDZ from the Tahunanui Hills as this unstable area of land is obviously unsuitable for such development due to the many aforementioned reasons.
- 9 Stop using the flawed population projections of 2020 as a planning tool. Cease using this projection for the next FDS or in support of plan changes such as PC29. Release the population projections prepared by DOT consulting for public scrutiny and commentary.

I REQUEST that Council appoints an independent Panel (i.e., no present Councillors) to hear the Submissions.

Publicly Notified Plan Change 29

October 31st 2023

For more information please contact:

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Te Waipounamu Region

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281 Queen Street, Richmond | PO Box 647, Nelson 7040

Form 5

To: Nelson City Council

Name of submitter: National Public Health Service – Nelson Marlborough, Te Whatu Ora (NPHS-NM).

This submission is on:

- Publicly Notified Plan Change 29

NPHS-NM could not gain an advantage in trade competition through this submission.

NPHS-NM is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NPHS-NM makes this submission in recognition of its responsibility under:

The Pae Ora (Healthy Futures) Act 2022 (Pae Ora) to:

- a) protect, promote, and improve the health of all New Zealanders; and
- b) achieve equity in health outcomes among New Zealand's population groups, including by striving to eliminate health disparities, in particular for Māori; and
- c) build towards Pae Ora (Healthy Futures) for all New Zealanders.

Health Act 1956, to:

- a) improving, promoting, and protecting public health.

Under both sets of legislation public health means the health of:

- b) all the people of New Zealand; or
- c) population group, community, or section of people within New Zealand

NPHS-NM also makes this submission from a Health in All Policies (HiAP) perspective. HiAP is defined as “an approach to public policies across sectors that systematically takes into account the health implications of decisions, seeks synergies, and avoids harmful health impacts, in order to improve population health and health equity.”

NPHS-NM wishes to be heard in support of the Submission at any hearing but is not prepared to consider presenting a joint case with other submitters.

The recommendation/decision we seek from the Council for each submission point is set out in the form of tables, under the '**Submission Tables**' heading below (each table is headed with the relevant chapter). There are also two appendices:

- Appendix 1 (A1) - Public Health and Wellbeing, offers background context on the link between health and wellbeing, and the built environment and,
- Appendix 2 (A2) - The Key Determinants of Health in the Built Environment, provides a deeper dive into some of the determinants of health in the built environment namely: daylight/sunlight, open space, privacy, accessibility, spatial equity, climate change and natural hazards, and social cohesion.

A1 and A2 are regularly referred to throughout the tables, such as ‘See A1 – *Social Impact Assessment*’ which means refer to the content under appendix 1, titled ‘Social Impact Assessment’. Or ‘See A2 – *Open Space*’ which means refer to the content under appendix 2, titled ‘Open Space’. The content provides more rationale for our position and submission and is intended to reduce duplication.

It is recommended that A1 (pg. 70) and A2 (pg.73) are reviewed prior to reading the tables and/or regularly referred to.

Submission Tables:

The specific provisions of the Proposed Plan Change that our submission relates to are as follows, under each table:

Volume 1 General

Chapter 2: Meaning of words

Specific part to which submission relates	Position and submission	Decision requested
MW.iii Meaning of words Definitions	Support in part Defining the meaning of words allows for a greater shared understanding of words. Particularly supportive of additions of Cycle Parking, Micromobility, Sensitive activities, Sustainable addition, and the increase in reference to ngā kupu Māori (Māori words) such as the addition of Taonga and Tipuna/tupuna. Noted inconsistent use of macrons on tipuna/tīpuna and tupuna/tūpuna. This is potentially problematic as macrons can change a definition. NPHS-NM noted the definition of the Treaty of Waitangi: <i>Treaty of Waitangi (Te Tiriti o Waitangi*) has the same meaning as the word ‘Treaty’ as defined in section 2 of the Treaty of Waitangi Act 1975. Section 2 of the Treaty of Waitangi Act 1975 refers to both to ‘Te Tiriti o Waitangi’</i>	Add <i>Sensitive activities - means the use of land for a childcare facility, *kohanga reo, school, **kura kaupapa Māori, residential building, or <u>health facility</u> and hospitals.</i> Note: <i>*Consideration could be given to include childcare facility as a separate definition and include kohanga reo</i> <i>**Consideration could be given to include school as a separate definition and include kura kaupapa Māori.</i> Amend <i>Health facility - any land or buildings (excluding hospitals) used for the provision of services by practitioners relating to the ~~physical and mental health~~ <u>health and wellbeing</u> of people, but excludes: medical insurance brokers, medical testing laboratories, and facilities for the promotion of</i>

	(Te Tiriti) and the ‘Treaty of Waitangi’ (The Treaty). It is deeply problematic to use the term the Treaty of Waitangi to refer to both Te Tiriti (Māori text) and the Treaty (the English version). These are two separate documents that say two distinct things: acceptance of the Waitangi Tribunal WAI 1040 (ruling that Ngāpuhi never ceded sovereignty) and the legal doctrine of contra proferentem (recognising the preferred authority of the Māori text); or the contrary position embracing the English version which implies that Māori ceded sovereignty. The new resource management bills refer to te Tiriti o Waitangi as opposed to the Treaty of Waitangi. For example the Natural and Built Environments bill states <i>All persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi.</i> And one of the five objectives is to ‘<i>give effect to the principles of te Tiriti o Waitangi and provide greater recognition of te ao Māori, including mātauranga Māori</i>’. NPHS-NM noted in Section 32 Evaluation Report, te Tiriti o Waitangi was used. It is important that the Nelson Resource Management Plan clarifies its positionality regarding Te Tiriti o Waitangi in this chapter (Chapter 2 Meaning of words) and consistently adopts ‘Te Tiriti o Waitangi’ throughout the plan. Additional definitions of public health and wellbeing are recommended for clarity. The National Policy Statement for Urban Development (NPS-UD) mentions wellbeing and health in <i>Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i> 1. Public health as defined in The Pae Ora Act Pae Ora (Healthy Futures) Act 2022 No 30 (as at 27 July 2023), <u>Public Act – New Zealand Legislation</u>	<i>physical fitness or beauty such as gymnasiums, beauticians and weight control clinics.</i> Amend ~~<i>Treaty of Waitangi (Te Tiriti o Waitangi*) - refers to the Māori text of te Tiriti o Waitangi as the legal doctrine of contra proferentem. has the same meaning as the word ‘Treaty’ as defined in section 2 of the Treaty of Waitangi Act 1975.</i>~~ Check with mana whenua that reference to tipuna/tupuna in relation to macron placement is correct (as bolded below): <i>Ancestral land means (in relation to papakāinga in the General, Medium Density and High Density Residential zones, Inner City and Suburban Commercial zones) land that belonged to tipuna/tupuna.</i> Tipuna/tupuna means (in relation to papakāinga in the General, Medium Density and High Density Residential zones, Inner City and Suburban Commercial zones) ancestors. Add <i>Public health - means the health of:</i> <i>(a) all the people of New Zealand; or</i> <i>(b) a population group, community, or section of people within New Zealand.</i> Add <i>Well-being - means the social, economic, environmental, and cultural well-being of people and communities, and includes their health and safety.</i>
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	2. Wellbeing as defined in The Natural and Built Environment Act (NBA) <u>Natural and Built Environment Act 2023 No 46, Public Act Contents – New Zealand Legislation</u> See A1 – Public Health and Wellbeing. It is important to note that these definitions do not encapsulate te Ao Māori (the Māori world) view(s) of health and wellbeing which is particularly important to achieve Pae Ora (healthy futures). Pae Ora envisages a platform on which Māori can live with good health and wellbeing in an environment that supports them to flourish and thrive. Pae ora reflects a holistic, indigenous worldview, including three interconnected elements: mauri ora (healthy individuals), whānau ora (healthy families) and wai ora (healthy environments)¹. Improvements must be made across each of these elements for Māori to live with good health and wellbeing. It affirms holistic Māori approaches and Māori models of health². One model of Māori wellbeing is Te Pae Mahutonga which is known for its use as a navigational aid, and as a tool to guide thinking about community well-being from a Māori perspective³. The Southern Cross has been used to depict six key issues for Māori health: Mauri Ora (Secure cultural identity), Waiora (Environmental protection), Toiora (Healthy Lifestyles), Te Oranga (Participation in society), Ngā Manukura (Leadership), Te Mana Whakahaere (Autonomy). The hope is that the six stars which make up Te Pae Māhutonga will serve not only as a navigational	<i>Consider working with iwi, hapū and whānau to include a definition of wellbeing/hauora that encapsulates te Ao Māori (Māori word view(s)).</i> Add <i><u>Daylight - daylight consists of skylight (diffuse light from the sky) and sunlight (direct beam radiation from the sun).</u></i> Recommend Define Open Space – CCC definition: <i><u>Public open space - any area that includes public parks and planted areas, waterways and streets that can be used for recreation or public health benefit, or to help protect the natural landscape.</u></i>
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¹ Ministry of Health. 2020. Whakamaua: Māori Health Action Plan 2020–2025, from Whakamaua: Māori Health Action Plan 2020-2025 | Ministry of Health NZ

² Minister of Health. 2023. Pae Tū: Hauora Māori Strategy. Wellington: Ministry of Health.

³ Te Pae Mahutonga and the Measurement of Community Capital in Regional New Zealand (buildingbetter.nz)

	aid to the south, or as an icon of New Zealand, but as a reminder about the potential for a healthy people and a healthy nation⁴. Removing physical and mental health and instead including <u>health</u> and <u>wellbeing</u> provides for a more holistic, all-encompassing definition. This is important when considering te ao Māori (the Māori world) view(s) of hauora (health and wellbeing) which includes wairua (spiritual). This is important to consider when considering facilities under 'health facilities' such as kaupapa Māori services providing rongoā Māori (Māori medicine⁵). Add a definition for daylight to improve understanding. Suggested definition taken from the Auckland Design Manual⁶. Noted Open Space is not defined. Christchurch city council (CCC) define public open space which includes <u>public health benefit</u>.	
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Chapter 3 Administration

Specific part to which submission relates	Position and submission	Decision requested
AD8.2.ii Resource consents General	Support in part Given the addition of cycle parking required in appendix 10, we recommend removing 'Car' to be inclusive and	Amend and Add ~~Car~~ Parking A plan showing the location, number and dimension of

⁴ Ryks, J., Kilgour, J., Whitehead, J., & Rarere, M. (2018). Te Pae Mahutonga and the Measurement of Community Capital in Regional Aotearoa New Zealand. https://www.buildingbetter.nz/wp-content/uploads/2023/10/Ryks_et_al_2019_Te_pae_mahutonga_NZPR-Vol-44-1.pdf

⁵ Rongoa māori - Te Aka Māori Dictionary (maoridictionary.co.nz)

⁶ Auckland Design Manual. (n.d.). Auckland Council. Retrieved October 19, 2023, from <https://www.aucklanddesignmanual.co.nz/sites-and-buildings/apartments/guidance/placing-the-building/designing-for-privacy>

Information to be included with applications	more explicit in including cycle parking. Likewise the addition of micromobility to access. Wellington City Council Section 3.2.2 of the Plan outlines the information requirements for land use consent applications. <i>When developments propose a taller building, Council will require a wind assessment report to establish the likely effects of the new building at ground level. In some case a wind tunnel assessment may also be required.</i> See A2.	<i>parking (including cycle parking), loading, manoeuvring, queuing, and set down spaces and areas, and access. (See Appendices 10 – standards and terms for parking and loading, Appendix 11 – access standards, and Appendix 12 – tracking curves).</i> Add Access <i>A plan showing the location and design of vehicular, micromobility and pedestrian access to the site.</i> Add after Heritage and Culture <u>Public health and wellbeing</u> <u>Details outlining how this plan and its outcomes will positively contribute to the health and wellbeing of current and future generations through identifying determinants of health such as; access of sunlight entering the building and outdoor space, access to open green space, privacy, assessment of wind conditions, accessibility, affordability, diversity, sustainability, ability to provide for social cohesion and spatial equity.</u>
AD8.2.iv Some applications will require expert assessment. These assessments must be provided in sufficient detail relative to the scale of the application. The reports should be prepared by an expert with relevant qualifications and experience.	Support in part It is critical that applications are consistency assessed by qualified expertise to achieve a well-functioning urban environment. This provision is particularly important especially when considering staff turnover. NPHS-NM see the Urban Design Panel as a tool to achieve positive design outcomes that benefit public health. See DO13A.3.3.ii.	Consider Including the use of Urban Design Panel here, as part of the expert assessment.
AD8.2 AD8.2.v	Support in part See comments in table headed '22 Guidelines for comprehensive housing development'. The use of the design guidelines could help inform better design	Consider Referring to '22 Guidelines for comprehensive housing development' in AD8.2.

	outcomes as well as provide a benchmark against which projects could be reviewed.	
AD11.3.1 Natural hazard overlays	Support in part Strengthen to include wording specific to risks to the public health and wellbeing of people. It is important that natural hazard overlays are up to date to ensure the most recent information is used for assessment. See A2 – Climate Change and Natural Hazards.	Consider Including wording about risks to public health and wellbeing from: Liquefaction – see DO2.2.14 Flooding – see DO2.2.4 Fault rupture – see REr.73.4 Recommend Keep natural hazard overlays up to date.
AD11.3.4 Heritage overlays	Support in full Supportive of keeping the provision to protect Heritage and Landscape Trees. Enabling increased development could risk the removal of established trees and green spaces. Green spaces have a positive effect on wellbeing and therefore it is important that they are retained. See A2 – Open space.	Approve
AD11.3.5 Conservation Overlay	Support in full As per AD11.3.4	Approve

Chapter 5 District wide objectives and policies

DO1 Tangata whenua

Specific part to which submission relates	Position and submission	Decision requested
DO1.1.2 treaty principles and kaitiakitanga	Support in part Some of the wording in this section could be updated. Refer to our submission under MW.iii regarding Te Tiriti o Waitangi. NPHS-NM noted there is no reference to hapū under this section of the plan. This is important because hapū and iwi are distinct entities and it is hapū leaders who negotiated and signed Te Tiriti. Hapū need to be recognised as Te Tiriti partners by local government while	Amend Replace the Treaty of Waitangi with <u>te Tiriti o Waitangi</u>. For example <i>Management of natural and physical resources that takes into account the principles of ~~Treaty of Waitangi~~ <u>te Tiriti o Waitangi</u> and has particular regard to kaitiakitanga.</i> Include hapū for example:

	ensuring all Māori have input into council decision-making. The NBA refers to hapū stating ‘<i>The Bill also aims to provide iwi, hapū, and Māori with opportunities to participate at all levels of the RM system.</i>’ NPHS-NM noted on page 29 of Section 32 Evaluation Report <i>Policy 9 (a and b) of the NPS-UD requires local authorities in taking account of the principles of Te Tiriti o Waitangi in relation to urban environments, to undertake effective consultation and to take into account the values and aspirations of hapū and iwi for urban development.</i> See A2 – Spatial Equity.	<i>The Council recognises that mutually satisfactory consultation between iwi, <u>hapū and Māori</u> and the Council is necessary to give effect to the principles of <u>Te Tiriti o Waitangi</u>.</i>
DO1.1.3 management by tāngata whenua	Support The existing provision for tangata whenua to have opportunities to manage their ancestral land and resources in a sustainable manner allows for Tino Rangatiratanga (self-determination, authority) which is critical to support the decolonisation of our natural and built environment and work towards pae ora. See A1 – Public Health and Wellbeing and A2 - Spatial Equity.	Approve
DO1.1.5.i This Plan will accommodate, within zones, land uses for activities with a specifically Māori dimension, including kohanga reo and other educational activities, and activities such as child care and health care facilities.	Support This provision will enable the necessary growth in kaupapa Māori education and health facilities such as kohanga reo and hauora Māori providers to meet the needs of a growing Māori population and increase provider options for the community.	Approve

DO1A Papakāinga

Specific part to which submission relates	Position and submission	Decision requested
DO1A - papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial zones	Support in full The provisions under DO1A seek to reduce the barriers that tāngata whenua face in the development of papakāinga on their ancestral land which gives meaningful effect to article 2 of Te Tiriti, ensuring tino rangatiratanga over their whenua. This is required for genuine decolonisation to occur. The role of housing in enabling people to connect to their tūrangawaewae is important to Māori wellbeing. Papakāinga have the ability to foster wellbeing through providing intergenerational housing that supports the continuation of Māori traditions and culture such as access to mahinga kai, māra, and mātauranga Māori⁷. The ability to pass down knowledge intergenerationally through collective participation in activities that connect whānau to their whenua is vital to a range of cultural outcomes, such as te reo Māori revitalisation⁸.	Approve all provisions under DO1A
DO1A.1 papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial zones	Support in full Support all provisions from DO1A.1- DO1A. See answer to DO1A.	Consider In regard to provision DO1A.1.2 - Could Oranga be included as a definition in Chapter 2 Meaning of words? This could fill the gap that exists highlighted in chapter 2 - MW.iii of te Ao Māori concepts of wellbeing. This would need to be discussed with tāngata whenua and the iwi reps who were involved in writing the provisions.

⁷ Public Health Agency. 2022. Principles for Healthy Urban Development. Wellington: Ministry of Health.

⁸ Stats, N. Z. (2021). It's about wellbeing – people and place are important for Māori housing. <https://www.stats.govt.nz/news/its-about-wellbeing-people-and-place-are-important-for-maori-housing/>

DO1A.2 papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial zones	Support in full Support all provisions from DO1A.2.1 - DO1A.2.6 Particularly supportive of DO1A.2.2 - <i>the design and development will be led by tāngata whenua</i> as this guarantees tino rangatiratanga over their whenua.	Approve
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DO2 Natural hazards

Specific part to which submission relates	Position and submission	Decision requested
DO2.1.1 Health and Safety	Support in part Wellbeing as defined under ‘Meaning of Words’ was taken from the NBA and includes ‘health and safety’ in the definition with the addition of ‘the social, economic, environmental, and cultural well-being of people and communities’. Consider the two options to add wellbeing or amend to refer solely to wellbeing as it includes ‘health and safety’ under the definition in MW.iii. See answer to MW.iii for more details. See A2 – Climate Change and Natural Hazards.	Add <i>Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger human health, <u>wellbeing</u> and safety.</i> OR Amend <i>Development, redevelopment, or intensification of activities should not occur in natural hazard prone areas where the hazard is likely to endanger human wellbeing. ~~health and safety.~~</i>
DO2.2 Risks to Whakatū Nelson’s people, property and infrastructure from natural hazards, including the effects of climate change, are recognised and managed, and significant risk is avoided.	Support in part It is important that all objectives and provisions related to natural hazard risk are strong enough and well defined to provide for <i>the social, economic, environmental, and cultural well-being of people and communities, and includes their health and safety</i> (proposed definition of wellbeing under MW.iii) and meets the reasonably foreseeable needs of future generations. The biggest public health impacts are likely to be felt by future generations, as climate related events increase. It	Recommend Re: ‘significant risk’ - align to wording around risk in the proposed NPS-NHD. If ‘significant risk’ is retained, please define it under MW.iii. Recommend Define what ‘risk to people’ means in MW.iii.

	is also important to consider the burden on future rate payers to pay for the cost of repairs. See A2 – Climate Change and Natural Hazards. It is unclear what ‘risk to people’ means. We noted this is not defined under ‘Meaning of words’ nor in the RMA or the NBA and therefore we referred to the Concise Oxford Dictionary (as stated in MW.iii) which only defines ‘risk’ and ‘people’ as singular words i.e does not include a definition of ‘risk to people’. In the absence of a clear definition, the definition becomes subjective, sitting with the reader. This is a public health concern as assessing risk to people, needs to include the wellbeing (refer to proposed definition above) of people (current and future generations). Noted the use of ‘significant’ before the word ‘risk’ – what does significant mean? NPHS-NM noted in the proposed National Policy Statement for Natural Hazard Decision-making (NPS-NHD) discussion document: <i>Aotearoa has no agreed framework for how decision-makers should consider natural hazard risks under the RMA. It is unclear what a ‘significant’ risk is, how to assess risk tolerance, what risks should be assessed (eg, health and safety, economic, cultural, social and environmental risks) and how often assessments should be undertaken.</i>	
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DO2.2.1 Identify areas susceptible to natural hazards Identify, as overlays in the Planning Maps, areas within the region that are susceptible to flooding, faults, liquefaction, and slope instability.	Support in part The proposed policies, particularly policies 1-4, under the NPS-NHD provide guidelines to assist the process of identifying areas susceptible to natural hazards. I.e. <i>Policy 1: When making planning decisions, decision-makers are to determine the level of natural hazard risk as high, moderate, or low.</i> It is important to incorporate an assessment of the social and wellbeing impacts of natural hazard risks when assessing for natural hazards. See ‘Social Vulnerability Indicators’ under A2 - Climate Change and Natural Hazards. In addition to social vulnerability indicators, point locations are important to include when assessing local social vulnerability. These point locations are particularly useful to interpret in the context of flood hazard zones, to understand flooding risk. Point locations include places that socially vulnerable people live or spend time at, and/or important places for these people. These locations included: -Schools and early childhood centres; -Rest homes; -Health providers, including primary health care clinics, pharmacies and hospitals; -Marae, which are meeting houses for local Māori iwi; -Visitor accommodation and temporary housing. Other sites of social and/or spiritual significance to Māori were also included, such as urupā (cemeteries)⁹.	Amend Amend the NRMP to align to the NPS-NHD. Add <u>Use social vulnerability indicators and point locations when identifying areas susceptible to natural hazards.</u>
DO2.2.1.i	Support in part	Amend

⁹ Mason KM, Lindberg K, Haenfling C, Schori A, Thomas KL, Popovich B, Faulkner R, Beban JG, Gunnell S, Marsters H, Read D, Borman B. 2019. Social vulnerability indicators for flooding in Aotearoa New Zealand: Research report. Wellington: Environmental Health Indicators Programme, Massey University.

Identify areas susceptible to natural hazards Explanation and Reasons	It is important to mitigate the potential risk to public health – this can be done through thorough assessments of natural hazards. According to the NPS-NHD discussion document, there is currently no requirement to undertake risk assessments where natural hazards are a concern. As a result, decision-makers sometimes attribute less weight to natural hazard risk than to other matters, such as the need for new infrastructure and housing. See A2 – Climate Change and Natural Hazards.	Strengthen this provision by removing 'if necessary' so that areas potentially susceptible to a natural hazard are assessed. <i>The first step in managing risk associated with a particular natural hazard is to identify areas that are potentially susceptible to that natural hazard. This identification is done through the inclusion of natural hazard overlays on planning maps. Areas that are identified as potentially susceptible to a natural hazard are then assessed, if necessary, prior to subdivision or development taking place.</i> As per DO2.2.1 amend the wording to align to the NPS-NHD.
DO2.2.2 flood hazard: identifying the Annual Exceedance Probability Event	Support in part As above. See A2 – Climate Change and Natural Hazards.	Amend Amend the NRMP to align to the NPS-NHD.
DO2.2.4 Flood hazard: subdivision, use and development in flood areas.	Support in part Whilst we support the provisions to control subdivision, use and development within Flood Areas. It is important to consider whether it is sensible to allow any new subdivision or development in flood areas. Flooding in the Nelson region has had a significant impact on the health and wellbeing of the communities affected. Flooding can cause loss of life, but the total injury burden is likely to be higher with the prevalence of psychological distress in flood survivors as high as 53% at two years post-flood.¹⁰ As stated in the NPS-NHD discussion document:	Consider Stricter provisions that avoid new subdivisions or development within flood areas. Amend DO2.2.4.i <i>The Flood areas indicate the location of areas where flooding may occur. Flooding can cause harm to people and significant damage to buildings, ~~and~~ infrastructure <u>and</u> the natural environment. <u>In the first instance, it is important that subdivision and development in flood areas is avoided. If the development is to go ahead, it is important that prior to development consideration is given to the flood hazard and measures are taken to reduce any risk.</u></i>

¹⁰ Wilson, N., Thomson, G., & Blaschke, P. (2015). Flooding, public health – and the need for more emphasis on prevention. <https://www.phcc.org.nz/briefing/flooding-public-health-and-need-more-emphasis-prevention>

	<i>The insurance industry has requested central government support to prevent development from occurring on flood-prone land, with IAG specifically requesting a national policy statement to cease development in flood-prone locations (IAG, 2022; Insurance Council of New Zealand, 2014).</i> Noted the wording of Policy 6 in the proposed NPS-NHD: <i>The most effective natural hazard mitigation measures are adopted to reduce natural hazard risk over the life of any proposed new development, provided the natural hazard mitigation measures do not exacerbate natural hazard risks in other areas, and where possible: (a) nature-based solutions are preferred over hard-engineering solutions; and (b) comprehensive area-wide measures are preferred over site-specific solutions.</i> See A2 – Climate Change and Natural Hazards.	Amend to align to NPS-NHD
DO2.2.5	Support in part As above.	Amend to align to NPS-NHD
DO2.2.5.iv Flood hazard: buildings and activities.	Support in part NPHS-NM supports the inclusion of vulnerable people in this provision. It is not clear what 'vulnerable people' means i.e., who comes under this definition? See answer to DO2.2.1.	Recommend Define <u>vulnerable people</u> in the 'MW.iii Meaning of Words'. Recommend Include point locations. This would also need to be defined under 'MW.iii Meaning of Words'. Add <u>Use social vulnerability indicators and point locations when identifying areas susceptible to natural hazards.</u>
DO2.2.6 flood hazard: hard protection structures. Support the use of hard protection structures for	Support in full NPHS-NM support natural hazard mitigation as per the Policy 6 of the proposed NPS-NHD: <i>The most effective natural hazard mitigation measures are adopted to reduce natural hazard risk over the life of any proposed</i>	Amend to align to the NPS-NHD NPHS-NM supports a robust consent process that considers potential public health impacts.

flood mitigation purposes in preference to natural features and processes only where:	<i>new development, provided the natural hazard mitigation measures do not exacerbate natural hazard risks in other areas, and where possible: (a) nature-based solutions are preferred over hard-engineering solutions; and (b) comprehensive area-wide measures are preferred over site-specific solutions.</i> Whilst hard protection structures enable the use of the land around waterways for housing it impacts the rivers' ability to naturally respond to increased rainfall. Increased rainfall causes rivers to swell and at times overwhelm the protection structures. This could pose a significant risk to public health. Flooding negatively impacts public health in many ways such as; contamination of drinking water, increased risk of waterborne disease, damaged food crops, disrupting the collection of mahinga kai and short to long-term psychosocial impact¹¹. Nature based solutions such as restoring and enabling rivers to take their natural course is one way to mitigate flood risk and damage to public health. Emerging evidence suggests it has been more cost-effective to restore rivers to their natural habitat than constantly repairing or rebuilding flood protection and other infrastructure such as roads, bridges, and towns after large floods¹².	
DO2.2.7 flood hazard: activities and development	Oppose in part It is deeply problematic to enable activities and development in the flood hazard, flood and inundation	Consider Stricter provisions that avoid new activities and development within flood hazard, flood and inundation overlays.

¹¹ Policy & Information Teams, Te Mana Ora, National Public Health Service. (2023). Climate Change and Health in Waitaha Canterbury - A scoping and profiling report to inform Health Impact Assessment.

¹² Te Reo o Te Taiao. (2022). Tukua Nga Awa Kia Rere - A modern way to mitigate flood risk while supporting Aotearoa New Zealand's communities, climate, and wildlife. https://www.forestandbird.org.nz/sites/default/files/2022-11/F%26B_Room-For-Rivers_Report_online_0.pdf

Enable activities and development in the Flood hazard, flood and inundation overlays where the activity does not increase significant risks of adverse effects from flood hazards to people, property, infrastructure and the natural environment.	overlays especially as climate change is intensifying flood disasters worldwide. See answer to DO2.2 re 'significant' risk and 'risk to people'. See answer to DO2.2.4 - 'As stated in the NPS-NHD discussion document: <i>The insurance industry has requested central government support to prevent development from occurring on flood-prone land, with IAG specifically requesting a national policy statement to cease development in flood-prone locations (IAG, 2022; Insurance Council of New Zealand, 2014).</i>	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' means in MW.iii.
DO2.2.8 flood hazard: redevelopment. Encourage redevelopment in the Flood hazard, Flood and Inundation overlays to reduce significant flood hazard risks to people, property, infrastructure and the natural environment, through adaptation, built mitigation and infrastructure improvements.	Support in part NPHS-NM supports measures that reduce flood hazard risks to people, property, infrastructure and the natural environment. It is important these measures consider the wellbeing of future generations. See answer to DO2.2 re 'significant' risk and 'risk to people'. See A2 – Climate Change and Natural Hazards.	Amend This provision is talking about redevelopment rather than development DO2.2.8i <i>It is important that prior to ~~development or~~ redevelopment consideration is given to the flood hazard and measures are taken so that the activity does not cause significant risks to people, property, infrastructure and the environment.</i> Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' means in MW.iii. Consider A social impact type of assessment could support the 'consideration' process, through assessing the potential impact of the different options (adaptation vs say built mitigation) on the wellbeing of the community (current and future generations).

DO2.2.9 flood hazard: adverse effects.	Oppose in part See answer to DO2.2.7 See DO2.2 re 'significant risk'. See A2 – Climate Change and Natural Hazards.	Consider Stricter provisions that avoid new activities and development within Flood Hazard, Flood and Inundation overlays. Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii.
DO2.2.10 high flood hazard, floodways and flood paths: subdivision, use and development	Support in part Support inclusion of <i>'The areas of high flood flow and/or depth can cause harm to people and significant damage to buildings and infrastructure. Where possible the location of activities in these areas should be avoided.'</i> See DO2.2 re 'risk to people' and 'significant risk'.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' means in MW.iii.
DO2.2.11 Fault Deformation Overlay: subdivision, use and development.	Support in part See answer to DO2.2.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' means in MW.iii.
DO2.2.14 liquefaction hazard: subdivision, use and development.	Support in part See answer to DO2.2. Noted in DO2.2.14.i <i>'liquefaction is primarily a risk to the built environment rather than to people'</i>. It is important to consider the wider health impacts of liquefaction beyond damage to the built environment. Liquefaction silt has the potential to cause health effects through contact with contaminated liquefaction silt and from the inhalation of fine liquefaction silt dust¹³.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' means in MW.iii. Amend <i>Whilst liquefaction is primarily a risk to the built environment rather than to people, <u>it still has the potential</u></i>

¹³ The Institute of Environmental Science and Research (ESR). (2011). *Liquefaction silt: The Health Context*.
https://www.health.govt.nz/system/files/documents/pages/liquefaction-silt_0.pdf

		<i>to cause health effects to residents and those cleaning the contaminated environment’.</i> Recommend Refer to this document for guidelines Liquefaction Silt - Released (health.govt.nz)
DO2.2.15 liquefaction hazard: previously assessed and low risk activities	Support in part See answer to DO2.2.	Recommend Define what ‘risk to people’ means in MW.iii.
DO2.2.16 Slope instability risk: subdivision and residential development in Slope Instability Area 1 (Tahunanui Slump). There are risks to people if this is not managed appropriately.	Support in part The avoidance of development in the Tahunanui Slump will protect the health and wellbeing of current and future generations. Noted the potential for public open space under discretionary activity. In this instance, the assessment of ‘risk to people’, if well defined, will be vital to ensure the public open space, if usable to the public, is safe. See answer to DO2.2 re ‘significant risk’ and ‘risk to people.’	Recommend Define what ‘risk to people’ means in MW.iii. Recommend Re: ‘significant risk’ - align to wording around risk in the proposed NPS-NHD. If ‘significant risk’ is retained, please define it under MW.iii.
DO2e Environmental results anticipated and performance indicators Anticipated environmental results: DO2e.1 Safer communities. DO2e.2 Low density of development and improved design and construction standards in areas where this Plan	Support in part It is unclear what ‘risks to life’ means. We noted this is not defined under ‘Meaning of words’ nor in the RMA or the NBA and therefore we referred to the Concise Oxford Dictionary which only defines ‘risk’ and ‘life’ as singular words i.e does not include a definition of ‘risk(s) to life’. In the absence of a clear definition, the definition becomes subjective, sitting with the reader. This is a public health concern as subjectively, risk to life could be ‘life or death’ which doesn’t include ‘risk to people’ - see DO2.2 re ‘risk to people’. Aside from risk to life, there are no indicators relating to ‘risk to people’. If well defined, ‘risk to people’ could include indicators related to health and wellbeing status	Add under DO2e.1.1 <i>Low incidence of damage to <u>people</u>, property, and risks to life from natural hazards.</i> Recommend If the above is added in, then ‘risk to people’ would need to be defined. Recommend Define what ‘risk to life’ means in MW.iii. Recommend Provide more detail. For example: - Define low incidence. - Specify how you are measuring damage to property and to risk to life

identifies major risks from natural hazards.	and the wider determinants of health which could provide for more meaningful 'human' performance indicators. Refer to DO2.2.1 re 'social vulnerability indicators'. There is not enough detail to understand where the information is coming from. The wording <i>consistent refusals</i> is ambiguous. It is important this is something that is measurable overtime. I.e. a certain proportion of refusals.	- Specify which exact data source you're using for example insurance claim – is it the EQC claims? - Define 'consistent refusal' - Specify what comes under council records e.g., number of road closures due to flooding. Add to DO2e.11 <i>Indicator: Household dampness and mould.</i> <i>Data source: census data.</i> Add to DO2e.11 <i>Monitoring of discharge of stormwater and wastewater into waterways.</i> <i>Data source: council records?</i> Add to DO2e.11 <i>Indicator: Social vulnerability indicators.</i> <i>Data source: Census/EHINZ.</i>
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DO10 Land transport

Specific part to which submission relates	Position and submission	Decision requested
DO10 Land transport	Support in full NPHS-NM is supportive of the existing provisions under DO10 Land transport. See A2 – Climate Change and Natural Hazards.	Approve
DO10.1.2 Road network	Support in part Development of the road network needs to connect key growth areas with key public facilities such as the healthcare facilities, education facilities etc. It is important that the road network can accommodate public and active transport within these areas i.e. wide enough to have separated cycle lanes and bus lanes. See A2 – Social Cohesion.	Add new provision <i>Any new road network development, or re-development, connects key growth areas with key public facilities such as healthcare and education facilities and can accommodate separated cycleways and bus lanes.</i>

DO10.1.5 DO10.1.5.ii DO10.1.5.iv Access to sites	Support in part Support the addition of including access that provides safe entry and exit for pedestrians and micromobility. This addition is more inclusive of all users of the site and will support public health, wellbeing and social cohesion. It is important that access is 'usable' for people of all abilities – i.e. on sloping sections, it is important that access is configured in a way that allows safe and usable access for that site. We suggest additional wording to strengthen this provision. See A2 – Accessibility, Spatial Equity and Social Cohesion. It is important to note <u>areas</u> that require careful consideration. For example, footpaths and roads that are in areas of Whakatū/Nelson which slopes are shaded and steep, can frost over and become a hazard for all road users. And footpaths around older adult populations, such as retirement villages need to meet their needs e.g. wide, level, flat surface. It is therefore important to ensure provisions ensure development designs that mitigate this – such as providing level surfaces where able.	Add to DO10.1.5.ii <i>Usable and safe pedestrian and micromobility access to sites that do not have a vehicle access is important to ensure a well functioning urban environment and to provide a sense of location for each residential unit.</i> Add to DO10.1.5.iv: Rules that control subdivisions and developments to: a. <i>require every site to be provided with vehicular, <u>pedestrian and micromobility</u> access.</i>
DO10.1.6 Parking, loading, and turning	Support in full The careful consideration of the impact(s) of these provisions on pedestrian, micromobility, and cycle safety will protect public health.	Approve
DO10.1.7 Pedestrian, micromobility and bicycle traffic	Support in part Providing <u>quality</u> infrastructure that supports mode shift from vehicle use to alternative forms of transport will encourage and enable people to feel safe to make this transition. Improving the pedestrian and micromobility environment, establishing safe cycleways and providing end of user facilities will reduce barriers.	Add to DO10.1.7.iii <i>Maintenance of separate, <u>accessible and usable pedestrian and micromobility</u> access between the parking squares and shopping streets.</i> Add to DO10.1.7.iv <i>Improvement of pedestrian <u>and micromobility</u> environment, particularly in shopping areas.</i>

	Accessible networks, that are usable, are needed to meet the needs of micromobility users. Disabled New Zealanders do not have the same access to public places and facilities as their non-disabled counterparts do. A significant part of the problem is that the built environment is not designed with the needs of all citizens in mind. We suggest strengthening these provisions to ensure networks are designed accessibly. Careful consideration is required for placement of cycle parking facilities. Secure cycle parking located at key bus stops could extend the catchment of eBus users. People who live away from the eBus route, could bike to a bus stop and feel safe knowing their bike was secured while they take the bus. See A2 – Accessibility, Spatial Equity, Climate Change and Natural Hazards, and Social Cohesion.	Add to DO10.1.7.v <i>Acquisition of <u>accessible and usable</u> walkways to create a network where adequate pedestrian <u>and micromobility</u> access on existing roads and walkways is not available.</i> Add to DO10.1.7.viii <i>Establishment of cycle parking facilities <u>appropriate for bicycles and e-bicycles</u> and offer, where <u>practical, lockable e-bicycle charging facilities, secured parking and lockers.</u></i> Additional provisions are suggested to be included in Appendix 10 Standards and terms for parking and loading table.
DO10.1.7.ii	Support in full. The addition of micromobility users is inclusive and will support positive public health outcomes.	Approve

DO13A Urban Design

Specific part to which submission relates	Position and submission	Decision requested
DO13A Urban Design The design of and relationships between buildings, spaces and networks (e.g. streets) has a significant influence on people. Quality of everyday life is affected by the environments we	Support in part High quality urban design can improve public health when urban planning is focused around the needs of the most vulnerable groups in society such as people with disabilities, children and those suffering from economic hardship. Suggest additional wording to highlight the downstream impact of urban design on the health and wellbeing of people.	Add <i>Issues relevant to quality urban design are discussed in Chapter 4. Development and re-development activities in the urban area have potential to adversely affect the quality, functioning and sustainability of the urban environment. The design of and relationships between buildings, spaces and networks (e.g. streets) has a significant influence on <u>the health and wellbeing of people</u>. Quality of everyday life is affected by the environments we share in the urban areas.</i>

share in the urban areas.	See A1 Public Health and Wellbeing and A2 – Spatial Equity and Social Cohesion.	Add <i>High quality urban design can also help avoid some of the problems of poorly designed developments which have resulted in adverse effects such as traffic congestion, unsustainable energy use, inefficient use of urban infrastructure, lack of distinctive identity, social and cultural isolation, opportunities for crime, reduced recreation opportunities and lack of connection with ecological systems or areas of open space. <u>These adverse effects can reduce the health and wellbeing of people and exacerbate inequities.</u></i>
DO13A.1.1 local context and environment	Support in part See answer to DO13A. Support addition 'while being future-focussed'. It is important that decisions are made with a long-term view and consider the impact on the wellbeing of future generations.	Add to DO13A.1.1.i <i>...Therefore in the consent assessment process, consideration needs to be wider than just the effect on the individual site or sites, <u>and include the effect on the health and wellbeing of people, to emphasise valued development patterns.</u></i>
DO13A.2 Subdivision and development in urban areas that creates interconnected structures and spaces to ensure that all people find urban areas easy to get around, and connected natural environment networks that support native biodiversity.	Support in part Maintaining a connection of the natural world from ki uta ki tai (mountains to sea), not only maintains and enhances native biodiversity but also has a positive impact on wellbeing. Access to natural spaces in the city, improve air filtration, liveability and may rehabilitate ancestral land through native plants. The additional wording strengthens alignment to the vision of Project Mahitahi: <i>The Mauri (or life force) of the Mahitahi is restored- ki uta ki tai – so that native plants and wildlife can thrive within a functioning and connected eco-system and people and communities are inspired to nurture and value the Mahitahi as a taonga for past, present, and future generations.</i> ¹⁴	Add to DO13A.2.i <i>Good connections - <u>ki uta ki tai</u> - enhance biodiversity, choice, support social cohesion, make places lively and safe, and facilitate contact among people. Reduced travel times and lower environmental impacts occur in places with good connections between activities and natural environments, and the careful placement of facilities. Where physical layouts and activity patterns are easily understood, residents and visitors can navigate around the area easily.</i>
DO13A.2.1	Support in part	Add

¹⁴ [Project Mahitahi - Nelson City Council](#)

Accessibility Accessibility is maximised through subdivision and development design which provides for: safe and pleasant transport networks for all modes of movement, including pedestrians, cyclists, public transport and motor vehicles. a variety of logical and effective connections between different transport networks and between different parts of the city and urban areas.	Include 'micromobility' to be consistent with other sections of the plan.	<i>Accessibility is maximised through subdivision and development design which provides for:</i> <i>safe and pleasant transport networks for all modes of movement, including pedestrians, <u>micromobility</u>, cyclists, public transport and motor vehicles.</i> <i>a variety of logical and effective connections between different transport networks and between different parts of the city and urban areas.</i> Amend DO13A.2.1.i If 'micromobility' is included in this section, to remain consistent with the addition of micromobility in other sections, this statement could be removed: ~~...Note: The term 'pedestrians' includes people with disabilities and in wheelchairs or on mobility aids.~~
DO13A.2.2 natural connectivity Subdivision and development should provide for the enhancement, restoration and, where appropriate, multiple use of natural environment connections, particularly from the hills to the coast, utilising rivers, streams and natural catchment features through urban environments to enhance native biodiversity.	Support in part Including the Nelson Biodiversity Strategy in this section is important. And, whilst the Nelson Biodiversity Strategy, to our knowledge, has not been reviewed to align with the national Policy Statement – Indigenous Biodiversity (NPSIB), this should be included as well. The NPSIB states: <i>Policy 14: Increased indigenous vegetation cover is promoted in both <u>urban</u> and non-urban environments.</i> And: <i>Regional councils must: (a) set a target of at least 10% indigenous vegetation cover for any <u>urban</u> or non-urban environment that has less than 10% cover of indigenous vegetation; and (b) consider, in consultation with tangata whenua and territorial authorities, setting higher targets for urban and non-urban environments that already have at least 10% coverage of indigenous vegetation; and (c) include any indigenous vegetation cover targets in their regional policy statements.</i> See A2 – Open Space.	Add <i>Subdivision and development should provide for the enhancement, restoration and, where appropriate, multiple use of natural environment connections, particularly from the hills to the coast – <u>ki uta ki tai</u> -, utilising rivers, streams and natural catchment features through urban environments to enhance native biodiversity.</i> Add provision after DO13.A.2.2.2.vii <u>Implement and align to the Nelson Biodiversity Strategy and the NPSIB.</u>

DO13A.3.i	Support in part Public spaces that are codesigned with their neighbouring communities are more likely to be utilised. Additional wording suggested to strengthen this provision. See A2 – Open Space.	Add <i>High quality public spaces enable people to play, relax and socialise throughout various levels/scales of the urban environment (suburbs, commercial villages, city centre), support recreational and commercial activity, and help to ensure vitality of public spaces and communities. Conversely, poor quality public spaces are an inefficient use of resources, are under-utilised and are a burden on ratepayers. <u>Public spaces need to be co-designed with their neighbouring community to ensure the spaces meet their needs.</u></i>
DO13A.3.1 high quality public spaces	Support in part Additional wording to strengthen this provision. As the urban environment intensifies and there is less room for gardens on individual sections, it is important that public spaces provide opportunities for people to garden. Participation in gardening enables integration within communities which can have a follow-on effect on cultural cohesion and a reduction in inequalities¹⁵. See A2 – Open Space.	Add to DO13A.3.1 <i>C. the public space to have a variety of distinctive spaces appropriate to the context that function well as places for a range of activities including meeting people, relaxing, playing, <u>gardening</u> and walking through them.</i>
DO13A.3.1.iv high quality public spaces	Oppose in full NPHS-NM opposes the removal of the NCC Urban Design Panel from this section as the Urban Design Panel is a critical to ensuring designs result in quality public spaces that are beautiful and inspiring, provide for and enable social, cultural, economic and environmental wellbeing and enhance amenity values. See answer to DO13A.3.3.ii.	Retain provision DO13A.3.1.iv NCC Urban Design Panel.
DO13A.3.3	Support in part As per DO13A.3.i.	Add <i>Urban buildings and spaces located on prominent sites, or buildings and spaces that are intended for public use, should represent outstanding architectural and landscape</i>

¹⁵ Earle, M. D. (2011). Cultivating health: community gardening as a public health intervention (Thesis, Master of Public Health). University of Otago. Retrieved from <http://hdl.handle.net/10523/2078>

		<i>design, and be socially, culturally and environmentally responsive. Design should consider the needs of present and future generations, <u>through a co-design process with the community.</u></i>
DO13A.3.3.ii Create and implement an Urban Design Panel to provide advice on private and public projects.	Support in part The Urban Design panel is as a tool to achieve positive design outcomes that benefit public health. Advice from experienced designers is required to create a well-functioning urban environment that meets the needs of, and contributes to, the wellbeing of current and future generations. Whilst we support panel experts who are adept in urban design and architecture (including landscape architecture), we suggest other expertise to strengthen the panel. On top of this, the Panel could facilitate a coordinated multi-disciplinary approach to support design outcomes that meet the needs of the whole community. See DO13A.6.2. It is understood that the panel's recommendations will be non-statutory, but they will be an important benchmark for the assessment of resource consent applications Noted The Urban Design Panel already exists and DO13A.6.1.viii has amended to <i>Use the Urban Design Panel to provide design advice on private and public projects.</i>	Amend ~~Use the Create and implement an Urban Design Panel to review, assess, approve and provide design advice on all private and public projects.~~ Consider Adopting stronger requirements for the use of the Panel. Consider Panel representatives who offer expertise in; universal/accessible design, environment/climate change, matauranga Māori, Crime Prevention Through Environmental Design (CPTED) and community development (to consider equity concerns). Consider How panel experts are remunerated.
DO13A.4.1 Flexibility, choices and adaptability.	Support in part See A2 – Accessibility.	Add <i>e. developments that enable as many people as possible, <u>including disabled people</u>, to independently use and interact with the onsite living environments.</i> Add method <i><u>Ensure developments align to to Access Standard NZS 4121:2001.</u></i>

DO13A.5 Sustainable places & communities:	Support in part NPHS-NM supports additional wording and suggests positive framing to strengthen wording. See A2 – Climate Change and Natural Hazards, and Social Cohesion.	Amend <i>Urban development that supports a well-functioning urban environment and meets the community's current needs <u>without compromising and positively contributes to</u> future needs.</i> Add to DO13A.5.1 <i>f.the consideration of connections to <u>active and public</u> transport or future <u>active and public</u> transport networks.</i>
DO13A.5.1	Support in part Noted there was no content on NCC's website under 'Sustainable living ideas' - 'eco building design advisor' and - 'solar water heating' <u>Eco Building Design Adviser - Nelson City Council.</u>	Add Content to NCC's website under 'Sustainable living ideas' - 'eco building design advisor' and - 'solar water heating'. Consider linking to <u>Rainwater Harvesting - Nelson City Council</u> under 'Sustainable living ideas' to support <i>g. the collection and reuse of rainwater to supplement potable supplies.</i>
DO13A.6.1.viii	Support in part See answer to DO13A.3.3.ii.	Add <i>Use the Urban Design Panel to review, assess, <u>approve and provide design advice on all private and public</u> projects.</i>
DO13A.6.2 coordinated approaches	Oppose in full See answer to DO13A.3.3.ii. The Urban Design Panel could facilitate a coordinated multi-disciplinary approach to support design outcomes that meet the needs of the whole community such as liaising with accessibility groups.	Retain DO13A.6.2.vi but amend as per above <i>Use the Urban Design Panel to <u>review, assess, approve and provide design advice on all private and public</u> projects.</i> Add <i><u>Encourage liaison with accessibility groups such as the Accessibility Forum and the Service Providers Forum.</u></i>
DO13A.6.3	Support in part Achieving a well-functioning urban environment that meets the needs of current and future generations requires a co-design approach <u>with</u> the community. See A2 - Social Cohesion and Spatial Equity.	Amend <i>To encourage the collaboration of the private and public sector where there are opportunities for projects to assist with the Council's role of achieving a quality urban design vision <u>with</u> ~~for~~ the community in a sustainable and equitable manner.</i>

DO13A.6.3.i	Support in part See DO13A.6.6	Amend DO13A.6.3.i <i>A commitment to the community, and relationships at a local level, will begin to change the patterns of development which represent poor quality urban design. The use of collaborative relationships to develop social and recreational facilities <u>with</u> ~~for~~ the community, and for the upgrading of servicing infrastructure is well established. Collaboration is needed to start addressing the provision of quality urban design, and also to start addressing issues of developing land and buildings for other urban uses.</i>
DO13A.6.3.iii	Support in part Consistency in wording – see DO1.1.2 reference to iwi and hapū.	Add <i>Ensure Council development projects are pursued in partnership with iwi, <u>hapū</u> and the community.</i>
DO13Ae environmental results anticipated and performance indicators	Support in part Recommend adding indicators to monitor how well the urban development is meeting the needs of the disabled community. For example, housing modifications are required when a house doesn't meet the needs of the residents, See A2 – Accessibility. Monitoring the number of housing modifications overtime could support evaluation.	Consider <i>Adding an indicator - <u>number of housing modifications required in the Nelson region. Data source: Te Whatu Ora.</u></i>

DO14 Subdivision and development

Specific part to which submission relates	Position and submission	Decision requested
DO14.2	Support in part Enhancement of ecological, recreational, cultural, community and amenity values are required to meet the wellbeing needs of future generations. See A2 - Accessibility and Spatial Equity.	Add <i>The amenity values of the built environment are improved for future generations through the subdivision and development processes that achieve all of the following: a) Compact and vibrant centres and neighbourhoods b) Safe and attractive streets, and public open spaces c) Diversity of housing choices across the city (<u>accessible and affordable</u>) d) Quality living environments for people <u>that enable equitable intergenerational wellbeing.</u></i>

DO14.3.1 Roading DO14.3.1.v DO14.3.1.vii	Support in full Support addition of micromobility users and pedestrians into these provisions See A2 - Accessibility.	Approve
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DO15 Peripheral urban expansion

Specific part to which submission relates	Position and submission	Decision requested
DO15.1 Urban form	Support in part Avoiding or mitigating implies the maintenance of the status quo which is not adequate as seen in the decline in wellbeing of communities, health outcomes, environmental degradation and increase in climate related events. Enhancement of ecological, recreational, cultural, community and amenity values is required to meet the wellbeing needs of future generations. See A1 – Public Health and Wellbeing and A2 – Open Space, Climate Change and Natural Hazards, and Social Cohesion.	Amend <i>An urban form that supports a well-functioning urban environment in which intensive development is not detached from consolidated within existing urban zone boundaries and which <u>enhances</u> ~~avoids or mitigates adverse effects on~~ ecological, recreational, cultural, community and amenity values.</i>

DO16 Zones

Specific part to which submission relates	Position and submission	Decision requested
DO16.1.1.ii General Residential Zone	Support in part See A2 - Accessibility.	Add <i>The primary goal of the General Residential Zone is to provide the opportunity for residential accommodation within a suburban setting. The zone enables a range of housing types, including detached and attached residential units, <u>accessible housing</u> and achieves a suburban residential character by generally limiting the scale and form of</i>

		<i>buildings to two storeys and requiring <u>usable and accessible</u> on site landscaped areas and private open space.</i>
DO16.1.1.iii Medium Density Residential Zone	Support in part See A2 - Accessibility.	<i>The primary goal of the Medium Density Residential Zone is to provide the opportunity for medium density housing, in walking distance to commercial services and community facilities. The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and <u>accessible low rise apartments</u>. The zone achieves a medium density residential character by generally limiting the scale and form of buildings to three storeys and requiring <u>usable and accessible</u> on site landscaped areas and private open space. Medium density residential development is more intensive than typical low density areas and will result in a moderate degree of visual change to neighbourhoods. Subject to assessment through the resource consent process, the zone provides for small-scale commercial activities, reflecting that an increasing residential population requires convenient access to services to meet their day-to-day needs.</i>
DO16.1.1.iv High Density Residential Zone	Oppose in part Include “recreation reserves” in wording. Neighbourhood Parks help to break up the built environment, offer visual amenity and provide ecological and alternative transport corridors. They also have social and health benefits by acting as meeting and exercise places ¹⁶ . See A2 – Open Space. NMPHS-NM has concerns relating to 6 stories and the impact it could have on public health and the wider determinants of health. As mentioned previously, it is recommended that a SIA (see A1) is undertaken to	Amend <i>The primary goal of the High Density Residential Zone is to provide the opportunity for high density housing in close walking distance to commercial services and community facilities <u>in conjunction with the provision of recreation reserves</u>. The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and apartments at a variety of scales. The zone achieves a high density residential character by generally enabling residential buildings up to ()~~six~~ storeys and requiring on site landscaped areas and private open space suitable to the housing types enabled. High density residential development is more intensive than typical low density areas and will result in a high degree of visual change to neighbourhoods.</i>

¹⁶ Nelson City Council. (2021). Parks and Reserves Activity Management Plan 2021-2031. <http://www.nelson.govt.nz/assets/Our-council/Downloads/2021-31-amps/Parks-and-Reserves-Parks-AMP-2021-31-A2414207.pdf>

	understand the implications of 6 stories and how it might affect individual and community wellbeing across all sectors of society. As recognised throughout this plan, factors relating to the urban environment, such as access to greenspace, active transport, services and resources; environmental factors such as noise, light, air quality; economic factors such as housing affordability; and social factors such as fear of crime, social capital, privacy levels, social interaction, networks and sense of belonging¹⁷, are critical pieces to get right, to support wellbeing and healthy living environments in a high density residential area. It is important that people are 'taken on the journey' through urban intensification. NPHS-NM recommends enabling buildings up to four storeys, where appropriate, in high density areas and recommends a SIA is undertaken prior to enabling 6 storeys within this plan.	<i>Subject to assessment through the resource consent process, the zone provides for small-scale commercial activities, reflecting that an increasing residential population requires convenient access to services to meet their day-to-day needs.</i> Undertake a SIA to understand the implications of 6 storey development on the health and wellbeing of current and future generations.
DO16.1.1.v Residential – Standard Area	Support in part Support reference to landscaped areas and private open space. See A2 – open space and privacy. See answers in table 'DO2 Natural Hazards'. See A2 – Climate Change and Natural Hazards.	Add <i>This zone manages that risk (for current and future generations) with development specific assessment through the resource consent process.</i>
DO16.1.1.vi Residential – Comprehensive Area	Support in part Support 'locating in close proximity to urban amenities. Essential services such as healthcare and education need to be prioritised. See A2 – social cohesion. See answers in table 'DO2 Natural Hazards'. See A2 – Climate Change and Natural Hazards.	Add <i>This zone manages that risk (for current and future generations) with development specific assessment through the resource consent process.</i>
DO16.1.1.vii	Support in part	Add

¹⁷ Centre for Primary Health Care and Equity. (2011). Housing density and health: A review of the literature and health impact assessments. https://hiaconnect.edu.au/wp-content/uploads/2013/04/housing_density_HIA_review1.pdf

Residential – Lower Density Area	See answers in table ‘DO2 Natural Hazards’. See A2 – Climate Change and Natural Hazards.	<i>This zone manages that risk (for current and future generations) with development specific assessment through the resource consent process.</i>
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Volume 2 Zones

Chapter 7 Residential Zone

Specific part to which submission relates	Position and submission	Decision requested
REd.5 residential Description	Support in part Reword to broaden the scope of health-related services to include “health care facilities and pharmacies.” This supports thinking about a more holistic view than limiting services to just doctors’ surgeries.	Amend These activities tend to provide essential community services including convenience shops, churches, schools, ~~doctors’ surgeries~~ <i>health care facilities and pharmacies</i> , 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.
RE1.2A.v	Support in part See answer to DO13A.3.3.ii.	Amend <i>Use the Urban Design Panel to review, assess, approve and provide design advice on <u>all</u> private and public projects.</i>
RE1.7.ii Rules setting minimum standards to provide for a high quality living environment and residential amenity.	Support in part. See A2.	Consider the Key Determinant’s of Health in the Built Environment (A2) in the rules to support individual and community wellbeing.
RE1.8 High Density Residential Zone	Oppose in full Refer to DO16.1.1.iv High Density Residential Zone	Recommend Undertake a SIA.
RE2.3 Daylight and sunlight. Buildings and structures should be designed and sited so that adjoining	Support in part It is important to note areas that require careful consideration. For example, parts of Washington Valley that get limited sunlight in winter, footpaths and roads that are in areas of Whakatū/Nelson which slopes are shaded and steep, can frost over and become a hazard	Approve Recommend that “Sunlight” (see A2) is considered in the rules to support individual and community wellbeing.

sites are not unduly shaded, and there is reasonable access to daylight.	for all road users. And footpaths around older adult populations, such as retirement villages need to meet their needs e.g. wide, level, flat surface. It is therefore important to ensure provisions ensure development designs that mitigate this – such as providing level surfaces where able.	
RE2.9.ii Rule making four or more residential units restricted discretionary so that the quality of the living environments for residents can be assessed on a case by case basis.	Support in part Include an assessment by the Urban Design Panel to support a broad assessment that considers a range of perspectives (e.g., accessibility, environment and equity). See answer to DO13A.3.3.ii.	Amend <i>Rule making four or more residential units restricted discretionary so that the quality of the living environments for residents can be assessed on a case by case basis <u>by the Urban Design Panel.</u></i>
REr.17A.5 REr.17A.6 General Residential Zone Assessment Criteria Explanation	Support in full Support assessing for the resilience of the services to the likely effects of climate change. See A2 - Climate change and Natural Hazards. Support the inclusion of 'wellbeing and communities' in the explanation.	Approve
REr.17B.3 Residential Units	Support in part See A2 - Accessibility. Implementation of Lifemark principles ¹⁸ focus on designing homes, so they are usable and safe for people of all ages and stages. They are easy to live in for a lifetime. Lifemark principles are based on the principles of Universal Design and focus on designing to have space in the right place.	Consider <i>Development of four or more residential units on a site is a restricted discretionary activity provided:</i> a) <i>for applications including 10 or more residential units, at least ~~10%~~ 30% of residential units on a site shall be designed to provide convenient wheelchair access including:</i> Add under REr.17B.3 a: <i><u>iv. access into the home and measures at least 1200mm by 1200mm, is covered and has a sensor light.</u></i> <i><u>v. In the bathroom there is a toilet located on the level of the home that you enter that has walls already reinforced to attach grab rails. Circulation spaces for easy circulation are</u></i>

¹⁸ (N.d.). Lifemark - CCS Disability Action. Retrieved October 16, 2023, from <https://www.lifemark.co.nz/homescor/>

		<u>evident using features such as wider doorways and hallways.</u> b. where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be ~~disregarded~~ rounded up to one and fractions of one-half or greater shall be rounded up to the nearest whole ~~considered as one residential unit.~~ Add under Discretion is restricted to i: d. the ability to provide efficient parking <u>including accessible parking</u>, access and servicing on the site that supports high quality living environments;
REr.17B.4 Residential units Assessment Criteria	Support in part. Strengthen provision to include: c: "and neighbouring buildings". See A2 – Daylight/Sunlight. d: Accessible parking option. See A2 - Accessibility.	Add c. the development provides opportunities for sunlight access to adjoining sites <u>and neighbouring buildings</u> through building placement or breaks in building form along side or rear boundaries. d. <u>whether there is provision for accessibility parking.</u>
REr.17H.5 Assessment Criteria	Support in part Strengthen wording by including wellbeing. See A2 - Open Space.	Add The purpose of the permeable landscaped area rule is two-fold. Firstly, it is intended to provide for green space around buildings as a means of contributing to high quality on-site living environments <u>and to enhance wellbeing.</u>
REr.17J Maximum Building Height	Support in part See answer to DO2.2 regarding '<u>significant</u> risk'.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii.
REr.17J.5 Maximum Building Height Assessment Criteria Explanation	Support in part See Sunlight in Appendix 3 and strengthen to include reference of wellbeing. Wellbeing is not just the absence of disease or illness but is a combination of a person's physical, mental, emotional and social health	Add The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces. <u>The impact of building height and how</u>

	factors. Wellbeing is strongly linked to happiness and life satisfaction ¹⁹ .	<i>it affects the wellbeing of the local community is also a consideration.</i>
REr.17K.3 Daylight admission - Discretionary/Non-complying/Prohibited	Support in part See answer to DO2.2 regarding 'significant risk'.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii.
REr.17K.5 Assessment criteria Explanation	Support in part See answer to REr.17J.5	Add The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces. <i>The impact of building height and how it affects the wellbeing of the local community is also a consideration.</i>
REr.17.L.3. Outlook and privacy	Support in full Support including 'privacy effects on neighbouring sites' under See A2 - Privacy.	Approve
REr.17L.5 Outlook and privacy Explanation	Support in part See A2 - Privacy.	Add <i>The purpose of the outlook and privacy rule is to ensure that residential units have a reasonable degree of privacy, acknowledging that privacy is a basic human need. This is achieved by requiring a minimum separation between principal living rooms and other buildings on the site. The rule also encourages residential units to be orientated towards the street or public open space.</i>
REr.17N Home occupations	Support in part Selling alcohol without a licence is an offence under the	Add under REr.17N.1 <i>h.it does not involve any of the following activities: v.selling of alcohol without a licence.</i>

¹⁹ Wellbeing. (n.d.). Better Health Channel. Retrieved October 18, 2023, from <https://www.betterhealth.vic.gov.au/health/healthyliving/wellbeing#about-wellbeing>

	Sale and Supply of Alcohol Act 2013 ²⁰ . Strengthen provisions to include this.	
REr.18B3 Residential units	Support in part See REr.17B.3 See A2 – Accessibility, Spatial Equity and Social Cohesion.	Amend <i>Development of four or more residential units on a site is a restricted discretionary activity provided:</i> <i>b) for applications including 10 or more residential units, at least ~~10%~~ 30% of residential units on a site shall be designed to provide convenient wheelchair access including:</i> Add under REr.17B.3 a: <i>iv. access into the home and measures at least 1200mm by 1200mm, is covered and has a sensor light.</i> <i>v. In the bathroom there is a toilet located on the level of the home that you enter that has walls already reinforced to attach grab rails. Circulation spaces for easy circulation are evident using features such as wider doorways and hallways.</i> b. where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be ~~disregarded~~ rounded up to one and fractions of one-half or greater shall be rounded up to the nearest whole ~~considered as one residential unit.~~ Add under Discretion is restricted to i: d. the ability to provide efficient parking <i>including accessible parking</i>, access and servicing on the site that supports high quality living environments.
REr.18B.4 Assessment Criteria	Support in part Support the thorough assessment criteria which covers key determinants of health in the built environment. See	Add <i>b. quality on-site living environments</i> <i>v. whether the residential units are usable and accessible for disabled people.</i>

²⁰ Parliamentary Counsel Office. (n.d.). Sale and Supply of Alcohol Act. New Zealand Legislation. Retrieved October 9, 2023, from <https://www.legislation.govt.nz/act/public/2012/0120/latest/DLM3339333.html>

	A2 - Open Space, Social Cohesion, Privacy, Sunlight/Daylight and Accessibility’. Additional wording suggested to strengthen the assessment criteria to consider the needs of disabled people.	Amend <i>d.parking, access and servicing:</i> <i>i.whether safe and direct pedestrian/ <u>and</u> micromobility access that is easily identifiable is provided from the street to residential units on the site.</i> <i>vii.whether there is provision for mobility parking.</i>
REr.18DE Front yards	Support in full Support 50% of the front yard being permeable surface which may include lawn or landscape planting. Permeable surfaces act are particularly important in an urban environment. See A2 - Open Space.	Approve
REr.18F.4 Outdoor living court Assessment Criteria	Support in part Designing the outdoor living court ‘in favour of sunlight access’ will give residents the option to grow food. See A2 - Daylight/Sunlight. Outdoor living spaces should be of a usable shape and size, easily accessible, with level access wherever possible. Access to shelter should also be considered. See A2 – Open Space and Spatial Equity. Additional wording suggested to strengthen the assessment criteria to consider the needs of disabled people. This aligns with the reference to ‘<u>accessible</u> private outdoor living space’ under REr.18F.5.	Add <i>d.whether the outdoor living court is usable and accessible for disabled people.</i> <i>e.whether the outdoor living court has adequate shelter.</i>
REr.18H.1 Permeable landscaped area	Oppose in part Adequate provision of permeable surface area is important. Permeable surfaces help reduce stormwater loads on the pipe infrastructure by absorbing or detaining rainwater. Urbanisation leads to increased stormwater volumes and peak flows as vegetation is removed and soils are compacted or covered by impervious surfaces such as roofing, asphalt and concrete, which do not absorb water²¹. According to	Amend <i>Buildings are permitted where at least ~~20%~~ <u>30%</u> of the site is maintained as permeable landscaped area.</i>

²¹ The National Institute of Water and Atmospheric Research. (n.d.). Stormwater - an introduction. NIWA Taihoro Nukurangi.
<https://niwa.co.nz/freshwater/stormwater-management/stormwater-an-introduction>

	BRANZ, to be effective, permeable surfaces typically need at least 30% void space ²² . Noted other councils are using 30% such as Waipa district council, Queenstown Lakes District Council and Invercargill City District Plan. See A1 – Open Space.	
REr.18K.5 Daylight admission Explanation	Support in part See REr.17J.5	Add <i>The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces. <u>The impact of building height and how it affects the wellbeing of the local community is also a consideration.</u></i>
REr.18K Daylight admission Discretionary/Non-complying/Prohibited	Support in part See answer to DO2.2 regarding ' <u>significant risk</u> '.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii.
REr.18L.3 Outlook and privacy	Support in full Support including 'privacy effects on neighbouring sites' under See A2 - Privacy.	Approve
REr.18L.5 Outlook and privacy Explanation	Support in part See A2 - Privacy.	Add <i>The purpose of the outlook and privacy rule is to ensure that residential units have a reasonable degree of privacy, <u>acknowledging that privacy is a basic human need</u>. This is achieved by requiring a minimum separation between principal living rooms and other buildings on the site. The rule also encourages residential units to be orientated towards the street or public open space.</i>
REr.18N	Support in part	Add under REr.17N.1

²² Dunn, S., & Bailey, Katie (Registered NZILA Landscape Architects). (2010). PERMEABLE SURFACES. <https://www.buildmagazine.org.nz/assets/PDF/Build120-28-DesignRight-PermeableSurfaces.pdf>

Home occupations	Selling alcohol without a licence is an offence under the Sale and Supply of Alcohol Act 2013. Strengthen provision to include this.	<i>h.it does not involve any of the following activities: <u>v.selling of alcohol without a licence.</u></i>
Assessment Criteria REr.18P.4	Support in part Support minimising the adverse effects on residential amenity values, including noise and lighting. It is important to consider the wider effect of the activity on public health and wellbeing. Restaurants and Dairies can be known to sell alcohol, cigarettes, vapes, and ultra-processed foods. Unhealthy diets, high BMI, tobacco, and alcohol contribute about one-third of the overall preventable health loss in New Zealand ²³ . The choices that people make when consuming food and drink are heavily influenced by what options they are exposed to.	Add <i><u>d.the effect of the activity on public health and wellbeing.</u></i>
REr.18UE Residential unit Minimum size	Support in full Allowing smaller residential units supports a diverse housing typology. This is important as the number of older adults, who may require single unit dwellings, increases. Smaller dwellings can also provide a more affordable housing option for people. See A2 – Spatial Equity.	Approve
REr.18U.4 Assessment Criteria	Support in part Support the assessing for the functionality of the unit. Adequate access to communal facilities is important to accommodate for the small size of the unit, this could include the option for a shared vegetable garden. Communal facilities <u>and</u> storage facilities are encouraged. This is particularly important for older adults and disabled people who may have bulky items to support their mobility such as walking frames.	Amend <i>whether each unit has access to communal facilities (e.g. shared laundry, <u>vegetable garden</u>) <u>and</u> ~~for~~ storage facilities within the building.</i> Add <i><u>c.whether each residential unit is usable and accessible for disabled people.</u></i>

²³ Health Coalition Aotearoa. (n.d.). Preventing harm from tobacco, alcohol and unhealthy food. Health Coalition Aotearoa. Retrieved April 11, 2023, from <https://www.healthcoalition.org.nz/>

	Additional wording suggested to strengthen the assessment criteria to consider the needs of disabled people. See A2 - Accessibility, Open Space and Social Cohesion.	
REr.19B Residential units	Support in part See REr.17B.3	<i>Development of four or more residential units on a site is a restricted discretionary activity provided:</i> <i>c) for applications including 10 or more residential units, at least ~~10%~~ <u>30%</u> of residential units on a site shall be designed to provide convenient wheelchair access including:</i> Add under REr.17B.3 a: <i>iv. access into the home and measures at least 1200mm by 1200mm, is covered and has a sensor light.</i> <i>v. In the bathroom there is a toilet located on the level of the home that you enter that has walls already reinforced to attach grab rails. Circulation spaces for easy circulation are evident using features such as wider doorways and hallways.</i> b. where the assessment of the number of accessible units results in a fractional number, any fraction under one-half shall be ~~disregarded~~ rounded up to one and fractions of one-half or greater shall be rounded up to the nearest whole ~~considered as one residential unit.~~ Add under Discretion is restricted to i: d. the ability to provide efficient parking <i>including accessible parking</i>, access and servicing on the site that supports high quality living environments; and
REr.19B.4	Support in part Generally supportive of the assessment criteria overall as it considers several of the wider determinants of health in the built environment. Strengthen the criteria by including additional wording.	Add <i>i... This includes orientating residential units to front the street with clear and direct pedestrian <u>and micromobility</u> access, and minimising long expanses of blank walls and at grade carparking/garage doors.</i> Add

	See A2 – Accessibility, Social Equity and Open Space.	<i>b. Quality on-site living environments</i> <i>lii. whether landscaped areas can be consolidated to allow opportunities for large scale trees, <u>and communal gardens</u> on site, and contribute to the overall quality of outlook space and privacy between residential units.</i> Add <i>i. whether safe and direct pedestrian/ <u>and</u> micromobility access that is easily identifiable is provided from the street to residential units on the site.</i> <i>d. access and servicing</i> <i>Vii. where mobility parking is offered</i>
REr.19B.5 Residential units Explanation	Support in part Built environments can have a positive or negative effect on public health and wellbeing. See A1. Strengthen the explanation by including the addition wording.	Add <i>This rule allows for the qualitative assessment of four or more residential units to ensure that high quality built environments, <u>that enhance public health and wellbeing</u> are achieved as Nelson’s neighbourhoods grow over time.</i>
REr.19D Front yards	Support in full Support 50% of the front yard being permeable surface which may include lawn or landscape planting. Permeable surfaces act are particularly important in an urban environment. See A2 - Open space.	Approve
Outdoor living court Assessment criteria REr.19F.4	Support in part See answer to REr.18F.4.	Add <i>d. whether the outdoor living court is usable and accessible <u>for disabled people.</u></i> <i>e. whether the outdoor living court has adequate shelter.</i>
REr.19H Permeable landscaped area	Oppose in part See answer to REr.18H.1	Amend <i>Buildings are permitted where at least ~~20%~~ <u>30%</u> of the site is maintained as permeable landscaped area.</i>
REr.19J.1 Maximum Building Height The maximum permitted height for buildings is 19.5m.	Support in part Recommend a SIA (see A1) to support the best long-term outcomes for the community’s health and wellbeing. While it can be reviewed what has happened elsewhere, it is important not to use examples from overseas without direct consideration of the local	Recommend Undertaking a SIA.

	context ²⁴ . Without having certainty of supportive infrastructure based on an understanding of specific geographic contexts and community needs, this way of living could pose significant health risks ²⁵ .	
REr.19J.3 Maximum Building Height	Support in part See answer to DO2.2 regarding ' <u>significant risk</u> '.	Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii.
REr.19K .5 Daylight admission Assessment Criteria Explanation	Support in part See REr.17J.5	Add The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces. <i><u>The impact of building height and how it affects the wellbeing of the local community is also a consideration.</u></i>
REr.19.L.3. Outlook and privacy	Support in full Support including 'privacy effects on neighbouring sites'. See A2 - Privacy.	Approve
REr.19L.5 Outlook and privacy Explanation	Support in part See A2 - Privacy.	Add <i>The purpose of the outlook and privacy rule is to ensure that residential units have a reasonable degree of privacy, <u>acknowledging that privacy is a basic human need</u>. This is achieved by requiring a minimum separation between principal living rooms and other buildings on the site. The rule also encourages residential units to be orientated towards the street or public open space.</i>
REr.19N Home occupations	Support in part	Add under REr.17N.1 <i>h.it does not involve any of the following activities:</i>

²⁴ Centre for Primary Health Care and Equity. (2011). Housing density and health: A review of the literature and health impact assessments.
https://hiaconnect.edu.au/wp-content/uploads/2013/04/housing_density_HIA_review1.pdf

²⁵ Paine, S. T. A. (2017). What's equity got to do with health in a higher-density city? The Conversation. <https://theconversation.com/whats-equity-got-to-do-with-health-in-a-higher-density-city-82071>

	Selling alcohol without a licence is an offence under the Sale and Supply of Alcohol Act 2013. Strengthen provisions to include this.	<u>v.selling of alcohol without a licence.</u>
REr.19P.4 Assessment Criteria	Support in part See answer to REr.18P.4.	Add <u>d.the effect of the activity on public health and wellbeing.</u>
REr.19V Papakāinga development - in General, Medium Density, High Density Residential zones (Schedule Sch.AA)	Support in full See DO1A - papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial zones	Approve
REr.21 Home occupations	Support in part Selling alcohol without a licence is an offence under the Sale and Supply of Alcohol Act 2013. Strengthen provisions to include this.	Add under REr.21.1 <u>h.it does not involve any of the following activities:</u> <u>v.selling of alcohol without a licence.</u>
REr.22.3 Comprehensive Housing Development	Support in part Recommend use of the Urban Design Panel. See DO13A.3.3.ii.	Consider Resource consent applications for restricted discretionary activities under this rule will be considered without notification, and without service of notice. <u>The Urban Design Panel will also be involved in assessing applications.</u>
REr.28 b. Pedestrian access to rear of sites	Support in part Accessible routes require a minimum clear width of 1,200 mm ²⁶ . See A2 - Accessibility.	Amend <u>b.the minimum width of the access – 1.2m ~~1m~~, and</u>
REr.35.4 Daylight Admission Assessment Criteria	Support in part See REr.17J.5	Add The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces. <u>The impact of building height and how</u>

²⁶ Elkins, A. (Ed.). (2015). Accessible building access (Issue ec 2015/Jan2016). Build 151. <https://www.buildmagazine.org.nz/assets/Uploads/Build-151-39-Design-Right-Accessible-Building-Access.pdf>

		<i>it affects the wellbeing of the local community is also a consideration.</i>
REr.38AE Cycle Parking	Support in part This will support mode shift.	Consider Adding additional specifications – see answer to DO10.1.7.viii
REr.40 Access	Support in full See AP11.3A. Design of micromobility access.	Approve
REr.57 Neighbourhood parks	Support in full Neighbourhood parks in the residential zone encourage health and wellbeing activities. See A2 - Open Space.	Approve
REr.57.4 Neighbourhood parks Assessment Criteria	Support in part Creating accessible play spaces, that are inclusive for disabled people, supports health and wellbeing for all. See A2 – Spatial Equity.	Add <i>h.whether the site is accessible and usable for disabled people.</i>
REr.62 Papakāinga development Standard Area, Comprehensive Area, Lower Density Area	Support in full See DO1A - papakāinga in the General, Medium Density, High Density Residential zones, Inner City and Suburban Commercial zones	Approve
REr.73Fault Deformation Overlay Building or network utility	Support in part NPHS-NM supports not permitting buildings or network utilities in the Fault Deformation Overlay. It is important that a robust assessment is undertaken through restricted discretionary process. See DO2.2 re 'risk to people'.	Recommend under REr.73.3 Define what 'risk to people' means in MW.iii.
REr.73.4 Assessment criteria for building and utility on fault deformation overlay	Support in part Earthquakes have a very high potential to significantly effect public health through casualties and injuries ³¹ . It is important that emergency management plans are not compromised by the activity. I.e., evacuation routes and assembly areas. See DO2.2 re risk to people and significant risk. See A2 – Climate Change and Natural Hazards.	Add <i>c.the risk to <u>people</u>, life, property and the environment posed by fault deformation hazard, considering the nature of the proposed activity.</i> <i>e.the extent to which the proposed activity impacts <u>emergency management plans</u></i> Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend

		Define what 'risk to people' means in MW.iii.
REr.74A.3 Liquefaction Hazard Overlay Building or network utility Discretionary/Non-complying/Prohibited	Support in part Support including <i>'the level of risk including to people, property and infrastructure, both onsite and off the site'</i> under restricted discretionary. See DO2.2 re risk to people.	Recommend Define what 'risk to people' means in MW.iii.
REr.74A.4 Liquefaction Hazard Overlay Building or network utility Assessment Criteria	Support in part See answer to DO2.2.14 re 'liquefaction'. See answer to DO2.2 re 'risk to people'.	Add <i>the risk to <u>people</u>, property, infrastructure and the environment posed by liquefaction hazard, considering the nature of the proposed activity.</i> Recommend Define what 'risk to people' means in MW.iii.
REr.75A.4 to REr.75F.4 Slope Instability Assessment criteria	Support in part It is important that the impacts on the health and wellbeing of people are considered. The biggest public health impacts are likely to be felt by future generations, as climate related events increase, and this can be considered through the assessment process. It is also important to consider the burden on future rate payers to pay for the cost of repairs.	Add <i>a. for any resource consent application under these rules the Council will consider any of the matters of restricted discretion for slope instability hazard in this plan relevant to the activity, and in particular, any risk to people (<u>including future generations</u>), property and infrastructure from the slope instability hazard.</i>
REr.75J Slope instability Area 2 Overlay New residential units	Support in part See answer to DO2.2	Recommend Define what 'risk to people' means in MW.iii.
REr.75K.3 Slope instability Area 2 Overlay Adding to an existing residential unit	Support in part See answer to DO2.2	Recommend Define what 'risk to people' means in MW.iii.
REr.75P.3 Slope instability Area 3 Overlay New residential units	Support in part See answer to DO2.2	Recommend Define what 'risk to people' means in MW.iii.

REr.75Q.3 Slope instability Area 3 Overlay Adding to existing residential unit	Support in part See answer to DO2.2	Recommend Define what 'risk to people' means in MW.iii.
REr.83B Flood Areas except Flood Paths and Floodways	Support in part Support the inclusion of <i>v.risk to public health, safety and wellbeing and property from the flood hazard</i> under discretionary restrictions. See DO2.2. See A1.	Recommend Develop consistent wording. For example, what is the deference between 'risk to public health, safety and wellbeing' vs 'risk to people'? Wording needs to encompass risk to 'public health (see proposed definition in MW.iii) and wellbeing (see proposed definition in MW.iii which includes health and safety) of current and <u>future generations</u> ' and be consistent throughout the plan. See DO2.2.
REr.83D.3 Flood Areas except Flood Paths and Floodways Network utility	Support in full See answer to SCr55D.3.	Approve
REr.83F.3 Flood Areas except Flood Paths and Floodways Flood mitigation and protection works	Support in full See answer to DO2.2.6	Approve
REr.110.4 Fault Deformation Overlay Subdivision Assessment criteria	Support in part Earthquakes have a very high potential to significantly effect public health through casualties and injuries ³¹ . It is important that emergency management plans are not compromised by the activity. I.e., evacuation routes and assembly areas. See DO2.2 re risk to people and DO2e risk to life.	Add <i>d.the risk to <u>people</u>, life, property and the environment posed by fault deformation hazard, considering the nature of the proposed activity.</i> <i>j.the extent to which the <u>proposed activity impacts emergency management plans</u>.</i> Recommend Define what 'risk to life' and 'risk to people' means in MW.iii.
REr.110B.4 Liquefaction Hazard Overlay Subdivision	Support in part See answer to REr.74A.4 See answer to DO2.2	Add <i>the risk to <u>people</u>, property, infrastructure and the environment posed by liquefaction hazard, considering the nature of the proposed activity.</i>

Assessment Criteria		
REr.111.3 REr.111.3A Discretionary/Non-complying/Prohibited Subdivision	Support in part See answer to SCr.71A. See DO2.2 re risk to people and DO2e re risk to life.	Add to REr.111.3 <i>Discretion is restricted to:</i> <i>iv.potential risk to <u>people</u>, life, property and the environment from the flood hazard;</i> Add to REr.111.3A <i>Discretion is restricted to:</i> <i>iv.potential risk to <u>people</u>, life, property and the environment from the flood hazard;</i> Recommend Define what 'risk to life' and 'risk to people' means in MW.iii.
REr.112A Slope Instability Area 1 Overlay Subdivision	Support in full See answer to DO2.2.16	Approve
REr.117.5 National Grid Corridor Subdivision	Support in part Support considering effects on health of persons from exposure to electro-magnetic fields. Evidence suggests there may be a link between living near power lines, or in houses with strong magnetic fields produced by other sources, and a small increase in the number of children with leukaemia but the causality is hard to define therefore it is not clear whether magnetic fields pose a risk or not ²⁷ . However, we commend following guidance under the National Policy Statement on Electricity Transmission.	Recommend Ensure the plan aligns to the <u>NPS National Policy Statement on Electricity Transmission Ministry for the Environment</u>
Sch.AA Papakāinga development	Support in full See DO1A.	Approve
A.7 Explanation	Support in part Amend wording for consistency. See answer to MW.iii.	Amend In accordance with the articles principles of Te Tiriti o Waitangi the Treaty of Waitangi and Part II of the Resource Management Act, provision is made for a degree of self management within Papakāinga developments.

²⁷ *Power lines*. (2023). Te Whatu Ora Health New Zealand. <https://www.tewhatauora.govt.nz/our-health-system/environmental-health/non-ionising-radiation/power-lines/>

Chapter 8 Inner City Zone

Specific part to which submission relates	Position and submission	Decision requested
IC1.9 Pedestrian access - city centre	Support in part Include wording “with sufficient lighting”.	Add <i>Provision of pedestrian access between the main pedestrian streets, bus stops, city fringe areas, and the public car parking areas will be promoted, particularly after-hours access (<u>with sufficient lighting</u>), and providing for the needs of people with disabilities.</i>
IC1.9.i	Support in part Strengthen to include micromobility. See A2 - Accessibility.	Add <i>This policy aims to increase the number of pedestrian <u>and micromobility</u> access points from bus stops, city fringe areas, and the car parks to the main pedestrian streets. This could be via conditions on resource consent or by the Council buying access rights. Good access from the car parks is expected to reduce people’s desire to take their vehicles into the main streets.</i>
IC2.3 Quality of the public realm	Support in part Strengthen to include additional point. See A2 - Accessibility.	Add <i>i. <u>are usable and accessible for micromobility.</u></i>
IC2.5 weather protection	Support in full Weather protection is an important public health protection mechanism. Nelson is one of the sunniest regions in the country and weather protection can provide shade during summer months.	Approve
IC3.1.vii	Support in full A robust assessment of the design of new buildings through the resource consent application process, with the involvement of the Urban Design Panel, will ensure a well-functioning urban environment that has a positive impact on public health.	Approve
IC3.2.ii	Support in full See answer above IC3.1.vii	Approve

IC3.3.iv	Support in full See answer above IC3.1.vii	Approve
IC3.4 Building height IC3.4.ii	Oppose in part See answer to DO16.1.1.iv It is important that the resource consent process, for buildings that exceed the maximum building height, are <u>notified</u> , to enable a democratic process where, the community and key organisations can have their say. Strengthen IC3.4.ii to include 'notified'.	Amend <i>Enable buildings of generally up to ~~six~~() storeys in the City Centre and City Fringe to promote the efficient use of land in an accessible location, and contribute to a compact City Centre with an increasingly diverse mix of activities.</i> Amend <i>Enable buildings of greater height in appropriate locations, including where they would define key gateways or corners within the City Centre and City Fringe, or otherwise support high quality design outcomes, and mitigate any adverse visual dominance, wind and/or shading effects.</i> Amend IC3.4.ii <i>Rule setting maximum building height and <u>notified</u> resource consent processes for assessing any proposal that infringe that rule.</i>
IC4A.1 residential amenity	Support in part See A2 - Accessibility. Residential units above ground floor, that are only accessible by stairs, will be a barrier for disabled people who cannot climb stairs. This could increase social isolation. Provisions that enable accessible design are encouraged, such as including lifts which enable accessibility for all and build community cohesion.	Add <i>Enable residential activities, and ensure development achieves a good level of amenity for residents, <u>and visitors</u> consistent with the vibrant mixed use character of the City Centre, including by:</i> <i>a. locating residential units, <u>that are accessible</u>, above ground floor level to provide privacy; and</i>
IC4A.1.i	Support in part Strengthen to include 'access of sunlight'. See A2 - Sunlight/daylight.	Add to IC4A.1.i <i>...However, well-designed high density residential development is important to provide for people's social well-being and in the City Centre this means having a reasonable level of privacy, <u>access of sunlight</u>, being able to sleep at night and being able to meet day-to-day functional needs, like storing a bike and having enough space indoors for functional living.</i>
IC4A.1.iii	Support in full See answer above IC3.1.vii	Approve

ICr.31.4 Parking and loading Assessment criteria	Support in part Guaranteed ride home is <i>one of the easiest and most cost effective strategies to promote alternative transportation</i> ²⁸ .	Add under h. - <u>Provision of sustainable transport fleet such as e-bicycles and e-vehicles.</u> - <u>Guaranteed ride home in the case of an emergency.</u> - <u>Employer purchase e-bicycle schemes.</u>
ICr.31B Cycle parking	Support in part This will support mode shift.	Consider Adding additional specifications – see answer to DO10.1.7.viii.
ICr.32.1	Support in full Adding micromobility enhances accessibility for all. See A2 – accessibility.	Approve
ICr.35 Daylight admission	Support in full This will mitigate shading on residential properties.	Approve
ICr.37A Maximum building height Discretionary/Non-complying/Prohibited	Support in part See A2 – Sunlight, Privacy, Open Spaces. Strengthen provisions to consider effects on a broader range of amenity values.	Add to ICr.37A.3 <i>lv.effects on the amenity values of neighbouring residential properties such as access of daylight/sunlight, or open space and recreation areas.</i> Add <u>effects on residential amenity values and wellbeing for building users, including outlook, privacy, access of daylight/sunlight, potential adverse effects from wind (wind tunnelling).</u>
ICr.37A.4 Maximum Building Height Assessment Criteria	Support in part Additional wording to strengthen provision. See A2 - Sunlight and Accessibility.	Amend <i>b.any effects of shading on open spaces, surrounding buildings and pedestrians.</i> Add <u>g. any effects on the usability and accessibility of the urban environment for disabled people.</u>
ICr.37B.4 New buildings and alterations and additions to	Support in part Strengthen to enable accessible design. See A2 - Accessibility.	Add <i>i.whether clearly defined and convenient pedestrian and micromobility access is provided from building entrances and tenancies from the street.</i>

²⁸ NZTA. (2011). Workplace travel plan guidelines. <https://www.nzta.govt.nz/assets/resources/travel-planning-toolkit/docs/workplace-travel-plan-guidelines.pdf>

buildings Assessment Criteria		Add under e. <i>the effects on residential amenity values, in particular: <u>c.whether the residential units are usable and accessible for disabled people.</u></i>
ICr.37C.4	Support in part Strengthen to enable accessible design. See A2 - Accessibility.	Add <i><u>c.whether the residential units are usable and accessible for disabled people.</u></i>
ICr.40 Removal of Outdoor living court Residential activity	Oppose in part See A2 – Open space.	Recommend Retaining the provision, or a version of it, as this provision may be valuable where there are likely to be several people residing in the building and where open spaces are not accessible. For example SCr.30.5 provides for a functional balcony to be provided on the basis that the zone provides for residential development above ground floor level.
ICr.55B Papakāinga development	Support in full See above answers to Papakāinga development.	Approve
ICr.59B Flood Areas except Flood Paths and Floodways	Support in full Support the inclusion of <i>v.risk to public health, safety and wellbeing and property from the flood hazard</i> under discretionary restrictions.	Approve
ICr.59D Flood Areas except Flood Paths or Floodways Network Utility	Support in part Support access in a flood event, including ability to maintain safe ingress and egress; and proposed evacuation plans; and NPHS-NM noted the absence of point iii (column right) that was included under suburban commercial and recommend its inclusion for the purpose of consistency.	Add <i><u>iii.the risk of adverse effects to other people, property, infrastructure and the natural environment including: a.public health and safety; and b. impacts on ecological values and values of significance to tangata whenua and public access associated with the proposed activity, including a need for flood protection works to be required to protect the utility’ under discretionary restrictions.</u></i>
ICr.71D.1 Slope instability Area 2 Overlay New buildings for residential and/or commercial activities	Support in part Support <u>not</u> permitting new buildings for residential and/or commercial activities. Any new buildings on slope instability areas are likely to have the biggest public health impacts on future generations, as the climate related events increase. It is important to consider the risk to future generations through the restricted discretionary process. See DO2.2.	Add Recommend Define what ‘risk to people’ means in MW.iii.

ICr.71JE Slope instability Area 3 Overlay New buildings for residential and/or commercial activities	Support in part See DO2.2	Recommend Define what 'risk to people' means in MW.iii.
ICr.76A Cycle parking	Support in part This will support mode shift.	Consider Adding additional specifications – see answer to DO10.1.7.viii
ICr.77 Access	Support in full Support providing micromobility access. See A2 - Accessibility.	Approve
ICr.84 Subdivision in any Flood Area	Support in part See DO2e risk to life See DO2.2 risk to people See DO2.2.6 flood risk to people	Add <i>potential risk to <u>people</u> life, property and the environment from the flood hazard.</i> Recommend If the above is added in, then 'risk to people' would need to be defined. Recommend Define what 'risk to life' means in MW.iii.
ICr.84.5 Flood Areas Assessment Criteria	Support in part Any new buildings in Flood Area areas are likely to have the biggest public health impacts on future generations, as the climate related events increase. It is important to consider the risk to future generations in the assessment criteria. See DO2.2 and DO2.2.6.	Recommend Define what 'risk to people' means in MW.iii.

Chapter 9 Suburban Commercial Zone

Specific part to which submission relates	Position and submission	Decision requested
SC2.4	Oppose in part Noted removal of sunlight and daylight. It is important this is retained, particularly to adjoining residential	Add Buildings and structures should be designed to visually integrate with the scale and form of buildings in adjoining

built form adjoining residential zones	zones and where residential units are located above ground floor. See A2 – Sunlight/Daylight.	residential zones <u>and sited to allow reasonable access of daylight and sunlight.</u>
SC2.5.i	Oppose in part Noted removal of sunlight and daylight. Recommend this is retained with some wording amendments. See A2 - Sunlight/Daylight.	Amend <i>The policies aim to achieve a high-quality built environment both within and adjoining suburban centres. <u>Access of daylight and sunlight is an important factor in the pleasantness of an area. This is particularly important so for residential areas and public open space, and for ensuring suburban centres are attractive places for people to visit and use. Buildings and development...</u></i>
SC2.5A scale of buildings	Oppose in part Recommend alignment with our position on number of stories in High Density Residential. See answer to DO16.1.1.iv	Amend <i>Enable buildings of generally up to six () storeys in areas of the Suburban Commercial Zone that adjoin the High Density Residential Zone to promote the efficient use of land in larger centres that have a diverse mix of activities...</i>
SC2.5A.i	Oppose in part Recommend alignment with our position on number of stories in High Density Residential. See answer to DO16.1.1.iv	Amend <i>The policy aims to enable heights within different areas of the Suburban Commercial Zone that are consistent with that of adjacent residential zones. Areas of the Suburban Commercial Zone that adjoin the High Density Residential Zone are provided with the opportunity to build up to six () storeys in height.</i>
SC2.5A.v Enhancement of centres by the Council and property owners through paving, planting and similar measures.	Support in part Additional wording which supports provision DO13A.2. It is important biodiversity is maintained though The Suburban Commercial area as an integral part of the mountains to coast network.	Add <i>Enhancement of centres by the Council and property owners through paving, planting and similar measures <u>which contribute to enhancing the native biodiversity of the area.</u></i>
SC2A.1 residential amenity	Support in part See A2- Accessibility. Residential units above ground floor, that are only accessible by stairs, will be a barrier for disabled people who cannot climb stairs. This could increase social isolation. Provisions that enable accessible design are	Add <i>Enable residential activities, and ensure development achieves a good level of amenity for residents, <u>and visitors</u> consistent with the vibrant mixed use character of the City Centre, including by:</i> <i>b. locating residential units, <u>that are accessible</u>, above ground floor level to provide privacy; and</i>

	encouraged, such as including lifts which enable accessibility for all and build community cohesion.	
SC2A.1.i	Support in part Strengthen to include 'access of sunlight'. See A2 - Sunlight/Daylight.	Add to SC2A.1.i <i>...However, well-designed high density residential development is important to provide for people's social well-being and in Suburban Areas this means having a reasonable level of privacy, <u>access of sunlight</u>, being able to sleep at night and being able to meet day-to-day functional needs, like storing a bike and having enough space indoors for functional living.</i>
SCr.20A.4 Residential activity Assessment Criteria	Support in part Strengthen to enable accessible design. See A2 - Accessibility.	Add <i><u>f. the extent to which the design is usable and accessible for disabled people.</u></i>
SCr.20BE Papakāinga development	Support in full See DO1A.	Approve
SCr.21.3 New Buildings and alterations and additions to buildings Discretionary/Non- complying/Prohibited	Support in part Strengthen this provision to include additional amenity values that are important for health and wellbeing. There may be situations where it is appropriate for the resource consent application to be notified. For example, where new buildings or alterations are likely to have a negative effect on public health and wellbeing. The Urban Design Panel is an important step in assessing the quality of the design application.	Add <i>lv. effects on residential amenity values for building occupants, including outlook, privacy, <u>access of sunlight</u>, <u>noise</u>, and storage.</i> Add <i>Resource consent applications will be considered without notification, or obtaining written approval of affected persons, <u>unless there is concern for public health and wellbeing. Applications will be assessed by the Urban Design Panel.</u></i>
SCr.21.4 New Buildings and alterations and additions to buildings Assessment Criteria	Support in part Support adequate storage space for bulky items such as bicycles as this will enable active transport. Include consideration of effects on wellbeing for building occupants and visitors.	Amend <i>b. the effects on amenity values <u>and wellbeing</u> for building occupant's <u>and visitors</u> in particular;</i>

	Multistorey buildings that are only accessible by stairs, will be a barrier for disabled people who cannot climb stairs. This could increase social isolation. Provisions that enable accessible design are encouraged, such as including lifts which enable accessibility for all and build community cohesion. Natural cross ventilation and access to open space is important for wellbeing. Using the word 'encourage', may risk this being easily disregarded. Strengthen wording so that natural cross ventilation and access to communal space is ensured.	<i>i. whether clearly defined and convenient pedestrian <u>and micromobility</u> access is provided from building entrances and tenancies from the street.</i> <i>iii. the extent to which the design is usable and accessible for disabled people.</i> <i>c. the effects on residential amenity values, in particular:</i> <i>i. whether residential units are located, proportioned and orientated to provide a good standard of amenity for future residents, including by maximising passive solar access, while balancing the need for building to front the street, and ~~encouraging~~ ensuring natural cross ventilation and the provision of communal open space; and</i>
SCr.22 Maximum building height	Oppose in part Recommend alignment with our position on number of stories in High Density Residential. See answer to DO16.1.1.iv.	Amend Undertake a SIA.
SCr.25 Landscaping	Oppose in part NPHS-NM are concerned that the removal of the Landscaping section may reduce the amount of greenery in the Suburban Commercial Zone. See A2 – Open Space.	Consider Will removing this section, reduce the greenery and biodiversity of the area? If so, retain the section.
SCr.30.4 Outdoor living court Assessment Criteria	Support in part It is important outdoor living courts have adequate space and access of sunlight. For example, this is essential if the building occupants want to grow food and/or for someone in a wheelchair. See A2 – Open Space, Accessibility and Social Cohesion.	Add <i>d. whether the outdoor living court(s) have adequate space and access of sunlight.</i> <i>e. the extent to which the outdoor living court is usable and accessible for disabled people.</i> <i>f. whether the outdoor living court has adequate shelter.</i>
SCr.30B.4 Residential unit – minimum size Assessment Criteria	Support in part The size of the unit is particularly important for disabled people. For example, someone in a wheelchair needs an adequate amount of turning space.	Add <i>c. the extent to which the unit is usable and accessible for disabled people.</i>
SCr.30C Residential unit – acoustic insulation	Support in full Acoustic insulation mitigates the effects of noise exposure and impacts on wellbeing.	Approve
SCr.31.4	Support in part	Add

Parking and loading Assessment criteria	It is important that clear, unobstructed access for emergency vehicles is available. This is particularly important with the removal of car parks.	<u>d.the extent to which parking and/or loading areas allow for unobstructed emergency vehicle access.</u>
SCr.31A Cycle parking	Support in part This will support mode shift.	Consider Adding additional specifications – see answer to DO10.1.7.viii.
SCr.39 Closing times Services to the public	Oppose in part Amend to comply with default maximum national trading hours Section 43 Sale and Supply of Alcohol Act.	Amend <i>b. Any activity located more than 50m from the Residential Zone boundary, which involves the sale of liquor for consumption on the premises, may be open for the sale of liquor only during the following hours: Daily: ~~7am~~ <u>8am</u> - 3am the following day, and</i>
SCr.55B.3 Flood Areas except Floodways Building and below ground swimming pools	Support in full Support the inclusion of <i>v.risk to public health, safety and wellbeing and property from the flood hazard</i> under discretionary restrictions.	Approve
SCr55D.3 Flood Areas except Floodways Network Utility	Support in part Support the inclusion of <i>‘iii.the risk of adverse effects to other people, property, infrastructure and the natural environment including: a.public health and safety; and b. impacts on ecological values and values of significance to tangata whenua and public access associated with the proposed activity, including a need for flood protection works to be required to protect the utility’ and access in a flood event, including ability to maintain safe ingress and egress; and proposed evacuation plans.</i>	Recommend Develop consistent wording. For example, what is the deference between ‘risk to public health and safety’ vs ‘risk to people’? In REr.83B it stated ‘risk to public health, safety and wellbeing but wellbeing it is not included here. As stated in REr.83B and DO2.2, wording needs to encompass risk to ‘public health (see proposed definition in MW.iii) and wellbeing (see proposed definition in MW.iii which includes health and safety) of current and <u>future generations</u> ’ and be consistent throughout the plan.
SCr.70A.4 to SCr.70F.4 SCr.70G.4 to SCr.70L4 SCr.70M.4 to SCr.70R.4 Slope Instability Assessment criteria	Support in part See DO2.2.	Recommend Define what ‘risk to people’ means in MW.iii.
SCr.70D Slope Instability Area 1 Overlay	Support in part Support not permitting a new residential unit or building. Using the non-complying activity status in this way requires clear, strong, objectives and policies to be	Consider If there is a risk that <i>a new residential unit or building for commercial activities is a non-complying activity, provided that it results in no more than one residential unit or</i>

New residential units and buildings for commercial activities	included in plans. Without such clear, strong, objectives and policies, there is a risk that the threshold may be set too low, inadvertently allowing consents to be granted where it may not otherwise have been desirable to do so ²⁹ .	<i>building for commercial activities on any site</i> is too low and instead this should be prohibited, to protect public health.
SCr.70J Slope instability Area 2 Overlay New buildings for residential and/or commercial activities	Support in part Support <u>not</u> permitting new buildings for residential and/or commercial activities. See DO2.2.	Recommend Define what 'risk to people' means in MW.iii.
SCr.70P Slope instability Area 3 Overlay New buildings for residential and/or commercial activities	Support in part See DO2.2 re what this definition could include.	Recommend Define what 'risk to people' means in MW.iii.
SCr.70V Liquefaction Hazard Overlay Building or network utility	Support in full See answer DO2.2.14 re liquefaction risk to people. See DO2 re risk to people.	Recommend Define what 'risk to people' means in MW.iii.
SCr.70W Fault Deformation Overlay Building or network utility	Support in part NPHS-NM supports not permitting buildings or network utilities in the Fault Deformation Overlay. It is important that a robust assessment is undertaken through restricted discretionary process.	Recommend Define what risk to people means.
SCr.70W.4 to SCr.70Y.4 Fault Deformation Overlay Assessment criteria for building and network utility	Support in part See REr.73.4 re earthquakes, public health and evacuation. See DO2.2 re risk to people and significant risk. See DO2e re risk to life.	Add <i>c.the risk to <u>people, life, property and the environment</u> posed by <u>fault deformation hazard</u>, considering the nature of the proposed activity.</i> <i>e.the extent to which the proposed activity impacts <u>emergency management plans</u>.</i>

²⁹ Ministry for the Environment. (2017). Writing Effective and Enforceable Rules. Quality Planning - The Quality Planning Resource.
<https://www.qualityplanning.org.nz/node/611#:~:text=Non-complying%20activities%20are%20those,do%20not%20necessarily%20warrant%20prohibition.>

		Recommend Re: 'significant risk' - align to wording around risk in the proposed NPS-NHD. If 'significant risk' is retained, please define it under MW.iii. Recommend Define what 'risk to people' and 'risk to life' means in MW.iii.
SCr.71A Subdivision in any Flood Area	Support in part See DO2.2.4 re flood risk to people.	Add <i>lv.potential risk to <u>people</u>, life, property and the environment from the flood hazard.</i> Recommend Define what 'risk to people' and 'risk to life' means in MW.iii.
SCr.71A.5 SCr.71A.6 Subdivision in any Flood Area Assessment criteria	Support in part Noted SCCr.71A.6 states <i>The rule seeks to ensure that allotments created are usable, and that the activities that may accompany subdivision do not worsen the flood hazard or <u>expose additional people</u> or property to risk.</i> See DO2.2 re risk to people and importance of considering future generations.	Recommend Define 'risk to people'.
SCr.79.4 Fault deformation overlay Subdivision Assessment criteria	Support in part See REr.73.4 earthquake risk to people. See DO2.2 re risk to people.	Add <i>d.the risk to <u>people</u> life, property and the environment posed by fault deformation hazard, considering the nature of the proposed land use and activities.</i>

Chapter 10 Industrial Zone

Specific part to which submission relates	Position and submission	Decision requested
INr.20.1 Residential units Permitted	Support in part See RER18F.4	Add <i>c.the residential unit is provided with an outdoor living court: v. <u>the outdoor living court(s) have adequate space and access of sunlight.</u></i>

		<i>vi. the outdoor living court is usable and accessible for disabled people.</i> <i>vii. the outdoor living court has adequate shelter.</i>
INr.35A Cycle parking	Support in part This will support mode shift.	Consider Adding additional specifications – see answer to DO10.1.7.viii.
INr.41.4 Light Spill Assessment Criteria	Support in part Exposure to blue wavelengths in artificial light outside normal daylight hours i.e. domestic LED streetlights, delays the circadian clock, disrupts sleep and has flow-on negative health effects. The effects of blue light in the environment on wildlife include similar disruption of biological clocks, and may affect plant growth, pollination, reproduction, migration, predation, and communication ³⁰ . Well-designed outdoor lighting installations can minimise light pollution and other environmental impacts while still providing adequate light for visibility and to support safety.	Add <i>b. the extent to which additional light may adversely affect occupation of residential properties such as sleep disturbance.</i> <i>f. The extent to which additional light may adversely affect the environment and wildlife.</i>
INr.42.1 Closing times Services to the public Permitted	Oppose in part Amend to comply with default maximum national trading hours Section 43 Sale and Supply of Alcohol Act.	Amend <i>b. Any activity located more than 50m from the Residential Zone boundary, which involves the sale of liquor for consumption on the premises, may be open for the sale of liquor only during the following hours: Daily: ~~7am~~ <u>8am</u> - 3am the following day, and</i>
INr.59.5 Flood path, Floodway Assessment Criteria Explanation	Support in part See flood impacts answer to DO2.2.4. See DO2.2 re risk to people. See DO2e re risk to life.	Add <i>All buildings and any above ground structures, and any earthworks (other than temporary earthworks for laying underground utilities) in any Flood Path or Floodway have been made discretionary activities so the degree of risk to people, life and property can be evaluated in each case.</i> Recommend Define risk to life and risk to people.

³⁰ Royal Society Te Apārangi. (2018). *Impacts of artificial blue light on health and the environment*. <https://www.royalsociety.org.nz/assets/Uploads/Blue-light-Aotearoa-evidence-summary.pdf>

INr.60A.4 to INr.60F.4 Flood Areas except Flood Paths or Floodways Assessment Criteria	Support in part See flood impacts answer to DO2.2.4. See DO2.2 re risk to people.	Recommend Define risk to people.
INr.60B.3 Flood Areas except Flood Paths and Floodways Building and below ground swimming pools Discretionary/Non- complying/Prohibited	Support in part Support the inclusion of <i>v.risk to public health, safety and wellbeing and property from the flood hazard</i> under discretionary restrictions. See REr.83B.	Recommend Develop consistent wording. For example, what is the deference between 'risk to public health, safety and wellbeing' vs 'risk to people'? Wording needs to encompass risk to 'public health (see proposed definition in MW.iii) and wellbeing (see proposed definition in MW.iii which includes health and safety) of current and <u>future generations</u> ' and be consistent throughout the plan. See DO2.2.
INr.60D.3 Flood Areas except Flood Paths or Floodways overlays Network utility Discretionary/Non- complying/Prohibited	Support in part Support the inclusion of <i>'iii.the risk of adverse effects to other people, property, infrastructure and the natural environment including: a.public health and safety; and b. impacts on ecological values and values of significance to tangata whenua and public access associated with the proposed activity, including a need for flood protection works to be required to protect the utility' and access in a flood event, including ability to maintain safe ingress and egress; and proposed evacuation plans.</i>	Recommend Develop consistent wording. For example, what is the deference between 'risk to public health and safety' vs 'risk to people'? In REr.83B it stated 'risk to public health, safety and wellbeing but wellbeing it is not included here. As stated in REr.83B and DO2.2, wording needs to encompass risk to 'public health (see proposed definition in MW.iii) and wellbeing (see proposed definition in MW.iii which includes health and safety) of current and <u>future generations</u> ' and be consistent throughout the plan.
INr.72A.3 Liquefaction Hazard Overlay Building or network utility Discretionary/Non- complying/Prohibited	Support in part Support including <i>'the level of risk including to people, property and infrastructure, both onsite and off the site'</i> under restricted discretionary.	Recommend Define risk to people.
INr.73A.3 INr.73A.3A Subdivision in any Flood Area Discretionary/Non- complying/Prohibited	Support in part See DO2.2.4 re flood risk to people. See DO2.2 re risk to people. See DO2e re risk to life.	Add <i>lv.potential risk to <u>people</u>, life, property and the environment from the flood hazard; and</i> Recommend Define risk to people and risk to life.

INr.76 Liquefaction Hazard Overlay Subdivision Discretionary/Non- complying/Prohibited	Support in part See DO2.2.14 risk to people form liquefaction. See DO2.2 re risk to people.	Recommend Define risk to people.
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Chapter 11 Open Space and Recreation Zone

Specific part to which submission relates	Position and submission	Decision requested
OSr.24.1 Closing times	Oppose in part Amend to comply with default maximum national trading hours Section 43 Sale and Supply of Alcohol Act.	Amend <i>b. Any activity located more than 50m from the Residential Zone boundary, which involves the sale of liquor for consumption on the premises, may be open for the sale of liquor only during the following hours: Daily: ~~7am~~ <u>8am</u> - 3am the following day, and</i>
OSr.27.1 Service buildings Permitted	Support in part Provisions for service buildings such as toilets need to be strengthened to ensure designs are accessible. Including Cycle Parking as seen in other aspects of this plan change would provide consistency in wording and improve connectivity within cycle networks. This also aligns to NCCs Active Travel Strategy - <i>Facilities at destinations which encourage active travel, such as secure and covered cycle parking and showering and changing facilities.</i> And this will help achieve the community outcome in NCCs Active Travel Strategy: A connected and integrated active travel network , linked to public transport, enables many in our community to more easily access the full range of social, educational and recreational facilities and activities.	Add <i>Service buildings to be used for changing rooms, ablutions, toilets or storage for sports or reserve maintenance equipment are permitted if: <u>b. they are built to be usable and accessible for disabled people.</u> <u>c. cycle parking is provided.</u> <u>d. mobility parking is provided.</u></i> <i>Note consideration should be given to whether Cycle Parking should be included as a separate 'Item' in this Chapter (Chapter 11 Open Space and Recreation Zone) as seen in other chapters such as Chapter 9 Suburban Commercial Zone.</i>
OSr.30.4	Support in part	Add

	As per OSr.27.1, and in addition the NCC Active Travel Strategy states: <i>Connected active travel networks enable all socio-economic groups, ages and abilities to reach facilities and activities.</i>	<i>c.the connectivity to active travel networks and the provision of cycle parking.</i> <i>d.the accessibility of the structure for disabled people.</i>
OSr.38.4 Light spill Assessment Criteria	Support in part See answer to INr.41.4	Add <i>b.the extent to which additional light may adversely affect occupation of residential properties such as sleep disturbance.</i> <i>f.The extent to which additional light may adversely affect the environment and wildlife.</i>
OSr.35 Access	Support in part Include micromobility access to align with other sections of the plan.	Add <i>Micromobility access must be provided and maintained for each site.</i>
OSr.74.4 Subdivision Assessment criteria	Support in part See A2 - Open Space.	Add <i>j.any impact the subdivision may have on public health and wellbeing such as a reduction in access to open space.</i>

Volume 3 Appendices

10 Standard and terms for parking and loading

Specific part to which submission relates	Position and submission	Decision requested
AP10.1.i Application of appendix 10	Support in part Where service buildings exist within the Open Space and Recreation Zone, that are providing services essential to the public, such as public toilets, it is recommended these be required to have parking spaces accessible/mobility parking (for people with disabilities) and cycle parking . It should be noted that “mobility parking” is the phrasing used by CCS Disability Action, the organisation	Add <i>For Open Space and Recreation Zone :</i> <i>*accessible/mobility parking and cycle parking, must be provided where there are service buildings that provide services essential to the needs of the public, such as public toilets.</i> <i>Add</i> <i>e.where micromobility access is provided mobility parking spaces should be considered.</i>

	responsible for issuing mobility parking permits. <u>Mobility Parking — CCS Disability Action</u>	<i>*Consider which terms is best used throughout the plan: <u>accessible parking</u> vs <u>mobility parking</u></i>
AP10.4.v Parking spaces for people with disabilities	Support in part Support provisions of parking spaces for people with disabilities. Additional wording suggested to strengthen wording.	Add <i>Accessible car park spaces must be provided as close as practicable to the accessible building entrance to the associated activity, and the most direct route from the accessible car park spaces to the activity must be an <u>accessible route as outlined in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities, Section 4 – Accessible Routes</u>. The accessible spaces must be clearly signed and located to avoid conflict between vehicles and people using or moving to or from the space.</i>
AP10.4A Parking spaces for cycles AP10.4.A.iv	Support See answer to DO10.1.7. It is important that cycle parking meets the needs of all cycles – for example, e-bicycles often have thicker tyres and cannot fit in some standard cycle parking.	Add to AP10.4.A.iv <i>All required cycle parking must be located and designed in a manner that is:</i> <i>a.in a location directly accessible from either the road, vehicle access, pedestrian access or car parking area; and</i> <i>b.fully sheltered from the weather; and</i> <i>c.lockable and secure; and</i> <i>d.not part of any required outdoor living space or landscaped area; and</i> <i>e.artificially lit where the parking is located inside or operates outside of daylight hours.</i> <i>f.appropriate for a range of bikes, including e-bicycles.</i> <i>g.clearly signposted or visible to cyclists entering the site.</i> <i>h. not impeding pedestrian thoroughfares including areas used by people whose mobility or vision is restricted.</i> Consider additional requirements of cycle parking to provide space to support the charging of electric bikes similar to electric vehicle supply equipment see AP10.4B.
AP10.4B End of trip facilities	Support in part Support including lockers. Providing a secure, dry facility to leave items such as helmet and bike shoes will reduce	Consider

	barriers to mode shift. We support the exploration of e-bicycle charging facilities such as the Locky Docky system adopted in Auckland, which is solar powered.	Adding provisions for e-bicycle charging facilities such as the Locky Docky system. This may be better suited under cycle parking.
AP10.5Aelectric vehicle supply equipment	Support in part Support providing for car park spacing that supports the charging of electric vehicles. Electric vehicles are unaffordable for some people. E-bicycles, however, are a cheaper and healthier option.	Consider Providing for e-bicycle charging facilities as well, as mentioned in AP10.4B.
AP10.5B Lighting for parking spaces	Support in part Well-designed outdoor lighting installations can minimise light pollution and other environmental impacts while still providing adequate light for visibility and to support road safety. Solar-powered LED lights are a renewable source of energy and therefore have a much lower environmental impact than that of LED lights that are connected to the electricity grid.	Consider solar-powered LED lights where appropriate through: - provisions in the NRMP - Encouraging the community to choose solar-powered LED lights as an environmentally friendly option for residential and commercial use e.g. for security lighting. This could be included on NCC's webpage 'Sustainable at home'³¹.
AP10.15.2.i Assessment criteria	Support in part Support inclusion of accessible parking and electric vehicle charging and lighting provisions, dedicated parking spaces for car-share/ride share. Support considering the safety of pedestrians. Recommend including wellbeing to ensure a more holistic assessment of community impact is considered in relation to these provisions as safety is only one aspect of wellbeing. Access to healthcare is a determinant of health. Having a maximum number of parking spaces at health facilities may become a barrier to people accessing healthcare.	Amend Under a. Parking, queining and loading provisions including... <i>Vi.the extent to which the safety <u>and wellbeing</u> of pedestrians, particularly children, will be affected by the reduction or non provision of <u>parking</u>, <u>queuing</u> or <u>loading spaces</u> or by being set down on-street.</i> Add Under Maximum car parking <i><u>v. The impact on public health and wellbeing and access to healthcare services.</u></i>

³¹ Sustainability at home. (n.d.). Nelson City Council. Retrieved October 16, 2023, from <http://www.nelson.govt.nz/environment/sustainability/sustainability-at-home/>

	NPHS-NM recommend this is considered in the specific assessment criteria for these provisions.	
AP10.16.5 Reasons for rules Cycle parking and end of trip facilities	Support in part Support reasons for rules under cycle parking and end of trip facilities.	Consider adding in additional reasons which support wellbeing. For example in E Tū Whakatū - Nelson Active Travel Strategy 2022-2032 ~~These will~~ <i>To enable and encourage safe and convenient active travel, *to reduce the reliance on cars, reduce carbon emissions, and enhance the health and wellbeing of our community.</i> *note strike through because this has been partly mentioned in AP10.16.5.i.
AP10.16.6.i Reason for rules Accessible parking	Support in part Well-functioning environments for people of all abilities has a positive impact on wellbeing for people and communities. NPHS-NM recommend referencing wellbeing as an important reason for the rules under accessible parking.	Add <i>To enable a well-functioning environment for people of all abilities, that provides for the special design, personal security, accessibility, <u>wellbeing</u> and convenience requirements of all users.</i>

11 Access Standards

Specific part to which submission relates	Position and submission	Decision requested
AP11.i Overview – application of Appendix 11	Support in part Support provision to provide micromobility access to a site in Residential, Inner City and Suburban Commercial Zones. Where service buildings exist within the Open Space and Recreation Zone, that are providing services essential to the public, such as public toilets, it is recommended that accessible access is provided for people with disabilities in order to achieve an accessible route as per the NZS 4121:2001 Design for access and mobility: Buildings and associated facilities, Section 4 – Accessible Routes.	Add <u>For Open Space and Recreation Zone: access to a site by micromobility access must be provided where there are service buildings that provide services essential to the needs of the public, such as public toilets.</u> Add <u>f. where mobility parking for people with disabilities is provided.</u>

	It is important to link parking for people with disabilities and microbility access to a site to enable the person(s) safe mobilisation from the parked vehicle to the site.	
AP11.3A.1Design of micromobility access	Support in part NPHS-NM noted it is not clear in <i>NZS 4121:2001 Design for access and mobility: Buildings and associated facilities</i> where the ‘step-free option’ is specified. Specifying the exact section(s) will enable greater clarity, efficiency and ensure the outcome of a well-functioning urban environment for people of all abilities is achieved.	Add <i>g.where the micromobility access includes steps, provide a step-free option as specified in NZS 4121:2001 Design for access and mobility: Buildings and associated facilities.</i> Amend wording to specify which part of <i>NZS 4121:2001 Design for access and mobility: Buildings and associated facilities</i> is being referred too. For example SECTION 4 – ACCESSIBLE ROUTES, specifically 4.3...
AP11.3A.1.iiDesign of micromobility access Restricted discretionary activities	Support in part Additional wording provided to strengthen provision. Note our proposed definition of wellbeing includes ‘health and safety’ - see recommendation under MW.iii.	Add <i>The extent to which the wellbeing and safety of pedestrians and micromobility users, both on and off the site will be affected.</i> And/or <i>The extent to which the wellbeing of pedestrians and micromobility users will be affected should their access to the site be limited.</i>
AP11.7.5.i	Support in full Providing access for pedestrians and micromobility users, of all abilities, to sites where vehicle access is not provided is important for community cohesion.	Approve

14 Residential subdivision design and information requirements

Specific part to which submission relates	Position and submission	Decision requested
AP14.2.1.iii Context analysis	Support in part Recommend inclusion of schools, health and community facilities to provide greater context.	Add under AP14.2.1.iii e. location of all local commercial <i>service and education, recreation, community and health</i> facilities, up to 1km of the site.

AP14.2.2 Design Description: Subdivision and Development Plan AP14.2.2.ii movement network	Support in part Recommend addition wording to strengthen provision in line with previous recommendations.	Amend <i>a. existing and proposed pedestrian and cycle infrastructure ~~links~~ and their, network connections.</i> <i>d. the location of car, <u>mobility and cycle</u> parking spaces.</i> <i>e. the location of and connectivity to, the blue and green network.</i>
AP14.2.3.ii design statement content requirements Design statements should:	Support in part Recommend addition wording to strengthen provision in line with previous recommendations.	Add to AP14.2.3.iii <i>Design statements should:</i> - <i><u>explain how the design will meet the needs of disabled people.</u></i>
AP14.3.2.ii Quality subdivision will:	Support in part Recommend addition wording to strengthen provision in line with previous recommendations.	Add <i>d.3.b. <u>Integrate native vegetation, mature trees and significant ecological features and use these as features within public open space to enhance wellbeing.</u></i>
AP14.3.4.ii streetscape and open space design.	Support in full Support addition of micromobility users.	Approve

19 acoustic insulation requirements

Specific part to which submission relates	Position and submission	Decision requested
AP19.3.ii This sets out the minimum ventilation requirements for new bedrooms in the Inner City Zone and Suburban Commercial Zone where the indoor design level cannot be achieved with ventilating windows open.	Support in part There are concerns regarding the removal of “creating no more than 30 dB LAeq (15 min) in new bedrooms. Sound levels from the mechanical system(s) shall be measured at least one metre away from any diffuser”. Best practice should be endorsed.	Consider Seeking further advice around the removal of this clause under both sections a) and b). Reinstate the clause if noise from ventilation systems could potentially impact people’s ability to sleep.

22 Guidelines for comprehensive housing development

Specific part to which submission	Position and submission	Decision requested
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relates		
Appendix 22 comprehensive housing development\	Support in part Design guidelines, that consider the determinants of health in the built environment, help to inform better design outcomes. Better design outcomes will support public health and wellbeing. For example, Auckland Council refers to 'The Auckland Design Manual' on their website, which explains the importance of good design and helps people understand how to achieve a good design outcome for their project³². There is no reference to Māori design in this guideline. Tasman District Council plans to work with tangata whenua to develop a Māori Urban Design Framework. This an important tool which could guide how matauranga Māori could be used to enhance cultural connections to the land and tell local stories through the design of buildings, neighbourhoods and parks. See A2 - Spatial Equity.	Recommend Updating the full '22 Guidelines for comprehensive housing development' to align to best practice. See AP22.3 which provides an example of some additional points that 'The Auckland Design Manual' includes in reference to privacy. Consider Increasing reference to the 'Design Guidelines', where relevant, throughout the plan. Recommend Discuss with tangata whenua and TDC about the development of a Māori Urban Design Framework.
AP22.3 Overall outcomes	Support in part Noted that the guidelines could be strengthened by updating to include best practice enhancements identified in the Auckland Design Manual³² to support privacy (see A2), amongst other areas.	Consider - Onsite planting to screen up to three stories - Orientating and angling adjacent blocks so that they do not directly face each other. - Solid or semi-solid balustrades on balconies. - Use of tinted windows.

³² Auckland Design Manual. (n.d.). Auckland Council. Retrieved October 19, 2023, from <https://www.aucklanddesignmanual.co.nz/sites-and-buildings/apartments/guidance/>

Conclusion

NPHS-NM thanks NCC for the opportunity to comment on Plan Change 29.

Ngā mihi,

A handwritten signature in blue ink, appearing to read 'Vince Barry', is positioned above the printed name.

Vince Barry

Regional Director Public Health Te Waipounamu
National Public Health Service

Appendix 1: Public Health and Wellbeing:

The urban environment is a determinant of health and wellbeing, and well thought out urban design can protect and promote health, and improve health, equity and disability outcomes. The Ministry of Health's 2022 *Principles for Healthy Urban Development* sets Pae Ora (healthy futures for allⁱ) as the vision for healthy urban development. Pae ora is a holistic concept that includes three interconnected elements: mauri ora (healthy individuals), whānau ora (healthy families) and wai ora (healthy environments) (Figure 1). These three elements are mutually reinforcing and strengthen improvements in health outcomes over time⁷.

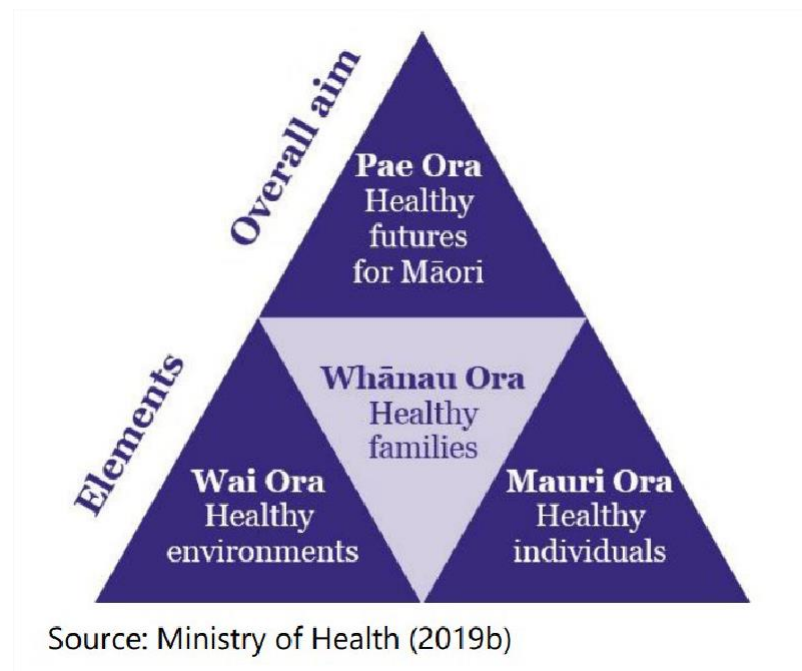


Figure 1: He Korowai Oranga Framework.

The *Principles for Healthy Urban Development* outlines four inter-related principles to consider in urban development processes to achieve pae ora and thriving outcomes for our communities: The principles are:

- healthy, safe and resilient communities

- wai ora – healthy environments
- equity
- mitigating and adapting to climate change⁷

When done well, the benefits of housing intensification and a more compact urban form on the public health and wellbeing of current and future generations are evident through a positive impact on the determinants of health (see Appendix 2) such as; equitable access to healthy, affordable and diverse housing, access of sunlight entering a home and outdoors space, access to open green spaces, food security, adequate privacy, noise mitigation, accessible design, increased connectivity to essential services like education, healthcare through good public and active transport infrastructure, promotes social cohesion and spatial equity.

However, housing intensification that is not ‘done well’, could negatively impact the public health and wellbeing of current and future generations and increase inequities through a negative impact on the determinants of health such as; lack of affordable, accessible and diverse housing, lack of sunlight entering a home and outdoor space, reduction in open green spaces and biodiversity, food insecurity, inadequate privacy, harmful light and noise exposure, wind tunnelling, inaccessible design, lack of services and infrastructure, social isolation and spatial inequity.

Acclaimed global architect Buchan puts it simply, *‘People require a basic quality of life, which is access to outdoor spaces, sunlight, privacy and peace. If we forget those, we do that at our peril into the future. We need to think about designing apartments that have high amenity, flexibility and create vibrant communities urgently, before it’s too late*³³.

Social Impact Assessment:

A Social Impact Assessment (SIA) supports positive public health outcomes. It is a process that provides information to decision makers and affected people when planning for change and looks to balance economic, social, and environmental needs, and promote equitable and sustainable development. Building Better: Social Impact Assessment: Guidelines for thriving regions and communities³⁴

³³ Design critical to NZ housing intensification. (n.d.). ArchitectureNow. Retrieved October 19, 2023, from <https://architecturenz.co.nz/articles/design-critical-to-nz-housing-intensification/>

³⁴ He Kainga Whakamana Tangata Whakamana Taiao - Building Better Homes, Towns and Cities, Building Better: Social Impact Assessment: Guidelines for thriving regions and communities https://www.buildingbetter.nz/news/2022/tr_social_impact_assessment/

A social impact can be described as any change to people's lives, planned or unplanned, that arise from human actions or naturally occurring events. These changes to people's lives can be interpreted as positive or negative. The Table below (Table 1) looks at some different aspects of social life that assessments typically consider.

SOCIAL LIFE	POTENTIAL IMPACTS ON SOCIAL LIFE
Population and settlements	The number of people, who they are (gender, ethnicity, age), their households, where they live, and property ownership and rights
Livelihoods and income	How people and households meet their daily needs, including employment and business activity, and also the ability to collect, catch, grow, and exchange food
Community and equity	Who make up the community and how it functions, resilience to change, leadership and political systems, collective action and cohesion, gender differences, and social exclusion
Places, beliefs, and practices	People's sense of place, where they live, how they play, and how they interact each day, shared beliefs, language, attitudes, customs, practices, stewardship, obligations, values and stories, heritage, and sacred places
Land uses	Urban/rural uses of the land, types of agriculture and food production, urban form, uses of natural resources (land, water, ocean), and conservation practices
Infrastructure	Transport (how people move around), water supplies, waste disposal, flood protection, telecoms, and the built environment
Health and wellbeing	Physical and mental health, social welfare, hazards and safety, environmental quality, levels of ability and vulnerability, and spiritual wellbeing
Services	Hospitals and schools, retail and shops, social services, policing, public agencies, media, and social media and access to social services
Recreation and cultural values	How and where people play and relax, commercial and community recreation, sports facilities and activities, access to open space and quality natural areas

Table 1: Different aspects of social life that assessments typically consider³⁴.

Appendix 2: Key Determinants of Health in the Built Environment:

The determinants of health are a range of personal, social, economic and environmental factors at different levels that influence health and wellbeing.

Figure 2 below provides a broad overview of the determinants of health and wellbeing in our neighbourhoods.

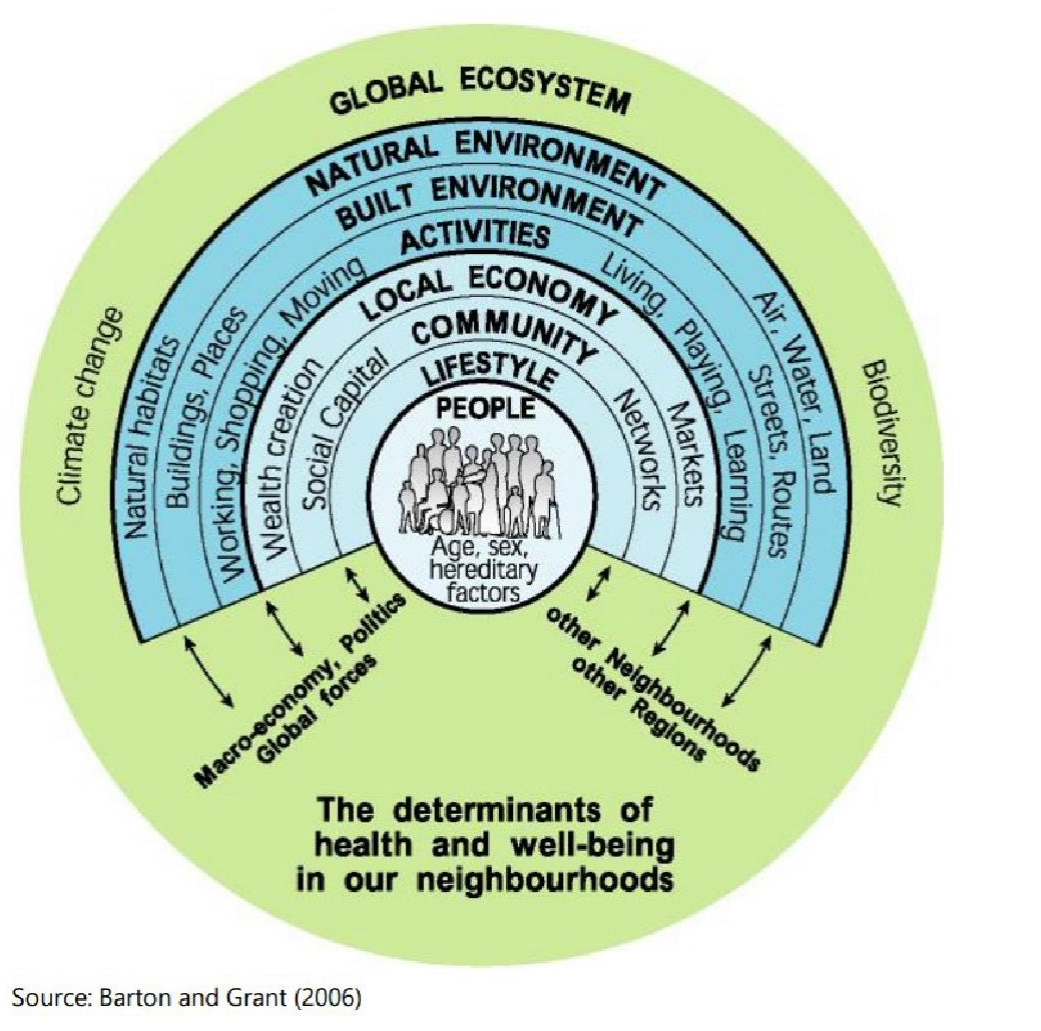


Figure 2: Determinants of health and wellbeing in our neighbourhoods.

The points below are some of the key determinants of health in the built environment which we have grouped under; daylight/sunlight, open space, privacy, accessible design, spatial equity, climate change and natural hazards, and touched on why they're important to public health and wellbeing. These are referred to in our tables.

1. Daylight/Sunlight

As stated in the Auckland Design Manual,

Daylight consists of skylight (diffuse light from the sky) and sunlight (direct beam radiation from the sun). These change with the time of day, season, and weather conditions. This variability contributes to pleasant living environments, as does having overall daylighting that is adequate without overheating. Daylight is important for human health and reduces reliance on artificial light, improving energy efficiency and residential amenity³².

There is strong evidence that natural light has a positive impact on health. Adequate natural light at home has been found to be protective for various health outcomes including infectious disease, injuries, depression, mood, falls and sleep³⁵. Maximising the amount of natural light entering the home through increased space between dwellings and larger, sun-facing windows has shown to improve emotional wellbeing, particularly for women and young people³⁶. Sunlight access also gives residents an option to grow their own food and maintain a garden.

2. Open space

Urban growth is often responsible for reduction in habitat which results in the loss of native species and an increase in non-native species³⁷. The reduction of vegetation and biodiversity in our urban areas (and their fringes) can have negative impacts on our wellbeing. Having access to green spaces is known to improve the physical and mental well-being of people living in cities^{38, 39}.

³⁵ Lighting in the Home and Health: A Systematic Review Int J Environ Res Public Health. 2021 Jan; 18(2): 609. Published online 2021 Jan 12.

³⁶ Morales-Bravo, J., & Navarrete-Hernandez, P. (2022). Enlightening wellbeing in the home: The impact of natural light design on perceived happiness and sadness in residential spaces. Building and Environment. doi:10.1016/j.buildenv.2022.109317

³⁷ Ministry for the Environment & Stats NZ (2019). New Zealand's Environmental Reporting Series: Environment Aotearoa 2019. Available from environment.govt.nz and www.stats.govt.nz.

³⁸ Fuller, R., Irvine, K., Devine-Wright, P., Warren, P., & Gaston, K. (2007). Psychological benefits of greenspace increase with biodiversity. Biology Letters, 3(4), 390–394. https://doi.org/10.1098/rsbl.2007.0149

³⁹ Taylor, G. (2000). Action plan for seabird conservation in New Zealand. Part A: Threatened seabirds. Threatened species occasional publication No. 16. Wellington. Retrieved from <http://www.doc.govt.nz/documents/science-and-technical/tsop16.pdf>

The preservation, provision and accessible access to open space (green and blue) contributes positively to both public health and urban ecology. Open spaces that are co-designed with the people in the surrounding neighbourhood will meet their needs and maximise end user engagement with the shared space.

Integrating green spaces and natural features into urban areas helps with:

- temperature and flood control, improves air quality, noise control and creates wildlife corridors and carbon sinks^{40, 7}.
- reducing soil erosion, controlling flooding, filtering out pollutants from water run off resulting in cleaner urban streams which protects Te Mana o Te Wai.
- making active transport more appealing, providing opportunities for recreation and play, and improving health and wellbeing³⁷.
- increasing access to edible food in urban areas which has positive wellbeing effects. Adequate open space for community projects such as growing food improves people's access to nutritious, locally grown food. This improves food security, reduces food miles, the need for health care and greenhouse gas emissions.
- providing an opportunity for people to gather and socialise which has many health and wellbeing benefits⁴¹.
- cooling urban areas and reducing the heat-island effect which can be created in urban areas as they absorb, produce and retain more heat⁴². One of the impacts of climate change is more heatwaves which will increase the likelihood of heat-islands.
- integrating green infrastructure⁴³ into public spaces.
- incorporating trees and vegetation along streets to reduce heat, improve air quality, and creates a more pleasant micromobility environment.

⁴⁰ Chapter 4: Working with nature. (2022). In Emissions Reduction Plan. Ministry for the Environment - Manatū Mō Te Taiao.

⁴¹ Regional Public Health (2010) Healthy Open Spaces: A summary of the impact of open spaces on health and wellbeing. Regional Public Health, Wellington. Retrieved from <http://www.rph.org.nz/content/d893f45e9d35-4906-bde7-c4912036c97e.cmr> 27 July 2017

⁴² Ministry for the Environment. (2022). *Reducing the impact of urban heat waves*. <https://environment.govt.nz/what-you-can-do/stories/reducing-he-impact-of-urban-heat-islands/>

⁴³ Auckland City Council. (n.d.). Green infrastructure. Auckland Plan 2050. Retrieved October 19, 2023, from <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/auckland-plan/environment-cultural-heritage/Pages/green-infrastructure>

Trees are critical in urban landscapes for their capacity to: regulate temperature, manage stormwater, filter air, provide shade, food security, mental health, provide habitats for birds and insects and for their continuity between the past, present and future⁴⁴. In a recent report from the Parliamentary Commissioner for the Environment, trees are described as ‘vital urban infrastructure’ and a key factor in ensuring cities are liveable as the climate changes⁴⁴. It is important to note species of trees that contribute to allergies such as hay fever, should be avoided in high density urban environments for example: alder, ash, coprosma, cypress, elm, liquidambar, maple, mulberry and plane trees⁴⁵.

As noted in the Urban Water Principles: Recommendation of the Urban Water Working Group Phase 1 Report, ‘*symptoms of ‘urban stream syndrome’, need to be addressed to provide for ecosystem health and other community values related to liveability*’⁴⁶. The Urban Water Principles are 10 principles which can guide decision-making that promotes sustainable behaviours and the creation of water sensitive urban spaces by drawing on mātauranga, the lessons of the past, international best practice, the needs of our present communities, and a vision of a sustainable, resilient future⁴⁶.

3. Privacy

Privacy is a basic human need⁴⁷. Living in a space that ensures privacy allows occupants and users to engage in activities that are crucial for health and wellbeing, such as personal, cultural and spiritual practices, and those that enable occupants to connect with each other⁴⁸. Without privacy, a home can feel unsafe and insecure. Intensification can be seen as a way of losing privacy⁴⁹, with dominant buildings having an outlook⁵⁰ onto the outdoor living courts of the buildings below. Fear of ‘what might be built next door’ and the impact this might have on a person’s privacy are public

⁴⁴ Parliamentary Commissioner for the Environment. (2023). Are we building harder, hotter cities? The vital importance of urban green spaces. <https://pce.parliament.nz/media/tetah53z/report-are-we-building-harder-hotter-cities-the-vital-importance-of-urban-green-spaces.pdf>

⁴⁵ Pollen and Plants. (n.d.). Asthma and Respiratory Foundation NZ. Retrieved October 10, 2023, from <https://www.asthmafoundation.org.nz/your-health/living-with-asthma/common-asthma-triggers/pollen-and-plants>

⁴⁶ Urban Water Principles: Recommendation of the Urban Water Working Group. 2018. Wellington: Ministry for the Environment.

⁴⁷ de Macedo, P. F., Ornstein, S. W., & Elali, G. A. (2022). Privacy and housing: research perspectives based on a systematic literature review. *J Hous Built Environ*, 37(2). <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8931782>

⁴⁸ Willems, S., De Smet, H., & Heylighen, A. (2020). Seeking a balance between privacy and connectedness in housing for refugees. *Journal of Housing and the Built Environment*, 35(1), 45-64. doi:10.1007/s10901-020-09727-7

⁴⁹ CityScope Consultants. (2011). Improving the Design, Quality and Affordability of Residential Intensification in New Zealand. <https://thehub.swa.govt.nz/assets/documents/improving-the-design-report.pdf>

⁵⁰ Falconer, J. H. A. (2021). Briefing on Intensification. Christchurch City Council. <https://ccc.govt.nz/assets/Documents/Consents-and-Licences/resource-consents/Intensification-Roadshow-August-Version-for-Urban-Development-and-Transport-Committee-on-5-August.pdf>

perceptions which can arise with the prospect of intensification. Privacy needs to be balanced with opportunities for social interaction. These privacy factors, linked to wellbeing, are important to consider in urban design and planning.

4. Accessibility

All people deserve to live in a built environment that meets their needs. There is an opportunity to build community by ensuring that buildings, and their surrounding infrastructure, are accessible for all. Designing and building for the needs of disabled people/tangata whaikaha is not just about having an accessible home, it's also about having accessible communities. An accessible building is one which people with disabilities can use in the same way as anyone else. An accessible building must be considered in the context of an accessible journey encompassing the route to the building (approachability), the route through the building (accessibility) and the facilities within the building (usability). The advantages of an accessible building apply to the population as a whole and not just those with disabilities. An accessible built environment looks like:

- A grandmother who cannot climb stairs can go to her granddaughter's birthday party because the apartment has a lift.
- A teenager who is in a wheelchair can hang out at the park with friends because the paths and equipment are accessible and usable.
- A mother feels safe pushing a pram, with her father walking next to her using his walking frame to go to the local shops for lunch.
- A father who recently had a stroke and lost his licence feels safe to take the bus to the hardware store to meet his son.

All people deserve to be able to and feel safe to visit the homes of their friends and whānau, access the local shops and parks and attend hospital or healthcare appointments.

As it stands, parts of the built environment segregates disabled people by having inaccessible infrastructure. Urban design that takes disabled people's needs into consideration can play a key role in fixing this. For example; by matching dished kerbs on opposite sides of the road and crossing points, accessibility parking, pedestrian environments that are logical and consistent, providing a degree of predictability within an environment⁵¹, good lighting for people with visual difficulties, generous clear access routes that enable two wheelchairs uses or parents with strollers to pass and multi-story buildings with lifts.

⁵¹ Centre for Excellence in Universal Design. (n.d.). Building for Everyone: A Universal Design Approach - External environment and approach. <https://universaldesign.ie/Built-Environment/Building-for-Everyone/1-External-Environment.pdf>

The National Local Authority Survey on Accessibility 2020 was triggered by disabled people reporting that local government has a greater impact on their daily lives than central government. The Survey was designed to elicit local officials' perspectives on accessibility. In the document, accessibility was defined as:

1. Accessibility is generally understood as our ability to engage with, participate in, and belong to, the world around us.
2. Accessibility for disabled people includes:
 - a. access to warm, safe and affordable housing
 - b. access to choices about where to live, learn, work and play
 - c. access to safe and affordable transport
 - d. access to public buildings, spaces and facilities
 - e. access to information in formats and languages that meet disabled people's needs
 - f. access to meaningful work and play
 - g. access to leadership positions on an equal basis with non-disabled people.

The findings of the survey concluded that:

- more can be done to progress disabled people's participation in policy development and implementation at the local level
- councils are not proactively collecting accessibility information on a wide range of issues
- although many councils are supporting a focus on inclusive communities, it is not clear whether this incorporates a focus on disabled people
- much more work is required to meet disabled people's needs in communities across New Zealand⁵².

⁵² Office for Disability Issues, Te Tari Mo Nga Take Hauatanga. (2020). Findings of the National Local Authority Survey on Accessibility. <https://www.odl.govt.nz/assets/Uploads/2020-06-18-Findings-of-the-National-LA-Survey-on-Accessibility.pdf>

New Zealanders living with a disability find it “impossible” to buy homes that meet their needs, and it is also very difficult to find suitable rental properties. The poor functionality and accessibility of Aotearoa New Zealand’s housing stock contributes to the process by which individuals’ limitations are transformed into a disability. This has resulted in:

- People being displaced from private homes into residential facilities
- Costly dwelling/housing modifications which frequently under-deliver functionality, are unaffordable for individuals, and need to be rationed because of constraints on public funding with a consequent gap between need and supply
- Requirements for significant in-home support provided and/or funded by families or contacted with public funding.

Housing modifications are required when homes fail to support the residents in their activities of daily living such as washing, toileting etc. Housing modifications can be prevented through incorporating the simple principles of universal or accessible design that considers aging across the lifetime into housing designs. This ensures a home is sustainable and can be adapted to meet the lifetime needs of the resident from the stage where they have young children in pushchairs to when they are elderly and/or have a disability.

The Te Whatu Ora Community Occupational Team supports people in the Nelson and Tasman community through the housing modification process. As at 26th September 2023, the team estimates 15-20% of their workload to be housing related, whether that is complex housing modifications such as installing a wet area bathroom or simple housing modifications such as the installation of a grab rail. Here are some statistics from the team:

- In 2022, 79/757 of their referrals indicated housing as the rationale for the referral and some that didn’t initially indicate housing on the referral ended up being housing related.
- 14 people who were referred for housing modifications in 2022 are still waiting for housing modifications now.
- In 2023, 68/554 of their referrals indicated housing as the rationale for the referral and some of the referrals that didn’t initially indicate housing on the referral ended up being housing related.
- 40 people who were referred for housing modifications this year (2023) are still waiting for housing modifications now.
- Complex housing modifications can take 12-18 months to be completed with the clients having to have an alternative wash, such as a sponge bath for this time.

- Simple housing modifications such as installation of grab rails can take two months to be completed with clients again having to have an alternative way to wash, such as a sponge bath or being at risk of falling without a rail.

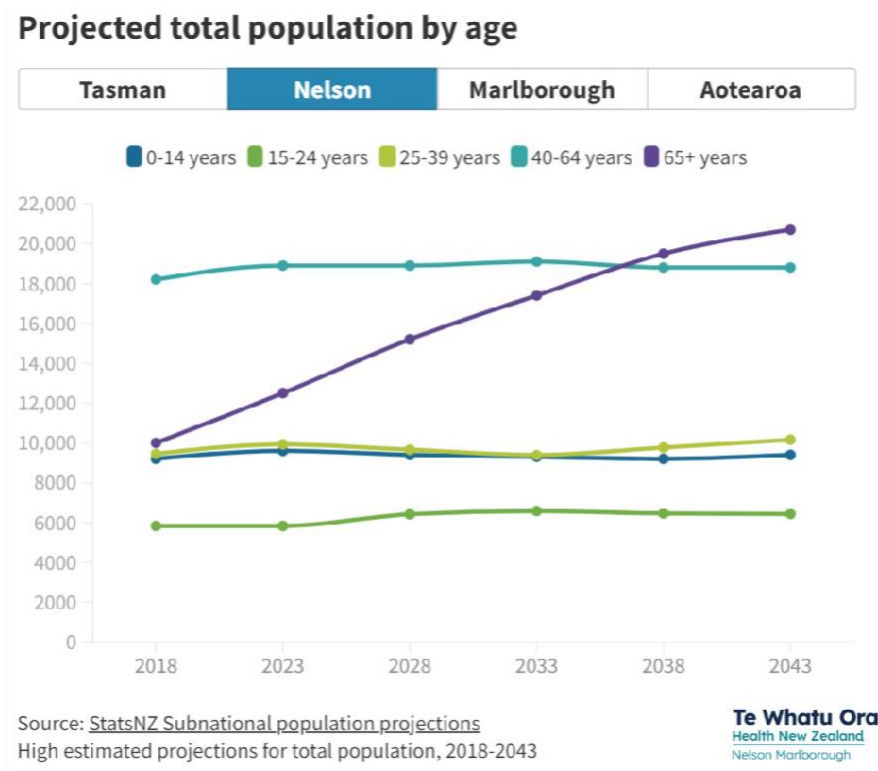
The team shared stories of why it is important that accessible design is included in the build or re-building of houses. For example, when houses are being built or renovated but do not include simple measures such as the installation of a grab rail, their team receives a referral to install a grab rail. This can take months to happen and leave people vulnerable and at risk of injury. Grab rails cost between \$30-\$80 and are best installed when bathrooms are being built or renovated so that anchor points are appropriately considered for the grab rail. There is huge cost savings if these are installed at the beginning and are an easy addition to bathrooms and toilets, providing a level of stability for people.

NPHS-NM supports Council in highlighting Universal design in Section 32 Evaluation Report. In response to this, the proposed plan requires applications for 10 or more residential units, to have at least 10% of residential designed to provide convenient wheelchair access. It is our understanding that 10% was chosen as it aligns with planning proposals in Hamilton and Auckland, and that it is a round number which makes calculations easier. This number needs to be higher and building accessibly needs to be normalised.

In the tables below, we recommended an increase from 10% to at least 30%. The following information shows our thought process behind this number, and, in addition, we present this information to council to consider adopting an even higher figure (above 30%) to look long-term to a future with a truly accessible and inclusive built environment.

- The 2013 Disability Survey showed 27% of people in Nelson were identified as disabled.
 - o The 2013 Disability Survey is 10 years old therefore, we can presume the number of disabled people would have increased in this time.
- The 2013 Disability Survey showed that people aged 65 or over were much more likely to be disabled (59%) than adults under 65 years (21%) or children under 15 years (11%).

- The number of Nelson residents aged 65 and over is projected to more than double and will make up a third of the total Nelson population by 2043⁵³. This is depicted in graph 1 below. Given this prediction, we can presume the number of disabled people will significantly increase in this time.
- The information from Te Whatu Ora's Community Allied Health team (above) on housing modifications.
- The plea from the National Local Authority Survey on Accessibility 2020 for more work to be done to meet disabled people's needs in communities across Aotearoa New Zealand.

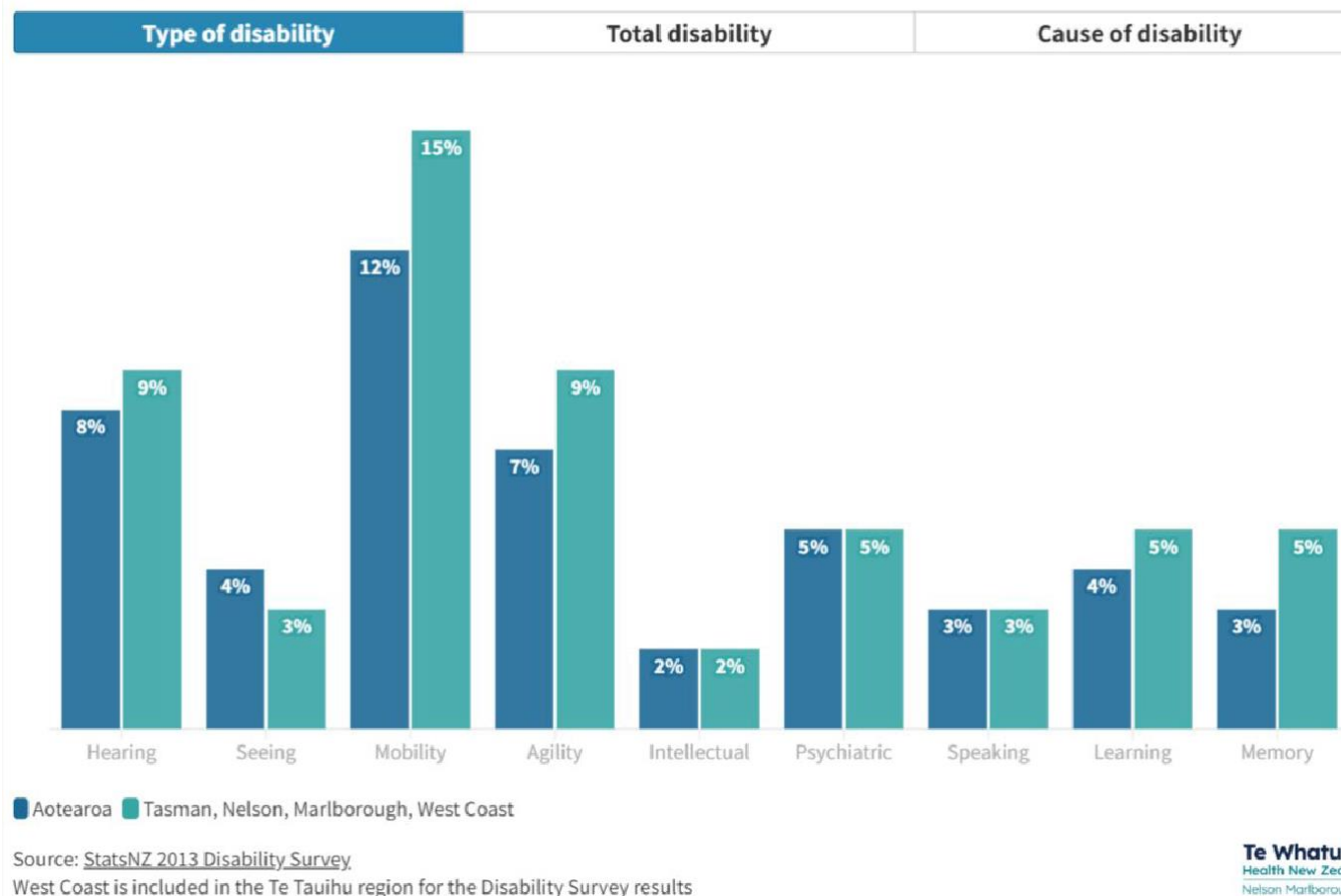


Graph 1: High estimated projections for total population, 2018-2043.

⁵³ [Population and Demographics - Nelson City Council](http://www.nelson.govt.nz/council/plans-strategies-policies/strategies-plans-policies-reports-and-studies-a-z/population-and-demographics/) (<http://www.nelson.govt.nz/council/plans-strategies-policies/strategies-plans-policies-reports-and-studies-a-z/population-and-demographics/>)

The graph below (graph 2) shows the range of ‘types of disability’ that exist and each of which need to be considered in planning.

Disability Survey 2013



Graph 2: Types of disabilities.

5. Spatial Equity

The spatial aspect of equity is linked across all the principles for healthy urban development. Spatial equity, which considers accessibility, needs, fairness and justice in the way we distribute public service facilities in communities, is fundamental to creating thriving communities⁷. Inequitable access to stable, safe, high-quality housing that is free from moisture, exposure to contaminants, pests and injury hazards and is well ventilated and energy efficient gives rise to health inequities across socio-economic and demographic groups including ethnicity, age, gender, and income⁵⁴.

The WHO defines equity as follows:

Equity is the absence of avoidable or remediable differences among groups of people, whether those groups are defined socially, economically, demographically, or geographically. Health inequities therefore involve more than inequality with respect to health determinants, access to the resources needed to improve and maintain health or health outcomes. They also entail a failure to avoid or overcome inequalities that infringe on fairness and human rights norms.

Reducing health inequities is important because health is a fundamental human right and its progressive realisation will eliminate inequalities that result from differences in health status (such as disease or disability) in the opportunity to enjoy life and pursue one's life plans.

A characteristic common to groups that experience health inequities – such as poor or marginalized persons, racial and ethnic minorities, and women – is lack of political, social or economic power. Thus, to be effective and sustainable, interventions that aim to redress inequities must typically go beyond remedying a particular health inequality and also help empower the group in question through systemic changes, such as law reform or changes in economic or social relationships⁵⁵.

Urban development provides opportunities for improving equity among people through considering their unique needs and perspectives. For example, creating a physical environment that responds to a variety of disability access needs, including transportation and building design enhance the wellbeing and equity of disabled people and other population groups such as women, parents and caregivers, and older people. Decolonising urban

⁵⁴ K C O'Sullivan, C V Olin, N Pierse, P Howden-Chapman, Housing: the key infrastructure to achieving health and wellbeing in urban environments, Oxford Open Infrastructure and Health, Volume 1, 2023, ouad001, <https://doi.org/10.1093/oih/ouad001>

⁵⁵ WHO. 2019. Health System: Equity. Retrieved 22 March 2019, from WHO: <https://www.who.int/healthsystems/topics/equity/en/>

environments which result in an enhanced sense of place for tangata whenua and provide meaningful connections for others will, enhance wellbeing⁵⁶.

The application of kaupapa-Māori urban-design principles driven and governed by mana whenua, is important if regeneration projects are to genuinely reflect a localised sense of place and our national commitment to te Tiriti o Waitangi⁵⁷. The migration of Māori from rural to urban areas in the 20th century has resulted in significant disadvantages for Māori, including lack of employment, inadequate housing, and discrimination⁵⁸. These processes continue to have negative intergenerational impacts on Māori equity and wellbeing. Oritetanga (Equity), is encompassed in Article 3 of Te Tiriti o Waitangi, and requires the Crown to commit to achieving equitable outcomes for Māori. To honour this commitment, public services must address and eliminate the inequities in the determinants of health and wellbeing for iwi, hapū, whānau and Māori communities. By addressing spatial equity across the full spectrum of the urban environment, we will put into practice the equity principle of urban development. Without local area planning, that considered a range of perspectives, housing intensification policies will not have the positive social equity effects that National Policy Statement on Urban Development 2020 (NPS-UD) intends in all communities.

6. Climate change and Natural Hazards

Climate change is an example of how health, disease and overall wellbeing is influenced by a wide range of factors which lie beyond the health sector. Efforts to mitigate the effects of climate change will produce health co-benefits at a population level, such as reductions in heart disease, cancer, obesity, type 2 diabetes, respiratory disease, motor vehicle injuries and improvements in mental health⁵⁹. The World Health Organisation has described climate change as the greatest threat to global health in the 21st century. The determinants of health and wellbeing, including social

⁵⁶ Tonne C. Rethinking urban environments and health. *Epidemiology*. 2023 Jul 1;34(4):565-567. doi: 10.1097/EDE.0000000000001606. Epub 2023 May 30. PMID: 37255264.

⁵⁷ Kake, J. (n.d.). *Spatial Justice—Decolonising Our Cities and Settlements*. <https://counterfutures.nz/9/CF%209%20Kake.pdf>

⁵⁸ Ryks J H-C, Howden-Chapman P, Robson B, et al. 2014. Maori participation in urban development: challenges and opportunities for indigenous people in Aotearoa New Zealand. *Lincoln Planning Review* 6(1–2): 4–17. DOI: 10.34900/lpr.v6i1-2.832 (accessed 17 July 2022).

⁵⁹ Climate Change and Health in New Zealand. Climate Change Policy Statement. New Zealand College of Public Health Medicine. 2013

determinants such as housing and the built environment, are affected by climate change. The recently released Intergovernmental Panel on Climate Change AR6 Synthesis Report noted the following which specifically relate to human health and wellbeing⁶⁰:

- Food and water insecurity have increased because of extreme weather and climate events.
- Increases in extreme heat events have led to human mortality and morbidity in all regions of the world.
- Climate-related diseases have increased, and will continue to increase, with warmer temperatures.
- The impacts of extreme weather, climate events and climate anxiety present challenges to mental health.
- Other risks to human health that are expected in the near term include: increased flooding in low-lying and coastal areas, biodiversity loss, and a decrease in food production in some regions.
- Sea level rise is unavoidable and presents further risks to coastal ecosystems and settlements.
- Urban infrastructure, including those which have direct impacts on public health, such as water and sanitation systems, have been compromised by events related to climate change.
- Trauma and loss of livelihoods and culture.

Climate change is already happening in New Zealand and could have a profound impact on future generations of New Zealanders⁶¹. While climate change affects everyone, those who have contributed the least to the crisis - children, those in poverty, and future generations, are the most affected⁶². Climate change will disproportionality affect the elderly, young children, pregnant women, people with chronic disease, mental illness or disability, and people from culturally and linguistically diverse backgrounds and from low-income households⁶³. Globally in the last decade deaths from floods, droughts and storms were 15 times greater in highly vulnerable communities⁶⁰. Natural disasters experienced around the world continue to highlight that certain groups within society are more vulnerable to the impacts of disasters than others. Social factors such as low income, lack of

⁶⁰ AR6 Synthesis Report Climate Change 2023. IPCC. (2023). <https://www.ipcc.ch/report/ar6/syr/>

⁶¹ Ministry for the Environment & Stats NZ (2023). New Zealand's Environmental Reporting Series: Our atmosphere and climate 2023. Retrieved from environment.govt.nz.

⁶² The Climate Crisis. (n.d.). Save the Children. <https://www.savethechildren.org/us/what-we-do/emergency-response/climate-change>.

⁶³ Garnaut R 2008, The Garnaut climate change review: final report, Cambridge University Press, Cambridge.

insurance and poor housing quality are known to increase the impact of natural hazards on people that live with these conditions and make their recovery more difficult⁶⁴.

Cities are a key contributor to climate change, as urban activities are major sources of greenhouse gas emissions⁶⁵. Urban centres produce many different types of pollutants from; home heating, vehicle use, industry, waste disposal, wastewater, and stormwater. The pollutants vary in type and amount from place to place and over time. Although some pollutants occur naturally, in urban areas pollution comes mostly from human activities and can accumulate to harmful levels in air, land, freshwater, and marine environments. There is high risk to human health and cultural well-being, practices, and knowledge because 86 percent of New Zealanders live in an urban centre. Fresh water, marine, air, and atmosphere can all be effected³⁷. Environmental Health Intelligence New Zealand (EHINZ) data shows a link between human-made air pollution and premature death in Aotearoa New Zealand. See figure 3 below.

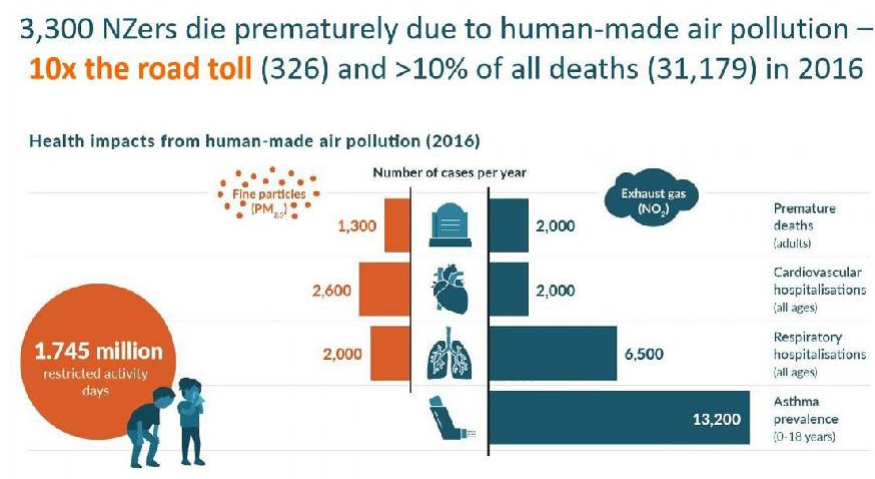
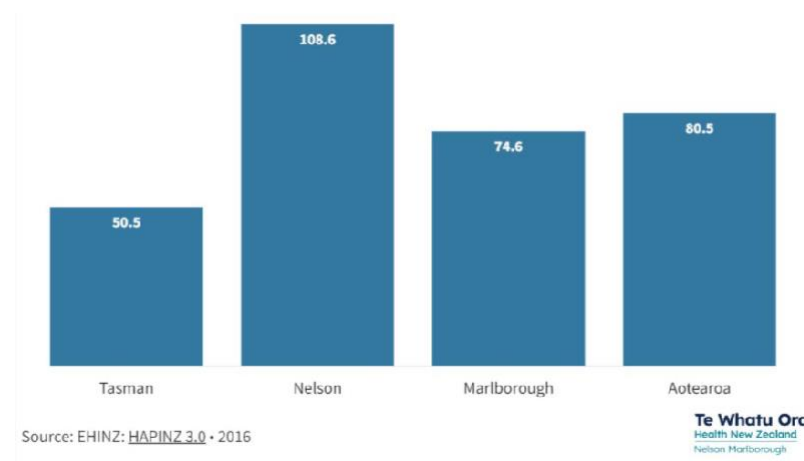


Figure 3: Health impacts from human-made air pollution (2016). Source: [MfE_HAPINZ3_A4-infographic \(environment.govt.nz\)](https://environment.govt.nz/mfe-hapinz3-a4-infographic)

⁶⁴ Chang S.E., Yip J.Z.K., van Zijl de Jong, S.L., Chaster R., & Lowcock A. (2015). Using vulnerability indicators to develop resilience networks: a similarity approach. *Natural Hazards* 78, p. 1827-1841.

⁶⁵ Cities and climate change. (n.d.). United Nations Environment Programme. <https://www.unep.org/explore-topics/resource-efficiency/what-we-do/cities/cities-and-climate-change>.

In Whakatū Nelson, out of every 100,000 people, approximately 108 deaths were attributed to motor vehicles; 100 of those deaths were attributed to nitrogen dioxideⁱⁱ (NO₂) and approximately 8 of those deaths were attributed to particulate matterⁱⁱⁱ (PM_{2.5}) pollution. The significant impact due to motor vehicle related NO₂ was a new finding for New Zealand. Graph 3 below depicts this number and shows Whakatū Nelson is comparably higher than Tasman, Marlborough and Aotearoa New Zealand.



Graph 3: Premature deaths per 100,000 people aged 30+ due to motor vehicle air pollution (PM_{2.5}+NO₂).

While threats to cities of hotter and wetter climates can be combatted through more air-conditioning and stormwater infrastructure, greener urban areas can reduce climate vulnerability in ways that also bring biodiversity, recreational and wellbeing benefits⁶⁶. For example, there are health co-benefits of walking and cycling for physical and mental health and improved air quality, which in turn can reduce the burden of all-cause mortality, non-communicable and respiratory disease from air pollution and physical inactivity.

⁶⁶ Parliamentary Commissioner for the Environment, Te Kaitiaki Taiao a Te Whare Paremata. (2023, March). Are we building harder, hotter cities? The vital importance of urban green spaces. Parliamentary Commissioner for the Environment, Te Kaitiaki Taiao a Te Whare Paremata. <https://pce.parliament.nz/publications/are-we-building-harder-hotter-cities-the-vital-importance-of-urban-green-spaces/>

Climate change is predicted to increase the frequency and magnitude of extreme events such as flooding⁶⁷. Therefore, it is essential that its effects are considered when looking at the long-term management of the risks from natural hazards. This is particularly important for the wellbeing of future generations. As highlighted in the Section 32 Evaluation report, the Nelson population is estimated to increase by an additional 11,860 people by 2051. Household numbers are also estimated to increase by 6,470 in the long term, resulting in a total of 30,218 households by 2051. This represents an approximate 27 per cent growth in population over the 2020-2051 period. The growing need for housing, alongside the risks and impacts of climate change need to be carefully considered. The National Adaptation Plan 2022 noted that there is increasing risk to housing from extreme weather events, drought, increased fire weather and sea-level rise⁶⁸.

It is important to refer to the current consultation on the *Proposed National Policy Statement for Natural Hazard Decision-making - He Marohi Kaupapa Here ā-Motu mō ngā Whakataunga Mōreareatanga ā-Taiao (NPS-NHD)*⁶⁹. The discussion document states the problem the NPS is trying to solve:

- *Aotearoa New Zealand is increasingly at risk from a range of natural hazards, including earthquakes, flooding and landslips. Severe weather events are becoming more frequent due to climate change. Building new developments like houses, office buildings, shops, roads and schools in areas at high risk from natural hazards increases risk to human life, community wellbeing, property, infrastructure, and may lead to adverse effects on the environment. It also exposes land owners, councils, the Crown and New Zealanders in general to increased social and economic costs. This issue was highlighted by the impacts of the severe weather events in 2023*
- *The way local authorities identify natural hazards and assess risk and risk tolerance is variable throughout the country. There is currently no national direction to guide decision-making on development proposals and to require risk assessments where natural hazards are a concern. As a result, decision-makers sometimes attribute less weight to natural hazard risk than to other matters, such as the need for new infrastructure and housing.*

⁶⁷ Ministry for the Environment. (n.d.). Climate change impacts on New Zealand. <https://www.environment.govt.nz/assets/Publications/Files/impacts-report-jun01.pdf>

⁶⁸ Ministry for the Environment. 2022. Aotearoa New Zealand's first national adaptation plan. Wellington. Ministry for the Environment.

⁶⁹ Manatū Mō Te Taiao-Ministry for the Environment. (2023). *He Marohi Kaupapa Here ā-Motu mō ngā Whakataunga Mōreareatanga ā-Taiao Proposed National Policy Statement for Natural Hazard Decision-making*. <https://environment.govt.nz/assets/publications/RMA/Proposed-National-Policy-Statement-for-Natural-Hazard-Decision-making-Discussion-document.pdf>

Although in consultation currently, once adopted, the NPS-NHD would have immediate effect. Therefore, it is important that it is considered through this plan change process, i.e. are the provisions proposed in Plan Change 29 in line with the NPS-NHD?

Social Vulnerability indicators:

The Social Vulnerability indicators created by EHINZ have the ability to support the management of **natural hazard risk** and the **effects of climate change** by providing an evidence base upon which to rely when making land use planning decisions. Social vulnerability indicators are valuable in understanding which population groups are more vulnerable to experiencing negative impacts from disasters, and where these groups live, to inform disaster risk management activities⁷⁰. Figure 4 below shows a conceptual framework for social vulnerability to natural hazards in New Zealand.

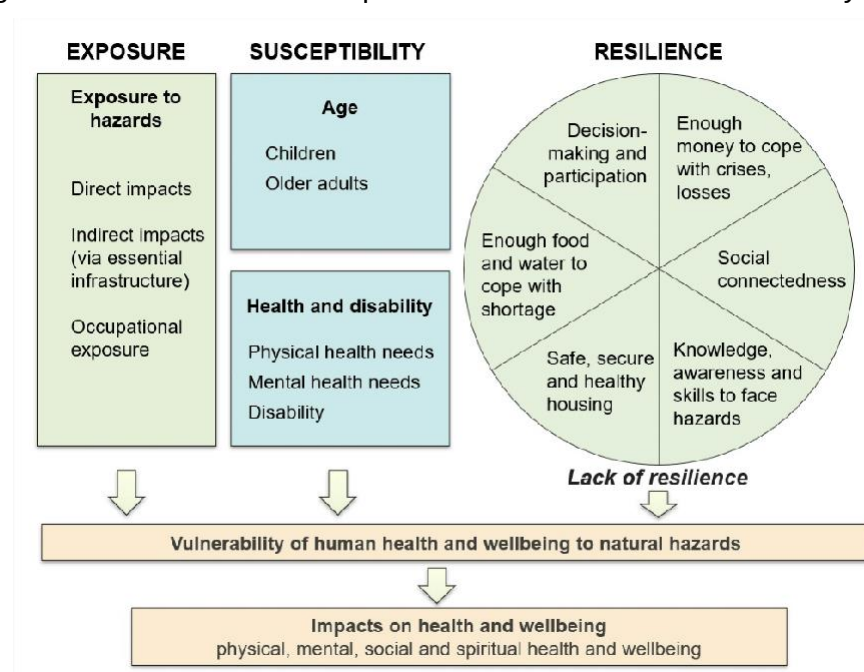


Figure 4: Conceptual framework for social vulnerability to natural hazards in New Zealand⁷⁰.

⁷⁰ Mason, K., Lindber, K., Haenfling, C., Schori, A., Marsters, H., Read, D., & Borman, B. (2021). Social Vulnerability Indicators for Flooding in Aotearoa New Zealand. *The International Journal of Environmental Research and Public Health*, 18(8). <https://doi.org/10.3390/ijerph18083952>

The EHINZ Data Explorer⁷¹ is a tool for local authorities, the health sector, and government agencies, to help explore social vulnerability indicators for New Zealand. The incorporation of social vulnerability indicators into natural hazard risk assessments could ensure that the needs of the vulnerable are recognised. Figure 5 below, developed by a Te Whatu Ora Data Analyst, shows the level of deprivation in the Nelson region. As stated in the figure, deprivation is particularly high in central Nelson.

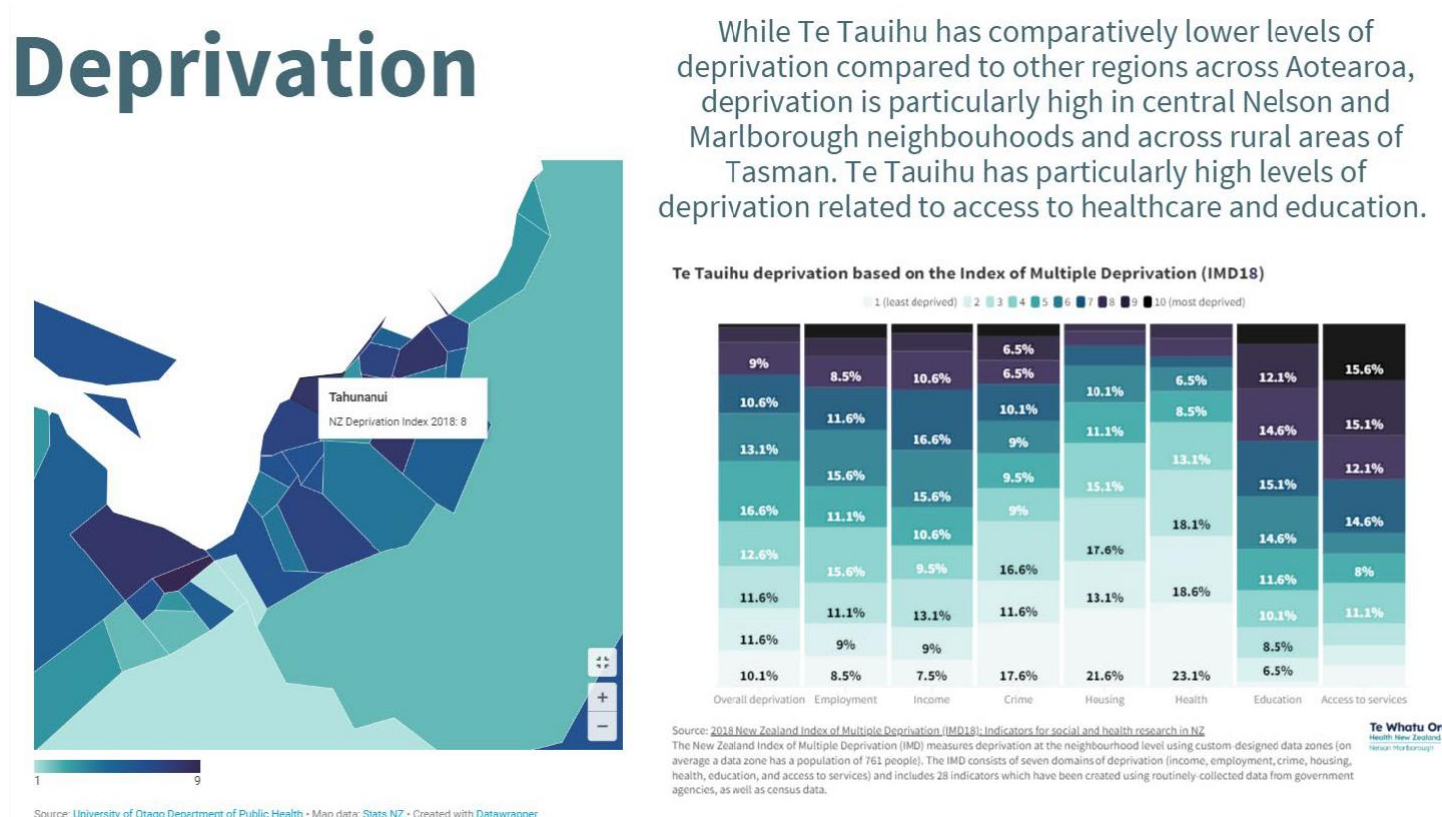


Figure 5: Deprivation levels in Te Taihū.

⁷¹ Visit the [Data Explorer for the Social Vulnerability Indicators for New Zealand 2018](https://public.tableau.com/app/profile/kylie8115/viz/SocialvulnerabilityindicatorsforNZ-2018/Socialvulnerabilityindicators)
(<https://public.tableau.com/app/profile/kylie8115/viz/SocialvulnerabilityindicatorsforNZ-2018/Socialvulnerabilityindicators>)

It is pleasing to see climate action throughout PC29 through promoting compact urban forms and mixed use developments that minimise the need for car travel, and enable public and active transport modes. As outlined in Ministry for the Environment's "Summary of The Value of Urban Design" key findings: Urban design that supports mixed use areas (with other factors including good connections and high intensity of different uses) can:

- allow parking and transport infrastructure to be used more efficiently
- lower household expenditure on transport
- increase the viability of local shops and facilities
- encourage walking and cycling - bringing health benefits, reducing the need to own a car and thus reducing emissions
- enhance social equity
- increase personal safety
- offer people convenience, choices and opportunity which lead to a sense of personal wellbeing⁷².

7. Social cohesion

Well thought out urban design is an important factor to get right to support social cohesion, which contributes to individual and community health and wellbeing. Social cohesion is about social connectedness, inequality and cultural environment. It identifies two main dimensions: the sense of belonging of a community and the relationships among members within the community itself. Many aspects of housing, including tenure type and location, affect the level of social cohesion within a community⁷³. It is important that a sense of community is created for new developments and that existing communities can maintain a sense of unity. Some considerations that enhance social cohesion include:

- Public Spaces: Well-designed public spaces like parks, squares and community centres can encourage social interaction, fostering sense of community.

⁷² The Value of Mixed use. Key Findings. (2005, January 6). Ministry for the Environment. <https://environment.govt.nz/publications/summary-of-the-value-of-urban-design-the-economic-environmental-and-social-benefits-of-urban-design/the-value-of-mixed-use/>

⁷³ AHURI-Australian Housing and Urban Research Institute (Ed.). (2007). How do housing and housing assistance relate to social cohesion? (Issue 92). https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_RAP_Issue_92_How_do_housing_and_housing_assistance_relate_to_social_cohesion.pdf

- Walkability and Accessibility: When cities are designed for pedestrians and have good public transportation it is easier for people to connect with neighbours and participate in communal activities, such as Neighbours Day Aotearoa Celebrations, school fairs, local festivals and markets.
- Mixed-Use Zoning: Encouraging mixed-use development, where residential, commercial and recreational areas are intertwined, can create vibrant diverse neighbourhoods.
- Designing to accommodate diverse needs: Avoiding segregation based on income or ethnicity can promote inclusivity and social equity.
- Healthy and affordable housing: There is a strong positive association between stability in housing and various aspects of social connectedness⁷⁴. This is particularly important in Whakatū Nelson given that Nelson is one of the country's most unaffordable cities for home ownership⁷⁵.
- Safety: Safe urban design, including well-lit streets, clear sightlines and pedestrian crossings can make people feel more secure and willing to engage in their communities. Reducing/removing problems such as graffiti, noise pollution and traffic, can enhance social connectedness.
- Cultural Identity: Urban design that respects and integrates local culture and history can strengthen social bonds by fostering a sense of pride and belonging.
- Community Engagement: Involving residents in the urban planning process can ensure that designs meet their needs and preferences enhancing community cohesiveness. NCC has previously done this when planning community facility projects, including the Putangitangi Greenmeadows Community Centre and enhancement of neighbourhood parks such as Corder Park, Atawhai.
- Green space: Incorporating green infrastructure⁷⁶ and sustainable design elements can improve quality of life, increase usage and social connections.

⁷⁴ AHURI-Australian Housing and Urban Research Institute (Ed.). (2007). How do housing and housing assistance relate to social cohesion? (Issue 92). https://www.ahuri.edu.au/sites/default/files/migration/documents/AHURI_RAP_Issue_92_How_do_housing_and_housing_assistance_relate_to_social_cohesion.pdf

⁷⁵ Nelson City Council. (n.d.). Housing affordability and intensification. Shape Nelson. Retrieved October 5, 2023, from <https://shape.nelson.govt.nz/long-term-plan-2021-2031/housing>

⁷⁶ Auckland City Council. (n.d.). Green infrastructure. Auckland Plan 2050. Retrieved October 19, 2023, from <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/our-plans-strategies/auckland-plan/environment-cultural-heritage/Pages/green-infrastructure>

ⁱⁱ NO₂ is a gas in the air, mainly from motor vehicles. Diesel vehicles dominate (~77%) the NO₂ health effects.

ⁱⁱⁱ PM_{2.5} is a complex mixture of particles attributed to domestic fires, motor vehicles, industry, and wind-blown dust (as well as the natural sources of sea spray and secondary PM).